



18th December 2023

Planning Section,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary,
E45 A099.

Re: Material Alterations to Draft Thurles Local Area Plan 2024-2030

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations (the proposed material alterations) to the draft Thurles Local Area Plan 2024-2030 (the draft LAP).

As your authority is aware, a core function of the Office of the Planning Regulator (the Office) is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. This includes a requirement to make submissions on statutory plans, including any observations or recommendations the Office considers necessary to ensure the effective co-ordination of national, regional and local planning requirements.

The Office has evaluated and assessed the proposed Material Alterations under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act), and within the context of the Office's earlier recommendations and observations.

The Office's evaluation and assessment of the proposed Material Alterations has regard to the current Tipperary County Development Plan 2022-2028 (the Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Southern Region and relevant section 28 guidelines.



Overview

As outlined in the Office's submission to the draft LAP, the Office considered the draft LAP to be generally consistent with national and regional policy, and the Development Plan. However, the Office found it necessary to recommend changes to ensure alignment with national and regional policies and with associated section 28 guidelines concerning the extent of residential zoned land and its alignment with the core strategy; the extent of land zoned for economic development; flood risk management; and the inclusion of specific actions set out in the Local Transport Plan (LTP).

The Office acknowledges the work undertaken by the planning authority in responding to the issues raised by the Office in its recommendations and observations and in preparing the proposed Material Alterations. In particular, the Office welcomes the addition of climate symbols (MA 11) to denote climate positive objectives, which provides greater clarity.

The Office also welcomes the zoning changes made with regard to sites 5 and 25 from New Residential to Strategic Reserve, and that the zoning map has been amended so that the isolated pockets of rural dwellings zoned Existing Residential are now zoned Town Environs. These alterations will ensure greater alignment with the core strategy and the principles of compact growth. The alteration to the zoning objective of site 1 from Employment to Town Environs is also welcomed.

The Office notes that the Material Alterations propose a number of changes to ensure better alignment between the LAP and the LTP. This provides greater clarity regarding the active travel, sustainable mobility and other interventions proposed.

The Material Alterations relating to the Strategic Flood Risk Assessment (SFRA) address the concerns raised regarding the adequacy of the mapping and assessment. The Office considers that in the interests of clarity, the planning authority should ensure the inclusion of a final updated overall composite map indicating the extent of flood zones on the land use zoning maps. The planning authority should also ensure that overlays of land use zoning and CFRAM potential future scenario mapping are included in the SFRA.



With the exception of MA EM1 to support car parking in the town, and MA 37 relating to renewable energy grid connection, the Office is satisfied that the Material Alterations are generally consistent with national and regional policy, and with the Development Plan. However, both of the aforementioned material alterations are inconsistent with the Development Plan and objectives to address climate change.

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

Key theme	Recommendation	Observation
<u>Sustainable transport and mobility</u>	<u>MA Recommendation 1</u>	-
<u>Climate action - renewable energy grid connection</u>	<u>MA Recommendation 2</u>	-

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.

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.

1. Core strategy and land use zoning for residential use

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 Chapter 2, the development strategy for the town. It identifies a need for 39.4 ha of zoned land in Thurles to accommodate the predicted housing requirement of 784 units to 2030.



On foot of the submission on the draft LAP, it is acknowledged that the planning authority have made a number of zoning amendments including a change in the zoning of sites 5 and 25 from New Residential to Strategic Reserve. The planning authority have set out a clear rationale for the retention of site 6 as New Residential having regard to its location and servicing capacity.

With regard to site 3 and 4, the Office has had a regard to the planning rationale set out by the chief executive to support the zoning of sites 3 and 4 having regard to their accessibility, proximity to the town centre and the Technological University of the Shannon (TUS). It is accepted that the lands have the potential to contribute to the sustainable and compact development of the town.

The Office welcomes the updates to the Serviced Land Assessment table and mapping set out in the material alterations and advises the planning authority to finalise the table to reflect the final zoning objectives adopted, particularly with regard to sites 5 and 25, prior to adoption.

2. Sustainable transport and mobility

Under MA EM1, it is proposed to include a new objective in the LAP to '*Support the provision of car parking spaces in suitable locations within the town including pocket carparks and multi-storey carparks as appropriate*'.

Clarity has been provided by the planning authority that the reason for the objective is to ensure that there is adequate provision of car parking spaces to allow for the projected growth and development of the town centre.

The Office has concerns that the inclusion of this objective has the potential to conflict with the delivery of an integrated approach to land use and transport planning for Thurles and help it achieve a shift from private car transport to active sustainable modes and to public transport, consistent with NPO 27 and RPOs 91, 152 and 163. It is also considered that the objective could undermine the strategic objectives of the LTP and the suite of active travel measures proposed therein as well as the objectives and vision of the RSES concerning modal shift and promoting healthier lifestyles. 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 Act 2015*, as amended, which is to reduce Greenhouse Gas (GHG) emissions by 51% by 2030 with a commitment to achieve carbon neutrality by 2050. The provision of additional car parking in the town centre, may be counterproductive in this regard.

Furthermore, the Government has adopted the Avoid, Shift, Improve framework for transport in the NSMP, in order to achieve the necessary modal shift to achieve climate mitigation in accordance with the *Climate Action Plan 2023* (Climate Action Plan), including through behavioural change and demand management (Goal 5). In this context, the proposed objective would conflict with national policy to focus on reducing car transport trips, emissions and promote active travel.

The Office, therefore, considers that the proposed objective would be contrary to the strategic objectives of the Development Plan to promote modal shift and active travel including Policy 12-1 to support the achievement of modal shift targets, reduce reliance on car based travel and promote more sustainable transport choice; and Objective 12A, to promote the transition to a low carbon transport system both by reducing the demand for travel through smarter travel solutions; and by supporting investment in integrated, safe, efficient and cost-effective alternatives to private vehicles and public transport in line with the provisions of the *National Sustainable Mobility Policy* (2022).

MA Recommendation 1 – Sustainable Transport Mobility

Having regard to the need to reduce Greenhouse Gas emissions and support targets for modal shift, and in particular to:

- Policy 12-1 of the Tipperary County Development Plan 2022-2028 (Development Plan) to support the achievement of the modal shift targets set out in Table 12.1 Modal Share Targets to apply to Tipperary and require new development to demonstrate and ensure that land-use, connectivity and transportation are integrated in a manner which reduces reliance on car-



based travel, promotes more sustainable transport choice, and co-ordinates particular land uses with their accessibility requirements; and

- Objective 12A of the Development Plan to promote the transition to a low carbon transport system both by reducing the demand for travel through smarter travel solutions, and by supporting investment in integrated, safe, efficient and cost-effective alternatives to private vehicles and public transport in line with the provisions of the *National Sustainable Mobility Policy* (2022),

the planning authority is required to make the LAP without the MA EM1 to include a new objective to support the provision of car parking spaces in suitable locations within the town including pocket carparks and multi-storey carparks as appropriate.

3. Climate action - renewable energy grid connection

It is an objective (15-F) of the Tipperary County Development Plan 2018-2024 to

Work in partnership with the Department of the Environment, Climate and Communications in line with their 'Policy Statement to Ensure Security of Electricity Supply and Facilitate the Target of up to 80% Renewable Electricity Generation by 2030', and to facilitate additional electricity transmission and distribution grid infrastructure, as well as additional electricity interconnection and electricity storage.

This objective is consistent with the objectives of the RSES for the SRA, including RPO 99

...to support the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines'

and RPO 96

...to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate renewable energy



sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows.

These objectives support necessary development to meet the national target, under the *Climate Action and Low Carbon Development Act 2015*, as amended, to reduce GHG emissions by 51% by 2030 and to achieve the National Climate Objective to transition to a climate neutral economy no later than 2050. They are also consistent with the objective to accelerate renewable electricity generation under the *Climate Action Plan 2023*, including by increasing the proportion of renewable electricity to 80% by 2030 and a target of 9 GW from onshore wind and 8 GW from solar energy by 2030.

However, the Office has serious concerns that proposed MA 37, which inserts new policy 8.5 to '*require that grid connection routing for renewable energy development proposals should avoid materially impacting the road network, where possible*', has the potential to undermine the delivery of renewable energy targets by 2030.

The subject policy was inserted in response to TII's submission on the draft LAP, indicating that grid connection cable routing should seek to utilise available alternatives, as opposed to being placed along the strategic national road network, having regard to the provisions of the section 28 *Spatial Planning and National Roads Guidelines* (2012). TII has clarified in its submission on the proposed Material Alterations of the draft LAP that its submission only relates to national roads.

The Office is of the view however that policy 12-4 of the Development Plan already has regard to the policy requirements of the National Roads Guidelines and provides sufficient protection in this regard. The introduction of a further policy under MA 37, specific to grid connection routing for renewable energy, is not therefore necessary and would be inconsistent with objective 15-F, RPO 99 and RPO 96 to support the sustainable development of renewable energy and associated grid infrastructure. The LAP should therefore be made without the subject Material Alteration.

MA Recommendation 2 – Renewable energy grid connection

Having regard to the need to reduce Greenhouse Gas emissions and to support an increase the generation of renewable electricity, and in particular to:

- Objective 15-F of the Tipperary County Development Plan 2022-2028 (Development Plan) to '*Work in partnership with the Department of the Environment, Climate and Communications in line with their 'Policy Statement to Ensure Security of Electricity Supply and Facilitate the Target of up to 80% Renewable Electricity Generation by 2030'*';
- RPO 99 of the RSES '*...to support the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines*'; and RPO 96 '*...to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate renewable energy sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows*';
- the targets for Greenhouse Gas reduction under the *Climate Action and Low Carbon Development Act 2015*, as amended;
- the targets for renewable electricity generation under the *Climate Action Plan 2023*; and
- Policy 12-4 of the Development Plan which seeks to maintain and protect the safety, capacity and efficiency of Tipperary's roads network and associated junctions in accordance with the *Spatial Planning and National Roads Guidelines for Planning Authorities*, (2012),

the planning authority is required to make the LAP without:

- MA 37 policy 8.5 to '*require that grid connection routing for renewable energy development proposals should avoid materially impacting the road network, where possible*'.



Summary

The Office requests that your authority addresses the recommendations 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 this recommendation and the manner in which it will be addressed.

At the end of the process, your authority is required to notify this Office within **five working days** of the decision of the planning authority in relation to the draft LAP.

Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the LAP in such a manner as to be inconsistent with the recommendations of the Office, under the provisions of section 31AO(5) of the Act **the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.**

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,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations