

7th April 2017

**To the Cathaoirleach and Each Member of the Municipal District of Cappamore-
Kilmallock**

Re: Proposal to extend the life of the Bruff Local Area Plan 2012-2018

A Chomhairleoir, a chara,

I enclose herewith a copy of the Chief Executive's Report on the proposal to extend the life of the Bruff Local Area Plan 2012-2018 for your consideration.

The Elected Members, of Municipal District of Cappamore - Kilmallock at their April meeting shall consider the Chief Executive's Report and decide by resolution whether to defer the sending of a notice under Section 20(3)(a)(i) to make a new Local Area Plan and instead extend the life of the Bruff Local Area Plan 2012-2018 by a further 5 years.

If you have any queries on the report please contact Karen Burke, A/Senior Executive Planner, on 061-407480

Mise le meas,



**Dr. Pat Daly,
Director of Service,
Economic Development Directorate.**

Bruff Local Area Plan 2012 - 2018

Chief Executive's report submitted to Elected Members in accordance with Section 19 (1)(d) and 19(1)(e) of the Planning and Development Act 2000 (as amended) in relation to the deferral of making a new Local Area Plan

7th April 2017

Forward / Strategic Planning Section



Part 1 - Introduction

1.1 Background

The Bruff Local Area Plan (LAP) 2012 – 2018 is the main public statement of planning policies and objectives for the town of Bruff. The Plan was adopted by Limerick County Council on the 28th May 2012 and is due to expire in May 2018. There have been no amendments to the plan since its adoption.

Section 19 (1) (c) of the Planning and Development Act 2000 (Amended) requires that the process of reviewing an existing LAP should commence not later than 6 years after the adoption of the previous plan. However, the Planning and Development Amendment Act 2010 introduced a new provision whereby a Planning Authority may, as they consider appropriate, by resolution extend the life of an existing local area plan for a further period not exceeding 5 years.

1.2 Statutory Procedure

The Planning Authority may, as they consider appropriate, by resolution, defer the sending of notices to commence the review of a local area plan. No resolution shall be passed until such time as the members of the Planning Authority notify the Chief Executive of the decision of the Authority to defer the sending or publishing of the notices, giving reasons, and having sought and obtained from the Chief Executive:

- An opinion that the LAP remains consistent with the objectives and the core strategy of the relevant Development Plan,
- An opinion that the objectives of the LAP have not been substantially secured, and confirmation that the sending and publishing of the notices be deferred and the period for which they may be deferred.

If the elected members accept the Chief Executive's recommendation that the current Bruff LAP is consistent with the objectives of the Limerick County Development Plan 2010 – 2016 (Extended) and its core strategy, and are in agreement that during the lifetime of the LAP that the objectives of the plan have not been substantially secured, they may determine by resolution that it would be appropriate to defer the process for making a new plan, for an agreed time period.

Following the making of any such decision, a public notice to this effect is required to be published in a newspaper circulating in the area of the local area plan not later than 2 weeks after the resolution is passed by members.

1.2.1 Purpose of this report

The purpose of this report is to set out the opinion of the Chief Executive that:

- a) The Bruff Local Area Plan(LAP) 2012 – 2018, remains consistent with the objectives and the core strategy of the Limerick County Development Plan 2010 – 2016 (Extended);

- b) The objectives of the LAP have not been substantially secured to date; and
- c) The sending and publishing of notices to make or review the plan may be deferred and the period for which they may be deferred.

Part 2 - Compliance with the Core Strategy of Limerick County Development Plan 2010 – 2016 (Extended)

2.1 Introduction

In accordance with the Planning and Development Acts 2000 (Amended) a Core Strategy is required to demonstrate how the Development Plan is consistent with the National Spatial Strategy, Regional Planning Guidelines, Government Policies and Ministerial guidelines / directives. Local Area Plans, in turn, must be consistent with the Development Plan.

