

09 December 2020

Forward Planning Section Planning Department Block B, Wexford County Council County Hall Carricklawn Wexford Y35 WY93 Re: Draft Wexford County Development Plan 2021-2027

A chara,

Thank you for your authority's work in preparing the draft Wexford County Development Plan 2021 - 2027 (the draft plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put in to the preparation of the draft plan against the backdrop of an evolving national and regional planning policy and regulatory context, which includes taking account of the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly area, and the establishment of the Office.

As your authority will be aware, one of the key functions of the Office includes strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the draft plan, under the provisions of sections 31AM(1) and (2) of the Act.

General Comments

The draft plan is being prepared at a crucial time following the preparation of the National Planning Framework and the Regional Economic and Spatial Strategy which seek to promote the rebalancing of regional development in a sustainable manner. The pattern of development in your county in recent times has been disproportionately influenced by Dublin generated commuting in areas proximate to the M11 corridor, rather than self-sustaining development centred around its historic town and rural structure such as the Wexford to New Ross and Enniscorthy triangle.

Coupled to that, it would appear that recent decades have witnessed a rapid and spatially extensive proliferation of locally quite substantial housing developments, mostly commuter based, added on to a very wide range of small villages and rural clusters, often in the absence of enabling infrastructure, especially water services. This has led to very serious legacy issues with Developer Provided Infrastructure.

In this context, it would appear that the draft development plan is predicated on a strategy of broadly equal apportionment of future growth on the basis of these historical patterns, rather than responding to the new policy context for planning by local authorities set by Government in the NPF which is centred around structured and prioritised plan-led development centred around the locations best equipped for sustainable long-term development.

The risk, accordingly, is that if the plan as presently drafted remains, at the end of the plan period, Wexford will:

- Continue to experience a drift of development northwards up the M11;
- Not realise the considerable potential of its maritime Viking towns, which will continue to stagnate;
- See a continued expansion of inappropriately scaled and located housing development in locations ill-served to accommodate such growth, particularly from a water services perspective; and
- Continue to move down the path of a pattern and form of development that is particularly car-dependent, energy intensive and extremely difficult to service with public transport in any coherent and competitive manner.

It is within this context the submission below sets out recommendations and observations under following seven key themes:

- 1. Core strategy and settlement hierarchy;
- 2. Compact growth, regeneration and approach to land use zoning;
- 3. Rural housing and regeneration;
- 4. Economic development and employment (including retail);

- 5. Sustainable transport and accessibility;
- 6. Climate action and energy;
- 7. Environment, heritage and amenities; and
- 8. General and procedural matters.
- 9.

1. Core strategy and settlement hierarchy

From the evaluation undertaken by the Office, it is evident that the distribution of population growth across the settlement hierarchy represents an effective continuation of the existing pattern of development and does not provide a strategy that sufficiently reflects the policies and objectives of the NPF and RSES on compact growth and reversal of rural decline in villages, as set out in National Policy Objectives (NPOs) 3, 6, 7, 16, 18a; Regional Policy Objectives (RPOs) 3, 34, 35.

There should be greater emphasis on strengthening and encouraging growth, particularly of levels 2, 3 and level 4 within the settlement hierarchy, focusing on settlements with adequate infrastructure capacity.

In particular, the Office makes the following specific observations that should be considered in the redistribution of growth:

- Level 1 Key town tier will accommodate 22% of the county's population by 2027; rising from 20% in 2016. It is acknowledged that this represents c. 40% of the actual new population and achievement of this will be an initial step in ensuring your authority's new county development plan is moving in line with national and regional planning policies and indeed ensuring Wexford has the drivers to enable its long-term self-sustaining rather than overspill from Dublin driven development.
- Level 2 Large towns will increase from 12.8% of the county population in 2016 to accommodate 13.6% of the county's future population. Although this represents 21% of all new growth directed to this tier, it is very much a continuation of the existing settlement pattern. There is considerable scope to further enhance growth at this level given the nature and capacity of Enniscorthy and New Ross.
- Level 3, Service Settlements, as a proportion of the county's overall population will remain largely unchanged from 2016.
- Level 4, Large Villages, as a proportion of the county's overall population will also remain unchanged from 2016.

- The lowest tiers, 'level 5, 6 and the open countryside' have been allocated c. 22% of the total new population growth. By comparison this is greater than the growth allocated to level 2 (Enniscorthy and New Ross combined) and greater than both level 3 (Service Settlements) and level 4 (large villages) combined.
- It is recognised that there is a strong rural base within the county and that level 5-7 will reduce in proportion from 52% to 49%, which is a positive step. However there remains a significant and disproportionate allocation of actual population to these tiers, which should be reviewed to further align with the wider national and regional policy context for the county development plan.

Recommendation 1

The planning authority is required to revisit, in an evidence-based approach, the distribution of new population growth across the seven tiers of the settlement hierarchy to ensure greater alignment between the draft plan's stated Core Strategy Guiding Principles including, in particular, E- Compact Growth and liveable sustainable settlements, F- regeneration and J-Vibrant rural areas and the allocation of growth. Specifically, additional growth should be allocated upwards to levels 2-4 from lower tiers 6-7.

[The above recommendation should be considered in a holistic response to subsequent recommendations 2 -3 below.]

Settlement Hierarchy:

Both Level 1 and Level 2 tiers are considered consistent with the NPF and RSES and the Office has no concerns in respect of these levels of the settlement hierarchy.

The Office considers, however, that level 3 effectively has internal tiers when having regard to the broad population range that this level encompasses. In particular, six of the larger settlements, are all in excess of 1,500 population (2016), whereas the eight smaller scale service settlements within this tier are significantly smaller in scale and all less than 500 population with Wellingtownbridge population of 137. By contrast the lower tier, level 5 large villages comprises 14 villages with population range 126-524.

While the Office fully accepts that population alone is not the only governing factor in determining the settlement hierarchy, and that other important social, economic and environmental factors must be considered, it nonetheless considers that there is significant discord internally within level 3 and lower tiers of the settlement hierarchy that warrants reconsideration to ensure consistency with the

national and regional planning policy framework with specific reference to RPO 3 and including NPOs 3, 6, 7, 16, 18a; RPOs 3, 34, 35.

Recommendation 2

The planning authority is required to revisit, in an evidence based approach, the settlement hierarchy and typology having regard to the RSES settlement typology (table 3.2) and the guiding principles set out in RPO 3. Consideration should be given to:

- Scale of population and its existing performance
- Extent to which a settlement is located inside or outside Waterford city-region catchment
- Scale of employment provision, number of jobs, jobs-to-resident workers ratio and net commuting flows
- Compliance with the NPF (NPO 72) on a standardised, tiered approach to zoning
- Availability and deliverability of lands
- Compact growth targets;
- Extent of local services and amenities provision, particular higher education institutes, health, leisure and retail
- Extent to which sustainable modes of travel can be encouraged (walking, cycling or public transport)
- Rate and pace of past development and the extent to which there are outstanding requirements for infrastructure and amenities
- Accessibility and influence in a regional or sub-regional context
- Character of local geography and accessibility as a service centre for remote and long distance rural hinterlands.

Development Approach for Settlements:

The Office welcomes the intention to prepare local area plans for all settlements in level 1 and 2 in keeping with the requirements of the Act.

The Office notes, however, that within level 3 there are a mix of policy tools and frameworks suggested to guide development within those service settlements. For example:

- Four settlements are/were subject of local area plans: Clonroche LAP 2009-2015 (extended), Courtown and Riverchapel LAP 2015-21 (extended), Taghmon LAP 2009-2015 (extended) and Ferns LAP 2009-2015 (not extended).
- Two settlements are addressed in volume 3 of the draft plan, and a settlement plan and land-use zoning map is provided for Bunclody and Rosslare Harbour and Kilrane.

- A further two settlements, Castlebridge and Rosslare Strand have specific objectives included within Volume 3 of the draft plan; but do not have land use zoning objectives or maps.
- There are no settlement maps, land-use zoning objectives or even development boundaries for many of the smaller level 3 – service settlements, for any of the 'large villages' (level 4) or small villages (level 5).
- The plan has identified 34 rural nodes for which there is no map to illustrate their location even if it is not deemed appropriate to identify a development envelope.

The inconsistency of approach, lack of settlement boundaries and land use zoning has the potential to lead to public confusion and provides a weak framework for the implementation of the plan's policy framework or monitoring the success of same. This is particularly important in the context of compact growth and regeneration (NPOs 3, 6, 7; RPOs 3, 34, 35).

Recommendation 3

The planning authority is required to revisit the development approach for the settlements set out in Section 3.6 of the draft plan and provide a strategic and structured approach to the implementation of the plan's policy framework, and to ensure consistency with NPOs 3, 6, 7 and RPOs 3, 34, 35. Consideration should be given to the following:

- Land use zoning maps for level 3 settlements
- Settlement maps defining the settlement boundary and including specific local objectives e.g. village core area, focal spaces, amenities, opportunity sites etc. for all level 4 and 5 settlements
- Composite map showing the location of all rural nodes (level 6).

2. Compact growth, regeneration and approach to land use zoning

It is an objective (NPO 3c) of the NPF that 30% of all new homes are to be delivered within the existing built up footprint of settlements. This is supported by several other objectives in the NPF including NPO 6 and NPO 7 (regeneration) and NPO 13 (development standards).

The Southern Region Assembly's strategy set out in their RSES seeks to strengthen the settlement structure of the region and implement objectives of compact growth, sustainable travel and place making.

RPO 34 and RPO 35 specifically support the implementation of NPO 3, requiring that development plans and core strategies are supported by specific objectives for urban infill/brownfield development, and provide an evidence base for the availability and deliverability of lands to deliver 30% of new homes within the existing built up footprint of settlements.

