



2nd March 2020

Senior Planner,
Planning Section,
Laois County Council,
Áras an Chontae,
JFL Avenue,
Co. Laois

Re: Issues Paper for the Draft Laois County Development Plan 2021 – 2027

A Chara,

Thank you for your authority's work in preparing the Issues Paper for the Laois County Development Plan 2021–2027. The Office acknowledges and welcomes the publication of this paper and your authority's work more broadly in advancing the review of the Laois County Development Plan.

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the *National Planning Framework* (NPF) and the *Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031* (RSES);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Office has set out some broad areas for your authority to consider in formulating the draft development plan.

These observations are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan making process, and do

not affect the obligation on your planning authority to comply with the relevant legislative requirements.

Core Strategy & Settlement Strategy

The formulation of the core strategy in accordance with section 10 of the Act is the most significant element in developing your authority's draft development plan. A key function of any core strategy is to focus on a preferred approach to both the spatial pattern and quantity of housing delivery over the lifetime of the plan.

The NPF and the RSES for the Eastern and Midland Regional Assembly (EMRA) area, in addition to relevant specific planning policy requirements (SPPRs) specified in Ministerial guidelines under section 28, will be key determinants in making the core strategy for your functional area.

The National Policy Objectives (NPOs) under the NPF, and Regional Policy Objectives (RPOs) under the RSES will therefore, to a large extent, determine the approach of your planning authority to the content and detail of the plan.

The determination of a justified settlement hierarchy is a central part of the core strategy. This, in part, will be determined by the NPF and RSES. Portlaoise has been designated as the key town for Laois under the RSES. In addition, Graiguecullen has also been designated a key town as part of Graiguecullen-Carlow which traverses the border with County Carlow and the Southern Regional Assembly (SRA). The two settlements are at the highest tier of the settlement hierarchy for your county. No higher tier settlements (cities or regional growth centres) have been identified for the county and no settlement has been otherwise identified for population growth in excess of 30%, by 2040, over the 2016 baseline (NPO9).

The lower settlements will necessarily be determined by your planning authority in accordance with RPO 4.1 of the RSES.

The NPF also signals the Government's intention to secure a more sustainable and compact urban development pattern into the future (NPO3a). For your county, at least 30% of all new homes targeted in settlements will be delivered within the existing built-up footprint through infill development and use of brownfield sites (NPO3c; RPO 4.1). In this regard, it will be necessary (RPO 3.3 and RPO 4.1) for your core strategy to identify regeneration areas with urban settlements, including objectives for the delivery of infill and brownfield sites in view of the NPF compact growth targets.

The Office acknowledges the positive and proactive approach to urban regeneration already planned by your planning authority through the Portlaoise Regeneration and Development Demonstration Project, funded by the Urban Regeneration Development Fund (as supported by RPO 4.7).

Analysis of the existing development plan would indicate that Portlaoise and other settlements in the county, including Graiguecullen, Portarlinton and Abbeylax, have significant potential for infill and brownfield development and to promote compact growth, perhaps even in excess of the minimum target. Graiguecullen, would appear to have a significant amount of legacy lands that will need to be considered carefully in view of the requirement for compact growth. In determining the approach required under the plan review, extant planning permissions will also need to be taken into account.

Given the largely rural character of the county, the plan will need to consider how best it can prioritise the regeneration and rejuvenation of rural villages and towns (RPO4.77, NPO15), including through appropriate land activation approaches (NPO18a) and (RPO7.78, NPO18b) proactive facilitation of the building of homes in such locations through provision of serviced sites with appropriate infrastructure through the development of a programme for 'new homes in small towns and villages'. This can be expected to have amenity, social and economic benefits for all existing residents of these settlements.

However, in addition, such a development approach has the potential to alleviate pressure on the open countryside through provision of a desirable alternative to one-off housing for families who would like to reside close to the facilities, services and amenities available in Laois' rural villages and towns. In a positive feedback loop, the attracting of populations back to these settlements will make it more cost effective for your planning authority to provide a higher quality of facilities and services, which in turn will make them more attractive places to live.

It will be essential that the core strategy for your county is implementable. Your planning authority should therefore be mindful to identify key locations and opportunity sites, which are capable in terms of physical and social infrastructure being delivered over the lifetime of the plan period, in a manner that supports the achievement of wider national and regional planning policies and objectives. The tiered approach to zoning (NPO72a) and other mechanisms to prioritise the delivery of zoned lands for development (NPO73a-73c) will be important considerations for your planning authority and to any future observations of the Office.

The devising of an appropriate core strategy and settlement hierarchy, with provision for compact growth consistent with the objectives of the higher order plans and strategies as set out above, will also assist your planning authority in achieving the obligations on in terms of climate action under section 10(2)(n) of the Act.

The Office will provide further practical advice and technical support in the working out of the core strategy parameters above and within our statutory remit, as you may require.

Joined up approach

The RSES acknowledges the location of Graiguecullen and the contiguous urban area Carlow town straddling the boundary between Laois and Carlow County Councils - signalling the need for a Joint Local Area Plan (LAP) to be prepared jointly by Laois and Carlow County Councils (RPO 4.75).

The Office would like to acknowledge and commend the achievement of Laois and Carlow County Councils in the making of the current Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018 (as extended), and its making of the Portarlington Joint Local Area Plan 2018-2024 with Offaly County Council.

The Office would highlight the provisions of section 9(4) of the Act, which states:

In making a development plan in accordance with this Chapter, a planning authority shall have regard to the development plans of adjoining planning authorities and shall co-ordinate the objectives in the development plan with the objectives in the plans of those authorities except where the planning authority considers it to be inappropriate or not feasible to do so.

Having regard to the above, engagement and co-ordination with the upcoming review of the County Development Plan by Carlow County Council would be essential and the Office will seek evidence of the above in the next stage of your development plan review process.

Economic Development & Employment

A vital aspect of your development plan will be the promotion and nurturing of the county's economic and employment base. In accordance with the NPF requirements (NPO10b), the RSES has identified strategic employment areas within the region, including (RPO 4.73) the Portlaoise J17 National Enterprise Park Masterplan economic zone. The inclusion of objectives, policies and mechanisms to assist and secure the development of the economic zone (subject to any appropriate and necessary safeguards) can therefore be anticipated to form a key element of the development plan.

In addition, given the rural character of the county, it will be important that the development plan provides, as much as is feasible, for the enhancement, facilitation and support of rural enterprise. This may include diversification of the rural economy (NPO21) through inter alia, tourism, the agri-food sector and extractive industries (NPO22, NPO23 and RPO 6.7 refer) and through facilitation of delivery of the National Broadband Plan (NPO24) in line with the NPF (and RPO 4.84 of the RSES).

The NPF recognises the need to protect important reserves of aggregates and minerals from development that might prejudice their utilisation. In this regard, your planning authority should be mindful of the need to protect access to essential non-renewable

resources, such as aggregates and minerals necessary to accommodate construction development within your county.

A development plan which can provide more employment closer to where its population lives will help avoid longer distance commuting and may facilitate a greater proportion of trips to work by active modes. This will therefore assist your planning authority in achieving its obligations in terms of climate action under section 10(2)(n) of the Act.

Transport & Connectivity

The Issues Paper acknowledges the need to provide adequate infrastructure, including road and rail together with public transport, integrated with land-use development in the future development of the county. In this regard, the Guiding Principles for Integration of Land Use and Transport under the RSES will inform how this integrated approach is implemented through the development plan (RPO 8.1 and RPO 8.4).

The Office notes that it is a specific objective of the RSES (RPO 4.72) to support the transition of Portlaoise to a low carbon town centre by reducing car use and promoting walking and cycling and improving the mix of uses within the town centre. Achieving this transition is already underway through the recent publishing of Portlaoise 2040.

It will also be important, for settlements within the county which have good rail connections, in particular towns like Portlaoise and Portarlington, for your development plan to promote and accommodate development of appropriate scale, intensity and mix of uses in proximity to train stations in order to maximise potential synergy with existing high-quality public transport infrastructure.

Your planning authority should investigate with the DTTaS and the NTA how the development plan might best facilitate and improve the existing public transport services, and/or promote new services. This may include appropriate objectives and policies supporting sustainable modes such as bus, in general, and specific objectives concerning provision/facilitation of key elements of infrastructure (for example, a bus shelter with seating and VMS). How electric vehicle recharging points might be facilitated and optimised across the county, including the feasibility of providing such facilities within smaller settlements should also be considered.

Regarding the wider area, including rural towns and villages and the open countryside, it will be important for the development plan to address any potential for the integration of existing and future proposed greenways and blueways with settlements and facilities across the county (RPO7.24 and RPO7.25). Ensuring that all settlements, including rural towns and villages are walkable, with appropriate scaled footpaths and pedestrian facilities, will have benefits in terms of pedestrian safety and also quality of the urban environment of the settlements. Commitment to the implementation of the Design Manual for Urban Roads and

Streets (revised 2019) in the required locations will assist sustainable and active transport modes.

Compliance with this approach will assist your authority's plan in meeting mandatory objective section 10(2)(n).

Infrastructure

As your authority will be aware, a major opportunity is currently available to ensure alignment between planning and infrastructure whereby plans at local level may be supported by capital investment¹, where aligned with the objectives and policies of the regional and national level plans.

In this regard, a central element of the NPF relates to the renewal and consolidation of underutilised parts of regional centres, including key towns, and rural towns and villages (NPO3c refers). These areas can avail of existing infrastructure, or enable the investment in infrastructure for sustainable urban and rural development.

However, it will be important that any strategy for the prioritisation of provision of water/wastewater infrastructure be based on the growth strategy objectives under the NPF and the RSES, as referred to above.

Your planning authority will be required to apply a standardised tiered approach to zoning (TAZ) (NPO72a) and to not zone lands that cannot be serviced during the life of the development plan (NPO72c). In carrying out the TAZ and in considering current infrastructural deficiencies, your planning authority should take into account its powers of compulsory purchase which may be used to facilitate enabling-infrastructure delivery to prioritised zoned lands to accommodate planned growth, as emphasised by the NPF (NPO73b).

Climate Action and Energy

Having regard to the Climate Action Plan 2019 and to the objectives of the NPF and the RSES, the transition to a low carbon economy and the overall reduction of carbon emissions and energy use is a central planning policy issue to be addressed in the draft development plan.

Your authority will be aware that the Office is required under section 31AM(2)(a) to address, in particular, the legislative and policy matters within the scope of section 10(2)(n) in its evaluations and assessments of your development plan. This subsection concerns the inclusion of objectives for the promotion of sustainable settlement and transport strategies for urban and rural areas, which include the promotion of measures to reduce energy

¹ National Development Plan, 2018 - 2027

demand, to reduce GHG emissions and to adapt to climate change through the location, layout and design of new development.

In this regard, the development plan should provide sufficient clarity and certainty in terms of the said measures in order to direct any future local area plans made consequent to the proposed development plan. The objectives of the RSES under section 7.9 Climate Change are relevant in this regard.

The Office understands that forthcoming updates to the section 28 Development Plan Guidelines will initiate a process of enhanced guidance for the preparation of plans. This will include guidance on the requirements under section 10(2)(n) of the Act.

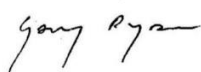
Similarly, the promotion of renewable energy sources within the county in accordance with the section 28 Wind Energy Development Guidelines 2006 (subject of Circular Letter PL 5/2017) or any replacement guidelines issued by the Minister, will also be critical to ensure Ireland meets its national targets and commitments to increase renewable energy supply and reduce greenhouse gas emissions. In this regard, your planning authority should be mindful not to include restrictions on wind energy development (or other renewable energy infrastructure), such as separation distances from residential or other properties / structures, which are not otherwise provided for under the relevant guidelines.

Summary

The NPF and the RSES for the Eastern and Midland Region will play pivotal roles in informing the preparation of the Laois County Development Plan 2021-2027. The Office looks forward to continued positive engagement with Laois County Council in implementation of national and regional policies at 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,



Gary Ryan

Director, Office of the Planning Regulator

076 100 2747

gary.ryan@OPR.ie