



New Ross Town and Environs
Development Plan
2011-2017

Appendix VIII

**Statement of how the Planning Authority has
implemented Ministerial Guidelines**

Introduction

In accordance with the provisions of Section 28 of the Planning and Development Act 2000, as amended, the following statement demonstrates how the Development Plan has implemented the policies and objectives of the Minister in guidelines issued by him under Section 28 of the Planning and Development Act 2000, as amended. The statement also details the reasons why some of the policies and objectives were deemed not to be applicable to the plan area and as such not implemented in the Development Plan. Each relevant guideline document is discussed separately.

The guidelines deemed to be relevant to the plan are:

1. Architectural Heritage Protection-Guidelines for Planning Authorities, December 2004
2. Architectural Heritage Protection for Places of Public Worship-Guidelines for Planning Authorities, November 2003
3. Childcare Facilities-Guidelines for Planning Authorities, June 2001
4. Provision of Schools and the Planning System-A Code of Practice for Planning Authorities (DoE and DoEHLG, July 2008)
5. Sustainable Urban Housing-Design Standards for New Apartments, Guidelines for Planning Authorities, September 2007
6. Sustainable Residential Development in Urban Areas-Guidelines for Planning Authorities, December 2008 and Best Practice Urban Design Manual (Companion document to the Sustainable Residential Development in Urban Areas Guidelines), May 2009.
7. Development Plans – Planning Guidelines for Planning Authorities June, 2007
8. Development Management-Planning Guidelines for Planning Authorities, June 2007.
9. Retail Planning Guidelines-Guidelines for Planning Authorities, January 2005

10. The Planning System and Flood Risk Management-Guidelines for Local Authorities, November 2009.
11. Implementation of SEA Directive (2001/42/EC: Assessment of the Effects of Certain Plans and Projects on the Environment-Guidelines for Regional Authorities and Planning Authorities, November 2004.
12. Landscape and Landscape Assessment –Guidelines for Planning Authorities, 2000
13. Telecommunications Antennae and Support Structures
14. Wind Energy-Guidelines for Planning Authorities
15. Sustainable Rural Housing-Guidelines for Planning Authorities, April 2005
16. Quarries and Ancillary Activities-Guidelines for Planning Authorities, April 2004
17. Spatial Planning and National Roads (Consultation Draft): Guidelines for Planning Authorities

1 Title: Architectural Heritage Protection-Guidelines for Planning Authorities, December 2004

Summary of Guidelines:

These guidelines were issued to provide guidance concerning the mandatory development plan objectives for

- (a) protecting structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, and
- (b) preserving the character of architectural conservation areas.

They provide advice on:

- the criteria to be applied when selecting proposed protected structures for inclusion on the Record of Protected Structures,
- issuing a declaration on a protected structure,
- assessing planning applications in relation to a protected structure, a proposed protected structure or the exterior of a building within an Architectural Conservation Area, and
- the role of the planning authority in protecting the architectural heritage when a protected structure, a proposed protected structure or the exterior of a building within an ACA is the subject of development proposals.

The guidelines require planning authorities to adopt suitable policies for protecting the architectural heritage in their development plans and to give practical effect to those policies through their development management decisions.

Implementation in the Development Plan

Chapter 11 relates to Conservation and Heritage and addresses Architectural Heritage. New Ross has a distinctive and valuable architectural heritage which the Councils wish to protect and enhance. There are two main mechanisms - Protected Structures and Architectural Conservation Areas (ACA) – for giving protection to and enhancing this architectural heritage. The Councils propose a Record of Protected Structures with 184 structures and 4 Architectural Conservation Areas.

The architectural heritage conservation policies and objectives have been informed by the content and advice of the guidelines, with the following policies giving direct effect to them:

Policy BH07: To ensure that applications in relation to Protected Structures include an architectural heritage assessment/architectural impact assessment report. This report should assess the implications of the development on the character of the structure and the area in which it is located. This should be prepared in accordance with appendix B of the “Architectural Heritage Protection, Guidelines for Planning Authorities”.

Policy BH13: To ensure that all applications for Protected Structures will be assessed by taking into consideration the advice contained in “Architectural Heritage Protection, Guidelines for Planning Authorities (December 2004), and any subsequent Drafts.

2 Title: Architectural Heritage Protection for Places of Public Worship- Guidelines for Planning Authorities, November 2003

Summary of Guidelines

This purpose of this document is to ensure that an appropriate balance is struck between the protection of architectural heritage and the need for continued use of the protected structure as a place of worship. The guidelines emphasis the importance of respecting liturgical requirements including recognising that churches may wish to adapt places of worship in the light of contemporary revisions of their worship and mission.

Implementation in the Development Plan

The Councils recognise the importance of places of worship, in that they constitute a substantial part of the town's architectural and cultural heritage. Proposals to alter such buildings will be given careful consideration by the planning authorities and will have due regard to these guidelines.

3 Title: Childcare Facilities-Guidelines for Planning Authorities, June 2001

Summary of guidelines

The stated aim of these guidelines is to provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals. The guidelines recommend that the development plan should include policies in relation to the provision of childcare facilities with the policies focusing on:

- The role of childcare in addressing disadvantage/social exclusion and promoting equality,
- The identification of appropriate locations for the provision of childcare facilities,
- The role childcare can play in fostering economic development
- The active promotion of consultation and participation with various development groups.

The guidelines recommend that objectives should focus on the promotion of childcare facilities in the following locations as a key element in the provision of sustainable communities:

- Residential areas
- Places of employment
- Educational establishments
- Town and neighbourhood centres
- Convenient to public transport nodes.

It is also stated that the development plan should include childcare facilities within appropriate zones as a specific use rather than include objectives for childcare in a general category for buildings for health/education/community.

Implementation in the Development Plan

Chapter 8 relates to Community and Education and includes a section on childcare facilities. The provision of childcare facilities is recognised as being important for economic and social well being. An 'Assessment of Childcare Need in County Wexford', launched in 2008, notes that rate of female participation in the labour force in County Wexford is lower than that of other counties in the region. This may be due to lack of availability of suitable employment opportunities, lack of suitable affordable childcare facilities, or as a result of personal choice. The Assessment recognises the need to expand current childcare provision and develop additional childcare provision that is affordable, flexible, accessible and of high quality.

The Development Plan seeks to address this by

- facilitating the development of childcare facilities where demand arises;
- encouraging the provision of childcare facilities in new or existing places of work or in proximity thereof, e.g. in light industrial estates;
- requiring childcare facilities in all new housing developments at a rate of one childcare facility providing a minimum of 20 childcare places for each 75 residential units and in accordance with Childcare Facilities: Guidelines for Planning Authorities 2001. In appropriate cases the Councils will support the provision of these spaces off site provided they serve the inhabitants of the development, and
- promoting dual use facilities, so that childcare facilities are capable of being adapted or used as another type of community facility should that need arise

Childcare facilities/crèche/nursery is a specified use in the land use matrix. This

use is either permitted in principle or open for consideration in each land use zoning objectives with the exception of 'Open Space & Amenity'.

4 Title: Provision of Schools and the Planning System-A Code of Practice for Planning Authorities (DoE and DoEHLG, July 2008)

Summary

These guidelines provide detailed advice on forecasting future education demand, planning for new schools through development plans, the best locations for schools, site development standards, school development proposals and the Development Management process and school site acquisition.

During the preparation of a development plan the guidelines require planning authorities to

- Consult, at an early stage of plan preparation, the Forward Planning Unit of the DoES and local school providers;
- Anticipate the demand for new schools infrastructure that will arise from new development;
- Identify suitable lands to meet the need for new schools or expansion of existing schools to serve new or expanding communities;
- Work closely with the Site Acquisitions and Property Management Unit of the DoES in assessing specific land requirements for schools, including the assessment of the suitability of particular sites, thereby ensuring an agreed basis for schools provision in the development plan.

Implementation in the Development Plan

Chapter 8 relates to Community and Education facilities. There are currently 4 primary schools and 5 post-primary schools in the plan area. Consultations with the DoES identified the following

- There is a proposal to amalgamate 3 of the town's primary schools. A site has been selected at Castlemoyle and planning permission has been granted for two primary schools.
- The possibility of amalgamation at post-primary level is also under consideration. The Department requested that a 4.86ha site be reserved within the plan area to facilitate future post-primary provision.
- Site reservations should be made as close as possible to community facilities such as sports facilities, libraries etc. so that these can be shared between the school and the community.
- The concept of multi-campus school arrangements e.g. 2/3 primaries side by side or a primary and a post primary school sharing a site is also open for consideration.

The plan has addressed the guidelines and the requirements of the Department.

- A suitable site for the post-primary school has been identified on lands at Castlemoyle, adjacent to the site of the new primary schools.
- The policies and objectives in the Development Plan zone sufficient lands for education use and promote and encourage the dual use of buildings.

5 Title: Sustainable Urban Housing-Design Standards for New Apartments, Guidelines for Planning Authorities, September 2007

Summary of guidelines

The aim of these guidelines is to promote sustainable urban housing, by ensuring that the design and layout of new apartments will provide satisfactory accommodation for a variety of household types and sizes, including families with children, over a medium to long term. The guidelines provide recommended minimum standards for:

- Floor areas for different types of apartments,
- Storage spaces,
- Sizes for apartment balconies/patios, and
- Room dimensions for certain rooms.

Implementation in the Development Plan

Chapter 15 'Development Management Standards' gives direct effect to these guidelines requiring that 'all proposals for apartments should have regard to the 'Sustainable Urban Housing, Design Standards for New Apartments' (DoEHLG, 2007). The Development Plan has increased the minimum floor area standard requiring:

- All new apartments to have an internal floor area not less than 75sq.m.

This minimum floor area will to make apartments more attractive as places to live and to ensure that the units can adequately cater for a variety of households throughout all stages of their lifecycle.

6 Title: Sustainable Residential Development in Urban Areas-Guidelines for Planning Authorities, December 2008 and Best Practice Urban Design Manual (Companion document to the Sustainable Residential Development in Urban Areas Guidelines), May 2009.

Summary of Guidelines

The aim of these guidelines is to set out the key planning principles for sustainable residential development which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas.

The Guidelines:

- Outline the role of development plans and local area plans in setting out policies and standards for residential developments.
- Define the qualities which make for successful places and how urban design criteria can be applied in the planning process
- Identify the key components of sustainable residential development in urban areas
- Provide policy guidance for residential density in cities and larger towns
- Provide detailed guidance on development in smaller towns and villages

The Urban Design Manual illustrates how policy principles can be translated into practice by planners and developers. The design guide provides examples of good practice for varying locations, from brownfield sites to village infill sites.

Implementation in the Development Plan

These guidelines form the basis of the Councils' policies on residential development within the plan area as detailed in Chapter 7 Housing and Chapter 15 Development Management Standards. The Councils recognise the importance of producing high quality sustainable developments, which provide quality homes and neighbourhoods, places where people want to live and work

and a place that works for everyone. In order to achieve this, new residential developments will be required to have regard to the guidelines as stated in Chapter 15, section 15.5.

7 Title: Development Plans – Planning Guidelines for Planning Authorities June, 2007

Summary of Guidelines

The aim of these guidelines is to:

- Improve the quality and consistency of development plans, and thereby improve the quality and consistency of decisions on planning applications,
- Strengthen the strategic content of development plans, in the context of the hierarchy of plans envisaged under the 2000 Act, and
- Encourage consensus-building in the preparation, implementation and review of development plans.

These guidelines provide detailed advice on the content and format of a plan and how to address the mandatory objectives required by Section 10(1) of the Planning and Development Act 2000. The guidelines also provide guidance on involving the elected members, public and relevant government Departments and agencies in the plan preparation process.

Implementation in the Development Plan

The Development Plan has followed the advice of the guidelines in terms of formulating a development plan that provides a clear framework for the public and realistic objectives that can be achieved,

The Plan:

- Meets the requirements of planning legislation and is internally consistent,
- Followed the guidance in terms of the structure and content of development plans
- Comprehensively and coherently addresses the relevant planning issues

in order to promote the proper planning and sustainable development of the area,

- It is easy to read and follows a natural and logical progression from strategic issues to more detailed matters
- It is laid out clearly with the use of colour, illustrations and maps to enhance understanding and interpretation.

8 Title: Development Management-Planning Guidelines for Planning Authorities, June 2007

Summary of the guidelines

The aim of these guidelines is to promote best practice at every stage in the development management process. Having regard to Section 15(1) of the Planning and Development Act 2000¹, the role of development management is to deliver the policies and objectives that are contained in the development plan. It is imperative that the content of a development plan is clearly laid out and policies and objectives should be realistic and achievable.

Implementation in the Development Plan

The content of the Development Plan is clearly laid out and it is considered that the policies and objectives are realistic and achievable.

**9 Title: Retail Planning Guidelines-Guidelines for Planning Authorities,
January 2005**

Summary of guidelines

The purpose of the Retail Planning Guidelines is to assist planning authorities in addressing retail development in the context of their development plans and in assessing applications for planning permission, to guide retailers and developers in formulating retail development proposals, and to ensure that sustainability in terms of land use, including access by public transport where feasible, guides the identification of the preferred location for retail development.

Implementation in the Development Plan

In accordance with these guidelines a Retail Strategy has been prepared for New Ross in tandem with the preparation of the Development Plan. It is contained in Appendix I.

Its aim is to sustain and enhance the town's role as a third tier centre within the context of the Retail Planning Guidelines and seek to minimise leakage of expenditure to competing retail centres.

The Retail Strategy and the retail policies contained in Chapter 4 focus on enhancing the vitality, viability and vibrancy of the town centre and ensuring that new retail development is appropriately located.

10 Title: The Planning System and Flood Risk Management-Guidelines for Local Authorities, November 2009.

Summary of guidelines

The aim of the guidelines is to ensure that flood risk, where relevant, is a key consideration in preparing development plans and local area plans and in the assessment of planning applications. The guidelines provide methodologies for the transparent consideration of flood risk at all levels of the planning process and will contribute to the avoidance or minimisation of potential flood risk through a more systematic approach.

Implementation in the Development Plan

New Ross town has a long history of flooding from the River Barrow and accordingly flood risk was a key consideration in preparing the development plan. A Strategic Flood Risk Assessment was prepared in accordance with the detailed advice provided by these guidelines, and as the first SFRA prepared by the Councils the guidelines proved to be an invaluable tool in this process. The identified flood zones informed the sequential approach and the justification test, which were used to determine land use zoning objectives for the development plan area. In certain areas within or adjacent to the urban core, development in Flood Zones A and B will be necessary to facilitate the compact and sustainable expansion of the town centre and to facilitate growth targeted for the town under the NSS and the RPGs.. Proposals for new developments in areas vulnerable to flooding will be required to submit a Site Specific Flood Risk Assessment assessment carried out in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG, OPW November 2009). The assessment must detail how the Development Management Justification Test has been met.

11 Title: Implementation of SEA Directive (2001/42/EC: Assessment of the Effects of Certain Plans and Projects on the Environment- Guidelines for Regional Authorities and Planning Authorities, November 2004.

Summary of guidelines

The purpose of these guidelines is to provide guidance on best practice for preparing a Strategic Environmental Assessment in accordance with the requirements of EU SEA Directive. The guidelines deal with the various stages of the SEA process in chronological order as they correspond with the relevant stages in the development plan making process.

Implementation in the Development Plan

The SEA was prepared in house. The guidelines proved to be an invaluable tool in guiding the SEA process and preparation of the Environmental Report in tandem with the Development Plan.

12 Title: Landscape and Landscape Assessment –Guidelines for Planning Authorities, 2000

Summary of guidelines

The aim of the guidelines is to heighten awareness of the importance of landscape in all aspects of physical planning and recommends a Landscape Character Assessment method that is helpful in formulating general Landscape Protection policies. The Guidelines do not directly address specific considerations of streetscape in towns and cities.

Implementation in the Development Plan

Landscape is recognised as an essential component of people’s surroundings. The plan aims to raise awareness of the values of the town’s landscapes and to require a landscape-centred approach to new design with good spatial layout, high quality landscape design and green infrastructure linkages.

13 Title: Telecommunications Antennae and Support Structures

Summary of Guidelines

The aim of these Guidelines is to provide relevant technical information in relation to Telecommunications Antennae installations and to offer general guidance on planning issues so that the environmental impact is minimised and a consistent approach is adopted by the various planning authorities in the preparation of their development plans and in the operation of development management.

Implementation in the Development Plan

A modern telecommunications system in the town and environs will have major spin-offs in terms of attracting inward investment. The Councils will encourage the development, use and roll out of new technologies in the telecommunications industry. The following policy gives direct effect to the guidelines:

Policy TE03 To provide orderly development of telecommunications infrastructure throughout the town in accordance with the requirements of the 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, July 1996.

14 Title: Wind Energy-Guidelines for Planning Authorities

Summary of guidelines

These guidelines provide guidance on planning for wind energy through the development plan process and in determining applications for planning permission.

Section 3.4 relates to the strategic aims and objectives that a development plan should address. In the context of a town development plan it is determined that the plan should set out the following policies and objectives:

- a positive and supportive statement of the importance of wind energy as a renewable source which can play a vital in achieving national targets in relation to reductions in fossil fuel dependency and therefore greenhouse gas emissions, together with an objective to security of energy supply;
- objectives to secure the maximum potential from the wind energy resources of the planning authority's area
- the identification on development plan maps of the key areas within the planning authority's functional area and where subject to certain criteria, wind energy developments will be acceptable in principle.
- The specific criteria for wind energy development that the planning authority will take into account when considering any wind energy proposal.
- The investigation of the potential for relatively small scale-scale wind energy developments within urban and industrial areas.

Implementation in the Development Plan

Given the built up urban nature of the plan area it is considered that opportunities for significant wind energy potential/development is limited. Section 6.6.1 of the plan states that the Councils will prioritise the development of renewable energy resources (which includes wind energy) and the maximisation of electricity

production from renewable sources where possible. Objective RE02 will investigate the potential for small-scale wind energy developments within the urban and industrial areas in the plan area.

15 Title: Sustainable Rural Housing-Guidelines for Planning Authorities, April 2005

Summary of guidelines

The guidelines promote a rural housing policy framework that

- allows people who are part of a rural community to build a house in a rural area;
- anyone wishing to build a house in rural area suffering persistent and substantial population decline will be accommodated;

The guidelines also emphasize that the development of the rural environs of major urban areas, including gateways and hubs identified in the NSS and county and other large towns over 5000 in population needs to be carefully managed in order to ensure their orderly development and successful functioning into the future.

It is suggested in the guidelines that difficulties in securing affordable and high quality housing in cities, towns and villages, are frequently cited as the reason why many people seek to build houses in the open countryside. Accordingly, planning authorities need to ensure that these locations offer attractive and affordable housing options to meet the housing needs of urban communities and persons wishing to live in urban areas.

Implementation in the Development Plan

The Development Plan provides a sufficient quantum of residential zoned land that can offer a range of living environments in terms of location and density within the plan area. The plan promotes the importance of producing high quality sustainable developments, which provide quality homes and neighbourhoods and

creates places where people want to live. It is considered that this approach will provide an attractive alternative to rural housing and contribute to the management of housing development pressure on the outskirts of the plan area. This approach is also underpinned by the need to continue to grow the population of the town to ensure that it fulfils its role as a Larger Town as defined in the RPGs.

16 Title: Quarries and Ancillary Activities-Guidelines for Planning Authorities, April 2004

Summary of Guidelines

These guidelines are intended to offer guidance on planning for the quarry industry through the development plan and determining applications for planning permission for quarrying and ancillary activities. The guidelines provide detailed advice on the environmental implications of quarrying and dealing with planning application for this land use.

Implementation in the Development Plan

There is a disused quarry located at Oaklands. This land is now used a vehicle parking facility. There are no working quarries within the plan boundary and it is not the intention of the Councils to permit this land use due to the urban nature of the plan area. As such, there is no reference to these guidelines in the Plan.

17 Title: Spatial Planning and National Roads (Consultation): Guidelines for Planning Authorities

Summary of Guidelines

These guidelines set out planning policy considerations for development affecting national roads outside the 50 kph speed limit zones for urban areas. The guidelines recommend that the development plan should include the following:

- A statement (accompanied by a diagrammatic illustration) outlining the key transport corridors, nodes and networks, including public transport networks such as bus networks, that are present in or traverse the area in question.
- Objectives to ensure that transport and settlement patterns mutually support each other.
- Objectives to ensure that zoning strategies are consistent with value for money considerations applying to the provision of public infrastructure, including roads.
- Policies and objectives to achieve Government's overarching transport policy, as set out in Smarter Travel: A New Transport Policy for Ireland 2009 - 2020, including the need to:
 - minimise the need for travel and reduce the length of journeys by maximising the proximity of people, business and the services they require;
 - encourage walking, cycling and public transport including, where possible and future investment in sustainable modes is planned and committed, setting specific targets to increase the % share of persons travelling by these modes;
 - promote greater investment in, and usage of, public transport modes, such as rail and bus networks, with the support of complementary land use policies;

- protect the efficiency, capacity and safety of national roads.

Implementation in the Development Plan

The Development Plan includes a sustainable Transportation Strategy which seeks to facilitate the integration of land use and transportation and encourages a modal shift from private modes of transport to more sustainable modes of transport including public transport, cycling and walking. The Strategy seeks to facilitate ease of movement by, for example, supporting the implementation of the New Ross Bypass Scheme and through the appropriate zoning of land uses to match with their accessibility requirements. It also promotes encourages smarter travel and seeks to reduce manmade greenhouse gas emissions by reducing overall travel demand. The policies and objectives set out in the Transportation Strategy are consistent with the above guidelines.