The Core Strategy of the Limerick County Development Plan 2010-2016 (Extended) outlines population targets and housing land requirements for County Limerick, which were allocated by the DoECLG at national level and distributed at regional level by the Mid West Regional Authority. The Mid West Regional Planning Guidelines (RPGs) 2010-2022 have allocated a population target of an additional 32,800 people for County Limerick up to the year 2022. Based on this population target the core strategy has allocated a specific population target for each settlement.

The population target for Bruff in the Core Strategy was for an additional 317 people by 2022. This equates to a requirement for 170 additional housing units by 2022, which with the densities proposed, including medium low densities and very low densities for serviced sites, would require at least 14.37 hectares in total by 2022. On a pro-rata basis, 128 houses are required by 2018 the end year of the proposed extended Local Area Plan, requiring 10.8 hectares of land.

2.2 Settlement Strategy, population, zoned land requirements, and capacity of existing zoned land for residential use to accommodate additional population

Bruff has been designated as a Tier 4 settlement in the settlement hierarchy of the Limerick County Development Plan 2010 – 2016 (Extended). It is the policy of the Council to support the sustainable development of settlements in Tiers 2-6, and Objectives SS 01 – 08 apply; including Objective SS07 which requires the Council to monitor growth patterns and pace of growth in settlements and apply appropriate management measures.

At the time of the adoption of the Bruff LAP in 2012, the 2011 census population figure for Bruff was unavailable. Similarly, the detailed population figures from the most recent census in April 2016 are unavailable for Bruff town at this time. The 2011 total population census figure for the town was 783 which is an increase of 59 people during 2006 – 2011 or an increase of 8.1%. Refer to Table 1 below.

Table 1 - Total Population of Bruff and percentage change per census year 2006 - 2011

Census year	Population	Percentage change
2002	695	-0.71
2006	724	+4.17
2011	783	+8.1

Source: CSO Census 2006 - 2011

The Table below is an extract from the Bruff Local Area Plan 2012 -2018, indicating the additional population, number of units, and zoned land required up to 2022, and pro-rata within the Plan period, to comply with the Core Strategy.

Table 2 – Population targets and Housing requirements as per the Bruff Local Area Plan 2012 -2018

Year	2006	2018	2022
Total population	724	962	1041
Additional Population		238	317
Additional housing units required		128	170
Total land required in hectares to accommodate additional housing units		10.82	14.37

2.3 Capacity of existing zoned lands

There are 11.56 hectares zoned as new residential development and serviced sites as Phase 1 in the current LAP, with a further 3.2 hectares zoned as Phase 2 new residential development and 6.47 hectares as Phase 3 new residential development. Therefore, there is sufficient land zoned in the Bruff LAP for residential use (residential development and serviced sites) to satisfy the core strategy requirements of the Limerick County Development Plan 2010 – 2016 (Extended).

Table 2 – Residential Zoned lands required and zoned

	Required by 2018	Required by 2022	Zoned Lands (in Hectares)			Developed or committed since 2012	
			Phase 1	Phase 2	Phase 3	Land In Hectares	Balance
New Residential	6.98	9.27	6.97	3.2	6.47	0	9.27
Residential Serviced Sites	3.84	5.1	4.59	0	0	0	4.59
Total	10.82	14.37	11.56	3.2	6.47	0	14.37

2.4 Economic Development

Enterprise and Employment

In relation to the lands zoned for Enterprise and Employment, there are approximately 6.42 ha, there has been no development since the adoption the LAP. In accordance with the current Mid-West Regional Planning Guidelines in relation to rural areas, suitable uses include internationally trades services, ICT and software development, small-scale workshops/enterprises in agri-business, and crafts as stated in the LAP. Having regard to the amount of undeveloped enterprise and employment zoned land the objectives relating to economic development throughout the plan area have not been secured.

