

**COMHAIRLE CONTAE ÁTHA CLIATH THEAS**  
**SOUTH DUBLIN COUNTY COUNCIL**

**Meeting of South Dublin County Council**

**Monday 12<sup>th</sup> June 2017**

**Headed Item No. 13**

**Procedure Under Section 19 of the Planning and Development Acts 2000-2015 Regarding Fortunestown Local Area Plan**

Section 12 of the Planning and Development Act 2010 introduced a new provision that amended Section 19 of the Planning and Development Act 2000, whereby a Planning Authority may extend the life of an existing Local Area Plan (LAP), which is normally 6 years, for a further 4 years i.e. up to a total of 10 years from adoption. This is dependent on the Planning Authority resolving to extend the life of the Plan within 5 years of its original adoption date. Members will be aware that there is also a mechanism in the Act for extending individual grants of planning permission.

The Fortunestown LAP was adopted in May 2012. It will remain in force for 6 years from its adoption until 2018. The procedure introduced under Section 12 of the Planning and Development Act 2010 gives the Council the option to extend the Fortunestown LAP to June 2022 provided the Planning Authority resolve to do this before 28<sup>th</sup> June 2017 (an additional 45 days are allowable relating to the Christmas period for each year of the life of the Plan as per Section 251 of the Planning and Development Acts 2000-2015). Both the Tallaght Town Centre LAP and Liffey Valley LAP have been extended in accordance with this legislation, with both plans being extended for a further period of four years.

As required by the legislation, the accompanying report provides detail supporting the opinion of the Chief Executive that:

- 1) The Local Area Plan remains consistent with the objectives and core strategy of the relevant Development Plan i.e. the South Dublin County Development Plan 2016-2022;
- 2) The objectives of the Local Area Plan have not been substantially secured; and
- 3) Confirmation that the sending and publishing of the notice under section 20(3)(a)(i) of the Planning and Development Acts 2000 -2015 i.e. notices for making, amending or revoking Local Area Plans, may be deferred and the period for which they may be deferred.

Accordingly, it is recommended that the sending and publishing of the notices be deferred for a further period not exceeding 5 years from June 2017 and that the Council approve the procedure to defer the sending of a notice under section 20(3)(a)(i) of the Planning and Development Acts 2000 -2015 i.e. notices for making, amending or revoking the Local Area Plans , in accordance with Section 19(1)(d) of the Planning and Development Acts 2000-2015 for the Fortunestown Local Area Plan.

The following resolution is therefore recommended:

*"That this Council approve the procedure to defer the sending of a notice under section 20(3)(a)(i) of the Planning and Development Act 2000 -2010 i.e. notices for making, amending or revoking the Local Area Plans, in accordance with Section 19(1)(d) of the Planning and Development Acts 2000-2015 for the Fortunestown Local Area Plan for a further period of 5 years."*