

Chief Executive's Report on the
Submissions and Observations received
on the Proposed Material Alterations to
the Draft Gorey Town and Environs
Local Area Plan 2017-2023

Forward Planning

March, 2017

Abbreviations/Acronyms

AA	Appropriate Assessment
DAA	Dublin Airport Authority
EPA	Environmental Protection Agency
ER	Environmental Report
HSE	Health Service Executive
LAP	Local Area Plan
NFP	Neighbourhood Framework Plan
SEA	Strategic Environmental Assessment
TII	Transport Infrastructure Ireland

Section 1 Background and Legal Provisions

1.1 Background

The Proposed Material Alterations to the Draft Gorey Town and Environs Local Area Plan 2017-2023 were placed on public display from Wednesday, 1st February 2017 to Thursday, 2nd March 2017. The document, together with the associated Strategic Environmental Assessment Screening Report and the Appropriate Assessment Screening Report, were displayed at the following locations:

- Planning Department, County Hall, Carricklawn, Wexford
- Gorey Civic Offices, Gorey Town
- Gorey Library, Gorey Town
- www.wexfordcoco.ie

A notice of the proposal to make proposed material alterations to the Draft LAP was sent to the Minister of Housing, Planning, Community and Local Government, An Bord Pleanála and the prescribed authorities in accordance with Section 20(3)(e) of the Planning and Development Act 2000 (as amended).

Written submissions and observations with respect to the Proposed Material Alterations and the associated screening reports could be submitted to the Planning Authority by 4pm on Thursday, 2nd March 2017. Fifteen written submissions and observations were received by this deadline.

1.2 Purpose of this Report

In accordance with the requirements of Section 20(3) (k) of the Planning and Development Act, 2000 (as amended), the Chief Executive has prepared this report on the submissions and observations received. The report:

- (i) Lists the persons who made written submissions or observations;
- (ii) Summarises the issues raised by those persons in the submissions or observations;

- (iii) Contains the opinion of the Chief Executive in relation to the issues raised, and his recommendations in relation to the proposed material alterations to the Draft Local Area Plan. The Chief Executive may also include a recommendation to change the proposed material alteration as he considers appropriate, taking account of the proper planning and sustainable development of the area, the statutory obligations of the local authority, and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

This report shall be read in conjunction with the Draft Gorey Town and Environs Local Area Plan 2017-2023 (September 2016) and the document entitled 'Proposed Material Alterations to the Draft Gorey Town and Environs Local Area Plan 2017-2023 (January, 2017). A copy of Map 11, which shows the published proposed alterations to land use zoning, is appended to this report for ease of reference.

1.3 Consideration of the Chief Executive's Report

In accordance with Section 20(3)(k) of the Act, the Chief Executive's report is submitted to the Members of Wexford County Council for their consideration together with the Proposed Material Alterations.

Pursuant to Section 20(3)(n) of the Act, no later than 6 weeks after the report has been furnished to all the Members of the Planning Authority, the Local Area Plan shall be made or amended as appropriate by the Planning Authority by resolution **with all, some or none of the published proposed material alterations.**

Where the Planning Authority decides to make or amend the local area plan or change the material alteration of the Plan by resolution, the following applies:

Change to a Material Alteration

Pursuant to Section 20(3)(q) of the Act a further modification to a proposed material alteration-

- (i) May be made where it is minor in nature and therefore not likely to have significant effects on the environment, or adversely affect the integrity of a European site,
- (ii) Shall not be made where it refers to-
 - I. An increase in the area of land zoned for any purpose, or
 - II. An addition or deletion from the Record of Protected Structures.

Resolution Requirements

Pursuant to Section 20(3)(p), where the Planning Authority decides to make or amend the local area plan or change the material alteration of the plan by resolution, it shall be necessary for the passing of the resolution that it shall be passed by not less than half of the members of the Planning Authority. The requirements of subsection 20(3)(p) are in addition to, and not in substitution for, any other requirements applying in relation to such as resolution.

In accordance with Section 20(3)(r) when performing their function under this subsection of the Act, the Members of the Planning Authority shall be restricted to considering:

- (a) The proper planning and sustainable development of the area;
- (b) The statutory obligations of the local authority; and
- (c) Any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Making of the Local Plan Area

In accordance with Section 20(4A) of the Act, the Local Area Plan shall have effect 4 weeks from the day that it is made.

1.3 Layout of the Report

- Section 1* Background, Legal Provisions, Report Layout and List of Persons who made written submissions and observations
- Section 2* Submission of the Department for Housing, Planning, Community and Local Government
- Section 3* Remaining Submissions and Observations

Section 4 Conclusions

Appendix 1 Copy of the Submission of the Department for Housing Planning, Community and Local Government.

1.4 Persons who made Written Submissions and Observations

There were fifteen written submissions and observations received during the stated submission period. The persons who made these submissions and observations are listed in Table 1.

Table 1: Persons Who Made Written Submissions and Observations

Submission No	Name	Page No
01	Transport Infrastructure Ireland	9
02	Dublin Airport Authority	10
03	Environmental Protection Agency	10
04	Trinity Homes Ltd	15
05	Byrne and Byrne	18
06	Health Service Executive	21
07	Paul Redmond	23
08	Annette Bairde and Catherine McCord	26
09	Ramsgate Residents 2017 c/o Catherine McCord	27
10	Department of Housing, Planning, Community and Local Government	5
11	Kathleen Slattery	28
12	AMIL Properties Ltd	31
13	Irish Water	33
14	Byrne and Byrne	18
15	Department of Education and Skills	34

Section 2 Submission of the Department for Housing, Planning, Community and Local Government

See Appendix 1 for the Full Submission.

Summary of Submission

The proposed material alterations include certain measures which address the previously highlighted concern in relation to the extent of employment/business zoning proposed for the town.

However, the Department is of the opinion that there remain significant outstanding issues with the zoning proposals for new residential development in the plan that requires specific action by the Council in order to meet statutory and legislative obligations.

The Proposed Material Alterations have not sufficiently addressed the stated concerns of the Department in relation to ensuring the compliance of the extent of new residential housing with the Core Strategy of the Wexford County Development Plan 2013-2019. The Material Alterations provide for an additional c. 6 hectares or c 120+ houses in the plan which is over and above the Core Strategy allocation plus 50% maximum headroom permissible under the Development Plan Guidelines 2007.

It is also noted that certain housing lands that enjoy a position closer to the centre of the town and the train station have been provided for 'Long Term Development' (outside of the plan period). This approach is contrary to the sequential approach to the zoning of lands identified in Section 4.19 of the Development Plan Guidelines and reiterated in Section 2.3 and 6.2 of the Local Area Plan Guidelines, 2013. The Development Plan Guidelines state that zoning should '*extend out from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. leapfrogging to more remote areas should be avoided)*' (Section 4.19). The proposed greenfield zonings on the western, northern

and southern periphery of Gorey are relatively remote and should be phased appropriately subsequently to more central sites.

In this context, the Council is directed to undertake the following actions:

- Reduce the extent of the residential zoning such that the overall total is consistent with the Core Strategy allocation of the Wexford County Development Plan 2013-2019 for Gorey plus 50% maximum headroom permissible under the Development Plans Guidelines, 2007.
- Ensure that the spatial development of new residential lands in the town is in accordance with the spatially sequential basis of the Development Plan Guidelines, 2007 with the latter development of the more remote greenfield residential lands and preference given to the more centrally positioned sites close to the town centre and the train station.

Provision of these measures within the final Gorey Local Area Plan 2016-2023 will ensure the future sustainable growth of the town is in accordance with the key principles of the Vision for Gorey Town in Section 1.6.1 of the Local Area Plan.

Chief Executive's Response

The concerns of the Department in relation to compliance with the Wexford County Development Plan Core Strategy and the application of the sequential approach are noted.

With regard to the directed actions, at this stage in the plan preparation process the Council can only consider lands which are the subject of Proposed Alterations, that is, those identified on Map 11.

Core Strategy

In order to reduce the extent of residential zoning by the referenced 6ha to comply with the Core Strategy, the following is recommended:

- The zoning of the lands on the R-772 Clogh Road, which are the subject of Alteration 24(a) and 24(b), reverts to 'Industrial' as for the Draft Plan. This accounts for 3.3ha.

- The zoning of lands at Ballytegan, which are the subject of Alteration 19, reverts to 'Community and Education' as for the Draft Plan. This accounts for 2.7ha.

The combined total of these two parcels is 6ha which reduces the quantum of residential zoned land to 99ha in line with the Wexford County Core Strategy and the 50% over-zoning allowed for in the Development Plan Guidelines, 2007.

Sequential Approach

The lands which are the subject of the proposed alterations have been reviewed with regard to the outlined concerns about sequential development. It is considered that the recommendations set out above in relation to Alterations 19 and 24 address some of these concerns as these lands are on periphery of the plan area.

The lands at Millands (Alteration 20) do enjoy close proximity to the town centre and are sequentially ideal for residential development. However, there were concerns that because the lands form part of a working farm, they would not come to the market during the lifetime of the plan and as such would tie up some of the valuable Core Strategy quantum without yielding much needed housing units. This was the reason for applying a long term residential zoning to those lands, and while this approach does take the development of the lands outside of this plan period, it safeguards them for possible future residential development. If these lands are added back in it will result in the Core Strategy being exceeded as there is no land which can be taken out as a subsequent amendment.

With regard to Alterations 22(b) and 23 at Knockmullen, both these parcels enjoy close proximity to the town centre, are within approximately 550m and 630m respectively of the train station and in the immediate vicinity of the new IT Hub and as such are considered sequentially appropriate.

There are no further lands which were subject to a Proposed Alteration (with the exception of Alteration No. 12¹ at Raithin na Cúilinn in Creagh) which can now be changed to address the sequential concerns.

Chief Executive's Recommendation

The LAP should be made **without** Proposed Alteration No. 19. The zoning of this land at Ballytegan should remain as Community and Education as for the Draft LAP.

The LAP should be made **without** Proposed Alteration No. 24(a) and 24(b). The zoning of this land on the R-772 Clogh Road should remain as Industrial as for the Draft Plan.

¹ Alterations No. 10 and 11 proposed to change Council owned lands at Creagh from 'Residential' to 'Long Term Residential'. Alterations No. 12 and 13 proposed to reconfigure Council owned 'Residential' and 'Open Space and Amenity' lands at Raithin Cúilinn respectively to take account of the additional Open Space and Amenity areas proposed by Alterations 8 and 9 at Creagh Woods and the overall Open Space Strategy. Alterations 12 proposed to change 0.72ha of Open Space lands to Residential. Alteration 13 proposed to change 0.15ha of Residential land to Open Space and Amenity (these two alterations represented a net increase in 0.57ha in residential zoned land).

Section 3 Remaining Submissions and Observations

Submission No. 01 Transport Infrastructure Ireland (TII)	
Summary of Issues	Chief Executive's Response
<p>The TII acknowledge the comprehensive review of their initial submission on the Draft Plan and welcome the proposed material alteration arising from the consideration of their submission.</p> <p>The TII has no specific observations to make in relation to the other proposed amendments.</p>	<p>This submission refers to Proposed Alteration 3 on Map 11-<i>to amend the plan boundary to provide a 75m set back buffer zone between the M11 motorway and the Industrial zoned land at Ballyloughan</i>. The TII comments in relation to alteration are noted. This proposal provides for a sufficient set back to ensure the potential long term requirement to provide future upgrades to the motorway can be accommodated.</p>
Chief Executive's Recommendation <p>The LAP should be made with Proposed Alteration No. 3 to amend the plan boundary to provide a 75m set back buffer zone between the M11 motorway and the Industrial zoned land at Ballyloughan.</p>	

Submission No. 02 Dublin Airport Authority (DAA)	
Summary of Issues	Chief Executive's Response
The DAA has no comment to make at this time regarding the proposed Material Alterations	Noted.
Chief Executive's Recommendation None required.	

Submission No. 03 Environmental Protection Agency (EPA)	
Summary of Issues	Chief Executive's Response
SEA Determination The determination with regard to the need for Strategic Environmental Assessment (SEA) of the Proposed Material Alterations (the Alterations) to the Draft Gorey Town and Environs Local Area Plan 2017-2023 is noted. The EPA's previous submission on the Draft Plan / SEA ER is attached should also be taken into consideration where appropriate and relevant to the Alterations.	Noted. The EPA's previous submission has been taken into account throughout the SEA process.

<p><i>Specific Comments on the Proposed Alterations</i></p> <p>The EPA acknowledge that Table 2.1 ‘Relevant Proposed Material Alterations and SEA Screening’ and Table 2.2 ‘Potential Adverse Effects’, if unmitigated, Mitigation Measures and Residual Adverse Effects, set out the potential for adverse effects arising from implementation of the Alterations and how these will be addressed in the Plan.</p> <p>The development of the additional lands associated with the Alterations should be linked to the ability to provide appropriate critical service infrastructure to support further development. Additionally, in implementing the Alterations, you should ensure that environmental sensitivities/vulnerabilities are appropriately protected.</p>	<p>Noted.</p> <p>The Draft Plan requires new development to comply with various provisions relating to infrastructure and services provision including those relating to transport, water services and waste management². Furthermore, the Draft Plan includes other provisions that will contribute towards the protection and management of environmental sensitivities/vulnerabilities (these are detailed in full in the Draft Plan and in Section 9 of the SEA Environmental Report).</p>
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²Including Objective WW02, Objective WS02, Objective WM09, Objective WM10, Objective WM01, Objective WM02, Objective WM03, Objective WM04, Objective WM05, Objective WM06, Objective WM07, Objective WM08, Objective WM11, Objective WM12, Objective AMS01, AMS02, AMS03, AMS04 and AMS05 (these are detailed in full in the Draft Plan and in the SEA Environmental Report).

<p>It is also worth noting that a number of key significant plans are currently being prepared which should be taken into account. These include:</p> <ul style="list-style-type: none"> • National Planning Framework (DHPCLG) • Regional Spatial and Economic Strategies (Regional Authorities) • 2nd Cycle of Water Framework Directive River Basin Management Plans (DHPCLG) • South Eastern CFRAMS (OPW) <p>The EPA has recently published our State of the Environment Report for 2016 <i>‘Ireland’s Environment – An Assessment (EPA, 2016)</i>. The recommendations, key issues and challenges described within this report should be taken into</p>	<p>Furthermore, reference is made to the EPA’s previous submission on the Draft Plan (10th November 2016) that stated: “We also note that the Plan acknowledges that development of the Plan area needs to be linked to the ability to provide adequate and appropriate critical service infrastructure, in particular in relation to drinking water and wastewater treatment infrastructure.”</p> <p>These Plans are in preparation and, although they have not been finalised to date (they are not in effect), they will be referenced in the final, consolidated SEA Environmental Report that will accompany the adopted Plan.</p> <p>It is noted that relevant issues covered in this report (including those in relation to sustainable mobility, water services, waste and natural heritage) have been taken into account by the SEA of the Proposed Material Alterations.</p>
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<p>account, as relevant and appropriate, in the context of the proposed Material Alterations and considered prior to the adoption of the Draft Plan.</p> <p><i>Future Amendments to the Draft Plan</i></p> <p>Wexford County Council should determine whether or not the implementation of the proposed Alterations would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I No. 436 of 2004) and should be subject to the same method of assessment as undertaken in the “environmental assessment” of the Draft Plan.</p>	<p>Noted. The Council has determined that potential effects arising from the Proposed Material Alterations are either present already (beneficial) and will be further contributed towards or will be mitigated so as not to be significant (adverse). Therefore, the Council determined that SEA is not required for the Proposed Material Alterations. The determination was made in compliance with Section 20 (3) (f) of the Planning and Development Act 2000 (as amended) and took into account relevant criteria set out in Schedule 2A ‘Criteria for determining whether a plan is likely to have significant effects on the environment’ of the Planning and Development (SEA) Regulations 2004 (as amended).</p> <p>Where further modifications occur in the future, these will be examined for compliance with Section 20 (3) (q) of the Planning and Development Act 2000 (as amended) to ensure, inter alia, that they are not likely to have significant effects on the environment or adversely affect the integrity of a European site</p>
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<p><i>SEA Statement – “Information on the Decision”</i></p> <p>Following adoption of the Plan, an SEA Statement should summarise the following:</p> <ul style="list-style-type: none"> • How environmental considerations have been integrated into the Plan; • How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan; • The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and, • The measures decided upon to monitor the significant environmental effects of implementation of the Plan. <p>A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.</p>	<p>(AA Screening).</p> <p>Following adoption of the LAP, an SEA Statement will be prepared that will summarise issues, including how environmental considerations have been integrated into the Plan. A copy of the SEA Statement will be sent to relevant environmental authorities.</p>
<p>Chief Executive’s Recommendation</p> <p>There is no change required to the Proposed Material Alterations as a result of this submission.</p>	

Submission No. 04 Trinity Homes Ltd	
Summary of Issues	Chief Executive's Response
<p>This submission relates to the lands which are the subject of Proposed Alteration No. 25 on Map 11-<i>Change the zoning of 3.4ha of Residential lands at Creagh (Fronting onto both the Carnew Road and the road leading to Creagh College) to Community and Education.</i></p> <p>The submission requests that the proposal to zone the lands for Community and Education be rejected and instead that the lands be zoned for Residential as proposed in the Draft LAP. In support of the Residential zoning request, the following key points are raised:</p> <ul style="list-style-type: none"> The proposed residential zoning is justified in the context of the lands' strategic location within the development boundary of Gorey Town, the designation of Gorey as a Larger Town in the Regional Planning Guidelines, and most importantly, the residential zoning is required to ensure that Gorey can accommodate the housing allocations up to 2023 and into the future. 	<p>The issues raised in the submission have been considered in detail. The Alteration was proposed to reduce the quantum of residential land in the plan area and to provide further community and education zoned lands to deliver additional facilities in an area that has undergone significant residential development in recent years.</p> <p>There are merits to the lands being zoned for Residential or Community and Education. While both uses offer different opportunities, they both present significant potential for urban place making and contributing to developing a sustainable community in the Creagh Neighbourhood Framework Plan.</p> <p>In light of the Department's submission and direction therein to reduce the quantum of residential zoned land to comply with the Core Strategy and the application of sequential development of lands, it recommended that the lands be zoned for Community and Education in accordance with Proposed Alteration 25.</p>

<ul style="list-style-type: none"> • Residential zoning is considered to be a more rationale proposal in terms of urban place making given the built pattern of development in the area and for the urban consolidation of Gorey. A residential development on these lands would provide for a strong building line fronting on the R725 Carnew Road. • The subject lands were zoned as Long Term Residential in the 2010 LAP, and while the subject lands do not have any existing 'live' permission, there is an expired permission for 50 residential units on the lands (planning register 20074474 refers). It is clear that Wexford County Council has supported residential development at this particular location in recent years through the zoning of the lands for Residential and the granting of permission for a residential development. • A proposed development is to be submitted to Wexford County Council imminently. A medium to low density development of between 15-20 dwellings per hectare would yield between 50 and 70 new dwellings. 	<ul style="list-style-type: none"> • Noted. It is also considered that appropriately designed community and education facilities can offer significant opportunities for place making at this location. • The previous zoning and expired planning permission are noted. With regard to the expired permission, it related to c. 1.65ha of the subject lands (the western portion of the lands). It is also noted that Section 19 of the Planning and Development Act, 2000 (as amended) states that there shall be no presumption in law that any land zoned in a particular local area plan shall remain so zoned in any subsequent local area plan. • Noted.
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<ul style="list-style-type: none"> • There are adequate lands zoned for Community and Education to the north of the subject lands and within the development boundary of Gorey, and that those lands present the opportunity to deliver both community and education facilities to meet the demands of Gorey into the future. • This area is already well equipped with educational facilities. It is submitted that the residential zoning will not inhibit the expansion of any schools but rather would consolidate such facilities as families move into the area. • In relation to community facilities, while it is noted that the Creagh Neighbourhood Framework Plan states that there are few local services such as childcare facilities, GP, and local shops in the Gorey Hill area and that the town does not benefit from having its own community centre. It is submitted that the Council should be supporting a strong urban town centre in Gorey rather than applying town based land uses in 'robust urban block structures' on the periphery of Gorey. 	<ul style="list-style-type: none"> • Noted. There are land parcels of varying sizes zoned within the plan area. This particular land is attractive as it provides a 3.4ha parcel of accessible land which could be used for a variety of community facilities. • Noted. However, the lands can also be developed for community uses such as a community centre, childcare facilities, nursing home, sporting and recreation etc. • Noted. However, it is not accepted that these uses should only be within the town centre. Community and education uses need to be provided alongside residential development, be easily accessible and within walking distance. These uses contribute to the delivery of 'places' and sustainable communities, which is the aim of the Neighbourhood Framework Plans in the LAP.
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Chief Executive's Recommendation

The LAP should be made **with** Proposed Alteration No. 25 with the zoning of the subject lands for Community and Education.

Submissions No. 05 AND Submission No. 14 Byrne & Byrne

Summary of Issues

As these two submissions relate to the same lands, they are discussed together. The points raised in both submissions are combined and outlined herewith.

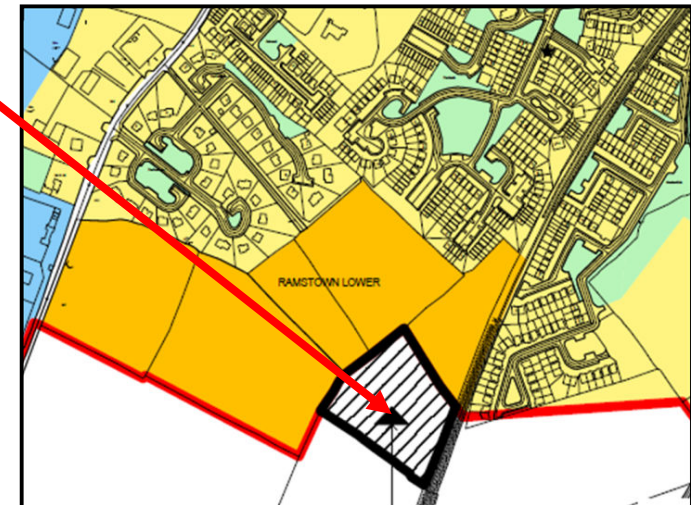
At Draft Plan stage it was requested that the 4 acre field (which forms part of a larger 14 acre landholding at this location) be zoned for Residential use. It is again requested that this field be zoned for Residential. It is submitted that the shape of the remaining land would hinder development if the 4 acres was not included.

Chief Executive's Response

In the interest of clarity and for the purpose of this response, the two parcels of lands are discussed separately.

Parcel A

4 acres/1.6ha
(outlined in
hatched black
below)

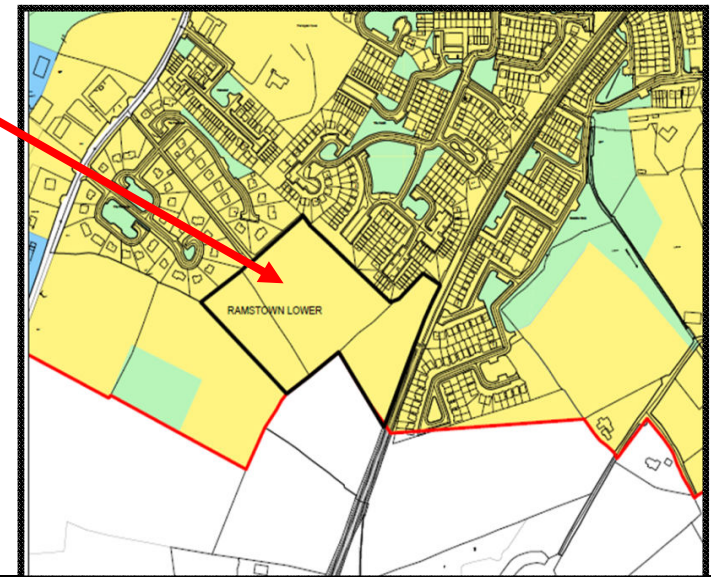


The submission states that the remainder of this land has also been rezoned to Long Term Residential in the revised plan. It is requested that this land be zoned for development during the current plan period. This is the only residential land on this side of the town and the company cannot understand why it is being zoned outside of the plan period. As there is a shortage of houses being built in Gorey, the company would be very active in submitting a planning application for approval to build houses on this land.

This land is not the subject of a Proposed Material Alteration and as such the zoning request cannot be considered at this stage.

The company made a submission on the Draft Plan requesting that this land be zoned in line with the remainder of their lands at this location (north/northeast). The submission was duly considered and it was decided that the zoning of this additional land for residential development would be contrary to the Core Strategy as it would contribute to the specified quantum of residential zoned land being exceeded.

Parcel B
*c. 10 acres/4.2
ha (outlined in
black)*



	<p>This land was zoned as Long Term Residential in the 2010 Gorey Town and Environs LAP. The land was zoned as 'Long Term Residential' in the 2017-2023 Draft Plan. While the land is the subject of Proposed Alteration No. 5, the nature and extent of the proposed alteration is to only change how the Long Term Lands are identified on Map 11 Land Use Zoning (by black hatching). There is no proposal to materially alter the zoning of the land. As such the rezoning request to 'Residential' cannot be considered at this stage. It is also considered important to note that the subject lands were zoned as 'Long Term Residential' in the Draft Plan, and the company did not raise any issue regarding this zoning in their submission on the Draft Plan.</p>
<p>Chief Executive's Recommendation</p> <p>The LAP should be made with Proposed Alteration No. 5.</p>	

Submission No. 06 Heath Service Executive (HSE)	
Summary of Issues	Chief Executive's Response
<p>The HSE welcomes the requirement to submit an Energy Efficiency Statement with all new builds. They would favour the retro fitting of older buildings on an incremental basis and that developments requiring planning permission should also include an energy efficiency statement with a BER assessment. While it is appreciated that not all older buildings can be fully upgraded but improvements which help future proof buildings should always be considered to increase the sustainability of buildings and their use as residences and essential infrastructure into the future. It would also help to reduce the prevalence of fuel poverty in older buildings in the future. A statement encouraging but not requiring the retrofitting of older buildings could be included.</p> <p>The inclusion of Pluvial flooding in flood risk assessments is welcomed. It is important to restrict development in flood prone areas due to the health impacts of flooding which include potential for disease, pests and mental distress as well as business and community disruption and temporary</p>	<p>This relates to the Proposed Alteration to incorporate the following objective into Section 10.1.1 Climate Change <i>Objective CC02: All planning application for new residential, commercial and industrial units within the plan area shall be accompanied by an Energy Efficiency Statement showing how energy considerations have been incorporated into the design of the proposed development.</i> While there are merits in the suggestion, it is considered that the requirement to submit a Energy Efficiency Statement for older buildings may be onerous and a disincentive to the renovation and refurbishment of such buildings.</p> <p>This relates to the Proposed Alteration to insert a new section on Pluvial Flood Risk in Appendix 4 Strategic Flood Risk Assessment.</p>

<p>homelessness.</p> <p>However, it is also important that these spaces are used creatively as blue and green spaces for community outdoor leisure and tourism activities and possible corridors to link areas of the town.</p> <p>Trees along avenues also enhance the outdoor environment as well as improving air quality and are a welcome healthy addition to an area.</p> <p>Welcome the additional play areas, open spaces and Neighbourhood Park proposals which will encourage everyday physical activities for young and old and enhance community mental well being. When designing facilities for these areas it is important to consider the whole lifespan of the community from pre- school through teens to family life and also successful ageing. It is important to cater for activity by small groups and communities as well as individuals which are open to all.</p>	<p>The Open Space, Recreation and Green Infrastructure Strategy and the section on Flood Risk Management include objectives to sensitively use river corridors for recreational activities including river walks.</p> <p>This does not relate to a Proposed Alteration. However, it is noted that the Draft Plan addresses the design and landscaping of new avenues in the plan area.</p> <p>This does not relate to a Proposed Alteration. However, it is considered that the Draft Plan has sufficiently addressed the matter.</p>
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The provision of cyclist and pedestrian facilities are also to be welcomed.	This does not relate to a Proposed Alteration. However, it is considered that the Draft Plan has sufficiently addressed the matter.
Community facilities are key to the development of communities so it is important to allocate land and space for these in each neighbourhood allied to residential provisions.	This does not relate to a Proposed Alteration. However, it is considered that the Draft Plan has sufficiently addressed the matter.
Chief Executive's Recommendation There is no change required to the Proposed Material Alterations as a result of this submission.	

Submission No. 07 Paul Redmond c/o Theo Phelan Design	
Summary of Issues	Chief Executive's Response
<p>This submission relates to a parcel of residential zoned land adjoining the north-western boundary of the plan area at Ballowen or Ramsfort. A submission was made at Draft Plan stage requesting a reduction in the proposed open space area from 0.8ha to 0.6ha.</p> <p>It is again requested that the land area identified on the framework plan be reduced to take into account the additional</p>	<p><u>There is no Proposed Material Alteration relating to the subject land and/or open space provision and as such this request cannot be considered at this stage.</u></p> <p>Notwithstanding, the following is noted. The entire parcel of land is zoned for Residential (there is no Open Space and Amenity zoning on this parcel of the land). The Creagh NFP identifies the preferred location of the open space area at this</p>

<p>alternative area of open space which will be required for the residential development and the fact that the space provided will service other developments. The longer term development of the lands to the north-west are ideally located to add to the area he is proposing, to increase the overall open space in a more balanced manner at a later date.</p> <ul style="list-style-type: none"> • It is considered that the area being allocated for open space is excessive relative to the single landholding. • The space is identified at a very specific location on the periphery of the lands offering no benefit to the overall open space requirements which will be required throughout the proposed layout. • It is also submitted that view expressed in the response of the Chief Executive that this open space is not serving any other community amenities is erroneous. • It is obvious that this space will serve the next expansion of development of lands to the north-west, and at its present location it is certainly not planned as a benefit to the internal area of the Creagh development. On the contrary, it is very obviously to be an amenity to other lands, not in his ownership, for future development. If this 	<p>location. As outlined in the previous Chief Executive's Report, the NFPs are <i>indicative only</i>. It was further outlined that open spaces are required to be delivered at a rate 15% for residential schemes as per the Open Space Strategy and will be required to be delivered through the planning application process. However, an allocation of 18.5% was not considered excessive in this instance as the proposed lands do not facilitate any other communal infrastructure such as amenities, local community spaces etc.</p>
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is not the case, it will be requested that the zoned area be transferred to an alternative central location within his landholding where the benefit of the area will accrue to his development lands and not on the external perimeter which has least benefit to his development but certainly benefit the potential for adjacent lands. The requested decrease from 0.8ha to 0.6ha is very modest in the light of the overall requirements that will actually be needed and the facilities are being afforded to the future development of the area at his expense.

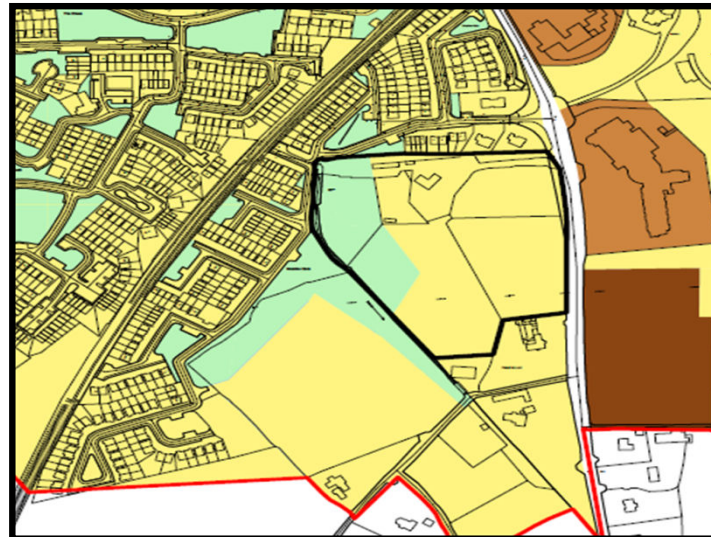
Chief Executive's Recommendation

There is no change required to the Proposed Material Alterations as a result of this submission.

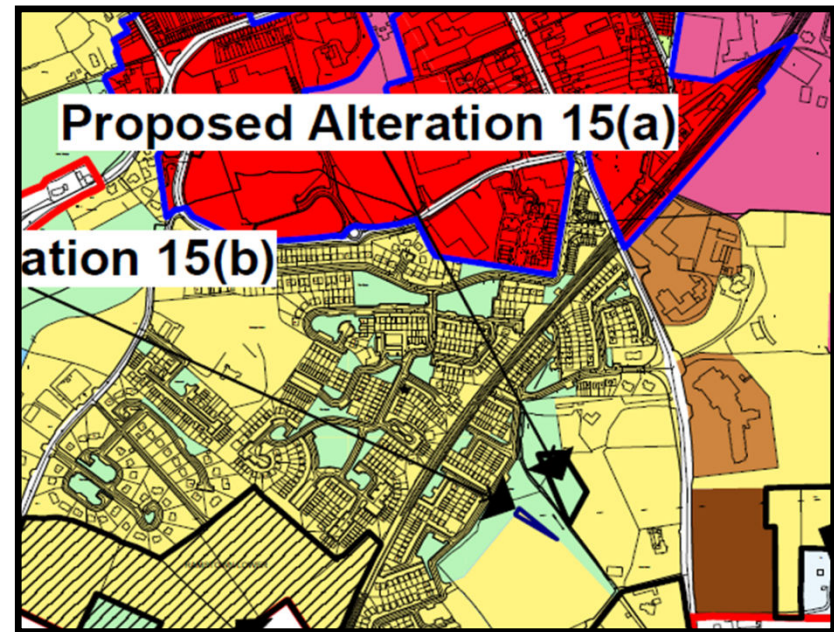
Submission No. 08 Annette Baird and Catherine McCord	
Summary of Issues	Chief Executive's Response
<p>This submission welcomes the amendments which removed the 'Potential Connects'-the through road and footbridges at Ramsgate Village from the Gorey South Neighbourhood Framework Plan. However, if there are any further submissions made counteracting these amendments or in the event that the through road and footbridges are requested to be put back in, this would strongly objected to.</p>	<p>Noted. No submissions or observations were received opposing the removal of the local connections.</p>
<p>Chief Executive's Recommendation</p> <p>The LAP should be made with the Proposed Alteration to omit the following 'Potential local connections' from Figure 4 Route Concept, Figure 25 Gorey South Route Concept and all relevant Urban Design Strategy and Neighbourhood Framework Plan figures:</p> <ul style="list-style-type: none"> • The Potential local connection shown from The Heath, Ramsgate Village to the undeveloped lands to the south. • The Potential local connection show over the railway from Meadowgate Housing Development to the undeveloped lands south of The Heath, Ramsgate Village. • The Potential local connection shown over the railway line from Meadowgate Housing Development into The Chase, Ramsgate Village. 	

Submission No. 09 Ramsgate Residents 2017 c/o Catherine McCord	
Summary of Issues	Chief Executive's Response
This submission welcomes the amendments which removed the 'Potential Connects'-the through road and footbridges at Ramsgate Village from the Gorey South Neighbourhood Framework Plan. However, if there are any further submissions made counteracting these amendments or in the event that the through road and footbridges are requested to be put back in, this would strongly objected to.	Noted. No submissions or observations were received opposing the removal of the local connections.
Chief Executive's Recommendation See Recommendation under Submission No. 08. The LAP should be made with the Proposed Material Alteration to omit the potential local connections.	

Submission No. 10 Department of Housing, Planning, Community and Local Government is discussed in Section 2.

Submission No. 11 Kathleen Slattery c/o Warren Estates Ltd	
Summary of Issues	Chief Executive's Response
<p>The subject land comprises one field which is approximately 10 acres in size. It has road frontage to the R741 and is straight across from the Amber Springs Hotel.</p> <p>This land has been zoned 'Residential' under the last few Gorey Town and Environs Local Area Plans. However, in the draft new plan, it is proposed to change the zoning of a significant portion of the field to 'Open Space and Amenity'. It appears that this happened because given the development in the immediate area; there is a requirement for additional 'green' land. It appears that this land is being sterilised to allow other landowners/developers develop adjoining land. Surely, it is a developer's responsibility to provide the necessary open space as part of any development.</p> <p>In addition, as far back as 2002, a neighbouring landowner agreed with the Council to have all the local requirement for 'recreational' land moved to the eastern side of the road. (A letter to this effect is attached to the submission).</p>	<p>The land which is the subject of this submission is outlined in black on the map below.</p>  <p>Only a small part of the subject land is the subject of a Proposed Alteration and only this part of the land can be considered at this point in the plan preparation process. Alteration 15 (a) on Map 11 (see extract below) proposes to rezone 0.36ha of Residential land to Open Space and Amenity.</p>

It is respectfully requested that this field in its entirety be zoned for 'Residential' development. The IT hub, currently under construction across the road, is expected to create around 1,000 jobs when complete. This will create a demand for additional housing in the vicinity and, with all the services on the road, this land is the logical location to fulfil some of those needs.



This area will form of part of the Neighbourhood Park at this location. The approach in the LAP is to provide a number of Neighbourhood Parks throughout the plan area to provide spatially balanced access to this level of open space. These parks have been zoned Open Space and Amenity to ensure that they are delivered in the right location in the context of the Urban Design and Open Space Strategies. The reason for the minor Alteration to this Neighbourhood Park is to ensure that all of the Neighbourhood Park is appropriately zoned and to ensure

	<p>consistency between Map 11 and Figure 30 Open Space and Green Infrastructure Strategy.</p> <p>The zoning of the remainder of the field cannot be considered as it is not the subject of a proposed alteration. It is noted that the submission outlines that the subject lands have been zoned residential under the last few Gorey Town and Environs local area plans. It is considered important to note that Section 19 of the Planning and Development Act, 2000 (as amended) states that there shall be no presumption in law that any land zoned in a particular local area plan shall remain so zoned in any subsequent local area plan.</p>
<p>Chief Executive's Recommendation</p> <p>The LAP should be made with Proposed Alteration 15(a) with the zoning of this piece of land for Open Space and Amenity.</p>	

Submission No. 12 AMIL Properties Ltd c/o John Spain Associates	
Summary of Issues	Chief Executive's Response
<p>This submission relates to lands at Ballyowen / Ramsfortpark which are the subject of Proposed Alteration no. 17 which <i>changed the zoning of these lands on the Walshe's Mushroom site from Residential to Open Space and Amenity</i> – on Map 11.</p> <p>The subject lands are part of an overall landholding extending to 12.08 hectares which were zoned a mix of 'R – Residential', 'CE – Community and Education' and 'OS – Open Space and Amenity' in the Draft LAP. Material Alteration no. 17 proposed to zone the subject lands 'OS – Open Space'.</p> <p>The submission requests that the subject lands be reinstated with a 'R – Residential' zoning as for the Draft Plan.</p> <p>In support of the Residential zoning request, this comprehensive submission raises the following key points:</p> <ul style="list-style-type: none"> It is considered that material alteration 17 is not required, 	<p>Alteration 17 on Map 11 proposes to rezone 0.6ha of Residential land to Open Space and Amenity. This area will form of part of the Neighbourhood Park at this location. The approach in the LAP is to provide a number of Neighbourhood Parks throughout the plan area to provide spatially balanced access to this level of open space. These parks have been zoned Open Space and Amenity to ensure that they are delivered in the right location in the context of the Urban Design and Open Space Strategies. While the Neighbourhood Park will serve the residential development on this land, it will also serve the community in the wider Creagh Neighbourhood Framework Plan and as such its positioning is important and should not be left to chance. The reason for this Alteration is to ensure this and consistency between Map 11 and Figure 30 Open Space and Green Infrastructure Strategy.</p> <p>These points are noted. However, as outlined above, it is considered that Neighbourhood Parks need to be guided by land use zoning to ensure they are delivered at the right location</p>

<p>as the appropriate quantum of open space (15%) would be provided within any future proposal for the lands.</p> <ul style="list-style-type: none"> • It is submitted that a more appropriate approach to the provision of open space on the subject lands would be to determine the precise location of this space as part of the detailed design stage of a residential scheme rather than to re-zone the lands. • The detailed design process is best placed to locate open space within the overall lands particularly with regard to the relationship with the substantial area of open space to the east of the subject lands. • The residential zoning would allow for flexibility in determining the most appropriate location for open space within the site in accordance with relevant standards. • The zoning of this section of the site for Open Space is premature and will unduly restrict and constrain the design process in determining the most suitable and appropriate area of the overall lands for open space provision – specific site characteristics / constraints, contours, typology, orientation, passive surveillance and house design are all material contributing factors in 	<p>to achieve their purpose. Having considered these and adjoining lands and the characteristics of a Neighbourhood Park, the Urban Design Strategy determined this to be the best location for the Neighbourhood Park and it also provides an urban block structure for the lands with the park at its heart.</p>
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determining the most suitable location for useable open space within a housing development.	
Chief Executive's Recommendation The LAP should be made with Proposed Alteration No. 17 which will zone this piece of land as Open Space and Amenity.	

Submission No. 13 Irish Water	
Summary of Issues	Chief Executive's Response
In relation to the proposed material alterations to zoning objectives, Irish Water advises that it will only be in a position to confirm water and wastewater availability for site specific new development through Irish Water's pre-connection enquiry process.	Comments with regard to Irish Water's pre-connection enquiry system are noted.
Chief Executive's Recommendation There is no change required to the Proposed Material Alterations as a result of this submission.	

Submission No. 14 is discussed with Submission No. 5 as they were submitted for the same person and related to the same parcel of land.

Submission No. 15 Department of Education and Skills	
Summary of Issues	Chief Executive's Response
<p>The Department welcomes Proposed Alterations No. 7 and No. 25.</p> <p>Proposed Alterations 18 and 19 propose an increase in Residential Land and a decrease in Community and Education. The Department has no objection to the proposals where the adequate provision of suitable land for future school enrolment is provided for elsewhere in the LAP.</p> <p>Proposed Alterations No. 12, 14 (a) 15(b) and 23 increase the amount of residential land. It is also noted that a number of proposed alterations are for the rezoning of Residential land to Open Space and Amenity. Any rezoning of land to residential may have an effect on population numbers and accordingly may result in additional children requiring school places.</p>	<p>Noted. Both of these Alterations propose an increase in Community and Education lands.</p> <p>Noted. Alteration 18 actually proposes to rezone Residential land to Community and Education so it will result in an increase in Community and Education lands. As recommended under Submission No. 10 (Department of Housing, Planning, Community and Local Government's submission), it is recommended that the LAP is made without Proposed Alteration No. 19 (the land remain zoned as Community and Education as for the Draft Plan).</p> <p>Noted.</p>

<p>The Department request clarification in relation to the planned school provision relative to the total amount of zoned residential land—is the planned school provision based on 115.5ha or 66 ha? It is important to note that any change to the provision of residential land may have an impact on population numbers and accordingly may result in additional children requiring school places. The submission is accompanied by a general outline of the basis used by the Department's to calculate for school provisions</p>	<p>The planned school provision is based on the population allocation for the plan area to 2023. It is planned to grow the population of the plan area to 12,105 persons by 2023 and 66ha of residential zoned land is required to accommodate the additional 2,991 persons (99ha after applying the 50% headroom). Using the 2023 population figure and the Department's Guidelines,</p> <ul style="list-style-type: none"> • 12% of the population at any given time is primary school age. This equates to 1,453 pupils. It is noted that the combined enrolment of the 5 primary schools in 2015/2016 school year was 1,836 pupils • 8.5% of the population at any given time is post primary school going age. This equates to 1,029 persons. The combined enrolment of the two existing post primary schools in 2015/2016 school year was 1,909 pupils. It is acknowledged that Gorey Town serves a wider catchment for post primary. However, the Planning Authority do not have figures available for the future population of the school catchment. It is also noted that there is significant capacity in Creagh College.
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	<p>There is no specific site identified for an additional school within the plan area. The Draft Plan proposed c. 14ha of undeveloped Community and Education on which schools can be developed, should the need arise. The Alterations proposed a net increase of a further 2.5ha which would result in a minimum of 16.5.ha (c 19ha if the LAP is made without Proposed Alteration 19 which proposes the rezoning of 2.7ha of Community and Education lands to Residential). This quantum of Community and Education lands is comprised of parcels of varying sizes and it is <i>in addition</i> to the sites currently occupied by the 5 primary schools and the 2 post primary schools in the area.</p> <p>Notwithstanding, as there are no other Alterations relating to Community and Education lands, this cannot be changed at this stage.</p> <p>The Planning Authority is satisfied that sufficient lands are zoned within the plan area for future schools provision, should the need arise during the lifetime of the LAP.</p>
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<p>The submission also includes general guidance in relation to planning for schools, location preferences, allowing for future expansion and site suitability guidelines.</p>	<p>Noted.</p>
<p>Chief Executive's Recommendation</p> <p>As previously recommended under Submission No. 10, the LAP should be made <u>without</u> Proposed Alteration No. 19 and this land at Ballytegan should be zoned Community and Education as for the Draft Plan.</p> <p>In all other respects, there is no change required to the Proposed Material Alterations as a result of this submission.</p>	

Section 5 Conclusions

5.1 Next Stage

Pursuant to Section 20(3)(n) of the Act, no later than 6 weeks after the report has been furnished to all the Members of the Planning Authority, the Local Area Plan shall be made or amended as appropriate by the Planning Authority by resolution **with all, some or none of the published proposed material alterations.**

Where the Planning Authority decides to make or amend the local area plan or change the material alteration of the Plan by resolution, the following applies:

Change to a Material Alteration

Pursuant to Section 20(3)(q) of the Act a further modification to a proposed material alteration-

- (iii) May be made where it is minor in nature and therefore not likely to have significant effects on the environment, or adversely affect the integrity of a European site,
- (iv) Shall not be made where it refers to-
 - I. An increase in the area of land zoned for any purpose, or
 - II. An addition or deletion from the Record of Protected Structures.

Resolution Requirements

Pursuant to Section 20(3)(p), where the Planning Authority decides to make or amend the local area plan or change the material alteration of the plan by resolution, it shall be necessary for the passing of the resolution that it shall be passed by not less than half of the members of the Planning Authority. The requirements of subsection 20(3)(p) are in addition to, and not in substitution for, any other requirements applying in relation to such as resolution.

In accordance with Section 20(3)(r) when performing their function under this subsection of the Act, the Members of the Planning Authority shall be restricted to considering:

- (d) The proper planning and sustainable development of the area;
- (e) The statutory obligations of the local authority; and
- (f) Any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

In accordance with Section 20(4A) of the Planning and Development Act, 2000 (as amended), the Local Area Plan shall have effect 4 weeks from the day that it is made.

5.2 Conclusions

The Gorey Town and Environs Local Area Plan 2017-2023 represents a significant leap forward in how we spatially plan our towns. The Urban Design Strategy, which underpins the LAP, emphasises the role of urban design as a process that brings together the social, economic and environmental dimensions of urban planning and places them within an integrated spatial strategy. In this regard, the advice and work of Dr Conor Norton and his team in Loci in the formulation of the Urban Design Strategy and Neighbourhood Framework Plans, is acknowledged.

The Plan focuses first and foremost on the local community, to meet the needs of the community and to promote local economic development and employment growth at all levels to achieve the maximum benefits for the town in a sustainable manner. The LAP has been formulated following detailed consideration of the issues raised during the various public consultation stages, and the Plan and its development strategy is underpinned by the desire of all the key stakeholders to address these issues.

Thank you to all those involved in the preparation and making of the LAP, in particular, those who engaged with the plan preparation process by attending the series of public consultation events undertaken and/or who those who made written submissions or observations, and also the Members of Gorey Municipal District.

Appendix 1

Submission of the Department of Housing, Planning, Community and Local Government

01 March, 2017

Forward Planning,
Planning Department,
Wexford County Council,
County Hall,
Carricklawn,
Wexford.

**Re: Material Alterations to the Draft Gorey Town and Environs Local Area Plan
2017-2023**

A Chara,

I am directed by the Minister for Housing, Planning, Community and Local Government to refer to your recent letter in relation to the above and set out hereunder observations on behalf of the Minister.

The Proposed Material Amendments to the Draft Gorey Local Area Plan 2017-2023 published by the Council include certain measures which address the previously highlighted concern of the Department of Housing, Planning, Community and Local Government in relation to the extent of employment/business zoning proposed for the town. However, the Department is of the opinion that there remain significant outstanding issues with the zoning proposals for new residential development in the plan that require specific action by the Council in order to meet statutory and legislative obligations.

The Department considers that the Proposed Material Alterations to the Draft Local Area Plan have not sufficiently addressed the stated concerns of the Department in relation to ensuring the compliance of the extent of new residential housing with the Core Strategy of the Wexford County Development Plan 2013-2019. The Material Alterations provide for an additional c.6 hectares or c.120+ additional houses included in the plan which is over and above the core strategy allocation plus 50% maximum headroom permissible under the Development Plans Guidelines 2007.

It is also noted by the Department that certain housing lands that enjoy a position closer to the centre of the town and the train station have been provided for '*Long Term Development*

(outside the plan period)'. This approach is contrary to sequential approach to the zoning of lands identified in section 4.19 of the Development Plans Guidelines and reiterated in Sections 2.3 & 6.2 of the Local Area Plan Guidelines, 2013. The Development Plan Guidelines state that zoning should '*extend out from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. 'leapfrogging' to more remote areas should be avoided)*' (section 4.19). The proposed greenfield zonings on the western, northern and southern periphery of Gorey are relatively more remote and should be phased appropriately subsequently to more central sites.

In this context, the Council is directed to undertake the following actions:

- Reduce the extent of residential zoned housing such that the overall total is consistent with the core strategy allocation of the Wexford County Development Plan 2013-2019 for Gorey plus 50% maximum headroom permissible under the Development Plans Guidelines (2007).
- Ensure that the spatial development of new residential lands in the town is in accordance with the spatially sequentially basis of the Development Plans Guidelines (2007) with the latter development of the more remote greenfield residential lands and preference given to the more centrally positioned sites close to the town centre and train station.

Provision of these measures within the final Gorey Local Area Plan 2016-2023 will ensure the future sustainable growth of the town in accordance with the key principles of the *Vision for Gorey Town* in Section 1.6.1 of the Local Area Plan.

The officials of the Department are available to discuss the matters raised above and in the first instance you are advised to contact Mr. Stewart Logan, Planning Adviser on 01-8882419.

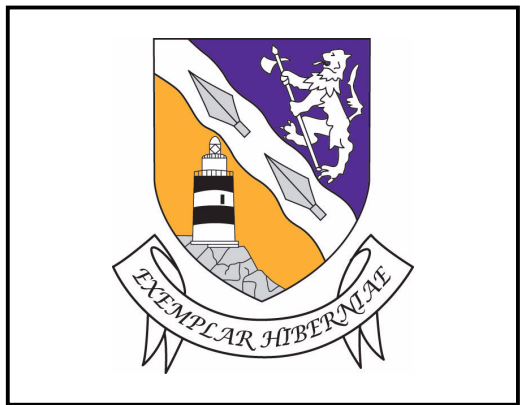
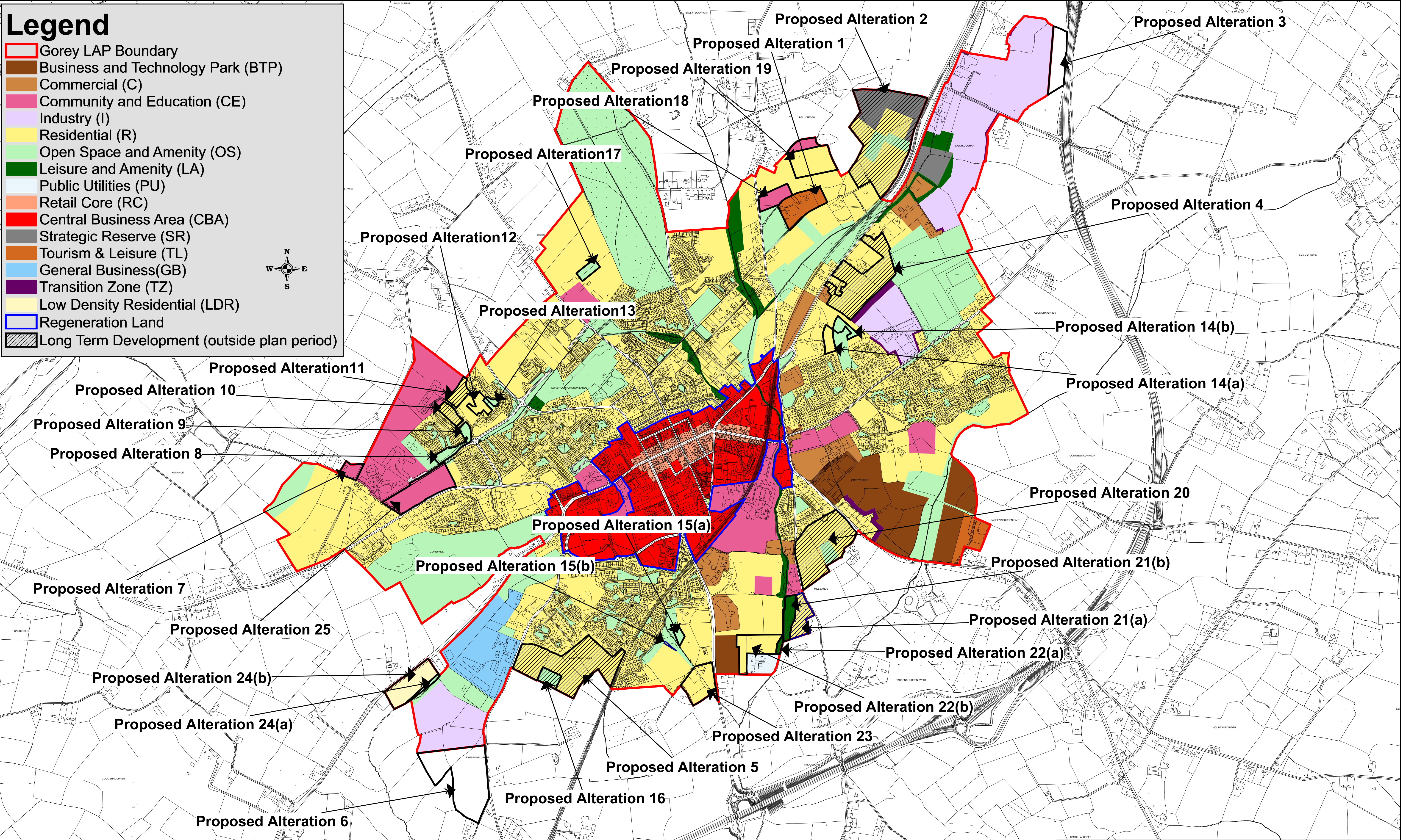
Is mise le meas,



Niall Cussen

Principal Adviser

Forward Planning Section



Proposed Material Alterations to Land Use Zoning

Draft Gorey Town & Environs Local Area Plan 2017-2023

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Title: Proposed Material Alterations to Land Use Zoning	
Drawn by: NK	Checked by: PD
Date: 27.01.2017	Map No: 11