

CHAPTER 1

Introduction

1.1. Legal Preamble

1.1.1 Kerry County Council as Planning Authority has a duty to make a Development Plan for its functional area and to review it every six years. The legal basis for Development Plans is contained in the Planning and Development Act 2000 as amended. The current Plan was formally made by the Council at its meeting of 10th November 2003 and became policy from 9th December 2003.

1.1.2 The County Development Plan sets out an overall strategy for the proper planning and sustainable development of the County. The Plan also provides guidance for planning applicants and sets the standards for development throughout the County. The Council's own developments cannot contravene the provisions of the Development Plan.

1.1.3 The policies and objectives contained in this Plan have been developed in recognition of the unique characteristics of the County, and in consideration of Government policy and the proper planning and sustainable development of the County. The Plan sets out the framework for future decisions on where we will live and work and also on the quality of the environment which the people of Kerry and its visitors will enjoy. It is far more than a set of regulatory requirements. The Plan must be seen as a guidance document and a positive enabling resource for the spatial management of the county in accordance with the proper planning and sustainable development of the area.

1.1.4 The Development Plan plays an important part in shaping the overall development strategy for the County. Once adopted, the Council is committed to ensuring that the vision, goals and objectives of the Plan are achieved. This will be achieved through the Council's policies and actions, the development management process and the preparation and implementation of related plans e.g. Local Area Plans and Action Area Plans.

1.1.5 Development Plans comprise of a written statement and maps that give a graphic representation of the objectives contained in the Plan.

Each Development Plan must include objectives for:

- Land use zoning of areas for residential, commercial, industrial, agricultural, recreational, open space, community facilities or otherwise, or a mixture of those uses;
- Provision of infrastructure – transport including the promotion of public transport and road/rail development, energy, communications facilities, water supplies, waste recovery, disposal facilities, waste water services, etc.;
- Conservation and protection of the environment;
- Protection of structures and preservation of the character of Conservation Protection Areas;
- The integration of social, community and cultural requirements with the planning and sustainable development of the area;
- The preservation of the character of the landscape including preservation of views and prospects and the amenities of places and features of natural beauty or interest;

- The renewal and development of areas in need of regeneration;
- Provision of traveller accommodation;
- Preserving, improving and extending amenities and recreational amenities;
- Major Accidents Directive (siting of new establishments, modifications of existing establishments, development in the vicinity of establishments);
- Provision of community services, including schools, crèches, childcare facilities and other educational facilities;
- Protection of the linguistic and cultural heritage of Gaeltacht areas.

1.1.6 In accordance with the Planning and Development Act 2000 as amended, all development plans must have regard to national & regional policy and the development plans of adjoining Local Authorities. In the preparation of this plan the Council has had regard to the following departmental guidelines:

- Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, 1996.
- Childcare Facilities Guidelines, 2000.
- Retail Planning Guidelines, 2000, (as amended, 2005).
- Draft Guidelines for Planning Authorities on Landscape and Landscape Assessment, 2000.
- Guidelines for Planning Authorities on Architectural Heritage Protection for Places of Public Worship, 2003.
- Architectural Heritage Protection, Guidelines for Planning Authorities, 2004.
- Guidelines for Planning Authorities on Quarries and Ancillary Activities, 2004.
- Assessment of the effects of Plans and Programmes on the Environment- Guidelines for Regional and Planning Authorities, 2004,
- Implementing Regional Planning Guidelines, Best Practice Guidance, 2005.
- Sustainable Rural Housing, Guidelines for Planning Authorities, 2005.
- Wind Energy Development Guidelines for Planning Authorities, 2006.
- Quality Housing for Sustainable Communities, 2007
- Sustainable Residential Development in Urban Areas 2008
- Development Plans, Guidelines for Planning Authorities, June 2007.
- Development Management, Guidelines for Planning Authorities , June 2007.
- Planning System and Flood Risk Management (Draft), Sept 2007.

1.2. Plan Review Process

1.2.1 The review of the Kerry County Development Plan commenced on 24th October 2007 with an initial phase of public consultation based on an issues document prepared to promote discussion. Public information sessions were held throughout the County during November and December and a total of 74 written submissions were received from the public.

1.2.2 A report on the submissions received was presented to the elected members of the Council. This report was considered by the members and directions regarding the policies and objectives to be contained in the plan were issued to the County Manager at a meeting held on 22nd February 2008. The draft plan was prepared having regard to the directions received from the members.

1.2.3 Following consideration of the draft plan by the elected members, and subject to any amendments which they made, the draft plan went on public display for a period of 10 weeks from Wednesday 18th June, 2008 to Thursday 28th August, 2008 at County Buildings, at the County Council Roads Area Offices, at the County Council Branch libraries and on the Kerry County Council website at www.kerrycoco.ie. Nine number open-days for members of the public were also held in Listowel on 23rd June 2008, An Daingean on 24th June 2008, Caherciveen on 25th June 2008, Kenmare on 26th June 2008, Tralee on 27th June 2008, Killarney on 30th June 2008, Castlegregory on 1st July 2008, Killorglin on 2nd July 2008 and Castleisland on 2nd July 2008 between the hours of 12pm and 7pm.

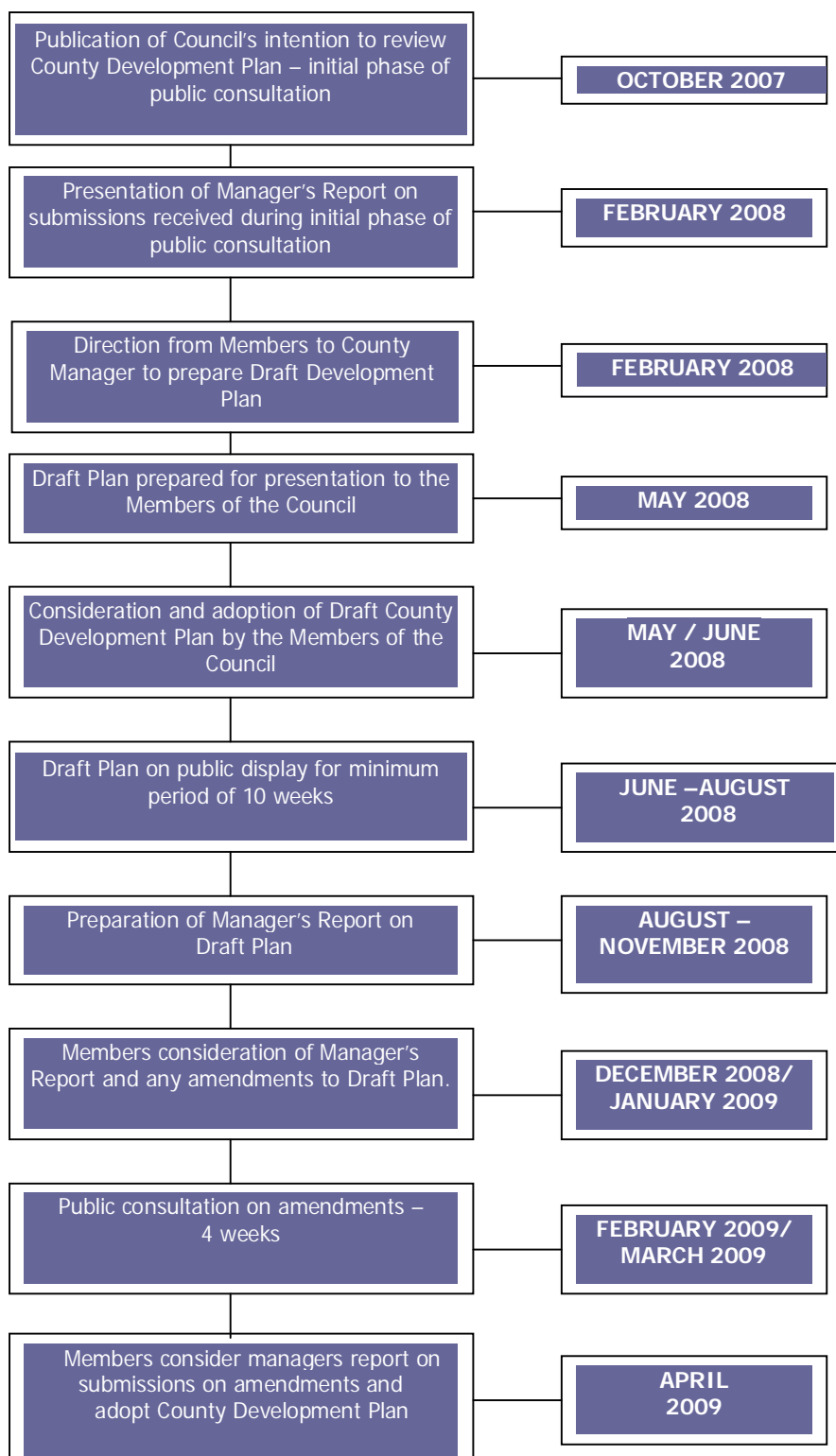
In all, 181 no. general submissions were received with an additional 87 no. submissions on existing and proposed protected structures during the consultation period. Each submission was summarised in the Managers Report on submissions to the Draft Plan together with responses and recommendations where considered appropriate. This report on the submissions received to the draft plan was discussed by the elected members of the Council at special meetings held on 19 December 2008, 12th January 2009 and the 26th January 2009. The proposed amendments approved by the elected members were put on public display from Wednesday 11th February 2009 to Thursday 12th March 2009, both dates inclusive.

In total, 87 no. written submissions (83 no. general submissions and 4 no. submissions on existing and proposed protected structures) on the proposed amendments were received during the consultation period. Each submission was summarised in the Managers Report on submissions to Proposed Amendments together with responses and recommendations where considered appropriate.

A special meeting of the Council was held on Monday, 6th April 2009 to consider the amendments and the Managers Report on submissions. Once the consideration of the amendments and this report was completed, the members, by resolution, made the plan with or without the proposed amendments, except where they decided to accept the amendments, they did so subject to any modifications to the amendments that they considered appropriate. The Kerry County Development 2009-2015 was adopted by the elected members at this meeting.

The Plan is effective from the 4th May 2009.

Table 1.1 outlines the entire process involved in the preparation and adoption of the Development Plan.

Table 1.1 Development Plan Review Process

1.3 County Profile

1.3 Physical Context

1.3.1 County Kerry is located in the South West of Ireland and covers an area of 1,815 sq. miles. The 2006 Census Results indicates that the population of the County is 139,835 compared to 132,527 in 2002. It is the fifth largest County in Ireland and is bounded on the west by the Atlantic Ocean, to the north by the Shannon Estuary and to the east by Limerick and Cork. The latter County also forms its southern boundary.

1.3.2 The County can be divided geographically into low-lands and gentle hills in the North and rugged hills and mountains in the South and West. The Dingle, Iveragh and Beara Peninsulas are primarily mountainous in nature. Over 41% of County Kerry is 500 feet above sea level. This contrasts with the national situation where only 22% of the Country is above this elevation.

1.3.3 County Kerry is noted for its agriculture, tourism and beautiful landscapes and it contains Ireland's highest mountain, Carrauntuohill. Kerry has two Gaeltacht areas, which are of national importance, Gaeltacht Chorca Dhuibhne which is situated on the Dingle Peninsula and Gaeltacht Uibh Ráthaigh which is situated on the Iveragh Peninsula.

1.3.4 Three main towns dominate: Tralee, the County town and administrative centre, Killarney, the main tourist town and Listowel, a more traditional market town, with a strong cultural identity.

1.3.5 The coastal nature of the County should not be underestimated. The County contains many unique off shore islands with strong heritage and faunal significance both for County Kerry and for Ireland as a whole. The climate is influenced by its maritime location and this produces considerable rainfall. This has meant that agriculture tends to be dominated by grassland based activities with limited arable production. The climate, particularly the south western most tip, is noted for its mildness with frost being a rarity.

1.3.6 Kerry is often referred to as "the Kingdom" because of its independent nature. It can also be called the Kingdom in terms of heritage. Aspects of this heritage are internationally and nationally recognised such as Skellig Mhichíl and Staigue Fort. The County's heritage and its location at the western edge of Europe have so far escaped from intense development pressure.

1.3.7 In both linguistic and cultural terms, the Gaeltachts of Kerry are unique, with Irish being the living language of the people in everyday life. The Irish language is intrinsically linked to the heritage and culture of the Gaeltacht Region.

1.4 Population Projection

1.4.1 The population of the County was 126,130 in 1996 and increased to 132,527 in 2002 and 139,835 in 2006. The current development plan and housing strategy are based on projections from 2006. In 2009 the population is expected to be 145,621 and by 2015 this will have grown further to 160,363. The increase in population between 2002 and 2006 constituted a 5.5% increase compared with the state average of 8.2%.

1.4.2 Population forecasts make it possible to estimate the number of people that may be expected to live in the county in 2015. Population projections can also help to provide estimates on how many dwellings and the services that will be needed in the future. A knowledge of the expected population, dwellings, land and infrastructural requirements provides the necessary information required to plan for the future. It allows growth to be managed so that all people living in a range of locations have a choice of homes, jobs, schools and services that meet their needs.

1.4.3 In February 2007 the DoEHLG issued revised 'National Population Projections and Regional Population Targets 2006 – 2020'. Through the South West Regional Authority, Counties Cork and Kerry further analysed these figures to produce County population projections. This approach ensured consistency from County to Regional to National level. The figures are outlined in Tables 1.2 and 1.3 below.

