

5th December 2022

Forward Planning Section,
Economic Development and Enterprise Directorate,
Merchants Quay,
Limerick.

Re: Issues Paper for the Abbeyfeale Local Area Plan 2023 – 2029

A chara,

Thank you for your authority's work in preparing the Issues Paper for the proposed Abbeyfeale Local Area Plan 2023-2029 (the Issues Paper). The Abbeyfeale Local Area Plan 2023-2029 (the LAP), which will replace the Abbeyfeale Local Area Plan 2014-2020, is a mandatory local area plan under section 19(1)(bb) of the *Planning and Development Act 2000*, as amended (the Act).

The Office welcomes the commencement of the plan-making process, through the publication of the Issues Paper, in view of the provisions under sections 18(4)(b) and 19(2B) and in view of the recent adoption of the Limerick Development Plan 2022-2028 (the Development Plan) on 17th June 2022.

The Office acknowledges your authority's work, more broadly, in advancing the preparation of the LAP.

As section 20(1) does not prescribe the requirements for public consultation at pre-draft stage for LAPs, the planning authority is commended for publishing an Issues Paper, engaging proactively with the public and notifying the Office of the intention to prepare the LAP. The future LAP has the potential to deliver on key objectives of the development plan, including housing, employment and services.

In accordance with the provisions of section 31AO of the Act, the Office is obliged to evaluate and assess local area plans in the context of certain statutory parameters including:



- matters generally within the scope of section 19;
- consistency with the objectives of Development Plan, its core strategy, the Regional Spatial and Economic Strategy for the Southern Regional Assembly (the RSES);
- consistency with the transport strategy of the National Transport Authority;
- ministerial guidelines made under section 28;
- ministerial policy directives issued under section 29; and
- such other matters as the Minister may prescribed under section 262 or otherwise prescribe.

The Office has set out some broad issues, relevant to the preparation of most, if not all LAPs, in addition to some specific issues of particular relevance to the preparation of this LAP, under the following ten themes:

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 and employment
7. Transport and mobility
8. Environment, built and natural heritage
9. Climate change mitigation and adaptation
10. Implementation and monitoring

The Office's comments are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan making process. They 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

The planning authority will be aware that section 20(5) of the Act requires the LAP to be consistent with the objectives of the RSES, in addition to the National Planning Framework (NPF), the specific planning policy requirements (SPPRs) of section 28 guidelines and the relevant the development plan.

The provisions of the RSES have generally been transposed through the Development Plan. Therefore, in ensuring consistency with the Development Plan and core strategy, the planning authority can ensure that it is also generally consistent with the RSES and NPF. However, the Office would encourage the planning authority to liaise with the Southern Regional Assembly in preparation of the draft LAP to ensure consistency with the RSES, particularly where clarity is required on the objectives and guiding principles set out therein.

The Issues Paper demonstrates a clear understanding of the role of the settlement of within the wider county and regional context. The RSES highlight the importance of towns and villages in the economic fabric of the region and the different role each town plays based on its scale and location. It identifies Abbeyfeale as being of economic and employment importance due to its location and interdependencies with Newcastle West in a sub-regional context. In this regard, the RSES emphasise the importance of networks between towns and villages in promoting new economic opportunities.

In aligning with the RSES, the LAP should consider the strategic vision, goals and guiding principles of the RSES, in addition to consistency with the relevant regional policy objectives (RPOs).

The LAP should also consider practical implementation issues and measures that can best be promoted via the policies and objectives of the LAP.

2. Development Plan and core strategy

Section 19(2)(b) of the Act also requires that the LAP shall be consistent with the objectives of the Development Plan and its core strategy. A key message of the section 28 *Local Area Plan Guidelines for Planning Authorities* (2013) (LAP Guidelines) is that consistency between local area plans and the core strategy of development plans is an essential requirement, particularly in relation to the quantum and location of lands identified for development.

The Office would therefore caution against the introduction of any objectives that would conflict with the details provisions of the core strategy for the proposed area of the LAP and the housing supply target for the settlement.

In this regard the Office notes that the core strategy of the Development Plan provided for a population increase of 566 persons over the 2022 – 2028 plan period, a requirement for 211 housing units and a requirement for 11.89 hectares of zoned lands.

3. Zoning, compact growth and infrastructural services

Having regard to section 19(2)(b), the Office would caution against the introduction of objectives, including any land use zoning objectives, that would be inconsistent with any objectives relating to land use zoning or otherwise in the Development Plan.

In this regard, the objectives of the LAP are required to be consistent with the policy objectives of the RSES, including, in particular, the any strategic development sites for the delivery of residential, employment or other uses.

It is noted that land use zoning objectives have not been included for Abbeyfeale in the Development Plan. Where proposed, it will be essential for any land use objectives to demonstrate consistency with the objectives for compact growth under the NPF (NPO 3c) and the RSES (RPO 35) and densification (NPO 35). Compact growth will play a central role to the achieving the National Climate Objective and Government's obligatory target of 51% for greenhouse gas (GHG) emissions reduction by 2030 and for a carbon neutral economy by 2050.

In this regard any provisions or standards for residential density or building height in the LAP should have regard to relevant section 28 guidelines, including *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas: Cities, Towns & Villages* (2009), *Urban Development and Building Heights Guidelines for Planning Authorities* (2018), and *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities* (2020) and should be consistent with any Specific Planning Policy Requirement therein.

Land use zoning should also follow the policy and objective for a sequential approach to zoning for residential development set out under section 6.2.3 of the Development Plan Guidelines.

Where land use zoning objectives are proposed to be included in the LAP, the planning authority will need to ensure consistency with the provisions for tiered approach to zoning under NPO 72 a-c of the NPF. This will require the carrying out of an infrastructure assessment for the town in accordance with Appendix 3 of the NPF and with section 4.5.2, Settlement Capacity Audit, of the *Development Plans, Guidelines for Planning Authorities* (2022) (the Development Plan Guidelines).

It will be of critical importance to the implementation of the LAP to ensure that all lands zoned for residential and other development are serviced or will be serviceable during the plan period. This will enable the planning authority to meet the growth targets for the plan period through the delivery of strategic lands.

In this regard, the Office notes that, according to Irish Water, waste water treatment infrastructure does not have capacity to cater for the full growth allocation for Abbeyfeale under the core strategy. Irish Water indicates that the regional water resources plan for the South–West region, currently being finalised, will identify plan level approaches to address the needs for Abbeyfeale in a sustainable manner. The Office therefore advises the planning authority to liaise closely and collaborate with the relevant prescribed authorities concerning the delivery of essential services and infrastructure.

4. Regeneration

Both the NPF (NPO 4, 6, 18a, 18b and 35) and the policy objectives and provisions of the RSES place a strong emphasis on the opportunities for urban and village regeneration to create attractive, liveable, well-designed, high quality urban places that provide for a high quality of life and well-being. Regeneration and revitalisation of settlements through reuse of brownfield sites and vacant / underutilised buildings will play a crucial role in mitigating climate change and in achieving the Government’s obligatory target of 51% for GHG emissions reduction by 2030 and for a carbon neutral economy by 2050.

Where the RSES identifies any opportunity sites to support town centre regeneration, these opportunity sites and others should be clearly identified in the forthcoming LAP. Notwithstanding, an evidence-based approach should be taken to the identification of regeneration sites, or vacant or underutilised buildings, generally, in accordance with the guiding principles of the RSES for urban infill and regeneration, where applicable.

The LAP should align with the objectives of the regeneration strategy of the Development Plan and focus development on the key regeneration sites identified. There is pressing need to implement a strong policy framework to support the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites. Proactive land activation measures, including the planning authority's powers in respect of land acquisition / compulsory purchase, derelict sites and the vacant land, among others, should all be considered.

Also important in this respect is the Government's *Town Centre First: A Policy Approach for Irish Towns*, which policy envisages Town Centre First (TCF) Plans as central to informing the future direction of towns and the priority investment interventions supported through TCF-aligned funding streams. In this regard, it is noted that Abbeyfeale has been selected for funding under the first phase of the Town Centre First Plan to develop a masterplan for the town.

The identification of intended sources of funding to facilitate, support or complement key regeneration projects, such as funding under the Rural Regeneration and Development Fund (RRDF) which has been awarded to Abbeyfeale, and the recently announced *Croí Cónaithe (Towns) Fund Scheme*, is a further land activation measure to be considered in the LAP.

5. Education, social and community

'Access to quality childcare, education and health services' is a National Strategic Outcome of the NPF. In this regard, the LAP should be consistent with NPO 31, which seeks to align population and employment 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 LAP should also be consistent with the objectives of the RSES for education facilities. It should also have regard to the provisions for social audits under the Development Plans Guidelines (or civic infrastructure audits under the LAP Guidelines).

It is an objective (NPO 4) of the NPF to ensure the creation of liveable places that are home to diverse and integrated communities and (NPO 28) providing improved integration and greater accessibility in delivering sustainable communities and associated services. This includes planning for the housing / transport / accessibility and leisure needs of an

aging population (NPO 30) and for the Traveller community. The LAP should also be consistent with the objectives of the RSES for social and community facilities.

The NPF expects the local authority's *Local Economic and Community Plan* (LECP) should also inform the LAP to provide for the co-ordinated spatial planning of community services for the area. In addition, the local authority's *Traveller Accommodation Programme* should also inform the LAP.

Having regard to NPO 33 to prioritise new homes that can support sustainable development at an appropriate scale of provision relative to location, it is important that the LAP takes an integrated approach to the planning of education, social and community facilities and amenities. The LAP should consider the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents. In addition, and aligned with the need for a sustainable settlement and transport strategy, the LAP should also ensure that education, childcare, social and community facilities can be easily accessed by walking or cycling from existing and proposed new residential areas.

6. Economic development and employment

The LAP Guidelines state that LAPs should include objectives to promote local economic development and employment growth by focusing on issues such as the creation of vibrant and dynamic city and town centres where local businesses thrive and the provision of low cost accommodation for start-up businesses.

The NPF, RSES and the LAP Guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses. The NPF expects that the local authority's Local Economic and Community Plan (LECP) would inform the LAP to provide for the co-ordinated spatial planning for the area.

The LAP is required to be consistent with any objectives of the RSES concerning strategic enterprise / employment sites or in respect of development type or location-specific development (e.g. rural development). In this regard, both the RSES and the Development Plan Guidelines recognise accessibility as a central consideration in selecting employment zonings and the transport provision of potential locations for development needs to be strategically considered, including through the application of the sequential approach.

The RSES recognises and supports the economic role and potential of settlements including Listowel, Abbeyfeale, Newcastle West (Key Town) and Kilrush, as economic drivers in a potential North Kerry/West Limerick/Clare network connected with the Shannon Estuary (and Shannon Foynes Port). In this regard, the draft LAP should consider how appropriate policy support and objectives consistent with RPO 28 (and RPO 22a) and with the objective CGR O11 of the Development Plan to promote inter-regional collaboration across county boundaries with Abbeyfeale, Listowel and Rathkeale, and ECON O11 of the Development Plan in respect of inter urban links with Newcastle West, Abbeyfeale and Rathkeale.

The draft LAP should also consider what policy approach and objectives should be included to maximise the economic benefits to Abbeyfeale from the Limerick Greenway (Great Southern Trail), consistent with RPO 53.

The facilitation of retail facilities will also need to be considered to provide for the anticipated population growth. Regard should be had, in particular, to the sequential approach to the location of retail development and other provisions of the *Retail Planning Guidelines for Planning Authorities (2012)* (Retail Guidelines), and the position of the settlement in the retail hierarchy of the county Development Plan.

The application of the sequential approach to the zoning of lands for employment and commercial land uses, and the reuse of appropriate brownfield sites and vacant premises will contribute to the delivery of compact growth consistent with the National Strategic Objective of the NPF and will help implement the Government's Town Centre First Policy.

An integrated approach to land use and transport planning for enterprise, employment and commercial development will also play an important role in mitigating climate change and in achieving the Government's obligatory target of 51% for GHG emissions reduction by 2030 and for a carbon neutral economy by 2050.

7. Transport and mobility

The objectives and provisions of the NPF (NPO 27, NPO 33 and NPO 64, among others) and the RSES recognise the importance of implementing an integrated land use and transportation approach.

A mandatory national target of 51% reduction in GHG emissions by 2030 will be implemented through the *Climate Action Plan 2021*, which commits to delivering an

additional 500,000 daily sustainable journeys by 2030 (an increase of 14% on current levels) through, among others, a significant increase in walking and cycling, supported by the goals of government's *National Sustainable Mobility Policy (2022) (NSMP)*.

An integrated approach to land use and transport planning will be central to achieving these targets. In addition to the above, the LAP should be informed by the guiding principles and be consistent with the RPOs of the RSES relating to integration of land use and transport planning, where applicable.

The RSES sets out guiding principles for integration of land use and transport planning and identifies the requirement for local transport plans (LTPs) for certain settlements and / or under certain circumstances. An LTP is not required for Abbeyfeale under the RSES, however the Office welcomes the proposal to implement a Traffic Management Plan for the town. The planning authority would advise the planning authority to liaise with the NTA and TII in the preparation/finalisation and implementation of the traffic management plan.

The draft LAP should also set out an ambitious (but realistic) modal shift target for the area of the LAP. The draft LAP should consider the whether and how the Limerick Greenway can best contribute to local modal shift. Consistency with the transport strategy and associated objectives and policies of the Development Plan is required.

The transport strategy of the LAP should also demonstrate consistency with 'Avoid-Shift-Improve' principle, the implementation of the 'Decide Provide' approach and the '10-minute town concept'.

The proactive implementation of the *Design Manual for Urban Roads and Streets (revised 2019)*, including in particular 'filtered permeability', will ensure that over time the area will better accommodate pedestrians and cyclists, in addition to public transport where available. Similarly, the implementation of the NTA's *Permeability Best Practice Guide* will also ensure enhanced pedestrian and cycle routes within the area of the LAP.

The draft LAP should include appropriate policy supports and objectives to ensure consistency with RPO 167 to deliver specified national road projects to achieve NSO Enhanced Regional Accessibility, including the N21 Abbeyfeale bypass project (Abbeyfeale Road Scheme), which has been identified under the NDP (pre-appraisal stage). Accordingly, the planning authority should have regard to the provisions of the

Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (SPNR Guidelines), in particular section 2.9.

8. Environment and natural and built heritage

The planning authority is the competent authority for the purposes of Strategic Environmental Assessment and Appropriate Assessment. The planning authority will be aware of its obligations and responsibilities under the SEA Directive and under the Habitats Directive.

In this regard the planning authority is required to have regard to the revised section 28 *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities (2022)*. It should also consider the *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*, as revised.

It is an objective (NPO 52) of the NPF to ensure that the planning system responds to national environmental challenges and that development occurs within environmental limits. The planning authority should ensure the LAP is consistent with objectives of the NPF concerning environmental protection (NPO 52, NPO 57, NPO 58, NPO 60, NPO 62, NPO 63, NPO 64 and NPO 65, among others), in addition to the objectives or guiding principles of the RSES.

In particular, the Office highlights the importance of integrating green and blue infrastructure into the LAP, in accordance with NPO 58 and the objectives and guiding principle of the RSES. Planning for green and blue infrastructure, such as public parks and water bodies can contribute to climate change adaptation, in particular flood risk management through nature-based solutions. It can also make a positive contribution to climate mitigation, when integrated with greenways, and have positive impacts on biodiversity.

Regarding built-heritage, NPO 17, the RSES and several section 28 guidelines (LAP Guidelines and the Development Plans Guidelines, among others) recognise that protecting, conserving and managing sites and features of special interest, in addition to public realm improvements, can instigate a heritage-led regeneration of settlements to generate economic benefits in terms of tourist footfall, improved retail environment and improved quality of life. The re-use of built heritage will contribute to compact growth and regeneration and to climate change mitigation having regard to embodied carbon.

Although the key built-heritage related objectives and policies are contained 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. In this regard the planning authority should have regard to the *Architectural Heritage Protection Guidelines for Planning Authorities (2004)*, as amended.

9. Climate change mitigation and adaptation

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. It is an objective (NPO 52) of the NPF to ensure that the planning system responds to national environmental challenges and that development occurs within environmental limits. The NPF acknowledges climate change as a national environmental challenge and it is an objective (NPO54) to reduce Ireland's carbon footprint in support of national targets for climate policy mitigation and adaptation, including targets for GHG emissions reduction.

The effective implementation of climate mitigation objectives through the LAP, consistent with national and regional policy objectives (and guiding principles) identified by the Office under each of the themes, above, will be critical to the achievement of the Government's GHG emissions reduction target to mitigate climate change.

In terms of climate adaptation, flood risk management is the most critical climate change adaptation measure to be addressed in the LAP, informed by Strategic Flood Risk Assessment (SFRA). The planning authority should ensure that it has regard to the detailed requirements and provisions of section 28 *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*, including the 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.

The planning authority should overlay the flood risk zones 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 OPW to facilitate assessment. Further, the planning authority is advised to liaise with the OPW in the carrying out of SFRA to avoid issues arising at draft LAP stage. This will be of particular importance where land use zoning objectives are proposed to be included.

As noted, above, the implementation of objectives for green and blue infrastructure consistent with national and regional policy objectives should also form an important part of the LAP's response to climate change adaptation.

In accordance with NPO 57, the LAP is required to integrate sustainable water management solutions, such as Sustainable urban Drainage Systems (SuDS) as a sustainable means of managing storm water and water pollution at source, keeping surface water out of combined sewers (thus increasing capacity for foul drainage) and providing multiple environmental benefits. It is noted that Irish Water are currently liaising with Limerick City and County Council on potential opportunities to remove storm water from the combined sewer network in Abbeyfeale which is welcomed by the Office.

In this regard the Office would draw the planning authority's attention to *Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2021)* which was issued by the Department of Housing, Local Government and Heritage after the adoption of the Development Plan.

10. Implementation and monitoring

The NPF and the RSES place increased emphasis on and recognise the importance of monitoring the implementation of statutory strategies and plans, as a measure of plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The planning authority will be aware of its duty and function under section 15(1) and 15(2) of the Act to secure the objectives of the Development Plan and report on progress in achieved in securing those objectives. As the implementation of the objectives of the LAP derive from the objectives of the Development Plan, the obligations under the aforementioned subsections are also relevant to the LAP.

The planning authority is therefore encouraged to provide for monitoring of implementation of the objectives of the LAP, having regard to the provisions of the Development Plans Guidelines and the Local Area Plans Guidelines.

Summary

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

- the draft LAP should ensure that residential land use zoning is consistent with the Core Strategy. Residential zoning objectives should prioritise housing 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 avoid leapfrogging to more peripheral locations. This will ensure that development is consistent with national and regional policy for compact growth, sequential approach to development, tiered approach to zoning (infrastructure), and align with the National Climate Objective;
- the draft Plan should ensure that future residential development makes efficient use of land through increased residential density, in addition to the re-use of existing buildings and infill development schemes consistent with NPO 35 and in accordance with the relevant Ministerial Guidelines;
- having regard to the requirement to implement a tiered approach to zoning (NPO 72a – 72c), the planning authority is advised to liaise with Irish Water to ensure that the current wastewater treatment capacity constraints affecting the potential for growth in Abbeyfeale can be resolved within the period of the LAP to ensure that growth allocated under the Core Strategy can be sustainably accommodated;
- with regard to Regeneration, the planning authority should take an evidence-based approach to the identification of regeneration sites, or vacant or underutilised buildings, generally, in accordance with the guiding principles of the RSES for urban infill and regeneration, and where possible by integrating the 'Town Centre First' masterplan into the draft LAP;
- in relation to Education, Social and Community Amenity, the draft LAP should also ensure that the provision of social and community infrastructure is delivered in tandem with new residential zoned lands through mechanisms that monitor existing and proposed development in the town such as the preparation of social audit;

- in terms of Economic Development, the draft LAP should include appropriate policy support and objectives for the development of interurban links with Newcastle West, Abbeyfeale, Rathkeale and cross boundary connections, building on the success of the Limerick Greenway, to ensure consistency with the objectives of Development Plan and the RSES to support. The draft LAP should include policies and objectives to attract investment to the area to support and generate opportunities for economic growth of wider area;
- in relation to Accessibility and Transport, the draft LAP should include policies and objectives to integrate sustainable transport and land use to encourage active travel and set appropriate modal share targets to reduce car dependency. The planning authority is advised to engage with the NTA and TII in the preparation / finalisation and implementation of the Traffic Management Plan for the settlement. The draft LAP should also have regard to the requirements of section 2.9 of the SPNR Guidelines in respect of the protection of alignment of the N21 Abbeyfeale bypass project, consistent with RPO 167;
- in terms of environment, built and natural heritage, it is noted that Abbeyfeale is rich in built heritage, with an extensive RPS, and in the natural environment, such as the Riverside Community Park and the Limerick Greenway. The draft LAP should ensure appropriate policies and objectives are in place for the protection of both the built and natural heritage assets of the town and utilise these assets as a means of attracting tourism and activity to the town;
- with regard to climate change mitigation and adaptation, the draft LAP should seek to include policies and objectives in relation to the implementation of Sustainable Urban Drainage Systems (SuDS) and nature based solutions to address the capacity challenges with the sewer network. The planning authority are advised to liaise with Irish Water in this regard;
- in relation to flooding, a Strategic Flood Risk Assessment should be carried out as part of the LAP in accordance with the staged approach to flood risk assessment under the Flood Guidelines, including the carrying out of Justification Tests where required. The planning authority should demonstrate that the sequential approach has been applied with land use zonings overlaid with both Flood Zone A and B in a



clear, legible and digital manner. The planning authority is advised to liaise with the OPW in this regard; and

- the planning authority is encouraged to provide for monitoring of implementation of the objectives of the LAP, having regard to the provisions of the Development Plans Guidelines and the Local Area Plans Guidelines.

The Office looks forward to reviewing the future draft LAP and is committed to continued positive engagement with your authority in 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 at plans@opr.ie.

Is mise le meas,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations

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