

## Appendix 14-Statement outlining compliance with Ministerial Guidelines

### Background

Under Section 28 of the Planning and Development Act, 2000 (as amended) Meath County Council is required to append a statement to the Development Plan demonstrating how the Council has implemented the policies and objectives of Ministerial Planning Guidelines. Or if applicable, that the Council has formed the opinion that it is not possible to implement certain policies and objectives of the Minister for stated reasons.

### Implementation of Ministerial guidelines in the Meath Development Plan

The following section demonstrates how the Meath Development Plan 2021-2027 implements applicable Ministerial Planning Guidelines issued under Section 28 of the Act.

### Architectural Heritage Protection-Guidelines for Planning Authorities, 2011

A comprehensive Record of Protected Structures has been included as Appendix 6 to the Development Plan.

- 23 Architectural Conservation Areas have been identified across the County.
- Chapter 8 Cultural and Natural Heritage Strategy commits the Council to the protection and conservation of buildings, areas, structures, sites and features of archaeological, architectural, historical, artistic, cultural, scientific, social or technical interest.
- The local implementation of National Architectural Heritage Protection policy benefits from the oversight of the County's Architectural Conservation Officer.

## Childcare Facilities- Guidelines for Planning Authorities, 2001

Chapter 7 Community Building Strategy recognises the provision of childcare facilities is an important factor for economic and social wellbeing. It acknowledges that childcare is essential to enable parents to participate in the workforce and to obtain an income that provides an acceptable standard of living for both them and their children.

- SOC POL 21 encourages provision of childcare facilities in appropriate locations, including residential areas, town and local centres, villages and rural nodes, areas of employment and close to public transport.

In assessing applications for new childcare facilities, the Development Plan commits the Council to consulting with the Meath County Childcare Committee to assess the need for the type of facility proposed at the intended location.

- Childcare facilities are identified as “permitted in principle” under the vast majority of the Development Plan’s land use zoning objectives. They are “open for consideration” in areas zoned for Retail Warehousing, Tourism, Employment lands and Open Space.
- The Childcare Facilities Guidelines for Planning Authorities are referenced as a consideration in Chapter 11 Development Management Standards.

## Development Management Guidelines for Planning Authorities, 2007

Chapter 11 “Development Management Guidelines and Standards” sets out the development standards and criteria to ensure development throughout the County occurs in an orderly and efficient manner, as envisaged by the Guidelines.

Proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the preceding chapters of the Plan and be compliant with relevant legislative guidance.

## Development Plan- Guidelines for Planning Authorities, 2007

The Meath Development Plan has had regard to the policy contained in the above mentioned Guidelines in terms of both the plan-making process and format of the Plan.

The section of the Guidelines entitled “Factors in Determining Zoning” has informed the zoning of land in the County. The following factors have been taken into account when determining the plan zoning:

Need, Policy Context, Capacity of Water, Drainage and Roads Infrastructure, Supporting Infrastructure and Facilities, Physical Suitability, Sequential Approach, Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

In addition, the Council has had regard to more recent legislative and amendments which have affected the Development Plan preparation process since the publication of the Guidelines in 2007. The most significant of these changes being the requirement for the preparation of a Core Strategy (Chapter 2) which was introduced by the Planning and Development (Amendment) Act 2010. Other policy documents which inform the process include the National Planning Framework, the National Development Plan and the Regional Spatial and Economic Strategy.

The Plan also has had cognisance of other amendments related to Development Plans brought about by the enactment of the Urban Regeneration and Housing Act 2015, the Local Government Reform Act 2014, and the Public Transport Regulation Act 2009 amongst others.

## Implementation of the SEA Directive (2001/42/EC): Assessment of the Effects of certain Plans and Programmes on the Environment- Guidelines for Planning Authorities, 2004

Strategic Environmental Assessment (SEA) is being carried out as part of the preparation of the Development Plan. This informs the preparation of the Plan. The resulting Strategic Environmental Report is published as a separate but related document, similar to Natura Impact Report (NIR) and Strategic Flood Risk Assessment (SFRA).

## Provision of Schools and the Planning System- Code of Practice for Planning Authorities, 2008

Ensuring the timely provision of community infrastructure including schools is stated strategic policy of the Development Plan. (SOC POL 15 refers)

The Development Plan commits Meath County Council to continuing to work closely with the Department of Education and Skills to identify and procure school sites where a shortfall in school places is identified.

- SOC OBJ 4 commits the Council to facilitating the development of additional pre-schools, primary, post-primary and third level facilities in a timely manner in partnership with the Department of Education and Skills and/or other bodies.

Chapter 11 states the Council will consider school developments having regard to specific requirements of the Department of Education and Skills and guidance set out within “The Provision of Schools and the Planning System, A Code of Practice for Planning Authorities, the Department of Education and Science, and the Department of the Environment, Heritage and Local Government”.

## Quarries and Ancillary activities- Guidelines for Planning Authorities, 2004

In Chapter 9 Rural Development Strategy, the Council recognises the importance of extractive industries to the local and national economy as valuable sources of raw material for the construction industry and as an important source of employment.

- RUR POL 41 aims to ensure that the carrying out, processing and storage of extracted aggregates is done in a manner which minimises the impact on the natural environment and visual amenities of an area.

## Retail Planning- Guidelines for Planning Authorities, 2012

The Meath Retail Hierarchy has been devised having regard to the classifications of the Retail Strategy for the GDA and through ensuring consistency with the settlement hierarchy of the Retail Planning Guidelines for the GDA.

- ED POL 28 ensures that policies in relation to type, quantum and locations of retail floorspace provision are consistent with the requirements and recommendations of the relevant regional policy frameworks.
- ED POL 31 and 32 requires that new significant retail development be primarily directed to the higher levels in the Meath Retail Hierarchy and specifically to the core retail areas identified for these centres, except in exceptional circumstances (outlined).

Core retail areas for the Level 2 and Level 3 urban centres are delineated in the Meath Retail Strategy 2020-2026.

## Spatial Planning and National Roads- Guidelines for Planning Authorities, 2012

Section 43(2) of the Roads Act 1993 states there is no right of direct access to a motorway from adjoining land and such direct access shall not be granted. The Council is also prohibited from granting such access under Section 46 of the Act and Section 8 of the Roads Act 2007. In this respect 82% of the national road network in Meath is already protected from the creation of new access points.

- MOV POL 24 safeguards the capacity and safety of the National Road network by applying the provisions of the Spatial Planning and National Road-Guidelines for Planning Authorities.
- MOV POL 25 promotes road safety measures in conjunction with the relevant stakeholders to avoid the creation of traffic hazards.
- MOV POL 31 requires that regard is had to TII's Policy Statement on Motorways and High Quality Dual Carriageways in the assessment of proposals for such developments.

## Sustainable Residential Development in Urban Areas, 2009

Chapter 3 "Settlement and Housing" states that Meath County Council is committed to achieving successful and sustainable communities throughout the County. The Development Plan aims to improve the quality of Meath's urban and rural environments and encourage a high standard of design in all new developments. Adhering to the principles of placemaking will achieve accessible, safe and sustainable built and natural environments, which reflect the special character and heritage of the County and its varied townscapes and landscapes.

Chapter 3 commits the Council to have regard to Sustainable Residential Development in Urban Areas guidelines and its companion document Urban Design Manual – A Best Practice Guide when determining densities.

## Sustainable Rural housing Development Guidelines, 2005

It is the Council's objective for this area to facilitate the rural generated housing requirements of the local rural community (as defined in that Chapter) while on the other hand directing urban generated rural housing to areas zoned for new housing development into towns and villages.

The Plan is focused on promoting well-developed and stable rural communities, which can support the provision of educational, community and social services, improved amenities and sustainable employment opportunities.

## Sustainable Urban Housing Design Standards for New Apartments- Guidelines for Planning Authorities, 2020

The provisions of the Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities have been classed as ‘specific planning policy requirements’ by the Minister within the meaning of Section 2 of the Planning and Development (Amendment) Act 2015. Meath County Council is therefore required to apply the Guidelines in the performance of its functions.

Accordingly, Objective SH POL 8 states that residential developments are required to be consistent with “The Guidelines for Planning Authorities on ‘Sustainable Residential Development in Urban Areas and associated Urban Design Manual-A Best Practice Guide, DEHLG (2009) and any subsequent Guidelines.”

## Telecommunications Antennae and support Structures- Guidelines for Planning Authorities, 1996

- INF POL 56 requires the orderly development of “*telecommunications infrastructure throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities July 1996 except where they conflict with Circular Letter PL07/12 which shall take precedence, and any subsequent revisions or additional guidelines in this area.*”

- INF POL 57 requires best practice in siting and design in relation to the erection of communication antennae.

- INF OBJ 54 commits the Council to secure a high quality of design of masts, towers and antennae and other such infrastructure in the interests of visual amenity and the protection of sensitive landscapes, subject to radio and engineering parameters.

## The Planning System and Flood Risk Management- Guidelines for Planning Authorities, 2009

A Strategic Flood Risk Assessment (SFRA) was undertaken for the plan area having regard to the Department of the Environment, Community and Local Government and OPW issued guidelines to identify flood risk areas. Flood Risk Assessment was integrated into the SEA process. The Strategic Flood Risk Assessment has been published as a separate document informing the preparation of the Development Plan.

- INF OBJ 21 outlines the requirement to restrict “new development within floodplains other than development which satisfies the justification test, as outlined in the Planning System and Flood Risk Management Guidelines 2009 for Planning Authorities (or any updated guidelines).”
- INF OBJ 23 commits the Council to protect and enhance the County’s floodplains, wetlands and coastal areas subject to flooding as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future.
- INF OBJ 24 commits the Council to identify existing surface water drainage systems vulnerable to flooding and develop proposals to alleviate flooding in the areas served by these systems in conjunction with the OPW.
- INF OBJ 25 requires the use of sustainable drainage systems and discourages the use of hard nonporous surfacing and pavements.
- INF OBJ 27 encourages the use of Green Roofs on apartment, commercial, leisure and educational buildings.
- INF POL 25 commits the Council to have regard to the recommendations of the Fingal East Meath Flood Risk Assessment and Management Study (FEMFRAMS) and the Eastern Catchment Flood Risk Assessment and Management Study and to assess and implement the recommendations of these documents.

## Tree Preservation- Guidelines for Planning Authorities

Trees to be preserved and protected have been identified on the land use zoning maps.

- RUR OBJ 40 commits the Council to consider the use of Tree Preservation Orders to protect important trees, groups of trees or woodlands.
- RUR POL 36 commits to facilitating the sustainable development of forestry which is sympathetic to the area with retention of tree cover and taking into account the sensitivities of the local environment

## Wind Energy Development- Guidelines for Planning Authorities, 2006

- Objective INF OBJ 39 commits the Council to support Ireland’s renewable energy commitments outlined in national policy by facilitating the exploitation of renewable energy sources including wind power where such development does not have a negative impact on the surrounding environment,

landscape or local amenities including offshore sites that may be designated under the Birds and Habitats Directive in the lifetime of this Plan

- INF POL 41 requires that all new wind energy developments in the County comply with the Wind Energy Development Guidelines for Planning Authorities, DoEHLG (2006), the Meath Landscape Character Assessment or any subsequent Strategy or Guidelines published within the lifetime of the Plan.

## Urban Development and Building Heights –Guidelines for Planning Authorities- 2018

The Urban Development and Building Height Guidelines, December 2018 require that Development Plans identify and provide policy support for specific geographic locations where increased building height is a fundamental policy requirement.

In this regard and in accordance with SPPR1 of the Guidelines, specific locations have been identified in the Plan as suitable to accommodate increased building height in the County:

- DM POL 7 requires compliance with the Guidelines.
- DM OBJ 31 Requires development with increased building height at identified locations