

OPR Ref: IP-014-24

4th June 2024

Tipperary County Council,
Planning Department,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary,
E45 A099.

Re: Issues Paper for the Tipperary Town Local Area Plan 2025-2031

A chara,

Thank you for your authority's work in preparing the Issues Paper (the Issues Paper) for the proposed Tipperary Local Area Plan 2025 - 2031 (the LAP).

The planning authority is commended for publishing an Issues Paper, engaging proactively with the public, and notifying the Office of the Planning Regulator (the Office) of the intention to prepare the LAP.

In accordance with the provisions of section 31AO of the *Planning and Development Act* 2000, as amended (the Act), the Office is obliged to evaluate and assess local area plans to ensure alignment with national and regional planning policy and the objectives of your county development plan.

The Office has set out some broad issues relevant to the preparation of local area plans, in addition to some specific issues of particular relevance to the preparation of the LAP, under the following headings:

- 1. Strategic policy framework
- Development plan and core strategy



- 3. Zoning, compact growth and infrastructural services
- 4. Regeneration
- 5. Education, social and community amenities
- 6. Economic development, employment and retail
- 7. Transport and mobility
- 8. Flood risk management
- 9. Climate action
- 10. Environment, built and natural heritage
- 11. Implementation and monitoring

The comments are offered without prejudice to any observations and recommendations by the Office at future stages of the plan-making process. They also do not affect the obligation on your planning authority to comply with the relevant legislative requirements, or to be consistent with the fullness of the detailed policy context of the higher order plans and strategies and Ministerial guidelines.

1. Strategic policy framework

Section 20(5) of the Act requires the LAP to be consistent with the objectives of the Regional Spatial and Economic Strategy (RSES), *National Planning Framework* (NPF), the specific planning policy requirements (SPPRs) of section 28 guidelines and the relevant development plan.

The Office encourages the planning authority to liaise with the Southern Regional Assembly in preparation of the draft LAP, particularly where clarity is required on how the objectives and guiding principles set out in the RSES relate to the LAP.

2. Development plan core strategy

Section 19(2)(b) of the Act requires the LAP to be consistent with the objectives of the development plan and its core strategy. This is also a key message of the section 28 *Local Area Plans, Guidelines for Planning Authorities* (2013) (LAP Guidelines).

In this regard, the Office notes that the core strategy of the Tipperary County Development Plan 2022-2028 (the Development Plan) provides for a population increase of 664 persons



with a requirement for 246 housing units and 16.4 hectares of residential land over the 2025 - 2031 plan period.

A key part of the Office's assessment of the draft LAP is to consider whether the objectives and zoning provisions of the LAP are consistent with the level of growth set out in the core strategy for the settlement.

3. Zoning, compact growth and infrastructural services

Where proposed, our assessment will carefully consider whether proposed zoning objectives are consistent with the core strategy and objectives of the development plan and whether they can demonstrate consistency with the objectives for compact growth and densification¹ under the NPF (NPO 3; NPO 35) and the RSES RPO 35. The implementation of effective compact growth to avoid urban sprawl also plays a key role in climate change mitigation.

Zoning objectives should also be consistent with any strategic development sites for the delivery of residential, employment or other uses identified in the RSES.

In relation to residential development, any provisions or standards for density or building height in the LAP is required to have regard to relevant section 28 guidelines and to comply with any SPPRs therein, including, in particular:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024);
- Urban Development and Building Heights, Guidelines for Planning Authorities
 (2018); and
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).

Land use zoning should follow a sequential approach so that the development of lands closest to the town centre are prioritised over lands on the outskirts of the town, as set out

¹ Including through reductions in vacancy, re-use of existing buildings, infill development, area or site-based regeneration and increase building heights.



under section 6.2.3 of the *Development Plans, Guidelines for Planning Authorities* (2022) (the Development Plans Guidelines).

The planning authority also needs to ensure that lands that cannot be serviced within the lifetime of the LAP are not zoned for development, consistent with the tiered approach to zoning under NPO 72 a-c of the NPF. In this regard, an infrastructure assessment should be prepared in accordance with Appendix 3 of the NPF and having regard to section 4.5.2 (Settlement Capacity Audit) of the Development Plans Guidelines.

In this regard, the Office notes that Uisce Éireann has not raised an issue with infrastructure capacity for the town. The planning authority is advised to liaise closely with all of the relevant prescribed authorities concerning the delivery of essential services and infrastructure.

4. Regeneration

Both the NPF (NPO 4 urban places; NPO 6 urban regeneration; NPO 18a proportionate growth; NPO 18b new homes and NPO 35 increasing residential use) and the policy objectives of the RSES emphasise the importance of opportunities for urban and village regeneration to create attractive, liveable, and high quality urban places. The reuse of brownfield sites and vacant buildings will also contribute to climate change mitigation.

The Development Plan identifies 'Tipperary Town Market Yard' and the 'Tipperary Town River Ara Walkway' as regeneration sites for the area of the LAP, and these should be clearly identified in the LAP. This regeneration will result in a plan-led approach to town centre regeneration and re-vitalisation.

The LAP also provides an opportunity to identify any further opportunity and regeneration sites, or vacant or underutilised buildings, in accordance with the guiding principles of the RSES for urban infill and regeneration, where applicable.

Where such sites are identified, the planning authority should prepare a development framework for future development with appropriate guidance regarding layout, massing, permeability, green infrastructure and Sustainable urban Drainage Systems (SuDS) etc., as set out in section 5.7 of the LAP Guidelines.



The Office recommends that the LAP includes a strong policy framework to support the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites. The planning authority should consider proactive land activation measures including the planning authority's powers for land acquisition / compulsory purchase and derelict sites and vacant land. The plan should also align with sources of funding to facilitate key regeneration projects such as the recently announced *Croí Cónaithe (Towns) Fund Scheme*, and TCF-aligned funding streams under the Government's *Town Centre First: A Policy Approach for Irish Towns* (2022).

5. Education, social and community amenities

Access to quality childcare, education and health services is a National Strategic Outcome of the NPF. The LAP should therefore seek to align population growth with investment in childcare and education facilities on well-located sites within or close to the existing built-up areas, to meet the diverse needs of local populations.

As such, the LAP should be informed by a social or civic infrastructure audit to establish the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents, and identify the need for any additional facilities.

It is also important that access to existing and proposed facilities by walking or cycling is prioritised consistent with the sustainable approach to settlement and mobility discussed below.

Specifically, in relation to schools, the planning authority should consult with the Forward Planning Section and Site Acquisition and Property Management Section of the Department of Education.

The NPF expects the local authority's current *Local Economic and Community Plan* (LECP) should also inform the LAP to provide for the co-ordinated spatial planning of community services for the area. In addition, the local authority's *Traveller Accommodation Programme 2019-2024* should also inform the LAP.

Having regard to NPO 33 to prioritise new homes that can support sustainable development at an appropriate scale of provision relative to location, it is important that the



LAP takes an integrated approach to the planning of education, social and community facilities and amenities. The LAP should consider the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents.

6. Economic development, employment and retail

The NPF, RSES and section 28 guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses.

In particular, the LAP should be aligned with the detailed economic strategy and all relevant guiding principles of the RSES, in addition to any objectives concerning strategic enterprise / employment sites. It will also need to ensure it is consistent with the economic strategy of the Development Plan and any associated objectives.

The Office notes the Development Plan designation of Tipperary Town as a District Town with an important role in supporting its hinterlands and Key Towns and in particular in supporting local economic strengths. The core strategy acknowledges the strategic role of the 'Limerick – Waterford Transport and Economic Network' and the multi-modal connectivity and economic strengths of Tipperary Town with towns along the N24 and their synergies with Limerick and Waterford.

The Office notes that Tipperary Town is designated as a District Town in the Development Plan with potential for strong growth in the west of the county including building relationships with the Limerick Metropolitan Area Strategic Plan (MASP). Further the Office acknowledges that RSES identifies Tipperary Town as located within the area of influence of the MASP. The location of Tipperary Town within close proximity to the strategic rail interchange at Limerick Junction is a significant asset to the town in terms of connectivity to cities, ports and airports.

The NDP and the RSES have identified the upgrade of the Limerick-Waterford rail line, and the N24 linking Waterford-Limerick as key infrastructural requirements, and route selection processes are underway for the N24 Limerick to Cahir section.

Therefore, the LAP should seek to recognise and support Tipperary Town's role in the MASP Hinterland and the inclusion of policies in relation to improvements in employment provision.



In terms of identifying the optimal locations for employment zonings, the key criteria should be: compact growth, the sequential approach to development and the options for sustainable transport having regard to the need to mitigate climate change. These should be supported by an infrastructure assessment report and/or settlement capacity audit. As noted under section 3, above, such lands should be either serviced or serviceable within the LAP period. The reuse of appropriate brownfield sites and vacant premises should also be prioritised.

The facilitation of retail facilities also need to be considered to provide for the anticipated population growth. Particular regard should be given to the sequential approach to the location of retail development and other provisions of the *Retail Planning, Guidelines for Planning Authorities* (2012) (Retail Guidelines), and the position of the town in the retail hierarchy of the Development Plan.

7. Transport and mobility

The *Climate Action Plan 2024* identifies the need to significantly reduce car kilometres and increase sustainable journeys, guided by the *National Sustainable Mobility Policy* (2022) (NSMP) and the proposed *National Demand Management Strategy*.

The integration of land use and transportation is centrally important to this objective and to the objectives and provisions of the NPF (NPO 27 alternatives to the car; NPO 33 location of new homes, NPO 54 to reduce our carbon footprint and NPO 64 air quality, among others) and the RSES.

The preparation of a Local Transport Plan (LTP) to inform land use and the preparation of the LAP, in particular, the zoning provisions, in collaboration and with the support of the relevant transport agencies, is considered best practice for a settlement the size of Tipperary Town. The Office acknowledges that the planning authority has experience in preparing quality LTPs to inform LAPs.

The planning authority is therefore aware that the National Transport Authority's (NTA) Area Based Transport Assessment Advice Note (2018) (ABTA) and ABTA How to Guide Guidance, Document Pilot Methodology (2021) as well as Transport Infrastructure Ireland's (TII) Area Based Transport Assessment (ABTA) Guidance Notes (2018) should be considered by the planning authority in preparing the LTP.



The planning authority is strongly advised to liaise with the NTA and TII in the preparation of the LTP and to incorporate the main objectives, targets and measures of the LTP, along with relevant associated maps, into the LAP in support of the NPOs referred to, above.

In addition, the LAP should set out an ambitious (but realistic) modal shift target for Tipperary Town as part of the LAP.

In order to increase the potential for trips to be made on foot, bicycle or public transport, the LAP should demonstrate consistency with 'Avoid-Shift-Improve' principle and the '10-minute town concept', as well as providing for the proactive implementation of the *Design Manual for Urban Roads and Streets* (revised 2019) and the NTA's *Permeability Best Practice Guide*.

8. Flood risk management

Having regard to the location of Tipperary Town along the River Ara flood risk management will be the most critical climate change adaptation measure to be addressed in the LAP, informed by a Strategic Flood Risk Assessment (SFRA).

The planning authority should ensure that the LAP is consistent with NPO 57 by avoiding inappropriate development in areas at risk of flooding, in accordance with the detailed requirements and provisions of section 28 *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009). These guidelines require a staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the plan-making justification test where appropriate.

Flood risk zones² should also be clearly overlaid on any proposed land use zoning maps to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The planning authority is also requested to make a copy of digital mapping data available to the Office and to the Office of Public Works (OPW) to facilitate assessment.

The planning authority is strongly advised to liaise with the OPW in the early stages of preparing the SFRA to avoid issues arising at draft LAP stage. In particular, you should be

² With flood zone A and B separately identifiable on the zoning maps



aware that the Preliminary Flood Risk Area maps are preliminary assessments and should not be relied upon to inform zoning decisions.

In accordance with NPO 57, the LAP is required to integrate sustainable water management solutions, using SuDS nature-based solutions. The use of nature-based solutions for rainwater management is supported and required to have regard to section 28 guidelines and Government guidance including, in particular:

- Nature Based Management of Urban Rainwater and Urban Surface Water
 Discharges, A National Strategy (2024);
- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024);
- Development Plans, Guidelines for Planning Authorities (2022);
- Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2022); and
- DMURS Advice Note 5, Road and Street Drainage using Nature Based Solutions (2023).

The guidance promotes a more systemic and plan-led approach to water sensitive urban design that combines nature-based solutions with spatial planning, and advises on the cross-sectoral benefits of nature-based solutions in terms of protecting against pluvial flood risk, climate adaptation, water quality, biodiversity and road safety in active travel schemes.

9. Climate action

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. The effective implementation of climate mitigation objectives through the LAP are critical to the achievement of the Government's Greenhouse Gas emissions reduction target to mitigate climate change under the *Climate Action and Low Carbon Development Act 2015*, as amended (the Climate Act).

The efficient use of land, including through infill development and brownfield development consistent with compact growth, will ensure consistency with NPO 53 (land use). An



integrated approach to land use and transport planning will help ensure that climate action is integral to the LAP in support of national mitigation targets (NPO 54) under the Climate Act. The LAP should also consider how development in the area might best contribute to the delivery of renewable energy consistent with NPO 55. These NPOs, together with the relevant objectives of the RSES and Development Plan, will be of particular importance in this respect.

The effective implementation of climate adaption objectives through the LAP will be essential to ensure Tipperary Town climate resilient into the future. As noted, above, flood risk management will be the most critical climate change adaptation measure to be addressed in the LAP. The National Adaptation Framework (2018)³ (NAF) specifies the national strategy for the application of adaptation measures in different sectors and by local authorities in their administrative areas in order to reduce the vulnerability of the State to the negative effects of climate change and to avail of any positive effects that may occur.

10. Environment, built and natural heritage

The planning authority is the competent authority for Strategic Environmental Assessment and Appropriate Assessment, and will be aware of the *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities* (2022) issued under section 28 of the Act and the *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities* (2009), as revised.

The planning authorities should also ensure the LAP is consistent with objectives of the NPF and RSES concerning environmental protection. In this regard the Office highlights the importance of integrating green and blue infrastructure into the LAP consistent with NPO 58 and planning for greenbelts (NPO 62). Planning for green and blue infrastructure can contribute to climate change adaptation, in particular flood risk management through nature-based solutions (NPO 57 and NPO 63). It can also make a positive contribution to climate mitigation and have positive impacts on biodiversity and clean air (NPO 64).

Regarding built-heritage, the planning authority should consider what location specific objectives or measures would assist in the protection or improvement of built heritage over

³ A new NAF is under development and will be submitted to Government for approval in early 2024.



the period of the LAP. Accordingly, the planning authority should have regard to the *Architectural Heritage Protection Guidelines for Planning Authorities* (2011).

11. Implementation and monitoring

The NPF and the RSES place increased emphasis on the importance of monitoring the implementation of statutory strategies and plans to measure plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The planning authority is therefore encouraged to set out specific provisions for monitoring the implementation of the objectives of the LAP, having regard to the provisions of the Development Plans Guidelines and the LAP Guidelines.

Summary

In summary, the Office commends the planning authority for the preparation of this Issues Paper. The Office advises the planning authority to pay particular attention to the following issues in the preparation of the LAP:

- the delivery of housing in serviced or serviceable areas should be informed by an
 infrastructure assessment / settlement capacity audit, and consistent with compact
 growth, the sequential approach and the Development Plan core strategy;
- the inclusion of appropriate policies, objectives and strategies to promote and prioritise regeneration and the development of infill brownfield sites, in particular those in the core retail area, and utilisation of active land management strategies to tackle vacancy and dereliction elsewhere in the LAP area. The LAP shall include a strategy for the delivery of the *Tipperary Town Market Yard* and the *Tipperary Town River Ara Walkway* as regeneration sites for the area of the LAP, and these should be clearly identified in the LAP. The Office also encourages the planning authority to prepare the Town/Village Renewal Masterplan for Tipperary Town as part of the draft LAP;
- an LTP or active travel plan should be prepared to inform:
 - land use zoning objectives based on accessibility by walking, cycling and public transport;



- transport initiatives and measures to provide sustainable mobility options for residents and visitors, and in particular providing connectivity from residential areas to services and amenities and reduce dependence on the private car; and
- public realm enhancements to improve the quality of the public environment within the town by prioritising pedestrians, the heritage of the town and social and commercial activities.

The planning authority is advised to consult with the NTA and TII in this regard;

- the identification of optimal employment lands should be informed by the
 infrastructure assessment as well as considering matters such as compact growth,
 the sequential approach to development and options for sustainable transport. The
 Office encourages the planning authority to address Development Plan objectives
 relating to employment and job creation as part of the preparation of the draft LAP;
 and
- preparation of an updated SFRA and include policies and objectives in relation to the implementation of SuDS and nature-based solutions as a means for managing surface water run-off at key development.

The Office looks forward to reviewing the future draft LAP and to continued positive engagement with your authority in the implementation of national and regional policies at the county and local level.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Is mise le meas,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations