

The Development Plan

This leaflet explains what the development plan is, how it affects you, how it is made and how you can influence it.

This leaflet is intended as a practical guide. It is not a definitive legal interpretation of planning law. For further information you may consult your local planning authority.

1. What is the development plan?

The development plan is the main public statement of planning policies for the local community. It sets out the land use, amenity and development objectives and policies of the planning authority, usually for a 5 year period. The plan consists of a written statement of objectives and a map or series of maps.

2. What is in the plan?

The plan includes objectives for:

- * development and renewal of obsolete areas;
- * preserving, improving and extending amenities;
- * provision of water supplies and sewerage services, waste recovery and disposal facilities;
- * zoning of areas for residential, commercial, industrial, agricultural etc. purposes;
- * provision of accommodation for travellers;
- * provision of services for the community (e.g Creches)

Development plans will also usually include development objectives relating to the control of use of buildings, community planning, reservation of land, preservation, conservation, etc.

3. How does the plan affect me?

The development plan is a blueprint for the planning and development of your area for at least the next five years. For example, it sets out where roads, water supplies, sewerage are to be provided and it zones land for particular purposes (housing, shopping, schools, factories, etc.). This will affect what type of buildings can be constructed and the use to which land can be put, It affects many facets of daily economic and social life - where you can live, what services are available and where developments with job opportunities are to be sited.

4. Does the plan affect planning applications?

All planning applications are measured against the development plan to assess their conformity with the plan's objectives and development permitted must normally be in accordance with the plan.

5. What is the effect of zoning?

When land is zoned for a particular type of development in the development plan, this is a clear indication that a planning permission for this form of development may be obtained. Zoning may also indicate restrictions on development (eg. a low number of houses per-acre, certain types of industry only) and permitted development will be limited accordingly.

6. What protection can the development plan give?

The plan may list for preservation particular natural amenities (views, trees, landscape, etc.) and particular buildings, features or sites of artistic, architectural or historic interest. Development proposals which might alter or interfere with many of these amenities will be restricted and works which might otherwise be exempted development will require planning permission.

7. Who makes the plan?

The making, reviewing and varying of the plan is a function reserved to the elected members (i.e. Councillors) of the planning authority. It is their duty to adopt the plan with the technical help of their officials (the Manager, planners, engineers, etc.) and following extensive public consultation. If the elected members fail to make a plan within the statutory 6 year period, the Manager must make a plan.

8. How often is the plan made?

The law requires that the planning authorities must commence a review of the plan within four years and make a new plan every six years.

9. How does the review process work?

The planning authority officials prepare a draft plan, based on a detailed survey and analysis of the area and on submissions from the public and from public and local bodies. Following approval of this by the councillors (by majority vote) it is put on public display for at least 10 weeks in the planning authority offices and, possibly local libraries, community halls etc. Any person may comment on this draft. All comments are taken into consideration by the councillors, who may change the draft plan based on the Manager's report or their own views. If the draft is materially altered (i.e. significantly changed), the amendments go on further public display for at least 4 weeks, during which time fresh public comment may be made on these changes. Following consideration of any new comments, the plan is formally adopted by the councillors and becomes the official development plan for the area.

10. How will I know when the plan is being reviewed?

The planning authority is required to publish notice of its intention to review its plan. The public can comment on the review of the plan. When a draft plan is going on display, the planning authority puts a notice in a newspaper circulating in the area stating when and where the plan can be seen. The owner or occupier of structures or features, or rights of way, listed in the plan for preservation will be notified personally. The same public notice requirements apply to any material alteration of the draft plan.

11. How do I make an objection or representation?

Any person, even if not living in the plan area, can make written objections or representations to the planning authority during the display period. In addition, ratepayers (including persons who would be ratepayers but for the abolition of domestic and agricultural rates) may request an opportunity to state their cases orally to a person appointed by the planning authority - usually an official. These procedures apply equally to public displays of the draft plan and any changes to it. It is also open to persons to make their views known to their local Councillors if they so wish. Remember the development plan is **your** plan and you have a right to a say in the future planning and development of your locality.

12. Can I see the plan at any time?

When a development plan is formally made the planning authority puts a notice in a locally circulating newspaper. The development plan is then available for public inspection during

offices hours at the planning authority offices and local libraries and other offices of the local authority.

13. Can I get copies of the plan?

Yes. Copies of the entire plan or extracts from it may be purchased from the planning authority at a reasonable cost. As plans differ in size, use of colour, amount and size of maps, the cost of making copies will differ from area to area. In addition, many plans may be accessed from the relevant planning authority's website.

14. Can the plan ever be contravened?

The planning authority is obliged to secure the objectives in their development plan. If an individual planning application proposes development which is not in conformity with the objectives of the development plan but which would otherwise be in harmony with the proper planning and development of the area, the planning authority can decide to permit it as a material contravention of the plan, following public consultation. In this case the planning authority must publish notice of its intentions in a locally circulating newspaper.

Direct notice is given to the applicant and to any person who has made written objections to the application. Any person may make objections or representations to the planning authority within 21 days of the public notice and all these comments must be considered by the planning authority. In order to pass a resolution to grant permission in such cases three quarters of all Councillors must vote in favour.

If the local authority wishes to undertake development of its own which would contravene the plan, it must review the plan and follow the procedures set out at Question 9 above. This review and revision of the development plan by the planning authority must be carried out in addition to the new public consultation procedure required for development by local authorities, or, where applicable, consultation required under Environmental Impact Assessment procedures.

15. Should I get involved in the development plan?

Yes. The development plan is **your** plan and will affect you numerous ways over its 5 year lifetime. There are extensive opportunities for public involvement in the plan making and review process, either personally, through voluntary bodies, such as residents' associations, or through your elected representatives. The plan is a public document shaped by a local democratic process. It is an important area of local government where you can help shape your own locality and make a contribution on behalf of the local community.

The law governing the planning system is set out in the Local Government (Planning and Development) Acts, 1963 to 1993 and Local Government (Planning and Development) Regulations, 1994 and 1995. These may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2, Telephone (01) 661311.