Area	2002	2006	2012	2115	2020	Growth rates		
						2006-2020	2006-2012	2012-2020
County Kerry	132,527	139,835	151,647	160,785	176,016	1.66	1.36	1.88
Joined Hub ¹	35,124	37,347	41,325	45,009	51,150	2.27	1.70	2.70
Remainder metro ²	32,289	35,082	37,428	39,835	43,847	1.61	1.08	2.00
Metropolitan (including Hub)	67,413	72,429	78,753	84,844	94,997	1.96	1.41	2.37
Principal towns in Primary functional Areas outside Metro, incl Listowel	11,631	12,245	14,061	15,129	16,909	2.33	2.33	2.33
Balance	53,483	55,161	58,832	60,811	64,110	1.08	1.08	1.08

1 Tralee and Killarney

2 The metropolitan area is defined as the Hub towns including the Area covered by the Hub settlements plan

Table 1.2 County Population Projections

Electoral Area	2002	2006	2012	2015	2020	Growth rates		
						2006-2020	2006-2012	2012-2020
Killarney	31,402	34,350	37,224	37,502	43,986	1.78	1.35	2.11
Listowel	26,231	27,418	29,711	31,125	33,482	1.44	1.35	1.51
Killorglin	22,301	22,861	24,761	25,845	27,653	1.37	1.34	1.39
Tralee	38,927	40,729	44,354	47,752	53,417	1.96	1.43	2.35
Dingle	13,666	14,477	15,598	16,303	17,479	1.36	1.25	1.43
County	132,527	139,835	151,647	160,785	176,016	1.66	1.36	1.88

Table 1.3 Electoral Area Population Projections

1.5 Households

1.5.1 To convert the population increase to changes in household numbers and hence the demand for new accommodation, assumptions are made about the average size of household. The basic assumption is that the average size of household will decline over the period of the housing strategy from 2.91 in 2006 and 2.83 in 2009 to 2.69 in 2015.

1.5.2 In Kerry, according to the latest census data, there was a population of 139,835 persons and 48,110 private households giving an average household size of 2.91. Between 2009 and 2015 the number of private households will increase from 51,529 to 59,614, a growth of 8,085 or 1,348 per year on average. The phasing of the growth is more concentrated towards the second half of the 2009-2015 period. In 2010 the increase is 1,224 compared with 1,532 in 2015.

1.5.3 While the growth predictions for population and household formation are optimistic, it is important that future planning policy makes provision for the higher level projections for services, including wastewater treatment facilities, water, roads, educational and health facilities.

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Population	139835	141738	143666	145621	147603	149611	151647	154498	157403	160363
Average household size	2.91	2.88	2.85	2.83	2.80	2.77	2.75	2.73	2.71	2.69
Number of households	48110	49180	50338	51529	52753	54011	55144	56593	58082	59614
Increase in number of households		1070	1158	1191	1224	1258	1133	1449	1489	1532

Table 1.4 Projected Number of Households

1.6 Structure of Plan

1.6.1 The Development Plan is presented in 3 Volumes:

- **Volume 1 - Written Statement. & Appendices**
This contains the written text and constitutes the main body of the document outlining the strategy, policies and objectives for the different policies areas addressed. It also contains appendices on archaeological monuments and protected structures.
- **Volume 2 - Maps**
This section contains all the maps which have been referred to in Volume 1
- **Volume 3 – SEA Statement**
In accordance with the provisions of the Strategic Environmental Assessment (SEA) of Plans and Policies Regulations, the Planning Authority was required to prepare a Strategic Environmental Assessment of the likely effects of implementing the policies of the plan. This statement summarises how environmental considerations, the environmental report, the opinions of the Statutory Bodies and the public consultation process has been taken into account in formulating the Plan. It also outlines the measures decided upon for future monitoring of the implementation of the Plan.

1.7 Definitions:

Sustainable – The most common definition of sustainable and used for the purpose of this Plan was termed by the Brundtland Commission that "meets the needs of the present without compromising the ability of future generations to meet their own needs".

European sites - For the purposes of this Plan, European sites are those identified as sites of Community importance under the Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7)) or classified as Special Protection Areas (SPAs) under the Birds Directive 79/409/EEC.

Appropriate Assessment – An Appropriate Assessment is an assessment completed by a person of ecological expertise of the potential impacts from a Plan or project on a European site and where necessary mitigation or avoidance measures necessary to preclude negative impacts. This assessment is required under Article 6(3) and (4) of the Habitats Directive.

Appropriate – For the purposes of this Plan, "Appropriate" is used where impact on European sites is considered.