OPR Ref: DP-012-23



11th April 2023

Planning Section, Mayo County Council, Aras an Chontae, Mayo, F23 WF90

Re: Draft Castlebar Town & Environs Local Area Plan 2023-2029

A chara,

Thank you for your authority's work on preparing the Draft Castlebar Town & Environs Local Area Plan 2023-2029 (the draft LAP).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put into the preparation of the draft LAP against the backdrop of an evolving national and regional planning policy and regulatory context and the need to balance competing pressures within an increasingly complex system.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.

The Office has evaluated and assessed the draft LAP under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act) and this submission has been prepared accordingly.

The Office's evaluation and assessment has had regard to the current county development plan (the Development Plan), the Northern and Western Regional Spatial and Economic Strategy (RSES) and relevant section 28 guidelines.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address Recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an Observation.

A submission can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The Office welcomes the preparation of the draft LAP, having regard to the statutory requirements for same under section 19 of the Act. Castlebar has been identified as a key town under the RSES and the LAP will play an important role in ensuring the sustainable development and expansion of the settlement over the forthcoming years. The Office considers however, that greater clarity and transparency is required in the LAP to align the projected housing land requirements with the core strategy, and in particular, to promote the sequential approach to development, with an emphasis on the regeneration of the town centre, in line with the principles of compact growth.

Castlebar, in conjunction with Westport will play a key role in driving economic development in the county. While the ambitions of the planning authority in this regard are welcomed, the Office considers that no clear evidence base has been provided regarding the extent of land zoned for enterprise and employment purposes in the draft LAP or to set out a clear strategy for the plan period. In addition, it is crucial that land zoned for employment purposes is appropriately located so that the provision of infrastructure can be co-ordinated with development. Zoning land in more peripheral locations will also undermine the compact growth of the town and the implementation of an integrated strategy for sustainable land use and mobility.

The Office welcomes the preparation of the Local Transport Plan (LTP). However, it would have been preferable if the timing of the LTP had been co-ordinated with the LAP process so that it could fully inform the zoning strategy and policies and objectives in the plan. The material alterations stage will, however, provide an opportunity for amendments that ensure better alignment between the final LTP and LAP.

A clear and robust rationale for the inclusion of the entire Northern Orbital Route in the draft LAP will also be required given that the full extent of this project is not identified as an objective of the LTP.

In terms of regeneration, the Office welcomes the identification of a number of key opportunity sites in the town. Castlebar has a high level of commercial vacancy and it will be important for the LAP to set out actions and policies to proactively address this issue, and to include measurable targets for the plan period.

In addition, it will be necessary for the planning authority to review its strategic flood risk assessment for the draft LAP and to reconsider the details of related objectives and policies accordingly.

It is within this context, the submission below sets out five (5) Recommendations and four (4) Observations under the following themes:

Key theme	Recommendation	Observation
Consistency with the Regional, Spatial and Economic Strategy	=	-
Consistency with Development Plan and Core Strategy	=	-
Compact Growth, Zoning and Tiered Approach to Zoning	Recommendation 1	-
Town Centre Regeneration	Recommendation 2	Observation 1
Economic Development and Employment	Recommendation 3	-
Transport and Mobility	Recommendation 4	-
Flood Risk Management and Surface Water Management	Recommendation 5	Observation 2
Environment, Natural and Built Heritage	-	Observation 3
Implementation and Monitoring	-	Observation 4
General and Procedural Matters	-	-

1. Consistency with the Regional, Spatial and Economic Strategy

The Office considers the draft LAP to be generally consistent with the regional policy objectives of the RSES for the Northern and Western Region.

2. Consistency with Development Plan and Core Strategy

The Office considers the housing targets and the policies and objectives of the draft LAP to be generally consistent with the Mayo County Development Plan 2022-2028 (the Development Plan) and its core strategy, except where otherwise specified below.

