

18<sup>th</sup> May 2022

Birr LAP,
Forward Planning,
Planning Section,
Offaly County Council,
Áras an Chontae,
Charleville Road,
Tullamore,

Re: Issues Paper for the Birr Local Area Plan 2023 - 2029

A chara,

Co. Offaly.

Thank you for your authority's work in preparing the Issues Paper for the preparation of the Birr Local Area Plan 2023-2029 (the Issues Paper). The Birr Local Area Plan 2023-2029 (the LAP), which will replace the Birr Town and Environs Development Plan 2010-2016, is a mandatory local area plan under section 19(1)(b) of the *Planning and Development Act 2000*, as amended (the Act).

The Office welcomes the timely commencement of the plan-making process, through the publication of the Issues Paper, in view of the provisions under sections 18(4)(b) and 19(2B) and in view of the recent adoption of the Offaly County Development Plan 2021-2027 (the Development Plan) in September 2021.

The Office acknowledges your authority's work, more broadly, in advancing the preparation of the LAP.

In accordance with the provisions of section 31AO of the Act, the Office is obliged to evaluate and assess local area plans in the context of certain statutory parameters including:

Matters generally within the scope of section 19;

- Consistency with the objectives of relevant Development Plan, its core strategy, the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (the RSES);
- Consistency with the transport strategy of the National Transport Authority;
- Ministerial guidelines made under section 28;
- Ministerial policy directives issued under section 29; and
- Such other matters as the Minister may prescribed under section 262 or otherwise prescribe.

The Issues Paper is structured around the 10 key themes including overall vision, economic development, tourism, town centre and regeneration, built heritage, residential development, biodiversity and green infrastructure, community, climate action and critical infrastructure. The Office considers these themes to be generally appropriate to help focus the public's attention on central issues of concern to the planning of this historic town, and in particular the consultation of the public on an overall vision statement for the town.

The Office has set out some broad issues for your authority to consider in formulating the draft LAP under the following 8 themes:

- 1. Regional Spatial and Economic Strategy (RSES)
- 2. Core Strategy, zoning and compact growth
- 3. Regeneration and development
- 4. Economic Development and employment
- 5. Transport and infrastructure
- 6. Environment, amenities and heritage
- 7. Climate action and energy
- 8. Other / procedural issues

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 the 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. Regional Spatial and Economic Strategy

Section 20(5) of the Act requires the LAP to be consistent with the RSES, in addition to the NPF and the Development Plan. The provisions of the RSES have generally been transposed through the Development Plan, including its core strategy. Therefore in ensuring consistency with the Development Plan, the planning authority can ensure that it, too, is generally consistent with the RSES and NPF.

Although Birr is not designated as a key town under the RSES, the RSES recognises the settlement plays a key role within the county as a retail centre (level 3), just below Tullamore in terms of importance.

Birr is recognised by the RSES as a strategic asset for the Eastern and Midland Region in terms of Birr Castle as national and regional park, and Birr town as an historic planned town. In this regard, RPO 9.27 of the RSES provides that the Eastern and Midland Regional Assembly (EMRA) will support local authorities to work with local communities to promote historic towns in the Region in the practice of heritage led regeneration, to promote the sensitive and adaptive reuse of historic building stock and industrial structures where appropriate, and to strengthen their capability to draw down European and national funding.

The Office would suggest that in aligning with the RSES the LAP may focus, in particular, on qualitative issues, taking due account of the relevant guiding principles of the RSES, in addition to compliance with the regional policy objectives. The LAP should also consider practical implementation issues and measures that can best be promoted via the policies and objectives the LAP.

The approach to heritage and regeneration will be an important consideration in the LAP and the Office welcomes the highlighting of these issues in the Issues Paper.

# 2. Core strategy, zoning and compact growth

The planning authority will be aware of the requirement under section 19(2) of the Act that the LAP shall be consistent with the objectives of the Development Plan, its core strategy and with the RSES.

The Office acknowledges the good work carried out by the planning authority in making the Development Plan, which forms a clear basis for the future development of Birr and the other settlements in the county. In particular, the Office acknowledges the inclusion of land use zoning objectives for the settlement of Birr (including Crinkle) in Volume II of the Development Plan, consistent with the population target under the core strategy and the designation of the settlement as a self-sustaining growth town.

The Office notes the provisions under section 19(2)(b) of the Act, which provides that the LAP shall consist of a written statement and a plan or plans, which may include objectives for the zoning of land. The Office would caution against the introduction of any land use zoning objectives that would conflict with the core strategy and the housing supply target for the settlement, or with objectives for compact growth under the NPF and RSES (NPO 3c and RPO 3.2).

#### 3. Regeneration and Development

Both the NPF (NPO 4 and 6) and RSES (section 9.3 and 9.4) provide a strong emphasis on the opportunities for urban regeneration to create attractive, liveable, well designed, high quality urban places that provide for a high quality of life and well-being.

The Office welcomes the planning authority's recognition of the importance of having a vibrant, accessible and lived-in town centre and the emphasis placed on healthy place, consistent with the provisions of the NPF and the RSES. The Office also welcomes the acknowledgement of the Government's *Town Centre First Approach*, which policy envisages Town Centre First (TCF) Plans as central to informing the future direction of towns and the priority investment interventions supported through TCF-aligned funding streams.

Although Birr has not been selected in the first round of the TCF initiative, the planning authority should consider how the overall approach set out in the policy document could support the future regeneration of the town and enable it to avail of any subsequent rounds of the initiative.

The Office notes, however, that the town was successful in obtaining funding for Birr Creative Court, to transform the vacant Birr Courthouse and preserve this historic, focal building into the future. The LAP should consider objectives for appropriate strategic regeneration projects that have best potential for diverse and expansive positive impact, to support relevant applications for funding under the Rural Regeneration and Development Fund.

It will be important to identify key regeneration proposals for brownfield sites in this historic town and the planning authority should take this opportunity to put in place a strong policy framework to support the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites. This may include a range of proactive land activation measures, which may include the use of compulsory purchase and derelict site orders.

The planning authority is advised to provide, through the LAP, for monitoring and evaluation of implementation of clear and measurable targets for regeneration and brownfield development.

## 4. Economic Development & Employment

The Office welcomes the inclusion of the theme of economics in the Issues Paper, which will draw out the experience of local residents and potentially provide some innovative ideas for the future economic development of the town.

As outlined in the Issues Paper, Birr hosts a range of industrial / enterprises. Appendix 2 of the NPF indicates that the town has a reasonably favourable jobs: resident workers ratio of 0.965, although it is significantly below that of Tullamore at 1.488.

Due to its relative scale, Birr can be seen to play an important role as an employment centre within Offaly, but at the same time is likely to experience significant outbound commuting. The Office welcomes the intended key focus of the

LAP to create the conditions for the development of enterprise and innovation in the town, diverse employment opportunities and the promotion of inward investment.

It will however be important to ensure that the planning authority takes an integrated approach to land use transport planning, consistent with the guiding principles of the RSES.

The planning authority should also take direction from the RSES economic strategy in developing its policy approach to economic development. The Office notes that the Development Plan recognises and includes general policy support for the smart specialisation and clustering approach, which are two key elements of the RSES economic strategy. In this regard, the Office welcomes consideration in the Issues Paper of the opportunities to leverage big data and data analytics from the Irish Low Frequency Array (I-LOFAR), at Birr, as a technology hub. The planning authority should consider what practical policy support and / or active land management measures it could include in the LAP to action this approach to smart specialisation and clustering.

The Office welcomes the recognition of the importance of promoting a strong, resilient, competitive, sustainable, low carbon, digital, inclusive and diverse economic base supported by enterprise, innovation and skills. This is consistent with future proofing / risk management, which forms part of the RSES economic strategy.

It will be equally important for sustainable development of the town to ensure that the approach in the LAP is consistent with the other elements of RSES economic strategy, including orderly growth and place-making. The former will ensure consistency with an integrated approach to land use transport planning and the latter will promote overall quality of life issues for the settlement. The *Guiding Principles for Investment Prioritisation in Placemaking for Enterprise Development*, under the RSES, and RPO 6.1 will provide direction to the planning authority in this regard.

#### 5. Transport & Infrastructure

The Office notes that the Issues Paper did not raise transport as a key topic, but rather addressed it under climate action. This is reasonable in view of the key role transport emissions play in driving climate change in Ireland. The sustainable transport strategy in the Development Plan will necessarily direct the policy approach

to the integration of land use transport in the LAP, consistent with the guiding principles under the RSES.

The Office notes the objective SMAO-03 in the Development Plan to specify baseline figures and targets for modal share in new / varied LAPs in order to encourage a modal shift away from the private car to more sustainable modes. The Office would advise the planning authority to consider what practical actions can be included as policy in the LAP to help achieve ambitious targets for modal shift to active and sustainable modes, in tandem with projected population and economic growth over the plan period.

This approach should be developed through the preparation of the Local Transport Plan, in consultation with the NTA and TII, in accordance with objective SMAO-02 of the Development Plan. It should also ensure the proactive implementation of the *Design Manual for Urban Roads and Streets* (revised 2019) in the LAP, consistent with RPO 6.26, and with policy SMAP-03 and the development management standards of the Development Plan.

The Office would also highlight the following transport policy documents that have been published since the Development Plan was made, and which the planning authority will be mindful to consider in the preparation of the LAP:

- National Investment Framework for Transport in Ireland (NIFTI), which seeks
  to ensure that the transport sector is closely aligned with the development
  targets set out in the National Planning Framework, including more compact
  urban growth and balanced regional development, closely aligned to key
  Government policy priorities and commitments, such as the Climate Action
  Plan 2021; and
- National Sustainable Mobility Policy and accompanying action plan, which sets out a strategic framework to 2030 for active travel (walking and cycling) and public transport journeys to help Ireland meet its climate obligations.

### 6. Environment, Amenities & Heritage

The RSES identifies the architectural heritage of the planned Georgian town as an important strategic cultural infrastructure asset in the region. The Office therefore welcomes the recognition in the Issues Paper of the importance of the town's built

heritage and the identification of the protection and enhancement of the historical core of Birr town as a priority of the planning authority.

The Office also welcomes the acknowledgement of the role that protecting, conserving and managing Birr's buildings, areas, structures, sites and features of special interest can play in instigating a heritage-led regeneration of the town. The regeneration of the important heritage and strong urban form of Birr's core has significant potential to generate economic benefits in terms of tourist footfall, improved retail environment and improved quality of life.

Enhanced green and blue infrastructure also has the potential to improve the quality of life of local residents, through well-considered healthy placemaking (RSES section 9.4 refers).

The Office agrees with the planning authority that there is an opportunity to enhance the green links and ecological connectivity between open spaces throughout Birr, potentially to link historical points of interest. The Office would advise the planning authority to consider setting out a strategic integrated approach linking urban regeneration, built heritage protection / enhancement and green and blue infrastructure to maximise the overall impact of the plan on the quality of the urban environment.

#### 7. Climate Action and Energy

The Issues Paper highlights the critical need for the town to transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by reducing carbon dioxide emissions across electricity generation, built environment and transport sectors.

The Office welcomes the recognition that effective spatial policies need to be implemented to meet travel demand in a manner that avoids congestion and limits greenhouse gas emissions. In addition to the provisions for sustainable transport in the Development Plan, the planning authority should consider section 8.3 for the RSES, Integrated Framework for the Integration of Transport planning with Spatial Planning Policies, and the RSES Guiding Principles of Land Use and Transport in the preparation of the draft LAP, in addition to up to date government policy on transport, referred to above.

Regarding climate adaption, in addition to compliance with the objectives and guiding principles of the RSES, the Office would draw the planning authority's attention to *Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document* (2021) which was issued by the Department of Housing, Local Government and Heritage after the adoption of the Development Plan.

## 8. Other / procedural issues

The Office welcomes the planning authority's decision to publish an Issues Paper and invite submissions in respect of the preparation of a LAP for Birr, in view of the discretion allowed by the planning authority in this regard under section 20(1) of the Act.

The Issues Paper is well-structured, sets out the main issues in simple and direct language and helpfully raises questions to help focus the considerations and input of the general public. However, it would have benefitted from inclusion of appropriate infographics to better assist public understanding of the issues.

The holding of a 'drop-in session' can also be expected to have facilitated discussions on the future LAP with the wider public and is good practice. However, having regard to the provisions of the *Local Area Plans Guidelines for Planning Authorities* (2012), the Office would expect to see specific effort to engage with children and young people, such as through use of the Green Schools initiative.

The Office considers, in particular, the requirement that any submission be in writing via post to be unduly restrictive. The facilitation of online submissions is standard practice. It is also not clear from the newspaper notice and Issues Paper that written submissions would be accepted from the public, generally.

Notwithstanding the discretion allowed to the planning authority under section 20(1), the Office considers that where the planning authority undertakes a consultation on an the LAP review process, including at pre-draft stage, it is best practice to provide prescribed authorities and the wider public with a range of options for making observations, including verbal and written.

The planning authority should consider these matters for future stages of the plan making processes and for the future review of other LAPs in the county.

## **Summary**

In summary, the Office commends your authority for the preparation of this Issues Paper.

The Office advises your authority to pay particular attention to the following issues in the preparation of the local area plan:

- As the future housing and population growth parameters for Birr have already been determined by the recently adopted Offaly County Development Plan 2021-2027, the LAP should focus on the practical implementation of the county development plan targets for Birr through focused policies objectives and measures.
- The LAP should consider strategic regeneration projects, mindful of the considerable and renowned heritage of Birr and having regard to potential sources of funding that have potential for the greatest positive impact.
- The LAP should incorporate measurable targets that will enable monitoring and evaluation in areas such as regeneration and brownfield development.
- Active land management measures should be considered in preparing the LAP to promote orderly growth, tackling dereliction and underutilisation of buildings and back-land areas that achieve high quality place-making.
- The approach of the LAP to the economic development and employment for Birr should be informed by the RSES economic strategy.
- The LAP should specify measures that will bring about a shift in citizens travel choices towards active and sustainable modes, which could be informed by a Local Transport Plan.
- Regarding climate adaptation, the Office should ensure an integrated approach to land use transport to address climate mitigation and should consider Nature-based solutions to the Management of Rainwater and Surface Water in Urban Areas (2021) as part of its overall approach to climate adaptation.

The Office looks forward to reviewing the draft local area 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.

Is mise le meas,

Will Lisse

**Niall Cussen** 

**Planning Regulator** 

\_\_\_\_