



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

30th August 2021

Planning Department,
Waterford City and County Council,
Menapia Building,
The Mall,
Waterford City.

Re: Draft Waterford City and County Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the draft Waterford City and County Development Plan 2022-2028 (the draft Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable work your authority has undertaken in the preparation of the draft Plan against the backdrop of an evolving national and regional planning policy and regulatory context.

Last December you will have been notified of the Ministerial Letter to Local Authorities of 18/12/20 relating to Structural Housing Demand in Ireland and Housing Supply Targets, and the associated section 28 guidelines: *Housing Supply Target Methodology for Development Planning (2020)*. The planning authority will, therefore, be required to review the draft Plan, and in particular the Core Strategy, in the context of these Guidelines and the accompanying Ministerial Letter. Further advice in relation to this matter is provided below.

Subsequent to the publication of the draft Plan you will also have been notified of the publication for consultation of the *Development Plans, Guidelines for Planning Authorities Draft for Consultation (August 2021)* by the Department of Housing, Local Government and Heritage, which will also provide clarity and assistance to planning

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authorities in the completion of development plans, notwithstanding that these Guidelines are in draft form.

As your authority is aware, a key function of the Office is the 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 *Planning and Development Act 2000*, as amended (the Act) and this submission has been prepared accordingly.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The draft Plan is being prepared at a crucial time following the preparation of the *National Planning Framework (NPF)* and the *Southern Regional Assembly Regional Spatial and Economic Strategy (RSES)*, which seek to promote the rebalancing of regional development in a sustainable manner. The draft Plan has proactively embraced many of the challenges and opportunities identified in the NPF and the RSES in particular by setting out a strategy for the growth of the Waterford Metropolitan Area Strategic Plan (MASP) which will in turn stimulate further growth in the county and the region, and thus contribute to Waterford achieving critical mass



attracting significant benefits to the city region in terms of employment, services and amenities.

In particular, the neighbourhood strategy, as part of the Waterford City and MASP Strategy, demonstrates the plan-led approach to the sustainable development areas within Waterford metropolitan area, and the planning authority's commitment to provide vision for consolidating existing areas and ensuring new growth areas develop in a compact form.

Furthermore, the Office welcomes the emphasis on place-making (Chapter 8 and Appendix 5) and the identification of 'Waterford City Potential Regeneration Sites' (Table 3.1) which will facilitate and promote the redevelopment of these sites, with potential for positive impacts on compact growth, sustainable transport and climate mitigation.

The Office also acknowledges and commends the extensive work involved in the preparation for zoning maps for all urban settlements and including settlement boundaries for all other settlements.

In terms of rural areas within the County, the rural housing strategy (section 2.10), and in particular the approach to rural settlement typologies will provide a policy led approach to development in smaller rural settlements and ensure that the rural areas continue as a living and lived-in landscape, whilst protecting against ribbon and urban generated housing in rural areas.

Finally, the Office welcomes the inclusion of a strategy for implementation and monitoring in Appendix 16 of the plan. This is particularly important given the emphasis on monitoring and implementation in the newly published *Development Plans, Guidelines for Planning Authorities – Draft for Consultation (August 2021)*. The preparation of a settlement local service inventory (Appendix 15) is also to be commended and is also consistent with the aforementioned draft Guidelines.

The Office has, however, identified a number of areas which require significant further consideration in order to ensure consistency with the legislative provisions and national and regional policy. In particular, the population and housing targets in

the draft Plan are not consistent with the *Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020)* and must be reviewed.

It is vital that development plans ensure a sufficient and stable supply of development land for housing providers to develop the homes that the plan estimates are required for various communities in appropriate locations. However, the Office is not satisfied that your authority has correctly calculated the amount of land zoned for such residential development. This would appear to be very significantly in excess of population growth and likely demand in certain locations, which runs the risk of development taking place that is not matched by appropriate infrastructure or is out of scale with its context and local communities taking on board longer-term planning objectives. As a result, your authority will need to review the location, the distribution and potentially the timing of release of land zoned for residential development to ensure that there is a balanced supply of development land for housing providers to deliver housing within this plan period.

Above all, the plan must ensure that where housing is to be delivered, it should first and foremost prioritise locations that are currently serviced in terms of the social and physical infrastructure that communities expect, that are easily accessible from existing urban areas by walking, cycling and public transport and that also have a high prospect for housing delivery over the plan period. The planning authority will also be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) of *the Act* to address, in particular, matters within the scope of section 10(2)(n) of *the Act* in relation to climate change. The preparation of a Local Transport Plan for the Key Town of Dungarvan and the identification of meaningful modal share targets will be important in terms of providing a sustainable settlement and transportation strategy in accordance with section 10(2)(n), as will addressing the issues raising in relation to flood risk management, and renewable energy.

It is within this context the submission below sets out 13 recommendations and 9 observations under the following 10 themes:



Key theme	Recommendation	Observation
Core strategy and settlement strategy	1, 2, 3 and 4	
Compact growth and regeneration	5 and 6	
Rural housing and rural regeneration	7	1 and 2
Specialised housing requirements	8	
Economic development and employment (including retail)	9	3, 4 and 5
Sustainable transport and accessibility	10	
Climate action and renewable energy	11	6
Flood Risk Management	12	
Environment, heritage and amenities	13	7
Implementation and monitoring		8 and 9

1. Core Strategy and Settlement Strategy

1.1 Housing and Population Targets

The core strategy is required, under section 10(2A)(a) of the Act, to demonstrate consistency with the NPF, RSES and with specific planning policy requirements of section 28 guidelines, and under subsection (b) to show how the core strategy takes account of Ministerial guidelines in relation to population targets (section 10(2A)(b) and section 10(2A)(f)(iii) refer).

The government's targets for the delivery of homes in line with population growth are set out through the National Planning Framework Implementation Roadmap and the Section 28 Guidelines: *Housing Supply Target Methodology for Development Planning* (2020). These documents set out the assumptions and methodology to be followed to ensure that the overall objectives of the National Planning Framework, as

transposed through the RSES, can be met and that housing can be delivered in a sustainable and planned manner and in alignment with investment in infrastructure.

The Housing Supply Target Guidelines sets out the required methodology for determining housing supply targets for the plan period. These Guidelines provide a focussed approach to the delivery of just over 33,000 new households per annum nationally, in line with government policy and in accordance with the NPF targeted population growth and the distribution of this growth across our counties. The Office estimates that the housing supply targets for your authority calculated in accordance with Guidelines as c. 4,800 for the plan period¹.