3. Compact Growth, Zoning, and Tiered Approach to Zoning

Section 19(2) of the Act requires a local area plan to be consistent with the objectives of the development plan and its core strategy. This requirement also applies under section 20(5) of the Act.

The draft LAP sets out in section 2.8 that by 2028, it is anticipated that the population of Castlebar will increase by 2,583 persons and that a dwelling target of 708 additional units will be required. The Development Strategy (section 2.6) sets out that new residential development will be accommodated within the existing built up footprint of the town on brownfield/vacant/infill sites in the town centre, existing and new residential areas, at appropriate densities, and optimising social and physical infrastructure. The plan includes a Settlement Capacity Assessment in Appendix 1, which identifies 17 potential sites, all zoned New Residential. No tier 2 sites are identified. A further 10 town centre opportunity sites are identified. It is noted that the draft zoning map also identifies lands classed as Existing Residential. There are some sites within this zoning category that remain undeveloped. The draft LAP is silent on the density assumptions used to calculate housing land requirements.

The Office is generally satisfied that the New Residential zoned lands are within the existing built up footprint of the settlement and consolidate the existing pattern of development. The one exception is new residential site RS 13. This site is located in a backland area, to the rear of a car sales garage and adjacent to an existing unfinished housing estate known as the Waterways. Lands to the immediate north of the site are identified as being located within a flood risk area (flood zone A & B). These lands are peripheral, have poor accessibility and do not contribute to the sustainable compact development of the town.

There is also a lack of clarity in the draft LAP regarding the capacity of undeveloped Existing Residential zoned lands in the town to cater for the future housing targets through infill development. Furthermore, no information is provided regarding the capacity of the identified town centre or opportunity sites to contribute towards the housing targets. This is contrary to the broader strategic objectives of both the LAP (TCO1) and the Development Plan (SSO3) to promote town centre regeneration. It is also inconsistent with the Government's *Town Centre First: A Policy Approach for Irish Towns* (2022) strategy. Although it is acknowledged that only a portion of the lands zoned as town centre is likely to be used for residential purposes, a quantum of this land should be factored into the residential land supply capacity analysis. The LAP has a key role in activating and promoting residential development in the town centre. In this regard, greater clarity and transparency is required in the draft LAP.

The approach taken in the draft LAP, as set out in the core strategy table, is to only identify the lands zoned as New Residential to meet the housing demand. This results in a disproportionate emphasis in the draft LAP on accommodating the anticipated housing targets on New Residential lands, which potentially has implications for compact growth and the achievement of the strategic objectives of the NPF and RSES to promote town centre regeneration.

Greater clarity is also required regarding the density assumptions used to calculate the land requirements for housing set out in the draft LAP to ensure that the densities used are within the ranges advised in the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Cities, Towns and Villages* (2009). If it is determined there is an excess of residential zoned land to align with the core strategy, this will need to be appropriately addressed in the draft LAP.

It is noted that the draft LAP also includes extensive lands zoned as Strategic Residential Reserve. It is detailed in the LAP that there will be annual monitoring of housing delivery in the town and that if it becomes apparent that New Residential zoned lands cannot or will not be developed within the plan period, residential development may be considered on these reserve lands. No infrastructural assessment report is included in the draft LAP regarding these lands and it is unclear if these reserve lands are serviced or can connect to services over the life of the draft LAP. No clear criteria are provided as to the scenarios where residential development would be considered on these lands.

It is also noted that some of the lands identified as Strategic Residential Reserve are located outside of the CSO settlement boundary. This is particularly the case of the strategic residential reserve sites located to the south of the town including the site immediately to the east of the N84 and west of Solar Park and the lands located to the north of the L1704 and east of Lios na Circe. The Office is concerned, that should these lands come forward for development, they would not be consistent with the strategic objectives of achieving compact growth.

Recommendation 1 – Core Strategy and Compact Growth

Having regard to:

- the provisions under section 19(2) of the Planning and Development Act 2000, as amended, (the Act);
- targets for compact growth under NPO 3a, NPO3c, RPO 3.1 and RPO 3.2;
- NPO 6 and NPO 11 regeneration;
- Town Centre First; A Policy Approach for Irish Towns (2022);
- NPO 35 residential density;
- the Guidelines for Planning Authorities in the Sustainable Residential Development of Urban Areas: Cities, Towns and Villages (2009) concerning the application of recommended residential density standards; and
- the policy and objective to adopt the sequential approach to land use zoning under the *Development Plans, Guidelines for Planning Authorities* (2022);

the planning authority is required to:

- (i) provide a clear core strategy table which sets out the area and quantum of housing to be delivered on lands zoned 'town centre', 'existing residential' and 'new residential'. Appropriate densities should be applied to demonstrate anticipated yield;
- (ii) ensure that the extent of lands zoned for residential use is in accordance with the core strategy of the Mayo County Development Plan 2022 – 2028 and that the provision of zoned 'new residential' land aligns with the quantity of land necessary to accommodate housing supply targets in the core strategy;

- (iii) having regard to their peripheral location, poor accessibility and proximity to a flood zone, the lands zoned 'new residential' at site RS 13 should be omitted;
- (iv) provide an infrastructural capacity assessment for the lands zoned Strategic Residential Reserve and set out clear criteria regarding the development of these lands for residential over the plan period; and
- (v) having regard to the extent of land zoned 'New Residential' and 'Town Centre', consider the requirement for the extent of land zoned 'Strategic Residential Reserve' under the LAP. In the interests of achieving sustainable patterns of compact growth, consideration should be given to the omission of sites that are in more peripheral locations, particularly those to the south of the town that are located outside of the CSO settlement boundary including:
 - a) the site immediately to the east of the N84 and west of Solar Park; and
 - b) the site located to the north of the L1704 and east of Lios na Circe.

4. Town Centre Regeneration

The Office welcomes the town centre regeneration strategy as set out in Chapter 4 of the draft LAP. The Council is commended for securing URDF funding for the Castlebar Historic Core Reactivation Initiative Project; the Castlebar Military Barracks Project; and the Castlebar Urban Greenway Link which will act as catalysts for the ongoing regeneration of the town centre.

It is noted that 10 opportunity sites are identified in the town centre. Some development parameters for each site are set out including a brief description of each site's development potential, site photos etc. However, it is considered that in order to ensure the prioritisation of the town centre for regeneration, to harness potential funding opportunities including Town Centre First funds and to promote quality design and healthy place making, that that the planning authority should set out a clearer urban design brief for the key flagship sites in accordance with section 5.7 of *Local Area Plans, Guidelines for Planning Authorities* (2013).

It is also noted that vacancy is a critical issue in the town, with the LAP identifying that the town centre has experienced an increased vacancy rate of 20.5% (2022). While it is

acknowledged that the development of the opportunity sites would provide a catalyst for the regeneration of the town centre, it is important that the planning authority can demonstrate the effectiveness of their approach through the inclusion of measurable targets for the resolution of vacancy and proposals for the monitoring of same.

Recommendation 2 – Town Centre Regeneration

Having regard to:

- NPO 6 and NPO 7, and
- Town Centre First, A Policy Approach for Irish Towns (2022);

the planning authority is required to include measurable targets for the reduction of vacancy for the plan period and a strategy for the monitoring of same.

Observation 1 – Town Centre Regeneration

Having regard to:

- NPO 6 regeneration;
- Section 5.7 of Local Area Plans Guidelines for Planning Authorities (2013);
- Town Centre First, A Policy Approach for Irish Towns (2022);

the planning authority is advised to review and revise the development framework for the key opportunity sites to provide clearer parameters for their future development including guidance regarding layout, massing, materials, permeability etc.

5. Economic Development and Employment

The RSES sets out policy support to grow the role of Castlebar, in tandem with the town of Westport, as a driver of economic development for the County and region. In this context, the draft LAP targets a minimum of 1,859 additional jobs by 2028. While the Office notes the ambitions of the Council to fulfil the strategic objectives of the RSES, there are concerns regarding the lack of any clear evidence to underpin the extensive areas of land zoned 'enterprise and employment' in the draft LAP. The Office understands that there is approximately 233 ha of land zoned enterprise and employment

in the draft LAP. While this includes land already developed, there are large amounts of undeveloped land. No analysis has been carried out to justify the quantum, location or servicing capacity of the lands. An infrastructural capacity assessment has not been provided, as required under NPO 72, nor is there evidence that the LTP informed the zoning of these lands.

The Office has particular concerns regarding the extensive parcel of land zoned enterprise and employment located to the immediate south of Saleen Lough to the east of the rail line. This land parcel is severed from connectivity by the rail line and is not contiguous with the built up area. Given the peripheral location, it is envisaged that extensive road infrastructure would be required to service these lands. It is noted that the draft LTP does not indicate any planned upgrade to cycle or pedestrian facilities that would serve these lands (Figure 5.4 – Plan Development Concept – Network proposals refers), nor is it served by public transport. Part of these lands are also located within a flood zone and the Office is not satisfied that all the criteria of the plan making Justification Test regarding these lands have been met in the SFRA.

There are also concerns regarding the large parcel of land that flanks either side of the N84 with more limited frontage to the L1074 to the east. The extent of these lands, likely to be accessed and serviced off the future N5 national road, has the capacity to accommodate a significant intensity of employment. In the absence of an evidence base to support the zoning, the Office is concerned that these lands, located in such close proximity to the interchange, could generate significant additional traffic with the potential to undermine the carrying capacity of this strategic road infrastructure. This would be contrary to the guidance set out in section 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012). This concern has also been raised by TII.

The Office has considerable reservations regarding the approach to economic development and zoning taken in the draft LAP and the lack of an appropriate strategic assessment. No information has been provided on the extent of land already developed, nor has a distinction been made regarding different employment characteristics and requirements, for example for low intensity uses such as warehousing, logistics etc. versus higher intensity uses such as offices. No detail has been provided regarding the capacity of infill town centre sites to contribute towards the employment needs which would contribute to the regeneration of the town centre in line with the government's

Town Centre First policy. Nor has there been any assessment of the accessibility of the locations identified or their infrastructural capacity.

In the absence of any appropriate evidence base to the approach adopted, the Office considers that the extent of employment zonings, and in particular, the two large parcels to the south east of the town centre, would conflict with the principles of compact growth (in accordance with the National Strategic Outcome for compact growth in the National Planning Framework (NPF)), having regard to deficiencies in public transport access and/or their accessibility in terms of walking and cycling distances to residential areas. The NTA and TII have also expressed concerns in this regard. The location of these lands, particularly the peripheral location of the lands to the south of Saleen Lough, would encourage primarily car based development that will not support the modal shift to active modes contrary to RPO 6.30 and 6.31 and the goals under the National Sustainable Mobility Policy (2022) and which would run counter to the requirements of NPO 54, which seeks to reduce our carbon footprint.

Furthermore, it would be inconsistent with the objectives of the Development Plan and in particular, Objective SO 12 Integrated Land Use and Transportation Planning which seeks to integrate land use planning and sustainable transportation planning, promote the consolidation of development, encourage sustainable travel patterns by reducing the need to travel particularly by private transport, while prioritising walking, cycling and public transport.

