

6 Planning and Policy

6.1 Introduction

This chapter provides a summary of the hierarchy of national, regional and local planning and development policies in addition to those Irish Water policies of relevance to the proposed development.

6.2 National Planning Policy and Guidance

6.2.1 Project Ireland 2040: National Planning Framework

The Department of Housing, Planning and Local Government published Project Ireland 2040: National Planning Framework (NPF) in February 2018. The NPF is the overarching policy and planning framework for the social, economic and cultural development of the country.

The NPF was published together with a 10-year national investment plan as one vision – Project Ireland 2040, meaning that implementation of the NPF is fully supported by the Government’s investment strategy for public capital investment and investment by the State sector in general.

The NPF is the overarching document guiding regional spatial and economic strategies and local development plans. The NPF identifies national strategic outcomes (including the sustainable management of water and other environmental resources) as well as strategic investment priorities (including water infrastructure). Specifically, urban wastewater is identified as a principal pressure on Ireland and the need to ensure adequate treatment and capacity to avoid direct discharges has been recognised in the NPF. Urban waste water treatment plant compliance and remedial actions are therefore a key short term priority.

Furthermore, National Policy Objective 63 states:

“Ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.”

The proposed development complies with the objectives of the NPF by providing infrastructure that will provide wastewater treatment and eliminate in so far as possible the discharge of untreated wastewater into the Avoca River therefore improving water quality in the river channel and more generally in Arklow town.

6.2.2 National Development Plan 2018 – 2027

The National Development Plan 2018 – 2027 (NDP) was published in conjunction with the NPF in February 2018. The NDP is the national plan setting out investment priorities to guide national, regional and local planning and investment decisions.

The NDP prioritises investment in high-quality infrastructure and specifically identifies €8.5 billion investment by Irish Water over the decade. The fragmentation of the water and wastewater network is recognised and the need for further investment to deliver new connections to provide an efficient, fit-for-purpose infrastructure network is recognised. The NDP states the following under National Strategic Outcome 9: Sustainable Management of Water and other Environmental Resources:

“Investment in our country’s water services is critical in meeting the needs of our growing economy across the regions, of our people and their health and the protection and enhancement of the quality of our environment and ensures public health.”

The proposed development is consistent with the NDP by providing infrastructure that will provide wastewater treatment and eliminate in so far as possible the discharge of untreated wastewater into the Avoca River therefore improving water quality in the river channel and more generally in Arklow Town.

6.2.3 National Flood Policy

The National Flood Policy was adopted by the Government in 2004 after an inter-departmental review on how to manage flood risk most effectively and efficiently. The National Flood Policy builds on the Arterial Drainage Acts 1945 and 1995, which permits the OPW, as the lead agency coordinating the management of flood risk in Ireland, to implement localised flood relief schemes.

The National Flood Policy identifies that *‘the flooding problem cannot be eliminated but can be managed so as to minimise its impact’* and that there are *‘a considerable number of heavily populated urban centres that are currently at risk of flooding and where flood defence may be the only feasible solution’*. The National Floods Policy generally advocates for sustainable flood prevention, mitigation and protection in areas of flood risk.

Arklow is one such area that is at risk of flooding and the OPW are currently proposing to develop the proposed Arklow Flood Relief Scheme in close proximity to the proposed development (Refer to **Section 2.6.7 of Chapter 2** for further detail). Given this potential for flood risk, the National Flood Policy has been considered throughout the design development of the proposed development.

The proposed Arklow Flood Relief Scheme has also been considered during the design development of the proposed development (Refer to **Section 3.6 of Chapter 3** for further detail). The likely significant effects of the proposed development and the proposed Arklow Flood Relief Scheme have been considered as part of the assessment of cumulative effects (Refer to **Sections 2.6.6 and 2.6.7 of Chapter 2** and **Chapter 19** for further detail).

Further, efforts have been made to mitigate flood risk should the proposed development proceed in advance of the Arklow Flood Relief Scheme (As described in detail in **Section 5.6.3.5 of Chapter 5**, the bridge underpinning works at the second arch will mitigate any potential flood risk associated with the proposed development.).

The proposed development is therefore consistent with the National Flood Policy as appropriate flood protection and mitigation will be facilitated to mitigate and protect against flood risk associated with the proposed development as described in detail in **Chapter 15**.

6.2.4 Ireland's Transition to a Low Carbon Energy Future 2015 - 2030

Ireland's Transition to a Low Carbon Energy Future 2015 – 2030 was launched by the Department of Communications, Climate Action and Environment in December 2015 to update energy policy and set out the framework to guide policy to 2030. It guides the national transition to a low carbon future that would transform Ireland into a low carbon society and economy by 2050.

This Policy outlines the extensive range of existing literature on climate change as well as the international policy framework for addressing climate change at the global, EU and national level with cognisance of the Climate Action and Low Carbon Development Bill 2015. Specifically, the energy vision for Ireland is set out in Section 2.6 and the objectives outlined in Section 2.7 state that:

“Ireland’s energy policy addresses three core objectives – the ‘three energy pillars’:

- *Sustainability*
- *Security of supply*
- *Competitiveness – leading to affordable energy for domestic and business consumers.*

Sustainability is essential to reduce our dependence on imported fuels and to combat climate change through the reduction of energy-related GHG emissions in the transition to 2050.

Security of supply is necessary to the functioning of our society and economy.

Price competitiveness is needed both for business (which provides employment and creates wealth) and for households (which need affordable energy and protection against energy poverty).

Our new energy policy framework seeks to strike a balance between the three pillars to ensure a sustainable, secure and competitive energy system for Ireland.”

The proposed development is in compliance with Ireland’s Transition to a Low Carbon Energy Future 2015 - 2030 as cognisance has been taken throughout of the need to minimise energy requirements.

Provision has also been made for PV panels on the roof of the Process building, i.e. a source of renewable energy that will reduce reliance on fossil fuels (and associated energy related greenhouse gas emissions) and improve security of supply (Refer to **Section 4.3.7 of Chapter 4** for further information).

6.2.5 Irish Water Services Strategic Plan – A Plan for the Future of Water Services (2015-2020)

The Water Services Strategic Plan – A Plan for the Future of Water Services (‘Strategic Plan’), as per Section 33 of the Water Service (No. 2) Act 2013, was published by Irish Water in October 2015 to set out the strategic delivery of water services to 2040. The Strategic Plan details current and future challenges which affect the provision of water services and identifies priorities to be tackled in the short and medium term.

The Strategic Plan identifies that many urban agglomerations do not have sufficient wastewater treatment and that raw sewage is currently discharging in Arklow, therefore infringing the requirements of the UWWT Directive.

Achieving compliance with the UWWT Directive is an immediate priority for Irish Water and the Strategic Plan recognises that substantial upgrading of the wastewater treatment network is required. Specifically, the following responsibilities for wastewater treatment are outlined:

“Our responsibilities for wastewater commence when effluent reaches the public wastewater network. We are responsible for its transfer to wastewater treatment plants, its treatment and the subsequent discharge of the treated effluent back into the water environment. We are also responsible for the treatment and disposal of the sludge that is generated from both our water and wastewater treatment plants.”

Furthermore, the following specific objectives have been outlined as part of the Strategic Plan:

- **WW1:** Manage the operation of wastewater facilities in a manner that protects environmental quality;
- **WW2:** Manage the availability and resilience of wastewater services now and into the future; and
- **WW3:** Manage the affordability and reliability of wastewater services.

The proposed development is in compliance with the objectives outlined in the Strategic Plan by enabling the effective management and provision of wastewater treatment within the Arklow agglomeration which is currently lacking wastewater infrastructure.

6.2.6 Irish Water Business Plan – Transforming Water Services in Ireland to 2021

The Irish Water Business Plan – Transforming Water Services in Ireland to 2021 (Business Plan) was published by Irish Water in 2015 as a framework for delivering efficient national water and wastewater services.

The Business Plan identifies a range of national issues associated with the fragmented network and key deliverables to improve infrastructure and services for customers.

The Business Plan highlights that Arklow is one of a number of large urban areas with no treatment or preliminary treatment only. As such it is non-compliant with the UWWT Directive and the Business Plan identifies that compliance with the UWWT Directive is a key metric to be achieved by 2021.

The proposed development is in compliance with the Business Plan by providing wastewater treatment within the Arklow agglomeration which is currently discharging untreated wastewater into the Avoca River. Further, this will ensure that Arklow is brought into compliance with the obligations of the UWWT Directive.

6.2.7 National Wastewater Sludge Management Plan

The National Wastewater Sludge Management Plan (NWSMP) outlines Irish Water's strategy to ensure a nationwide standardised approach for managing wastewater sludge over the next 25 years. It is required in order to set out the short, medium and long-term strategy for management of sludge produced at wastewater treatment plants under the control of Irish Water.

Irish Water has looked at how wastewater sludge is currently managed and has set out sustainable proposals for the investment in future treatment, transport and reuse or disposal of the sludge in keeping with the following objectives: -

- To avoid endangering human health or harming the environment;
- To maximise the benefits of wastewater sludge as a soil conditioner and source of nutrients;
- To ensure that all regulatory and legislative controls are met, and due regard is given to non-statutory Codes of Practice and industry guidance;
- To establish long term, secure and sustainable reuse/disposal methods;
- To ensure cost-effective and efficient treatment and reuse/disposal techniques;
- To reduce potential for disruption from sludge transport and sludge facilities;
- To extract energy and other resources where economically feasible; and
- To drive operational efficiencies, e.g. through the use of Sludge Hub Centres.

The proposed development is in compliance with the objectives of the NWSMP as it proposes to manage sludge effectively and make use of the regional sludge hub centres once operational.

6.3 Regional Policy Guidance

6.3.1 Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022

The Regional Planning Guidelines for the Greater Dublin Area 2010 - 2022 (Regional Planning Guidelines) set out the strategic policy for Dublin and the mid-east region over the twelve-year period to 2022. They provide a regional context to the National Spatial Strategy (the precursor to the National Planning Framework) and the individual development plans contained within the Greater Dublin Area.

The Regional Planning Guidelines effectively implement the National Spatial Strategy, whilst providing more detail and establishing a regional development and spatial framework that can be used to strengthen local authority development plans and other planning strategies at county, city and local level. The Regional Planning Guidelines prioritises value for money strategic state investments and a coordinated approach with Government agencies, departments and stakeholders.

Strategic policy PIP3 outlines the need to improve water quality and seeks that investment in wastewater infrastructure is prioritised to support the delivery of the economic and settlement strategy. Specifically, Table 11 which identifies ‘Critical Strategic Projects – Waste Water and Surface Water’, outlines the need for the “*Development of a high-quality treatment plant for Arklow town*” under point 6.

Arklow is designated as a Large Growth Town II in the Hinterland Area, defined as smaller in scale (than Large Growth Towns II) but a strong active growth town, economically vibrant with high quality transport links to larger towns/city.

Other strategic recommendations in the Regional Planning Guidelines of relevance include:

- **ER16:** “*Seek proactively the delivery of new sustainable water supply, waste water treatment and waste management infrastructure without which the future development of the Greater Dublin Area will be impossible.*”
- **SR5:** “*The expansion and growth of towns in the Greater Dublin Area is predicated on the delivery of suitable and necessary infrastructure. Local Area and Development Plans need to take into account the current and future infrastructure needs of zoned lands and ensure that future development is only permitted where necessary water services have been provided to avoid causing a risk to the environment and is in accordance with existing and future discharge licences for waste water facilities.*”
- **PIR15:** “*Seek continued investment in Wastewater treatment facilities and networks to meet the needs of the River Basin Management Plans and to achieve the targets for good water status for river, coastal and transitional waters in the Water Framework Directive.*”

- **PIR16:** *“Ensure that future capacity is provided in growth towns through expansion and upgrading of facilities where necessary and/or exploration of alternatives such as connecting to adjoining drainage systems or changes to catchments to enable growth towns to provide for the population growth envisaged in the settlement strategy and thus enable a more sustainable settlement pattern to be supported.”*

The proposed development complies with the strategic objectives and recommendations of the Regional Planning Guidelines regarding the need for investment in waste and surface water treatment and management in order to support the delivery of the economic and settlement strategies.

Arklow is a key growth town in the Greater Dublin Area, and investment in its water infrastructure is critical to realise the overall strategy for development in the region. In recent years, development has been constrained in Arklow town as a result of the lack of wastewater treatment. The proposed development will therefore facilitate the expansion and growth envisioned in the Regional Planning Guidelines.

6.3.2 Eastern and Midlands Regional Assembly Spatial and Economic Strategy

The Regional Planning Guidelines will be replaced by the Eastern and Midlands Regional Assembly Spatial and Economic Strategy (RSES). The RSES will take a strategic approach over a 12 - 20 year period to the spatial planning and economic strategy for nine counties containing twelve local authorities namely – Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow, Fingal, South Dublin and Dún Laoghaire-Rathdown County Councils along with Dublin City Council.

At the time of writing this EIAR, the Draft RSES is being prepared by the Eastern and Midlands Regional Assembly. It is anticipated that the Draft RSES will support similar objectives to those outlined in the NPF and NDP, therefore the proposed development is anticipated to be compliant with the policies and objectives outlined in the Draft RSES.

6.4 Local Policy Guidance

6.4.1 Wicklow County Development Plan 2016 – 2022

The Wicklow County Development Plan 2016 – 2022 (County Development Plan) sets the overall strategy for planning and sustainable development within the administrative boundaries of County Wicklow. The County Development Plan through the policies and objectives contained therein, provides the direction for the future development of County Wicklow.

6.4.1.1 Vision and Strategic Goals

The Vision for County Wicklow is:

“For County Wicklow to be a cohesive community of people enjoying distinct but interrelated urban and rural environments; where natural surroundings and important resources are protected; where opportunities abound to live and work in a safe atmosphere, allowing the people to enjoy the benefits of well paid jobs, a variety of housing choices, excellent public services, simple cultural and leisure opportunities, and a healthy environment.”

Strategic Goal 7 pertaining to infrastructure is:

“To protect and improve the county’s transport, water, waste, energy and communications, and maritime infrastructure, whilst having regard to our responsibilities to respect areas protected for important flora, fauna and other natural features.”

6.4.1.2 Core Strategy

It is a statutory obligation that the County Development Plan must have a “Core Strategy” which inter alia:

- Defines a settlement hierarchy for the County that is consistent with the National Spatial Strategy and Regional Planning Guidelines;
- Transposes the prescribed Regional Planning Guidelines housing and population targets (set at County level) for the rural and urban centres identified within the settlement hierarchy of the county; and
- Provides an evidence based rationale for the land proposed to be zoned for residential and mixed-use development having regard to the capacity of existing zoned land and the phasing of development taking account of the location of public transport and services.

Arklow is categorised as a Hinterland Area Large Growth Town II, and on the third tier of towns in the county (behind Bray and Wicklow Town / Rathnew). Arklow town is projected to grow to 19,494 by 2022, 21,247 by 2025 and 23,000 in 2028. In terms of employment growth targets, the County Development Plan states that in order to achieve a jobs target ratio of 86%, an additional 4,661 jobs will be required between 2011 and 2028.

In order to assist in achieving these growth targets additional investment in the town’s infrastructure is urgently required.

6.4.1.3 Water Infrastructure

The County Development Plan recognises that deficiencies in wastewater infrastructure are a barrier to the economic development and that addressing this issue is therefore critical to the success and well-being of County Wicklow residents.

The proposed development complies with Objective WI6 with regard to wastewater infrastructure:

“In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water’s Water Services Investment Programme, to ensure the provision of sufficient storage, supply and pressure of potable water to serve all lands zoned for development and in particular, to endeavour to secure the delivery of regional and strategic water supply schemes and any other smaller, localised water improvement schemes required during the lifetime of the plan.”

6.4.1.4 6.4.1.4 Compliance with the County Development Plan

The proposed development is compliant with the County Development Plan as it will help create a safe and healthy environment whilst assisting in the protection of its natural resources. It will facilitate in the achievement of the population and employments targets set out for Arklow. The proposed development will also result in the realisation of Objective W16 with regard to the development of a WwTP in Arklow.

6.4.2 Arklow and Environs Local Area Plan 2018 – 2024

The Arklow and Environs Local Area Plan 2018 – 2024 (Arklow LAP) is the land use framework for guiding future development in the settlement of Arklow Town. The Arklow LAP provides for and controls the physical, economic and social development of the settlement in the interests of overall common good and in compliance with environmental controls. The role of the Arklow LAP is to put in place the local framework within which development can occur.

6.4.2.1 Vision and Strategy for Arklow

Similarly to the County Development Plan, the Arklow LAP contains a vision for the town infrastructure:

“To protect and improve the settlement’s transport, water, waste, energy, communications and maritime infrastructure having regard to our responsibilities regarding the protection of the environment.”

The Arklow LAP also supports the core strategy outlined in the County Development Plan with regard to the need for wastewater treatment to cater for the projected population within Arklow town. As noted in **Chapter 17**, recent development in Arklow town has been constrained due to the lack of wastewater treatment. The Arklow LAP specifically states (as part of the Infrastructure Strategy for Arklow) that it will seek:

“To facilitate Irish Water in the provision of necessary waste water infrastructure, in a sustainable manner.”

6.4.2.2 Relevant Objectives

Specific objectives in the Arklow LAP of relevance to the proposed development are identified in Table 1.

Table 1: Arklow LAP objectives of relevance to the proposed development

Objective	Details	Relevance
Waterfront Strategy Objectives		
WZ5	To support and facilitate maritime activity and to encourage new developments that provide for an improved mix of uses including commercial, retail and residential uses and to particularly encourage tourism and leisure related developments.	The Arklow LAP notes that the future development of this WWTP will help to improve the river and beach quality and will in time open up the potential for the enhancement of the recreational and tourism uses in the waterfront
WZ6	To require any new developments in the Waterfront Zone to meet a high standard of design that respects the unique historical, environmental, visual and recreational amenities of the area.	The proposed development aligns with this objective in the Arklow LAP as the high standard of design respects the local area as described in Chapters 3, 4 and 13 .
WZ7	To support and facilitate the development of new infrastructure necessary for the continued operation and development of the harbour	The proposed development aligns with this objective in the Arklow LAP as it will provide infrastructure that facilitates continued operation and development of the harbour.
WZ10	To ensure that access to the water, such as steps / slipways / river beaches etc. are maintained and improved	Whilst, the structure and resilience of coastal revetment will be improved as part of the proposed development, access will be restricted as it has been deemed unsafe to use the revetment as a walkway.
Tourism and Recreation Objectives		
TR6	To promote and encourage the recreational use of coastline, rivers and lakes and the development of 'blueways' subject to normal environmental protection and management criteria. Where such recreational uses involve the development of structures or facilities, the Planning Authority will ensure that the proposals will respect the natural amenity and character of the area, listed views and prospects onto and from the area in question. Where possible, such structures should be set back an appropriate distance from the actual amenity itself and should not adversely affect the unique sustainable quality of these resources.	The proposed development will improve water quality in the Avoca River and along the coastline, thus facilitating more recreational use of these areas.

Objective	Details	Relevance
Infrastructure, Transportation and Movement Objectives		
IT1	To support and facilitate the development of a waste water treatment plant in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.	The proposed development aligns with this objective in the Arklow LAP as it will provide the necessary wastewater treatment plant.
Heritage Objectives		
HT1	To maintain the favourable conservation status of all proposed and future Natural Heritage Areas (NHAs) in the plan area in particular the Arklow Marsh and to support environmentally sensitive measures to enhance the understanding and enjoyment of such natural areas.	The proposed development aligns with this objective in the Arklow LAP as it does not impact on the Arklow Town Marsh pNHA as described in Chapter 11 .

6.4.2.3 Land Use Zoning Objective

The proposed development is located within the ‘Waterfront (WZ)’ land use zone which is described as:

“To facilitate the provision of high quality new residential developments at appropriate high densities with excellent layout and design, well linked to the existing town centre, community facilities and water amenities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities. To also facilitate the provision of high quality new commercial, maritime, leisure, tourism and amenity uses at a scale that does not undermine the role of the existing Town Centre. To facilitate the extension and continued use of the existing employment, maritime and port uses within the zone. To facilitate the provision of a new Waste Water Treatment Plant with an appropriate high quality architectural design/appearance.”

As outlined in Objective WZ7, new infrastructure is generally to be supported and to facilitated within this land use zone. The proposed development will be consistent with the land use zoning and provide the required wastewater treatment in the appropriately zoned area in Arklow town.

6.4.2.4 Phasing and Implementation

The Arklow LAP contains a phasing schedule linked with necessary investment in infrastructure. The Waterfront Zone is identified as a Priority 1 development area. Further, the proposed development is identified as a short-term deliverable (3-5 years) in the Implementation and Infrastructure Delivery Schedule Table as it is key to the overall development potential of Arklow town.

6.5 References

Department of Housing, Planning and Local Government, (2018), *Project Ireland 2040: National Planning Framework*

Department of Housing, Planning and Local Government, (2018), *National Development Plan 2018 – 2027*

Dublin Regional Authority and Mid-East Regional Authority, (2010), *Regional Planning Guidelines for Greater Dublin Area 2010 – 2022.*

Irish Water, (2015), *Irish Water Business Plan – Transforming Water Services in Ireland to 2021*

Irish Water, (2015), *Services Strategic Plan – A Plan for the Future of Water Services (2015 - 2020)*

Irish Water, (2015), *National Wastewater Sludge Management Plan*

Wicklow County Council, (2018), *Arklow and Environs Local Area Plan 2018 – 2024*

Wicklow County Council, (2016), *Wicklow County Development Plan 2016 - 2022.*