

28<sup>th</sup> September 2022

Forward Planning,
Planning Section,
Offaly County Council,
Áras an Chontae,
Charleville Road,
Tullamore,
Co. Offaly.

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

OPR Ref: IP-044-22

A chara,

Thank you for your authority's work in preparing the Issues Paper for the Edenderry Local Area Plan 2023-2029 (the LAP). The LAP will replace the Edenderry Local Area Plan 2017 - 2023, which is the current statutory LAP for the town.

The Office of the Planning Regulator (the Office) welcomes the timely commencement of a new LAP for the town, 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) which included an objective to prioritise the preparation of the LAP.

The Office acknowledges your authority's work, more broadly, in advancing the preparation of the LAP, and considers the various themes in the issues paper form an appropriate basis to engage with the public and prescribed bodies.

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 in the context of certain parameters including:

- Matters generally within the scope of section 19;
- consistency with the objectives of the Offaly County Development Plan including its core strategy, and 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, where applicable;
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29; and
- such other matters as the Minister may prescribe under section 262, or otherwise prescribe.

The Office has set out some broad areas for your authority to consider in formulating the LAP, under the following headings:

- Regional Spatial and Economic Strategy
- Core strategy, zoning and compact growth
- Town centre regeneration and brownfield development
- Economic Development and Employment
- Transport and infrastructure
- Environmental assessments

These comments are offered without prejudice to any observations and recommendations that the Office may make 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, or to be consistent with national and regional policy having regard to Ministerial guidelines.

# 1. Regional Spatial and Economic Strategy

Section 20(5) of the Act requires the LAP to be consistent with the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES), in addition to the National Planning Framework (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 is also generally consistent with the RSES and NPF.

Although Edenderry is not designated as a key town under the RSES, the RSES recognises that the settlement plays a key role within the county as a retail centre (level 3)<sup>1</sup>, just below Tullamore in terms of importance.

The Office suggests that in aligning with the RSES, the LAP should focus on qualitative issues, taking on board the relevant guiding principles of the RSES in addition to compliance with the relevant regional policy objectives (RPOs). The LAP should also consider practical implementation issues and measures that can best be promoted by the policies and objectives the LAP.

The following RPOs, amongst others, are of particular relevance to the Edenderry LAP:

RPO 3.2: Local authorities, in their core strategies shall set out measures to achieve compact urban development targets of at least 50% of all new homes within or contiguous to the built up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

RPO 3.3: Local authorities shall, in their core strategies, identify regeneration areas within existing urban settlements and set out specific objectives relating to the delivery of development on urban infill and brownfield regeneration sites in line with the Guiding Principles set out in the RSES and to provide for increased densities as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for new Apartments Guidelines' and the 'Urban Development and Building Heights Guidelines for Planning Authorities'.

RPO 6.12: Local authorities shall include objectives in development plans and local area plans supporting emphasis on placemaking for town centres, for example through inclusion of a Placemaking Strategy for towns and implementation of Town Centre Renewal Plans.

RPO 6.13: Local authorities shall support the preparation of Design Guidelines to provide for improvements in the appearance of streetscapes and for revitalising vacant spaces for example with cost effective, temporary uses that build on the longer-term vision for space.

<sup>&</sup>lt;sup>1</sup> Table 6.1 Retail Hierarchy for the Region, page 137 of the RSES

RPO 7.22: Local authority development plan and local area plans, shall identify, protect, enhance, provide and manage Green Infrastructure in an integrated and coherent manner and should also have regard to the required targets in relation to the conservation of European sites, other nature conservation sites, ecological networks, and protected species.

RPO 8.6: In order to give local expression to the regional level Transport Strategy within the Region in conjunction with the NTA, Local Transport Plans (LTP) will be prepared for selected settlements in the Region.<sup>2</sup>

The town's designation as a 'self-sustaining town' in the County Settlement Hierarchy reflects the settlement typology in table 4.2 (Settlement Hierarchy) in the RSES. In this regard, the promotion of economic development and employment will be an important issue for the forthcoming LAP given the town's significant population growth since 1996 and ratio of jobs to resident workers of 0.637 which is below the regional average<sup>3</sup>.

The Office welcomes the recognition given to the town's built heritage and potential for heritage-led regeneration in the Issues Paper, the latter of which is promoted in section 9.7 of the RSES and RPO 9.27.

## 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 including its core strategy.

The Office acknowledges that the Development Plan places a strong emphasis on promoting compact growth<sup>4</sup> and directing future development to the county's larger settlements<sup>5</sup> such as Edenderry. In this regard, the Office notes that the core strategy of the Development Plan provides for a population increase of 721 persons over the plan

<sup>&</sup>lt;sup>2</sup> Sustainable Transport Strategy Objective SMAO-02 of the Offaly County Development Plan 2021 – 2027 relates

<sup>&</sup>lt;sup>3</sup> National Planning Framework – pages 170 and 171

<sup>&</sup>lt;sup>4</sup> Policies CSP-02, SSP-03 and HP-17 of the Offaly County Development Plan 2021 – 2027

<sup>&</sup>lt;sup>5</sup> Policy SSP-01 of the Offaly County Development Plan 2021 – 2027

period which is double the growth anticipated over the previous plan period and referenced at page 8 of the current LAP.

The Office considers that achieving this level of growth in a compact form presents a significant challenge for the LAP since much of the undeveloped residentially zoned land is located at the western and southern periphery of the settlement.

In this regard, the Office advises the planning authority to review the suitability of the undeveloped lands zoned Residential and the extent of lands zoned Residential (Low Density) in the current LAP in terms of their ability to deliver on the requirement for compact growth under RPO 3.2.

The Office notes that land use zoning objectives were not included for the settlement in Volume II of the Development Plan. The planning authority will be aware that the provisions under section 19(2) 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 planning authority will therefore need to ensure that any zoning objectives proposed under the LAP are consistent with the population target and housing allocation for the plan period set out in Core Strategy Table 2.2 of the Development Plan. The provisions of the *Development Plans, Guidelines for Planning Authorities* (2022) concerning the zoning of land, sequential zoning, additional provision and phasing are relevant in this regard.

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, the objectives for compact growth under the NPF and RSES (NPO 3c and RPO 3.2), that facilitate leapfrogging or non-sequential development, or where lands are not serviced or serviceable with the plan period.

## 3. Town centre regeneration and brownfield development

Both the NPF (NPO 4 and 6) and the RSES (section 9.3 and 9.4) place 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 placemaking, 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 Edenderry 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 would like to commend the planning authority for preparing the Blundell Masterplan which provides a vision and framework to provide for the coordinated redevelopment of the former Tesco and Williams Waller opportunity sites in the current LAP. The masterplan also identifies a series of key projects to help unlock the sites' redevelopment potential such as a new connector street.

The Office also commends the planning authority for the recent public realm works around the Town Hall and O'Connell Square and for the conversion of part of the Town Hall for use as remote working and meeting facilities. Such initiatives are important to attract people back into the town centre and also showcase heritage-led regeneration.

The Office notes that the current LAP identifies three opportunity sites within the town centre area and one immediately adjoining it where it is council policy to 'Facilitate, promote and encourage the appropriate re-development of the opportunity sites identified in this plan'6.

The Office notes that three of the aforementioned opportunity sites were designated as such in the previous LAP and that all four sites appear to be still undeveloped. In this regard, it will be important for the LAP to clearly identify key regeneration proposals and implementation actions for all four opportunity sites which should also cross reference with section 8 – delivery and action plan of the Blundell Masterplan regarding opportunity sites 1 and 2 where appropriate.

Further, 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

<sup>&</sup>lt;sup>6</sup> Policy TCP13, page 46 of the Edenderry Local Area Plan 2017 - 2023

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 will be aware of the recently announced Croí Cónaithe (Towns) Fund which supports the refurbishment of vacant homes in regional towns such as Edenderry and should be suitably promoted in the forthcoming LAP.

The LAP should also consider objectives for appropriate strategic regeneration projects that have the best potential for diverse and expansive positive impact, to support relevant applications for funding under the Rural Regeneration and Development Fund.

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 themes of economic development and tourism 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.

While Edenderry is the second largest settlement in the county, it would not appear to play a significant role as an employment centre within County Offaly, perhaps because of its proximity to the M4 motorway which facilitates outbound commuting from the town and its hinterland to the Greater Dublin Area. The Office notes that policies ENTP-18, ENTP-19 and ENTP-20 of the Development Plan aim to address this issue and promote job creation of an appropriate scale for the town.

Given the town's designation in the Settlement Hierarchy as a 'self-sustaining town' and its relatively low ratio of jobs to resident workers, the Office agrees with the statement in the Issues Paper '...A key focus of the new LAP will be to ensure that the conditions for the creation of enterprise and innovation are embraced and developed and to encourage and facilitate a diversity of employment opportunities and promote inward investment.'

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 the approach advocated for in the RSES.

The Office notes that the current LAP zones significant lands for Business/Employment and Industrial uses and 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 planning authority should consider what practical policy support and / or active land management measures it could include in the LAP to support local economic development consistent with the approach set out in the RSES.

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.

## 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 advises the planning authority to consider what practical actions can be included 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 (LTP), in consultation with the National Transport Authority and Transport Infrastructure Ireland, and in tandem with the LAP 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 also notes that the land use zoning map in the current LAP includes an indicative relief road and indicative distributor road around the periphery of the town. The need for these road objectives in terms of promoting sustainable transport should be reviewed as part of the preparation of the LTP and in consultation with the NTA.

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.

The Office notes that the wastewater treatment plant requires upgrading to provide for the full extent of proposed additional population of 721 persons and that these works are expected to be completed over the Development Plan period<sup>7</sup>.

The Office also notes that water supply network has constrained water supply capacity and requires a new source to address constraints<sup>8</sup>.

Having regard to the above infrastructural constraints, the planning authority is requested to prepare an infrastructure capacity assessment to inform land use zonings in the LAP in accordance with the methodology set out in Appendix 3 of the *NPF*.

#### 6. Environmental Assessments

The planning authority will be aware of the relevant requirements in respect of Strategic Environmental Assessment and Appropriate Assessment.

<sup>&</sup>lt;sup>7</sup> Appendix 2: Infrastructural Assessment Report of the Development Plan (page 467)

<sup>8</sup> Appendix 2: Infrastructural Assessment Report of the Development Plan (page 468)

The planning authority will also need to prepare a Strategic Flood Risk Assessment (SFRA) as part of the forthcoming draft LAP, consistent with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

Under section 4.23 of these Guidelines, where a planning authority is considering (in the plan) the future development of areas at risk of flooding, that would generally be inappropriate under the sequential approach (section 3.2), the planning authority must be satisfied that it can clearly demonstrate on a solid evidence base that the zoning will satisfy the Justification Test for the plan making stage (Box 4.1).

It is not sufficient that a Justification Test is left solely to be undertaken at a planning application stage. Your authority's attention is also drawn to the Flooding Guidelines Circular PL 2/2014 (Department of Environment, Community and Local Government) which clarifies that the application of the Justification Test also applies to existing developed areas of towns and cities located in Flood Zone A and B.

Further advice in relation to the above and other matters relating to the SFRA can be obtained from the Office of Public Works (OPW), and the Office advises direct consultation with the OPW in advance of the publication of the draft LAP.

The Office also advises that flood maps should be overlaid on proposed zoning maps to provide clarity and transparency for members of the public.

Regarding climate adaption, the Office draws 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)* in the context of the obligation under NPO 57 to enhance water quality and resource management.

## 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 LAP:

 ensure that any lands zoned for Residential and Residential (Low Density) are appropriate in terms of delivery of the housing supply target for Edenderry in the

- Development Plan, are serviced or serviceable within the plan period, and are consistent with compact growth and the sequential approach to development;
- review the extent of lands zoned Residential (Low Density) in the current LAP in terms of their suitability to deliver compact growth and sequential development over the plan period;
- carry out a settlement capacity audit / infrastructural capacity assessment to inform land use zonings in the Draft LAP;
- include proactive land activation measures to support redevelopment of town centre
  opportunity sites and to promote orderly growth, tackling dereliction and
  underutilisation of buildings and back-land areas that achieve high quality placemaking. Careful consideration should be given to how the Blundell Masterplan is
  integrated with the LAP having regard to the obligations under SEA and AA and to
  provide clarity to the public;
- ensure consistency with the principles set out in the Government's *Town Centre First Policy*;
- 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 or similar
  prepared in consultation with the NTA and TII as appropriate;
- review the need for the indicative relief road and indicative distributor road on the land use zoning map in the current LAP as part of the preparation of the LTP and in consultation with the NTA;
- provide for monitoring and implementation of the various policies, objectives and actions in the final LAP; and
- consult with Kildare County Council given the close proximity of Edenderry to the county boundary.

The Office looks forward to reviewing the future draft LAP and is committed to continued positive engagement with your authority in 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,

AM C'Conna.

# **Anne Marie O'Connor**

Deputy Regulator and Director of Plans Evaluations