The Office also considers that these zonings do not follow the sequential approach to zoning given their peripheral location and limited opportunities for integration and direct linkages into the town centre. The *Development Plans, Guidelines for Planning Authorities* (2022) (the Development Plans Guidelines) state that the *sequential approach to land-use zoning will also apply, with lands contiguous to existing development within a settlement being prioritised for high-intensity employment zoning ahead of lands located further on the periphery of the settlement (p.125).*

In light of the above, the LAP needs to provide a focussed and evidence based approach to employment zonings in the interest of efficiency and of maximising return on infrastructural investments. The planning authority must demonstrate that an appropriate sequential approach to zoning and an integrated approach to land use and transport planning has been adopted.

Recommendation 3- Enterprise and Employment Zoning

Having regard to:

- National Strategic Outcome 1 for Compact Growth; National Strategic
 Outcome 2 Enhanced Regional Accessibility; NPO 10b, NPO 54, and NPO 74;
- NPO 72 infrastructure assessment and tiered approach to zoning;
- RPO 6.30 and 6.31 active travel;
- RPO 6.5 national roads;
- provisions for the sequential approach to zoning and section 6.2.5 Zoning for Employment Uses and the principles of the sequential approach to zoning and accessibility set out in section 1.4 of Appendix A of the Development Plans, Guidelines for Planning Authorities (2022);
- section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012);
- Objective SO12 of the Mayo County Development Plan 2022-2028; and
- provisions of the Climate Action and Low Carbon (Amendment) Act 2021 and the Climate Action Plan 2023 and the goals of the National Sustainable Mobility Policy (2022), and Town Centre First, A Policy Approach for Irish Towns (2022);

the planning authority is required:

 (i) to provide a robust evidence based justification for the extent, location and infrastructural capacity of enterprise/employment zoned land in the town having regard to the guidance and methodology set out *Development Plans, Guidelines for Planning Authorities* (2022). The assessment should identify the quantum and rate of take up of existing employment lands; distinguish between the different typologies of commercial /industrial land-uses that will generate different employment; should include relevant servicing information; and should consider the potential of the town centre and identified opportunity sites to contribute to future employment land needs. Where necessary, the planning authority should reconsider and appropriately prioritise and/ or reduce the provision of such land to align with the evidencebased assessment, particularly that located to the south west of the town, to the west of the N84; and

(ii) having regard to their peripheral and poorly serviced location; their risk of flooding; the need to prioritise lands that are sequentially preferable; and will be served by the public transport and active travel networks necessary to facilitate sustainable travel over the lifetime of the Plan, the planning authority is required to omit the Employment and Enterprise land use zoning located to the south of Lough Saleen and to the immediate east of the rail line.

6. Transport and Mobility

The Office welcomes the preparation of the Local Transport Plan (LTP) for Castlebar, as required by RPO 6.27 and that the draft plan has been informed by the emerging proposals in the LTP. This approach has the potential to deliver an integrated approach to lands use planning for Castlebar and, in tandem with compact growth, to help it achieve a shift from private car transport to active sustainable modes walking, cycling and to public transport, consistent with RPO 6.30. A significant shift to active and sustainable modes will be necessary to enable Ireland to achieve its mandatory climate action targets under the *Climate Action and Low Carbon Development (Amendment) Act 2021*, that is to reduce Greenhouse Gas emissions by 51% by 2030, with a commitment to achieving carbon neutrality by 2050.

The Office considers that it would have been preferable for the LTP to have been coordinated with the LAP so that it could have fully informed the strategic zoning objectives, policies and objectives of the plan. It is considered that there needs to be better integration between the LAP and the final LTP and a clearer policy approach that provides more explicit support to the 6 key proposals therein.

In particular, it would provide better clarity if there were clear policies to ensure compliance with the active travel interventions proposed under each of the proposals detailed under section 7.4 to 7.9 of the draft LTP. This would give greater weight and statutory effect to the proposals of the LTP. The LAP should provide clear mapping of the interventions required to support the delivery of the LTP and objectives to support the key projects, particularly those that will deliver improvements to the walking and cycling network, to ensure that sustainable transport options can be delivered in the town.

