



Uimhir Thagarta Uathúil: MH-C52-264

Údar: Kells Sinn Féin

Stádas: Submitted

Aighneacht: Kells Amendments MCC CDP 2021-26

Comhairliúchán:

Material Amendments to Draft Meath County Development Plan
2021-2027

Tuairimí:

Kells

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Proposed Amendment Number: Proposed Kells Amendment No.
3

Proposed Kells Amendment No. 3 – refuse change

The SEA Consultant Comments clearly underlines the requirement for such proposed zoning amendments to be discussed and reviewed only as part of the future Kells Development Plan, and unsuitable for consideration in the CDP, as per proper planning procedure.

The proposal to change R/A Rural Area to A2 New Residential (lands to the west of Kells) is completely premature and the land in question sits on a high risk flood plain, any development on which will have a knock on effect elsewhere. No zoning changes can be considered until a full EIA and NIS are carried out as part of the new Kells Development Plan.

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Proposed Amendment Number: Proposed Kells Amendment No.
4

Proposed Kells Amendment No. 4 – refuse change

In the amendment to change the site from CI Mixed Use to DI Tourism, I note the site in question is in the path of the Newrath Stream with outflow into the Blackwater River SPA/SAC.

The applicant also proposes the following: Insert objective into *Section 7.0 Town Development Policies and Objectives* - **'KEL OBJ XX – to promote and facilitate the delivering of a link road between the R163 and R147 at the Town parks, Zoned D1 Tourism, north of the Navan Road, in conjunction with a tourism related development. The specific location of the link road will be determined as part of any future planning application.'**

It must be noted the road in question would carry significant risk of negative environmental impacts on the Blackwater River SPA/SAC, as highlighted in An Bord Pleanála's Inspector's Report ABP-304799-19) which covers the connected surface water system in depth. Further to this, the Bord Pleanála report also notes the failure of a single Prescribed Body to provide comment or consultation on the environmental issues involved, issues which will have an impact on the river and the site in question, and the existing housing around the site.

The data provided by MCC in the EIA and NIS reports for the new Frontland's road and noted in An Bord Pleanála's Inspector's Report ABP-304799-19 in relation to the adjacent European Site, the Blackwater SAC/SPA is based on 10 year old reports dated to the original designation of the site as an SAC/SPA and does not note the Newrath Stream's high level of pollution, including untreated sewage. The property owner pursuing this Proposed Kells Amendment No. 4 actually highlighted the out of date information in his submission in the aforementioned An Bord Pleanála's Inspectors Report.

Furthermore, the automatic protection rights afforded to the Newrath Stream as part of the SPA/SAC as per the Habitats Directive, have, to date, been ignored and this must be rectified if the Blackwater is to meet its target of "good status" by 2027 at the latest.

With no clear need, reason or purpose for the proposed road which would have a significantly negative impact on traffic and road safety at that site, and as part of a proposed zoning amendment with numerous associated issues, including transport, environmental, housing, road safety and heritage, a fully updated EIA and NIS report must be carried out for the site and included in the drafting of the new Kells Development Plan before any consideration of a zoning change can be made.

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5

Proposed Kells Amendment No. 5 – refuse change

The issues surrounding Proposed Kells Amendment No. 4 are also relevant to this Amendment No. 5.

The guidance on this matter is clear from the attached Flooding Consultant CommentsSEA Consultant Comments, no zoning changes can be considered unless as part of the draft stage of a new Kells Development Plan, and only after an updated EIA and NIS are carried out as required by legislation.

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Proposed Amendment Number: Proposed Kells Amendment No.
6

Proposed Kells Amendment No. 6 – refuse change

As with the other proposed amendments for Kells zoning, this proposal is entirely premature and can only be taken in consideration as part of the wider planning process as prescribed for in the design of a new Kells Development Plan.

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Proposed Amendment Number: Proposed Kells Amendment No.
7

Proposed Kells Amendment No. 7 – refuse change

This bizarre proposal only serves to highlight why a full an open planning process is required for the new Kells Development Plan. To remove the existing housing zoning on a perfect site for housing and instead zone G2 without any clarity or detail as to why, for a site outside the Kells core retail area goes against every local and national planning policy. Any change to zoning made prior to a fuller examination as part of the next Kells Development Plan cannot be justified under any reason.

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8

Proposed Kells Amendment No. 8 – refuse change

This proposal serves to highlight the issues seen in Proposal No. 7 around bad planning and zoning, whereby in the past, ideal land for housing within Kells has been given over for retail space which competes with the Kells core retail area. Once again, in light of the poor longer-term strategy seen in this and the other proposals, no change in zoning can be considered until the preparation of the new Kells Development Plan.

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9

Proposed Kells Amendment No. 9 – refuse change

This proposal relates to the Backlands project on which the 10 year planning permission has expired. The proposed amendment follows a recent failed planning application made by the Backland's owner to add wholly unsuitable junctions to already busy and curtailed traffic system at Kells.

In light of the Backland's expired planning permission and the major issue of future flooding and potential pollution to the groundwater and drinking water systems via the already "poor quality" Protected Blackwater SPA/SAC, no changes can be considered unless as part of the proper planning process which will be undertaken as part of the new Kells Development Plan, in which all prescribed bodies and affected stakeholders can contribute properly.

In Summary

The proposed Kells zoning amendments No. 2 to No. 9 inclusive are wholly unsuitable for the following reasons:

They have come at the 11th hour and have not been considered as part of the wider strategic planning for the Meath Development Plan and are premature given the delay in the new Kells Development Plan which is the correct forum for review and proper analysis of potential zoning changes.

They proposed amendments contradict a number of pre-existing core retail, housing and environmental principles and policies contained in the 2013-19 Kells Development Plan.

They do not take consideration of the legal responsibilities of the local authorities in terms of the maintenance and protection of the Boyne and Blackwater Valley Special Area of Conservation and Special Protected Areas; including the obligation to have all waters up to “good” standard by 2027 on a protected water system that is currently rated as “poor” and “bad”.

These proposed isolated amendments are not feasible before a full review of the Kells Development Plan, including an Environmental Impact Assessment and Natura 2000 Report, as the amendments do not take into consideration the pre-existing legal responsibilities of the local authorities and planning department under the Water Framework Directive, the Habitats Directive, the Urban Waste Water Directive, Floods Directive, Groundwater Directive and Drinking Water Directive, and of course, the updated Planning and Development Regulations.

Poorly considered zoning in Kells is likely to have a continued detrimental impact on the town’s future development when considered in relation to Proposed Amendment MH-C5-816 to the new Meath Development Plan from the *Office of the Planning Regulator*: ‘Amend the following objective in Section 3.7 - ‘The Settlement Hierarchy and Future Population Growth in Meath’: SH OBJ 4 To operate an Order of Priority for the release and development of residential lands with any lands identified as being ‘Post 20267’ **not being available for residential development during the lifetime of the subject development plan and no permission for dwellings will be granted on these lands by Meath County Council.**”

We note, in the past, poorly thought out zoning changes in Kells undertaken in order to ease the progress of particular projects have had a significant detrimental impact on the wider socio-economic development of Kells. This has been due to the fact that, while supported by local authority representatives, when unsuitable projects reach An Bord Pleanála they are inevitably delayed or refused to the detriment of Kells, if realistic zoning is not applied to the town plan, no housing stock might get built for another decade.

It is crucial that any zoning changes be made only after full consideration of the community’s needs, both social and economic and, its longer term sustainable development, to the benefit of all the residents and rate payers; and which will require full input from a wide range of prescribed bodies.

These significant zoning amendments can only be considered as part of the preparation for the next Kells Development Plan as a number of key environmental, economic, social and housing policies and regulations are contradicted as part of the applied for amendments; and all community members and affected stakeholders must be provided their full legal right to contribute in a fully transparent process.

Documents Attached: Níl

Teorainneacha Gafa ar an léarscáil: Níl