

12<sup>th</sup> April 2024 Carlow County Council, Senior Executive Officer, Planning Department, Athy Road, Carlow.

# Re: Issues Paper for the Tullow Local Area Plan 2024-2030

## A chara,

Thank you for your authority's work in preparing the Issues Paper (the Issues Paper) for the proposed Tullow Local Area Plan 2024-2030 (the LAP).

The planning authority is commended for publishing an Issues Paper, engaging proactively with the public, and notifying the Office of the Planning Regulator (the Office) of the intention to prepare the LAP. The Office is of the view that this Issues Paper is particularly well set out and makes the process easy for the public to understand and engage with.

In accordance with the provisions of section 31AO of the *Planning and Development Act 2000*, as amended (the Act), the Office is obliged to evaluate and assess local area plans to ensure alignment with national and regional planning policy and the objectives of your county development plan.

The Office has set out some broad issues relevant to the preparation of local area plans, in addition to some specific issues of particular relevance to the preparation of the LAP, under the following headings:

- 1. Strategic policy framework
- 2. Development plan and core strategy
- 3. Zoning, compact growth and infrastructural services
- 4. Regeneration
- 5. Education, social and community amenities
- 6. Economic development, employment and retail
- 7. Transport and mobility
- 8. Flood risk management
- 9. Climate action

OPR Ref: IP-008-24



10. Environment, built and natural heritage

11. Implementation and monitoring

The comments are offered without prejudice to any observations and recommendations by the Office at future stages of the plan-making process. They also do not affect the obligation on your planning authority to comply with the relevant legislative requirements, or to be consistent with the fullness of the detailed policy context of the higher order plans and strategies and Ministerial guidelines.

## 1. Strategic policy framework

Section 20(5) of the Act requires the LAP to be consistent with the objectives of the Regional Spatial and Economic Strategy (RSES), *National Planning Framework* (NPF), the specific planning policy requirements (SPPRs) of section 28 guidelines and the relevant development plan.

The Office encourages the planning authority to liaise with the Southern Regional Assembly in preparation of the draft LAP, particularly where clarity is required on how the objectives and guiding principles set out in the RSES relate to the LAP.

Tullow is classified as a District Town under the Carlow County Development Plan 2022-2028 (the Development Plan) and is the second largest town in the county. The Development Plan considers Tullow to be an important and well-developed serviced settlement. The Office advises that the draft LAP should clearly demonstrate the role of Tullow as a settlement providing supporting services as well as community facilities and has the capacity for continued commensurate growth to become more self-sustaining.

# 2. Development plan and core strategy

Section 19(2)(b) of the Act requires the LAP to be consistent with the objectives of the development plan and its core strategy. This is also a key message of the section 28 *Local Area Plans, Guidelines for Planning Authorities* (2013) (LAP Guidelines).

In this regard, the Office notes that the core strategy of the Development Plan provides for a population increase of 919 persons between 2016 and 2028 with a requirement for 404 housing units for Tullow. The LAP is required to be consistent with the core strategy of the Development Plan. The Office is aware that the Issues Paper notes a housing target of 539 units for Tullow up to 2030 and it will be necessary for the planning authority to set out a detailed explanation of how this figure is calculated relative to the core strategy.



The Office notes that the Development Plan core strategy outlines that there are 21 hectares of land zoned new residential as part of the current LAP (Tullow Local Area Plan 2017-2023) and that the quantum of land required will be reviewed as part of the preparation of the new LAP. As part of that estimation process, regard should be given to density standards set out in the recently published *Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities* (2024) (Residential Development Guidelines).

## 3. Zoning, compact growth and infrastructural services

A key part of the Office's assessment of the draft LAP is to consider whether the objectives and zoning provisions of the draft LAP are consistent with the level of growth set out in the core strategy and objectives of the Development Plan, and whether consistency with the objectives for compact growth and densification<sup>1</sup> under the NPF (NPO 3; NPO 35) and the RSES (RPO 35) can be demonstrated. The implementation of effective compact growth to avoid urban sprawl also plays a key role in climate change mitigation.

The Office therefore encourages the planning authority to consider the extent of land zoned in the draft LAP and to ensure that the settlement boundary is as compact as possible to encourage a sustainable pattern of development in the settlement.

The approach to zoning will be a significant focus of the Office's assessment and will form a central element of this LAP. The Office notes that 4.31ha of town centre land is identified in the core strategy to accommodate residential development. This, combined with the 21 ha of land zoned on the existing Development Plan, would appear to be more than sufficient for the delivery of the required housing targets. If, as part of the preparation of the draft LAP, the planning authority identifies surplus lands, these should be addressed in a manner that is consistent with sections 4.4.1 and 4.4.2 of the *Development Plans, Guidelines for Planning Authorities* (2022) (the Development Plans Guidelines).

Non-residential zoning objectives should also be consistent with any strategic development sites for the delivery of residential, employment or other uses identified in the RSES and the Development Plan, where relevant.

<sup>&</sup>lt;sup>1</sup> Including through reductions in vacancy, re-use of existing buildings, infill development, area or site-based regeneration and increase building heights.



In relation to residential development, any provisions or standards for density or building height in the LAP should have regard to relevant section 28 guidelines and any SPPRs therein, including, in particular:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024);
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018); and
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).

Land use zoning should also follow a sequential approach so that the development of lands closest to the town centre are prioritised over lands on the outskirts of the town, as set out under section 6.2.3 of the Development Plans Guidelines.

The planning authority also needs to ensure that lands that cannot be serviced within the lifetime of the LAP are not zoned for development, consistent with the tiered approach to zoning under NPO 72 a-c of the NPF. An infrastructure assessment should therefore be prepared in accordance with Appendix 3 of the NPF and having regard to section 4.5.2 (Settlement Capacity Audit) of the Development Plans Guidelines.

In this regard, the Office notes that Uisce Éireann's capacity registers identify capacity in both water supply and wastewater infrastructure. The Office has been advised by Uisce Éireann that a recent upgrade to the wastewater treatment plant for Tullow has been completed to provide an approximate capacity of 9,200 population equivalent. In relation to water supply, the Office has been advised by Uisce Éireann that there is capacity available in the Carlow North Water Resource Zone, which supplies the town of Tullow. The planning authority is advised to liaise closely with the relevant prescribed authorities concerning the delivery of essential services and infrastructure.

# 4. Regeneration

Both the NPF (NPO 4 urban places; NPO 6 urban regeneration; NPO 18a proportionate growth; NPO 18b new homes and NPO 35 increasing residential use) and the policy objectives of the RSES emphasise the importance of opportunities for urban and village regeneration to create attractive, liveable, and high quality urban places. The reuse of brownfield sites and vacant buildings will also contribute to climate change mitigation.



As referred to in the Issues Paper, both the Development Plan and the *Tullow Town Centre First Plan* (2023) (the Town Centre First Plan) identify several regeneration and settlement consolidation sites as well as other interventions in the LAP area. These should be identified and addressed in the LAP, particularly in the context of determining the quantity of land that is required to meet the housing target for Tullow.

The LAP also provides an opportunity to identify any further opportunity and regeneration sites or vacant or underutilised buildings, in accordance with the requirements (RPO 34) or guiding principles of the RSES for urban infill and regeneration, where applicable.

Where such sites are identified, the planning authority should prepare a development framework for future development with appropriate guidance regarding layout, massing, permeability, green infrastructure and Sustainable urban Drainage Systems (SuDS) etc., as set out in section 5.7 of the LAP Guidelines.

