

Draft

Arklow Town and Environs Development Plan 2011 - 2017



August 2010



Table of Contents

Preamble		
1.1	Introduction	1
	<i>Arklow Town and Environs Boundaries Map</i>	2
1.2	Legislative Basis	3
1.3	Purpose of the Plan	3
1.4	Format	3
1.5	Stages of the Plan making process	3
1.6	Development Management	4
1.7	Enforcement	4
1.8	Ministerial Guidelines, Directives & Directions	4
1.9	Strategic Environmental Assessment & Appropriate Assessment	5
1.10	Monitoring, Reviewing and Implementation	5
1.11	Hierarchy of Plans	5
1.12	European Framework Policy	5
1.13	National Framework Policy	6
1.14	Regional Strategies	7
1.15	Local Plans, Strategies & Studies	8
1.16	Ministerial Guidelines	9
 Core Strategy		 10
2.1	Introduction	10
2.2	Vision	10
2.3	Core Strategy	10
2.3.1	Arklow Town & Environs	10
2.3.2	Population & Settlement	10
2.3.3	Housing & Zoning	11
2.3.4	Infrastructure	11
2.3.5	Retail	12
2.4	Key Strategic Objectives	13
 Settlement & Housing Strategy		 14
3.1	Introduction	14
3.2	Capacity of undeveloped existing zoned land	14
3.2.1	Settlement Objectives	16
3.3	Town Centre	16
3.3.1	Town Centre Objectives	16
3.4	Waterfront Zone	17
3.4.1	Waterfront Zone Objectives	17
3.5	New Residential Development	17
3.5.1	New Residential Objectives	17
3.6	Social & Affordable Housing	18
3.6.1	Social & Affordable Objectives	18
3.7	Housing & Urban Development Standards	20
3.7.1	Appropriate consideration of local setting and context	20
3.7.2	Core town centre area	20
3.7.3	Greenfield developments	20
3.7.4	Intensity of development	21
3.7.5	Suitability of the proposed use at that location	22
3.7.6	Transport Accessibility	22
3.7.7	Design quality	23
3.7.8	Open space	24
3.7.9	Car parking	25
3.7.10	Social & community facilities	25
3.7.11	Infill/backland development in existing areas	25
3.7.12	Sub-division of dwellings	26
3.7.13	House extensions	26
3.7.14	Independent living units	26
3.7.15	Temporary residential structures	27
3.7.16	Naming of developments	27

3.7.17	Taking in charge	27
3.7.18	Entrance to developments	27
3.7.19	Flood routing	27
	Main Street Strategy	28
4.1	Introduction	28
4.2	Strategy	28
4.3	Vehicular and pedestrian circulation & Objectives	28
4.3.1	Car Parking & Objectives	29
4.3.2	Enhancing the 'Public Realm' & Objectives	29
4.3.3	Dereliction & vacant sites & Objectives	30
4.3.4	Buildings, items and places of heritage value & Objectives	30
4.3.5	Mix of uses in the core area & Objectives	30
4.3.6	Retail role of the core & Objectives	30
	Town Centre Map 04.01	32
	Transportation	33
5.1	Introduction	33
5.2	Public Transport	33
5.2.1	Public Transport Objectives	33
5.3	Cycling and Walking	34
5.3.1	Cycling and Walking Objectives	34
5.4	Roads	34
5.4.1	Road Programme Objectives	34
5.5	National Road Objectives	34
5.6	Parking	34
5.6.1	Parking Objectives	35
5.7	Aviation, Harbours, Marinas & Ports	35
5.7.1	Aviation, Harbours, Marinas & Ports Objectives	35
	Transport Objectives Map 5.01	36
5.8	Development Management Standards	37
5.8.1	Public Transport	37
5.8.2	Park & ride facilities	37
5.8.3	Public Roads	37
5.8.4	Local Road Development Management Objectives	37
5.8.5	District Distributor roads-urban	37
5.8.6	Local Collector Roads/local Access roads(urban)	38
5.8.7	Pedestrians & cycling facilities	38
5.8.8	Vulnerable road users	38
5.8.9	Parking	39
5.8.10	Bicycle parking	40
5.8.11	Entrances & sight lines	40
5.8.12	Road gradients	41
5.8.13	Set backs from public roads	41
5.8.14	Road Safety Audits	41
5.8.15	Thresholds for Traffic & Management Assessment	42
5.8.16	Sub-threshold Criteria for Traffic & Transport Assessment	44
5.8.17	Road side signage	44
5.8.18	Directional & information signage	44
5.8.19	Advertising signage	44
5.8.20	Identification signage	45
5.9	Advertising Signage Standards	45
5.9.1	Advertising signs	45
5.10	Information and Directional Signs	45
5.10.1	National Road N11/M11	45
5.10.2	Regional & Local Roads	45
5.10.3	Signage within the town	45
5.10.4	Identification signage on sites/buildings	45

	Economic Development, including Retail & Tourism	47
6.1	Introduction	47
6.2	Economic Context	47
6.2.1	National Context	47
6.2.2	Regional Context	47
6.2.3	Local Context	47
6.3	Economic Profile of Arklow	47
6.4	Strategy for Economic Development & Employment	48
6.5	Employment Requirements	48
6.6	Factors influencing employment creation	49
6.7	Economic Development & Employment Objectives	50
6.8	Home Based Economic Activity	50
6.8.1	Home Based Economic Activity Objectives	50
6.9	Prevention of Major Accidents	50
6.9.1	Prevention of Major Accidents Objectives	51
6.10	Retail	52
6.10.1	Introduction	52
6.10.2	Wicklow Retail Strategy	52
6.10.3	Retail Objectives	53
6.11	Tourism	54
6.11.1	Introduction	54
6.11.2	Tourism Objectives	55
6.12	Development Management Standards	55
6.12.1	Business Parks, Warehousing, Retail Warehousing & Industrial Developments	55
6.12.2	Retail Development	58
6.12.3	Tourist Development	60
	Natural & Built Heritage	62
7.1	Introduction	62
7.2	Heritage-Natural & Built	62
7.3	Natural Heritage & Biodiversity	62
7.3.1	Natural Heritage & Biodiversity Objectives	63
7.4	Water Systems	63
7.4.1	Water System Objectives	63
7.5	Recreational use of natural resources	64
7.5.1	Recreational use of natural resources Objectives	64
7.6	Prospects	64
7.6.1	Prospect Objectives	64
7.7	Agriculture Lands	64
7.7.1	Agriculture Lands Objectives	64
7.8	Architectural Heritage	64
7.8.1	Architectural Heritage Objectives	65
7.9	Protected Structures	65
7.9.1	Protected Structures Objectives	65
7.10	Archaeological Heritage	65
7.10.1	Archaeological Heritage Objectives	65
7.11	Maritime Heritage	66
7.11.1	Maritime Heritage Objectives	66
	Natural Heritage Map 7.01	67
	Built Heritage Maps 7.02 & 7.02 (a)	68
7.12	Development Management Standards	70
7.12.1	Agricultural Developments in Agricultural Lands	70
7.12.2	Residential Developments in Agricultural Lands	70
	Service Infrastructure-Water, Waste & Energy	
8.1	Water	71
8.2	Wastewater	71
8.3	Surface water	71
8.4	Water supply	71

8.4.1	Water Objectives	71
8.5	Flooding	72
8.5.1	Flood Management Objectives	76
8.6	Waste & Emission Control	77
8.7	Solid Waste Management	77
8.7.1	Solid Waste Management Objectives	78
8.8	Litter & illegal dumping	78
8.8.1	Litter & illegal dumping Objectives	78
8.9	Air Emissions	78
8.9.1	Air emissions Objectives	78
8.10	Noise pollution	79
8.10.1	Noise pollution Objectives	79
8.11	Light pollution	79
8.11.1	Light pollution Objectives	79
8.12	Energy & telecommunications	79
8.12.1	Energy	80
8.12.2	Energy Objectives	80
8.12.3	Telecommunications	81
8.12.4	Telecommunications Objectives	81
8.13	Development Management Standards	82
8.13.1	Water supply	82
8.13.2	Water demand	82
8.13.3	Wastewater systems	82
8.13.4	Surface & storm water systems	82
8.13.5	Construction management	83
8.13.6	Residential Developments	83
8.13.7	Employment & commercial developments	83
8.13.8	Agriculture	84
8.13.9	Construction & demolition Waste facilities	84
8.13.10	Air emissions	84
8.13.11	Design standards for improved energy efficiency	85
8.13.12	Mast & Telecommunications Development Standards	86
	Social & Community Infrastructure, Recreation & Amenity	
9.1	Introduction	89
9.2	Community Development	89
9.2.1	Community Development Objectives	89
9.3	Social infrastructure	89
9.3.1	Education & Development	90
9.3.2	Education Objectives	90
9.4	Health, Care & Development facilities	91
9.4.1	Health	91
9.4.2	Health Objectives	91
9.5	Residential & Day Care facilities	91
9.5.1	Residential & Day Care Objectives	91
9.6	Childcare & preschool facilities	92
9.6.1	Childcare Objectives	92
9.7	Leisure & recreational facilities	92
9.7.1	Children Play facilities	92
9.7.2	Leisure & recreational Objectives	92
9.7.3	Facilities for Teenagers & Young Adults	92
9.7.3.1	Facilities for Teenagers & Young Adults Objectives	93
9.8	Community centres	93
9.8.1	Community centre Objectives	93
9.9	Sport facilities	93
9.9.1	Sport facilities Objectives	93
9.10	Cultural facilities	94
9.10.1	Arts	94
9.10.2	Libraries	94
9.10.3	Places of worship & burial	94

9.10.4	Cultural Objectives	94
9.11	Parks & Public Open Spaces (Green Networks)	94
9.11.1	Open space Objectives	95
	Social & Community Infrastructure Map 9.01	96
9.12	Development Management Standards	97
9.12.1	Community facilities	97
9.12.2	Childcare	97
9.12.3	Education	97
9.12.4	Nursing home developments	98
9.12.5	Care facilities	98
9.12.6	Accessibility	98
9.12.7	Open Spaces	98
	Action Area Plans	101
10.1	Introduction	101
10.2	AA1	101
10.3	AA2	102
10.4	AA3	103
	Land Use Zoning	105
11.1	Introduction	105
11.2	Land Use Zones	105
11.3	Definition of Use Classes	110
	Land Use Zoning Map 11.01	114
Appendices		
Appendix 1	Record of Protected Structures-deletions	
Appendix 2	Wicklow County Housing & Retail Strategy	
CD Attached	Strategic Environmental Assessment-Non Technical Summary Report	

Chapter 1

Preamble

1.1 Introduction

This is the draft Development Plan for Arklow Town & Environs, prepared by Arklow Town Council in conjunction with Wicklow County Council, in accordance with the Planning and Development Act 2000 (as amended).

Pursuant to Section 9 of the Planning & Development Act 2000 (as amended) every planning authority is required to prepare a development plan every six years and may with the agreement of one or more planning authorities, which are adjoining councils, make a single development plan for the area and environs of the county borough.

This draft development plan refers to the administrative area of Arklow Town Council and the environs around Arklow, within the administrative area of Wicklow County Council as shown on Map 1.01 included in this chapter. The draft development plan sets out an overall strategy for the proper planning and sustainable development of the Plan area.

This draft development plan is entitled “Arklow Town & Environs Draft Development Plan 2011-2017” but for simplicity purposes it will be referred to as “the draft Plan” or the “plan area”.

References to the ‘Planning Authority’ throughout this plan shall be taken to mean the Planning Authorities of Arklow Town Council and Wicklow County Council.

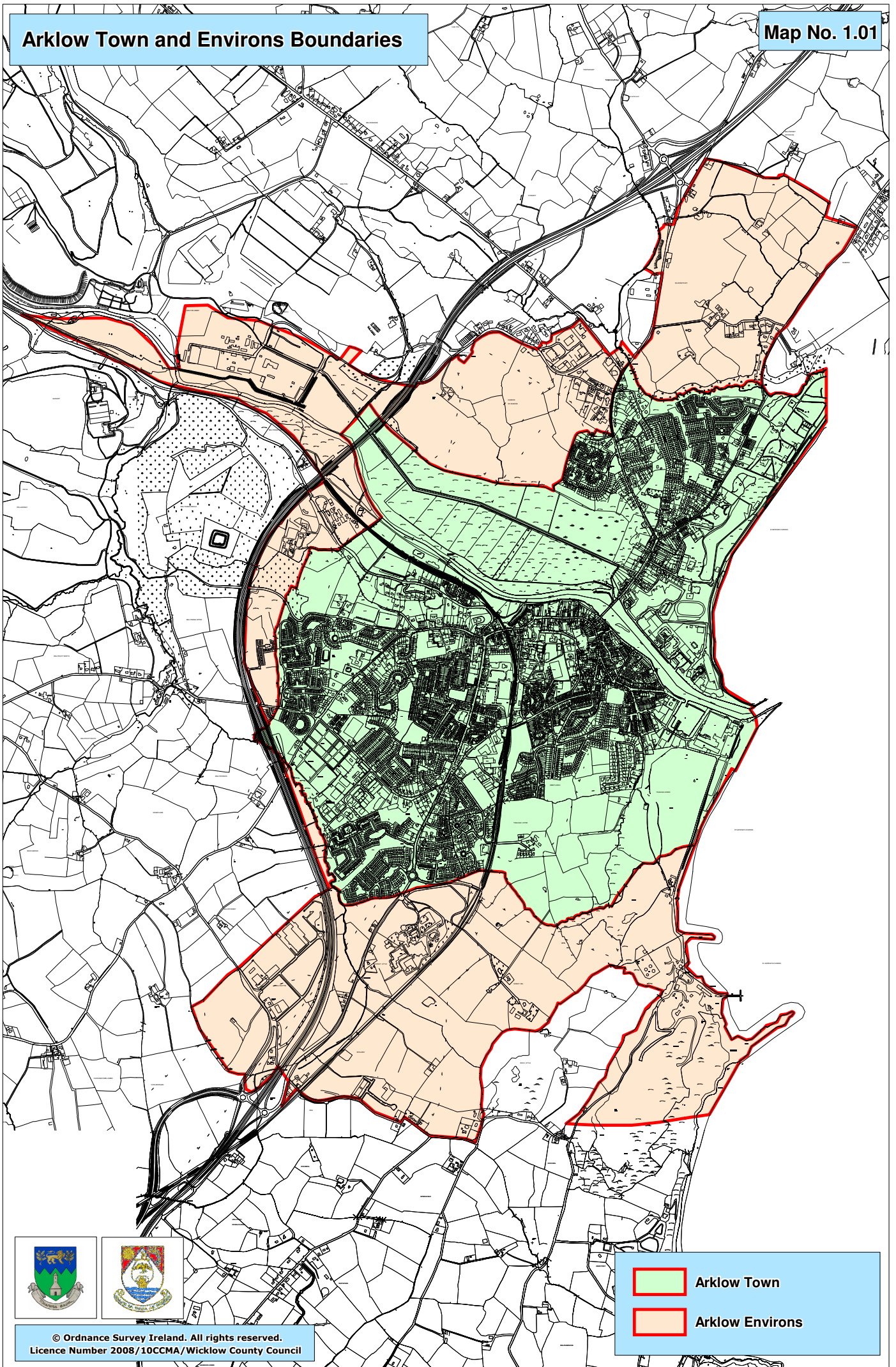
The draft plan consists of a written Statement and Development Plan maps. The draft Development Plan also includes (as separate documents) an Environmental Report, an Appropriate Assessment Screen (under the Habitats Directive) and proposed deletions to the Record of Protected Structures.

The written statement is divided into eleven chapters/ sections as follows:

- Chapter 1 Legislative and Plan Context
- Chapter 2 Core Strategy
- Chapter 3 Settlement and Housing Strategy
- Chapter 4 Main Street Strategy
- Chapter 5 Transportation
- Chapter 6 Economic Development, including Retail and Tourism
- Chapter 7 Natural and Built Heritage
- Chapter 8 Service Infrastructure - Waste, Water & Energy
- Chapter 9 Community Infrastructure - Recreation, Amenity, Education
- Chapter 10 Action Area Plans
- Chapter 11 Land Use Zoning Objectives & Map

Appendices

- Appendix 1 Record of Protected Structures- deletions
- Appendix 2 Wicklow County Council Housing & Retail Strategy
- CD Attached Strategic Environmental Assessment-Non-Technical Summary Report



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	Arklow Town
	Arklow Environs

1.2 Legislative Basis

Part II of the Planning and Development Act 2000 (as amended) sets out the legislative foundation for development plans. A development plan must set out an overall strategy for the proper planning and sustainable development of the area and shall consist of a written statement and a plan or plans indicating the development objectives for the area in question.

The plan must include a number of mandatory objectives for:

- The zoning of land;
- The provision of infrastructure;
- The conservation and protection of the environment;
- The integration of social, community and cultural requirements;
- The sustainable development of the area;
- The preservation of the character of the landscape;
- The protection of structures and preservation of Architectural Conservation Areas;
- The renewal and development of areas in need of regeneration;
- The preservation, improvement and extension of amenities and recreational amenities;
- Major Accidents Directive (Seveso sites);
- The provision of community facilities.

1.3 Purpose of the Plan

The purpose of the development plan is:

- To provide a blueprint for the sustainable development of the plan area in order to realise its full potential in the interest of the town and county;
- To provide a detailed framework for the management and regulation of development and use of land that will guide day to day planning decisions;
- To include proposals for the development and use of land and to zone lands for specific purposes which will provide guidance and information for developers and the public;
- To promote the economic, social and cultural development of the town and its environs;
- To give local communities the opportunity to participate in the planning process as it relates to their local area and their daily lives.

1.4 Format

The development plan comprises this written statement with supporting land use zoning and objective maps. The written statement includes Arklow Town Council's and Wicklow County Council's objectives, where applicable, and objectives for the development and use of land. In the event of any conflict or ambiguity between what is contained within the written statement and the supporting maps, the written statement will take precedence.

1.5 Stages of the Plan making process

There are 3 stages in the review and the making of a development plan which are detailed below:

Stage 1 – Pre Draft

- Background work, data gathering;
- Initial notification in a newspaper circulating in the area of the planning authorities' intention to prepare a new development plan;
- Consultation with prescribed bodies, service providers, government agencies and departments and members of the public;
- Report to the elected Members outlining the Town and County Manager's response on issues raised in public consultation and recommendations on objectives to be included in the development plan;
- The issuing of directions to the Manager's by the elected members of the Planning Authority regarding the preparation of the plan;
- Scoping of environmental report (SEA).

Stage 2 – Preparation of the Draft Plan

- Submission by the Town and County Manager's of a draft plan to Elected Members for their consideration;
- Consideration by the Elected Members of the draft plan, including the making of amendments;
- Sending notice and a copy of the draft plan to prescribed bodies;
- Public display of draft plan and environmental report and invitation of submissions.

Stage 3 – Making of the Development Plan

- Preparation by the Manager's of a report on submissions received;
- Consideration by the Elected Members of the draft plan, submission received and the Manager's report;
- Making of the development plan by accepting or amending the draft, except where an amendment represents a material alteration of draft plan;
- In this case, material amendments go on public display, including amending environmental report if necessary, for a further period of 4 weeks;
- Preparation of a Managers' report on submissions;
- Consideration of the amendment and Managers' report by the Elected Member;
- Making of the plan by the elected Members of the Planning Authority.

1.6 Development Management

Development Management is the statutory process that manages development in accordance with proper planning and sustainable development having regard to the objectives set out in the Development Plan, and the policy of the Government, the Minister or any other Minister of the Government, in the interests of the common good. The plan, being a strategic document, sets out these broad policies and objectives the details of which are subject to best practice interpretation and analysis depending upon the nature and specifics of the development proposed.

The granting of planning permission does not per se enable development to be undertaken as such development will have a legal context outside the remit of the permission. It will also be required to conform with the requirements of legislation and regulations that are outside the scope of planning legislation and that will impact upon the specific development proposed.

The achievement of the objectives of the Plan will frequently be dependent on the availability of appropriate levels of finance. Accordingly, the Council will actively and innovatively strive to identify and secure resources from both public and private sectors, to implement the provisions of this Plan and facilitate private investment, in accordance with this Plan.

To facilitate the implementation of roads and transportation, water and drainage, and community facilities infrastructure, the Local Authority will require contributions from benefiting developers. Contributions shall be required in accordance with the Local Authority's Development Contribution Scheme, prepared under Section 48(1) of the Planning and Development Act, 2000.

1.7 Enforcement

It is the policy of the Planning Authority that development will be controlled in accordance with policies and objectives set out in the Arklow Town and Environs Development Plan and in accordance with the principles of proper planning and sustainable development.

With regard to the enforcement provisions of Part VIII of the Planning and Development Act, 2000, as amended, the role of the Planning Authority is to undertake enforcement action where necessary with respect to the non-compliance with conditions attached to planning permissions and the carrying out of non exempted development without the benefit of planning permission. Furthermore the Planning Authority has special control powers under current legislation pertaining to such areas as protected structures and tree preservation orders.

In addition, the Planning Authority will continue the practice of granting planning permission with the inclusion of conditions requiring levies and/or bonds to be paid to ensure compliance with the conditions of the permission.

1.8 Ministerial Guidelines, Directives and Directions

In accordance with Sections 28, 29 and 31 of the Planning and Development Act 2000 (as amended), the Minister may issue Guidelines, Policy Directives and Directions to local authorities regarding any of their functions under the 2000 Act. Section 28 stipulates that the Minister may issue guidelines to Planning Authorities and that they shall have regard to those Guidelines, while Section 29 provides that the Minister may issue policy directives and that Planning Authorities shall comply with such directives.

Section 31 facilitates the Minister in issuing directions regarding development plans. This includes where either a draft plan or a development plan fails to set out an overall strategy for the proper planning and sustainable development of their area or otherwise fails to comply with the provisions of the Planning Acts.

1.9 Strategic Environmental Assessment & Appropriate Assessment

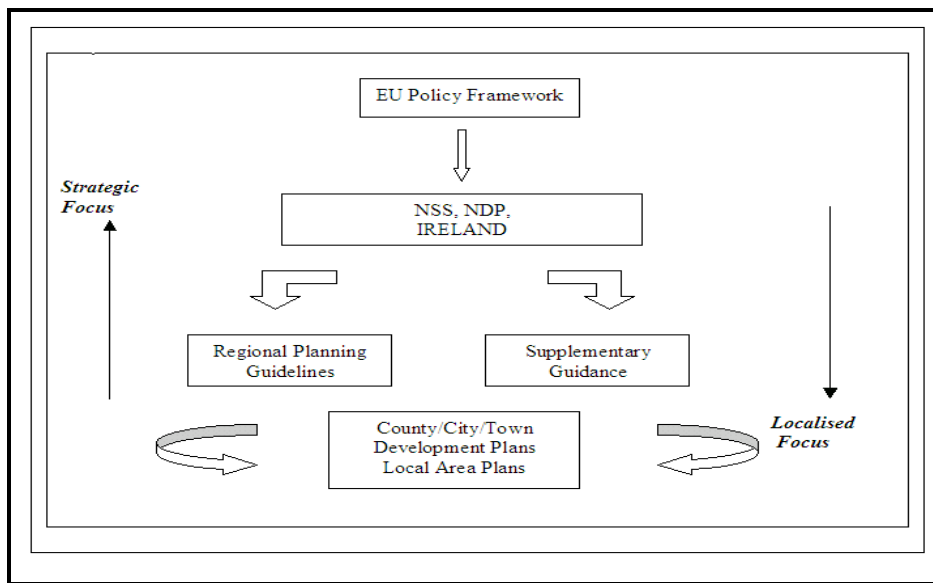
Strategic Environmental Assessment (SEA) is the formal systematic evaluation of the likely significant environmental effects of implementing the development plan prior to any decision on its adoption. The Environmental Report has examined the likely significant environmental impacts of the policies and objectives of the draft Arklow and Environs Development Plan. Any amendments made to the draft plan will be subject to the Strategic Environmental Assessment (SEA) process. In accordance with Article 6(3) of the EU Habitats Directive 1992 and the Appropriate Assessment Guidelines 2009 this plan has been screened for impacts on Natura 2000 sites. The Habitats Directive introduces for the first time for protected areas, the precautionary principle; that is that projects can only be permitted having ascertained no adverse effect on the integrity of the site. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest. In such cases compensation measures will be necessary to ensure the overall integrity of network of sites.

1.10 Monitoring, Review and Implementation

The Town and County Councils will jointly ensure that this development plan is regularly monitored and reviewed as necessary. The development plan cannot foresee all future issues and circumstances that may arise and therefore, regular monitoring and review will be required. The plan will be implemented through the development management process.

1.11 Hierarchy of Plans

The Arklow Town and Environs Development Plan falls within a hierarchy of spatial strategies and plans. The hierarchy follows the format detailed in the diagram to follow with high level European, national, regional and local documents feeding progressively down into specific local plans and policies.



1.12 European framework

While a wide range of EU policies and directives have bearing and influence on the crafting of this plan, the principle areas of relevance to this plan are those addressing water quality and protected habitats

1.12.1 Water Framework Directive (2000) & Groundwater Directive 2006

The EU Water Framework Directive (WFD) is an important piece of EU environmental legislation, which aims at improving our aquatic environment. It requires governments to take a new holistic approach to managing their waters. It applies to rivers, lakes, groundwater, estuaries and coastal waters. The Groundwater Directive complements the WFD by establishing environmental objectives for groundwater chemical status and ensuring continuity with previous Groundwater Directives. These directives aim to achieve good ecological status in all waters by 2015, protect high ecological status in our pristine waters and authorities must ensure that this status does not deteriorate in any waters. Local Authorities are charged with implementing the Water Framework and Groundwater Directive objectives.

For the purpose of implementing the WFD, Ireland has been divided into eight river basin districts or areas of land that are drained by a large river or number of rivers and the adjacent estuarine / coastal areas. The management of water resources will be based on these river basin districts. Within each River Basin

District - for the purpose of assessment, reporting and management - water has been divided into groundwater, rivers, lakes, estuarine waters and coastal waters which are in turn divided into specific, clearly defined water bodies. River Basin Management Plans list the current status of our waters and detail the measures required to bring those failing back to good status and maintain the high status of our pristine sites.

1.12.2 Habitats Directive (1992)

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the ‘Habitats Directive’ - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

1.13 National Framework

1.13.1 National Spatial Strategy 2002-2020 (NSS)

The NSS is a plan that takes a longer and more strategic view over a twenty-year period than the six-year life span of a Development Plan. Its focus is on balanced regional development throughout the regions in Ireland. Balanced regional development is defined as “developing the full potential of each area to contribute to the optimal performance of the state as a whole –economically, socially and environmentally”. The Dublin and Mid East Region being the Greater Dublin Area, of which Wicklow is a part, includes the remaining two counties of the Mid East, Kildare and Meath and the four Dublin authorities. The eastern part of the County forms part of the Dundalk – Dublin – Waterford strategic corridor. Arklow is strategically located along this corridor and as a result benefits from good linkages to air sea and international transport connections.

1.13.2 The National Development Plan 2007-2013 (NDP)

The ‘National Development Plan-Transforming Ireland- A better Quality of life for all’ sets out strategic development frameworks for regional development, for rural communities, for all-island co-operation and for the protection of the environment with common economic and social goals. In acknowledging the importance of the spatial management of the Country the NDP focuses upon regional development and environmental sustainability as being central to the investment structure of the plan. The NDP recognises the Dublin Metropolitan Area as the gateway within the Greater Dublin Area (of which Wicklow forms part) and the main catalyst of regional and national growth. Investment plans and priority spending areas have been identified. The integration of National Development Goals and Investment Strategies are highlighted, as are the challenges and general goals that are to be met during the term of this NDP.

1.13.3 Smarter Travel and Transport (National Transport Authority)

Transport 21 forms part of the NDP and comprises a ten year investment programme for the development of the national road network, public transport and airports. It aims to expand capacity, increase public transport use, increase accessibility and integration, enhance quality and ensure sustainability.

Smarter Travel is a policy document, which sets out a broad vision for the future and establishes objectives and targets for transportation. The document examined past trends in population and economic growth and transportation and concluded that these trends are unsustainable into the future. The main objectives are to reduce dependency on car travel and long distance commuting, increase public transport modal share and encourage walking and cycling, improve quality of life and accessibility for all, improve economic competitiveness through maximising the efficiency of the transport system, alleviating congestion and infrastructural bottlenecks, minimising the environmental impact by reducing localised air pollutants and greenhouse gasses and improving security of energy supply by reducing dependency on imported fossil fuels.

The aim is that by 2020 future population and economic growth will have to predominately take place in sustainable compact urban and rural areas, which discourage dispersed development and long commuting. The documents outline ambitious targets, which involve a complete turnaround on current trends. It is envisaged that these targets will be achieved through a number of key actions, which can be grouped into four main areas:

- Actions to reduce travel by private car and encourage smarter travel;
- Actions to provide alternatives to the private car;
- Actions aimed at improving fuel efficiency;
- Actions aimed strengthening institutional arrangements to deliver the targets.

1.13.4 National Energy Policy

The National Energy Efficiency Action Plan 2009-2020 outlines a strategy to reduce the Country's dependence on imported fossil fuels and improve efficiency across a number of sectors as a key step in a sustainable energy policy. Energy efficiency is internationally recognised as the most cost-effective means of reducing dependence on fossil fuels. The Government's energy policy framework for the period 2007-2020 incorporates this goal and is designed to direct Ireland towards a new and sustainable energy future; one that increases security of supply, makes energy more affordable, improves national competitiveness and reduces green house gas emissions.

1.13.5 National Climate Change Strategy 2007-2012

This document outlines the measures that Ireland will take in order to meet its commitment to limit its greenhouse gas emissions over the 2008-2012 period to 13% above 1990 levels, which include the following policy mechanisms:

- The need to take a long-term view having regard to likely future commitments and the economic imperative for early action;
- The promotion of sustainable development, including integration of climate change considerations into all policy areas;
- The protection of economic development and competitiveness, utilising market-based instruments with the exploitation of new markets and opportunities;
- The maximisation of economic efficiency both on a macro-economic basis and within sectors;
- An equitable approach to all sectors, having regard to the relative costs of mitigation between sectors.

1.13.6 National Heritage and Biodiversity Plans

A key objective of the National Heritage Plan (2002) is to "place heritage at the heart of public life". The plan recognises that heritage is communal and we all share a responsibility to protect it. Protection of heritage must begin at local level enabling citizens to become actively involved in preserving and enhancing that, which belongs to us all. While this plan sets out a vision nationally for heritage management, it emphasises the needs to manage heritage locally, through the preparation of Local Heritage Plans.

The National Biodiversity Action Plan (2002) sets out actions for the promotion and delivery of biodiversity conservation at both national and local levels. The plan calls on each Local Authority to prepare a Local Biodiversity Action Plan, and emphasises the important role of local authorities in promoting and delivering biodiversity conservation through local plans and programmes. Wicklow County Council has recently prepared a County Biodiversity Plan.

1.14 Regional Strategies

1.14.1 Draft Regional Planning Guidelines for the Greater Dublin Area 2010-2022(RPGs)

The Greater Dublin Area incorporates the Dublin Regional Authority and the Mid East Regional Authority, being the geographical and administrative areas of Dublin City, Dun Laoghaire-Rathdown, Fingal, South Dublin, Wicklow, Meath and Kildare. The Regional Planning Guidelines (RPGs) is a policy document, which aims to direct the future growth of the Greater Dublin Area over the medium to long term and works to implement the strategic planning framework as set out in the National Spatial Strategy (NSS) published in 2002. The RPG's inform and direct the City and County Development Plans for each of the Councils in the Greater Dublin Area. They provide the clear policy link between national policies- the National Development Plan and the National Spatial Strategy and other national policy documents and guidance- and Local Authority planning policies and decisions.

The Regional Planning Guidelines (RPGs) make a distinction between the existing built up metropolitan area and its environs, where the built up area is the "metropolitan" and the remainder the "hinterland" with a wide range of settlement sizes that have the potential to attain an enhanced level of sustainability. In this regard Arklow is defined as Large Growth Town II in the hinterland area.

1.14.2 Greater Dublin Area Retail Strategy

The Greater Dublin Area Retail Strategy sets out a co-ordinated and sustainable approach to the assessment and provision of retailing within the Greater Dublin Area so that:

- Adequate and suitable provision is made to meet the needs of changing population patterns, and provide for healthy competition and consumer choice;

- Retail in suitable locations is provided and integrated within existing growth areas and public transport investment;
- Significant overprovision, which would place more marginal locations under severe pressure and undermine sustainability driven policies aimed at revitalising town centres, is avoided.

By setting out a strategic framework for retailing, the strategy seeks to give guidance on where future retail should be provided and what issues need to be addressed. To this end, the strategy proposes a retail hierarchy as a core spatial policy around which future growth, rejuvenation and expansion in the retail sector needs to be focused. The Retail Strategy for County Wicklow is set within the context of the Retail Strategy for the Greater Dublin Area. In the regional retail strategy Arklow is identified as a level 3 Town and/or district centres & sub county town centre.

1.15 Local plans, strategies and studies

1.15.1 Wicklow County Development Plan

The County Development Plan addresses the issues set out in Section 10 of the Planning and Development Act 2000. In the settlement hierarchy of County Wicklow, Arklow is designated as a Large Growth Town II. These settlement types are defined as the most likely to be successful in attracting concentration of employment generating investment and these areas should have the greatest accessibility/connectivity to public transport. These centres should be economically self-sustaining, with population, including its catchments, which are able to support a wide range of facilities. While only that part of the plan area outside of the administrative boundary of Arklow Town Council is bound by the County Development Plan, the County Development Plan includes the following strategies that apply also in the Town Council area:

- The County Wicklow Retail Strategy
- The County Wicklow Housing Strategy

1.15.2 County Development Board (CDB) ‘Outlook – a 10 year strategic plan for County Wicklow’

The main function of the County Development Board is to co-ordinate the plans and activities of all the main players in County Wicklow. This will ensure that the people of Wicklow will benefit from a more efficient and effective service delivery. It is important that any overlaps or gaps in this delivery are identified and addressed, in an integrated way. In order to achieve this, the CDB has drawn up a ten year Strategy for the Social, Economic and Cultural Development of County Wicklow. In addition, the strategies and operational plans of agencies and groups in the County will be proofed against the CDB strategy. This plan can be seen as a framework for decision-making, a look into the future, a problem-solving initiative and a shared values document. The strategy will be delivered by the member organisations of the CDB through their own operational plans. Both CDB strategies and development plans are required to formulate strategies for the development of counties and consider the socio-economic and physical issues. They exist at parallel statements on the future development of the area. The focus of the CDB Strategy is on economic, social and cultural development, while the focus of the development plan is on physical development and land-use and how this can serve wider social, economic and environmental objectives. Land-use decisions must be informed by socio-economic considerations, while the spatial dimensions of the CDB strategy will reflect the land-use policies and objectives of the development plan.

1.15.3 IFPLUTS

An Integrated Framework Plan for Land Use and Transportation (IFPLUT) was prepared for Arklow in 2003. The purpose of an integrated land use and transport plan is to review the planning, development and transportation context of a settlement and its environs, and to provide land use and transportation guidance for future development.

While the principal role of such studies is to inform local planning strategies, transport has a regional dimension and therefore these plans were considered in the crafting of the town and environs plan.

1.15.4 Wicklow Outdoor Recreation, Sports and Play Strategies

Strategies have been adopted for ‘outdoor recreation’, ‘sports and recreation’ and ‘play’ during the life of the County Development Plan 2004-2010. All of these strategies set out policies and objectives with the ultimate goal of improving quality and life and wellbeing of Wicklow residents and visitors, and making maximum use of the County’s resources, in a sustainable and sensitive manner. These strategies particularly influence the new Development Plan in the areas of tourism and recreation and community development.

1.15.5 Wicklow Waste Management Plan

A new County Waste Management Plan was adopted in 2006. The overriding aim to reduce and manage waste pervades all aspects of land use and development planning and therefore is influential in the formulation of the Development Plan.

1.16 Ministerial Guidelines

Ministerial Guidelines have been prepared on a wide range of topics, and regard has been taken of all such guidelines in the preparation of this plan. Of particular relevance however are the following:

- Guidelines on Sustainable Residential Development in Urban Areas

These guidelines set out the manner in which development plans should contain policies and objectives underpinning the creation of sustainable developments. They also include clear guidance on implementation measures, particularly with regard to the phased and co-ordinated provision of physical infrastructure, public transport and community facilities.

- Guidelines on Flood Risk Management

These Guidelines contain advice to local authorities to incorporate measures to manage the risk of flooding from climate change and rising sea levels in their development plans and development management systems. Advice is also given to developers and architects on designing for flood risk including sustainable urban drainage systems. In the case of Arklow, as per these guidelines, a justification test has been carried out in the preparation of the Town and Environs Development Plan, which relates to the zoning of lands.