OPR Ref: DP-003-23



#### 29<sup>th</sup> September 2023

Forward Planning, Planning, Environment and Place-Making Directorate, Limerick City and County Council, Merchants Quay, Limerick.

# Re: Draft Adare Local Area Plan 2024-2030

A chara,

Thank you for your authority's work on preparing the draft Adare Local Area Plan 2024-2030 (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 Limerick City and County Development Plan 2022-2028 (the Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Southern Region Assembly (SRA), 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 a draft LAP for the settlement of Adare, consistent with Objective CGR O16 of the Development Plan, to sensitively guide the future development of this historically important town.

The Office also commends the planning authority for the inclusion of a detailed and clear settlement capacity audit and infrastructure assessment with costing estimates. This provides a sound evidence-base for individual land use zoning objectives.

The total area of land proposed to be zoned New Residential under the draft LAP exceeds that required to meet the core strategy under the Development Plan. The Office does accept however that the lands are well-located, serviced, and that there is extant planning permission for development of much of these lands.

Given the sufficient supply of appropriately located zoned land to meet the housing targets set out in the Development Plan, the Office cautions against additional land use zoning proposals for residential development through material alterations.

The Adare bypass, which is part of the Foynes to Limerick Road (including Adare Bypass) Project (Adare Bypass Project) has the potential to greatly improve the quality of the public environment in Adare by prioritising pedestrians, the heritage of the town, social and commercial activities.

The draft LAP appropriately focusses on these issues and the Office particularly welcomes the preparation of the draft Adare Public Realm Plan (the draft Public Realm

Plan) which has the potential to have a transformative impact on the town and to improve options for walking and cycling within the town in a safe and pleasant environment.

The Office also welcomes the inclusion of opportunity sites and the proposals to relocate off-street parking to those sites behind the building line. This proposal has the potential to transform the quality of the environment on the main street. However, care should be taken to ensure that there is no net increase in car parking in the central area, which would further attract increased car traffic to the detriment of walkers and cyclists.

The Office welcomes the visual cross-referencing of enhancement opportunities with climate action opportunities in table 8 of the draft LAP, which provides a coherence and focus to the climate strategy under the draft LAP.

The Office also strongly commends the local authority for the inclusion of a simple and appropriately focused monitoring strategy for the implementation of key actions proposed in the draft LAP. The Office regards this approach, which concentrates on the critical matter of implementation of sustainable transport and urban regeneration, as best practice.

The Office is satisfied that the Strategic Flood Risk Assessment (SFRA) and objectives and policy of the draft LAP is generally consistent with *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009) (Flood Guidelines), however some clarity is required concerning the policy approach for the existing built-up area outside of the town core.

Clarity is also required regarding the incorporation of the Strategic Environmental Assessment (SEA) mitigation measures into the draft LAP.

It is within this context the submission below sets out two (2) observations under the following four (4) themes:

Key theme	Recommendation	Observation
<u>Consistency with development</u> <u>plan core strategy,residential</u> <u>zoning and compact growth</u>	-	-
Transport and accessibility	-	Observation 1
<u>Climate change adaptation – flood</u> <u>risk management</u>	-	Observation 2

# 1. Consistency with development plan core strategy, residential zoning and compact growth

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 Office is satisfied that the housing growth target of 156 units under the draft LAP is consistent with the core strategy of the Development Plan, having regard to the period of the LAP from 2024-2030, compared to the Development Plan period 2022-2028. The Office also accepts the planning authority's calculation that 9.5 ha New Residential zoning, inclusive of 1.6ha Additional Provision, is required to accommodate projected growth. However, the draft LAP proposes 16.38 ha New Residential zoning, which is more than double that required, excluding the discretionary application of additional provision of up to 25%.

The core strategy indicates that under the existing extended Adare LAP 2015-2021, the current New Residential zoning is 58 ha, greatly exceeding the core strategy housing. The Office notes that the majority of the proposed New Residential zonings have the benefit of extant permission and that these lands are favourably located in terms of compact growth and sequential zoning. Furthermore, those lands without the benefit of extant permission are also favourably located. Therefore, in this context, the Office considers the draft LAP to provide a reasonable approach to ensure a sufficient supply of zoned land.