The Office recommends that the LAP includes a strong policy framework to support the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites. The planning authority should consider proactive land activation measures including the planning authority's powers for land acquisition/compulsory purchase and derelict sites and vacant land. The LAP should also align with sources of funding to facilitate key regeneration projects such as the recently announced *Croí Cónaithe (Towns) Fund Scheme,* and Town Centre First-aligned funding streams under the Government's *Town Centre First: A Policy Approach for Irish Towns* (2022).

This is particularly relevant in the case of Tullow as the LAP will be instrumental in ensuring the implementation of the Town Centre First Plan, and the Office welcomes the proposal in the Issues Paper to seek to focus investment on compact growth and to use LAP to support the implementation of the Town Centre First Plan.

### 5. Education, social and community amenities

Access to quality childcare, education and health services is a National Strategic Outcome of the NPF. The draft LAP should therefore seek to align population growth with investment in childcare and education facilities on well-located sites within or close to the existing built-up areas, to meet the diverse needs of local populations. The Office welcomes the identification of the importance of sustainable communities as part of the Issues Paper. As noted in the Issues Paper, access to community services, healthcare



services as well as recreational and cultural amenities, are key to the development of successful settlements.

The Office advises that the LAP should be informed by a social or civic infrastructure audit to establish the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents, and identify the need for any additional facilities.

It is also important that access to existing and proposed facilities by walking or cycling is prioritised, consistent with the sustainable approach to settlement and mobility discussed below.

Specifically, in relation to schools, the planning authority should consult with the Forward Planning Section and Site Acquisition and Property Management Section of the Department of Education.

The planning authority's *Local Economic and Community Plan 2023-2028* and *Traveller Accommodation Programme 2019-2024* and the *Draft Carlow Traveller Accommodation Programme 2025-2029* should also inform the LAP to provide for the co-ordinated spatial planning of housing and community services for the area.

### 6. Economic development, employment and retail

The Office acknowledges the importance of Tullow in the context of the county as being the second largest settlement in the county and the Issues Paper appropriately recognises the town as a key employment centre. The Office also welcomes the acknowledgement in the Issues Paper of a net outflow of resident workers as well as the need to try and address the dependency on car-based commuting.

The Office notes the intention of the planning authority to build on the town's strategic location and existing strengths in agriculture, manufacturing and industry. The Office appreciates the need to provide for the zoning of appropriate employment lands so as to ensure future economic development, however, as recognised in the Issues Paper, the Office encourages a focus on the provision of policies and objectives to stimulate the development of vacant and underutilised sites. This can be achieved in line with ED O6 and ED O7 of the Development Plan which seek to provide an economic development plan as part of the LAP as well as addressing the need to regenerate core areas of the town.



An approach such as that outlined above can contribute to a more attractive town centre and could encourage more people to live and work in Tullow which would reduce the dependence on car-based commuting. Such an approach could also reduce the quantity of greenfield land required and contribute to the provision of a compact settlement, as addressed earlier in this submission.

The NPF, RSES and section 28 guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses.

In particular, the LAP should be aligned with the detailed economic strategy and all relevant guiding principles of the RSES and the economic strategy of the Development Plan including any associated objectives. The Office notes that no strategic enterprise/employment sites have been identified in the RSES or the Development Plan, for Tullow.

The Office also notes that the Issues Paper has highlighted Tullow as an important tourism destination highlighting notable hotels as well as the town's Anglo-Norman heritage. This approach is consistent with DT O2 of the Development Plan which seeks to examine Tullow as a destination town as part of Failte Ireland's *Ireland's Ancient East*. The Office commends the planning authority for emphasising the tourism potential of Tullow and this matter should be considered as part of the preparation of the LAP, with policies/objectives supporting the development of tourism in the town being provided.

In terms of identifying the optimal locations for employment zonings, the key criteria should be compact growth, the sequential approach to development and the options for sustainable transport having regard to the need to mitigate climate change.

These should be supported by an Infrastructure Assessment report and/or Settlement Capacity Audit. As noted under section 3, above, such lands should be either serviced or serviceable within the LAP period. The reuse of appropriate brownfield sites and vacant premises should also be prioritised over greenfield lands, as addressed above.

The facilitation of retail facilities also need to be considered to provide for the anticipated population growth. Particular regard should be given to the sequential approach to the location of retail development and other provisions of the *Retail Planning Guidelines for Planning Authorities* (2012) and the position of the town in the retail hierarchy of the Development Plan. The Office welcomes the proposed key focus of the LAP to seek to



address dereliction and the underutilisation of lands in the town centre. The Office also acknowledges the provisions for Tullow as part of the Development Plan retail strategy for Carlow, including the identification of three retail opportunity sites, which are indicated in the Issues Paper.

### 7. Transport and mobility

The *Climate Action Plan 2024* (Climate Action Plan) identifies the need to significantly reduce car kilometres and increase sustainable journeys, guided by the *National Sustainable Mobility Policy* (2022) and the proposed *National Demand Management Strategy*.

The integration of land use and transportation is centrally important to this objective and to the objectives and provisions of the NPF (NPO 27 alternatives to the car; NPO 33 location of new homes; NPO 54 to reduce our carbon footprint and NPO 64 air quality, among others) and the RSES.

The Development Plan (MS.O2) commits to the preparation of a local transport plan (LTP) for Tullow to inform the LAP in consultation with the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and other relevant stakeholders, based on the Area Based Transport Assessment (ABTA) approach. In this regard, the planning authority will be aware of the NTA's *Area Based Transport Assessment Advice Note* (2018) and the *ABTA How to Guide Guidance, Document Pilot Methodology* (2021) as well as TII's *Area Based Transport Assessment (ABTA) Guidance Notes* (2018).

The Office notes that it is the objective of the Development Plan (MS.O1) to support specific targets for modal shift at a county level. It is also an objective (MS.O2) to include baseline figures and ambitions/targets for modal share in the LAP, using the ABTA approach, in order to encourage a modal shift away from the private car to more sustainable forms of transport, such as public transport, cycling and walking. The Office advises that such targets should be ambitious but realistic over the period of the LAP, having regard to the need to contribute to Ireland's targets for greenhouse gas reduction under the *Climate Action and Low Carbon Development Act 2015*, as amended (the Climate Act) and the Climate Action Plan.

The planning authority is strongly advised to liaise with the NTA and TII in the preparation of the LTP and to incorporate the main objectives, targets and measures of the LTP, along



with relevant associated maps, into the LAP. Land use zoning and other relevant objectives should be informed by the LTP and the modal shift targets so as to ensure that an efficient integrated land use and transport planning approach is utilised in the preparation of the LAP. Other projects such as the upgrade and improvement of the R418 Tullow to Castledermot and Junction 4, M9 road (RPO 168), should be included and considered as part of the LTP, where relevant.

In order to increase the potential for trips to be made on foot, bicycle or public transport, the LAP should demonstrate consistency with the Avoid-Shift-Improve principle and the 10-minute town concept, as well as providing for the proactive implementation of the *Design Manual for Urban Roads and Streets* (revised 2019) and the NTA's *Permeability Best Practice Guide*.

As outlined in the submission made by TII, the Office advises the planning authority to prioritise the importance of the N81 national route, as part of the preparation of the draft LAP. It is important that the strategic nature of the N81 is considered when identifying appropriate locations for development consistent with the section 28 guidelines *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) as well as RPO 14 and RPO 151 of the RSES.

The Office notes the details of existing modal share<sup>2</sup> for the town and welcomes the intention of the planning authority to create a comprehensive and integrated active travel network in Tullow. The Office also recognises that an LTP will be prepared for the town as part of the LAP and that this is a requirement of the Carlow Local Authority Climate Action Plan 2024-2029 (the Carlow CAP). This provides a real opportunity to outline how the reliance on the private car use can be addressed in Tullow.

### 8. Flood risk management

Having regard to the location of Tullow along the River Slaney, flood risk management will be the most critical climate change adaptation measure to be addressed in the LAP, informed by a Strategic Flood Risk Assessment (SFRA). The Office is aware that an SFRA was prepared to inform the Development Plan, however, the planning authority will have to satisfy itself that, in preparing the draft LAP, it has regard to the requirements of the

<sup>&</sup>lt;sup>2</sup> Table 3 of the Issues Paper.



relevant section 28 guidelines and is consistent with the relevant NPOs and RPOs. This is particularly relevant, as the land use zonings are not provided for Tullow in the Development Plan and will only be provided as part of the draft LAP.

The planning authority should ensure that the LAP is consistent with NPO 57 by avoiding inappropriate development in areas at risk of flooding, in accordance with the detailed requirements and provisions of section 28 *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009). These guidelines require a staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the plan-making justification test where appropriate.

Flood risk zones<sup>3</sup> should also be clearly overlaid on any proposed land use zoning maps to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The planning authority is also requested to make a copy of digital mapping data available to the Office and to the Office of Public Works (OPW) to facilitate assessment.

The planning authority is strongly advised to liaise with the OPW in the early stages of preparing the SFRA to avoid issues arising at draft LAP stage. In particular, you should be aware that the Preliminary Flood Risk Area maps are preliminary assessments and should not be relied upon to inform zoning decisions.

The Office notes that Tullow has been subjected to flooding events in the past and that flood defence works, mainly consisting of flood walls and embankments, were constructed in the early 2000s. Further, while national Catchment Flood Risk Assessment and Management mapping is available in the vicinity of Tullow, these should be used as a guide to where further assessment of flood risk may be necessary and should not be used as the sole basis for defining the flood zones. Other information, such as site specific surveys and flood risk assessments may be necessary.

In accordance with NPO 57, the LAP is required to integrate sustainable water management solutions, such as SuDS. In this regard, the Office draws the planning authority's attention to *Nature-based Solutions to the Management of Rainwater and* 

<sup>&</sup>lt;sup>3</sup> With flood zone A and B separately identifiable on the zoning maps.



Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2022).

## 9. Climate action

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. The effective implementation of climate mitigation objectives through the LAP are critical to the achievement of the Government's greenhouse gas emissions reduction target to mitigate climate change under the Climate Act. The Office welcomes the Issues Paper's acknowledgement of the increasingly important role of climate action to the future development of towns. The Office also notes that the recently prepared Carlow CAP for the county will deliver and promote best practice in the transition to a low carbon and climate resilient county.

The efficient use of land, including through infill development and brownfield development consistent with compact growth, will ensure consistency with NPO 53 (land use). An integrated approach to land use and transport planning will help ensure that climate action is integral to the LAP in support of national mitigation targets (NPO 54) under the Climate Act. The LAP should also consider how development in the area might best contribute to the delivery of renewable energy consistent with NPO 55. These NPOs, together with the relevant objectives of the RSES and Development Plan, will be of particular importance in this respect.

The effective implementation of climate adaption objectives through the LAP will be essential to ensure Tullow is climate resilient into the future. As noted above, flood risk management will be the most critical climate change adaptation measure to be addressed in the LAP. The *National Adaptation Framework* (2018)<sup>4</sup> (NAF) specifies the national strategy for the application of adaptation measures in different sectors and by local authorities in their administrative areas in order to reduce the vulnerability of the State to the negative effects of climate change and to avail of any positive effects that may occur.

### 10. Environment, built and natural heritage

The planning authority is the competent authority for Strategic Environmental Assessment and Appropriate Assessment, and will be aware of the *Strategic Environmental* 

<sup>&</sup>lt;sup>4</sup> A new NAF is under development and will be submitted to Government for approval in early 2024.



Assessment Guidelines for Regional Assemblies and Planning Authorities (2022) issued under section 28 of the Act and the Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (2009), as revised.