While the population projection for the county set out in the draft Plan is considered to be consistent with the RSES, the Core Strategy does not include Housing Supply Targets as required by the Guidelines. This will require a review of the draft Plan in order to plan to provide for housing to the extent identified in the Guidelines and the accompanying Circular in the core strategy, settlement strategy and associated identification of development potential and zoning exercises.

The Office also notes that the Core Strategy tables do not identify the population growth for the plan period (*i.e.* 2022- 2028), referring to 2016, 2028 and 2031 only. The lack of this detail makes it difficult to clearly identify the requirement for zoned land and other infrastructure and services over the development plan period, and to monitor progress.

The Core Strategy tables also do not provide details regarding the allocation of growth to levels 4 and 5, which have been amalgamated within 'Aggregate Rural'. Separate population and housing targets should be provided at a tier level consistent with the legislative requirements under sections section 10(2A)(f), and the Department's *Guidance Note on Core Strategies* (2010).

¹ The Office also notes that the Housing Strategy is based on Housing Supply Target of 5,568 to 2028. However, this would appear to have been calculated on the basis of adjustment 'F' as set out in the Guidelines, which does not apply to Waterford City and County.



Recommendation 1

Recommendation 1 – Core strategy population and housing targets

In accordance with Section 10(2A) of the *Planning and Development Act 2000* (as amended), and having regard to the *Section 28 Guidelines: Housing Supply Target Methodology for Development Planning (2020)* and the *Guidance Note on Core Strategies (2010)*, the planning authority is required to review the Core Strategy and to revise as necessary to:

- (i) comply with the requirements of the *Section 28 Guidelines: Housing Supply Target Methodology for Development Planning (2020)* and Appendix 1 of the accompanying Ministerial Letter to Local Authorities of 18/12/20;
- (ii) provide a single core strategy table for the county as a whole which clearly identifies population growth, and housing targets specific to the plan period; and
- (iii) provide the required details (aggregate population projections and housing allocation) for (a) level 4 rural towns, (b) level 5 rural villages, and (c) the open countryside outside villages and towns in accordance with s.10(2A)(f).

[*Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021* (Appendix A) provides a useful reference and illustrative example of a core strategy table.]

The planning authority may also consider it necessary to review the draft Housing Strategy and Housing Needs Demand Assessment in light of the finalisation of the Housing Supply Target in accordance with the methodology as per (i) above.

1.2 Settlement Hierarchy and Population Distribution

The Office welcome the overall settlement hierarchy in the draft Plan, which is consistent with NPF and RSES and clearly reflects the important role of Waterford City and the metropolitan area as the economic driver for the region. The Key Town status of Dungarvan is also identified consistent with the RSES.



The Office likewise considers that the proportionate allocation of population growth across the settlements and to the rural area is consistent with national and regional policy and forms a robust basis for the allocation of housing supply targets in accordance with Recommendation 1 above.

1.3 Zoning for Residential Use

Having regard to the housing supply target calculated under the HST Guidelines, and the distribution of population growth across the settlement hierarchy, a review of the quantum of land zoned required from the perspective of ensuring appropriate locations and the likelihood of meeting the housing supply target for each settlement will be required. In this regard, the newly published *Development Plans, Guidelines for Planning Authorities - Draft for Consultation (August 2021)* provide clear guidance in terms of ensuring that sufficient housing lands/ sites are provided in development plans based the housing unit yield of land zoned for residential and a mix of residential and other uses. This is critical in terms of the ability to plan for the timely delivery of physical and social infrastructure in the right location to serve new housing development and ensuring appropriate housing delivery by housing providers in such locations, ensuring that both homes are delivered and in the form of compact growth.

It is important that this calculation is based on density assumptions consistent with the *Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities (2009)*, as further clarified recently by Circular Letter NRUP 2/2021 to planning authorities. In this regard, the core strategy tables in the draft Plan do not set out the housing yield for zoned land or the density assumptions and should be amended to include this information.

The Office acknowledges that it may, in certain circumstances be necessary to zone more serviced land and sites for residential uses than would equate to precisely meeting the projected housing demand for that settlement and to ensure active housing providers have a range of choices available to them to progress lands for delivery of housing in line with development plan estimates.

However, this need must be carefully justified on an evidence basis, and the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation (August 2021)* advise that the ‘additional provision’ should not exceed 20-25% of the required quantum of land zoned.

It would appear from the Office’s evaluation that, based on the information in Table 2.3, the potential housing unit yield in the draft Plan exceeds 10,000 units (excluding the aggregate rural areas), significantly more than that required to meet the projected housing demand for the settlements in County Waterford.

On top of the above, it would also appear that that quantum of land zoned in the Urban Zoned Settlement is higher than the quantum given in Table 2.3.

The Plan must ensure that where housing is to be delivered, it should first and foremost prioritise locations that are currently serviced in terms of the social and physical infrastructure that communities expect, that are easily accessible from existing urban areas by walking, cycling and public transport and that also have a high prospect for housing delivery over the plan period.

Ensuring that there is a sufficient and stable supply of development land available to housing providers in appropriate locations and that is in line with projected demand is vital.

If, following the review of the Core Strategy required by Recommendation 1, this is determined to be the case the planning authority should consider the following options available:

- 1) Prioritising / phasing of development having regard to the principles of compact growth, sequential approach to development and infrastructural investment to ensure an effective distribution of development options;
- 2) Alternative Objectives: by indicating lands that will be considered for alternative appropriate uses within the plan period such as employment, amenity, community or other uses; and



- 3) Discontinuing the Objective: by deletion of the zoning objective and related lands from the written statement and maps of the development plan.

Recommendation 2

Recommendation 2 – Zoning for Residential Use

Having regard to section 10(2A) and 10 (2C) (b) (ii) of the *Planning and Development Act 2000* (as amended), the requirement for compact growth in accordance with National Policy Objective 3, and the approach to zoning required under National Policy Objective 72 (a-c), the planning authority is required to:

- (i) review the quantum of land zoned for residential or a mixture of residential and other uses in the core strategy (table 2.3) to ensure consistency with the housing supply targets, as required under the section 28 *Housing Supply Targets Methodology for Development Planning Guidelines for Planning Authorities* (December, 2020), having regard to current guidelines relating to residential density;
- (ii) review density assumptions used to estimate the quantity of zoned land arising from the Housing Supply Targets in the revised Core Strategy having regard to the recommended residential densities for large towns, small towns and villages in the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009); and
- (iii) where the potential housing unit yield of zoned land exceeds that required to meet the projected housing supply target, the planning authority is required to re-prioritise/ phase, re-zone, or where that is not sufficient, to remove zoning objectives for residential development in settlements unlikely to deliver required housing over the plan period having regard to the principles of sequential approach to zoning (Recommendations 3 and 4), compact growth (Recommendation 5), and flood risk management (Recommendation 12).

[*Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021* (Appendix A) provides a useful reference and illustrative example for the presentation of this information in the core strategy table.]



1.4 Sequential Approach to Zoning Infrastructure Capacity Assessment

The Office commends the Council for its approach to infrastructure capacity analysis (Appendix 14), the Settlement Local Service Inventory (Appendix 15) and the Tiered approach to zoning (Appendix 17) to provide analysis of the extent of residential zonings in its drafting of the proposed draft Plan. This is consistent with the recently published *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (August 2021) and will more readily enable the planning authority and other agencies to focus delivery of essential infrastructure, services and facilities on more precise locations where housing can be more rapidly be developed, supported by transport and amenities.

NPO 72a requires planning authorities to apply a standardised tiered approach to differentiate between tier 1 lands (serviced land) and tier 2 lands (lands that can be serviced during the plan period) for all land use zoning types. This requires the planning authority to make a reasonable estimate of the full cost of delivery of specified services (at draft and final plan stages) in a report (NPO 72b), the methodology for which is set out in Appendix 3 of the NPF.

Although the tiered Approach to Zoning attached as Appendix 17 to the draft Plan is reasonably detailed it should be expanded to include more information relevant to each site in addition to cost estimates for the delivery of any specified infrastructure. This process may enable the planning authority to phase or prioritise the zoning of land over the plan period.

The infrastructure capacity assessments attaching to the draft development plan of Dún Laoghaire-Rathdown County Council may be an appropriate example to follow.



Recommendation 3

Recommendation 3 – Tiered approach to zoning

Having regard to NPO 72a, NPO 72b and NPO 72c, the planning authority is required to elaborate and expand upon its infrastructural assessment and tiered approach to zoning, as necessary, to fully address the status of all lands proposed to be zoned under the plan in accordance with the methodology for a tiered approach to land zoning under Appendix 3 of the NPF, relating to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage, water supply and/or additional service capacity.

The inclusion of a reasonable estimate of the full cost of delivery of the required infrastructure to the identified zoned lands, as required, in addition to the identification of tier 1 and tier 2 lands on the land use zoning maps would assist the implementation of the plan and provide important information to all stakeholders.

Sequential Assessment

In addition to the above, both the existing Section 28 guidelines for Development Plans and the draft Guidelines (SPPR DPG 7) require that a sequential approach is followed when zoning lands, whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently.

In this regard, and having regard to the likely excess of zoned land in the draft Plan, the planning authority should review the zoning of lands that are further located from town centres, and which in some cases would undermine the achievement of compact sustainable development:



Recommendation 4

Recommendation 4 – Sequential Approach to Zoning

Having regard to the national and regional objectives for compact growth NPO 3c and RPO 34 & 35, the requirement under the *Development Plans, Guidelines for Planning Authorities (2007)* that a sequential approach to the zoning of lands is applied, the planning authority is required to review the zoning of residential land with a view to prioritising / phasing or removing less preferable lands not required to meet the housing demand arising from the Core Strategy estimated in accordance with Recommendation 2, with particular regard to the following :

- (i) Waterford city – Phasing of the larger ‘New / Proposed Residential’ land banks on the outskirts of the City (Kilbarry and Carrickphierish) to prioritise development of land closest and most accessible to the city centre should be considered. Consideration should also be given to ‘New / Proposed Residential’ zoning of land less preferably located in the Knockboy (North), Knockboy (Greene), Ballygunner (WCCC) in order to prioritise development in the more favourable locations and avoid suburban sprawl on the edge of the city;
- (ii) Dungarvan – Indicate objectives for phased delivery to ensure that the amount of ‘New / Proposed Residential’ lands indicated in the draft development plan align with the core strategy including in relation to the following areas Monang (Phasing), Estuary Heights (West) and Glebe and reviewing such lands identified at Duckspool in the context of more developable lands inside the N25 and more proximate to the town and social and other infrastructure.

(The Office notes that taking account of Section 3.2 and Table 6 of the Natura Impact Report, the draft Plan would appear to have removed lands that had been previously zoned for housing in the Dungarvan Town Council development plan, 2012 – 2018, south of the N25 bypass near Duckspool for reasons concerning feeding grounds for Brent Geese. The draft Plan documentation is not clear on the scientific basis for the removal of such lands, which would appear to be the subject

of current planning application activity and the planning authority is requested to clarify the scientific basis for its decision to remove such lands and to indicate whether it is aware of any other locations where this issue has arisen);

- (iii) Tramore - 'New / Proposed Residential' phasing and prioritising zoning to align with housing supply targets. The proposed zonings in Newtown and Newtown Glen should be omitted as they are not consistent with the sequential approach to development and represent continued sprawl and expansion of the town southwards along the coast;
- (iv) Dunmore East - The proposed 'New / Proposed Residential' zoning in Knockacurrin comprises in excess of 13 ha, which far exceeds the total land requirement for Dunmore East consistent with the Core Strategy (stated in Table 2.3 as 4 ha). This zoning should be omitted as it is not consistent with the sequential approach to development and represents continued sprawl and expansion of the town. Consideration should also be given to phasing/prioritising or de-zoning 'New / Proposed Residential' zoning in Auskurra Little having regard to the need identified in the revised Core Strategy;
- (v) Lismore – The quantum of 'New / Proposed Residential' zoned land should be reviewed in order to align with the need identified in the revised Core Strategy;
- (vi) Portlaw – The proposed 'New / Proposed Residential' in Knockane is less preferably located in terms of the sequential approach and should be omitted; and
- (vii) Gaeltacht Na Ndeise – significantly reduce the extent of 'New / Proposed Residential' lands in Mweelahorna which are significantly in excess of the projected housing demand in the Core Strategy.

2. Compact Growth and Regeneration

It is an objective (NPO 3b) of the NPF that 50% of all new homes in the five cities and suburbs, including Waterford, are to be delivered within the existing built up footprint. For other settlements in the county the target is 30% (NPO 3c). This is supported by several other objectives in the NPF including NPO 6 and NPO 7



(regeneration) and NPO 13 (development standards). RPO 34 and RPO 35 also specifically support the implementation of NPO 3.

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 8 and Appendix 5 - placemaking). The details in respect of potential regeneration sites in Waterford City set out in Table 3.1 is also very helpful in this regard.

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 5

Recommendation 5 - Compact growth and regeneration

In order to ensure that the delivery of 50% of all new homes within Waterford City and suburbs, and 30% of all new homes targeted within other settlements takes the form of ‘infill’ or brownfield development within their existing built-up footprints, and for consistency with NPO 3 and RPOs 34-35, the planning authority is required to identify and quantify the zoned land within the county’s settlements that will contribute to this target and include details of same in core strategy table.

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).

[*Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021* (Appendix A) provides a useful reference and illustrative example for the presentation of this information in the core strategy table.]



2.1 Development Management Standards and Guidelines

The development management standards set out in Section 3.2 (Volume 2 'Development Management Standards') are key development and regeneration projects which support the overall objectives in the draft Plan, including the objective to achieve greater compact growth. The Office has, however, identified a number of areas which require further consideration in relation to guidelines and standards.

- The density standards in Section 3.2 (Volume 2 'Development Management Standards') are to be applied on a case by case basis which are not consistent with the Section 28 Guidelines on *Sustainable Residential Development in Urban Areas* (2009) and *Circular NRUP 02/2021 Residential Densities in Towns and Villages* which support national and regional policy objectives for compact growth.
- Acknowledging that the draft Plan does refer to the *Urban Development and Building Heights Guidelines for Planning Authorities* (2018) within Table 1 – General Standards for New Residential Development in Urban Areas, it does not identify areas where increased building height will be actively pursued or seek to deliver on Specific Planning Policy Requirement (SPPR) 1 of the aforementioned guidelines. This is particularly relevant in the context of Waterford City.
- There are a number of prescriptive standards promoted within Table 1 – General Standards for New Residential Development in Urban Areas standards in Section 3.2 (Volume 2 'Development Management Standards') of the draft Plan which could militate against the principle of promoting appropriate density and compact growth in the higher order tier settlements, including, open space, site coverage, plot ratios and separation distances.



Recommendation 6

Recommendation 6 - Development Management Standards

In accordance with section 10(2A)(a) of the *Planning and Development Act 2000* (as amended), and having regard to NPO 3, 6, 13 and 35, the planning authority is required to:

- (i) amend residential density standard so that it is fully consistent fully with the residential densities set out in the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2012)* and *Circular NRUP 02/2021 Residential Densities in Towns and Villages*;
- (ii) provide relevant information to show that the draft Plan and Housing Strategy are consistent with the Specific Planning Policy Requirements (SPPRs) specified in the *Urban Development and Building Heights Guidelines for Planning Authorities (2018)* by more fully demonstrating consistency with SPPR 1; and
- (iii) review Table 1 – General Standards for New Residential Development in Urban Areas standards in Section 3.2 (Volume 2 ‘Development Management Standards’) in particular open space, site coverage, plot ratio standards and minimum separation distances between opposing windows and instead focus on assessing individual development proposals on performance based criteria dependent on location and individual site characteristics in accordance with the provisions of NPO 13.

3. Rural Housing and Rural Regeneration

3.1 Rural Settlement Strategy

The Office acknowledges that a significant proportion of Waterford’s population live outside the city and the larger towns and its population has strong connections to the open countryside and the smaller settlements. The Office welcomes the approach adopted by the draft Plan focussing on the countryside as a living and lived-in landscape, concentrating on the requirements of rural economies and rural communities. The NPF recognises the continued need for housing provision for



people to live and work in the countryside. At the same time, it is imperative that development plan policy protects against ribbon and urban generated housing in rural 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.

Consistent with national and regional policy objectives, the draft Plan seeks to manage and negate the pressure for urban overspill particularly in locations in proximity to the principle larger settlements such as the Waterford MASP.

The Office welcomes the core strategy² setting out population growth projections for the urban settlements, however a similar strategy for the rural settlements (i.e. Classes 4A, 4B, 4C and 5) would provide a coherent framework for the strategic growth of these settlements and clearly distinguish between population growth allocations to the lower tier rural villages and clusters and that of the open countryside. These measures would support the growth of these lower tier settlements, as such this is addressed in Recommendation 1 above.

3.2 Rural Regeneration

The SRA RSES builds upon the NPF and provides a range of policies for the region that seek to support rural areas and promote rural regeneration, including, inter alia, RPO 26³, RPO 27⁴, RPO 213 and RPO 216⁵. The Section 28 *Sustainable Rural Housing Guidelines for Planning Authorities (2005)* support the regional policy context in emphasising 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.

NPF NPO 18(b) promotes a programme of new homes in small towns and villages, which will attract people to build their own homes and live in small towns and villages which is consistent with RPO 26 (g). Although the draft Plan does contain general

² Table 2.3 'Core Strategy Land Use Zoning'

³ Towns and villages

⁴ Rural economies and communities

⁵ Rural wastewater treatment programme and serviced sites



policy support for rural regenerations (such as policy objectives H24, H25 and H26), the draft Plan would benefit from a strengthening of these policy objectives to adequately reflect NPO 18(a) (regeneration and renewal), NPO 18(b) (serviced sites) and land activation measures (NPO 16) that would proactively target the rural decline of smaller rural settlements. Monitoring of the implementation and delivery on these objectives will also be important. The provision of a more coherent strategy to develop or facilitate the development of housing in small towns and villages, will help the planning authority to meet its obligations in this regard.

Observation 1

Observation 1 – Rural Regeneration

Having regard to NPO 18 and NPO 16, the planning authority is requested to provide for a more proactive strategy for the regeneration of its rural settlements (Class 4(b), 4(c) and Class 5 inclusive). Consideration should be given to the inclusion of objectives to support and facilitate rural regeneration such as identifying areas (such as serviced sites) that will be promoted as attractive alternative to one-off housing in the open countryside; and utilising available statutory powers such as vacant, derelict site(s) and compulsory purchase powers. The inclusion of clear targets and provisions for monitoring and reviews of the strategy should also be considered.

3.3 Housing in the Open Countryside

The success of achieving a sustainable pattern of development in accordance with the settlement strategy, and supporting the renewal and regeneration of rural towns and villages will also depend on the extent to which urban generated rural housing is appropriately managed through the rural housing policy.

In this regard, NPO 19 distinguishes between areas under urban influence, *i.e.* within the commuter catchment of cities and large towns and centres of employment, and elsewhere. The draft Plan is has selected two categories of rural areas consistent with this approach.

The draft Plan includes a designated ‘other rural area’ located to the north of the county, situated immediately south of Carrick-On-Suir (a designated tier 3 settlement in the Draft Tipperary County Development Plan, 2022 – 2028). This rural area (ED Carrickbeg rural area), is designated as ‘other rural areas’, is located within a short distance of a tier 3 settlement, with good strategic road links to the Waterford MASP, along the N24, with approximate drive times of 35 minutes to Waterford City. The Office further notes that the corresponding rural area situated to the north of Carrick-On-Suir is designated as ‘area under urban influence’ in the rural housing map in the Draft Tipperary County Development Plan, 2022 – 2028.

Whilst commuting is not the only criteria consideration of relevance, it is considered relevant in the context of a rural county which displays high levels of rural housing and associated car-dependency and has good accessibility to the Waterford MASP.

Section 9(4) of the Act requires that a planning authority shall, in making a development plan, have regard to the development plans of adjoining authorities and shall co-ordinate the objectives in the development plan with those of neighbouring authorities except where the planning authorities considers it inappropriate or not feasible to do so. It is considered that the area to the south of the settlement Carrick-On-Suir may need to be revisited within the context of its rural area classification.

It is considered appropriate that the scale of this rural area is revisited in the context of promoting regeneration and renewal of settlements that provide a viable alternative to urban generated rural housing.

Recommendation 7

Recommendation 7 – Rural Housing Strategy

The planning authority is required to revisit, in an evidence-based approach, the inclusion of the area to the south of Carrick-On-Suir within the designated ‘other rural areas’ as defined in Figure 2.2, ‘Rural Housing Strategy’ in the draft Plan to ensure consistency with national and regional objectives to regenerate and reverse the decline of small towns and villages (NPOs 6, 16, 18a and 18b).

Although the approach adopted in the draft Plan is welcomed and aligns with the NPF, the scale of the map, as presented in figure 2.2, allows for a degree of public confusion in relation to where the rural designation ends and begins. This is particularly important in the context of compact growth and regeneration (NPO 19; RPO 27) and demonstrating that sustainable settlement and transportation strategies for urban and rural areas are being promoted under the development plan, as required under section 10(2)(n) of *the Act*. The Office considers a more detailed scale of map is advisable to assist with rural housing policy interpretation and implementation.

Observation 2

Observation 2 – Rural Housing Strategy Map

The planning authority is requested to revisit its map in Figure 2.2 ‘Areas under Urban Influence’ to accurately identify areas designated as ‘under urban influence’ and ‘other rural areas’. This is necessary to avoid public confusion and to provide a robust framework for the interpretation and implementation of rural housing policy and monitoring of the core strategy.

4. Specialised Housing Requirements

Chapter 7 of the draft Plan addresses specialised housing requirements of certain sectors of society, this includes provision for the Travelling community (H16). This policy objective commits to the implementation of the *Draft Traveller Accommodation Programme 2019-2024* (and any superseding programmes). The Office also welcomes the identification of existing and projected need for Traveller accommodation in Waterford by accommodation type in the Housing Strategy (Appendix 3).

The Office considers, however, that the draft Plan does not provide implementable objectives for the provision of accommodation for Travellers consistent with the estimated need, and the land use zoning maps do not appear to indicate the location of lands to provide for such accommodation, as required under section 10(2)(i) of the Act.



Recommendation 8

Recommendation 8 - Traveller Accommodation

Having regard to the requirements of section 10(2)(j) of the *Planning and Development Act 2000* (as amended), the planning authority is required to include objectives in the plan for the provision of accommodation for Travellers, and the use of particular areas for that purpose in accordance with the legislative requirements under section 10(2)(i) of the Act.

This will include the identification of specific locations in the land use zoning maps for the county.

5. Economic Development and Employment

5.1 Employment zoned land

The Office welcomes the particular emphasis in the draft Plan on building the crucial mass of Waterford City using a concentric city model to drive economic growth across Waterford and the broader region. In addition the plan seeks to develop capacity for Dungarvan to grow as a Key Town and to facilitate the transition of Tramore from a commuter town to a more self-sustaining town, through provision of capacity to expand its employment function (Riverstown and Pickardstown).

Table 4.0 of the draft Plan identifies strategic employment locations, primarily in the Waterford MASP area, and the Office acknowledges the overall central economic strategy in the draft Plan comprises of the alignment areas of employment expansion with projected population growth areas will promote sustainable settlement patterns and transportation strategies, thus reducing the demand for travel by private car, and effectively reducing energy demand and greenhouse gas emissions.

5.2 Rural Economy & Tourism

Having regard to the rural character of the county and the strong agricultural sectors, the plan makes provision for the rural economy through diversification, thereby addressing NPO 21 and NPO23.

The NPF highlights that for rural Ireland, broadband is essential enabling infrastructure that affords rural communities the same opportunities to engage with the digital economy as it does who live in our cities and towns. Draft policy objective ECON 13 seeks to assist smart working locations and economic enterprise and growth. Draft policy objective ECON 11 supports and facilitates the provision of enabling infrastructure and utilities in our smaller towns and villages in accordance with NPO 24.

Facilitating farm or rural resource related enterprises including the mineral and aggregate extractive industry is acknowledged in the plan (ECON 12). Having regard to the provisions of the section 28 Guidelines on Quarries and Ancillary Activities (2004) the plan includes a suite of Development Management Standards to guide development.

However, the draft Plan does not identify or map the location of major deposits as advised by the section 28 '*Quarries and Ancillary Activities Guidelines for Planning Authorities*' (DEHLG, 2004). The NPF highlights the key role of the planning process in realising the potential of extractive industries in identifying and protecting important mineral reserves for future use.

Observation 3

Observation 3 – Quarries Map

Having regard to the provisions of *Quarries and Ancillary Activities, Guidelines for Planning Authorities* (2004) and to the important role that extraction activities play in the rural economy, the planning authority is advised to prioritise the identification of major mineral deposits in the development plan, including through mapping as appropriate.

Within the RSES RPO11 (f) seeks the sustainable development of tourism facilities that enhance diverse tourism roles for Key Towns and seek investment in services to cater for increased population numbers arising from tourism. ECON 21 sets out the objective for tourism and tourism services generally. Noting that the Retail Strategy



(Appendix 4) highlights that Dungarvan has been developing well as a tourism destination, with a particular focus on activity holidays and on food tourism, the Office considers that policy ECON 21 should be expanded to incorporate the tourism role for the Key Town of Dungarvan.

Observation 4

Observation 4 - Tourism

Having regard to the requirement under RSES RPO11 (f) to seek the sustainable development of tourism facilities that enhance diverse tourism roles for Key Towns the planning authority is advised to revise objective ECON 21 to incorporate the tourism role for the Key Town of Dungarvan.

5.3 Retail

The Office welcomes the update provided in the introduction to the Retail Strategy providing further high level analysis of the impact of the COVID-19 Pandemic. Given uncertainty for the retail industry in the years ahead, particularly in the comparison retail sector, the Office welcomes the focus on ‘experiential retail’ in the draft Plan and the town centre first approach (Policy Retail 03).

Under the *Guidelines for Planning Authorities Retail Planning* (2012), paragraph 3.5 ‘Joint or Multi-Authority Retail Strategies’ includes a specific requirement that development plans and local areas plans for the Waterford urban area must be informed by a Joint or Multi-Authority Retail Strategy in order to secure plan led development.

The Office welcomes the commitment at Section 3.6.9 of the draft Plan to delivering a Joint or Multi-Authority Retail Strategy for the Waterford MASP Area. Policy objective W City Retail 08 in respect to a joint retail strategy indicates that within one year of adoption of the Waterford City and County Development Plan a joint retail strategy for the Waterford Metropolitan Area Strategic Plan (MASP) area in conjunction with Kilkenny County Council and the Southern Regional Assembly will

be undertaken in accordance with the Retail Guidelines (2012) and Waterford MASP policy objective 19 (RSES).

Although Policy Waterford City Retail 08 of the draft Plan includes an objective to carry out a joint retail strategy with Kilkenny County Council for the area covered by Waterford MASP, no deliverable timeframe is specified and no mechanism that should be considered in the context of the Joint Strategy. The Office considers, having regard to the Section 28 guidelines and the MASP Policy Objective 19 (a) that it is appropriate to address this issue by way of recommendation.

Recommendation 9

Recommendation 9 - Joint Retail Strategy

Having regard to the provisions of the *Section 28 Ministerial Guidelines for Planning Authorities Retail Planning* (2012), and in particular paragraph 3.5 'Joint or Multi-Authority Retail Strategies', and the Southern Regional Assembly 'Regional Spatial Economic Strategy', 2040, Waterford MASP Policy Objective 19 (a), the planning authority is required to review the W City Retail 08 of the retail policies under section 3.6.9 of the draft Plan to include additional policy objectives in the draft Plan to address deliverable timelines and mechanisms, including co-ordination with Kilkenny County Council, and to ensure that the Joint or Multi-Authority Retail Strategy for the Waterford Metropolitan Area will be undertaken with adjoining relevant authorities.

The Office notes that section 7.2.21 of the Retail Strategy highlights the need to carefully monitor future development/ redevelopment of the district/suburban centres in the City area in particular having regard to the need to enhance the comparison role of the City Centre. It is recommended that district/ suburban centres should comprise an anchor convenience store and modest range of complementary retail service development with limited comparison floor space. Permitted comparison floor space should be low and mid order in character. Policy objective W City Retail 05 incorporates the need for proposals with significant comparison to be supported by a clear assessment as to whether any such development would have a material impact



on Waterford City Centre. It is considered that the draft Plan provides an opportunity to strengthen policy in respect to the provision of comparison floorspace. It is recommended that Table 4.1 be revised to clearly set out the limitations on comparison floorspace in below Tier 1 settlements, particularly in respect to Tramore. It is noted that although the land use zoning objective maps for the settlements provide for city/town/village centre zoning [M2], the draft Plan does not identify the core retail areas⁶ for all of the settlements. Generally, and in the case of this draft Plan, the core retail area does not equate with the town centre zoning, but is determined through an assessment of the centres, usually as part of the Joint or Multi-Authority Retail Strategy. This would also include, inter alia, a broad assessment of additional retail requirement for those areas covered by the Joint Retail Strategy (which must per prepared to inform the plan review process) and set out strategic guidance on the location and scale of retail, in accordance with section 3.3 of the RPGs. The strategy does identify core retail areas in Waterford City (Figure 3.4); Dungarvan Town (Figure 4.2); and states that Tramore does not have a well-defined core retail area but the main spine (Main Street/Strand Street) from the lower to upper town is important in retail terms. An optimum approach would be to include the definition of the core retail areas on the land use zoning maps as part of the response to Observation 5.

Observation 5

Observation 5 – Retail

Having regard to the need to prioritise retail provision within the town core and to adopt a sequential approach to development as set out in the *Retail Planning Guidelines 2012*, the planning authority is requested to:

⁶ P.27 RPGs (2012) 'Specifically the footprint of retail uses is very helpful in identifying the core retail areas of a city or town, the primary and secondary shopping streets, and useful in distinguishing between city/town centre and edge-of-centre'.



- (i) strengthen the policy in respect to comparison floor space. Table 4.1 to be revised to clearly set out the limitations on comparison floor space in those settlements below tier 1; and
- (ii) identify core retail areas in accordance in Waterford city, Dungarvan and Tramore.

6. Sustainable Transport and Accessibility

In view of the National Strategic Outcomes of the National Planning Framework which support the objectives of the *Climate Action Plan 2021*, including Compact Growth, Sustainable Mobility and Transition to a Low-Carbon and Climate Resilient Society; and the requirements of mandatory objectives under section 10(2)(n) for the promotion of sustainable settlement and transport strategies for urban and rural areas, it is considered that transportation policy objectives offer opportunities within the development plan to influence development patterns and transportation choices to actively deliver significant modal shift from private car transport to greener modes (walking and cycling) and sustainable modes (bus and rail) in relation to both new development and existing built-up areas, in accordance with the Government's transport policy, *Smarter Travel: A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020*.

Chapter 5 'Transport and Mobility' acknowledges the need to ensure that alternatives to the car are integrated into the design of streets and public spaces and that cycling and walking are prioritized, in addition to integrated land use transportation. The draft Plan follows a twin track approach, in achieving greater modal shift, together with achieving a greater proportion of compact growth, and provision of pedestrian and cycling infrastructure to enhance accessibility in urban and rural areas. The Office welcomes the inclusion of key transport policy objectives in accordance with RPO 151 to coordinate transport and land use planning, and which strategically aim to reduce the demand for travel, in particular private car usage, in favour of public transport, cycling and walking.

Moreover the Office welcomes the acknowledgement of the planning authority of the need to promote integrated Land use transportation and sustainable transport, in line

with the road user hierarchy defined in the Design Manual for Urban Roads and Streets.

In order to ensure the effectiveness of the plan's sustainable transport strategy, however, it is important that clear direction as to what the planning authority intends to achieve in terms of sustainable transport for urban and rural areas over the plan period, through setting targeted objectives and associated policies and measures that are consistent with section 10(2)(n) of the Act. It is important that this is informed by both existing baseline and target figures for modal share. The provision of baseline figures would enable the planning authority to set achievable targets for modal change for individual settlements (e.g. for Dungarvan, as part of Local Transport Plans, and the other large towns in Class 3A, 3B and 4A within the core strategy). Inclusion of targets for modal share would form a basis for effective monitoring in the implementation of the planning authority's sustainable transport strategy and its climate change strategy.

Recommendation 10

Recommendation 10 - Sustainable Transport

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the *Planning and Development Act 2000* (as amended), the planning authority is required, in consultation with the NTA (and TII and DTTaS), as appropriate, to include:

- (i) appropriate existing baseline figures for modal share. It is recommended that this could best be provided at individual settlement level for all settlement Classes 1 – 4A (inclusive) identified in the Core Strategy (with the exception of Clonmel Environs);
- (ii) realistic targets for modal change against the baseline figures provided under (i), above, to form a basis for an effective monitoring regime for the implementation of the planning authority's sustainable transport strategy and its climate change strategy; and



- (iii) commitment to prepare a Local Transport Plan for Dungarvan within 1 year of the adoption of the draft Plan.

7. Climate Action and Renewable Energy

7.1 Climate Action

The integration of climate action into the draft Plan is welcomed. The use of the Strategic County Goals (also referred to as Strategic County Outcomes) - drawing from the overarching objective of the 17 Sustainable Development Goals of the *United National 2030 Agenda for Sustainable Development*, the National Strategic Outcomes of the NPF and regional strategic outcomes of the Southern Region's RSES - as a framework could be a useful tool upon which the policy objectives of the plan can be monitored. The Office also welcomes the identification of the Waterford City Decarbonising Zone 'learning laboratory'.

The *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)* place considerable emphasis on climate action (adaptation and mitigation). Balancing growth with sustainable approaches to development, land-use and transportation are key policy decisions to be made through the development plan. To this end in responding to the recommendations relating to compact growth (Recommendation 5), sequential approach to zoning (Recommendation 4), sustainable transport and mobility (Recommendation 10), renewable energy (Recommendation 11) and flood risk management (Recommendation 12) will be crucial to ensure compliance with the requirements set out under section 10(2)(n) of the Act and the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation (August 2021)*.

In addition, the Office considers that the draft Plan should make provision to ensure that the development plan is consistent with the climate action plan to be prepared by your authority in accordance with section 14B of the *Climate Action and Low Carbon Development Act 2015*, in addition to any future government policy relating to climate action.



Observation 6

Observation 6 – Climate action

In accordance with section 10(2)(n) of the *Planning and Development Act 2000* (as amended), and having regard to and the importance attributed to climate action by Government policy, as evidenced by, inter alia, the recent *Climate Action and Low Carbon Development Act 2021*, the *Climate Action Plan 2019* and the *Development Plans, Guidelines for Planning Authorities, Consultation Draft* (August 2021), the planning authority is requested to 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 that the development plan will be consistent with the local authority climate action plan, and the approach to climate action recommended in the forthcoming Development Plans Guidelines as adopted or any other relevant guidelines.

7.2 Renewable Energy

The Office acknowledges the inclusion of general policies and objectives supporting renewable energy development detailed in Chapter 6 ‘Utilities Infrastructure, Energy and Communication’. *The Renewable Energy Strategy for Waterford City and County 2016-2030* was, however, prepared in 2016, and does not include a wind energy sensitivity and capacity map.

Furthermore, the draft Plan does not set out how the implementation of the development plan will contribute to realising national targets on renewable energy and climate change mitigation and, in particular, wind energy production and the potential wind energy resource (in megawatts) as required by the Specific Planning Policy Requirement (SPPR) in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* (2017).

Specific Planning Policy Requirement (SPPR) contained in the Section 28 *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* (2017) requires the planning authority ‘to indicate how the implementation of the relevant development plan or local area plan over its effective

period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts)'.

In this respect the Office notes that the draft Plan does not identify how the county will contribute to realising national climate change and renewable energy targets, including the specific targets in the *Climate Action Plan 2019* to increase reliance on renewable energy from 30% to 70%, including onshore wind energy up to 8.2GW, offshore wind of at least 3.5GW and grid-scale solar of up to 1.5GW.

Although the Office notes the intention to undertake a review/update of the strategy within the lifetime of the plan, this does not sufficiently address the urgency of climate action as expressed by the 2030 targets. While the Office fully appreciates the resources involved in the preparation of such a strategy, this should be prioritised at this stage of the plan making process in order to ensure consistency with the aforementioned *SPPR*, and national policy objectives including *NPO 55* and *RPO 56* (low carbon economy) and *RPO 87* (Low carbon energy future).

Recommendation 11

Recommendation 11 – Renewable energy and climate change mitigation

In accordance with the provisions of Section 28(1C) of the *Planning and Development Act 2000* (as amended), and having regard to the government's commitment in the *Climate Action Plan* to achieve 70% of electricity from renewable sources by 2030 (adding 12GW of renewable energy capacity nationally), *National Policy Objective 55* which promotes renewable energy use and generation to meet national targets, and section 28 guidelines *Wind Energy Development Guidelines (2006)* and the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*, the planning authority is required to:

- (i) indicate how the development plan will contribute to meeting national renewable energy targets, including specific targets in megawatts for wind energy potential in the county. In the absence of any nationally or regionally

- determined targets for County Waterford specifically, you are advised to demonstrate appropriate metrics in this regard, which could include Waterford's share of estimates of additional national renewable electricity target as defined by the % of national land area represented by the county, linked back to the cumulative renewable energy production potential of the areas designated for renewables development;
- (ii) provide a policy framework that is consistent with relevant section 28 Guidelines to support the delivery of part (a) above including clear policy objectives and wind capacity and sensitivity mapping. Having regard to the requirements of section 9(4) of the Planning and Development Act 2000 (as amended), the Planning Authority is required to coordinate the objectives for wind energy development in the development plan, with those of the neighbouring counties, to ensure a coordinated Wind Energy Strategy across the region; and
 - (iii) review Appendix 8 Landscape and Seascape Character Assessment, Appendix 12 Waterford Regional Airport & Business Park Masterplan in respect to wind farm development proposals and development management section 5.24 and objective DM30 in light of part (i) and (ii) above.

8. Flood Risk Management

The Office acknowledges and welcomes objectives in Chapters 6 and 9 which seek to manage flood risk and provide for effective climate change adaptation. The Office also welcomes the inclusion of Flood risk zones A and B as a layer on the draft Plan GIS portal, which can be overlaid on the proposed land use zoning and other objectives' layers in addition to the maps in Volume 4:Book of maps. The flood extents on the interactive Land Use Zoning and Flood Zone map do not, however, appear to fully align with the flood mapping in the SFRA for some settlements e.g. Dungarvan and Gaeltacht na nDéise, and this should be reviewed.

Having reviewed the land use zoning maps, a limited number of zonings fully or partially in Flood Zone A and B that have not been subject to a Justification Test



have been identified in Dungarvan, Dunmore East, Gaeltacht Na nDéise, Portlaw, Tramore, Kilbarry and Ballybeg (Waterford City and Suburbs).

The planning authority is advised to consider re-zoning or de-zoning land at flood risk in instances where surplus zoned land is identified in addressing Recommendation 2 above. In addition, it is unlikely that an evidence based justification can be provided for Strategic Reserve zoning on land in flood zone A or B.

Recommendation 12

Recommendation 12 – Flood Risk Management

Having regard to the detailed requirements of *The Planning System and Flood Risk Management, Guidelines for Planning Authorities* (DECLG and DECHLG, 2009), section 28 guidelines the planning authority is required to:

- (i) review undeveloped land identified for development purposes in fully or partially located in Flood Zone A and B for which a Justification Test has not been carried out in Dungarvan, Dunmore East, Gaeltacht Na nDéise, Portlaw, Tramore, Kilbarry and Ballybeg (Waterford City and Suburbs). For land that is deemed to be of moderate or high flood risk and is sequentially preferable and could contribute to compact growth and higher density development, it will be necessary to undertake a Justification Test within the context of the SFRA;
- (ii) amend the objectives in Volume 4 (Book of Maps) of the draft Plan to ensure that all the settlements listed in the SFRA in Section 7.2.8, where a fluvial and/or tidal risk has been identified, have an objective to preserve the flood plain free from development; and
- (iii) include a development objective requiring 40m buffer between the river and development in Clonmel Environs as per Section 7.2.1 of the SFRA.

The Office of Public Works should be consulted in relation to the matters raised in this recommendation.



9. Environment, Heritage and Amenities

9.1 General

The Office commends the comprehensive and systematic approach taken by the planning authority in address the wide range of issues relevant to the protection, preservation and improvement of environmental and built heritage and amenities, including Chapter 10, Landscape, Coast /Marine and Blue Green Infrastructure together with Chapter 11, Heritage and Volume 8 Landscape & Seascape Character Assessment (including protected views/scenic routes), to address the mandatory objectives relating to environment and heritage conservation and protection [namely Section 10(2)(c), (ca), (e)].the GIS mapping and the environmental reports.

9.2 Rights of way

Section 10(2)(o) of the Act requires public rights of way to be located on both a map and on a list appended to the development plan. The Office notes that section 10.4 details walking trails and public rights of way within the County. However, it appears that the plan does not include objectives for public rights of way nor are there any maps to illustrate any existing or proposed. The planning authority's attention is drawn to examples of good practice identified in the OPR's recent Case Study Paper on this subject matter.

Recommendation 13

Recommendation 13 – Public Rights of Way

Having regard to the requirements of Section 10(2)(o) of the *Planning and Development Act 2000* (as amended), the planning authority is required to include written policy together with maps identifying public rights of way.

9.3 Environmental Reports

The role of this Office is not as a competent 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.

Observation 7

Observation 7 – Environmental reporting

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.

10. Implementation and Monitoring

The Office welcomes the insertion of Appendix 16 'Implementation and Monitoring' having regard the guidance in the *Development Plans, Guidelines for Planning Authorities, Consultation Draft* (August 2021), which that planning authorities will need to establish strong, frequent and ongoing monitoring system for the implementation of their development plan and the performance of their objectives. The draft guidelines recommend a monitoring task for the strategic functions relating to Core Strategy Monitoring and Plan Objectives Monitoring.

The Office would advise that implementation and monitoring would be best to focus on the anticipated or proposed key outcomes of the plan, as determined by the planning authority, such the core strategy (e.g. population growth and housing delivery), urban and rural regeneration, the sustainable transport strategy (e.g. modal share, preparation of Local Transport Plan), climate action (e.g. renewable energy development, biodiversity and landscape (e.g. status of designate habitats) and others.

Observation 8

Observation 8 – Implementation and monitoring

Having regard to the commitment of the planning authority to securing and monitoring the implementation of the strategies, policies and objectives of the draft Plan, the Office would advise the planning authority to consider how Appendix ‘Implementation and Monitoring’ could be amended to ensure that any monitoring is strategic in nature consistent with Part 10 of the *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)*.

Observation 9

Observation 9–Standardised Zoning Objectives

Having regard to the recently published *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)*, the planning authority is advised to review the zoning objectives in the draft Plan to adopt the standardised zoning objectives in Appendix B of the Guidelines. This will assist in providing a consistent approach to zoning nationally and aid the understanding of zoning objectives by the public and the development sector alike.

Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 13 of *the Act* must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority 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



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recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

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 *plans@opr.ie*.

Yours sincerely,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
