

15<sup>th</sup> January 2024

Forward Planning Section,
Galway County Council,
Prospect Hill,
Galway,
H91 H6KX.

# Re: Draft Loughrea Local Area Plan 2024-2030

OPR Ref: DP-036-23

A chara,

Thank you for your authority's work on preparing the Draft Loughrea 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.

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 county development plan, the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region, and relevant section 28 guidelines. This submission makes two (2) recommendations and five (5) observations.

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 Loughrea, which is consistent with the approach in the Galway County Development Plan 2022-2028 (the Development Plan) which designates Loughrea as a Self-Sustaining Town (Tier 4) in the settlement hierarchy.

The Office welcomes the inclusion of an infrastructure assessment which identifies the infrastructure capacity and access to infrastructure of new residential sites as well as commercial/employment zoned lands. This provides an appropriate evidence-base for individual land use zoning objectives.

The total area of land proposed to be zoned New Residential in the draft LAP is consistent with that required to meet the core strategy under the Development Plan. The Office generally accepts that the lands zoned are well located, serviced, and that in some cases there are extant planning permissions or live planning applications for development on the lands.

The Office welcomes the approach to the zoning of employment land and is satisfied that there is a sufficient quantum of land zoned in the draft LAP. Furthermore the Office also welcomes the inclusion of policy objectives LSST 19, LSST 20 and LSST 23, which will ensure that there is appropriate development to support employment in the town.

The Office also welcomes the commitment in the Development Plan that there '...will be a general presumption against out of town retail development'. This coupled with the draft LAP policy objective LSST 4 which intends to 'protect and enhance the vitality and viability of the town centre by ensuring that it remains the primary retail, commercial and mixed-use centre in the town...', will ensure the protection of the town centre.



The Office also welcomes the focus of the draft LAP in relation to the improvement of tourism facilities with the intention of improving Slow Tourism. An increase in visitors can provide additional employment opportunities, and the location of the town of Loughrea provides an ideal natural feature that can be promoted for tourism purposes.

The Office has, however, identified a concern regarding the residential zoning of individual dwellings or small pockets of isolated one-off dwellings in areas otherwise zoned Agriculture or Open Space. The submission also includes a recommendation to ensure better integration of the Local Transport Plan (LTP) into the draft LAP.

Finally, the Office requests your authority to pay particular attention to the observation in respect of flood risk management, which would ensure greater clarity and robustness in relation to protecting people, property and the environment.

It is within this context the submission below sets out two (2) recommendations and five (5) observations under the following five (5) themes:

Key theme	Recommendation	Observation
Consistency with development plan core strategy, residential zoning and compact growth	Recommendation 1	-
Town centre and regeneration	-	Observation 1
		Observation 2
Transport and accessibility	Recommendation 2	-
Flood risk assessment	-	Observation 3
		Observation 4
Implementation and monitoring	-	Observation 5

# 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 considers the housing targets, the overall land use zoning objectives and the policies and objectives of the draft LAP to be generally consistent with the Development Plan and its core strategy.

Having reviewed the draft LAP, the Office is satisfied that the lands zoned for Residential (Phase 1) and Residential Infill will ensure a sufficient supply of zoned land, generally consistent with the core strategy of the Development Plan.

It is also evident that the draft LAP seeks to consolidate the town and avoid unnecessary urban sprawl by zoning residential lands within the boundary of the proposed relief road in accordance with the regional objectives for compact growth, RPO 3.1 and RPO 3.2, as well as policy objective CS 2 of the Development Plan.

The Office notes, however, that there are isolated individual or groups of houses zoned Residential Existing, located in areas otherwise zoned Agriculture or Open Space / Recreation and Amenity. For example, lands on the western side of Lake Road, further south on the eastern side of Lake Road, and in the Mount Pleasant area.

It is considered that these small pockets of isolated one-off dwellings undermine the principles of compact growth and sequential development criteria, result in dispersed patterns of residential development which are not contiguous to the urban envelope, and exacerbate ribbon development and urban sprawl.

The development of these lands would be inconsistent with the provisions of the Development Plan, in particular section 2.4.4 Future Settlement Growth which targets consolidated growth of the settlements, with a significantly high proportion of housing in the existing built-up footprints of each settlement and further developing settlement in a sequential manner to ensure town centres are strengthened by developing underutilised land and buildings. Moreover, the approach would be inconsistent with the policy and objective for a sequential approach to development in section 6.2.3 of the *Development Plans, Guidelines for Planning Authorities* (2022).



#### **Recommendation 1 - Existing Residential**

Having regard to the provision of new homes at locations that can support compact and sustainable development, and in particular to:

- the core strategy of the Galway County Development Plan, 2022-2028 and the otherwise sufficient supply of land zoned for residential use;
- the provisions of section 2.4.4 Future Settlement Growth of the Galway County Development Plan 2022-2028 and objectives to develop settlements in a sequential manner;
- the policy and objective for a sequential approach to development in section
   6.2.3 of the Development Plans, Guidelines for Planning Authorities (2022);
   and
- Local Area Plans, Guidelines for Planning Authorities (2013) (LAP Guidelines), Chapter 6,

the planning authority is required to amend the Existing Residential zoning objectives on lands associated with the isolated pockets of dwellings predominately located to the peripheries of the draft LAP boundary to Agriculture or Open Space to ensure that the zoning is reflective of the location of the housing in a peripheral and isolated location.

## 2. Town centre and regeneration

#### 2.1 Regeneration Projects

The inclusion of a number of policy objectives in the draft LAP to regenerate and revitalise the town centre are acknowledged and welcomed. The identification of five centrally located Opportunity Sites will allow the planning authority to plan strategically for the sustainable growth of the town in a coordinated manner. The sites, by reason of their location and character, have the potential to deliver compact quality mixed use development close to all amenities that Loughrea has to offer, consistent with policy CGR 12 of the Development Plan.

The draft LAP provides a clear policy framework to support the development of the public realm, including policy objective LSST 11 which sets out projects to be undertaken



subject to resources. Examples of these projects include the feasibility of a town centre market, undertaking of a facade improvement program as well as measures relating to the LTP such as car park management.

While the identification of these projects in the draft LAP is welcomed, the Office considers that further details, including timelines and phasing details, in relation to the delivery of these town centre management projects, could be provided in the draft LAP, to ensure their implementation during the lifetime of the LAP.

### Observation 1 - Delivery of Regeneration projects

The planning authority is requested to review policy LSST 11 and provide clearer policies and objectives regarding the delivery and phasing of these projects, including provision of timelines.

#### 2.2 Vacancy

The Office notes that the Northern and Western Regional Assembly's *Regional Vacancy* and *Dereliction Analysis* (2022) identifies a commercial vacancy rate of 11.5% and a residential vacancy rate of 4.0% in Loughrea. Furthermore, section 5.10.1 of the Development Plan, notes the high vacancy rate present in Loughrea (quoted at 16.8%).

There are no specific policy objectives in the draft LAP to address the issue of vacancy within the town centre, although it is noted that policy objective LSST 22 promotes and facilitates the re-use of underutilised or vacant lands. It is important however that the draft LAP identifies the critical measures and/or actions the planning authority will use to address vacancy. This should apply not only to underutilised lands but also vacant shops and/or vacant buildings.

In order to demonstrate the effectiveness of the planning authority's approach, the draft LAP should also include measurable targets for the resolution of vacancy and proposals for the monitoring of same. It is noted that the Development Plan (policy CGR 8 and CGR 13) has outlined policy objectives that support the approach outlined, however, it is still considered that more detail can be provided in the draft LAP.



#### **Observation 2 – Vacancy**

#### Having regard to:

- the Galway County Development Plan 2022-2028;
- policy objectives CSA 2 Retail and Complimentary Uses, CS 4 Initiatives, and MM 1; and
- the Town Centre First: A Policy Approach for Irish Towns (2022),

the planning authority is requested to include additional or stronger policy objectives setting out the measures and/or actions to address vacancy and measurable targets for the reduction of vacancy during the plan period and a strategy for the monitoring of same.

#### 3. Transport and accessibility

The Office welcomes the LTP prepared on behalf of the planning authority having regard to the Area Based Transport Assessment approach and which informs the draft LAP.

This has the potential to deliver an integrated approach to land use planning for Loughrea and, in tandem with compact growth, achieve a shift from private car transport to active sustainable modes (walking and cycling) and to public transport, consistent with RPO 6.27. 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, to reduce greenhouse gas emissions by 51% by 2030, with a commitment to achieving carbon neutrality by 2050.

The LTP identifies options for improving transport and movement within, to and from Loughrea and a list of options are included to overcome some of the weaknesses identified in the baseline assessment. The preferred options are identified and include pedestrian improvements in the town core streets, cycling improvements, public transport improvements and road transport improvements. Specific schemes include an objective for six park and stride locations, cycle training including maintenance, behavioural changes etc., all designed to contribute to the accessibility of the town by sustainable modes of travel. Notwithstanding the general policy objectives to support implementation



of the LTP and support active travel infrastructure, the draft LAP does not provide details of how the LTP will be implemented.

The draft LAP would therefore benefit from enhanced integration and synergy between the draft LAP and the LTP and a clearer policy approach that provides more explicit support to the proposed interventions. There should also be clear policies to ensure compliance with the active travel interventions proposed under each of the proposals detailed under section 6 of the LTP to give greater weight and statutory effect to the proposals of the LTP.

The draft LAP should also 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. This approach would be consistent with RPO 6.28.

Finally, it is noted that the LTP should be reviewed as the Accessibility to Opportunities and Services (ATOS) analysis has not been included and this data will provide key information to inform the accessibility from residential areas to educational facilities.

With regard to regional roads, it is noted that the Gort-Loughrea road (R380) is a restricted regional road. This is addressed as part of DM Standard 27 of the Development Plan. It is also noted that the N56 bounds the town and this is an important secondary national route. In this regard it is noted in the submission of Transport Infrastructure Ireland (TII) the need to include a policy objective to protect the operation of the national route.



# Recommendation 2 - Transport and Mobility

#### Having regard to:

- section 15 of the Climate Action and Low Carbon Development Act 2015, as amended;
- RPO 6.27 and 6.28;
- ILUTP 3, CCTPS 3 and DM Standard 27 of the Galway County
   Development Plan 2022-2028; and
- section 2.7 of section 28 guidelines Spatial Planning and National Roads
   Guidelines for Planning Authorities (2012),

the planning authority is required to:

- (i) review section 2.9 Transportation and Movement Local Transport Plan (LTP), as well as section 4.0 Policy Objectives, 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 infrastructure in the town. In particular, further details should be provided of the interventions illustrated as part of Figure 4 Emerging Preferred Strategy of the draft LAP;
- (ii) include policies, in the draft LAP, to ensure the protection of the national road network and non-national roads that have been identified as not being able to facilitate additional access points as per DM Standard 27 of the Galway County Development Plan 2022-2028. Consultation with TII is advised in relation to this matter; and
- (iii) review the LTP and integrate the ATOS analysis into a revised LTP.

#### 4. Flood risk assessment

The Office welcomes the preparation of a Strategic Flood Risk Assessment (SFRA) to inform the draft LAP. The SFRA identifies lands within Flood Zone A and Flood Zone B, referred to as Constrained Land Uses in the draft LAP.



While the inclusion of Flood Risk Assessment areas on Map 3 in the schedule of maps is welcomed, the planning authority should overlay the extent of Flood Zones A and B on the land use zoning maps (Map 1) for greater transparency, especially since zoned land that can accommodate vulnerable uses encroaches into the defined flood risk areas. For the avoidance of doubt, this means identifying Flood Zone A and B separately.

In this regard, it is worth considering the approach in the Newcastle West Local Area Plan 2023-2029, which is a good example for such an approach. Consultation with the Office of Public Works (OPW) is advised in relation to this matter.

It is also noted that the SFRA has considered climate change scenarios, however, following the Office's engagement with the OPW, it is considered that there is an opportunity to clarify how climate change scenarios have been considered in the draft LAP. Consultation with the OPW is recommended in relation to this matter.

Finally, it is noted that there have been minor flood works undertaken in the last decade. As such, it is considered that a register of flood risk infrastructure would be beneficial in the draft LAP.

## **Observation 3 – Flood Zone Mapping**

#### Having regarding to:

- National Policy Objective 57; and
- and The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009),

the planning authority is requested to:

- (i) overlay the extent of Flood Zones A and B (separately) on the land use zoning maps in the draft LAP to clearly inform zoning decisions and provide for greater transparency;
- (ii) review the climate change scenarios outlined as part of the SFRA; and
- (iii) include a register of flood risk infrastructure with the LAP.

The planning authority is advised to consult with the Office of Public Works in relation to this observation.



#### 4.1 SuDS and Nature Based Solutions

The Office welcomes the approach in the SFRA in respect of Sustainable urban Drainage Systems (SuDS) as outlined in section 3.5 of the SFRA. However, the Office considers there is an opportunity to strengthen the draft LAP in relation to implementing section 3.5 of the SRFA, particularly in relation to the five Opportunity Sites identified in section 3.0 of the draft LAP.

#### Observation 4 - SuDS and Nature Based Solutions

Having regard to the integration of climate action into the planning system, the planning authority is requested to include a robust framework and guidance in relation to the identification and use of SuDS and nature based solutions, including green infrastructure objectives, in the five Opportunity Sites identified in section 3 of the draft LAP.

#### 5. Climate change

The Office welcomes that considerations regarding climate mitigation and adaption are integrated in the draft LAP. The inclusion of policy objectives LSST 61 and LSST 62, promotes and encourages development resilient to climate change. These measures are important in terms of the objective to reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives.

#### 6. Economy and employment

Economic activity is identified at the outset of the draft LAP (section 1.1.1) as one of the strategic aims of the draft LAP to promote economic development in Loughrea.

Promoting Loughrea as a destination for businesses and growing the local economy to an appropriate scale is acknowledged as a key issue and challenge for the town in section 1.3. This is particularly noted in the context of Loughrea being identified as a self-sustaining town in the Development Plan.

It is noted that the Business and Enterprise lands directly to the north of the town centre are greenfield lands and allow for new economic development. Given the proximity of



these lands to the town centre, this is consistent with the approach of compact growth, and supports the growth of the town in a sustainable manner. Further, the Office acknowledges that the quantum of land zoned Town Centre is greater than some towns in County Galway that are placed higher on the settlement hierarchy. The Office notes that this is a reflection of the historical nature of Loughrea and as such includes retail, commercial residential and employment uses. The Office welcomes this approach in the draft LAP and considers that the quantum of lands zoned for employment uses provides an appropriate strategy for the sustainable development of the town.

## 7. Environment, heritage and amenity

The Office acknowledges the preparation of an Environmental Report and Natura Impact Report for the draft LAP.

Further, the Office notes the inclusion of policy objectives for architectural heritage, archaeological and natural heritage and European designated sites.

The Office also welcomes the inclusion of policy objectives, which relate directly, or indirectly, to surface water management policies and the use of SuDS, (DM Standard 2 and LSST 70), to support the protection of waterbodies and watercourses (LSST 71), European Sites (LSST 63) and areas of high biodiversity value (LSST 65).

#### 8. Implementation and monitoring

Having reviewed the draft LAP, the Office notes and welcomes that LSST 9, Implementation and Monitoring, provides for the monitoring of the core strategy. There is however, no other implementation and monitoring policy and objectives included in the draft LAP. Section 6.5 of the LAP Guidelines states that planning authorities are encouraged to periodically review the success or otherwise of the implementation of the policies and objectives of a local area plan by effective monitoring systems. Furthermore, the review of the development plan as required by section 15 of the Act, will provide an opportunity to review the policy objectives of the LAP, particularly where policy objectives overlap between the development plan and the adopted LAP.



#### **Observation 5 – Implementation and Monitoring**

Having regard to the duty and function of the planning authority under section 15(1) and 15(2) of the *Planning and Development Act 2000*, as amended, the planning authority is required to provide for plan for implementation and monitoring as part of the LAP.

**Note**: Chapter 10 of the *Development Plans, Guidelines for Planning Authorities* (2022) provides useful guidance in this regard.

#### **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.

**Anne Marie O'Connor** 

Deputy Regulator and Director of Plans Evaluations