

## Rathvilly Local Area Plan



**2010 – 2016**

**NOTE: It is the Council's policy that approvals to residential developments of more than 2 units shall not commence before 1<sup>st</sup> May, 2011.**

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## INTRODUCTION

Carlow County Council may prepare a Local Area Plan in respect of any area, which requires economic, physical and social renewal. The Planning and Development Acts 2000 - 2006 require that a Local Area Plan shall be consistent with the objectives of the County development plan and shall consist of a written statement and a plan or plans indicating the objectives in such detail as may be determined by the planning authority for the proper planning and sustainable development of the area to which it applies, including detail on community facilities and amenities and on standards for the design of developments and structures.

This Local Area Plan outlines the actions that will most effectively facilitate achievement of the social, economic, cultural and environmental objectives arising from public consultation and the expressed views of the Elected Members of Carlow County Council. The Local Area Plan will promote the proper planning and sustainable development of Rathvilly for the six-year period up to 2016 and beyond and will have regard to any Regional Planning Guidelines made for the South East Region.

The Development Strategy takes cognisance of the *Regional Planning Guidelines Review – Gateway and Hub Population Targets – October 2009* issued by The Department of the Environment, Heritage & Local Government (Appendix 1). Members of the Planning Authority recommend that the South Eastern Regional Planning Authority give discretion to Carlow County Council with respect to the population targets element of any proposed Regional Planning Guidelines. This Local Area Plan reflects the need for economic growth and the use of zoned and serviced lands to cater for population growth and a competitive availability of suitable lands for economic development.

## **SECTION ONE – BACKGROUND**

Rathvilly derives its name from one of a series of raths, built and designed to protect their parent centre. Today Rathvilly is a picturesque village in North Carlow with parish boundaries bordering counties Kildare and Wicklow. It has the distinction of winning the All-Ireland Tidy Towns Award on three separate occasions and this is reflected in the overall character of the village. In the centre of the village is a monument to Kevin Barry, a local boy who joined the fight for Irish freedom. The moat of Rathvilly, in the townland of Knockroe, was the residence of the King of Leinster who reigned from 443 AD to 483 AD.

The town of Rathvilly has grown considerably over the last 30 years. Local housing need has traditionally been met by the construction of Local Authority Housing Estates with limited private housing construction. Recent years has seen the advent of private housing estate construction in Rathvilly to cater for a more prosperous local population and for others attracted by employment in Carlow and the Eastern Region. The town's community facilities will now have to cater for this increasing population. The existence of a large number of local organisations and a great local civic pride will greatly assist the town in meeting the future challenge to cater for all of its people.

## **SECTION TWO – PUBLIC CONSULTATION/ISSUES**

Carlow County Council carried out a public consultation process in accordance with the terms of the Planning Acts. The following is a summary of the matters arising from this process;

1. Graveyard in Rathvilly is almost full and require extra lands. Zoning of adjoining lands to progress additional graveyard lands.
2. Rathvilly N. S. has 215 students attending and lacks a carpark. Danger to children / parents - lands be zoned to facilitate carparking.

The Local Area Plan will consider the above issues in conjunction with strategies for economic development, settlement, service provision and community/amenity development. The Local Area Plan will indicate a development strategy, appropriate policy and specific objectives, which will progress resolution of the above issues and the achievement of development targets. The process will be informed by the policy guidelines adopted in the National Spatial Strategy.

The issues outlined will be considered in this plan in conjunction with; present status, proposed policy and specific objectives which will relate to the Local Area Plan period.

## **SECTION THREE – STRATEGIC FRAMEWORK**

### **Strategic Framework**

Rathvilly has a range of strategic roles. At a local level the town and its environs have the potential to meet the development needs of the area, providing for residential, commercial and recreational needs. At a county level the development of key uses within the town will reinforce the development of Rathvilly as a significant settlement in the South East, provide for identified development pressures such as housing demand and promote the town as a development node. At a regional level the development and expansion of the town will promote the overall development of the County Carlow.

Rathvilly is an important urban settlement in County Carlow with a current population of approximately over 800 persons. There are a number of established industries and business in the area. The town is well served by primary and local secondary schools and avails of third level educational facilities at nearby Carlow town. Located on the River Slaney the town is central to a thriving agricultural hinterland.

The town is well located in relation to the road network in the region. Local infrastructure, townscape and River Slaney amenity have improved the attractiveness of the town as a commercial growth centre and as a residential settlement. Imminent housing development presents a stern challenge to provide adequate community, amenity and recreational facilities.

Rathvilly has been the flagship town for Co. Carlow in relation to its success as a Tidy Town – winning the National Award on three occasions. The continuing high standard of local amenity is an indicator of local pride and talent that this plan will seek to harness for the future development of the Town. Local sports organisations have greatly enhanced the availability of top class recreational facilities in the town.

This plan will endeavour to provide a framework, which will facilitate ongoing development of residential, commercial, industrial and recreational facilities. Rathvilly will fulfil its role as a key settlement within County Carlow and the South East Region as a whole.

## **SECTION FOUR – DEVELOPMENT STRATEGY**

### **4.0 Development Strategy**

The Proposed Local Area Plan will provide for the proper planning and sustainable development of Rathvilly for the period 2010 – 2016 while also promoting the aims of national policy and objectives.

The plan sets out lands that will be suitable for possible development during the plan period. The approach is based on the need to identify the entire development area and zone lands for development in those areas while;

- 1 zoning lands for development purposes that will provide for a range and mix of uses and set out urban design and development control objectives for their development,
- 2 identify infrastructure works of local and regional benefit.

This approach is the most effective mechanism to allow for the development of Rathvilly in a controlled manner that will maximize the potential of town centre and environs development.

The Development Strategy takes cognisance of the *Regional Planning Guidelines Review – Gateway and Hub Population Targets – October 2009* issued by The Department of the Environment, Heritage & Local Government (Appendix 1). Members of the Planning Authority recommend that the South Eastern Regional Planning Authority give discretion to Carlow County Council with respect to the population targets element of any proposed Regional Planning Guidelines. This Local Area Plan reflects the need for economic growth and the use of zoned and serviced lands to cater for population growth and a competitive availability of suitable lands for economic development.

### **4.1 Identifying Development Lands**

The recommended development lands have been identified having regard to the need to promote a compact urban form with easy access by foot to public services, transport, community and recreational facilities.

The Local Area Plan development strategy is illustrated in the attached plan. The plan illustrates the proposed zones for a range of land uses that should be developed in line with guidance contained in this document and consistent with the standards of the County Development Plan.

The proposed plan will be known officially as the Rathvilly Local Area Plan 2010. It is intended that the majority of this Plan's objectives are, where feasible, to be implemented within 6 years from the date of its adoption by the Council.

## **SECTION FIVE – POPULATION/EMPLOYMENT PROFILE**

### **5.1 Population**

The published data from the 2006 Census and inclusion of other persons in the immediate town area are used to confirm the population total for the Local Plan area. The population for Rathvilly Area is approx 800 persons. This figure represents an increase of 14% in the population since 2004.

### **5.2 Employment Profile**

Rathvilly did benefit from the general increase in national employment levels with increasing job opportunities in nearby Carlow and Tullow. Rathvilly residents now include an increasing number who commute to work in Dublin and other parts of the greater Dublin region. There are very limited local employment opportunities in any sector. Rathvilly now shares the impacts of the current negative economic climate.

The particular drop in the numbers employed in the construction industry will impact on the trades and skilled labour sectors.

## **SECTION SIX – RESIDUAL LANDS ANALYSIS & FUTURE LAND REQUIREMENT**

The identification of zoned and undeveloped lands within the local area plan has been carried out. From this, lands can be classified into distinct categories;

- **Residential Lands**

There is planning approval for up to 150 units at low density residential lands and for a further 80 units at normal residential zoning. There are 20 no. unsold dwellings approximately.

- **Industrial lands**

Rathvilly has a very low industrial base – less than 5 hectares are used for industrial activity at the moment. There is a need to provide lands for mixed used which will facilitate light industrial businesses, office activities, information technology and other business park activity.

- **Commercial/Town Centre Lands**

There are 2 hectares approx. of commercial/town centre activity. The cohesiveness of this activity has been strengthened by local enterprise and considerable community based amenity work.

- **Amenity and Open Space**

There are limited lands available for organised amenity purposes in Rathvilly. The majority of open spaces are useful for landscaping, social amenity or confined playground activities. There are two locations zoned for recreation – one currently developed, the other should be procured during the plan period.

### **6.1 Issues**

Lands within the Local Plan area have the potential to be developed and served by the existing services and proposed extensions to infrastructure. These lands have the potential to be developed for a range of uses including residential, commercial, industrial and amenity lands.

The following specific issues arose during public consultation:

- Graveyard in Rathvilly is almost full and require extra lands. Zoning of adjoining lands to progress additional graveyard lands.
- Rathvilly N. S. has 215 students attending and lacks a carpark. Danger to children / parents - lands be zoned to facilitate carparking.

## **6.2 Policy response**

It is the policy of the Council to identify development lands within the Rathvilly town environs area to meet potential development requirements relating to the above issues. It is the Council's policy to ensure that adequate amenity and recreational facilities are provided in conjunction with the increased settlement population. Land will be designated for Industrial and mixed use development. Lands are proposed to be zoned for:

- Carparking adjacent to National School
- Lands should continue to be zoned for graveyard exactly described.

## **6.3 Specific Objectives**

It is recommended that the following land designations occur to compliment and support existing development and to provide for future limited growth of this town.

- Promote and develop lands (4 hectares approx) for mixed use development at Bough
- Designate lands for amenity and recreational purposes adjacent to existing and proposed housing development on the Southern side of the town. These lands include 4 hectares approximately in the vicinity of the existing G.A.A. grounds / Tennis Court and a designated amenity area opposite Father Cullen Park of 4 hectares approx in private ownership.
- Zone adequate serviced lands for residential development to ensure a competitive market for suitable houses.
- Designate lands for community and education as described on zoning map.
- Designate town centre activities as described on zoning map.

## **SECTION SEVEN – URBAN FORM, STRUCTURE & RESIDENTIAL DEVELOPMENT**

Rathvilly originated as a market town to serve a broad agricultural hinterland. The commercial units, church and schools originally served a local population mainly housed in the town centre. The elevated and rustic nature of the town has attracted international and national recognition. Since 1970 housing need has been catered for by the creation of housing estates on the main approach roads. Development in recent years has given rise to dispersed settlement which requires that this Plan brings about a structure which can serve the towns future growth.

### **7.1 Issues**

The recently issued document – Sustainable Residential Development’s in Urban Area – guidelines for Planning Authorities, 2009 – state that “the overall order and sequencing of development of small towns and villages must avoid significant so called “leap-frogging” where development of new residential areas takes place at some remove from the existing contiguous town/village and leading discontinuities in terms of footpaths lighting or other services which militates against proper planning and development”. This document also states that “new plans for the types of smaller towns and villages mentioned above should encourage interventions designed to open up development opportunities such as town or village centre renewal, redevelopment of derelict sites or the development of mixed use proposals in order to stimulate new economic development.”

2. The development of high densities may not be appropriate in all areas. Areas have been identified as appropriate locations for the provision of higher density developments these include:
  - a) Infill sites and other undeveloped (zoned and serviceable lands)
  - b) Transport Routes/Access Nodes.
3. The development of high densities will not be appropriate in all areas. Areas have been identified for lower density development at the perimeter of existing development areas – in accordance with Sustainable Residential Development’s in Urban Areas – guidelines for Planning Authorities, 2009 and Best Practice Urban Design Manual, 2009.
4. National Spatial Strategy/Regional Planning guidelines.
5. Need for development lands for mixed uses and industrial purposes.
6. Requirement of amenity and recreational facilities.

### **7.2 Policy Response**

It is the policy of the Council to:

- 1 Encourage the development of limited mixed-use areas so as to provide opportunities

for employment generating activities in proximity to residential areas that do not interfere with residential amenity.

2. Require high standards of design and layout from all developments so as to ensure the creation and development of an attractive residential and employment environment. High standards of landscaping and amenity areas will also be required in order to promote the development of a sustainable environment capable of serving local needs.
3. Designate lands for amenity purposes
4. Identify areas suitable for industrial and mixed use development.
5. It is the policy of the Council, as required under Section 95 of the Planning and Development Act 2000, as amended, that 20 per cent of land zoned for residential use, or for a mixture of residential and other uses, shall be reserved for the provision of housing for the purposes of either or both:
  - (i) Housing for persons referred to in Section 9(2) of the Housing Act, 1988
  - (ii) Affordable housing (as defined at Section 93 of the Planning Act, 2000, as amended)

Where developments solely provide for the accommodation of special needs groups, the elderly or students there may be no requirement for the provision of land for social and affordable housing.

Conditions attached to planning permissions for residential development to which the 20% social and affordable housing quota applies, will require applicants to enter into an agreement with the relevant planning authority. Such agreements will provide options for site transfers as set out in the legislation.

In determining the number of social and affordable units to be provided and a description of the proposed units, the Council will have full regard to:

- (a) The policies contained in the County Development Plan, Regional Planning Guidelines and Sustainable Residential Developments in Urban Area's, 2009.
- (b) The need to ensure the overall coherence of the development,
- (c) The views of the developer with regard to the impact of the agreement of the proposed development,
- (d) The need for social integration.

The accommodation needs of the travelling community have been specifically dealt with through the preparation and implementation of the Travelling Accommodation Programme. The Council will continue to implement and monitor the operation of this programme and will meet their obligations regarding the provision of adequate and suitable accommodation for the Travelling community through consultation with Travellers and the general public.

5. It is the Council's policy to promote the protection of trees of amenity value in the area where these contribute to the character and amenity of the area and are likely to be removed as part of any development.
6. It is the Council's policy that approvals to residential developments of more than 2 units

shall not commence before 1<sup>st</sup> May, 2011.

### **7.3 Specific Objectives**

It is the objective of the Council to:

Require the development of zoned lands for the uses identified in the attached land use zoning map and as per the uses Permitted in Principal and Open for Consideration.

- 1 New development shall incorporate the existing natural features and particularly those natural features such as mature stands of trees, hedgerows, established walls and boundary treatments. The preservation of these features, many of which represent long established boundaries in the plan area will be sought by the Planning Authority. These represent features of importance in encouraging the sustainable development of emerging urban areas set out above. Where necessary the retention and replacement of these features will be required as a condition of planning permission in order to ensure the retention and improvement of the areas character. Landscape considerations will take into account the impact on any elements of demesne designed landscape.
- 2 Within new housing estates, pedestrian and vehicular movements should be convenient, safe and pleasant. In order to comply with the 'European Charter of Pedestrian Rights' it will be an objective to improve facilities for pedestrians and access to such facilities for people with disabilities. Improved pedestrian and cycling facilities will be prioritised as part of an integrated approach to the management of movement. In addition, estates should be so designed to ensure that the opportunities for crime and vandalism are reduced to the greatest possible extent.
- 3 In recognition of the role that roads have in children's play, all efforts should be made to eliminate through-traffic from new housing schemes and long straight roads should be avoided. Where such long straight roads are unavoidable, traffic-calming methods should be provided. Housing layouts consisting of short cul-de-sacs with good provision for pedestrian safety and preferred.
- 4 Shared surfaces in residential areas (i.e. the provision of areas shared by vehicles and pedestrians where footpaths are not provided) will only be acceptable where vehicle speeds are at or near walking pace due to design features such as curves, ramps, pinch points or other design features.
- 5 In residential developments parking provision shall be provided off the carriageway, principally within the house curtilage for residents and in grouped parking areas for visitors. In cul-de-sacs, the turning circle shall be adequate to provide for visitor parking and also to permit public service vehicles to turn.
- 6 The standard applicable to public open space in residential developments is as follows:
  - In green-field sites or those sites for which a local area plan is appropriate, public open space should be provided at a minimum rate of 15% of the total site area. This allocation should be in the form of useful open spaces within residential developments and, where appropriate, larger neighbourhood parks to serve the wider community;
  - In other cases, such as large infill sites or brown field sites public open space should generally be provided at a minimum rate of 10% of the total site area; and
  - In institutional lands and 'windfall' sites which are often characterised by a large private or institutional building set in substantial open lands and which in some cases may be accessible as an amenity to the wider community, any

proposals for higher density residential development must take into account the objective of retaining the “open character” of these lands, while at the same time ensuring that an efficient use is

made of the land. In these cases, a minimum requirement of 20% of site area should be specified; however, this should be assessed in the context of the quality and provision of existing or proposed open space in the wider area. Whilst the quantum of open space may be increased vis-à-vis other sites, the amount of residential yield should be no less than would be achieved on any comparable residential site. Increasing densities in selected parts of the site subject to the safeguards expressed elsewhere may be necessary to achieve this.

- In cases where a developer has control of lands zoned both residential and amenity, the developer is required to bring forward proposals to develop the amenity lands at the same time as developing residential lands

8. Generally, new developments may not be carried out in front of an existing building line or sited where it would conflict with a building line as established or determined by the planning authority.
9. Proposals for mixed-use developments on large sites of 10 hectares or more within the plan area should provide a master plan detailing the development proposed, urban design concept layout, design details such as landscaping and boundary treatments to ensure that the character of any development is consistent with the established built environment, is of high quality and can be incorporated into the surrounding topography and environment. Where such developments provide for residential development the application of design approach utilised in the Best Practice Urban Design Manual, 2009, Design Standards for new apartments, 2007 and Sustainable Residential Developments in Urban Area's, 2009, should be considered by all applicants in developing high quality developments. Development on these sites must:
  - Make a positive contribution to its locality and take best advantage of its location by the use of site topography, i.e. levels, views, landscape and design orientation, i.e. sunlight and daylight, to optimise sustainability.
  - Have a sense of identity and place and legible spatial hierarchy associated with the places within and the routes through the scheme.
  - Have a public area design, which is guided by the best principles of passive surveillance to encourage a safe sense of place and discourage anti-social behaviour.
  - Be characterised by an easily legible design approach to the grading from public to private areas.
- 10 Provide lands suitable for low density residential development at appropriate locations both in the interests of the provision of serviced sites for those who would avail of same and in accordance with the proper planning and development of the area. Developers of residential lands are to provide a minimum of 10% of the residential area for the provision of serviced sites for sale to the general public.

## SECTION EIGHT – TRANSPORTATION & TRAFFIC MANAGEMENT ASSESSMENT

- Rathvilly is located on the N81, Wexford to Dublin route.
- The town is also served by the regional route from Carlow to Baltinglass and by the local road network to Hacketstown and Co. Wicklow.
- The towns street system has adequate capacity to cater for existing through traffic and local commuters.
- The use of the N81 through the town requires the introduction of traffic management measures in keeping with a national route.

### 8.1 Issues

The following is a summary of issues with relation to transportation and traffic management.

- Speed Limits,
- Traffic Signs / Traffic Calming,
- Footpaths,
- Public Lighting,
- Road Surfaces,
- Road Safety,

### 8.2 Policy Response

“*Smarter Travel – A Sustainable Transport Future*”, published in February 2009, is the new Government policy for transport in Ireland. It is complemented by Ireland’s First National Cycle Policy Framework, which was launched in April 2009. Both policies set a vision for a radically new approach to travel and transport to year 2020.

The main objectives of the policy are

- To encourage Smarter Travel, ( i.e. to reduce overall travel demand )
- To maximise the efficiency of the transport network
- To reduce reliance on fossil fuels and therefore to reduce transport emissions
- To improve accessibility to transport

The Local Area Plan requires that:

- 1 The location and size of developments should be considered in relation to existing and proposed road and transport infrastructure. Where possible, transport infrastructure should be provided in concert with developments.
- 2 The location of new employment centres must be considered in relation to residential areas to minimise the need for car commuting.
- 3 Public Transport is an important element of development strategy that could have

impact on the siting of developments. Ideally, provision of public transport facilities and services should form part of new development proposals.

- 4 The Council will encourage and facilitate the efficient growth of public transport and to promote its maximum use by the travelling public. Public transport routes and services should be designed to provide for both commuting and off-peak demands.
- 5 The Council will co-operate with Bus Éireann, private bus companies, rural transport companies and taxi operators in the provision of an efficient and integrated public transport network.
- 6 The Council shall take such measures as are necessary to facilitate public transport vehicles
- 7 Attention should be given to the provision of readily accessible information for the assistance of public transport users.
- 8 Alternative transport schemes such as car shared ownership and “smart” taxi services should form part of the transport strategy.
- 9 Public Transport provision should address the needs of commuters, pensioners, the aged, scholars, tourists and the disabled, and should be affordable, safe, secure, reliable and sustainable.
- 10 In order to have regard to the National Disability Authority guidance document ‘Building for Everyone’, the Council will seek to develop specific measures to provide for:
  - The Provision of more disabled driver parking bays;
  - The symmetrical alignment of street furniture so as to minimise obstruction to the visually impaired pedestrian;
  - The introduction of more tactile paving at crossings, bus stops, etc;
  - The further provision of ramps and kerb dishing at appropriate locations to improve movement of disabled people
- 11 The Council shall manage and maintain existing bus bays and taxi ranks and provide new ones where necessary.
- 12 Due attention should be given to the needs of freight transport when considering developments and infrastructure improvements.
- 13 The provision of facilities that encourage safe walking or use of cycles alongside existing or proposed transport infrastructure assists people to make the move from car-based transport to more sustainable modes. The design and layout of developments can also enhance the use of these modes, and should be encouraged.
- 14 On site parking facilities for workers, delivery vehicles and visitors is an important element of proposed new developments. These should be provided in line with County

Development Plan standards.

- 15 It is Council policy to seek to improve the local road network of the town and its environs in order to provide a safe and efficient road network to cater for the current and future needs of the town.
- 16 The existing major road network will be improved and developed to accommodate the increasing volume of motor traffic. The main purposes of the urban road network will be to facilitate a more even distribution of traffic flows throughout the town and to improve accessibility between the various districts.
- 17 The Council will continue to improve certain existing roads and streets by the removal of bottlenecks and the alteration of intersections. Where necessary and appropriate, building and frontage lines of development sites will be set back to provide for long-term road improvements, provision of sight lines and improvements of traffic flows. In all improved streets, the Planning Authority will aim to minimise frontage vehicular access.
- 18 The Council shall strive to strike a balance between the demands for adequate road infrastructure by motor vehicle users and pedestrians, and the protection of the urban fabric.
- 19 In new developments public off-street parking facilities will be planned as an integral feature of shopping and community developments and will be located so as to permit joint and consecutive use of parking space by workers, shoppers, commuters and visitors alike.

### **8.3. Specific Objectives**

The proposed local area plan identifies specific areas for development. These will generate a need for the provision of new supporting road infrastructure and improvements to existing roads.

The objectives given in this section result from the need to service existing and proposed development.

- 1 Institute local traffic management levels to ensure minimal impact on road network of existing, by passable and construction traffic.
- 2 Continue to upgrade the condition of road and footpath surfaces in conjunction with the Council's annual roads programme.
- 3 Monitor and upgrade, where necessary, the standard of public lighting throughout the town.
- 4 Provide access roads to lands zoned for residential developments.
- 5 Identify suitable locations to provide adequate car parking in Rathvilly town centre.

## **SECTION NINE – RETAIL REQUIREMENTS**

Rathvilly serves a local retail catchment area that also includes some areas in Co. Wicklow and to a lesser extent Co. Kildare. The core trading area of the town is limited to the town centre. Business units within the town include Retail and professional service facilities only. It is expected that the existing core trading area has the capacity to cater for the retail and professional service needs of all future development.

### **9.1 Issues**

- 1 Recent studies of the town suggest that sufficient retail demands exist within the plan area to justify the creation of additional retail space. Additional retail space will have to be provided within the development area to meet local demands and this will have to be of an appropriate scale and location so as to ensure that such retail space provides for local needs, does not detract from the town centre facilities and links effectively with the existing town centre so that there may be commercial synergy.
- 2 It is acknowledged that appropriate services and facilities will have to be provided within the developing areas to meet needs. Within this area the aim will be to ensure that sufficient retail facilities are located within the local catchment areas.

### **9.2 Policy Response**

The Retail Planning Guidelines indicate that Local Authorities should do the following tasks:

- a. Confirm the role of retail centres and the size of main town centres.
- b. Assess the requirement for additional retail floor space.
- c. Provide strategic guidance on the location and scale of retail development.
- d. Draft policies to encourage the improvement of town centres
- e. Identify criteria for the assessment of retail schemes.

Carlow County council will prepare business development plans in conjunction with local stakeholders during the period of the Plan.

### 9.3 Specific Objectives

- a) **The role of retail centres and the size of main town centres:** The established retail core of the town must be maintained and promoted as the main retail centre in the immediate catchment area. Local retailing will be promoted in all smaller centres at central focal points and in areas where existing car parking is available. These areas will generally cater for neighbourhood provision to meet the needs of existing and proposed residential areas. These neighbourhood facilities must be centrally located.
- b) **The requirement for additional retail floor space:** Additional floor space will be allowed to meet emerging demands. All retail developments will be assessed in light of the provisions of the Retail Planning Guidelines 2000.
- c) **Strategic guidance on the location and scale of retail development:** Future retail provision should have regard to the application of the 'sequential test' in the identification of retail locations. In this respect the development of retail facilities in area identified as neighbourhood centre locations will be preferred.
- d) **Improvement of town centres:** No retail development should locate within the environs area that would have an adverse impact on the vitality and viability of the town centre. In this respect, local and neighbourhood retailing only will be encouraged.
- e) **Identify criteria for the assessment of retail schemes:**  
In general terms any retail scheme proposed should:
- Have regard to the adequacy of existing retail shopping in the area.
  - The size and location of existing retail shopping outlets.
  - The effect on existing communities, including the effect on established retail shopping outlets and employment.
  - The need to counter urban decline and to promote urban renewal.
  - The impacts on traffic.
  - The potential for new retail facilities to provide for an expanding population.
  - The need for all retail development to promote good urban design and where developed in proximity to the Town Centre to encourage linkages to the town centre.
  - All retail schemes in the region of and over 1,000 sq. m. (nett) should provide a Retail Impact Statement in the interests of encouraging the careful planning and identification retail needs.

More detailed assessment of development proposals can be carried out through the planning application process.

## **SECTION TEN – COMMUNITY FACILITIES, RECREATION & AMENITY**

There is a range of excellent sporting and recreational organizations within Rathvilly area. However the expansion of the town will mean that expanding recreational demands will have to be catered for through the development and provision of facilities with the plan area.

The established recreational facilities within the town area provide for the amenity needs for the established community. The development of amenity areas within the environs provide for future need including commercial and residential. The town will require the provision of additional recreational facilities.

### **10.1 Issues**

- 1 The expansion of the town will mean that additional recreational demands will have to be catered for through the development and provision of facilities for active and passive recreation within the plan area.
- 2 Limited community facilities are available within the town area at present given the limited range of development that has taken place.
- 3 New Tennis Court/Old Hall, Development of Amenity Areas, Soccer Pitch, Community Facilities, Develop Old Parish Hall, Public Play Ground, Cycling Paths, Playing Pitches, Public Walkways, Upgrade Amenity Area – Cuckoo Corner, Development of Phoenix Centre.

### **10.2 Policy Response**

The full range of provision of community facilities and amenities will have to be promoted and facilitated through the Proposed Local Area Plan. This will include provision for:

- Passive and active recreation areas.
- Community Halls and meeting areas.
- Play areas.
- Public walks.
- Community facilities

Such facilities are best provided in association with other services such as local retail facilities and local/neighbourhood scale retail development.

### 10.3 Specific Objectives

- 1 The location of community facilities (buildings) and services within the development areas, or the provision of contributions to the development of such facilities will be required of all developers. Developers will be required to provide such contributions in respect of public infrastructure and facilities benefiting development in the area.
- 2 The loss of existing public or private recreational open space will normally be resisted by the planning authority unless alternative recreational facilities are provided in a suitable accessible location, or it can be demonstrated that there is no longer sufficient demand to sustain the facility.
- 3 The Council will investigate ways of improving the quality and capacity of existing sporting and recreational facilities through initiatives in both the public and private sector.
- 4 Developers will be required to make provision for sport and recreational infrastructure commensurate with the needs of the development as an integral element of their proposals. Such provision should include direct provision on or off site or a development levy to enable the Council to make appropriate alternative provision.
- 5 Designate 4 hectares approx for recreational amenities to N81 Southern approach to Rathvilly on western side of route as shown.
- 6 Zone lands for the purpose of providing carparking adjacent to school.
- 7 Pursue provision of graveyard in conjunction with Church Authorities.

## **SECTION ELEVEN – HISTORIC BUILDINGS & STRUCTURES**

The built fabric of Rathvilly gives a uniqueness of character and sets it apart as a place in its own right. The retention and protection of buildings and structures of note is an important element in the protection of the area's heritage. Rathvilly is also home to a number of features that are recorded in the sites and monument record. This record details archaeological monuments of note nationally that must be protected and are included in the overall County Development Plan.

### **11.1 Issues**

- 1) The protection and preservation of the built environment is important to the future of Rathvilly,
- 2) Derelict Sites, Flood Lighting of Historic Buildings, Preservation Orders, Stone Walls and Hedge Rows, Tree Preservation Orders, Preservation of Phelan St.

### **11.2 Policy Response**

Carlow County Development Plan contains a list of Protected Structures and proposed Protected Structures, which it is the policy of Carlow County Council to protect in accordance with the provisions of Part IV of the Planning and Development Act, 2000, as amended.

### **11.3 Specific Objectives**

Carlow County Council will endeavour to designate Architectural Conservation Areas following a detailed inventory study. Such a survey should be carried out in accordance with the standards set down by the National Inventory of Architectural Heritage Section of the Department of the Environment, Heritage and Local Government and using the methodology suggested by this body.

## **SECTION TWELVE – INFRASTRUCTURE & ENVIRONMENT**

### **Waste Water Collection & Treatment**

Rathvilly is served by an inadequate sewerage treatment plant. Lands have been acquired for the provision of a modern sewerage treatment plant which will cater for the long-term growth of Rathvilly.

### **Water supply**

The water supply for Rathvilly and its environs comes from Carlow North Regional Water Scheme. The source will adequately cater for the long-term development of Rathvilly. The matter of wastewater is currently being examined in Rathvilly with a view to reduce the amount of wastage to less than 15% of the amount made available for consumption.

### **Environment**

The construction of a modern sewerage treatment plant will ensure that the major environmental objective of improving quality in the River Slaney will be achieved. This improvement will be monitored during the plan period. The matters of air pollution and noise pollution are dealt with on a continuous basis through planning control and enforcement.

### **Waste Management**

Domestic, commercial and industrial waste are collected at Rathvilly by private operators and disposed of mainly at the council's central landfill site at Powerstown.

#### **12.1 Issues**

- Sewerage facilities
- Water supply

## **12.2 Policy Response**

This section sets out Carlow County councils proposed policy and specific objectives in relation to the environmental aspects of the proposed development in Rathvilly. The proposed policy and specific objectives are dealt with in separate sections of this report. The infrastructural aspects are addressed as follows:

### **1. Wastewater Collection and Treatment:**

- Development shall be limited to the capacity of the new wastewater facility available.
- The surface water system will continue to discharge to the River Slaney and will be connected to a separate system from the foul sewer where possible.
- A review of the existing sewer networks, storm and foul, will be undertaken.

### **2. Water Supply**

- Carlow County Council will seek to provide adequate water to supply future developments needs and to reduce wastage within the existing system.

### **3. Environment**

- Carlow County Council will implement the objectives of the County Development Plan and of any guidelines set out by the South East River Basin District Management Plan.

### **4. Waste Management**

The fundamental principle with respect to waste management and water management infrastructure is that of sustainability. The proposed Council policy in respect of waste management is that of placing priority on the EU Waste Hierarchy of waste reduction/minimisation, then recycling, followed by recover, with landfill disposal having the lowest priority.

The proposed Council Policy must extend to the implementation of the polluter pays principle. The implementation of this policy will ensure that the waste producer will cover the cost of waste management.

There is a Waste Management Plan for the South East Region, which is under the direction of the South Eastern Regional Authority. Carlow County Council as a constituent of this body shall adhere to the aims and requirements of this plan.

- Implementation of the EU waste hierarchy.
- Implementation of the polluter pays policy.
- Implementation of the Waste Management Plan for the South East Region as it applies to Carlow County Council

## **12.3 Specific Objectives**

### **1. Waste Water Collection and Treatment**

- The up grading of the existing wastewater treatment facilities to cater for the expanding population and commercial loading from the town and environs.
- Expansion and up grading of the trunk sewer network to facilitate development in the zoned land in the Environs of Rathvilly.

### **2. Water Supply**

- To reduce wastage in the town supply.

### **3. Environment**

- Continue monitoring water quality at River Slaney in conjunction with the objective of the southeast river basin District Management Plan.

### **4. Waste Management**

The specific objectives in relation to waste infrastructure are as follows:

- Continue provision of adequate civic amenity facilities for both residential developments and commercial industrial developments. This will involve the development of new civic amenity facilities along with the upgrading of the existing facilities to cater for the future population and commercial/industrial demand.
- Implementation of a charge structure for waste management to cover the cost as required under the polluter pays principle. This will provide a source of revenue for the construction and operation of waste management facilities.
- Instigation of a requirement on developers to recycle and re-use construction and demolition wastes generated during construction projects in the environs area.

## SECTION THIRTEEN – LIKELY SIGNIFICANT EFFECTS OF IMPLEMENTING THE PLAN

### Assessment of the Likely Significant Effects of Implementing the Plan

This element of the plan has been prepared having regard to the provisions of Section 19(4)(a) of the *Planning and Development Act 2000*, S.I.No. 93 of 1999, the EPA Guidelines on Environmental Impact Assessment, EU Council Directive (96) 5111 + (99) 73 and the subsequent Strategic Environmental Assessment Guidelines, 2004 along with the South East River Basin District Management Project (SERBDM). This section identifies the manner in which the potential environmental impact of the development choices identified in this plan have been considered in the interests of achieving a balance between location, volume and mix of land uses, the development needs of the town and the potential environmental impacts that could be expected.

### Overall Strategy

The development of the area will have an impact on its environmental amenity. The impact the development of individual parcels of land will have will be both positive, negative and neutral. However, the overall impact of the range and mix of land uses proposed is intended to allow for a sustainable and balanced approach.

In summary, in order to be sustainable the range and mix of development uses proposed is intended to allow for:

- |                                     |   |
|-------------------------------------|---|
| <i>A vibrant mix of uses:</i>       | Mixed working areas and new residential areas with the opportunity for some employment generating uses. |
| <i>The provision of facilities:</i> | Shops, Educational Facilities and Community facilities.   |
| <i>A hierarchy of open spaces:</i>  | Local Parks, Neighbourhood Parks, Regional Parks.   |
| <i>Integrated transport system:</i> | Opportunity for modal choice, pedestrian movement as a key mode of movement, cycle ways.                |

The proposed zoning and development strategy allows for all of the above. However, as noted previously development will have an impact on individual elements of the environment. These are detailed below.

### Human beings

The effect of development on existing human beings within the plan area will be significant. The development of additional housing, commercial and industrial lands will result in an increase in the built area of the town and its environs. However, these lands are provided in a planned manner that is consistent with a sustainable development strategy and in general terms the provision of appropriate residential land and employment lands will provide for socio-economic needs.

**Flora**

The principal impacts in flora in the area will occur as a result of the development of the new built up areas. However, development will occur in areas that are not unique in flora terms and are already committed to development as a result of current planning permissions.

**Fauna**

The principal impacts on fauna in the area will occur as a result of the development of the extensive built up areas. However, development will occur in areas that are not unique in fauna terms and are already committed to development as a result of current planning permission.

**Soils**

No significant impact will occur to soil resources in the area as a result of the development. Impacts will occur to soil in the area as a result of re-profiling and excavation associated with the development; this is unavoidable. The impact will not however be significant.

**Water**

The principal impacts in the area's water resources will occur as a result of an increase in demand for water resources and an impact due to surface water run-offs and foul water discharges from new development areas. These can be catered for with improvements to foul and surface water infrastructure and water provision in the area. In the respect the impact on the area's water resources will be neutral.

**Air**

The development of the area will result in changes in air quality as a result of the emissions that can be expected from properties and vehicles. This may result in an increase in emissions although over the longer term the development of more energy efficient houses, properties and vehicles may not result in a significant increase in emissions over current levels. In this respect the development of the areas is likely to have a neutral impact.

**Landscape**

Significant and lasting changes will occur to the landscape of the area as a result of development. However the retention of significant mature stands of trees and the provision of open space areas integrated in development proposals will have a positive impact on the overall character of an emerging urban area.

**Material Assets**

The material assets of the area will be improved through the development of additional and improved facilities as a result of development in the area.

**Cultural Heritage**

The protection of the area's cultural heritage and assets can be achieved through sensitive development. Specific structures and sites will also be protected through planning process thereby ensuring the protection of the area's cultural heritage.

**Traffic**

Through the development of an urban form that encourages and facilitates the development of an improved modal choice the impact of any additional traffic will be minimised.

## **SECTION 14 – LAND USE ZONES AND USES PERMITTED IN PRINCIPLE AND OPEN FOR CONSIDERATION**

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| <b>ZONE</b>                                 | <b>ZONING OBJECTIVE</b>  |
|---|--|
| <i>Town Centre Activities:</i>              | To promote the consolidation of retail, commercial and appropriate residential development.  |
| <i>Residential:</i>                         | To protect, improve and provide for residential development and amenity.   |
| <i>Low-Density Residential:</i>             | To protect, improve and provide for residential development and amenity at a gross density of not greater than 12 dwellings per hectare. |
| <i>Mixed Use Zones:</i>                     | To provide for mixed-use employment generating uses.   |
| <i>Institutional Uses:</i>                  | To protect and provide for institutional uses, and compatible commercial and residential uses.   |
| <i>Recreational Amenity and Open Space:</i> | To preserve and provide for open space and recreational amenities.   |
| <i>Community &amp; Education:</i>           | To protect and provide for institutional uses, and compatible commercial and residential uses.   |

Uses either Permitted in Principle or Open for Consideration in the above zones are set out as follows:

**Zoning Objective – Town Centre Activities:**

Permitted in Principle: Retail, Commercial, Housing, Bed & Breakfast, Car Park, Community Facility, Crèche, Cultural or Recreational Facility, Educational Facility, Guest House, Health Facility, Open Space, Places of Public Worship, Public House, Restaurant, Hot Food Take Away, Local Shop, Sports Facility, Services such as Office Based Industry Activities, Data Processing, Software Development, Information Technology, Technical Consultancy, Commercial Laboratories/Healthcare, Research and Development, Media Recording and associated uses, Publishing and Telemarketing, Hotel and Leisure.

Open for Consideration: Advertisements and advertising, Structures, Garage/Filing station, Motor Sales Outlet.

**Zoning Objective – Residential**

Permitted in Principle: Housing, Bed & Breakfast, Car Park, community Facility, Crèche, Cultural or Recreational Facility, Educational Facility, Guest house, Health Facility, Open Space, Places of Public Worship, Public House, Restaurant (excluding Hot Food Take Away), Local Shop, Sports Facility.

Open for Consideration: Advertisements and Advertising Structures, Garage/Filling Station, Motor Sales Outlet, Take Away Hot Food.

**Zoning Objective – Low-Density Residential:**

Permitted in Principle: Housing, Bed & Breakfast, Car Park, community Facility, Crèche, Cultural or Recreational Facility, Educational Facility, Guest house, Health Facility, Open Space, Places of Public Worship, Public House, Restaurant (excluding Hot Food Take Away), Local Shop, Sports Facility.

Open for Consideration: Advertisements and Advertising Structures, Garage/Filling Station, Motor Sales Outlet, Take Away Hot Food.

**Zoning Objective – Mixed Use Zones:**

Permitted in Principle: Light Industrial Business and Services such as Office Based Industry Activities, Data processing, Software Development, Information Technology, Technical Consultancy, Commercial Laboratories/Healthcare, Research and Development, Media Recording and General Media and associates uses, Publishing Telemarketing, Garage/Filing Station and Motor Sales Outlet, Hotel and Leisure, Light Industrial.

Open for consideration: Business Incubator Units, Retail Warehousing and Distribution Centres

**Zoning Objective – Institutional Uses:**

Permitted in Principle: Crèche, school, sports facility, public recreational building, medical facility.

Open for consideration: Car Park

**Zoning Objective – Recreational Amenity & Open Space:**

Permitted in Principle: Community Facility, Cultural and Recreational Facility, Open Space, Public Service Installation, Sports Facility.

Open for Consideration: Car Park, Cemetery, Golf Course and Club Houses, Places of Public Worship, Restaurant (Excluding Hot Food Take Away).

**Zoning Objective – Community & Education:**

Permitted in Principle: Crèche, school, sports facility, public recreational building, hospital/ medical facility.

Open for consideration: Car Park

“Open for Consideration” means a use is not acceptable in principle and will only be permitted in special cases where the Council is satisfied that the use would not conflict with the general objective for the zone and could be permitted without undesirable consequences for the permitted uses and which can be allowed subject to compliance with pertinent control criteria consistent with the proper planning and development of the area, having regard to the Local Area Plan. Uses which are not indicated as permitted in principle or open for consideration will be considered in relation to the general policies of the plan, the zoning objectives of the particular area and the proper planning and sustainable development of the area.

Many uses exist where they do not conform to the designated use zoning objectives. Generally such uses, where legally established, shall not be subject to proceedings under the Act in respect of their continuing use. When extensions to, or improvements of premises accommodating such uses are proposed, each shall be considered on its merits and permission may be granted where the proposed development does not adversely affect the amenities of properties in the vicinity and does not prejudice the proper planning and development of the area.

## **SECTION 15 – COUNTY DEVELOPMENT BOARD STRATEGY**

### ***“Cumhacht Comhoibriú” - A Strategy for the Economic, Social & Cultural Development of County Carlow, 2002 – 2012***

“Cumhacht Comhoibriú”, a Strategy for the Economic, Social and Cultural Development of County Carlow is a major initiative to bring about an improved quality of life for all the citizens of County Carlow. The Strategy was prepared by Carlow County Development Board, CDB, and focuses on areas where agencies can work together to improve service delivery in the County. Carlow CDB comprises representatives of Local Government, State Agencies, Local Development and the Social Partners, including the Community and Voluntary Sector.

The Carlow County Development Plan and this Local Area Plan recognises the vision, principles and goals of the Carlow CDB Strategy as outlined hereunder. The aims and objectives of this Local Area Plan are in keeping with Carlow CDB Strategy.

#### ***“Cumhacht Comhoibriú”* Vision, Principles and Goals**

##### **Vision**

“To make it possible for every person in County Carlow to achieve his or her potential and fully participate in all aspects of society through better co-ordination and development of activities and services”

##### **Principles**

The CDB established a number of key principles to guide the preparation and implementation of the strategy and commits itself to:

- *Working in partnership with key stakeholders to identify gaps in service provision and developing new and innovative responses to improve the quality of service delivery in the County*
- *Ensuring equality of opportunity for all in County Carlow*
- *Actively consulting and involving key stakeholders and the public in all aspects of the Strategy*
- *Creating and implementing strategies that promote social inclusion, conform to National Policies including the National Anti-Poverty Strategy and Local Agenda 21*
- *Ensuring strategies developed by the CDB are practical and achievable, and that decisions are reached by consensus*
- *Building upon and complementing the work and activity of existing State Agencies, the Local Authority, Local Development Agencies, and the Social Partners*
- *Promoting collective responsibility and shared ownership of the Strategy throughout the County*
- *Ensuring that the Strategy is based on the distinct features and situation pertaining in the County, and will impact throughout the County*
- *Promoting mutual respect by all the participant groups, organisations and agencies of each others diversity, validity and interests*

### **Goals**

In order to achieve its overall vision, Carlow CDB identified eleven themes, which encompass the key issues and challenges addressed in the strategy and developed a goal for each theme

#### **Theme A Business Development**

An environment that provides the optimum mix of businesses for County Carlow and generates sustainable quality employment

#### **Theme B Health and Well-being**

Improved health and social well-being of people in Co. Carlow through improved co-ordination and development of new and existing activities and services

#### **Theme C Community Development**

Co-ordinated voluntary community activity in County Carlow, maximising the positive impact of community development for the benefit of all

**Theme D Youth-Work**

Quality youth services in County Carlow delivered in a well-resourced, planned and professional manner and to promote the inclusion of all young people in the development of new and existing activities and services

**Theme E Childcare**

An integrated approach to quality, child centred, accessible childcare for the overall benefit of all children, parents and providers

**Theme F Environment**

The protection, conservation and enhancement of the environment in Co. Carlow

**Theme G Rural Development**

To sustain and improve the quality of life in rural areas, by involving local people in the sustainable development of communities in County Carlow.

**Theme H Gender Equality**

To have gender equality in economic, social and cultural activities in County Carlow

**Theme I Tourism**

A sustainable tourism industry capable of increasing the inflow of tourists and associated revenues in order to realise the full economic potential of tourism in County Carlow

**Theme J Culture**

“Ceiliúradh Ceatharlach”, A sense of pride and place through awareness, celebration and conservation of Carlow’s rich heritage & an understanding of our evolving cultural identity for the benefit of all.

**Theme K Education and Training**

Quality education and training opportunities accessible to all the people of Carlow, so that with true partnership and lifelong learning the holistic development and personal achievement of each person is attained.