The Office welcomes the identification of compact growth and regeneration as two of the 'guiding principles' of the core strategy. Chapter 5 also sets out objectives relating to compact growth and further references are made to the concept elsewhere in the plan (including chapter 4 - sustainable housing). It is also recognised that the detailed task of land use zoning will, by and large, be undertaken at the review the various local area plans following adoption of the county development plan.

The Office considers, however, that greater clarity and direction as to how these objectives will be achieved is required in order to ensure the plan is consistent with both the NPF (NPO 3) and RSES (RPOs 34 & 35).

Recommendation 4

In order to ensure that the delivery of 30% of all new homes targeted within settlements is provided within their existing built-up footprints, and for consistency with NPO 3 and RPOs 34-35, it is required that the development plan defines the planning authority is required to define in its development plan the areas within the county's settlements that will contribute to this target and include details of same in core strategy table 3.4.

In this context, the planning authority should have regard to the definition of brownfield and the range of infill development provided for under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).

2.1 Compact growth - Housing Demand and Housing Land Requirements:

In addition to the above; it is observed that table 3.4, which sets out the core strategy population allocations and housing land requirements, is based upon a number of variables. These are discussed as follows:

<u>Household Size:</u> Table 3.4 indicates that the core strategy calculations are based on the current household size for Wexford town (2.42), Enniscorthy (2.56) and New Ross (2.46). It is indicated that Gorey and the remainder of settlement will follow the NPF projected average household size of 2.5 by 2040. It is understood (following clarification) that table 3.4 is a summary of analysis prepared as

part of the housing strategy/HNDA analysis which explains why the calculations in the table are not obvious.

In its present form, table 3.4 is not fully transparent and the evidence on which the rationale is based is not fully documented or referenced in the plan as required by Circular Letter PSSP6/2010 and the associated section 28 Guidance Note on Core Strategies.

The application of higher or lower occupancy rates or household sizes impacts upon the anticipated total housing requirement for settlements and the quantity of zoned land required to accommodate such growth. It is therefore critical that the variables used are sound and justified in order to achieve compact and sequential growth.

<u>Average Densities:</u> The density assumptions used in table 3.4 of the core strategy are based on 25 units per hectare, these are also restated in table 4.5 of the draft plan. The Office notes that it is a requirement of section 102(A) of the Act that the core strategy is consistent with planning policy requirements of guidelines issued under section 28 of the Act, and the 'Guidance Note on Core Strategies' clearly reinforces that density assumptions used in the preparation of a Core Strategy should be consistent with the Planning Guidelines for Sustainable Residential Development in Urban Areas (2009).

Within the *Sustainable Residential Development in Urban Areas (2009)* (SRDUA) guidelines, the level 1 and 2 towns of the settlement hierarchy in County Wexford constitute large towns, which are described defined those with a population greater than 5,000 persons. Therefore the density targets should reflect those set out in chapter 5 of the guidelines i.e. not less than 30 units per hectare; 35-50 units per hectare generally and 50 units per hectare on transport corridors. The application of 25 units per hectare is considered inconsistent with the guidelines.

<u>Mixed Use Development:</u> Sections 10(2A)(c) and (d) of the Act require that core strategies contain information on the area of land already zoned in the development plan for residential use or a mix of residential and other uses and the amount of land proposed to be zoned for such uses. The core strategy in the draft plan identifies an overarching measurement of the 'existing zoning' within settlements but fails to specify the potential housing yield on lands zoned for residential or other mix of uses.

The core strategy should provide a clear framework for compliance with NPO 3 and RPOs 34-35 in relation to regeneration/brownfield development and compact growth. The inclusion of the potential

housing yield on lands zoned for other or a mix of uses should be fully factored into the housing land requirements in order to avoid unsustainable patterns of development or excessive land use zoning.

Recommendation 5

- (i) The household sizes applied in the devising of the Core Strategy, as detailed in table 3.4, appear to be inconsistent with what is forecast in the NPF and RSES. The planning authority is required to justify the approach applied in the core strategy, and/or amend the core strategy and housing demand figures accordingly, as appropriate.
- (ii) The planning authority is required to modify the core strategy tables to ensure that the density assumptions used to calculate the housing and land requirements for the plan period are consistent with requirements of 10(2A), Guidance Notes and the section 28 Planning Guidelines for Sustainable Residential Development in Urban Areas (2009).
- (iii) The planning authority is required to modify table 3.4 of the core strategy to include the area and potential housing yield of both residential zoned lands and other lands zoned for a mixture of residential and others uses.
- (iv) Should any revisions to the core strategy arise under from above, the planning authority is required to revisit the approach to zoning for residential use as set out in the core strategy and table 3.4 in particular.

[The planning authority is advised that Appendix 2 of the guidance note on core strategies provides a useful reference and illustrative example of a core strategy table.]

2.2 Tiered Approach to Zoning:

The chapter on sustainable housing in the draft plan includes a strategic objective (SH09) which seeks to ensure that the zoning of lands is carried out in accordance with the methodology for a Tiered Approach to Land Zoning (TAZ), as set out in the NPF (NPOs 72a-c and Appendix 3).

As discussed above, the draft plan does not generally include land use zoning with the exception of the Bunclody Town Settlement Plan and Rosslare Harbour and Kilrane Settlement Plan (volume 3).

The Office understands TAZ has been applied for these two settlements, however no infrastructural assessment report is attached to the draft plan and it is not evident which lands are already serviced or can connect to services and what lands are to be provided with full services within the life of the plan.

Observation 1

The planning authority is requested to demonstrate that the tiered approach to zoning required under the NPF has been applied in the determining of objectives for the zoning of land in volume 3 of the development plan. The planning authority it requested to specifically provide details of an infrastructural assessment applying the tiered approach to zoning (NPO72a, NPO72b and NPO72c refer), in accordance with the methodology set out in Appendix 3 of the NPF.

2.3 Compact Growth – Implementation:

The Office welcomes the inclusion of Objectives TV27-TV46 in respect of compact growth, and the specific reference to the need for active land management which is consistent with the recommendations in RPO 34 in order to encourage and facilitate urban infill/brownfield development.

The Office suggests that it would be appropriate for the planning authority to include a clear objective in the plan to implement this active land management action. It would also be appropriate, in order to ensure effective implementation, to set out a clear timeline and strategic approach in carrying out the active land management approach and to set measurable targets (perhaps by settlement at the upper levels) and timelines against which the implementation can be monitored and measured.

It will be critical for the regeneration of opportunity sites that the development plan is clear in terms of its active land management approach as such sites will, generally, be more challenging to implement than undeveloped greenfield sites and will likely require a more proactive approach on behalf of the planning authority, including through uses of compulsory purchase orders, derelict site register, vacant site register, development contribution scheme, and application of development management standards.

Observation 2

Having regard to RPO 34 on Regeneration, Brownfield and Infill Development, the planning authority is advised to:

- (i) include a clear objective to implement the Active Land Management Strategy approach identified in RPO 34 within the development plan; and
- (ii) set out a clear timeline and strategic approach to carrying out the Active Land
 Management approach and to set measurable targets (perhaps by settlement at the

upper levels) and timelines against which the implementation can be monitored and measured.

3. Rural housing and regeneration

3.1 Rural regeneration:

The Office acknowledges the plan's strategic development approach for lower tier rural villages, rural nodes and the open countryside as outlined in the core strategy and the plan's overarching policy intention to focus on supporting sustainable and vibrant rural communities by supporting and regenerating villages. The Office also recognises that the plan contains various control tools and policies to promote appropriate and proportional growth in settlements, for example section 4.7.2 identifies growth control parameters. The planning authority's intention to engage in the 'New Homes in Small Towns and Villages' Programme (section 9.6.3 refers) is also welcome.

The RSES builds upon the NPF and provides a range of policies for the region that seek to support rural areas and promote rural regeneration, these include, inter alia, RPO 26 (towns and villag es), RPO 27 (rural economies and communities), RPO 213 and RPO 216 (rural wastewater treatment programme and serviced sites).

In addition, the current section 28 *Sustainable Rural Housing Guidelines for Planning Authorities* (2005) emphasise the need for planning authorities to ensure that settlements offer attractive and affordable housing options to meet the housing needs of urban communities and to mitigate excessive pressure from urban generated housing through strengthening rural villages and towns.

Within this overarching framework, the Office considers that there is opportunity to provide a more strategic approach to promote, facilitate and accommodate one-off housing demand within the small towns and rural villages in the county, including active land management measures.

In addressing recommendations 1-3 above, and by establishing settlement boundaries or development envelopes, the Office considers this will greatly assist in framing a proactive strategy for the renewal and regeneration of rural settlements. The plan should also clearly identify areas that will be promoted as attractive alternative to one-off housing in the open countryside (level 7).

Observation 3

The planning authority is advised that the development plan should include a more proactive strategy for the regeneration of its service settlements (level 3), large and small villages (levels 4 and 5) and rural nodes (level 6).

Consideration should be given to the inclusion of objectives to support and facilitate rural regeneration such as identifying areas that will be promoted as attractive alternative to one - off housing in the open countryside (level 7); effective use of funding streams for village and public realm improvement (including the RRDF, LEADER etc), working with community groups, and utilising available statutory powers such as derelict site and compulsory purchase powers. The inclusion of clear targets and provisions for monitoring and reviews of the strategy should also be considered.

3.2 Housing in the Open Countryside:

Wexford is a predominantly rural county and it is important that the countryside continues to be a living and lived-in landscape, focusing on the requirements of rural economies and rural communities as recognised by the NPF.

At the same time, it is imperative that development plan policy protects against ribbon and over-spill development from urban areas, and supports the National Strategic Outcomes of compact growth, sustainable mobility, transition to a low carbon and climate resilient society and sustainable management of environmental resources.

On this basis, NPO 19 makes a distinction between only two types of areas for rural housing: (i) areas under urban influence and (ii) rural areas elsewhere, and recommends a policy approach to each area.

The Office notes that the draft plan identifies three rural area types, based upon section 3.2 of the *Sustainable Rural Housing Guidelines for Planning Authorities* (2005). Namely, much of the county is designated as either 'Areas under Strong Urban Influence' or 'Stronger Rural'. Some of the county has been designated as 'Structurally Weak', principally to the east and inland areas (map no.1).

The rural housing policy also identifies the coastal area as being under significant development pressure and has designated this as 'Coastal Zone' (map no. 2). Likewise, sensitive landscapes, including Uplands, River Valleys, Coastal and designated ecological areas are specifically referenced as requiring a stricter local need criteria to manage and protect these landscapes. These are illustrated in Volume 7, map no. 1 of the Landscape Character Assessment.

In general, the Office considers that the rural housing policy is not dissimilar to the policy of the current Wexford County Development Plan 2013-2019 and fails to take into account the requirements of NPO 19 which makes a distinction between only two types of areas for rural housing in order to protect against urban generated demand and to focus on the regeneration of rural towns and villages.

Recommendation 6

The planning authority is required to revise the plan's policy in respect of Housing in the Open Countryside (section 4.9), associated map 1 and table 4.6 to comply with NPO 19. The planning authority is advised that it is a requirement of NPO 19 that in providing for development of rural housing, a distinction is made between (i) areas under urban influence and (ii) rural areas elsewhere.

A further element of the rural housing relates to the qualifying criteria of the applicant for a one-off dwelling. In this respect, the draft plan is consistent with RPO 27 and states that rural housing will be considered for those with a 'demonstrable economic or social functional need' as specified in the NPF.

It is noted, however, that the definition of 'local rural area' includes large villages, small villages and rural nodes, encompassing levels 4-7 of the settlement hierarchy. Therefore persons that presently live and/or were born/reared in large villages (level 4), for example villages such as Piercetown, Duncannon, Fethard, or Oilgate, could qualify for a dwelling in the open countryside, within the required radius.

This pattern of development would be contrary to the promotion of compact growth and could undermine the national and regional objectives to regenerate and target the decline of small towns and villages (NPOs 6, 16, 18a, 18b), in addition to the plan's stated core objective to do same.

Recommendation 7

The planning authority is required to omit villages from the definition of 'local rural area' as defined in table 4.6 (section 4.9.1) and referenced in objective SH37, as doing so may undermine the national and regional objectives to regenerate and target the decline of small towns and villages (NPOs 6, 16, 18a and 18b).

In relation to the definition of 'Category B Economic Functional Rural Housing Need', the Office recognises the intention of the policy to define 'demonstrable economic need' as referred to in RPO

27. It is considered, however, that further clarity should be provided to avoid any ambiguity and uncertainty in interpretation which could ultimately undermine the overall objective.

Observation 4

The planning authority is advised that the wording and definition of category B applicants, those making a demonstrable economic functional need to reside in a particular rural area, should be reviewed to ensure clarity, transparency and enable easy implementation through the development management process and post-plan monitoring.

4. Economic development and employment (including retail)

4.1 Overall approach:

The Office welcomes the overall approach in the draft development plan which reflects the RSES. The property policies in section 6.6.4 which include auditing and monitor land zonings, take-up of land, and infrastructure needs will be a valuable tool in managing and directing investment to appropriate locations in keeping with the principles of compact growth and sustainable development. These policy actions will also be useful in the monitoring and review of the plan postadoption.

The economic strategy also incorporates a strong emphasis on place making (ED37-45) which is very welcome. In general, there is good cross referencing and synergy between the economic objectives of the plan, the core strategy and settlement hierarchy.

Albeit recognised that recommendations 1-3 will necessitate revisions to the core strategy, it is considered that in addressing those recommendations, the economic strategy will also be further strengthened. For example, the provision of local area plans, settlement maps and/or zo ning objectives for smaller settlements will enable more effective implementation of the economic polices such as ED 38 (commensurate development) and ED 55-61 which seek to direct and facilitate development within the service settlements and villages.

The Office also recognises that the economic chapter also offers strong policies to support the county's blue economy, ports harbours and shipping together with the aquaculture and fisheries sectors.

4.2 Rural Economy:

The Office acknowledges that the plan gives particular attention to the rural economy. Given the importance of this sector to the county this is consistent with NPO 23.

Objective ED 89 of the plan sets out the requirements for development for commercial purposes in rural areas which is described as *'including agricultural, horticultural and rural diversification'*. While it is understood by the Office that it is not the intention of the planning authority to allow any/all types of commercial developments in rural areas, it is advised this policy is reviewed to remove any ambiguity and to clarify that commercial development should be location or resource specific in rural areas outside towns and villages.

Observation 5

The planning authority is advised to review the wording of rural development objective 89 to ensure that the only commercial type development that is acceptable rural areas, outside towns and villages, is that which is location specific or resource based.

4.3 Agricultural Development:

The plan makes provision for intensive agricultural units under Objective ED 94. The Office notes that one parameter identified in ED 94 requires that intensive agricultural units are *'located more than 500 metres from any residential property not located on the holding, or at a greater distanc e if there is potential for significant impacts on residential amenity, particularly from odour'.*

The planning authority is advised that Directive 2010/75/EU for the intensive rearing of poultry or pigs sets out best available techniques (BAT). The BAT conclusions make no reference a distance threshold, but take a more encompassing view of development sites based on their local circumstances. The planning authority is advised that the inclusion of a 500metre threshold could have unintended implications for this type of agricultural development and should be re-examined by the planning authority.

Observation 6

The Office requests that the Planning Authority clarify the evidential basis for agricultural development objective ED94 which relates to intensive agricultural units and specifies a 500metre separation distance from any residential property not located on the holding.

4.4 Tourism

The Office recognises Wexford's diverse range of natural, built and cultural heritage assets that provide a strong tourism base. This is fittingly identified in the plan as a potential economic driver for the future development of the county and the objectives of the plan are largely supportive of the national and regional policies including: NPO 22 (greenways, blueways), NPO 60 (natural and cultural heritage), RPO 53 (tourism), RPO 54(tourism and environment) and RPO 173 (tourism corridors).

Additionally the Office recognises that tourism objective TM13 specifically seeks to support and develop the towns and villages and rural heritage sites and that the tourism policies promote the regeneration of the towns and villages by directing tourist uses such as: tourist retail (TM16 & TM17), business tourism and conferencing (TM37), tourist resorts (TM43) to towns and villages. These are welcome.

The Office considers that these policy objectives, together with a strategic framework and effective use of policy tools, including statutory LAPs, land use zoning objectives (S10(2)a)), maps, village design statements etc, as required under recommendation 3 above, will serve to further contribute to the achievement of the plan's tourism objectives, promote rural regeneration and compact growth.

However, section 7.7.5 of the plan sets out the objectives for tourist accommodation, and whilst these direct uses to the towns and villages in general, there is a degree of flexibility in relation to hotels (TM48), holiday home developments (TM49) and caravan/mobile home parks (TM51). These policies should be closely monitored and reported in the two-year review to ensure that through the implementation of the plan this flexibility does not undermine direction of growth to towns and villages.

4.5 Retail:

The Office welcomes the broad alignment of the core settlement hierarchy and retail hierarchy and considers the designation of Wexford town as the sole level 1 regional town and Gorey, together with New Ross and Enniscorthy as level 2 large sub-regional towns, to be appropriate.

The Office notes that level 3 of the retail hierarchy directly corresponds to the service settlements within the settlement hierarchy, which may be further refined in response to recommendation 2 above.

The Office is satisfied that the retail strategy, and the detailed quantitative analysis therein, is based on a strong evidence-base and sound assumptions. The strategy fulfils the requirements of the section 28 *Retail Planning Guidelines* (2012), in terms of identifying core retail areas together with opportunity sites for the four main towns and policies that are town centre focused. This in turn will positively contribute to compact growth and assist in the delivery of RPO 55.

Observation 7

Recommendations 1-3 above will require a review and refinement of the core strategy settlement hierarchy and allocation of growth. The planning authority is therefore advised to review and make any necessary changes to the retail strategy in volume 8, in order to ensure the plan is fully aligned and there are no internal consistencies.

The Office acknowledges the conclusions of the quantitative aspect of the county retail strategy and the projected retail floorspace requirements, including the conclusion that there is no additional capacity for comparison bulky floorspace by 2027. The planning authority may wish to include an explicit statement to this effect in the plan in relation to development proposals for this type of development.

5. Sustainable transport and accessibility

Chapter 8 of the draft plan sets out the transport strategy which at the outset underscores, at a strategic level, the planning authority's commitment to the climate agenda and the actions in its Climate Change Adaption Strategy (2019) that will be delivered by the planning authority.

Further strategic objectives appropriately support national and regional policy in respect of the Eastern Economic Corridor, TEN-T networks (Policies TS04 & TS05) and the supporting interregional national routes such as the N30 and N80. This is consistent and supportive of NPO 44 and RPO 42 (Eastern Corridor).

The Office further welcomes the reference to the '10-minute town' concept (RPO 176), the necessity to prepare Local Transport Plans for the four main settlements (RPO 157) and references to the *Design Manual for Urban Roads and Streets* (DMURS).

In general, the Office considers that the strategic transport objectives will provide a robust and comprehensive policy framework for sustainable transport subject to the response to

recommendation 3, which is equally important to the achievement of the plan's strategic transport objectives.

The definition of settlement boundaries, the zoning of lands for specific uses (section 10(2)(a) of the Act), and the establishment of guiding policies for smaller towns and settlements are vital tools available to the planning authority in promoting effective integration of land use and transportation policies and in securing the plan's stated strategic objectives.

Subject to the changes required by recommendation 3 and the inclusion of specific modal share targets for the four main settlements and an aggregate for rural towns and villages, the Office, is satisfied that plan can provide a sustainable transport strategy in line with section 10(2)(n) of the Act, notwithstanding that a significant element of decisions will be made subsequent to the development plan.

Recommendation 8

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the Act, the planning authority is required, in consultation with the NTA (and TII), as appropriate, to:

- (i) Supplement tables 8.3 and 8.4 existing baseline figures for modal share for the overall county to include baseline details and targets for settlements. It is recommended that this could best be provided at individual settlement level for the larger settlements, and at aggregate level for rural towns and villages and the open countryside, as identified in the Core Strategy as revised in accordance with recommendations 1-3 above.
- (ii) Provide an effective monitoring regime for the implementation of the planning authority's sustainable transport strategy and the modal share targets in particular

Observation 8

The Office acknowledges that the strategic transport objectives (TS01-TS20) set out a comprehensive policy framework to ensure that the plan is consistent with national and regional level policy in respect of transport. However having regard to the fact that County Wexford has a predominantly rural population base and that c.60% of the population reside in areas/settlements with a population less than 1500, the planning authority is advised to include a specific policy and/or reference to the importance of the Local Link Rural Transport Programme. Spatial Planning and National Roads Guidelines for Planning Authorities (2012): the Office considers that there is scope to strengthen and expand on the policy objectives for national roads, as per the section 28 guidelines, and to improve cross linkage between sections within the plan to ensure that the policy on national roads is clear and unambiguous.

In particular, the Office does not consider that Policy TS59 is consistent with the guidelines or is based on a plan-let approach.

Recommendation 9

The planning authority is requested to re-examine the policy objectives across the plan for national roads to ensure that the plan is consistent the Spatial Planning and National Roads Guidelines for Planning Authorities (2012). In this regard, the planning authority is requested to strengthen and expand the policy objectives as follows:

- Strengthen the Core Strategy Objectives to reflect strategic objectives relating to safeguarding the strategic function of the existing national road network, and associated junctions.
- (ii) Include a specific policy in the plan to safeguard the strategic capacity of national road junctions in accordance with Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.
- (iii) Revise Objective TS59, (Section 8.7.1.2) to remove reference to 'significant' increase traffic to the national network, as the guidelines refer to 'the generation of increased traffic' in absolute terms (Paragraph 2.5 refer).
- (iv) Revise the exceptions set out in TS59 to only provide for site specific plan-led exceptions. In this respect, the Office consider that category 1 and 4 are non-specific and do not comply with the S28 requirements which stipulates that an area must be identified and specifically justified through the plan making process. (Paragraph2.6)
- (v) Provide enhanced cross referencing between the plan chapter no.4 (Housing), no.6 (Economic development) and no. 7(tourism) where these interface with matters relating to access to national roads.

6. Climate action and energy

6.1 Climate action

The Office commends the planning authority's commitment to placing climate action to the fore of the plan's strategy and the approach to preface each chapter with a commentary on the linkage to climate action. This format is commendable and should be put forward as a best practice model, at this time.

The development plan provides an opportunity to implement and integrate climate change objectives at a local level. Balancing growth with sustainable approaches to development, land-use and transportation are key policy decisions to be made through the development plan.

In order to optimise the achievement of strategic climate policies and indeed the planning authority's own Climate Change Adaption Strategy, it is essential that the planning authority adopt a plan-led approach.

Therefore, the definition of settlement boundaries, the zoning of lands for specific uses (section 10(2)(a) of the Act), the establishment of guiding policies for smaller towns and settlements are vital tools available to the planning authority in promoting effective integration of land use and transportation policies and in securing the plan's stated strategic objectives. To this end in responding to the recommendations herein, especially no. 1-3, will also contribute to the achievement of requirements set out under 10(2)(n).

Observation 11

Given the importance attributed to climate action by Government, as evidenced by, inter alia, the recent Climate Action and Low Carbon Development Bill (October, 2020) and the Climate Action Plan 2019, the planning authority is advised that section 2.4 should al so include an objective to consider a variation of the development plan within a reasonable period of time, or to include such other mechanism, as may be appropriate, to ensure the development plan will be consistent with the approach to climate action recommended in the revised Development Plan Guidelines as adopted or any other relevant guidelines.

6.2 Renewable Energy

The Office acknowledges and welcomes the inclusion of a specific detailed energy strategy for the county, which includes an energy balance and renewable energy targets and addresses solar energy, onshore wind, bioenergy and other renewable sources (e.g. off shore wind, tidal, wave, geothermal etc) as well as supporting infrastructure.

The Office considers that the draft plan has the potential, subject to the following, for positive impacts in terms of energy reduction and greenhouse gas (GHG) emissions reductions as required by section 10(2)(n) of the Act for new development.

The Office notes the provisions and range of policies and objectives supporting renewable energy development volume 10 (Energy Strategy) and development management standards in volume 2.

The Office notes that section 4.2 of the energy strategy states that exclusion zones are required around the larger settlements within the county 'to allow for the future expansion of these settlements in a compact and sequential manner'. These exclusion zones are illustrated on map 5 and include 1km exclusion zones from level 1-2 settlements with a 250m exclusion zone around level 3 settlements. Objective ES01 seeks to facilitate solar PV <u>only</u> outside those exclusion zones.

The Office further notes that core strategy identifies that there is an excess of lands zoned within settlements in the county and no evidence based rationale is presented to support the universal need to provide for the future expansion of all settlements. It is considered that this policy is not evidential based and contradicts the stated overarching objectives of the plan in relation to climate action. Accordingly this policy would not be considered consistent with section 10(2)(n) of the Act.

Recommendation 10

The planning authority is requested to remove reference to exclusion zones for solar PV development.

Chapter 5 of the Energy Strategy addresses On-Shore Wind Energy. The Office recognises that this takes full account of the Specific Planning Policy Requirement (SPPR) in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* (2017) and establishes renewable energy production targets (table 6).

The wind energy section contains the following statement, which is inconsistent with the section 28 guidelines:

'...Similarly, turbines shall not be permitted within 250 metres of the boundary of an adjacent landholding, unless the written consent of the owner is given.' (Page 54, refers)

The Office acknowledges that this statement is not actually reflected in the policy objectives ES06-ES15, nor is it carried forward to the development management standards in section 5.7 and therefore may be erroneous. Notwithstanding this minor point it is considered that the plan is consistent with section 28 *Wind Energy Development Guidelines* (2006) and associated 2017 *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change*.

7. Environment, heritage and amenities

7.1 Environmental Reports:

The Office notes that the environmental report (SEA) concludes that the full implementation of the plan will not result in a significant negative or adverse impact on environmental resources within the county and that the draft plan will have a neutral to positive impact on the environment as a whole.

Likewise, the Natura Impact Report concludes the draft plan will not adversely affect, either directly or indirectly, the integrity of any European site, either alone or in combination with other plans or projects.

The role of this Office is not as an environmental authority under article 6(4) of the SEA directive, however within the context of the section 28 guidelines it is appropriate and relevant to comment upon the environmental reporting.

In this respect, the Office considers that there is scope to enhance the integration between environmental reporting and the draft plan preparation process. For instance, the environmental report does not include any analysis or discussion of the council's deliberations of the draft plan prepared by the executive or any analysis of the directions or motions of the elected members in the process of the draft plan for public display.

The planning authority is advised that in order to give full meaning to the strategic environmental assessment process as set out in the directive, it should ensure that as/when material amendments stage arise, the environmental reporting is iterative and transparent with the decision -making process at that stage.

8. General and procedural matters

The draft plan comprises 13 volumes, with the principal volumes 1-3 extending to almost 900 pages long. The Office appreciates the various volumes are, to an extent, informed by the legislative requirements. Nonetheless, the extent of the document does make it more difficult for the public to access. Likewise it may also be difficult for those generally familiar with the planning system to navigate and appreciate the nuance and linkages between policy objectives.

In responding to the recommendations of the Office, it is likely that further mapping will be necessary which may add to the volume of the plan. The planning authority should therefore consider rationalising elements of the plan and references to other policy documents, where

possible, in attempt to streamline. A synopsis or summary of the plan may be a useful addition to help users navigate the final plan.

In terms of public availability, the Office recognises that the draft plan was placed on display following the introduction of level 3 Covid-19 protocols. The Office notes that the plan was made available in libraries was regularly promoted on the planning authority's Twitter page. Notices relating to the public consultation were also included on the planning authority's text messaging service, meaning all those signed up to it were informed of the consultation.

By way of further reference, the planning authority is advised that the Office has prepared a communications toolkit which may be useful to the planning authority. The toolkit is available on the Office's website¹.

<u>Summary</u>

The Office requests that your authority addresses the recommendations outlined above. The report of the chief executive of your authority prepared for the elected members under section 12 of the Act must summarise these recommendations and the manner in which they will be addressed.

Your authority is required to notify this Office within five working days of the decision in relation to the draft plan. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

The Office acknowledges that meeting the requirements of the above recommendations and observations will require a lot of work. That work is required and should be prioritised to ensure that this Office can conclude that its adoption is in alignment with your authority's wider statutory obligations.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through <u>plans@opr.ie</u>.

¹ https://opr.iw.ie/view-file/9

Yours sincerely,

AM C'Gnue

Anne Marie O'Connor Deputy Regulator and Director of Plans Evaluations