



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

OPR Ref: MA-013-24

28th March 2025

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

Re: Material Alterations to the Draft Carrick-on-Suir Local Area Plan 2025-2031

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations (the material alterations) to the draft Carrick-on-Suir Local Area Plan 2025-2031 (the Local Area Plan).

As Tipperary County Council (the Planning 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 Tipperary County Development Plan 2022-2028 (the County

Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly area, and relevant section 28 guidelines.

Overview

The Office acknowledges the very extensive work undertaken by the Planning Authority in responding to the issues raised by the Office in its recommendations and observations, which were undertaken in a very positive and constructive manner.

As outlined in the Office's submission to the draft Local Area Plan, the Office's recommendations and observations largely focused on supporting the delivery of the vision for Carrick-on-Suir and building on the ambition of the RSES and the County Development Plan. The Office subsequently made six (6) recommendations and two (2) observations on the draft Local Area Plan to enhance its alignment with the County Development Plan, the objectives of the RSES and section 28 guidelines in relation to compact growth, regeneration, sustainable travel, employment lands and flood risk management.

There are a number of material alterations that the Office has noted and welcomes including MA 2 (Strategic Reserve Lands - relating to OPR Recommendation 1), MA 53, MA 54, MA 55 and MA 57 (Compact Settlements Guidelines – relating to OPR Recommendation 2) and MA 52 (Regeneration - relating to OPR Recommendation 2).

The Office also notes and welcomes MA 7 in relation to the proactive engagement by the Planning Authority with owners of derelict buildings in Carrick-on-Suir, particularly in relation to the joint working between the Vacant Homes Officer, the Town Regeneration Officer and the Town Centre First Town Team. In this regard, the Town Centre First Plan (MA 58) is a positive, complementary addition to the draft Local Area Plan as is the Carrick-on-Suir Regeneration Plan, both of which have clearly been embedded into the draft Local Area Plan's policies and objectives.

The Planning Authority may wish, however, to strengthen MA 12 (Active Travel) as it relates to OPR Recommendation 6 to better reflect national guidance and the Sustainable Transport Plan. Also, in a number of instances, particularly in relation to MA 9, MA 10 and MA 24, the Office notes that private modes of transport are encouraged over more sustainable modes. This does not reflect or align with national policy or the Sustainable Transport Plan (appendix 2 of the draft Local Area

Plan) and the Planning Authority may wish to review and amend same when it comes to considering these material alterations.

While the Office accepts, and indeed welcomes many of the proposed material alterations, a number of concerns are raised in the recommendations below in relation to certain material alterations that would not support active travel, particularly walking and cycling in the town and, to the contrary, would increase car trips. Additional concerns are raised in relation to the protection of the archaeological and cultural heritage in the vicinity of Ormond Castle. Finally, the Office makes a recommendation with respect to flooding, in order to ensure that the Planning Authority's flood risk management policies are sufficiently robust in order to protect people and property from flooding.

In addition to the above, the Office also advises that the Planning Authority gives further consideration to both MA 6 and MA 52 which relate to the Goldcrop site. The Planning Authority may wish to consider that the community and all relevant stakeholders (including the elected members) are involved in the preparation of the proposed site development brief for these lands.

The Planning Authority may also wish to consider that the delivery of upgrade works to the water network prior to regeneration works taking place may not be feasible in all instances and so regard may be had to same when considering MA 38.

Finally, the Planning Authority may also wish to strengthen MA 34 in relation to the protection of trees which greatly enhance biodiversity, improve air quality and naturally enhance a landscape.

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

Key theme	Recommendation	Observation
Sustainable mobility and connectivity	MA Recommendation 1, 2 and 3	MA Observation 1 and 2
Flood risk management	MA Recommendation 4	-

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, it is recommended that planning authorities implement, or address recommendations 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. Planning authorities are advised 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. Planning authorities are advised by the Office to give full consideration to the advice contained in a submission.

1. Sustainable mobility and connectivity

The Sustainable Transport Plan of the draft Local Area Plan (appendix 2) sets out targets for modal shift change in Carrick-on-Suir over the life of the plan with a reduction on the reliance of the private car to reduce greenhouse gas emissions and congestion. Table 11 of the draft Local Area Plan is noted and welcomed where a number of sustainable travel and public realm projects for pedestrians, cyclists and public transport users are proposed over the short, medium and long term.

These objectives would, however, be undermined by the introduction of a number of material alterations relating to increased car parking, poor connectivity with existing and potential active travel infrastructure and an additional new through road that is not informed by the accompanying Sustainable Transport Plan.

1.1 Active travel

In relation to active travel, MA 12, MA 21 and MA 23 have all been considered. MA 12 would result in the deletion of text that would require new development proposals to provide active travel infrastructure to link into existing active travel routes. Having regard to the presence of dedicated cycle lanes in both directions along the N24 that runs immediately adjacent and to the north of the employment lands to the east of

the town, and the national and local investment into the provision of such cycle lanes to date, the Office considers it appropriate that any proposed active travel infrastructure would link into the existing active travel network.

The Office notes the inter-relationship between MA 21 and MA 23, where MA 23 makes direct reference to MA 21, and so both material alterations are considered together in this context. These material alterations relate to a Masterplan for a significant, strategic New Residential landbank to the west of Carrick-on-Suir at Carrickbeg that totals 6.71ha. A total of four parts relate to MA 21. Having regard to other policies and proposed material alterations relating to the draft Local Area Plan, the Office is satisfied with MA 21 except for two elements, namely the active travel route and community amenities. In relation to the former, the lands at Carrickbeg are in close proximity to schools, community facilities and retail services, a number of which are located on the northern bank of the River Suir. It is important to maximise connections between the subject lands and the aforementioned services and facilities and through doing so, to promote walking and cycling from Carrickbeg along safe, less trafficked routes. Measures therefore should be incorporated into a Masterplan for these lands to promote excellent connectivity with the town through permeability measures.

In this regard, the Planning Authority should consider connecting into and upgrading Rack Hill to the northeast of the site. This would provide a safe, pedestrian and cycle friendly route away from the regional road to the south. Noting that it is proposed to omit a proposed active travel bridge in MA 21, a new pedestrian/cycling route along Rack Hill, to particularly benefit those more vulnerable road users attending local schools, may be a more realistic and feasible solution that could be delivered in the shorter term.

Also, given the prime riverside location of the Carrickbeg lands, it is considered appropriate to include reference to the possible location of water-based activities as part of the overall development strategy at Carrickbeg, subject to this being feasible/appropriate.

MA Recommendation 1 – Sustainable mobility and connectivity

Having regard to the need to promote sustainable modes of transport and in particular to:

- RPO 152 of the RSES to deliver a high level of permeability for walking and cycling;
- SO-9 of the Tipperary County Development Plan 2022-2028 which promotes sustainable transport and prioritises walking and cycling; and
- Policies 6.1 and 6.3 and Objectives 6E and 6G of the draft Carrick-on-Suir Local Area Plan 2025-2031 (the draft Local Area Plan) in relation to accessibility, modal shift and permeability,

the Office recommends that the Planning Authority makes the Local Area Plan with:

- (i) a modification to MA 12 to ensuring that active travel infrastructure associated with new development proposals connects into existing active travel routes; and
- (ii) a modification to MA 23 to incorporate active travel measures into the development of lands at Carrickbeg to provide safe and sustainable connectivity to the town centre, schools and amenities, particularly to the northeast of the site at Rack Hill.

In the event that the Local Area Plan is not made with MA 23 as above, the Office recommends that the Planning Authority makes the Local Area Plan without either MA 21 or MA 23 given the relationship between both.

MA Observation 1 – Access to community amenities

Given the potential of the prime riverside location of the Carrickbeg lands, the Planning Authority is advised to make the Carrick-on-Suir Local Area Plan 2025-

2031 with appropriate modifications to MA 23 to ensure that access to possible community amenities along the River Suir can be provided for in the future.

1.2 New road

In relation to proposed new road infrastructure, an additional objective would be added through MA EM13 to investigate the feasibility of a new vehicular street to the south of Ormond Castle linking the Pill Road to the Town Centre. This objective would not align with the proposed measure identified in the Sustainable Transport Plan where pedestrian improvements are proposed at the same location in the short term through the resurfacing of a 'spine' footpath and an increase in the width of same to 3m. This 'spine' footpath runs along the southern boundary of Ormond Castle, a recorded monument (TS-085-004001 & 002) in a northeast direction where it meets with Pill Road and promotes the movement of both pedestrians and cyclists in a safe, traffic-free environment. Given the limited distance between the Castle and the River Suir, the creation of a new road at this location (together with the provision of adequate space for pedestrians and cyclists) is likely to negatively impact the character of the Castle and its surrounds. It is therefore not considered appropriate to support MA EM 13 and to retain the current use of these lands for the safe movement of pedestrians and cyclists only.

MA Recommendation 2 – Road infrastructure

Having regard to the protection of archaeological and cultural heritage and the promotion of sustainable modes of transport, and in particular to:

- Policy 13-4 of the Tipperary County Development Plan 2022-2028 (the County Development Plan) where the Planning Authority will safeguard sites of archaeological interest, including recorded monuments;
- RPO 152 of the RSES to deliver a high level of permeability for walking and cycling and public transport mode;
- Strategic Objective SO-9 of the County Development Plan which promotes sustainable transport and prioritises walking and cycling; and

- Policies 6.1 and 6.3 and Objectives 6E and 6G of the draft Carrick-on-Suir Local Area Plan 2025-2031 (the Local Area Plan) in relation to accessibility, modal shift and permeability,

the Office recommends that the Planning Authority makes the Local Area Plan without MA EM13.

1.3 Car parking

In relation to car parking, MA 9, MA 10 and MA 24 have been particularly noted. The reuse and regeneration of derelict buildings in the town centre is noted and commended. MA 9 recommends the inclusion of text relating to the provision of car parking as part of such regeneration projects. In order to maximise the vitality and viability of derelict buildings within the town centre it may not be appropriate to 'encourage and facilitate' buildings for 'strategic purposes, including car parking' though car parking may be considered suitable as part of the development and re-development of any town centre site. On this basis, the Office advises that reference to 'including car parking' should be omitted from MA 9.

Also, it is a proposed objective of the Planning Authority, through MA 10, to identify suitable locations for car and campervan parking in specific areas of the town including on lands close to the primary care centre and Ormond Castle. This particular area is located within a flood plain. It is within a Zone of Archaeological Potential and lies adjacent to the River Suir Special Area of Conservation. Therefore, a limited number of less vulnerable uses may be considered in this area which may include some parking, subject to the necessary environmental assessments. Within MA 10 it is also noted that the possibility of adapting existing car parks to provide for coach parking will also be examined which brings into question the need for additional car parking.

Furthermore, the Sustainable Transport Plan has informed the draft Local Area Plan and Objective 6E of the draft Local Area Plan states that it is an objective of the Planning Authority to achieve a modal shift in transport modes as set out in the Sustainable Transport Plan through collaboration with the community and transport sectors over the lifetime of the plan. There are eight existing car parks in the town, one of which is at the primary care centre. It is noted that as part of Carrick-on-Suir's

Regeneration Plan which focuses on the town's central area, that existing car parks will be improved, and new car parking spaces will be provided.

The Office is of the view, therefore, that it would be more appropriate and reflective of the town's Regeneration Plan and Sustainable Transport Plan, which have both been embedded into the draft Local Area Plan, that the Local Area Plan be made without MA 10.

In its current form MA 24 proposes the addition of text relating to the provision of additional car parking in Carrickbeg and on lands between Ormond Castle and the River Suir. In order to better reflect appendix 2 (Sustainable Transport Plan) and more particularly tables 4.1 and 4.2, which set out the modal shift targets for Carrick-on-Suir, the Office considers it more appropriate to modify MA 24 by omitting reference to 'car parking' in order to place more emphasis on sustainable modes of transport over the private car.

MA Recommendation 3 – Car parking

Having regard to the need to promote sustainable modes of transport and in particular to:

- RPO 152 of the RSES to deliver a high level of permeability for walking and cycling and public transport mode;
- SO-9 of the Tipperary County Development Plan 2022-2028 which promotes sustainable transport and prioritises public transport, walking and cycling; and
- Policies 6.1 and 6.3 and Objectives 6E and 6G of the draft Carrick-on-Suir Local Area Plan 2025-2031 (the Local Area Plan) in relation to accessibility, modal shift and permeability,

the Office recommends that the Planning Authority makes the Local Area Plan without MA 10.

MA Observation 2 – Car parking

The planning authority is advised to:

- (i) make the Carrick-on-Suir Local Area Plan 2025-2031 (the Local Area Plan) with MA 9 with a minor modification to omit the reference to car parking;
and
- (ii) make the Local Area Plan with MA 24 with a minor modification to omit the reference to car parking.

2. Flood risk management

The Office notes and welcomes the Plan Making Justification Tests (Justification Test) presented as part of MA 65. It is noted that all but one of the fifteen sites assessed passed the Justification Tests criteria. In the one instance that an employment site failed the Justification Test, reference was made to Policy 8.4 of the draft Local Area Plan and the note on the land use zoning objectives and matrix in section 9 of the draft Local Area Plan relating to less vulnerable or water compatible uses in Flood Zones A & B.

The Office notes and welcomes Policy 8.4 of the draft Local Area Plan which relates to the submission of a site-specific Flood Risk Assessment for developments undertaken within Flood Zones A & B and on lands subject to the mid-range future scenario flood extents. MA 42 proposes the inclusion of additional text to require that the minimum design levels for fluvial flooding as set out in table 6.4 of the Strategic Flood Risk Assessment be employed which is also welcomed by the Office.

The inclusion of additional wording in the Justification Tests in relation to finished floor levels in particular is noteworthy and the Office considers that MA 42 should be further expanded upon to include the related text.

Furthermore, given the importance of the note in section 9 of the draft Local Area Plan as it relates to areas at risk of flooding, the Office considers it is important to also include part of this note within the amended Policy 8.4 of the draft Local Area Plan to provide for a more robust flooding policy for Carrick-on-Suir.

MA Recommendation 4 – Flood risk management

Having regard to flood risk management and in particular to:

- RPO 116 of the RSES whereby consideration must be given to future appropriate land-use policies in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) to avoid inappropriate development in areas at risk of flooding;
- The Flood Guidelines; and
- The Strategic Flood Risk Assessment (SFRA) of the draft Carrick-on-Suir Local Area Plan 2025-2031 (the Local Area Plan) (appendix 10),

the Office recommends that the Planning Authority modifies MA 42 (related to Policy 8.4 of the draft Local Area Plan) as follows (additional text showing in green and text to be deleted in red):

*Require the submission of site-specific Flood Risk Assessments for developments undertaken within Flood Zones A & B and on lands subject to the mid-range future scenario floods extents, as published by the Office of Public Works. These Flood Risk Assessments **should follow the general guidance provided in Section 6 of the SFRA and shall consider climate change impacts and adaptation measures including details of structural and non-structural flood risk management measures, such as those relating to ~~floor levels~~, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events. The FRA should address climate change scenarios in relation to finished floor levels and potential mitigation measures. The minimum design level requirements for fluvial flooding set out in Table 6.4 of the accompanying SFRA shall be employed. The Flood Risk Assessments shall apply the precautionary approach recommended in the Guidelines and shall be informed by the advice on the expected impacts of climate change and the allowances to be provided for future flood risk management provided in the OPW's (2019) Flood Risk Management Climate Change Sectoral Adaptation Plan and the guidance on potential future scenarios contained therein The***

sequential approach should be applied and highly vulnerable infill and redevelopment shall not be permitted in Flood Zones A or B apart from where the Justification Test outlined in the Flood Risk Guidelines has been passed.

In 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 the recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within **five working days** of the making of the Local Area Plan under section 31AO(5) of the Act. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the Local Area Plan in such a manner as to be inconsistent with the recommendations of the Office, the Chief Executive must, in the notice letter, 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 Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015