Retail and Commercial

The Bruff LAP was prepared in accordance with 2010 'Retail Strategy for the Mid-West Region' which was incorporated into Limerick County Development Plan on 1st November 2010. The strategy provides guidance on the need for new retail floor space and location of floor space, in accordance with the principles of sustainable development. The central key objective arising from the Retail Strategy is to support the town centre, utilising the sequential approach in the context of the retail hierarchy, and to promote the vitality and viability of existing centres. There has been one planning application for change of use from retail to café granted in 2015 by the Council since the adoption of the LAP. The objectives of the LAP relating to retail and commercial remain relevant to Bruff.

Tourism

Since the adoption of the Bruff LAP the Thomas Fitzgerald Centre, an exhibition centre on the ancestors of US President John Fitzgerald is located in the former library building owned by the Local Authority. It is open to the public and operated by the local community. The objectives of the LAP relating to tourism remain relevant to Bruff.

2.5 Infrastructure and Transport

Waste Water Treatment

The most recent assessment on behalf of Irish Water, indicates that the wastewater treatment plant, which was constructed in 2011 and is designed for a population equivalent of 2,140 population equivalent and a hydraulic load, dry weather flow of 524m³/day. The loading monitored in 2015 was 726 population equivalent and 342m³/day hydraulic load. Given the most recent census population figure available for Bruff, and the projected Core Strategy population projections, there is sufficient capacity in the waste water treatment plan to cater of the population for the extension of the duration of the current LAP for an additional five years.

Water Supply

In 2011 the water tower in Bruff was refurbished, however 24 hour storage remains an issue. Supply is close to demand at present and issues for any significant future demand would be dependant on the scheme being supplemented from adjacent schemes. Any proposals for significant development would be subject to pre-connection discussions/agreements with Irish Water.

Transport

A number of extensions and improvements to footpaths have been undertaken in Bruff in 2012 and 2015 funded through the Development Fund. These include works to the walkway at Tullabrack, north of the town on the Old Limerick- Cork Road which is pedestrianised and is used as a walking amenity by the residents of Bruff as part of the Slí and Sláinte route and Bruff's Golden Mile 2015.

Flooding

The Local Authority is committed to managing flood risk in accordance with the principles set out in ministerial guidelines "The Planning System and Flood Risk Management, Nov 2009", and OPW data and advice as stated in the County Development Plan. The Local Authority will continue to apply a precautionary approach based on predictive flood risk study undertaken by JBA Consulting on behalf of Limerick County Council. This is illustrated on Map 4 in the Bruff Local Area Plan and planning applications in the area at risk of flooding require a comprehensive flood risk assessment to support the application.

2.6 Community and recreation

The community supported by the Local Authority works tirelessly to develop amenities in the town, including the community playground, the community café, the former Church of Ireland and the Slí na Sláinte walking route. The objectives of the LAP remain applicable to Bruff.

2.7 Environment and heritage

The Bruff LAP 2012 was subject to Strategic Environmental Assessment (SEA). The LAP incorporated appropriate land use zoning, policies and objectives to ensure the implementation of the LAP will not result in significant effects on the environment in accordance with the SEA Directive and Regulations and in compliance with the associated objectives of the Limerick County Development Plan 2010-2016 (Extended). Given the lack of development since the adoption of the LAP it is considered that the extension of duration of the LAP will not result in significant effects on the environment in accordance with the SEA Directive and Regulations and remains in compliance with the objectives of the Limerick County Development Plan 2010- 2016 (Extended).

There have been no additions or removals of Protected Structures within the LAP boundary since the adoption of the LAP. There are 41 structures listed in the Record of Protected Structures located in Bruff.

Since the adoption of the Bruff LAP, the National Inventory of Architectural Heritage (NIAH) has been established on a statutory basis under the provision of the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999, and is administered by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Its purpose is to identify, record, and evaluate the post-1700 architectural heritage of Ireland, uniformly and consistently as an aid in the protection and conservation of the built heritage. The NIAH provides the basis for the recommendations of the Minister to the planning authorities for the inclusion of particular structures in their Record of Protected Structures (RPS). There are 39 structures located in Bruff town on the NIAH list, including buildings,

bridges, cast-iron vent pipes, and the Independence Memorial¹. The Local Authority is considering commencing the legal process for adding some of these structures to the Record of Protected Structures.

