

KILKENNY COUNTY DEVELOPMENT PLAN 2008-2014



Variation No.1 (a) & (b)

- (a) “update the list of Architectural Conservation Areas”
 - (b) “removal of height restriction for individual wind turbines”
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Introduction

In accordance with Section 13 of the Planning and Development Act 2000 (as amended), Kilkenny County Council varied the Kilkenny County Development Plan 2008-2014 on the 15th January, 2010 for the purpose of:

- (a) Updating the list of Architectural Conservation Areas to include Callan, Castlecomer, Graiguenamanagh and Thomastown,
- (b) To remove the height restrictions for individual wind turbines.

The variations are outlined below and may be read in conjunction with a copy of the Kilkenny County Development Plan 2008-2014.

The variations involved addition of text and / deletions as outlined below (deletions in ~~strike through~~; additions in *italics*):

Variation 1 (a) ACA's:

As part of the Local Area Plan process for the towns of Callan, Castlecomer, Graiguenamanagh and Thomastown, Architectural Areas of Conservation were identified and adopted as part of the plans, this variation updates the list of existing ACA's as listed within the development plan, and also varies policy H102 to include within that policy for the preservation of the special character of ACA's adopted as part of a local area plan process during the lifetime of this County Development Plan.

The varied policy of the Kilkenny County Development Plan 2008-2014 is set out below (additions in *italics*):

8.4.4.2 Architectural Conservation Areas

The Planning and Development Act, 2000 provides for the inclusion of objectives for preserving the character of places, areas, groups of structures or townscapes where the planning authority is of the opinion that such an area:

- (a) is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or
- (b) contributes to the appreciation of protected structures.

Such areas are designated as Architectural Conservation Areas (ACA's). Guidance on the categories of special interest for considering the designation of Architectural Conservation Areas is given in Sections 3.3 and 3.4 of the 'Architectural Heritage Protection Guidelines for Planning Authorities, 2004'.

There are ACA's within *Callan, Castlecomer, Graiguenamanagh, Thomastown*, Gowran, Freshford, Inistioge and Ballyragget which were identified during the preparation of Local Area Plans for these villages. *There may be other ACA's designated within the lifetime of this county development plan.*

It is the purpose of the Architectural Conservation Area designation to preserve the general character of the area with regard to building scale, proportions, historical plot sizes, materials, building lines, and height, historic street paving and street furniture, as well as general use.

Works to the exterior of a building within an ACA which, in the opinion of the local authority, would affect the character of the area, would require planning permission.

Guidance on the criteria the planning authority will use to assess proposals for new development and proposals for demolition within an Architectural Conservation Area are given in section 3.10 of the Architectural Heritage Protection Guidelines, 2004, issued by the Department of the Environment Heritage and Local Government.

A detailed survey, character appraisal, and set of policies and objectives have been produced for each ACA. The identification of new ACA's and the modification of existing ACA's may be proposed during the lifetime of the Plan. The re-assessment of existing or the designation of new ACA's will form part of each Local Area Plan.

POLICY

• **H102 To ensure the preservation of the special character of each ACA listed above and others designated in the Local Area Plans adopted for the towns, villages and smaller settlements within the county during the life of this development plan particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.**

Variation 1 (b) Wind Energy:

The Planning and Development Regulations 2008 brought into law exemptions for certain classes of micro-renewable energy, including individual wind turbines not exceeding 20 metres in total height, subject to certain restrictions. In order to allow for greater flexibility of turbine heights and to avoid contradictions between the County Development Plan and the provisions of the Planning and Development Regulations 2008, Section 9.8.3.3(v) of the Kilkenny County Development Plan 2008-2014 relating to Individual Wind Turbines, now reads as follows (additions *in italics*, and deletions ~~in strikethrough~~):

S9.8.3.3(v) Individual Wind Turbines

It is recognised that landowners in rural areas may wish to harness wind energy for private use. This is considered a reasonable use of renewable natural resources that also provides opportunities to augment farm incomes.

Planning applications for individual wind turbines shall be considered on their merits subject to the general provisions of the Development Plan and to the specific guidance on individual wind turbines below:-

- Turbines shall be limited to 1 per holding

~~- Turbine height shall not exceed 20 metres measuring to the upper most tip of a vertically extended blade~~

- *A visual impact assessment will be required to be submitted in order to assess the impact of individual turbines.*

- *An ecological impact assessment study will be required to be submitted for individual turbines proposed within or adjacent to SACs and/ or NHAs, and will be referred to the Department of the Environment, Heritage and Local Government for comments.*

- Turbines shall generally be coloured mid to dark grey and shall not contrast with surrounding colours.