

6th March 2023

Limerick County Council,

Forward Planning Section,

Economic Development and Enterprise Directorate,

Merchant Quay,

Limerick

Re: Issues Paper for the Review of the Adare Local Area Plan 2015-2021

OPR Ref: IP-003-23

A chara,

Thank you for your authority's work in preparing the Issues Paper for the review of the Adare Local Area Plan 2015-2021 (the Issues Paper). The proposed Adare Local Area Plan (the LAP), which will replace the Adare Local Area Plan 2015-2021 (as extended), is a mandatory local area plan under section 19(1)(bb) of the *Planning and Development Act* 2000, as amended (the Act).

The Office of the Planning Regulator (the Office) welcomes the 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 Limerick Development Plan 2022-2028 (the development Plan) on 17th June 2022.

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

As section 20(1) does not prescribe the requirements for public consultation at pre-draft stage for LAPs, the planning authority is commended for publishing an Issues Paper, engaging proactively with the public and notifying the Office of the intention to prepare 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 development plan, its core strategy, the Regional Spatial and Economic Strategy for the Southern 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 Office has set out some broad issues, relevant to the preparation of most, if not all LAPs, in addition to some specific issues of particular relevance to the preparation of this LAP, under the following eleven themes:

- 1. Strategic policy framework
- 2. Development plan and core strategy
- Zoning, compact growth and infrastructural services
- 4. Regeneration
- Education, social and community amenities
- 6. Economic development and employment
- 7. Transport and mobility
- 8. Climate change and flood risk management
- Environment and natural and built heritage
- 10. Implementation and monitoring
- 11. Other Matters

The Office's comments are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan making process. They do not affect the obligation on your 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. Strategic Policy Framework

The planning authority will be aware that section 20(5) of the Act requires the LAP to be consistent with the objectives of the RSES, in addition to the National Planning Framework (NPF), the specific planning policy requirements (SPPRs) of section 28 guidelines and the relevant development plan.

The provisions of the RSES have generally been transposed through the development Plan. Therefore, in ensuring consistency with the development plan and core strategy, the planning authority can ensure that it is also generally consistent with the RSES and NPF. However, the Office encourages the planning authority to liaise with the Southern Regional Assembly in preparation of the draft LAP to ensure consistency with the RSES, particularly where clarity is required on the objectives and guiding principles set out therein.

The Issues Paper demonstrates a clear understanding of the role of the settlement of Adare within the wider county and regional context. In this regard, the RSES notes that Adare offers employment opportunities and services which are essential to the effective regional development and growth of the regions towns.

In aligning with the RSES, the LAP should consider the strategic vision, goals and guiding principles of the RSES, in addition to consistency with the relevant regional policy objectives (RPOs).

2. Development plan and core strategy

Section 19(2)(b) of the Act also requires that the LAP shall be consistent with the objectives of the development plan and its core strategy. A key message of the section 28 Local Area Plan Guidelines for Planning Authorities (2013) (LAP Guidelines) is that consistency between local area plans and the core strategy of development plans is an essential requirement, particularly in relation to the quantum and location of lands identified for development.

The Office therefore cautions against the introduction of any objectives that would conflict with the detailed provisions of the core strategy and the housing supply target for the settlement.



In this regard the Office notes that the core strategy of the development Plan provided for a population increase of 326 persons over the 2022 – 2028 plan period and a requirement for 122 housing units and 6.88 hectares of residential zoned land.

3. Zoning, compact growth and infrastructural services

The Office notes that land-use zoning objectives have not been provided for Adare in the development plan. Where proposed, it will be essential for any land-use objectives to demonstrate consistency with the objectives for compact growth under the NPF (NPO 3c) and the RSES (RPO 35) and densification (NPO 35). Compact growth will play a central role to achieving the National Climate Objective and the Government's obligatory target of 51% for greenhouse gas (GHG) emissions reduction by 2030 and for a carbon neutral economy by 2050.

In this regard any provisions or standards for residential density or building height in the LAP should have regard to relevant section 28 guidelines, including *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas: Cities, Towns & Villages* (2009), *Urban Development and Building Heights Guidelines for Planning Authorities* (2018), and *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities* (2020) and should be consistent with any specific planning policy requirement.

Land use zoning should also follow the policy and objective for a sequential approach to zoning for residential development set out under section 6.2.3 of the *Development Plans*, *Guidelines for Planning Authorities* (2022) (the Development Plans Guidelines).

Where land use zoning objectives are proposed to be included in the LAP, the planning authority will need to ensure consistency with the provisions for tiered approach to zoning under NPO 72 a-c of the NPF. This will require the carrying out of an infrastructure assessment for the town in accordance with Appendix 3 of the NPF and with section 4.5.2, Settlement Capacity Audit, of the Development Plans Guidelines.

It will be of critical importance to the implementation of the LAP to ensure that all lands zoned for residential and other development are serviced, or will be serviceable, during the plan period. In this regard the Office notes that Irish Water has identified some capacity issues with the waste water treatment plant (WWTP). Although the WWTP is currently not



licence compliance, a WWTP upgrade to address this is at concept design stage. This upgrade will also provide spare capacity to cater for the targeted growth within the plan period. In relation to water supply, although there is limited spare capacity at present, a project to facilitate interconnection with Limerick City WRZ is underway and expected to be delivered by 2026.

The Office therefore advises the planning authority to liaise closely and collaborate with the relevant prescribed authorities concerning the delivery of essential services and infrastructure and the phasing of future development that may be dependent on these infrastructure improvements.

4. Regeneration

Both the NPF (NPO 4, 6, 18a, 18b and 35) and the policy objectives and provisions of the RSES strongly emphasise the opportunities for urban and village regeneration to create attractive, liveable, well-designed, high quality urban places that provide for a high quality of life and well-being. Regeneration and revitalisation of settlements through reuse of brownfield sites and vacant / underutilised buildings will also play a crucial role in mitigating climate change and in achieving the Government's obligatory target of 51% for GHG emissions reduction by 2030 and for a carbon neutral economy by 2050.

The LAP provides an opportunity to identify specific regeneration projects aimed at enabling compact growth and Town Centre First implementation, consistent with the objectives of the regeneration strategy of the development plan and the guiding principles of the RSES for urban infill and regeneration.

While the Office notes that no specific opportunity sites to support town centre regeneration in Adare where identified under the RSES or development plan, it will be important for the LAP to identify opportunity/regeneration sites, vacant and underutilised buildings.

The LAP should also identify specific investment and/or infrastructure to support regeneration development, such as site assembly, land acquisition, and/or sustainable transport initiatives. The best use of the planning authority's own powers in terms of land activation, such as compulsory purchase, derelict sites etc. will be important in this context.



In addition to focusing private investment, a 'Plan-led' approach to regeneration through the LAP will be critical in terms of accessing funding through public funding streams such as the Urban Regeneration and Development Fund and the Rural Regeneration and Development Fund, and will form the basis for any future Town Centre First Plan.

5. Education, social and community amenities

'Access to quality childcare, education and health services' is a National Strategic Outcome of the NPF. In this regard, the LAP should be consistent with NPO 31, which seeks to align population and employment growth with investment in childcare and education facilities on well-located sites within or close to the existing built-up areas to meet the diverse needs of local populations. The LAP should also be consistent with the objectives of the RSES for education facilities. It should also have regard to the provisions for social audits under the Development Plans Guidelines (or civic infrastructure audits under the LAP Guidelines).

It is an objective (NPO 4) of the NPF to ensure the creation of liveable places that are home to diverse and integrated communities and (NPO 28) providing improved integration and greater accessibility in delivering sustainable communities and associated services. This includes planning for the housing / transport / accessibility and leisure needs of an aging population (NPO 30) and for the Traveller community. The LAP should also be consistent with the objectives of the RSES for social and community facilities.

The NPF expects that the local authority's *Local Economic and Community Plan* (LECP) will also inform the LAP to provide for the co-ordinated spatial planning of community services for the area. In addition, the local authority's *Traveller Accommodation Programme 2019-2024* should also inform the LAP.

Having regard to NPO 33 to prioritise new homes that can support sustainable development at an appropriate scale of provision relative to location, it is important that the LAP takes an integrated approach to the planning of education, social and community facilities and amenities. The LAP should consider the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents. In addition, and aligned with the need for a sustainable settlement and transport strategy, the LAP should also ensure that education, childcare, social and



community facilities can be easily accessed by walking or cycling from existing and proposed new residential areas.

6. Economic development and employment

The LAP Guidelines state that LAPs should include objectives to promote local economic development and employment growth by focusing on issues such as the creation of vibrant and dynamic city and town centres where local businesses thrive and the provision of low cost accommodation for start-up businesses.

The NPF, RSES and the LAP Guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses. The NPF expects that the local authority's LECP would inform the LAP to provide for the coordinated spatial planning for the area.

The LAP is required to be consistent with any objectives of the RSES concerning strategic enterprise / employment sites or in respect of development type or location-specific development (e.g. rural development). In this regard, both the RSES and the Development Plans Guidelines recognise accessibility as a central consideration in selecting employment zonings and the transport provision of potential locations for development needs to be strategically considered, including through the application of the sequential approach.

The development Plan recognises that Adare will be a driver of economic and social benefits due to the hosting of the Ryder Cup in 2027. Objective ECON O45 of the development Plan seeks to actively develop Limerick as an events location to attract international sporting events and seeks to develop a strategic approach to the delivery of the Ryder Cup to ensure maximum return on investment for Limerick and the region. The planning authority should ensure that appropriate objectives to support tourism and attract infrastructural investment are included in the draft LAP. In particular, the LAP should ensure that the Adare Heritage Centre is supported as a key driver for tourism, as identified in the RSES.

The facilitation of retail facilities will also need to be considered to provide for the anticipated population growth. Regard should be had, in particular, to the sequential approach to the location of retail development and other provisions of the *Retail Planning*



Guidelines for Planning Authorities (2012), and the position of the settlement in the retail hierarchy of the development Plan. Adare is identified as a level 2, service town in the development Plan. The LAP should include a retail strategy to support the retail development of the village core in accordance with Objective ECON O12 of the development Plan.

The application of the sequential approach to the zoning of lands for employment and commercial land uses, and the reuse of appropriate brownfield sites and vacant premises will contribute to the delivery of compact growth consistent with the National Strategic Objective of the NPF and will help implement the Government's Town Centre First Policy.

An integrated approach to land use and transport planning for enterprise, employment and commercial development will also play an important role in mitigating climate change and in achieving the Government's obligatory target of 51% for GHG emissions reduction by 2030 and for a carbon neutral economy by 2050.

7. Transport and mobility

The objectives and provisions of the NPF (NPO 27, NPO 33 and NPO 64, among others) and the RSES recognise the importance of implementing an integrated land use and transportation approach.

A mandatory national target of 51% reduction in GHG emissions by 2030 will be implemented through the *Climate Action Plan 2021*, which commits to delivering an additional 500,000 daily sustainable journeys by 2030 (an increase of 14% on current levels) through, among others, a significant increase in walking and cycling, supported by the goals of government's *National Sustainable Mobility Policy* (2022) (NSMP).

An integrated approach to land use and transport planning will be central to achieving these targets. In addition to the above, the LAP should be informed by the guiding principles and be consistent with the RPOs of the RSES relating to integration of land use and transport planning, where applicable.

The RSES sets out guiding principles for integration of land use and transport planning and identifies the requirement for local transport plans (LTPs) for certain settlements and / or under certain circumstances. An LTP is not required for Adare under the RSES and is not identified as an objective of the development Plan. Although Adare falls outside the



boundary of the Limerick Shannon Metropolitan Area, the Limerick Shannon Metropolitan Area Transport Strategy (LSMATS) notes that it has a close relationship with the area. It therefore indicates that in planning for Adare, regard should be had to its relationship to the LSMATS.

Objective TR O30 seeks to support the delivery of the Foynes to Limerick (including Adare Bypass). In relation to safeguarding the capacity of national roads, Policy TR P12 of the development Plan seeks to ensure that future development in the town does not impact or impair the capacity of the planning national roads including the Adare Bypass. The planning authority should ensure consistency with the transport strategy and associated objectives and policies of the development plan.

The transport strategy of the LAP should also demonstrate consistency with 'Avoid-Shift-Improve' principle as set out in the NSMP, the implementation of 'demand management' measures, the '10-minute town concept' and include policies and objectives for better provision of public transport, cycling and pedestrian facilities to achieve the modal share targets as set out in the development Plan.

The proactive implementation of the *Design Manual for Urban Roads and Streets* (revised 2019), including in particular 'filtered permeability', will ensure that over time the area will better accommodate pedestrians and cyclists, in addition to public transport where available. Similarly, the implementation of the NTA's *Permeability Best Practice Guide* will also ensure enhanced pedestrian and cycle routes within the area of the LAP.

8. Climate change and flood risk management

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. It is an objective (NPO 52) of the NPF to ensure that the planning system responds to national environmental challenges and that development occurs within environmental limits. The NPF acknowledges climate change as a national environmental challenge and it is an objective (NPO 54) to reduce Ireland's carbon footprint in support of national targets for climate policy mitigation and adaptation, including targets for GHG emissions reduction.

The effective implementation of climate mitigation objectives through the LAP, consistent with national and regional policy objectives (and guiding principles) identified by the Office



under each of the themes, above, will be critical to the achievement of the Government's GHG emissions reduction target to mitigate climate change.

In terms of climate adaptation, flood risk management is the most critical climate change adaptation measure to be addressed in the LAP, informed by Strategic Flood Risk Assessment (SFRA). The planning authority should ensure that it has regard to the detailed requirements and provisions of section 28 *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009), including the staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the plan-making justification test.

The planning authority should overlay the flood risk zones on any proposed land use zoning maps, to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The planning authority is also requested to make a copy of digital mapping data available to the Office and to the OPW to facilitate assessment. Further, the planning authority is advised to liaise with the OPW in the carrying out of SFRA to avoid issues arising at draft LAP stage. This will be of particular importance where land use zoning objectives are proposed to be included.

As noted, above, the implementation of objectives for green and blue infrastructure consistent with national and regional policy objectives should also form an important part of the LAP's response to climate change adaptation.

In accordance with NPO 57, the LAP is required to integrate sustainable water management solutions, such as Sustainable urban Drainage Systems (SuDS). In this regard the Office draw's 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.

9. Environment and natural and built heritage

The planning authority is the competent authority for the purposes of Strategic Environmental Assessment and Appropriate Assessment. The planning authority will be



aware of its obligations and responsibilities under the SEA Directive and under the Habitats Directive.

In this regard the planning authority is required to have regard to the revised section 28 Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities (2022). It should also consider the Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009), as revised.

It is an objective (NPO 52) of the NPF to ensure that the planning system responds to national environmental challenges and that development occurs within environmental limits. The planning authority should ensure the LAP is consistent with objectives of the NPF concerning environmental protection (NPO 52, NPO 57, NPO 58, NPO 60, NPO 62, NPO 63, NPO 64 and NPO 65, among others), in addition to the objectives or guiding principles of the RSES.

In particular, the Office highlights the importance of integrating green and blue infrastructure into the LAP, in accordance with NPO 58 and the objectives and guiding principle of the RSES. Planning for green and blue infrastructure, such as public parks and water bodies can contribute to climate change adaptation, in particular flood risk management through nature-based solutions. It can also make a positive contribution to climate mitigation, when integrated with greenways, and have positive impacts on biodiversity.

The planning authority has extensive experience of successful heritage-led regeneration in Adare which has not only protected and conserved that heritage, but has generated economic benefits in terms of tourist footfall, improved retail environment and improved quality of life. NPO 17, the RSES and several section 28 guidelines (LAP Guidelines and the Development Plans Guidelines, among others) recognise that protecting, conserving and managing sites and features of special interest.

Although the key built-heritage related objectives and policies are contained in the development plan, the planning authority should consider what location specific objectives or measures would assist in the protection or improvement of built heritage over the period of the LAP. In this regard the planning authority should have regard to the *Architectural Heritage Protection Guidelines for Planning Authorities* (2004), as amended.



10. Implementation and monitoring

The NPF and the RSES place increased emphasis on and recognise the importance of monitoring the implementation of statutory strategies and plans, as a measure of plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The planning authority will be aware of its duty and function under section 15(1) and 15(2) of the Act to secure the objectives of the development plan and report on progress in achieved in securing those objectives. As the implementation of the objectives of the LAP derive from the objectives of the development plan, the obligations under the aforementioned subsections are also relevant to the LAP.

The planning authority is therefore encouraged to provide for monitoring of implementation of the objectives of the LAP, having regard to the provisions of the Development Plans Guidelines and the LAP Guidelines.

11. Other matters

The Office invites the planning authority to submit a digital copy of all mapped data in respect of the proposed draft LAP in order to better facilitate its evaluation and assessment of the plan. In this regard, all spatial data should be in the format of either Web Map Service (WMS) or shapefile format, with the relevant attribute information attached.

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:

- the approach to residential land use zoning should be consistent with the development plan core strategy in terms of housing supply targets and zoned land requirements;
- residential zoning objectives on individual lands should be consistent with national and regional policy for compact growth, sequential approach to development, tiered



approach to zoning (infrastructure), and represent a sustainable pattern of development having regard to climate objectives;

- preparation of an infrastructure assessment/ settlement capacity audit out for all zoned land. The planning authority is advised to liaise with Irish Water to ensure that the relevant infrastructure is in place to sustainably accommodate the allocated growth for Adare under the core strategy, and where necessary to phase such development;
- protection of the proposed route of the Foynes to Limerick (including Adare)
 Bypass. The planning authority is advised to liaise with TII in this regard;
- the SFRA should be carried out in accordance with the Flood Guidelines to avoid inappropriate development in areas at risk of flooding. The planning authority is advised to liaise with OPW in this regard.

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,

Anne Marie O'Connor

C, OUNA

Deputy Regulator and Director of Plans Evaluations