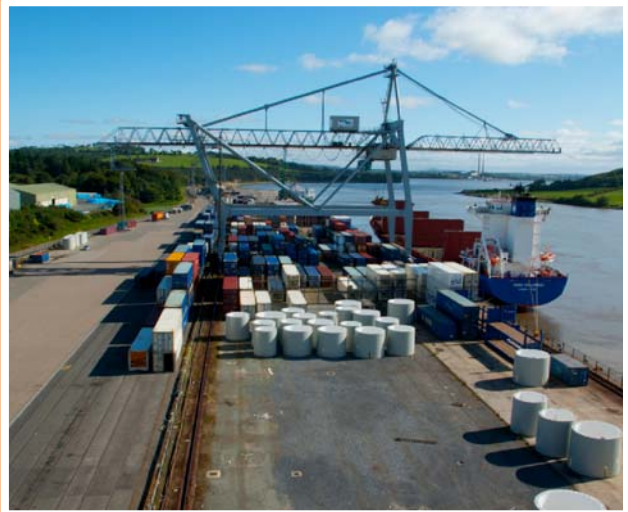


Ferrybank/Belview Local Area Plan Review

Pre-draft Stage Issues Paper



March 2016

Forward Planning
Kilkenny County Council

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1 Introduction

1.1 Purpose and Contents of Report

The purpose of this Issues Paper is to report on the work carried out prior to the preparation of the Draft Ferrybank/Belview Local Area Plan (LAP) 2016 and to highlight the issues raised to date. The work included public consultation, environmental reports, and meetings with various agencies and organisations.

This report is not intended to give details on all the issues that will be addressed in the forthcoming LAP but gives some recommendations on the issues to be included or the approach to be adopted as a result of the work to date.

1.2 Report Structure

- Part 1 of this report consists of an introduction and summarises the key work elements to date.
- Part 2 outlines the relevant contextual issues.
- Part 3 comprises a summary and analysis of the issues raised at the public consultation workshop, and in the written submissions. This part includes the Chief Executive's opinions and recommendations on the issues raised.
- Part 4 describes the next steps in the process of making the new Local Area Plan.

1.3 Pre-Draft Consultation Process

The Pre-Draft consultation stage comprised both a formal and informal stage. The informal stage included a series of meetings with various local bodies, which began with meeting the Ferrybank Development Project Steering Committee on the 22nd October 2014.

The formal stage began with the publication of a notice in the *Kilkenny People* on the 4th February 2015, and a notice on the Council's website. This notice advertised two elements; a public workshop, which was held on the 18th February 2015, and also advertised a submissions period.

1.4 Informal stage

1.4.1 Ferrybank Development Project Steering Committee

The Forward Planning team presented to the Ferrybank Development Project Steering Committee on the 22nd October 2014 to inform them about the LAP process and to obtain their views on issues to be included.

1.4.2 Waterford City and County Councils

A meeting was held with the Forward Planning Department of Waterford City and County Councils on the 22nd October 2014. A number of issues were discussed at this meeting, including the Core Strategy to be included in the Plan, the Retail Strategy, the zoning of some cross-boundary sites, and transportation issues.

1.4.3 Port of Waterford

The Forward Planning team met with the Port of Waterford on September 23rd 2014, and were given a tour around the Port. A number of topics were discussed, including zoning and transport policy.

1.5 Formal stage

This consisted of two elements; a public workshop and a formal submissions stage.

1.5.1 Public workshop

A workshop was held on the 18th February 2015, in Abbey Community College, Abbey Road, Ferrybank. This meeting was held in conjunction with the Community Services & Sport Section of Waterford City & County Council, as part of their consultation on their Local Economic and Community Plan. A total of 27 people attended, including 6 Councillors.

The meeting comprised two presentations (by Vincent O'Shea, from Waterford County Council and by Claire Kelly, Kilkenny County Council) followed by round table discussions. Four questions were posed to the groups as follows:

- 1) What opportunities can you see that could contribute to the development of your local community?
- 2) How can communities be supported to contribute towards the development of these opportunities?
- 3) Which communities/community groups need greatest support in this area?
- 4) What could Waterford City and County Council and Kilkenny County Council do differently to enhance Ferrybank's identity and quality of life?

1.5.1.1 Notice of workshop

Notice was sent to the Public Participation Network database of sporting/cultural and voluntary organisations through the county. Notice was also sent to the Ferrybank Steering Committee, asking them to circulate notice of the meeting amongst their contacts. The public notice as published in the Kilkenny People on the 4th February included details of this meeting. Notice was also included on the Facebook page of the Ferrybank Community Newsletter <https://www.facebook.com/TheFerrybankCommunityNewsletter>

Finally, notice was also published on the Council's website and on ourplan, as well as an email to all ourplan registered users.

The meeting was also advertised as part of the public awareness campaign by the Community Services & Sport Section of Waterford City & County Council.

Those present at this workshop were also invited and encouraged to make written submissions where relevant to the LAP covering issues which they felt needed more detailed discussion.

1.6 Formal submissions stage

Submissions were invited from the 6th February 2015 until the 6th March 2015.

A total of 14 written submissions were received to the process. Each of the written submissions is addressed in detail in Section 3.

1.7 Additional areas of background work

Other additional areas of study and analysis to date include the environmental reports and transportation analysis.

1.7.1 Strategic Environmental Assessment

Article 14A(1) of the Planning and Development (Strategic Environmental Assessment) (SEA) (Amendment) Regulations 2011 require that an SEA is carried out on any Local Area Plan where the population (or target population) is more than 5,000 persons. The population of Ferrybank/Belview is currently estimated at over 5,000 therefore an SEA is required.

SEA is the formal, systematic evaluation of the likely significant effects of implementing the plan, before a decision is made. The process includes preparing an Environmental Report where the likely significant effects are identified and evaluated.

As SEA is required, the contents of the Environmental Report must be scoped. A brief scoping report was prepared in accordance with the [SEA Guidelines for Regional and Planning Authorities](#)¹. The purpose of the Scoping report was to ensure the identification of relevant environmental issues so they can be addressed appropriately in the Environmental Report and to indicate the level of detail necessary for the SEA of the LAP.

Notice was given to the prescribed environmental authorities in September 2014 that an SEA would be carried out. A Scoping Report was completed in October 2014, and has been updated. This is made available as Appendix 1 to this Issues Paper.

1.7.2 Appropriate Assessment

Articles 6(3) and 6(4) of the European Habitats Directive require an Appropriate Assessment of land use plans. The recommendations of the Departmental Guidelines on '[Appropriate Assessment of Plans and Projects in Ireland](#)' (2009)² were adhered to in this process.

Stage 1 is Screening for Appropriate Assessment, to establish whether the proposed plan or project (in this case the Draft LAP) either alone or in combination with other plans or projects, could have significant effects on any Natura 2000 site in view of the site's conservation objectives. A Natura 2000 site is a European designated site – either a candidate Special Area of Conservation (cSAC) or a candidate Special Protection Area (cSPA). SACs are protected either

¹ [Implementation of SEA Directive \(2001/42/EC\): Assessment of the Effects of Certain Plans and Programmes on the Environment, Guidelines for Regional and Planning Authorities](#) November 2004

² Department of the Environment, Heritage and Local Government (2009) [Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities](#)

because they are a habitat listed on Annex 1 of the Habitats Directive or are a habitat of species (other than birds) listed on Annex 2 of the Habitats Directive. Special Protection Areas are designated for the protection of birds listed on Annex 1 of the Birds Directive.

A Screening for AA was carried out, and as part of this the National Parks and Wildlife Service were consulted, and a meeting was held with the local NPWS Conservation Ranger on the 9th October 2014. Screening to date has indicated that the Plan will not have any likely significant effects on any Natura 2000 site. The Screening Report will be published as part of the Draft Local Area Plan documentation.

1.7.3 Transport issues

The Kilkenny County Development Plan (CDP) 2014 highlighted access to the N29, Belview Port Access Road as a major issue. (This has also been raised in the written submissions). Transport Infrastructure Ireland (formerly the NRA) operate a policy of restricting access to national roads, and Objective 11F of the CDP is *“To develop and agree an appropriately planned policy response to access from the N29 Port Road to industrial zoned lands in the Belview area in conjunction with the NRA”*.

Consultation is ongoing with TII regarding a future access strategy. As part of this, a Traffic study has been commissioned to examine this issue in detail. This Study will inform the Draft Plan, and the Report will be made available at a later date.

2 Policy & Context

This section examines the policies and context for the review of the LAP. It highlights the most relevant changes which have taken place since the adoption of the 2009 LAP (and 2012 Amendment). In addition, some policy documents which were relevant for the last LAP remain relevant (such as PLUTS), and they require assessment to consider how they affect the review of the LAP.

2.1.1 Waterford Planning and Land Use Transportation Study

The Waterford Planning and Land Use Transportation Study (PLUTS)³ was adopted in 2004. This set out a strategy that aims to provide guidance as to the general scale and location of growth in Waterford City so that the City and its environs can be developed in a balanced, sustainable, transport-friendly and attractive way to provide a high quality of life and opportunities for all its citizens to 2020. The highlights of the PLUTS were set out in Section 1.2 of the Executive Summary. Many of the elements are still being implemented, but others have yet to be commenced. These need to be addressed in the review of the Plan.

2.1.2 Core Strategy/Population projections

The current Ferrybank LAP was adopted in 2009, when the 2008 County Plan was in place. The *Regional Planning Guidelines for the South-East Region* (RPGs) were adopted in 2010, and this projected a population for Ferrybank (Waterford Environs) of 6,500 by 2022.

Variation 2 to the Kilkenny County Development Plan was adopted in 2011. This incorporated a 'Core Strategy' into the Development Plan, to bring the Plan into alignment with national and regional development objectives set out in the *National Spatial Strategy* and *Regional Planning Guidelines*. To comply with the RPGs, the County Core Strategy (Variation 2) allocated 27 hectares of residentially zoned land to Ferrybank.

As at June 2011, the Ferrybank/Belview LAP contained a total of 237 hectares of undeveloped land in Phase 1, zoned for residential uses, or for a mix of residential and other uses. To bring the LAP into alignment with the revised County Plan, Amendment no. 1 to the Ferrybank LAP was adopted in February 2012. Amendment 1 involved a significant level of change by phasing development land, in order to meet the objectives of the RPGs. The amended Ferrybank plan included 53 hectares of Phase 1 lands. In addition, any application for residential development on Phase 1 lands is subjected to a Core Strategy Justification test to consider the demand for the development, the availability of services, the transport infrastructure, and the contribution of the development to the plan objectives.

A new County Development Plan was adopted in 2014 and Chapter 3 contains the Core Strategy. Although the RPG projections had not changed since 2010, new Census figures for the county had been released in 2011. In order to continue to comply with the RPGs, the 2014 County Plan

³ Atkins, *Waterford Planning and Land Use Transportation Study 2004-2020*, 2004

allocated a total of 22 hectares for Ferrybank/Belview for the period 2014-2020. This revised allocation must now be taken into account in the review of the Plan.

The new Draft LAP will include a Core Strategy, showing how the Plan corresponds to the County (and regional) Core Strategy, taking account of an estimate of current population in the Plan area. The Department of the Environment are being consulted on the approach to be taken with the Plan’s Core Strategy⁴.

The table below summarises how the various planning policy documents in the hierarchy influence the approach to be taken in the review of the LAP.

Year	Document	Population potential for Ferrybank/Belview Plan area	Land to be allocated to Ferrybank/Belview Plan area
2008	Kilkenny County Development Plan 2008-2014	Policy to prepare a Local Area Plan for the area	
2009	Ferrybank Belview Local Area Plan	Between 14,979 and 17,142*	105 ha
2010	Regional Planning Guidelines	6,500 by 2022	27 ha for 2010-2016
2011	Variation 2 to County Development Plan	6,500 by 2022	27 ha
2012	Amendment 1 to Ferrybank Local Area Plan	6,500 by 2022	53 ha BUT requirement for Core Strategy Justification Test
2014	Kilkenny County Development Plan 2014-2020	6,500 by 2022	22 ha
2016	Ferrybank Local Area Plan (under review)	6,500 by 2022	22 ha

*Dependent on the residential densities used

2.1.3 Joint Retail Strategy

With regard to retail, a Joint Retail Strategy has been an objective of Kilkenny and Waterford Councils since 2002, however such a joint approach has yet to be finalised. Two retail outlets, the Ferrybank and Ross Abbey Shopping Centres, have been completed but are not trading since the last Plan. The review will need to address the future of both of these centres.

⁴ It is noted that Irish Water recently prepared population projections, which provide an updated dataset, however the LAP will continue to follow the parameters as dictated by the County Development Plan Core Strategy (and will continue to consult with the Dept. of Environment)

2.1.4 North Quays Strategic Development Zone

On the 20th January 2016, the North Quays area (approx. 8ha) to the north of the River Suir was designated as a site for the establishment of a Strategic Development Zone (SDZ)⁵. The North Quays will require the preparation of a planning scheme, for which pre-draft submissions are already invited⁶. Kilkenny County Council intends to engage with Waterford in the preparation of the planning scheme. This area is likely to be the focus of much development over the next LAP period and the review of the LAP will also need to examine how best to connect to and integrate with this potential.

2.1.5 Smarter Travel

The strategic aim of the County Development Plan with regard to Transport is *“To co-ordinate transport and land use planning, reducing the demand for travel and the reliance on the private car in favour of public transport, cycling and walking.”* PLUTS contained a number of recommendations in relation to smarter travel and the review of the Plan will examine all possibilities for the implementation of smarter travel initiatives in the plan area.

2.1.6 Waterford Boundary Review

In June 2015, the Minister for Environment, Community and Local Government established the Waterford Boundary Committee. This Committee is required to carry out a review of the boundary between the City and County of Waterford and County Kilkenny. The Committee has specified an Area of Interest for the review which covers an area of 7,000 acres and a population of approximately 6,500. The area of interest contains the entire area of the Ferrybank/Belview LAP. The Council made a comprehensive submission to the Boundary Committee on 22nd Feb 2016, and the work involved in this submission has also informed the LAP review process. The Council is continuing to engage with the Boundary Committee, and this work will continue to inform the LAP review.

⁵ <http://www.irishstatutebook.ie/eli/2016/si/30/made/en/print>

⁶ <http://www.waterfordcouncil.ie/en/Resident/Planning/North,Quays,Strategic,Development,Zone,SDZ/>

3 Public consultation – Summary & Analysis

This section comprises an examination of the main concerns expressed through the public consultation workshop and the written submissions. The Council wish to express their appreciation and thanks to those who made submissions and/or attended the public meeting.

3.1 Public workshop

A broad range of opinions and comments were expressed at the workshop. What follows is not intended to be an exact record of what was said, but all comments were analysed and the broad themes summarised under a series of headings. The opinion of the Chief Executive in relation to each issue is expressed through the categorisation of each comment into the following three categories:

- 1. The LAP will include or support
- 2. The review of the LAP will examine this issue
- 3. Not an LAP issue

Heading	Issue	1	2	3
Transport	Traffic management is an issue around the schools and all through area from Milepost to Rice Bridge			
	A bridge/footbridge to connect Ferrybank to Waterford			
Identity	Identity is an issue; is it a village/town/suburb?			
	There is no hub to area			
	Rapid growth of area led to disjointed community			
	Signage would help; 'Welcome to Ferrybank'			
Water services	Drinking water quality is an issue			
Recreation	Clover meats facility could be more widely used			
	There is a need for more recreational areas			
	Railway walk would be lovely			
	Signpost local areas for walking			
	There is no exclusive youth facility			
	River possibilities should be explored			
	Need for community centre in Ferrybank			
	Community space should cater for older people			
	Need a playground			
Retail	Vacant Ferrybank Shopping centre has huge potential for community, plaza could also have uses			
	Abbey Park shopping centre also empty			
Other	Árd Rí is an eyesore			
	More lighting needed on Abbey Park Road			

3.1.1 Summary

Most of the points raised will be examined in more detail through the LAP review process, including issues around identity and signage, traffic management and the provision/need for recreational facilities. A few issues as raised will be included in the Draft LAP. One issue that will not be addressed is drinking water quality, as this is now the responsibility of Irish Water (IW). Drinking water quality throughout the County is addressed in Chapter 9 of the County Development Plan. In addition, consultation will be carried out with IW and the Plan will address the provision of water supplies generally, as it is essential to plan for sufficient capacity in water services.

3.2 Written submissions

A total of 14 submissions were received, each of which is summarised in the table below.

Pre-Draft Submissions (2015)			
Ref. No.	Name/Group	Summary	Chief Executive's Opinion & Recommendation
P1	EPA	This submission relates to the notice for SEA Scoping, as sent to the EPA in September 2014. The submission sets out the key environmental issues to be taken into account in the preparation of the SEA and Plan. An SEA checklist is attached to assist in the preparation of the SEA and Plan.	The matters raised will be considered as part of the SEA.
P2	Dept of Arts, Heritage and the Gaeltacht	This submission relates to the notice for SEA Scoping, as sent to the DAHG in September 2014. The submission requires that a detailed Cultural Heritage Section be included in the SEA to include assessing the management and protection of the terrestrial, coastal, intertidal and underwater archaeological resource.	The matters raised will be considered as part of the SEA.
P3	Dept of Education	In response to consultation with the DoE, the Dept. sent a submission outlining general site suitability requirements for schools. In addition, the Dept noted that it is their intention to request, at the appropriate time, that KCC would take the lead on behalf of the Department in relation to the identification/acquisition of suitable school sites as required. Finally the Dept note that if 12 acres could be reserved this may be capable of accommodating both a primary and a post primary school.	Provision for schools will be examined as part of the Draft LAP.
P4	EirGrid	This submission relates to the electricity transmission system and suggests policies to be included in this regard.	The policies will be considered as part of the Draft Plan.

P5	John Dunphy, Ferrybank Community Development Residents Group	Seeks that the council provide community facilities in the shopping centre.	The provision of community facilities, and the future of the shopping centre, will be considered in the Draft LAP.
P6	Fidelis Doherty	Seeks <ol style="list-style-type: none"> 1. that access is obtained to the Ferrybank shopping centre's underground parking for the boys' national school (Scoil Mhuire). 2. to include an objective to address traffic management at the Abbey Road/ Fountain Street intersection. 3. That signage for 'Ferrybank' be erected on both approach roads. 	<ol style="list-style-type: none"> 1. At present the Ferrybank shopping centre parking is open access. Traffic management on the Belmont Road will be examined. 2. This intersection is located within Waterford Council's administrative area. We will be liaising with WCCC throughout the preparation of the LAP. 3. Signage for the area will be examined as part of the LAP.
P7	Tim Carroll for Darmody, Brennan & Carroll	This submission seeks the rezoning of 56 acres of land enclosed by the link roads associated with the Waterford by-pass to the north, east and west and Newrath Road to the south. This land is currently zoned Phase 2 and the submission seeks the rezoning to commercial/mixed use zoning. It also looks for some specific objectives to be attached to the land.	All zoning in the area will be reviewed as part of the Draft LAP, however the total amount of land zoned for residential use will have to correspond with the County Core Strategy, see Section 2.1.2 above.
P8	Isabel Barros for Frank Conway	This submission seeks the rezoning of lands from Agricultural/Belview Residential Amenity to Development of Port Facilities & Industry (PFI)	All zoning in Belview will be reviewed as part of the Draft LAP.
P9	Peter Thompson for John Breen	This submission seeks: <ol style="list-style-type: none"> 1. the removal of Objective OS3.5 which relates to the provision of a cyclepath at Belmont. 2. that Phase 2 land supply should be scaled back; possibly with priority being given to sequentially preferable lands with active developer interest 3. the removal of the Passive Open Space, Neighbourhood centre and Phase 2 zoning from 	<ol style="list-style-type: none"> 1. The LAP will examine smarter travel which will include an examination of cycleways. 2. All zoning in the area will be reviewed as part of the Draft LAP, however the total amount of land zoned for residential use will have to correspond with the County Core Strategy, see Section 2.1.2 above.

		their landholding.	3. As above, all zoning will be reviewed however the Passive Open Space zoning was designated in line with environmental parameters and in the main these may still apply. The SEA will examine these parameters.
P10	Aislinn O Brien for Suir Shipping	<p>Seeks:</p> <ul style="list-style-type: none"> • Zoning of two sites in Belview for industrial and storage use, but that the uses permitted be flexible • Rezone area of Belview Residential Amenity to an industrial/storage zone, as the dwelling here is no longer in use as a dwelling • Rezone area of Passive Open space to industrial/storage use • Reconsider the objective E2 which was to “Promote a compact development form with a relatively uniform building line along the N29 Port Access Road”. • That the Plan include realistic access arrangements to the N29 and that a traffic study be completed as part of the LAP review process. • That one of the access points be through Suir Shipping’s sites. 	<p>All zoning and phasing in Ferrybank/Belview will be reviewed as part of the Draft LAP.</p> <p>All objectives will be re-examined, but it is important that the plan offers guidance on development in this area, including on urban design and phasing.</p> <p>Access arrangements to the N29 will be examined as part of the LAP, see Section 1.7.3.</p>
P11	Aislinn O Brien for Port of Waterford Company	<p>This submission seeks that the review process should:</p> <ul style="list-style-type: none"> • Address the deliverability of zoned land in the port • Identify lands for expansion of the Port itself 	All zoning and phasing in Ferrybank/Belview will be reviewed as part of the Draft LAP.

		<p>and ancillary facilities, particularly lorry parking</p> <ul style="list-style-type: none"> • Examine potential for streamlining of zones • Identify lands for expansion of related industry • Rezone a specific area from Agricultural/Belview Residential Amenity to Development of Port Facilities & Industry (PFI), cross ref. P8 • Re-examine the Passive Open Space zoning to ensure it's clearly justified in terms of environmental value. • Examine the Belview Residential Amenity zoning to ensure the Port can develop in a coherent manner. • Reconsider the objective E2 which was to "Promote a compact development form with a relatively uniform building line along the N29 Port Access Road". • That the Plan include realistic access arrangements to the N29 and that a traffic study be completed as part of the LAP review process and that one of the access points be through Suir Shipping's sites. • Address the inadequate water supply and high speed broadband • Explore the feasibility of a rail freight depot at the Port 	<p>All objectives will be re-examined, but it is important that the plan offers guidance on development in this area, including on urban design and phasing.</p> <p>Access arrangements to the N29 will be examined as part of the LAP, see Section 1.7.3.</p> <p>Infrastructural constraints will be examined as part of the LAP.</p> <p>The contribution that rail has to make is recognised, and this will be examined.</p>
P12	Paddy O'Ceallaigh	<p>This submission: Thought that the attendance at the public workshop in October was low,</p>	<p>This event was attended by 27 people, including 6 Councillors. This was a joint event with Waterford County Council Community</p>

		<p>Refers to a number of points in Amendment no. 1 to the Ferrybank LAP 2012 and raises the following questions</p> <ul style="list-style-type: none"> I. Why was Point 4 changed under Section 1.2.1 National, Regional and Local Policy context II. Why was the text changed in relation to the District Centre III. Why was the text changed in relation to Phase 2 IV. Why was the text changed in relation to Objective R4 V. Does the sustainable energy zone allow for wind farms VI. Why is the River Pollanassa deleted from ENP3.1 VII. Will the Council be liable due to the fact that the applicant is responsible in the first instance for assessing whether there is a flood risk issue. 	<p>Section and was well advertised. This is one of a number of ways of engagement with the public, and there will be further opportunities for engagement during the plan-making process.</p> <ul style="list-style-type: none"> I. This change purely reflected the changed text from the Regional Planning Guidelines. II. This text was updated from the 2009 position to allow for a less prescriptive approach. III. Amendment 1 involved an overhaul of all zoning and phasing in the plan area, and the Phase 2 zoning was modified. IV. Same as above, the zoning was changed in its entirety. V. No, areas suitable for wind farm development are identified in the County Wind Energy Development Strategy. VI. This was a mistake in the LAP, the River Pollanassa is in Mullinavat, not in the Plan area. VII. The Council complies with the Department’s Flood Risk Management Guidelines and a Strategic Flood Risk Assessment will be carried out for this LAP.
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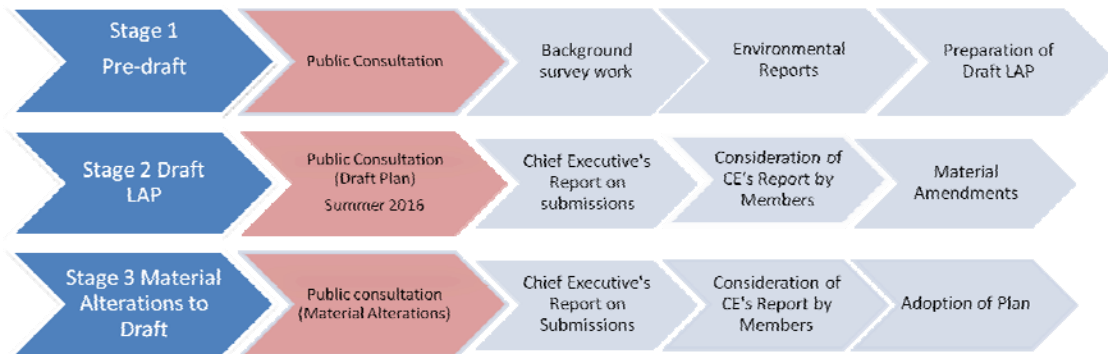
P13	S O' Brien	<p>The submission states that: The National Spatial Strategy is out of date and cannot be relied upon to provide a basis for the new LAP, therefore the review is premature. It would be helpful if a building height study was carried out to determine max and min building heights permissible in the interest of visual amenity.</p>	<p>The LAP is part of a hierarchical system of Plans, and will take its main cues from the County Development Plan. Therefore its review is not predicated on a new national planning framework. Urban design in general will be examined, and this will include building heights.</p>
P14	Ferrybank Lifestyle Links	<p>Seeks that the Plan include the provision of affordable afterschool premises.</p>	<p>The provision of community and social services will be considered in the LAP, and appropriate land use policies will be applied.</p>

4 Next Steps

This Issues Paper will be on public display for a period of four weeks from March 18th until April 15th 2016 for the public to comment on the issues as raised to date.

4.1.1 Preparation of Draft LAP

An indicative timetable for the preparation of the LAP is included. It is currently in Stage 1.



Section 19 (2) of the Planning and Development Acts, 2000-2015 sets out the objectives which may be included in an LAP. These include objectives for the zoning of land, the development of land on a phased basis and detail on community facilities and amenities and on standards for the design of developments and structures.

The plan preparation is an iterative process and some of the main inputs which will feed into the Draft Plan from this stage on include:

- The outcome of the public consultation process
- Background studies as discussed in Section 1 which are currently ongoing including;
 - Strategic Environmental Assessment
 - Strategic Flood Risk Assessment
 - Natura Impact Assessment (Appropriate Assessment)
 - Traffic Study for the N29

It is intended that a Draft Plan will be published during Summer 2016.

APPENDIX

SEA Scoping