

20 August 2020

Senior Executive Officer,
Review of County Development Plan,
Planning Department,
Carlow County Council,
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Re: Issues Paper for the Carlow County Development Plan 2022 - 2028

A chara.

Thank you for your authority's work in preparing the Issues Paper for the Carlow County Development Plan 2022–2028. The Office acknowledges and welcomes the publication of this paper and your authority's work more broadly in advancing the review of the Carlow County Development Plan (the 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 *Regional Spatial and Economic Strategy for the Southern Regional Assembly* (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 and Settlement Hierarchy

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 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, including the core strategy. The NPF Implementation Roadmap (2018) and the relevant Specific Planning Policy Requirements (SPPRs) contained in Ministerial guidelines issued under section 28 of the Act, will also be key determinants in making the core strategy for your functional area.

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. Carlow has been designated as the key town for the county under the RSES (RPO14 refers), jointly with Graiguecullen, across the county boundary in Laois in the Eastern and Midland Regional Assembly (EMRA). Carlow Town is therefore at the highest tier of the settlement hierarchy for your county. The Office notes that 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 tier settlements, including rural towns, villages and the open countryside, will necessarily be determined by your planning authority in accordance with section 3.3 of the RSES - *A Tailored Approach*. The RSES also requires, under the tailored approach, the identification of settlements which form part of networks of towns and villages which share geographic, economic resources and contribute specialisms which, if combined, can provide a strategic opportunity to drive the regional economy.

Compact Growth and Regeneration

Compact growth

The NPF 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).

In this regard, the RPOs under section 3.11 of the RSES are of particular relevance to your authority's core strategy, including the requirement to include specific objectives setting out the achievement of urban infill/brownfield development (RPO34), and to and to deliver at least 30% of all homes, targeted within settlements in your county, within their existing built-up footprints (RPO35).

It will be imperative for your authority's development plan to consider and ensure the practical implementation of the core strategy, including through active land management measures in accordance with the provisions of the NPF and the RSES.

It is essential that the land use zoning proposed under your authority's development plan is consistent with compact growth objectives of the NPF and the RSES. Your authority's land use zoning should flow from a core strategy which is consistent with the provisions of the NPF and the NPF Implementation Roadmap. Land use zoning should also be based on an evidence-based housing occupancy rate for your county (and consistent with the NPF), informed by a Housing Need Demand Assessment (HNDA), and should be consistent with all relevant section 28 guidelines. Such Housing Need Demand Assessment should identify the level of housing expected to be delivered in the various urban and rural parts of the county, taking account of both historical trends and the policies above, and informing the level of zoning requirements for residential development. It is also very important that the plan resolves any legacy over-zoning issues in the making of the new plan.

Regeneration

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 in line with RPO26 and RPO27. This includes supporting an appropriate level of growth through land activation approaches and supportive works (NPO18a) and the 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' (NPO18b; RPO216). This can be expected to have amenity, social and economic benefits for all existing residents of these settlements.

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 Carlow's 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 importance of co-ordination across local authority boundaries for joint planning and infrastructure-led forward planning initiatives and supports, in particular, the preparation of a cross-boundary Joint Urban Area Plan (JUAP) between your authority and Laois County Councils for Carlow-Graiguecullen (RPO14). The JUAP is also support by the RSES for the EMRA area (RPO4.75 refers). The Office considers RPO14 to provide appropriate direction to the planning authorities on the content of and the approach to developing the JUAP.

It is noted that Part (iv) of the RPO14 provides that the distribution of population between your authority and Laois County Council should be agreed as part of the JUAP. The Office would advise that the population distribution be agreed at the earliest stage feasible and should be fully justified within the national and regional policy context, subject to the legislative provisions under sections 10(2A),(2B) and (2C) of the Act concerning the core strategy to be formulated as part of the development plan review. The preparation of the Local Transport Plan (LTP) for Carlow-Graiguecullen (RPO157) will complement the future JUAP.

The Office would acknowledge and commend the achievement of Carlow and Laois County

Councils in the making of the current Joint Spatial Plan for the Greater Carlow Graiguecullen Urban

Area 2012-2018 (as extended), and the making of the Graiguenamanagh-Tinnehinch Joint Local Area Plan 2020-2026 with Kilkenny County Council.

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

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.

The Office would support the requirement under RPO14 for consistency of approach on land use terminology across strategies forming the future JUAP. In view of the requirement for local area plans to be consistent with the objectives of the development plan (section 19(2) of the Act refers), the Office would encourage your authority and Laois County Council to agree consistency on land use terminology across the two development plans, where possible.

Having regard to the above, engagement and co-ordination with Laois County Council in relation the review of the Laois County Development Plan by your authority 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 and ensuring, as much as is feasible that it is resilient to economic structural changes (RPO75), such as the current Covid-19 crisis.

Whilst no strategic employment areas have been identified in the RSES (as provided for under NPO 10b of the NPF), the development of an economic quarter on lands around the railway station is noted as a key infrastructural enabler for Carlow town (RPO14). The role of educational, research and innovation capacity through the development of the multi-campus TUSE is also noted in the RSES as a key driver and enabler for sustainable future employment growth for Carlow and the SRA area.

RPO14 provides that the JUAP for Carlow-Graiguecullen shall identify a boundary for the plan area and strategic housing and employment development areas and infrastructure investment requirements to promote greater co-ordination and sequential delivery of serviced lands for development. The Office would suggest that the identification of strategic employment sites for the Carlow town through the development plan review process would provide greater certainty at an earlier stage, and would enable relevant objectives, policies and mechanisms to assist and secure the development of those sites to be included in the development plan and would inform the JUAP

making process. This is of increased importance given Carlow's role as the economic driver for the county and the surrounding area. In this regard, the guiding principles under section 4.7 *Placemaking for Enterprise Development* of the RSES should be applied.

The Waterford-Kilkenny-Carlow-Dublin M9/Rail network is identified as providing the opportunity to strategically drive sub-regional growth, due the direct access by rail and road to the Port of Waterford and Waterford Airport, with potential opportunities for sustainable freight movement to the port, and synergies with higher education facilities (section 4.4 Our Region's Economic Engines).

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 agrifood sector and extractive industries (NPO22, NPO23 and RPOs 48-50 refer), and through facilitation of delivery of the National Broadband Plan (NPO24) in line with the NPF (RPOs 46 and 136 refer).

As noted in your Issues Papers, the RSES also recognises the importance of the retail sector for services, regeneration of town and village centres, enterprise and employment creation. In this regard, a key factor in the viability of local retail businesses within rural towns and villages is the maintaining and increasing of the local residential population within those settlements within walking / cycling distance, in tandem with public realm improvements.

The NPF recognises the need to protect important reserves of aggregates and minerals from development that might prejudice their utilisation. 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 will also 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 regional policy objectives relating to the integration of transport planning with spatial planning policies under section 6.3.5 and transport investments priorities under section 6.3.6 of the RSES, in particular, should be addressed in the plan review process, in addition to supporting the Waterford-Kilkenny-Carlow-Dublin M9/Rail network identified under the RSES.

A thoroughly-considered, integrated land-use transport approach will be essential if your authority is to attain sustainable compact settlements which meet the '10-minute' town concepts, in line with RPO176 and referenced throughout the RSES. The proposed economic area around Carlow railway station, referred to above, is consistent with an integrated approach to land use transport planning.

As noted above, the preparation of an LTP is required for Carlow town under the RSES. The Office would urge your planning authority to prioritise the preparation of this LTP in consultation with the National Transport Authority (NTA) and other stakeholders. Your planning authority should consider, in consultation with the NTA, whether it is necessary to prepare LTPs for other settlements.

Your planning authority should investigate, in conjunction with the Department of Transport, Tourism and Sport (DTTaS) and the NTA, how the development plan might best facilitate and improve the existing public transport services, and/or promote new transport 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 Variable Messaging Signs). The manner in which 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, the further development of the Local Link Rural Transport Programme by the NTA (RPO172), including a commitment to its better integration (as referred to in your authority's Issues Paper), will be important to providing improved connectivity and reducing isolation of some rural populations, and engendering some modal shift away from the private car in rural areas.

The Office welcomes your planning authority's recognition of the need to improve pedestrian and cycling modes. The plan should also consider the potential for the integration of existing and future proposed greenways and blueways with settlements and facilities across the county (RPO174 refers; RPO46) to increase the modal share of active modes for rural transport and improve pedestrian and cycle safety for rural residents.

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 revised *Design Manual for Urban Roads and Streets* (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 under section 10(2)(n) of the Act.

<u>Infrastructure</u>

The water supply and wastewater treatment capacity issues outlined in your Issues Paper are noted. Adequate infrastructural capacity will be essential to the implementation of your authority's core strategy, therefore a comprehensive infrastructural capacity assessment should inform the core strategy, cognisant of the broader infrastructural requirements to facilitate development, including roads and footpath access, lighting, etc.

Your planning authority will be required to apply a standardised tiered approach to zoning (TAZ) (NPOs 72a-c) and not to zone lands that cannot be serviced during the life of the development plan (TAZ methodology, Appendix 3 of the NPF). This requirement is also supported by the tailored approach under the RSES, referred to above.

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).

As your authority will be aware, a significant 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. It is the objective of the RSES (RPO9 and RPO11) to take a holistic approach to delivery of infrastructure, generally, and specifically in relation to the Key Towns.

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.

¹ National Development Plan 2018 - 2027

However, it is important that any strategy for the prioritisation of provision of water/wastewater infrastructure is based on the growth strategy objectives under the NPF and the RSES, as referred to above. RPO213 provides that investment in Rural Wastewater and Treatment Programmes will be subject to settlement hierarchies and core strategies set out in the development plan. Your authority is advised to engage with relevant infrastructure / utility providers, including Irish Water, during the plan-making process to ensure the objectives of your development plan can be fully implemented.

Your planning authority should consider, at an early stage, how infrastructure capacity issues may affect the future implementation of the programme of 'new homes in small towns and villages' intended to be developed by the Department of Housing, Planning and Local Government. The potential benefits of ecosystem services referred to under the RSES (section 5.2) should also be considered in your development plan.

Climate Action and Energy

Climate Action

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) of the Act to address, in particular, the legislative and policy matters within the scope of section 10(2)(n) in its evaluations and assessments of your authority's 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 demand, to reduce greenhouse gas (GHG) emissions, and to mitigate against and adapt to climate change through the location, layout and design of new development.

The Office welcomes the addressing of key issues of the environment and climate change in your authority's Issues Paper, but would suggest that more explicit consideration of climate change mitigation measures, in addition to adaptation, will be needed in the plan review process.

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. In this regard, your planning authority should consider, inter alia, bringing forward all land use zoning objectives into the county development plan, notwithstanding any legislative requirements to provide local area plans for specific settlements.

Regarding climate change mitigation measures pertinent to section 10(2)(n) of the Act, the objectives of the RSES under section 6.35 Regional Policy Objectives for the Integration of Transport and Spatial Planning Policies (in addition to NPO28, NPO30, NPO54 and NPO64), and under section 1 Climate Action and Transition to a Low Carbon Economy in Chapter 5 of the RSES, are particularly relevant. As noted, above, the objective (RPO176) to attain compact settlements within the '10-minute' town concept is also consistent with the requirement for sustainable settlement and transport strategies under section 10(2)(n) of the Act.

It is also an objective of the RSES to ensure effective coordination of climate action with the Climate Action Regional Office (CARO) and local authorities in the development and implementation of climate mitigation and adaptation measures (RPO88). The Office would advise that your authority engages with the Eastern and Midland CARO in this regard.

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

Renewable energy

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

In conclusion, the Office would commend your authority on the range of key issues considered in its background papers and its approach to engagement with the public through its publishing of well-considered, formatted and accessible Issues Paper.

Without prejudice to extensive legislative and policy requirements that must be implemented through the development plan, the Office would advise that your authority to pay particular attention to the following issues in the formulating of the development plan.

- The determination of the core strategy and settlement hierarchy consistent with the RSES
 and its effective implementation over the plan period, capable of being delivered over the
 plan period through application of the tiered approach to zoning and appropriate land
 activation approaches in order to stimulate the regeneration and rejuvenation of settlements
 (RPO26 and RPO27) and providing viable alternatives to one off housing in the countryside
 (RPO216);
- Specific and measurable objectives for urban infill / brownfield development will be key (RPO34), allied to specific rejuvenation priorities (RPO35), to ensure the achievement of compact growth and regeneration under the NPF and the RSES, including the requirement that at least 30% of new homes be provided on brownfield land or as infill development;
- The importance of resolving legacy issues of over-zoning of lands within your functional area, as well as deriving the requirement for land use zoning objectives for residential development from anticipated levels of housing provision in urban and rural areas (avoiding double counting) over the lifetime of the plan;
- The prioritising of the Joint Urban Area Plan for Carlow-Graiguecullen, facilitated by consistency of approach on land use terminology between the two development plans forming the basis of the JUAP;
- The coordination of economic, commercial and employment growth with population growth
 for the county, supported by the identification of strategic employment sites for the county's
 key settlement through the development plan review process consistent with the guiding
 principles under section 4.7 of the RSES, in addition to measures to enhance, facilitate and
 support of rural enterprise and to support regional economic networks;
- Finally, it is critical that the plan includes practical and measurable objectives for promoting sustainable settlement and transport strategies, reductions in greenhouse gas emissions, reduced energy usage and adaptation to the effects of climate change, in particular, through the location, layout and design of new development, including targets for modal change over the plan period and provisions for monitoring over the plan period. In this regard, the Office would advise that climate mitigation and adaptation measures are mainstreamed into the development plan and that the plan provides sufficient clarity in terms of objectives and measures proposed under section 10(2)(n) to inform future LAPs within your functional area. The Office would also advise that all land use zoning is included at development plan stage.

The Office looks forward to reviewing the future draft development plan and is committed to continued positive engagement with your authority 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.

Yours sincerely,

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