



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

OPR Ref: MA-053-22

24th July 2023

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

Re: Material Alterations to the Draft Roscrea Local Area Plan 2023-2029

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations (the material alterations) to the draft Roscrea Local Area Plan 2023-2029 (the LAP).

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

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

The Office's evaluation and assessment of the proposed material alterations has regard to the current Tipperary County Development Plan 2022-2028 (the

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

As outlined in the Office's submission to the draft LAP, the Office considered the draft LAP to be generally consistent with policies in the *Project Ireland 2040: National Planning Framework* (NPF) and the RSES for the Southern Regional Assembly area. However, the Office found it necessary to recommend changes to ensure alignment with national and regional policies and with associated section 28 guidelines concerning compact growth, zoning and infrastructural services, flood risk management, and implementation and monitoring.

The planning authority is advised that section 12(10) of the Act provides the members of the planning authority with scope to make a further modification to a material alteration subject to the limitations set out in subsection 10(c) parts (i) and (ii).

A submission, in addition to including recommendations and observations, also 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 acknowledges the extensive work undertaken by the planning authority in responding to the issues raised by the Office in its recommendations and observations and in preparing the proposed material alterations.

In particular, the Office welcomes the proposed material amendments made in relation to the serviced land assessment (MA36) and implementation and monitoring (MA 32).

The additional policy regarding the role of domestic scale renewables (MA 20 and 27), the material amendments to the modal share targets and the promotion of



enhanced walking and cycling facilities connecting the rail station to the Ashbury rail crossing (MA 13 and 15) are welcomed by the Office.

The alignment with the final Town Centre First masterplan and policies to support the implementation of the masterplan are also noted and welcomed. The LAP should, however, clearly state whether the masterplan is to be adopted as part of the LAP.

It is noted that the planning authority has largely addressed the recommendation regarding flood risk management and proposes a number of material amendments to the Strategic Flood Risk Assessment (SFRA) in response to the Office's Recommendation 2. The Office welcomes the inclusion of revised land use zoning maps which overlay Flood Zones A / B.

While the Office note's the approach taken to restrict development within flood zone areas in Roscrea, for example the lands at Sean Ross Abbey, future local area plans must include plan making Justification Tests for all lands with zoning objectives permitting vulnerable or highly vulnerable uses within Flood Zone A and B, including where there are existing uses on the lands, in accordance with *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)* (Flood Guidelines). The planning authority is advised to consult with the OPW if further clarification is required in relation to this matter.

1. Consistency with the Regional, Spatial and Economic Strategy

The Office considers the draft LAP, as proposed to be amended, is generally consistent with the regional policy objectives of the RSES for the Southern Region, except where otherwise stated below.

2. Consistency with development plan core strategy

The Office was generally satisfied that a sufficient supply of zoned land had been provided for in the draft LAP consistent with the core strategy of the Development Plan.

Only one zoning amendment is proposed under the material alterations to the draft Plan. Material amendment (MA 33) relates to a parcel of land zoned employment.



Having regard to the location of the lands, on the outskirts of the town, the proposed amendment to zone the lands to Town Environs is considered acceptable to the Office and will have no material impact on the core strategy.

3. Compact growth, zoning and infrastructural services

The Office is satisfied that the land use zonings are generally consistent with NPO 3c and RPO 35 in relation to compact growth. The location of all Existing Residential and New Residential zoned lands are within the existing built up footprint of the town.

The OPR's submission to the draft Plan included a recommendation that a Serviced Land Assessment (SLA) be undertaken to ensure all undeveloped residential land new, existing and strategic reserve are included. The Office welcomes the amendments to Appendix 1 to address this issue raised under Recommendation 1.

However, it is noted that not all undeveloped existing residential zoned lands have been included in the SLA. As previously noted in the submission on the draft LAP, undeveloped existing residential zoned lands can provide infill opportunities in the existing built up area, which may reduce the requirement to zone further New Residential zoned lands consistent with the core strategy requirement.

The Office advises that this issue can be addressed by minor modification in accordance with section 12(10) of the Act, to ensure that all undeveloped existing residential zoned land is serviced or serviceable consistent with NPO 72(a) and NPO 72(c).

4. Town centre regeneration

The Office acknowledges the response and clarification set out in the Chief Executive's (CE's) Report (May 2023) in relation to Observation 1 of the Office's submission on the draft LAP and is generally satisfied that the subject regeneration sites are clearly identified within Appendix 3 of the draft LAP. It is noted that a number of opportunity sites have been omitted from Appendix 3 on the basis that they have been included in the Town Centre First Plan. This approach is considered acceptable having regard to Policy 3.2 and Objective 3.1 of the LAP.

However, it should be noted that the opportunity site Gantly Road/Green Street previously identified in Appendix 3 is not specifically mentioned in the Town Centre First Plan. The Office has no objection to the omission of this site, however it should be clarified that it is not included in the Town Centre First Plan.

The Office further notes, that as part of the material alterations, the *Roscrea Town Centre First Draft Report (2023)* (the draft TCF Report) has been included as Appendix 4 to the draft LAP (MA 55). The draft TCF Report offers a development framework for regeneration, social and community infrastructure, movement and connection, nature and landscape and built form in line with the principles of the Government's policy *Town Centre First – A Policy Approach for Irish Towns (2022)* (Town Centre First). The policies for implementation of the Town Centre First Plan are welcomed by the Office.

5. Transport and accessibility

The Office is generally supportive of the approach in the draft LAP regarding transport and mobility and the measures detailed to promote active travel. Under Observation 2 of the OPR's submission to the draft LAP, the planning authority was requested to confirm and clarify active travel interventions included under Urban Primary Active Travel Routes and the Urban Secondary Active Travel Routes as identified in Figure 18 of the Sustainable Travel Plan. The Office notes, that the CE's Report states that all sustainable travel interventions are listed in Table 5.2 of the draft LAP which will be delivered subject to funding. The routes are not definitive at the moment but set out aspirations for the town. The rationale provided in the CE's Report is acceptable.

Under the material alterations to the draft LAP, modal share targets for employment and education related journeys (Table 4.1) have been increased to place a greater emphasis on cycling and public transport. This material amendment is welcomed by the Office. The Office also welcomes the material amendments (MA 13 and MA 15) to promote the provision of walking and cycling facilities connecting the rail station to Ashbury rail crossing.



6. Flood risk management

The Office welcomes the proposed material amendments to the draft LAP in response to Recommendation 2 of the Office's submission to the draft LAP concerning flood risk. In particular, the Office welcomes the inclusion of revised land use zoning maps which overlay Flood Zones A / B in response to Recommendation 2, as well as the additional text proposed under Material Amendment 31 regarding limitations to development to water compatible uses in Flood Zone A and less vulnerable or water compatible uses in Flood Zone B. The identification of lands that have been subject to plan making justification tests and additional specific detail in the Justification Test on these lands are also welcomed in response to Recommendation 2.

It is noted however, that some Existing Residential and Community Services and Infrastructure zoned lands have not been subject to a Plan Making Justification Test. The planning authority are advised in accordance with the Flood Guidelines that justification tests are required for highly vulnerable development in Flood Zone A and B, and less vulnerable development in Flood Zone A. However, given the restrictions to limit development within the flood zones, included in proposed material amendment (MA 31), it is considered that appropriate measures are included in the LAP to manage flood risk in these areas.

The proposed material amendments to the SFRA, including the specific reference to the Department of Housing, Local Government and Heritage's *Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas - Water Sensitive Urban Design - Best Practice Interim Guidance Document* (2022) are noted and welcomed.

7. Implementation and monitoring

The Office welcomes the proposed material amendments to the draft LAP in response to Recommendation 3 of the Office's submission to the draft LAP concerning implementation and monitoring. The proposed material alterations will ensure robust monitoring measures over the life of the plan, which is consistent with the *Development Plans Guidelines for Planning Authorities* (2022).



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Summary

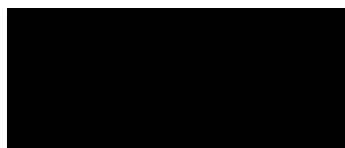
The Office's evaluation and assessment of the material alterations to the draft LAP concludes that no recommendations or observations are warranted, and the substantive issues contained in Recommendations 1, 2 and 3 of the OPR's submission on the draft LAP have been satisfactorily addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the draft LAP. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations of the Office, under the provisions of section 31AO(5) of the Act the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.

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

Is mise le meas,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations

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