# 2. Transport and accessibility

The Office welcomes the draft Public Realm Plan attached to the draft LAP, which has the potential to have a transformative impact on the quality of the public environment on the main street, in tandem with implementation of the future Adare bypass and a potential Limerick City suburban rail service for the town.

The draft LAP could take the opportunity to include positive objectives and ambition for town in respect of the potential future rail service in view of MEASURE RL3 of LSMATS,

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Goals 3 and 4 of the *National Sustainable Mobility Policy* (2022) (NSMP), and the All Island Strategic Rail Review which is currently out to public consultation for SEA and environmental assessments.

Regarding the proposed relocation of on-street parking to proposed surface car parks located behind the rear building line of the main street, having regard to the greenhouse gas emissions reductions targets under the *Climate Action and Low Carbon Development (Amendment) Act 2021,* he actions under the *Climate Action Plan 2023* to reduce the total vehicle kilometres travelled by car by 20%, and the goals of the NSMP which support the achievement of this target, the planning authority is advised to ensure that there is no net increase in parking arising from the proposed draft Public Realm Plan. This will also ensure that additional car traffic is not attracted into the centre of the town to the detriment of walkers and cyclists.

The Office welcomes the positive policy requirements for the location of community facilities within walking distance to the town centre, and it would also be appropriate to extend this policy to educational facilities given the high level of trips generated by schools.

The recent approval of the Adare Bypass Project to the north of the town has significant potential to result in positive impacts on the town by removing traffic congestion and facilitating economic development. In addition, it has potential to have significant positive impacts on road traffic capacity in the southern region, with associated economic benefits. It would therefore be appropriate to amend objective SM 5(b) to ensure that future development proposals do not compromise the development of the Adare Bypass Project and to include the bypass on relevant LAP mapping.

# **Observation 1 – NDP N21/N69 Limerick to Adare/Foynes Scheme**

Having regard to the recent authorisation of the NDP N21/N69 Limerick to Adare/Foynes Scheme and the potential positive benefits to the town and to the wider region, the planning authority is requested to:

i) amend objective SM 5(b) as follows:

Support the delivery of the Foynes to Limerick (including Adare Bypass) Road, subject to all appropriate environmental and planning assessments and ensure future development proposals do not compromise the development of this scheme.

and,

ii) include the Foynes to Limerick Road (including Adare Bypass) Project on relevant LAP mapping, such as the land use zoning map.

### 3. Climate change adaptation – flood risk management

In terms of climate adaptation, the critical issue arising in respect of Adare is flood risk management and surface water drainage. The SFRA identifies and largely addresses flood risk management issues. The Office is also satisfied that the policy approach in the draft LAP (objective IU 05 Flood Risk Management) is consistent with the Flood Guidelines, except in relation to existing built up areas located outside of the core area within flood risk Zones A and B. The policy approach for these areas is unclear and should be clarified in consultation with the OPW.

### **Observation 2– Flood risk management**

The planning authority is requested to review the SFRA and the policy objectives of the draft Adare Local Area Plan 2024-2030, in consultation with the OPW, to ensure that the policy approach of the LAP in relation to existing built up areas, located outside of the core area, within flood risk zones A and B have regard to the provisions of *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009), as amended, including in particular the provisions under section 5.28.

The planning authority should consult with the OPW in relation to this matter.

# 4. Environment and natural and built heritage

The Office is not a competent authority for the purposes of SEA or for Appropriate Assessment. However, it is required to consider the consistency of the proposed variation with section 28 guidelines, including *Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities* (2022). These set out recommendations on the carrying out of SEA of plans.

The Environmental Report accompanying the proposed draft LAP includes mitigation measures under section 8.2, 8.3 (the latter in relation to the carrying out of Appropriate Assessment), 8.4 and 8.5. It is not apparent from the Environmental Report that the subject mitigation measures have all been incorporated into the draft LAP. The Office advises the planning authority to satisfy itself as the competent authority that the mitigation measures have been incorporated into the LAP, in particular in relation to those recommended in the Natura Impact Report.

### Summary

Arising from the foregoing evaluation and assessment of the draft Adare Local Area Plan 2024-2030, the Office requests that your authority addresses the 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 any 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.

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations