

7<sup>th</sup> May 2021

The Senior Planner,
Planning Department,
Kilkenny County Council,
County Hall,
John Street,
Kilkenny

**<u>CC</u>**: The Senior Planner, Planning Department, Carlow County Council, County Buildings, Athy Road, Carlow.

## Re: Material Alterations to Graiguenamanagh – Tinnahinch Draft Joint Local Area Plan 2021-2027

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations to the Graiguenamanagh – Tinnahinch draft joint Local Area Plan 2021-2027.

The Office of the Planning Regulator (the Office) would like to take the opportunity to commend the planning authorities on the overall quality of the plan and the opportunity it provides for the regeneration of this historic town through an integrated approach to spatial planning.

As your authorities are aware, a core function of the Office of the Planning Regulator (the Office) is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. This includes a requirement to make submissions on statutory plans, including any



observations or recommendations the Office considers necessary to ensure the effective co-ordination of national, regional and local planning requirements.

The Office has evaluated and assessed the proposed material alterations under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended, and within the context of the Office's earlier recommendations and observations.

The Office's evaluation and assessment of the proposed material alterations has regard to the respective current and draft county development plans, the Southern Regional Assembly RSES and relevant section 28 guidelines.

## Overview

As outlined in the Office's submission to the Graiguenamanagh–Tinnahinch Draft Joint Local Area Plan 2021-2027 (the draft joint LAP) on the 25<sup>th</sup> January 2021, the Office supports and endorses the overall approach, the evident and considerable work put into the plan preparation, and the joint co-operation of your authorities.

In particular, the Office welcomes the response of your authorities to the draft joint LAP Recommendations 1, 2 and 3. The population and household allocations to the draft joint LAP, 2021 – 2027, have been amended to ensure consistency with your county and regional policy framework and the newly published section 28 ministerial guidance *Housing Supply Target Methodology for Development Planning, 2020.* In addition, the Office welcomes the omission of zoning objective 'NR5' from the draft joint LAP and the reductions in zoning quantum to zoning objectives 'NR7' and 'LD2' to the draft joint LAP. These alterations will provide for a more compact form of settlement ensuring future development patterns are sequential in form and consistent with NPO 3 of NPF and the provisions of the *Local Area Plans - Guidelines for Planning Authorities (2013).* 



The Office also welcomes the response to draft joint LAP Observations 1, 2, 3 and 5, which address key planning issues including core strategy, tiered approach to zoning, climate action and town centre retail development. The Office would acknowledge that these material alterations will be further augmented by policy support and development guidance during the course of your respective draft county development plan reviews.

Observation no. 4 of the Office's submission relates to flood risk management, and in particular the requirement for justification tests for the proposed master plan opportunity sites, i.e. MPO1 and MPO2. The Office notes that the zoning objectives of these master plan sites is 'open space / biodiversity conservation' with an overlaying objective for master plan site specific development, and that site briefs within the draft LAP (paragraphs 11.3.1) include an objective to 'carry out a site-specific flood risk assessment in accordance with the recommendations of the SFRA'.

For the purposes of future plan making in your counties the Office would, however, draw attention the requirements under the section 28 *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)* as outlined in the submission made by the OPW. Particular attention is drawn to the need for the Strategic Flood Risk Assessment (SFRA) to address how climate change has been considered in the production of statutory plans, and the requirement for a flood risk assessment to an appropriate level of detail to be carried out as part of the SFRA, and not solely left to the planning application stage.

## In summary

The Office's evaluation and assessment of the proposed material alterations concludes that the OPR's draft LAP Recommendations 1, 2 and 3 have been satisfactorily addressed in the proposed material alterations. No further recommendations are being made by the OPR, at this stage of the plan making process.



At the end of the process, however, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the Material Alteration. Please feel free to contact the staff of the Office in the context of your authorities' further work on the draft joint LAP, which we would be happy to facilitate. Contact can be initiated through <a href="mailto:plans@opr.ie">plans@opr.ie</a>.

Yours sincerely,

**Anne Marie O'Connor** 

Deputy Regulator and Director of Plans Evaluations