Tullow is situated on the banks of the River Slaney, which represents a significant environmental amenity and landscape asset for the town. It also is an important ecosystem and a designated European site. The planning authorities should also ensure the LAP is consistent with objectives of the NPF and RSES concerning environmental protection. In this regard, the Office highlights the importance of integrating green and blue infrastructure into the LAP consistent with NPO 58 and planning for greenbelts (NPO 62). Planning for green and blue infrastructure can contribute to climate change adaptation, in particular flood risk management through nature-based solutions (NPO 57 and NPO 63). It can also make a positive contribution to climate mitigation and have positive impacts on biodiversity and clean air (NPO 64). The Office welcomes the intention of the planning authority to seek to integrate awareness and support of green infrastructure into the draft LAP. The Office notes that the Issues Paper highlights the importance of green infrastructure in the context of Tullow and the need to enhance its role as part of the draft LAP.

The Office recognises the existing built heritage in Tullow as noted in the Issues Paper. This includes 33 protected structures which are listed in the Development Plan. The planning authority should consider what location specific objectives or measures would assist in the protection or improvement of built heritage over the period of the LAP. Accordingly, the planning authority should have regard to the *Architectural Heritage Protection Guidelines for Planning Authorities* (2011).

### 11. Implementation and monitoring

The NPF and the RSES place increased emphasis on the importance of monitoring the implementation of statutory strategies and plans to measure plan effectiveness and to continually update a relevant evidence-base to inform future planning strategies. The Office notes that the Issues Paper provides no information with regard to the approach to implementation and monitoring.

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



#### Summary

In summary, the Office commends the planning authority for the preparation of this Issues Paper. The Office advises the planning authority to pay particular attention to the following issues in the preparation of the LAP:

- the housing supply targets for Tullow should be consistent with the core strategy of the Development Plan;
- the estimation of the requirement for zoned land should be consistent with the core strategy, including the estimation of housing supply from town centre lands and other mixed use zoned lands, and have regard to the relevant section 28 guidelines including the density standards set out in the Residential Development Guidelines;
- the approach to zoning land for residential development should prioritise housing delivery in areas close to the facilities and services of the town centre, where land is already served by appropriate infrastructure or is capable of being serviced within the plan period, and is accessible by walking, cycling and public transport;
- an Infrastructure Assessment/Settlement Capacity Audit should be prepared in respect of all land use zoning;
- include an economic development spatial strategy for the LAP as per objectives ED O6 and ED O7 of the Development Plan. This should consider, among other things, how to facilitate people living and working in Tullow, and consider what supporting policies/objectives should be included to facilitate a growth in tourism in Tullow;
- incorporate the main objectives, targets and measures of the LTP, along with relevant associated maps, into the LAP and ensure that it informs the zoning and other relevant objectives. In particular the LTP should address and inform;
  - land use zoning objectives based on accessibility by walking, cycling and public transport; and
  - transport initiatives and measures to provide sustainable mobility options for residents and visitors, and in particular providing connectivity from residential areas to services and amenities and reduce dependence on the private car.

The planning authority is advised to consult with the NTA and TII in this regard;



- consider the proposals outlined in the Tullow Town Centre First Plan, providing support for the policies and objectives for the promotion of regeneration/public realm projects;
- include land activation measures and specific objectives for sites identified for regeneration, including the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites, so as to ensure that such sites/lands are prioritised for development during the appropriate period of the proposed LAP;
- prepare an updated SFRA and include policies and objectives in relation to the implementation of SuDS and nature-based solutions as a means for managing surface water run-off at key development sites. The planning authority is advised to consult with the OPW in this regard; and
- set out specific provisions for monitoring the implementation of the objectives of the LAP.

The Office looks forward to reviewing the future draft LAP and to continued positive engagement with your authority in the implementation of national and regional policies at the county and local level.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Is mise le meas,

C'Onna

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations