

Kilkenny County Council

Amendment No. 1 to Ferrybank/Belview LAP - Core Strategy

Introduction

Section 7 of the Planning and Development (Amendment) Act 2010, sets out that the written statement of a Development Plan must contain a Core Strategy which shows that the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and Regional Planning Guidelines. A planning authority shall prepare a core strategy not later than one year after the making of the Regional Planning Guidelines and shall accordingly vary the development plan. The Regional Planning Guidelines for the South East Region (RPGs) were adopted on the 26th July 2010. Proposed Variation 2, which provides for the inclusion of the core strategy in the County Development Plan 2008-2014, was published for public consultation on the 26th May 2011 and proposed modifications to the Variation were published for public consultation on the 10th August 2011.

This Variation stated that an amendment to the local area plan for Ferrybank/Belview will be commenced immediately following the publication of the draft core strategy.

As at June 2011, the Ferrybank/Belview Local Area Plan (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.

The RPGs set out a projected population expansion for each county in the region and to accommodate this, determined that in the order of 254 hectares will be required over the period 2010-2016 for Kilkenny city and county. The RPGs have divided the county allocation between the gateway (Waterford Environs in County Kilkenny, which is covered by the Ferrybank/Belview LAP), the hub (Kilkenny City) and the remainder of the county. For Ferrybank/Belview the RPGs, and the County Core Strategy, allocated 27 hectares of residentially zoned land. Therefore this amendment involves a significant level of change through phasing of development land, in order to meet the objectives of the RPGs.

The Amendment also includes a minor alteration to the development boundary in the area of Slieverue. Having regard to the current use of some of this land as improved agricultural land, it is considered that the Passive Open Space zoning on this land should be removed. The zoning here was intended to reflect the forested and wetland nature of the land (as outlined on Map 4 Environmental Parameters of the LAP) and enshrined in development Objective OS1.2 (p.62) which states "Reserve as large strategic areas of open space the following: From Milepost Village to Gyles Quay, along the course of the existing stream corridor. (This also has the potential to extend north from Milepost to the forest west of Slieverue)". The three fields which are to be removed from the POS zoning are neither wetland nor forested, therefore this change will not negatively affect any of the objectives of the Plan. The development boundary will now not include these three fields, and they will be governed by the provisions of the County Development Plan.

The Amendment also includes a new policy in relation to the provision of access to the N29, which is the road connecting the N25 to Belview port.

A Flood Risk Assessment was carried out as part of the Strategic Environmental Assessment screening for this amendment, and this resulted in proposed changes to the Infrastructure/ Flood policies.

This amendment should be read in conjunction with the Ferrybank/Belview LAP 2009.

Proposed deletions to the LAP are displayed in strikethrough and proposed insertions are presented in *italics*.

Section 1 Introduction and Strategic Context

Section 1.2.1 National, Regional and Local Policy Context

National Spatial Strategy 2002-2020

In 2002 the NSS projects projected that the population of the southeast region will be 440,000 by 2020, of which 138,000 could be located in Waterford City and its hinterland. In 2010, the South East Regional Planning Guidelines revised this and projected that the region will reach a population of 580,500 by 2022 and that Waterford city would reach 62,500 by 2022¹.

South East Regional Planning Guidelines 2004-2020-2010-2022

- Supporting the development of Waterford city as a compact city of 70,000 persons, with a
 population in excess of 50,000 people living in the immediate hinterland (i.e. an area within
 twenty minutes communiting time-the driver for the region.
- Securing the future balanced development of Waterford city through enhanced additional
 connectivity via the Waterford City Bypass Bridge and the by means of development of a
 downstream river crossing.
- Supporting the upgrading and rescheduling of services on the Rosslare to Limerick Rail Line (via Waterford). Its potential as a means of commuting to Waterford City and as an interregional link between the South East and the Mid West should be exploited to provide for high quality and frequent commuter services with onward connections to Limerick and the Western Rail corridor.
- Supporting the development establishment of a University in the South-East by utilising and building upon the existing network of third and fourth-level educational establishments at Waterford, Carlow, Kilkenny, Wexford and Clonmel.

Delete entire sections:

- 1.2.4 Population Targets and Land Use Requirements for 2008-2014
- 1.2.5 Future Population Potential

Replace with:

1.2.4 Population Targets

The most recent South East Regional Planning Guidelines (2010), sets out population projections for the region with allocations of population to each County, Gateway, Hub and county town. These are set out for Co. Kilkenny in Table 2 below.

The preliminary figures for Census 2011 were released in June 2011 and they are included here for information. As can be seen, the population figure for Ferrybank/Belview in 2011 was 5,324, which exceeded the projected figure of 5,000 for 2016 from the RPGs. The 2016 projected figure was based on an allocation of an additional 1,000 people from the population in 2010. Although the actual figure for 2010 is higher than that estimated, it is considered appropriate to continue to plan for an additional 1,000 population to 2016.

¹ National Population Projections and Regional population Targets 2010-2022(2009) and Regional Planning Guidelines Review - Gateway and Hub Population Targets (2009)

Table 2 Population Projections for Co. Kilkenny

	Population 2010 (estimated)	Population 2011 (actual)	Population 2016 (Projected)	Population 2022 (Projected)
Kilkenny County	96,872	95,360	105,598	111,903
Kilkenny City & Environs	24,000	25,500	25,800	28,200
Waterford City Environs in Co. Kilkenny	4,000	5,324	5,000	6,500

Source: Regional Planning Guidelines for the South East Region, 2010, CSO Preliminary Results, 2011

1.2.5 Core Strategy

As set out in Table 2 above, the South Eastern Regional Planning Guidelines (RPGs) and the County Core Strategy, have allocated Ferrybank an increase of 1,000 persons in the period 2010-2016. Applying an average household size of 2.8 this is translated into a housing requirement of 357 units. At an average density of 20 dwellings to the hectare, this gives a requirement for 18 hectares of land. To incorporate a 50% over-zoning in accordance with DoEHLG Development Plan Guidelines², this works out at 27 hectares of residential land to 2016.

As of June 2011, the total amount of undeveloped residentially or mixed use zoned lands within the plan area totalled 211 hectares. This comprised 170 hectares of undeveloped land zoned solely for residential uses, and a further 31 hectares for a mix of residential and other uses. The 2009 LAP also included 33 hectares in Phase 2 lands.

Table 3.1 below sets out the undeveloped land and the total amount of land with extant permissions in Ferrybank.

Table 3.1: Undeveloped residential/mixed use zoned land in Ferrybank as at June 2011

	Undeveloped land in hectares	Land with extant permission (inc. sites under appeal)		
Phase 1 land	209	77		
Phase 2 land	33	0		
Total	242			

Source: OS mapping and Planning Department information, 2011

The population allocation for Ferrybank as stated in the RPGs, is an additional 1,000 people to 2016. It is clear that the land currently zoned for residential development (242 ha) could far exceed this demand. Therefore, it is recommended that a significant proportion of the land is phased for development. Development will be permitted in principle on Phase 1 lands during the period of this Plan (to 2015). Development will not be permitted on Phase 2 lands during the lifetime of this plan.

The principles underlying the phasing approach are as follows:

- National/Regional/Local Policy Context (i.e. the NSS, RPGs, PLUTS, County core strategy etc.)
- Demographic and socio-economic trends

² Development Plan Guidelines for Planning Authorities, June 2007

- Assessment of need for housing
- Water, drainage and road infrastructure (existing and planned)
- Flood Risk Assessment
- Supporting infrastructure. (social, community and commercial, both existing and planned)
- Physical suitability
- Environmental policy (ground and surface water quality, flooding, etc.)
- Heritage policy
- Sequential approach (zoning should extend outwards from the core of an urban area, with undeveloped lands closest to the core and public transport routes being given preference. In addition, areas to be zoned should be contiguous to existing zoned development lands)

The proposed phasing is based on the principles of sustainable development as outlined above, in addition to the planning histories and the likelihood of sites coming forward for development. The areas of phasing are set out below in Table 3.2.

Table 3.2: Amount of undeveloped zoned land in Ferrybank by Proposed phase

Zone	Phase 1 land	Phase 2 land	Total
	(ha)	(ha)	(ha)
Residential	49.4	184	
Mixed	8.4		
Total	<i>57.8</i>	184	242

Phase 1 land

Phase 1 land will be considered for development during the lifetime of this Plan. However, it is clear that the total amount of zoned land in Phase 1 – 49 hectares – could cater for a greater expansion than that envisaged by the RPGs. Therefore, any application for residential development, either a new application or application for extension of duration of permission on Phase 1 lands (where substantial works have not been completed), shall be subject to a Core Strategy Justification Test. This Core Strategy Justification Test shall consider the demand for the development, the availability of services, the transport infrastructure and the contribution of the development to the plan objectives for the area.

Any such application shall be accompanied by a Core Strategy Justification statement, which will examine:

- How the development is consistent with the Development Plan Core Strategy
- The demand for the proposed development based on an assessment of existing housing vacancy, unfinished estates and the unit types in the area
- The capacity of services in the area to cater for the proposed development, including childcare, schools, other community services, open space, retail and commercial services
- The provision of transport infrastructure in the area, and how the proposed development will contribute across all modes (vehicular, rail, cycle and pedestrian linkages)
- The contribution of the proposed development to the achievement of objectives outlined in the LAP
- In the case of applications for extensions of duration, an assessment of how the development is in accordance with the current LAP, the Guidelines on Sustainable Residential Development

in Urban Areas, and (where necessary) the Guidelines on Sustainable Urban Housing, Design Standards for New Apartments.

Phase 1 development objective:

In addition to each zone's individual development objective, the following objective will apply on all land identified on the Zoning Map as Phase 1:

The Council will only consider development on Phase 1 lands where the Core Strategy justification statement demonstrates that the proposed development is consistent with the County Core Strategy, having regard to all of the criteria outlined above.

Phase 2 land

In general, Phase 2 land will act as a strategic reserve.

Significant residential development will not be permitted on Phase 2 lands, but new land uses other than significant residential development will be considered on their merits having regard to the strategic nature of the phase 2 lands and general planning considerations.

Applications for single houses on the phase 2 lands will be considered on the same basis as outlined in Section 3.2.3 Housing on Lands Zoned for Agriculture of the LAP.

Expansion of existing land uses within the Phase 2 lands will be considered on a case by case having regard to the potential impacts on the strategic nature of the phase 2 lands and general planning considerations.

Phase 2 development objective:

Phase 2 lands will allow for a sequential approach to development. Any application for development will be assessed against the strategic nature of the Phase 2 lands.

1.3.3 A Strategic Vision

Delete section B.3. New Mixed Use Zones - Newrath and Christendom

Replace with

B.3 Mixed Use zone C2

This LAP proposes a mixed use zone at Christendom. Although the land is currently in use by industrial and food processing uses, this zoning seeks to encourage a combination of uses, for retail, commercial and service uses with residential development. This zone will seek to re-address the River Suir, and will benefit from generous areas of open space and a riverside park (See Sketch 2). (Maximum 50% of the land area to be allowed for residential needs)

1.3.4 Strategic Objectives

S7 promote the development of a new mixed use street with a minimum height of 3 storeys and an almost continuous building line throughout the Christendom-Newtown area, commencing at the AIBP site and continuing eastwards to front onto the proposed riverside park. Furthermore, it is an objective to require:

A 4m footpath along the new street

The ground floor area to be a minimum height of 4 m so as to enable the provision of retail and commercial development, and to facilitate residential and office overhead. (Maximum 60% 50% of the land area to be allowed for residential needs)

1.3.5 Zoning Objectives

C2: Commercial/Mixed Use Development

(Maximum 50% of the land area to be allowed for residential needs with the exception of Newrath where only a maximum of 25% of the land area shall be given over to housing)

P2: Phasing P2

This allows for a sequential approach to development and detailed phasing proposals. Development on lands earmarked as phase 2 will not be considered until 70% of residentially zoned land within the development boundary has been built out.

In general, Phase 2 land will act as a strategic reserve.

Significant residential development will not be permitted on Phase 2 lands, but new land uses other than significant residential development will be considered on their merits having regard to the strategic nature of the phase 2 lands and general planning considerations.

Applications for single houses on the phase 2 lands will be considered on the same basis as outlined in Section 3.2.3 Housing on Lands Zoned for Agriculture of the LAP.

Expansion of existing land uses within the Phase 2 lands will be considered on a case by case having regard to the potential impacts on the strategic nature of the phase 2 lands and general planning considerations.

Phase 2 development objective:

Phase 2 lands will allow for a sequential approach to development. Any application for development will be assessed against the strategic nature of the Phase 2 lands.

Section 2 Policies and Objectives

2.1 Effective Transport and Movement

2.1.1 Analysis

The Waterford City N25 bypass is due to be finished by 2010 was completed in 2010.

2.1.2 Overview of Existing Transport Infrastructure

National Routes

The N9 National Primary Route—M9 Motorway, which enters the plan area from the north-west, is the main Waterford—Dublin route. It is one of the busiest roads in the plan area, carrying large volumes of traffic to and from the Kilkenny-Dublin direction on a daily basis.

The main Waterford — Dublin railway line intersects this road, meaning that traffic is held up at frequent intervals to allow the train to pass through. Upon entering—To the west of the plan area, this road joins up with the N24 National Primary Route to Clonmel and the N25 to Cork. The N24 enters the plan area from the west and extends into Waterford City via the Edmund Rice Bridge. As Rice Bridge is the only vehicular and pedestrian river crossing for the whole of Waterford City, it suffers from peak time congestion and can result in traffic delays. It receives in the region of 36,000 vehicles a day. Consequently, it is not a safe or attractive environment for those wishing to gain access to the City on foot or by bicycle.

The N25 National Primary Route (Waterford City Bypass) provides a strategic link between Rosslare in the east and Cork in the west. This road passes through the developed areas of Ferrybank and Abbeylands, and by passes Slieverue Village. It is referred to locally as the Ross Road. The bypass opened in 2010, and includes a new river crossing in Grannagh, and connects the old N25 to the M9 and N24.

The principal access to the Belview area is via the Port Access Road N29 from the N25 south of Slieverue.

Belview Port

The principal access to the port area is via the N29, which offers quick access to the N25 *and M9*. The Port will benefit-has benefitted significantly from the upgrading of the transport infrastructure in the area, particularly from the provision of the N25 Bypass.

Delete Section 2.1.3 Improvements to the Transport Infrastructure

2.1.7 Transport Objectives

Delete T13

T14 Identify option for suitable vehicular access points from the Newrath Road to lands zoned *for Phase 2* the C2: Commercial and Mixed Use at Newrath.

T15 Liaise with the National Roads Authority in the identification of suitable access points from the National Road surrounding lands zoned for Phase 2 the C2: Commercial and Mixed Use at Newrath.

T15(a) Liaise with the National Roads Authority in the identification of suitable access points from the N29 to lands identified for development at Belview Port.

2.2 Retail

Proposed retail hierarchy

The Ferrybank-Abbeylands Shopping Centre is to be designated as a "Gateway Suburban *Local* Centre", above the level of the existing District Centre definition contained within the Regional Planning Guidelines, but below the level of town centre. This will allow it to expand by a further 3,000 sqm of additional Level 2 type comparison shopping which will in turn sustain the provision of retail facilities in the Shopping Centre and the wider plan area in the short to medium term. This retail policy will be subject to review within 3 years from adoption of the LAP.

2.5 Residential Development

Provision of lands for Residential Development

The Housing Strategy included in the Kilkenny County Development Plan 2008-2014 indicates that 43% of future households in the County will be eligible for social and affordable housing over the period of the plan.

Residential zoning Categories

Mixed Use and High to Medium Density

In general, this plan promotes higher densities (40-50+ units per hectare) in the areas of Christendom and Newrath Belmount. These areas will form part of the Urban village and C2: Commercial and Mixed Use zones, with commercial/office, business and residential uses forming the majority of the development and will facilitate the construction of high density residential housing, commercial and community facilities in a sequential manner and at a density in accordance with the Guidelines on Sustainable Residential Development in Urban Areas. The strategically located lands at Newrath also provide the opportunity and for a vibrant mixed use zone that will include high density residential development combined with a mix of commercial uses such as a business or retail park. It is proposed that the mix of residential development will be higher at Christendom with at least 50% of development being residential, with 25% of all development at Newrath being residential.

Zoning of Lands for Residential Development

At an average density of 20 units per hectare, and an average household size of 2.88, there is enough Phase 1 land zoned in this LAP to accommodate an additional 7,384 3,329 persons.

Development of lands earmarked as Phase 2 will not be considered until 70% of the residentially zoned lands within the development boundary have been built out.

2.5.6 Residential Development Policies

RP7 Promote apartments and higher density development in accordance with the Guidelines on Sustainable Residential Development in Urban areas particularly at the mixed use development

zones at Christendom and Newrath (C2: Commercial and Mixed Use), at the neighbourhood centres and along transport corridors.

2.5.7 Residential Development Objectives

R3 C2: Newrath 25% maximum amount of residential development allowed

R4: Facilitate R2—Residential Medium Density development on the Phase 2 lands at Christendom, subject to the protection of trees in accordance with the Tree Preservation Order and having regard to the historical significance of Cromwell's Rock.

2.6 Natural Heritage

2.6.5 Natural Heritage Policies

NEP11 Require future planning applications for development in the vicinity of the proposed NHA (Grannyferry) and the SAC (Lower River Suir) to include a report on the likely potential impacts and any necessary mitigation impacts. This report should be carried out by a professional ecologist or other suitably qualified professional.

Ensure that any plan or project which has the potential to directly, indirectly or cumulatively impact on a site protected under European legislation (SAC or SPA), is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site. Any such plans or projects shall be referred to the National Parks and Wildlife Service. Potential threats to a designated site may arise from developments such as water abstraction, or discharges from wastewater treatment plants, surface water or surface water attenuation at locations which are geographically remote from the site, through hydrological links with the designated site (tributaries, streams, drainage ditches and drains).

2.6.6 Natural Heritage Objectives

Insert NE5 (a) To investigate the possibility of wetland habitat creation as part of any development on lands zoned for Retail Park in Newrath and to consult with the NPWS at pre-planning stage in any development. Measures to ecologically enhance the site adjoining the wetland may include the provision of a tree line boundary between any development and the wetland, a reduction in gradient changes at the edges of the site and an emphasis on retaining the hydrological and topographical connectivity of the wetland.

2.11.3 Analysis – Surface Water Quality, Drainage Systems and Flood Control

There are no flooding problems in the area except in the Newrath area adjacent to the River Suir, which suffers from tidal flooding and occasionally leads to flooding on the N9. This road will eventually become a local access road when the new Waterford City N25 by pass is opened. This LAP seeks to protect all stream and river corridors from development, with opportunities for storm water attenuation ponds in the proposed areas of open space, so as to ensure the water quality of rivers and streams is maintained.

Flood risk in the Plan area will be managed through compliance with the Planning System and Flood Risk Management – Guidelines for Planning Authorities 2009.

The Guidelines outline three key principles that should be adopted by regional authorities, local authorities, developers and their agents when considering flood risk. These are:

- Avoid the risk, where possible,
- Substitute less vulnerable uses, where avoidance is not possible, and
- Mitigate and manage the risk, where avoidance and substitution are not possible

Flood Management Strategy

The Council shall adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk. In accordance with the Guidelines, the avoidance of development in areas where flood risk has been identified shall be the primary response.

Proposals for mitigation and management of flood risk will only be considered where avoidance is not possible and where development can be clearly justified with the quidelines' Justification Test.

Avoidance of development in flood risk areas

Flood zones are geographical areas within which the likelihood of flooding is in a particular range and they are a key tool in flood risk management within the planning process as well as in flood warning and emergency planning. There are three types or levels of flood zones defined for the purposes of the guidelines:

- Flood zone A where the probability of flooding is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding) and where a wide range of receptors would be vulnerable;
- Flood zone B where the probability of flooding is moderate (between 0.1% or 1 in 1000 and 1% or 1 in 100 for river flooding and between 0.1% or 1 in 1000 year and 0.5% or 1 in 200 for coastal flooding); and
- Flood zone C where the probability of flooding is low (less than 0.1% or 1 in 1000 for both river and coastal flooding).

As part of the Strategic Environmental Assessment Screening for Amendment No. 1, a Flood Risk Assessment was carried out. This did not identify Flood Zones, but has identified a total of eight areas in Ferrybank/Belview within which development proposals shall be the subject of a site-specific Flood Risk Assessment. This FRA shall be appropriate to the type and scale of the development being proposed and shall be carried out in line with the Guidelines.

2.11.5 Sustainable Energy Zone (SEZ)

This LAP encourages the development of a Sustainable Energy Zone (SEZ) in the C2: Commercial and Mixed Use zone *and Phase 2 lands* at Christendom.

2.11.11 Engineering, Infrastructure and Utilities Policies

ENP3 Surface Water quality, drainage systems and flood control

ENP3.1 Ensure that the water quality of the rivers Pollanassa and Blackwater is maintained to a satisfactory level under the local authority's power and duty as Water Services Authority and Pollution Control Authority

ENP3.7 Ensure that due consideration is given to the Applications for development in lands identified on the FRA map, shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed, in line with the DoEHLG Guidelines "The Planning System and Flood Risk Management" (September 2008 November 2009).

ENP3.8 In areas at risk from flooding, particularly at riverside locations, a precautionary approach will apply and the methodology set out in the DoEHLG Guidelines 'The Planning System and Flood Risk Management' will be applied to development proposals.

For any development, where flood risk may be an issue, a flood risk assessment should be carried out that is appropriate to the scale and nature of the development and the risks arising. The applicant is primarily responsible in the first instance for assessing whether there is a flood risk issue and how it will be addressed in the development they propose.

ENP3.9 Development that is vulnerable to flooding will not be permitted in an area identified as subject to flood risk, without a site specific flood risk assessment. Any development will not be permitted unless the criteria as set out in the Justification Test are satisfied.

Section 3 Development Management

3.7.2 Control of Major Accidents Hazards Directive (Seveso II Directive)

Insert:

There is one Seveso II site within the plan area; Trans-Stock Warehousing in Christendom. It should be noted that this is the only site currently identified in the area and that there may be additional sites designated in the future. The consultation distance for referral of planning applications to the Health and Safety Authority is illustrated on the zoning map.

Policy: In order to reduce the risk and limit the consequences of major industrial accidents, it is the policy of the Council to consult with the Health and Safety Authority when assessing proposals for development of, in or near sites which area identified under the COMAH (Seveso II) Directive.

Core Strategy Table

	Core Strategy Population Allocation from RPGs (2010 to 2016)	Housing land requirement (ha)	Existing Zoning (ha)	Proposed Zoning (ha)	Housing Yield (Residential Lands - units) ³	Housing Yield (Other Lands - units) ⁴	Excess (ha)	
Gateway (Environs of Waterford in Co. Kilkenny)								
	1,000	27	242	57.8			3	30.8 ⁵
Residential zoning				49.4	988			
Mixed use zoning				8.4		0		

³ An average density of 20 units per hectare has been applied.

⁴ An analysis of each site zoned for mixed use has been conducted, examining whether it is likely that a significant number of residential units will be developed during the plan period. This analysis found that none of the sites were likely to undergo significant residential development during this period, therefore no units have been allocated here.

⁵ As outlined in section 1.2.5 Core Strategy, each application on Phase 1 lands shall demonstrate how it is consistent with the core strategy through the submission of a Core Strategy Justification Statement. Each application will be dealt with on its merits.



