

Development Management Standards Waterford City & County Council

Proposed Material Alterations to

**Draft Variation No. 1 to Waterford County Development
Plan 2011-2017**

**Draft Variation No. 1 to Waterford City Development
Plan 2013-2019**

**Draft Variation No. 1 to Dungarvan Town Development
Plan 2012-2018**

Strategic Environmental Assessment – Screening

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1. INTRODUCTION

SEA and AA Screening Reports were prepared by Waterford City and County Council on the potential significant environmental impacts of the proposed Variation No. 1 to the Waterford County Development Plan 2011-2017, Waterford City Development Plan 2013-2019 and the Dungarvan Town Development Plan 2012-2018. The SEA Screening Report concluded that SEA and preparation of an Environmental Report were not required for the proposed Variation. The AA Screening Report concluded that the proposed variation will not give rise to significant effects on the Natura 2000 network and a NIS was not required for the proposed Variation.

The Proposed Draft Variation to each Plan seeks to delete the existing Development Management Chapter contained in each Development Plan being Chapter 13 of the Waterford City Development Plan, and Chapter 10 in both the Waterford County Development Plan and Dungarvan Town Development Plan (except for specific sections relating to Zoning Objectives and Land Use Matrix in the Waterford County Development Plan and Dungarvan Town Development Plan which will remain in effect) and replace these chapters with a new Development Management Chapter in order to bring about uniform development management standards to apply across the complete Planning Authority area of Waterford City & County Council during the remaining lifespan of these existing Development Plans.

The proposed Variation solely replaces;

- Chapter 13 of the Waterford City Development Plan 2013-2019,
- Chapter 10 of the Waterford County Development Plan 2011-2017 (except for Section 10.57 Zoning Objectives),
- Chapter 10 of the Dungarvan Town Development Plan 2012-2018 (except for Section 10.50 Zoning Objectives)

Variation No. 1 together with the associated Strategic Environmental Assessment Report and Appropriate Assessment Report were placed on public display from the 14th March 2016 until 11th April 2016.

6 no. submissions were received on the proposed variation during the statutory period from; Environmental Protection Agency (EPA), Transport Infrastructure Ireland (TII), Department of Education & Skills, Dublin Airport Authority (DAA), Southern Regional Assembly and Cathal & Monica O'Donoghue.

Arising from submissions received from the Southern Regional Assembly and Transport Infrastructure Ireland a number of amendments were proposed to Variation No 1. The proposed amendments were screened for SEA and AA. Screening did not identify any significant effects arising from the proposed amendments. No potential for significant effects on the Natura 2000 network were identified in the AA screening.

The proposed Material Amendments and the SEA and AA Screening Report were presented to Plenary Council on May 12th 2016 for discussion. The Members of Waterford City & County Council resolved that the Draft Variation be altered as follow;

Alteration 1: To alter Section 10.1 of the draft variation – wording change to text with regard to guidance contained in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and specifically relating to guidance on transitional zones and lands adjoining national roads within 50kmh speed limits.

Alteration 2: To amend Section 8.1.2 Traffic & Transport Assessments by the inclusion of additional text – wording change relating to the requirements for Traffic and Transport Assessments as per the NRA/TII Traffic & Transport Guidelines (2014).

Alteration 3: To amend Section 11.7 Advertising with additional text under bullet point 7 to reflect policy on Signage in the ‘Spatial Planning & National Road Guidelines (2012)’.

Alteration 4: Amendments to Section 4 Residential Development Design Standards involving minimum separation distances between gables of non-adjoining dwellings of 4m in the Waterford County Development Plan 2011-2017 and Dungarvan Town Development Plan 2012-2018 and 2.4m in Waterford City Development Plan.

Alteration 5: Amendments to Minimum Private Open Space Requirements for Dwelling Units involving separate standards for houses in Waterford City from Waterford County and Dungarvan Town.

2. SCREENING STATEMENT

The requirements for SEA in Ireland are set out in the national regulations, S.I. No. 435 of 2004 (European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 and S.I. No. 436 of 2004 (Planning and Development (Strategic Environmental Assessment) Regulations 2004 as amended by S.I. No. 200 of 2011 (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011) and S.I. No. 201 of 2011 (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011) respectively.

The Regulations 2004-2011 require case by- case screening of individual plans and programmes based on the criteria in Schedule 2A to the Planning and Development Regulations 2001. These criteria must be taken into account in determining whether or not significant effects on the environment would be likely to arise.

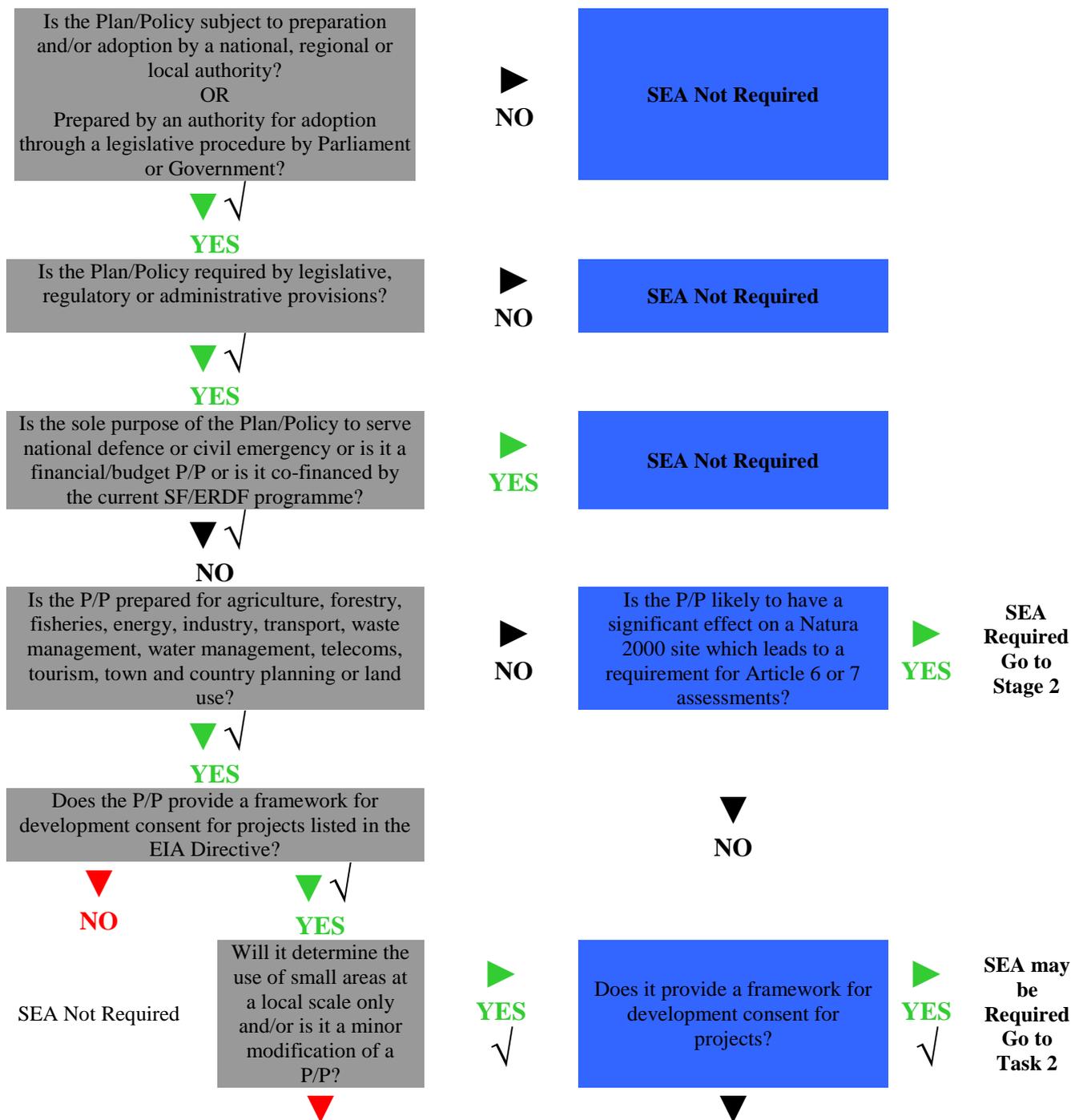
Stage One - Pre-Screening

The first step in determining whether the proposed material alterations to the variations would require a SEA involved a pre-screening check. It allows rapid screening-out of plans

and policies that are clearly not going to have any environmental impact and screening-in of those that definitely do require SEA.

Following the pre-screening exercise (Figure 1) it is apparent that it is necessary to conduct further screening to determine if a Strategic Environmental Assessment of the proposed material alterations to the variations will provide a framework for development therefore it was necessary to determine whether an SEA would be required by testing it against environmental significance screening criteria.

Figure 1. Pre-Screening Decision Tree



NO
SEA Required
Go to Stage 2

NO
SEA Not Required

Stage Two - Environmental Significance Screening

The application of environmental significance criteria is important in determining whether SEA is required for small Plans/Policies or modifications to Plans/Policies. Annex II (2) of Directive 2001/42/EC sets out the “statutory” criteria that should be addressed when undertaking this stage.

Criteria for Determining the Likely Significance of Environmental Effects

Characteristics of the Plan/Programme

- i. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;*

The Development Management Standards apply to developments given consent under the Planning and Development Acts 2000-2015. The proposed new Development Management Chapter has had regard to national guidelines and policy documents that have been published since the respective Development Plans in the City and County have been prepared.

- ii. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;*

The Development Management Standards are the standards with which developments must comply in order to be approved for consent under the existing three plans. The 6 year cycles of these Developments Plans currently do not run in tandem time wise and it is the future intention of the Waterford City & County Council to prepare a single Development Plan for the entire Waterford City & County area of the Planning Authority. The review process to prepare the new Development Plan for the area is not envisaged to commence until after the publication of a new National Planning Framework to replace the National Spatial Strategy (2002-2020) by the Department of the Environment, Community & Local Government, and subsequently a ‘Regional Spatial & Economic Strategy’ for the region by the Southern Regional Assembly to replace the current ‘Regional Planning Guidelines for the South East Region 2010-2022’ prepared by the now dissolved South-East Regional Authority. Both of these new national and regional spatial planning documents are expected to be published by the end of 2016 and will set out the broad spatial planning hierarchy for the future development of Waterford City & County in the medium to long term horizon.

- iii. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;*

The Development Management Standards include standards relating to Waste Water Treatment Infrastructure, Sustainable Travel, Landscaping and Open Space, mineral

extraction, forestry, renewable energy, hedgerow protection, Tree Preservation, Flooding, Archaeology, Built Heritage and architectural conservation. The proposed variations are positive in consolidating standards across Waterford City and County and also updating standards to take account of recent national guidelines in respective areas.

iv. environmental problems relevant to the plan or programme;

No strategically significant environmental problems can be identified in relation to the proposed material alterations to the variations to Development Management Standards in the three plans. The new Development Management Chapter will apply coherent and appropriate standards for new and existing developments across the entire area of the Planning Authority.

v. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

The principal main changes to the Development Management standards to be applied across the entire Waterford City & County Areas include;

- Alteration of Development Management Standards for Residential & General Development across the city and county where appropriate.
- Updated Apartment Development Standards having regard to the recently published Apartment Planning Guidelines issued by the DoECLG in December 2015.
- Updated provisions for Part V requirements.
- Update & provide consistent Car Parking Standards across Waterford City & County.

Development Management Standards relating to Waste Water Treatment Infrastructure, Sustainable Travel, Landscaping and Open Space, mineral extraction, forestry, renewable energy, hedgerow protection, Tree Preservation, Flooding, Archaeology, Built Heritage, and architectural conservation are considered positive for the range of environmental criteria.

Characteristics of the Effects and of the Area Likely to be Affected

i. the probability, duration, frequency and reversibility of the effects

The proposed material alterations to the variations will ensure appropriate standards for new and existing developments across the entire area of the Planning Authority. The probability that these effects will be environmentally significant in negative terms is negligible.

ii. the cumulative nature of the effects

Cumulative negative environmental effects are not expected. These chapters are proposed to be replaced by this new Development Management Chapter which will apply uniform standards for new and existing developments across the entire area of the Planning Authority. This will ensure that new development proposals are assessed in a consistent manner and reflect up to date requirements and standards for development proposals.

iii. the transboundary nature of the effects

The Planning Authority proposes to prepare separate Variations to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017 and the Dungarvan Town Development Plan 2012-2018 in order to merge and update the Development Management Standards applied to development proposals across the City & County areas. The proposed Variations will involve the deletion of the respective Development Management Chapters in all three Plans, being Chapter 13 of the Waterford City Development Plan 2013-2019, Chapter 10 of the Waterford County Development Plan 2011-2017 and Chapter 10 of the Dungarvan Town Development Plan 2012-2018, save for the zoning objective sections of the Waterford County Development Plan 2011-2017 (Section 10.57) and the Dungarvan Town Development Plan 2012-2018 (Section 10.50) which will remain in operation.

iv. the risks to human health or the environment (e.g. due to accidents)

None arising from implementation of the proposed material alterations to variations to the three plans. There are no existing Seveso sites currently in County Waterford. There is one Upper Tier establishment located in Christendom, Ferrybank, Co. Kilkenny on the north bank suburb of the River Suir in Waterford City. The site is operated by Trans Stock Cold Storage and Warehousing Ltd. A 700 metre consultation zone is currently operational around this Seveso site where planning applications received for development should be referred to the Health & Safety Authority for technical advice to the Planning Authority

v. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)

The area subject to variations in development plans is the entire area of Waterford City and County. The population of this area is approximately 115,000.

vi. the value and vulnerability of the area likely to be affected due to

- special natural characteristics or cultural heritage;

Waterford City Development Plan 2013-2019 Waterford County Development Plan 2011-2017 and Dungarvan Town Plan 2012-2018 identify the following protected areas/elements of the natural/cultural heritage:

- Protected Structures
- Sites of Archaeological Significance
- Areas with natural heritage designations

A key objective of the County and City Development Plans which provide the planning and development framework for implementation of the variation is to protect and enhance Waterford's heritage and key characteristics, both natural and man-made. The new Development Management Chapter will apply uniform standards for new and existing developments across the entire area of the Planning Authority. This will ensure that new development proposals are assessed in a consistent manner and reflect up to date requirements and standards for development proposals.

- *exceeded environmental quality standards or limit values;*

It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas limited as a result of the proposed material alterations to the variations.

- *intensive land-use;*

Any projects arising that require development consent under planning legislation will be required to comply with land use and environmental policy of the Waterford City and Waterford County Development Plans.

vii. *the effects on areas or landscapes which have a recognised national, community or international protection status.*

It is not anticipated that the proposed material alterations to the variation will have a significant environmental impact on sites, conforming as they will be required to do with polices protecting such sites in the City and County Development Plans.

Stage Three - Conclusions + Recommendation

Following the screening process, whereby the specific context of the proposed material amendments to the variations has been assessed against the environmental significance criteria as contained in Annex II (2) of the SEA Directive, **it is concluded that a Strategic Environmental Assessment is not required for the proposed material alterations variations to the Development Management Standards in the Waterford County Development Plan 2011-2017, Waterford City Development Plan 2013-2019 and Dungarvan Town Development Plan 2012-2018.**