



13 September 2017

For the Attention of:

Peter Carey
Chief Executive,
Kildare County Council,
Áras Chill Dara,
Naas,
Co. Kildare.

**Section 31 of the Planning and Development Act 2000, as amended
by the Planning and Development (Amendment) Act 2010
Notice of Intent to Issue a Direction relating to the
Celbridge Local Area Plan 2017-2023**

Dear Chief Executive,

I am writing to you in connection with the Celbridge Local Area Plan 2017-2023 as adopted by the Council on 17 August 2017 and request that you bring this notice to the attention of the elected members of the County Council on or before Wednesday 13th September 2017.

TAKE NOTICE that I am considering issuing a direction pursuant to Section 31 of the Planning and Development Act 2000, as amended. A draft of the proposed direction is attached to this letter.

As appears therefrom, I have formed the provisional opinion (i) that the Planning Authority has ignored or not taken account of submissions made on my behalf in February and June 2017 in respect of the proposed Celbridge Local Area Plan 2017-2023 and (ii) that the plan as adopted is not in compliance with the requirements of s.28 (1B)(b) and s.31(1)(a), (b) & (c) of the Planning and Development Act 2000 (as amended).

The reasons for the proposed direction are set out in the Statement of Reasons of the attached draft direction.

BACKGROUND

My Department wrote to your Council, under my direction as statutory consultee under the Planning Acts, in relation to the Draft Celbridge Local Area Plan 2017-2023 on 03 February and 14 June 2017.

The submissions made by the Department on 03 February and 14 June 2017 on my behalf under Section 12 of the Planning and Development Act 2000 (as amended), highlighted the Department's concerns regarding the proposed policies and objectives in regard to certain proposed zonings and their compliance with national planning policy and guidelines. .

At a meeting of Kildare County Council on 17 August, the Celbridge Local Area Plan 2017-2023 was adopted by the elected members, including Material Alterations Nos. 8, and 9.

Accordingly I am issuing a draft Ministerial Direction under Section 31 of the Planning Act to direct Kildare County Council, with regard to the now adopted local area plan failing to adhere to statutory and policy requirements.

MEASURES PROPOSED UNDER THE DRAFT DIRECTION

In light of the foregoing, the Celbridge Local Area Plan 2017-2023, as adopted, is to be amended as set out in the attached draft direction.

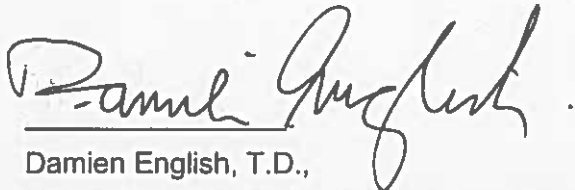
Please note that those parts of the Local Area Plan which are the subject of this draft direction shall be taken not to have come into effect until the Section 31 procedure has been completed.

PROCEDURAL REQUIREMENTS

I would draw your attention to the public consultation obligations under Section 31 of the Planning and Development Act 2000, as amended by the Planning and Development (Amendment) Act 2010, and the initial requirement for you, as Chief Executive, under section 31(7) to publish notice of the draft direction no later than 2 weeks after receipt of this notice. I look forward to receipt of the report which has to be prepared by you on foot of this public consultation under Section 31(8), including on any views of the elected members, to be furnished to me no later than 4 weeks after the public consultation process is completed, for my further consideration.

My officials are available to assist you, as necessary, in complying with the foregoing process now underway.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Damien English". The signature is written in a cursive style with a horizontal line under the first name.

Damien English, T.D.,

Minister for Housing and Urban Development

Copied to:

Cathaoirleach, Kildare County Council, Áras Chill Dara, Naas, Co. Kildare

Director, Eastern and Midland Regional Assembly, Ballymun Civil Centre, Ballymun, Dublin 9