There are ten Recorded Monuments located in the townlands of Newtown and Bruff listed in the Record of Monuments and Places as maintained and updated by the Archaeological Survey of Ireland. There have been no new Recorded Monuments within the boundary since the adoption of the 2012 LAP.

The objectives of the LAP for environment and heritage remain applicable to Bruff in relation to environment and heritage.

2.8 Urban design, derelict and vacant sites

The Bruff LAP provides guidance to assist prospective applicants to address aspects of planning and design that the planning authority will be taking into account when assessing applications for future development. Three sites were identified in the town as opportunity sites (Convent lands, Backlands on Main Street (West) and the Riverside) and preliminary design briefs were outlined in the LAP. Since the adoption of the plan there has been no progression in developing these lands.

There is one derelict site on Main Street entered in the Derelict Sites Register under the Derelict Sites Act 1990. No new entries to the Derelict Sites Register have been made since the adoption of the LAP. However, there are a number of vacant, neglected buildings possibly approaching derelictions on Lower Main Street. These have been referred to the Planning and Environment sections for consideration for entry on the Derelict Sites Register.

An assessment carried out in March 2017, found approximately 37% (11 units) of total ground floor units (residential and commercial use) are vacant. 31% of commercial units are vacant and are primarily located on Lower Main Street.

Town and village renewal scheme 2016

Bruff successfully secured €64,158 under the Town and Village Renewal Scheme for Rural Ireland from the Department of Arts, Heritage Regional, Rural and Gaeltacht Affairs. The estimated cost of the project is €75,480, with matching funding of €11,322 to be allocated from the Development Fund. This proposal will provide additional parking within the town to improve safety, accessibility and traffic congestion on Main Street.

Part 3 - General overview of planning applications for development in the area since the adoption of the LAP

Due to the economic downturn there has been very little development in the area since the adoption of the LAP. The following is a brief summary of notable planning applications in the LAP area since 2012.

¹ Refer to www.buildingsofireland.ie

Residential

Planning reference 16/1184 Ballygrennan Homes Ltd was submitted 1/2/17 to the Council for 84 dwellings at Ballygrennan. This application is currently been processed.

Under reference 13/7081 an extension of duration for permission to construct 23 houses at Ardykeohane, granted by An Bord Pleanála was requested of the Council. The site area is 1.59 hectares.

RCCN Caring Ltd was granted outline planning permission under reference 13/6 for a community day-care centre and 11 independent living units at Ardykeohane.

Retail

There has been no significant retail development in the town. Planning reference 15/643 was granted for the change of use from retail to café on Main Street.

Education and community

Bruff GAA received planning permission for the construction of six lighting columns and a protective net under reference 13/353.

Enterprise and employment

No applications were received for enterprise and employment in Bruff since 2012.

Part 4 - Conclusion and recommendation

Having regard to the lack of development since 2012 there are a considerable number of policies and objectives that remain relevant and yet have not been secured.

In summary, it is the opinion of the Chief Executive that:

- The Bruff Local Area Plan 2012-2018, is consistent with the objectives and core strategy of the Limerick County Development Plan 2010-2016 as varied.
- The objectives of the Bruff Local Area Plan have not been substantially secured.
- The sending and publishing of notices to review the existing LAP may be deferred for a period of 5 years. Therefore the lifespan of the Bruff Local Area Plan 2012-2018 should be extended for a further five years.

Accordingly, it is recommended that the following resolution be approved by the Council:

‘Having considered the Chief Executive’s report, the Planning Authority resolves to extend the life of the Bruff Local Area Plan 2012, by a further 5 years, from today’s date, in accordance with the provisions of Section 19 (1) (d) of the Planning and Development Act 2000, as amended, which provides for the extension of the valid life of a Local Area Plan’.



Pat Daly,
Director Economic Development

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