Greater clarity is also required regarding the phasing and build out of lands with the delivery of active travel measures and the provision of public transport improvements outlined in the LTP to support such development.

The LAP indicates the route of the Northern Orbital Ring Road and Table 7.5 lists it as a road project. It is noted however, that the LTP only provides for a short section of the route (0.74km) with an objective to provide for Phase 1: to improve connectivity from the north of the town to the N5 in order to reduce traffic levels in the town centre to enable active travel infrastructure and improved safer junctions. The LTP does not provide a clear justification and evidence base for the inclusion of the entire Northern Orbital Ring Road in the LAP. In the absence of same, only the first phase of the route should be indicated in the LAP or a clearer policy provision and justification provided.

Recommendation 4- Transport and Mobility

Having regard to:

- RPO 6.26;
- NPO 27, NPO 54 and NPO 64; and
- MTO1 of the Mayo County Development Plan 2022-2028

the planning authority is required to review Chapter 7 Movement and Transport, to provide clearer policies and objectives regarding the delivery and phasing of the key infrastructural requirements of the LTP, particularly those interventions and measures required to enhance pedestrian and cycling in the town. All mapping should be clearly legible. In particular, a clear map should be provided of the key active travel schemes to be delivered over the life of the plan.

In the absence of a robust evidence base to support the delivery of the Northern Orbital Ring Road in its entirety in the LTP, the planning authority is required to review the justification for this route and if necessary, omit reference to same in table 7.5 of the LAP and amend the land use zoning map accordingly.

The planning authority should consult with the NTA regarding this Recommendation.

7. Flood Risk Management and Surface Water Management

Flood Risk Management

The Office welcomes the preparation of a Strategic Flood Risk Assessment (SFRA) to inform the draft LAP. However, the SFRA has in part been based on PFRA mapping that is not appropriate for this purpose. PFRA mapping has been used as a data source for producing the flood zone mapping for certain areas of the town including Snugborough, Newantrim and Rural South. More robust sources of data should be considered to inform the flood zones. A review should be undertaken to determine if there is sufficient flood risk data available for these areas or if a stage 3 flood risk assessment is required.

The Office has particular concerns regarding the commentary in the Justification Tests and the robustness of the overall assessment. NPO 57 and RPO 3.10 & 3.11 seek to ensure that flood risk management informs place-making by avoiding inappropriate development in areas at risk of flooding in accordance with The *Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009) (Flood Guidelines) which were amended by *Circular PL 2/2014*. It is a core planning principle of the Flood Guidelines that development should only be permitted in areas at risk of flooding when there are no alternative, reasonable sites available in areas at lower risk. Box 4.1 of the Flood Guidelines sets out the Justification Test for Development Plans. If lands do not pass the test, then they should not be zoned to accommodate vulnerable and/or highly vulnerable development.

The Justification Tests carried out in the SFRA often relate to peripheral sites, many of which clearly do not meet the criteria set out in part 2 of the test. Such tests should only be carried out for zoned land that is at risk of flooding that is located in the core urban area where it can be cleary established that the zoning is necessary to fulfill the critera set out under part 2 of the Justification Test and in particular, that it will facilitate compact growth and regeneration. Zonings should only be assessed against the criteria of the plan making Justification Test when avoidance and substitution have not been possible.

The Office has particular concerns regarding the Justification Test carried out for the Hat Factory. It is stated in the SFRA Part 3 Justification Test, that development is premature until flood risk has been appropriately mitigated and the SFRA updated to apply the Justification Tests for any opportunity sites/significant redevelopment. Having regard to the strategic importance of this site and they key role that it could play in the regeneration

of the town centre, the Office considers that the approach adopted is not satisfactory and that the planning authority should address the structural or non-structural measures required as prerequisites to development and provide information on the residual risks that would remain and how they might be managed in the plan-making Justification Test. The Office also considers that there are inaccuracies regarding the Justification Tests carried out for Opportunity site 3 – Lannagh Road, site A.8.2 and site A.9.3.

