

# **Appendix 26**

## **Statement of Compliance with Ministerial Guidelines**

This Appendix demonstrates how the Planning Authority has implemented Section 28 Ministerial Guidelines in the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028.

## **Introduction**

Section 28 of the Planning and Development Act 2000 (as amended) requires a planning authority to append a statement to a development plan which includes information which demonstrates how the planning authority has implemented the policies and objectives of the Minister contained in Section 28 Guidelines when preparing the plan.

Where the planning authority has decided not to implement certain policies or objectives of the Minister contained in the guidelines, the statement must give the reasons why.

This statement has been prepared in accordance with Section 28, and details how the planning authority has implemented Section 28 Minister Guidelines in the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028.

<b>Section 28 Guidelines</b>	<b>Statement</b>
<b>Housing Supply Target Methodology for Development Planning (2020)</b>	These guidelines are referred to within the plan and implemented in Volume 1: Chapter 1: Core Strategy, Chapter 2: Settlement Strategy, Chapter 3: Housing, Chapter 13: Development Management Standards and Volume Appendix: HNDA and Housing Strategy
<b>Urban Development and Building Height Guidelines for Planning Authorities (2020)</b>	These guidelines are referred to within the plan and implemented in Volume 1: Chapter 3: Housing, Chapter 13: Development Management Standards and Volume Appendix: HNDA and Housing Strategy
<b>Design Manual for Urban Streets and Roads (2019)</b>	These Guidelines underpin the approaches and objectives relating to the design of roads and streets in the towns and villages in the county.  These guidelines are implemented in Chapter 2 Settlement Strategy, Chapter 7 Transport and Infrastructure, Chapter 4 Sustainable Communities and Chapter 13 Development Management Standards.
<b>Sustainable Urban Housing - Design Standards for New Apartments Guidelines for the Planning Authorities (2018)</b>	These guidelines are referred to within the plan and implemented in Volume 1: Chapters 3: Housing, Chapter 4: Sustainable Communities and Chapter 13: Development Management.
<b>Part V of the Planning and Development Act 2000 (as amended) (2017)</b>	These guidelines are referred to within the plan and implemented in Volume 1: Chapter 1: Core Strategy and Chapter 3: Housing and Volume 3, Appendix : HNDA and Housing Strategy.
<b>Local Area Plans - Guidelines for Planning Authorities (2013)</b>	The planning authority has had regard to these guidelines when preparing a new local area plan for Cavan Town.
<b>Development Contributions - Guidelines for Planning Authorities (2013)</b>	Cavan County Council had regard to the guidelines when preparing the current Development Contributions Scheme and will be applied to relevant developments.
<b>Spatial Planning and National Roads – Guidelines for Planning Authorities (2012)</b>	The provisions of these guidelines have been implemented throughout the plan; particularly referenced in Chapter 7: Transport and Infrastructure.

**Retail Planning Guidelines for Planning Authorities and Retail Design Manual – A Good Practice Guide (2012)**

These guidelines are referred to within the plan and implemented in Volume 1: Settlement Strategy, Chapter 6: Economic, Chapter 13: Development Management and Volume 2: Appendix: Retail Strategy.

**Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2012)**

The provision of these guidelines are implemented in Chapter 13 Development Management.

**Flood Risk Management Guidelines for Planning Authorities (2009)**

The provisions of these guidelines have been implemented throughout the plan. In particular a SFRA has been carried out in accordance with the guidelines. Volume 4: Environmental Reports.

**Sustainable Residential Development in Urban Areas-Guidelines for Planning Authorities and Best Practice Urban Design Manual (2009).**

These guidelines are referred to within the plan and implemented in Volume 1: Chapter 2: Settlement Strategy, Chapter 3: Housing, Chapter 4: Sustainable Communities, Chapter 13: Development Management Volume 2: Development Management Standards and Volume 2: Appendix: Housing Strategy.

**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)**

Appropriate Assessment has been carried out in accordance with the statutory requirements and having regard to the guidelines. A Habitats Directive Natura Impact Report is included in Volume 4: Environmental Reports. Mitigation measures from the AA process have been incorporated into the plan as appropriate throughout.

**Provision of Schools and the Planning System - A Code of Practice for Planning Authorities (2008)**

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 4: Sustainable Communities and Chapter 13: Development Management

**Development Plans, Draft Guidelines for Planning Authorities, 2021**

The plan follows the recommendations of the guidelines with regard to the preparation and content of the plan.

**Development Plans - Planning Guidelines for Planning Authorities (2007)**

Volume 1: Chapter 13 of the CDP sets out the development management standards that will be used to assess and determine planning applications.

**Wind Energy - Guidelines for Planning Authorities (2006) and Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change**

Volume 1: Chapter 7: Transport and Infrastructure sets out the Renewable Energy objectives. The Plan has been prepared having regard to the guidelines.

**Sustainable Rural Housing - Guidelines for Planning Authorities (2005)**

These guidelines are referred to within the plan and implemented in Volume 1: Chapter 2: Settlement Strategy, Chapter 3: Housing, Chapter 12: Rural and Volume 2: Appendix HNDA and Housing Strategy.

**Quarries and Ancillary Activities-Guidelines for Planning Authorities (2004)**

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 12: Rural and Chapter 13: Development Management.

**Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Projects on the**

Strategic Environmental Assessment was carried out as part of the plan process and Volume 4: Environmental Reports. Mitigation measures from the SEA process have been incorporated into the plan throughout.

**Environment-Guidelines for Regional Authorities and Planning Authorities (2004)**

**Architectural Heritage Protection-Guidelines for Planning Authorities (2004 and 2011)**

**Childcare Facilities Guidelines (2001)**

**Landscape and Landscape Assessment (Draft)- Guidelines for Planning Authorities (2000)**

**Telecommunications Antennae and Support Structures (1996) and Circular Letter PL07/12**

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 11: Built and Cultural Heritage and Chapter 13: Development Management.

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 13: Development Management.

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 10: Natural Heritage and Volume 3 Appendix: Landscape Characterisation.

The policies and objectives contained in the guidelines are implemented in Volume 1: Chapter 7: Transport and Infrastructure and Chapter 13: Development Management.