

PART 6 LAND USE ZONING & MATRIX**6.1 Land Use Zoning****Introduction**

This chapter sets out the general land use and zoning policies and objectives of the Plan. It provides an explanation of the land use categories and the zoning objectives that apply to them. The purpose of zoning is to indicate the land use objectives for all the lands within the County. The primary purpose of land use zoning in the context of the Development Plan is to promote the orderly development of the County, by eliminating potential conflicts between incompatible land uses and to establish an efficient basis for investment in public infrastructure and facilities. The objective of zoning is to specify which types of land use the Council considers appropriate for different areas or 'Zones', and it therefore indicates the planning control objectives of the Council for its administrative area. The Council is obliged under the Planning & Development Acts 2000-2006 to include in its Development Plan objectives for the 'zoning of land for the use solely or primarily of particular areas for particular purposes'.

Zoning policy must have regard to the other strategic policies underlying the Plan. These include the principles of sustainable development, consolidation of urban centres, the integration of land use and transportation planning and the maintenance of a high quality of life within the County. In this regard, the overall zoning strategy for the County is based on the following principles;

- Sufficient land should be zoned at appropriate locations throughout the County to accommodate the expected growth in population, to meet the needs of growing communities and to facilitate economic growth within the lifetime of the Plan,
- Land use and transportation, should be considered in tandem with the objective of minimising the need to travel, and favouring other modes of travel over the private car,
- Flexibility should be provided for, subject to the ability to mitigate the effects of a use on existing or proposed neighbouring uses,
- Lands will be reserved for uses which are not market driven, such as open space or community facilities to ensure that these necessary uses can be provided,
- A rational pattern of land use must be secured, and a framework put in place within which the objectives and strategies contained in this Plan can be realised,
- The efficient use of infrastructure and services provided should be ensured, by maximising the use of nearby lands and consolidating urban centres, which will in turn enhance town centre vitality,
- Amenity, including residential amenity must be protected, by promoting particular uses in appropriate locations, which will reduce conflict between uses,
- A framework for development management must be provided,
- Where new development areas are to be developed this should be carried out comprehensively and to a reasonable state of completion, before other development areas are commenced.

Key Challenges and Issues

Since the adoption of the last County Development Plan in 2002 a number of issues have arisen with regard to zonings and the existing matrix, in addition, the matrix differed from that used in Athlone Town. During the period of the last Plan, a significant part of the area formerly within the Athlone Environs has become part of the extended Athlone Town Council area. A smaller Athlone Environs area now adjoins Athlone Town and a common zoning system is proposed.

The need to consider sustainability, and the development of understanding of urban design principles, has promoted the mixing of uses to give variety and vitality to areas, and reduce the need to travel. Greater flexibility in zoning is therefore required. In addition, changes to legislation and new guidance have come from national level, to which regard must be had, when zoning;

- Amendment to Regulations 2005 – off-licence has been removed from the definition of shop, so this should now be recognised as a specific use class in the zoning matrix.

In view of these issues, a number of amendments to the land use zoning objectives and zoned areas have been made.

Land Use Zoning Categories

The following sections set out the objectives and requirements of the Planning Authority for the main categories of land use. In total there are ten land-use zoning categories as follows;

1. Residential
2. Development Area for Masterplanning
3. Mixed Use - Town Centre
4. Enterprise & Employment
5. Commercial
6. Retail Warehousing
7. Sporting/Recreational
8. Open Space/Amenity
9. Educational, Institutional & Community
10. Agricultural/Premature

Land Use Zoning Objectives

Residential

O-LZ1 To provide for residential development, associated services and to protect and improve residential amenity.

The priority of the Council is to improve the quality of existing residential areas and strengthen the provision of local community services and amenity. In both new and established residential areas a range of uses will be permitted in principle, in addition to housing, which has the potential to strengthen communities and encourage the enjoyment of residential amenity. Such uses may include local shops, crèches, schools, nursing homes, open space, recreation facilities. These may be permitted provided they are appropriate in scale and do not unduly interfere with the predominant residential land use.

Development Area for Masterplanning

O-LZ2 To provide for new residential communities and compatible mixed development or enterprise development where appropriate, in accordance with an approved Local Area Plan and subject to the provision of the necessary social and physical infrastructure.

This zoning category allows for the more detailed identification and zoning of specific undeveloped areas of land, which are considered suitable to accommodate new residential and associated development, or enterprise development. Such zoning is to be undertaken at local area plan level through a careful masterplanning process, either in parallel with the CDP Review process or soon after the adoption of the Development Plan. This will allow for more careful consideration to be given to issues such as the built form of the area, provision for recreation, amenity, education and community facilities in line with residential development and for detailed consideration to be given to layouts and design.

Mixed Use - Town Centre

O-LZ3 To provide for, protect and strengthen the vitality and viability of town centres, through consolidating development, encouraging a mix of uses and maximising the use of land, to ensure the efficient use of infrastructure and services.

Mixed use reflects the mixture of uses which have always co-existed in town centres and which gives them the vitality, variety and intensity of uses which makes them attractive and important places for community interaction. A mixed use zoning provision can also help to ensure the economic efficiency through which public infrastructure and services can be provided. It can attract a critical mass to a central area around which service provision can be focused.

It is a policy of this Development Plan, to sustain and enhance the vitality and viability of town centres and where appropriate to consolidate urban areas. This will be achieved by encouraging a mix of compatible uses within town centres and maximising the use of land to ensure the efficient use of infrastructure and services, through mobilising brownfield and under-utilised land

for development where appropriate. Any such development will have regard for the Council's adopted Retail Strategy and policies in relation to the built heritage and building height and density. Development incorporating residential units above ground floor 'active' street frontages such as commercial/retail units, will be encouraged where appropriate, to facilitate activity on the street both during and after office hours.

Enterprise & Employment

O-LZ4 To provide for enterprise, employment and related uses including industrial and service uses such as Class 3 offices, which due to their scale or nature cannot be located within the town centre.

It is the policy of the Council to ensure that there is adequate land available to facilitate opportunities for employment creation, and the Council will accommodate commercial and enterprise uses that are incapable of being situated in a town centre location, provided that such development does not detract from the town centre's commercial function. Warehousing, commercial, enterprise and ancillary services should be provided in high quality landscaped campus style environments, incorporating a range of amenities.

The uses in this zone are likely to generate a considerable amount of traffic by both employees and service traffic. Sites should therefore have good vehicular and public transport access. The implementation of mobility management plans will provide important means of managing accessibility to these sites.

Since the development in this zone will provide significant employment, it may be suitable to locate this zoning in close proximity to residential areas, depending on the nature of the employment use and whether or not the use would be likely to result in 'bad neighbour' type activity that would detract from residential amenity. Childcare facilities may also be permitted, subject to appropriate design and location.

Commercial

O-LZ5 To provide for commercial development which does not need to be located in the town centre or retail warehousing zone.

This zoning provides for expansion of existing commercial uses and for new uses.

Retail Warehousing

O-LZ6 To provide for retail warehousing in accordance with the adopted Retail Strategy and in support of the town centre.

Retail warehousing, defined as large stores specialising in the sale of bulky household goods such as carpets, furniture, electrical goods and bulky DIY items, which generally, cannot be located in the town centre due to their requirements for space and parking facilities. Retail warehousing will be permitted in principle, depending on its scale and nature, provided that such development does not detract from the town centre's retailing function and provided that it is in accordance with Council's adopted Retail Strategy.

Sporting/Recreational

O-LZ7 To provide for, protect and improve the provision, attractiveness, accessibility and amenity value of sporting and recreational facilities.

Only development that is incidental to, or contributes to the enjoyment of recreation or leisure will be permitted within this zone, and development that enhances the amenity value of such areas will be encouraged. The development of such uses will have regard to the requirements in the area and needs of changing communities, as well as the quality of landscaping, usability and accessibility of areas and facilities. The Council will encourage the provision for a variety of sporting and recreation activities as required.

Open Space/Amenity

O-LZ8 To provide for, protect and improve the provision, attractiveness, accessibility and amenity value of public open space and amenity areas.

To provide for, protect and improve the provision, attractiveness and accessibility of public open space intended for use for recreational or amenity purposes. Only development that is incidental to, or contributes to the enjoyment of open space, amenity or recreational facilities will be permitted within this zone.

Educational/ Institutional/ Community

O-LZ9 To provide for, protect and improve educational and institutional facilities such as churches, schools, libraries, museums, health-centres, fire stations, graveyards, arts/entertainment facilities, etc.

It is the policy of the Council to protect and improve existing social, health, educational and arts/cultural/entertainment facilities and institutions and to safeguard future provision. Such provision will be important in maintaining viable and stable communities and it will be necessary to provide for these uses in line with the pace of development, as they are required. Childcare facilities within institutions (or within this zoning category) may be permitted subject to appropriate design and location. Residential uses will not normally be permitted. Provision of such facilities may also arise through use of specific objectives and phasing arrangements under Local Area Plans.

Agricultural/Premature

O-LZ10 To protect agricultural land from development that would restrict its use, and to provide for the development of existing established uses.

To ensure that premature urban development on unserviced or unsuitable agricultural land does not take place.

COMAH (Control of Major Accident Hazards)

Control of Major Accident Hazards also known as Seveso sites; Arising from the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations (SI No 476 of 2000), as part of the Development Plan review, the National Authority for Occupational Safety and Health (Health and Safety Authority (HSA)), has been consulted. There are no such sites within County Westmeath or within consultation distance. None of the current zoning objectives provide for such use.

Non-conforming uses

It is not intended, that existing uses within the zones outlined in this Plan, which appear to be inconsistent with the primary use zoning objective should be curtailed. All such cases, where legally established by continued use for the same purpose prior to 1st October 1964, or by a planning permission, shall not be subject to legal proceedings under the Acts in respect of the continued use. There will be a presumption against the extension, improvement or intensification of such premises or use of land, but each case shall be considered on its own merits.

6.2 Zoning Matrix

O-LZ11 It is an objective of the Council to carry out its development control function in accordance with a Land Use/Zoning Matrix as shown below.

The Matrix lists the more common forms of development, and indicates in which zones particular development would normally be permitted (P), is open for consideration (O) or would not normally be permitted (X). It should be emphasised that the matrix is for general guidance only and that each individual application will still be judged on its merits. Factors such as density, height, traffic generation, design criteria and physical environmental aspects are also of importance, in determining whether or not a development proposal conforms with the proper planning and sustainable development of the area.

The adopted Retail Strategy takes precedence over the zoning matrix.

Type of Development	Residential	Educational/ Institutional/ Community	Mixed Use – Town Centre	Enterprise & Employment	Commercial	Sporting / Recreational	Open Space/ Amenity	Agricultural/ Premature	Retail Warehousing
A.T.M.'s	X	P	P	P	P	O	X	X	P
Abattoir	X	X	X	X	X	X	X	X	X
Advertising structures	X	O	O	O	O	O	X	X	O
Aerodrome/Airfield	X	X	X	X	X	X	X	X	O
Agri-business	X	X	O	O	O	X	X	X	O
Agricultural building	X	X	X	X	X	O	O	O	X
Agri-tourism	X	X	O	O	O	O	O	X	O
Amusement arcade	X	X	O	X	O	X	X	X	O
Ancillary plant	O	O	O	O	O	O	O	O	O
Betting office	X	X	O	X	O	X	X	X	O
Car Sales/repairs	X	X	O	O	O	X	X	X	P
Caravan park; Residential	O	O	X	X	X	X	X	X	X
Caravan park; Holiday	X	X	X	X	X	X	O	O	X
Casual-trading	X	X	P	X	O	X	O	X	O
Cemetery	X	O	X	X	X	X	X	O	X
Church	O	P	O	O	O	O	X	X	O
Cinema	X	O	P	O	O	X	X	X	O
Commercial car-park	X	O	P	P	P	O	X	X	P
Community Hall (recreation & functional)	O	O	P	O	P	O	O	X	P
Crèche/Nursery	P	P	O	O	O	O	X	X	P
Cultural use	P	P	P	O	O	O	P	X	P
Dance Hall/ Discotheque	X	X	P	X	O	O	X	X	O
Doctor/Dentist	P	P	P	X	O	X	X	X	O
Dwelling	P	O	P	X	O	X	X	X	O

Type of Development	Residential	Educational/ Institutional/ Community	Mixed Use – Town Centre	Enterprise & Employment	Commercial	Sporting / Recreational	Open Space/ Amenity	Agricultural/ Premature	Retail Warehousing
Education	P	P	O	O	O	O	X	X	O
Energy installation	O	O	O	O	O	O	O	O	O
Extractive industry	X	X	X	X	X	X	X	O	X
Funeral home	X	O	P	O	O	X	X	X	O
Garden centre	X	X	O	O	O	X	X	X	P
Golf course	X	X	X	X	X	O	X	X	X
Guest house	O	O	O	X	O	X	X	X	X
Halting Site/ Housing	O	P	X	X	X	X	X	X	X
Health centre	O	O	P	O	O	O	X	X	O
Heavy industry	X	X	X	X	X	X	X	X	X
Heavy vehicle park	X	X	X	O	O	X	X	X	X
Holiday home	X	X	X	X	X	X	X	X	X
Hospital	X	P	O	O	O	X	X	X	O
Hotel	O	X	P	O	O	X	X	X	O
Household fuel depot	O	X	P	P	P	X	X	X	P
Kennels	X	X	X	X	X	X	X	O	X
Landfill site	X	X	X	X	X	X	X	X	X
Light industry	O	O	O	O	O	X	X	X	O
Multi-storey car park	X	O	P	P	P	O	X	X	P
Offices <100m ²	O	O	P	O	O	X	X	X	O
Offices 100m ² - 1000m ²	X	O	P	O	O	X	X	X	O
Offices >1000m ²	X	X	P	O	O	X	X	X	O
Off licence	O	X	P	X	O	X	X	X	O
Open space	P	P	P	P	P	P	P	X	
Park & ride	O	X	O	O	O	X	X	X	O
Petrol station	X	X	O	O	O	X	X	X	P
Private tip	X	X	X	X	X	X	X	X	X
Public house	O	X	P	X	O	O	X	X	O
Public services	-	-	-	-	-	-	-	-	O

Type of Development	Residential	Educational/ Institutional/ Community	Mixed Use – Town Centre	Enterprise & Employment	Commercial	Sporting / Recreational	Open Space/ Amenity	Agricultural/ Premature	Retail Warehousing
Recycling plant	O	O	O	P	P	X	X	X	O
Residential institution	O	O	O	X	O	X	X	X	O
Restaurant/Cafe	O	O	P	O	P	O	X	X	P
Retail warehouse	X	X	O	O	O	X	X	X	P
Retirement home	P	P	O	X	O	X	X	X	O
Science & Technology	X	O	O	O	O	X	X	X	O
Scrap yard	X	X	X	O	X	X	X	X	X
Service yard	X	X	O	O	O	X	X	X	P
Shops - local	P	O	P	O	O	X	X	X	O
Shops - neighbourhood	O	X	P	X	O	X	X	X	O
Shops - major	X	X	P	X	O	X	X	X	X
Small workshop	O	X	O	O	O	X	X	X	O
Sports facility	O	O	O	O	O	O	X	X	O
Take-away/Fast food	X	X	O	X	O	X	X	X	O
Telecom. structures	O	O	O	P	P	X	X	X	P
Tele-services	X	X	O	P	O	X	X	X	O
Tourism- recreational complex	O	O	O	X	O	O	X	X	O
Training Centre	O	P	P	O	O	X	X	X	O
Transport Depot	X	X	X	O	O	X	X	X	O
Urban-Nature Reserve	O	O	X	X	X	O	X	X	O
Veterinary surgery	X	X	O	X	O	X	X	X	O
Warehouse	X	X	X	P	O	X	X	X	O
Wholesale outlet	X	X	O	X	O	X	X	X	P
Works to quarry	X	X	X	X	X	X	X	X	X