The proposed Northern Orbital Route crosses areas at risk of flooding. Local transport infrastructure classified as less vulnerable would not be appropriate in Flood Zone A, unless a Plan Making Justification Test can be satisfied.

The Office also considers that clearer mapping is required to identify the areas at flood risk in the town. In this regard, it is considered that a composite map should be provided which overlays the zoning map with the flood risk map. Furthermore, it appears that there is some inconsistencies between the SFRA mapping and the zoning maps, notably for the Garryduff area which should be addressed.

The planning authority should consider producing a map with future scenario mapping from the National CFRAM and NIFM programmes. This map should be overlaid with the land use mapping to help identify sites and developments that could potentially be affected by climate change.

The Office strongly advises the planning authority to consult with the OPW in relation to these matters.

Recommendation 5 – Flood Risk Management

Having regard to:

- RPO 3.10, RPO 3.11 and NPO 57 flood risk management; and
- the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) as amended by Circular PL 2/2014,

the planning authority is required to:

 (i) carry out a revised strategic flood risk assessment for the draft LAP, having regard to the detailed provisions of the Flood Guidelines, including a Stage 3 detailed Flood Risk Assessment based on appropriate level of detail and up to date flood risk modelling at an appropriate scale; and taking into account future climate change scenarios that align fully with the Mid-Range Future Scenario set out by the OPW or with the High-End Future Scenario.

- (ii) review the methodology and approach to the Justification Tests included in the SFRA to ensure that all sites fully comply with the criteria set out in box 4.1 of the aforementioned guidelines. In particular, the Justification Tests should:
 - a. only apply to land use zonings within or adjoining the urban centre and not peripheral areas. Zonings should only be assessed against the criteria of the Plan Making Justification Test when avoidance and substitution have not been possible.
 - b. for Opportunity Site 1 the Hat Factory site (A.4.1): specify the structural or non-structural measures required as prerequisites to development and provide information on the residual risks that would remain and how they might be managed in the Plan-making Justification Test. The flood risk assessment must demonstrate that flood risk can be adequately managed and the use or development of the lands will not cause unacceptable impacts elsewhere.
 - c. For Opportunity site 3 Lannagh Road (A.4.1): provide clarification that less vulnerable development is not appropriate in Flood Zone A.
 - d. For site A.9.3 Education clarify that only water compatible development should be placed in Flood Zone A and B.
 - e. Notwithstanding Recommendation 4, should the Northern Orbital Route be included in the plan, a full plan making Justification Test should be carried out.
- (iii) Overlay the extent of Flood Zones A and B on the land use zoning maps in the draft Plan to provide for greater transparency and to inform zoning decisions.
- (iv)Ensure consistency between the final land use zoning maps and the Justification Tests and mapping in the SFRA.

Consequent to (i) and (ii) above, where lands at risk of flooding have not passed the Justification Test, the zoning objective should not facilitate highly vulnerable (Flood Zone A and B) or vulnerable (Flood Zone A) development.

The planning authority should consult with the Office of Public Works regarding this Recommendation.

Surface Water Management

In terms of surface water management, the Office notes that the plan generally adopts a proactive approach. It is considered however, that the policies are in the main general and supportive of appropriate approaches to surface water management, rather than clearly requiring it. The draft LAP also does not reference up to date guidance on sustainable surface water management including– *Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Best Practice Guidance Document* (2022).

In order to ensure better alignment with RPO 8.22 which seeks to prioritise investment in stormwater to improve sustainable drainage and reduce the risk of flooding and NPO 57 to integrate sustainable water management solutions such as SuDS, the office considers that the planning authority should review their surface water management policies to ensure a more prescriptive approach and to require that sustainable surface water drainage solutions are implemented consistently throughout the settlement. In particular, the planning authority should give consideration to providing additional guidance regarding the opportunity sites where integrated and area based provision of SuDs and green infrastructure could be implemented.

Observation 2- Surface Water Management

Having regard to:

- RPO 8.22 and NPO 57 sustainable drainage, and
- the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), as amended by Circular PL 2/2014;

the planning authority is requested to:

- (i) review and amend the policies and objectives relating to surface water management to provide for a more prescriptive approach where it will be a requirement to implement sustainable surface water drainage approaches, including Sustainable Urban Drainage Systems and nature based solutions in all developments throughout the settlement;
- (ii) clearly reference Nature Based Solution to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document (2022); and
- (iii) the planning authority should give consideration to providing additional guidance regarding the opportunity sites where integrated and area based provision of SuDs and green infrastructure could be implemented.

8. Environment, Natural and Built Heritage

The Office welcomes the positive policies and objectives set out in the draft LAP to support the protection of the natural and built environment. With regard to the latter, the Office notes that specific objectives are included relating to protected structures (BEO2) and archaeological heritage (BEP7). However, it is noted that the protected structures are not indicated on the zoning map, nor are any recorded monuments or zones of archaeological potential.

In terms of green infrastructure, appropriate policies and objectives are provided regarding the protection and enhancement of the natural environment. Policy NEP3 seeks to protect, reinforce and strengthen the Green and Blue Infrastructure network in Castlebar and strengthen links to the wider regional network. No mapping however, is provided to identify the existing network, which would be helpful to provide greater clarity.

Observation 3 – Conservation of Built and Natural Heritage

(i) Having regard to NSO 7 – Enhanced Amenity and Heritage, NPO 17, RPO 5.13 and 5.14, the planning authority is requested to consider the inclusion of maps which identify zones of archaeological potential, national monuments and properties included in the Record of Protected Structures in order to ensure their continued conservation and preservation. (ii) Having regard to NPO 58, RPO 3.5 and section 5.4 of the Local Area Plan Guidelines, the planning authority is requested to consider the inclusion of a clearer green infrastructure approach, including appropriate mapping in the local area plan. The integration and incorporation of a Green Infrastructure approach, including an initial inventory of green resources, into the local area plan process can contribute greatly to the quality of the environment in the area covered by the local area plan, to the conservation and enhancement of green resources over a wider area and to climate change mitigation and adaptation.

9. Implementation and Monitoring

The Office welcomes the planning authority's commitment to plan implementation and monitoring of the LAP, in Chapter 12.

The Office notes however, that no tangible indicators are provided, just broad statements of intent. The Local Area Plan Guidelines strongly advise that LAP's should include an implementation and infrastructural delivery schedule which would require planning authorities to work closely with all relevant departments, agencies and stakeholders involved in securing the delivery of the formulation, adaptation, implementation and monitoring of the policies and objectives of the local area plan. The Office considers that greater clarity in this regard is required.

Observation 4 – Monitoring and Implementation

Having regard to section 6.2 of the *Local Area Plans Guidelines for Planning Authorities* (2013) the planning authority is advised to include a clear implementation and infrastructural delivery schedule in the draft LAP to ensure that the implementation of the policy objectives of the local area plan will take place and to ensure that development progress is consistent with the core strategy of the plan.

10. General and Procedural Matters

In respect of more minor matters, the Office draws your attention to the following matters for your consideration:

- greater clarity could be provided on the land use zoning map regarding the colour tones used to distinguish between agricultural lands, open space and recreation and amenity; and
- sections 1.3 and 4.5.1 of the SEA Report appears to refer to the incorrect core strategy figures in the County Plan for Castlebar.

Summary

The Office requests that your authority addresses the Recommendations and Observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 20 of the Act must summarise these Recommendations and the manner in which they will be addressed.

Where your authority decides not to comply with the Recommendations of the Office, made in the draft LAP and report, please outline the reasons for the decision in the Chief Executive's report.

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 plans@opr.ie.

Is mise le meas,

OUNU

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations