



Waterford
City & County Council
Comhairle Cathrach
& Contae Phort Láirge

Development Management Standards Waterford City & County Council

**Proposed Material Alterations to Draft Variation No. 1
to**

**Waterford County Development Plan 2011-2017
Waterford City Development Plan 2013-2019
Dungarvan Town Development Plan 2012-2018**

1.0 INTRODUCTION

Draft Variation No. 1 to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017 and Dungarvan Town Development Plan 2012-2018 has been proposed in order to merge and update the Development Management Standards applied to development proposals across the full Planning Authority area of Waterford City & County. 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.

These chapters are proposed to be replaced by a new Development Management Chapter (Variation No. 1) 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.

The Draft Variation was also accompanied by screening reports for both Strategic Environmental Assessment and Appropriate Assessments. Both screenings reports determined that full SEA or AA was not required for the Draft Variation.

The Draft Variation was placed on public display from 14th March 2016 until 11th April 2016. It was made available for inspection in a number of locations:

- Planning Department, Menapia Building, The Mall, Waterford City
- Planning Department, Davitts Quay, Dungarvan
- Waterford City & County Council website, www.waterfordcouncil.ie

6 no. submissions were received on the proposed variation during the statutory period. A Chief Executive Report was prepared following the end of the public display period. This Report summarised the issues raised in the submission, detailed the Chief Executive response to the issue and recommendations from the Chief Executive to make alterations, where deemed necessary, to the Draft Variation. The Chief Executive Report is now also available for inspection.

The Members of Waterford City & County Council, having considered the Draft Variation No. 1 to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017 and Dungarvan Town Development Plan 2012-2018 and the Chief Executive Report in accordance with Section 13 of the Planning and Development Acts, 2000 (as amended) have resolved that the Draft Variation be altered. The proposed alterations constitute a material alteration of the Draft Variation No. 1 to the above listed Development Plans and as a result, will be placed on public display.

2.0 DISPLAY OF ALTERATIONS TO DRAFT VARIATION NO. 1 TO THE WATERFORD CITY DEVELOPMENT PLAN 2013-2019, WATERFORD COUNTY DEVELOPMENT PLAN 2011-2017 AND DUNGARVAN TOWN DEVELOPMENT PLAN 2012-2018

The proposed alterations to Draft Variation No. 1 to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017 and Dungarvan Town Development Plan 2012-2018 are available for inspection from Wednesday the 15th of June until Wednesday the 13th of July, 2016 inclusive. The proposed material alterations to the draft variation will be available for inspection in a number of locations:

- Planning Department, Menapia Building, The Mall, Waterford City

- Planning Department, Davitts Quay, Dungarvan
- Waterford City & County Council website, www.waterfordcouncil.ie

2.1 HOW TO READ THE PROPOSED MATERIAL ALTERATIONS

The proposed material alterations must be read in conjunction with the text of the Draft Variation.

- The existing text of the Proposed Variation where relevant, is shown in normal font.
- Deletions are shown as strikethrough text which has also been highlighted in yellow to assist the reader.
- Amendments / Additions are shown as **red** text.

3.0 STRATEGIC ENVIRONMENTAL ASSESSMENT

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before the decision is made to adopt the plan or programme. The purpose is to *"provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans and programmes with a view to promoting sustainable development."*(European Directive 2001/42/EC)

The proposed alterations to the Draft Variation have been screened for environmental impacts and a report in relation to this is available for inspection with the proposed alterations.

4.0 APPROPRIATE ASSESSMENT SCREENING

Article 6(3) of European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) requires competent authorities, in this case Waterford City & County Council, to undertake an Appropriate Assessment (AA) of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects. The assessment examines the implications of proceeding with the plan or project in view of the site's conservation objectives.

The proposed alterations to the Draft Variation have been subject to appropriate assessment screening and a report in relation to this is available for inspection with the proposed alterations.

5.0 MAKING A SUBMISSION/OBSERVATION

Written submissions or observations **with respect to the proposed material alterations only** are invited from members of the public and other interested parties. Written submissions or observations, should be marked 'Proposed Material Alterations to Draft Variation No. 1' and submitted to Planning Department, Waterford City & County Council, Menapia Building, The Mall, Waterford City between Wednesday the 15th of June until Wednesday the 13th of July inclusive. Observations/submissions must be received by 5.00pm on 13th of July, 2016.

Written submissions or observations may also be made via email to:

dmvariation2016@waterfordcouncil.ie

Any relevant written submissions or observations so made will be taken into consideration by the Council before the making of the variation.

Please note ONLY submissions made on the proposed material alterations (i.e. strikethrough text or ordinary text in red) can be taken into consideration in the making of the Draft Variation to the Development Plans.

Please include the relevant Amendment Number in the submission.

6.0 NEXT STEPS

When the display period of the proposed material alterations to the Draft Variation No.1 to the Development Plans is complete, the Chief Executive will prepare a Report on any written submissions or observations received on the alterations received within the public display period. This Report will include the Chief Executive response to the issues raised concerning the proposed alterations to the Draft Variation.

7.0 PROPOSED ALTERATIONS

The following sections shall detail the proposed material alterations to the Draft Variation.

Lar Power
Director of Services
Economic Development & Planning
Waterford City & County Council
15th of June 2016

8.0 PROPOSED MATERIAL ALTERATIONS TO DRAFT VARIATION NO. 1 - DEVELOPMENT MANAGEMENT STANDARDS FOR WATERFORD CITY & COUNTY COUNCIL

Alteration No. 1 – Section 10.1 National Roads

Change the text of Section 10.1 relating to National Roads as follows:

10.1 National Roads

National policy in relation to access to national roads is set out in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

There has been considerable financial investment in National Primary and National Secondary Routes in recent years, to increase their carrying capacity and to improve safety for road users. A multiplicity of entrances onto these routes would create a traffic hazard and reduce the carrying capacity of the routes significantly. Therefore, it is a policy of the Council to **avoid the creation of any additional access point from new development** ~~actively discourage the erection of dwellings that would require an access point on a National Primary or National Secondary Route~~ **to which speed limits greater than 60kmh apply** in accordance with Government Policy as outlined **within the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) issued by the DoECLG** ~~by the National Roads Authority~~. This provision applies to all categories of development, including houses in rural areas, regardless of the housing circumstances of the applicant.

Transitional Zones

Where the plan area incorporates sections of national roads on the approaches to or exit from urban centres that are subject to a speed limit of 60 kmh before a lower 50kmh limit is encountered – otherwise known as transitional zones – the plan may provide for a limited level of direct access to facilitate orderly urban development. Any such proposal must, however be subject to a road safety audit carried out in accordance with the NRA's requirements and a proliferation of such entrances, which would lead to a diminution in the role of such zones, must be avoided.

Lands adjoining National Roads within 50kmh speed limits

Access to national roads will be considered by the Planning Authority in accordance with normal road safety, traffic management and urban design criteria for built up areas.

~~The Council is aware of flexibility in this regard; especially with respect to persons who have a particular need to reside in an area adjoining a National Route. For this reason, no new development, which would require a direct access onto a National Route shall be permitted except where the developer is the owner of a landholding of a minimum extent of 15 acres, which existed as a separate entity at the time of adoption of the 1999 County Development Plan (12/07/99) desiring to build a residence for himself/herself or a member of his/her immediate family where there are no alternative sites available. Where, through the operation of the above restrictions, or through the availability of access onto a side road, development adjacent to the National Route is permitted, it will be required to conform to a minimum building line of 40 meters from the public road boundary fence.~~

There will be a presumption against development within road reservation corridors, identified for National Road development.

Alteration No. 2 – Section 8.1.2 Traffic & Transport Assessments

To amend Section 8.1.2 Traffic & Transport Assessments by the inclusion of the following additional text;

National Roads

Due to the strategic role of national roads and the need to ensure that the carrying capacity, efficiency and safety of the network is maintained, the management of development will require tighter control as indicated in the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities. Where applications affect national roads a Transport Assessment may be requested if the advisory thresholds as set out in the in NRA/TII Traffic & Transport Guidelines (2014) are exceeded.

Alteration No. 3 – Section 11.7 Advertising

To amend Section 11.7 'Advertising' with the following additional text under bullet point 7;

Applications for advertisement structures shall comply with the requirements of the "Traffic Signs Manual" published by Department of the Environment, Community and Local Government and the "Policy on the Provision of Tourist and Leisure Signage on National Roads" published by the National Roads Authority (or any such other relevant standards and legislation that may be enacted). All lettering, logos and symbols are subject to the approval of Waterford City & County Council. In general, the use of the standard brown background and white lettering will be preferred. Furthermore the Planning Authority will have regard to the provisions set out in Section 3.8 'Signage' of the 'Spatial Planning & National Road Guidelines (2012)' in relation to signage proposals affecting national roads in particular the requirement to control the proliferation of non-road traffic signage on and adjacent to national roads , and;

Alteration No. 4 – Section 4 Residential Development Design Standards

To amend Table 1.0 'General Standards for New Residential Development in Urban Areas' in relation to the category of 'Minimum Separation Distance'

Minimum Separation Distance	
	<p>Between the gables of non-adjoining dwellings, the minimum separation distance shall be 4 metres. This minimum separation distance shall only apply to proposed developments located in the Waterford County Development Plan 2011-2017 area & the Dungarvan Town Development Plan 2012-2018 area.</p> <p>For residential development proposed in the Waterford City Development Plan 2013-2019 area, a minimum separation distance between gables shall be 2.3 metres.</p> <p>This area shall be equally divided between the dwellings so separated. Where garages are provided as single storey annexes to houses, the above separation distance may be reduced, providing a direct through access from front to rear of the dwelling is maintained.</p> <p>Between directly opposing above ground floor windows – 22 metres</p>

Alteration No. 5 – Minimum Private Open Space Requirements for Dwelling Units

To amend Table 2.0 'Minimum Private Open Space Requirements for Dwelling Units with the following additional text;

House Type located within the Waterford County Development Plan & Dungarvan Town Development Plan areas only	Minimum Private Open Space
Terraced House	90 sq.m
Semi-Detached House	120 sq.m
Detached House	150 sq.m
Housing for the elderly/sheltered housing, etc	40 sq.m
House Type located within the Waterford City Development Plan area only	Minimum Private Open Space
Terraced House	Not less than 50 sq.m
Semi-Detached House	50-75 sq.m (2 to 5 bed house)
Detached House	120 sq.m
Housing for the elderly/sheltered housing, etc	40 sq.m

Table 2.0: Minimum Private Open Space Requirements for Dwelling Units

The Planning Authority shall require the provision of private amenity space in accordance with Table 2.0 above for all new residential units. The prescribed private amenity space will allow for a private amenity area, the storage of bins/garden shed etc and the provision of an area for vegetable growing, etc. In certain circumstances, the standards hereunder may be reduced for smaller houses if the Planning Authority considered it acceptable, however the area may not be less than 40 square metres.

9.0 STRATEGIC ENVIRONMENTAL ASSESSMENT / APPROPRIATE ASSESSMENT: SCREENING OF PROPOSED MATERIAL ALTERATIONS

Alterations 1 – 5 inclusive

The proposed material alterations were screened for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA). Screening did not any identify any significant effects arising from the proposed alterations. No potential for significant effects on the Natura 2000 network were identified in the AA screening.