

3 Hartstonge Street, Limerick Tel: 061 435000 Fax:061 405555 info@hraplanning.ie www.hraplanning.ie

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Nenagh Local Area Plan
Planning Department
Tipperary County Council
Civic Offices Limerick Road
Nenagh
Co Tipperary
Submission by online

11th September 2023

Re: Submission on the Draft Nenagh Local Area Plan 2024 - 2030

Dear Sir / Madam,

HRA PLANNING has been retained further by to prepare this submission to Tipperary County Council in respect of the recent publication of the Draft Nenagh Local Area Plan 2024-2030 ("The Draft LAP").

This submission is made further to the **pre-draft plan** submission submitted by this office to Tipperary County Council on behalf of dated 05th December 2022 (referenced as in the Tipperary County Council prepared 'Report on Submissions Pre-Draft Consultation Nenagh Local Aea Plan 2024-2030' (February 2023) which had sought a rezoning of the subject lands for 'Residential' use.

Preamble

This submission on the draft Plan relates to the same undeveloped and underused greenfield lands as the pre-draft submission ("**the subject lands"**). The subject lands measure circa 5.5 hectares in area, the extent of which is illustrated on the mapping appended hereto.





The subject lands are located centrally within Nenagh Town, situated adjacent to the 'Civic Tax Office and the Nenagh Lawn Tennis club / Streame commercial and retail park. The subject lands represent a significant development opportunity in the context of the preparation of the Nenagh Local Area Plan and the pursuit of a sustainable compact growth model advocated in National and Regional Planning policy and guidelines, and, that advocated in the Tipperary County Development Plan all of which, were referenced in the pre-draft submission.

The material considerations presented in the pre-draft submission demonstrated that the subject lands was appropriately located within 10 minute walking distances from the town centre and existing urban services; making reference to the spatial planning objectives applied at a site-specific level that would support a 'Residential' use of the subject land, supporting the request set out therein that the land should be zoned for 'Residential' use in the Draft Plan.

Despite that submission, the subject lands have not been rezoned for 'Residential' use in the Draft Plan, but instead zoned for 'Strategic Reserve'.

Purpose of Submission

The purpose of this submission is to address the reasons suggested by Tipperary County Council in its decision not to zone the land for 'Residential' use. In doing so, this submission demonstrates how and why the land is suitable for residential development taking into account site-specific circumstances, the strategic development objectives set out in the Draft LAP, and how the residential use of the subject land will contribute to the delivery of strategic compact and sustainable development objectives which the local authority is obliged to facilitate and provide for.

Determination by Tipperary County Council

In its consideration of the pre-draft plan submission by Tipperary County Council ("**TCC**") referred to the service Land Assessment (set out in appendix 1 of the Draft Plan) which it states has informed any change to the currently zoned land.

The provisions of the Draft LAP state that the zoning of 'Strategic Reserve' expressly states that sites "may" deliver housing within the subsequent development plan period (i.e. more than 6 years"). However, contests that the subject site is appropriate to deliver housing within the lifetime of the new LAP.

The use of the 'Strategic Reserve' function by TCC sets out their consideration that the subject lands "could not reasonably be serviced over the course of the plan but is likely to be serviceable in future years, once other lands have been developed". The consideration by TCC is based on the matrix analysis set out in Section 4.0 Maps and SLA Tables of Appendix 1 of the Draft LAP.

In that analysis, whilst the subject site has been assessed by TCC as having essential water and foul sewer infrastructure necessary to accommodate development and is within 15 minute walk

of the town centre, the subject site (map and site reference No. 39) has been recorded as not having or failing to have 'Roads' and 'cycle lane' infrastructure, and has been considered to have failed the 'Compact Growth' criteria.

The findings of this analysis are respectfully, contested by the applicant on the grounds that they do not reflect a fair and reasonable consideration of the lands in the context of 'proper planning and sustainable development' as required. Furthermore, the outcome of the SLA in respect to the subject site appears at significant variance to the analysis by TCC of other lands which also formed part of the Service Land Assessment, but which have been designated 'Tl' in the SLA and zoned for residential use in the draft LAP. For example, reference is made to SLA site references 2, 6, 16, 17, 18 and part of site 40. All of those sites are located further removed from the town centre than the subject lands, and unlike the subject lands, they are all further than 15mins walk from the centre, and also fail the 'Walking Analysis 10-15 'Sustainable Planning Criteria' set out in the SLA matrix.

Those sites when combined, present a substantial amount of land (circa 17 hectares) zoned for residential use, but which are further removed from the town centre than the subject lands. Whilst every site presents different characterises, on balance, the zoning of those other sites, further removed from the town centre than the subject site undermines the very concept of the compact sustainable growth model which the LAP has adopted, when other sites are available and closer to the town centre.

notes also, that the merits of his case as presented in his pre-draft plan submission, were not disputed by the Council and particularly the case presented that the residential use of the site in the new LAP;

- would be consistent with National Planning Framework, National Planning Guidelines in relation to residential density, the Regional Spatial and Economic Strategy, and the Tipperary County Development Plan 2022-2028; and
- that the residential use of the land during the life of the new LAP would contribute
 to compact urban development and settlement growth for Nenagh through use of
 centrally located serviced but underused land with potential to yield circa 600
 units within the 15-minute concept of proximity to services; and that
- the residential use would negate the need to consider outlying land, further removed from the town centre, thus reducing potential sprawl.

As mentioned earlier, Strategic Reserve has been employed in the draft LAP by TCC expressly where it considered land *cannot be reasonable serviced* such that renders them impractical for residential use during the lifetime of the new Local Area Plan (2024-2030). However, there is no evidence to suggest that the subject site cannot be reasonably serviced during the lifetime of the plan.

On appraisal of the TCC report on the submissions made, and the Draft LAP (including the SLA set out in Appendix 1 of the draft plan), it would thus appear that the reason the subject land was not zoned for residential use relates solely to technical matters (identified in the SLA) relating to 'roads', 'footpath' and 'cycle lane' infrastructure.

This submission will demonstrate that the lands can in fact be serviceable during the lifetime of the plan such that will confirm the unnecessary application of 'Strategic Reserve' zoning, but the appropriate 'Residential' zoning to the subject lands.

Matters for Consideration in this Submission.

Compliance with the Development Strategy set out in the Draft LAP

This submission does not seek to re-state the detailed and material arguments already made at pre-draft plan stage. Those are still relevant. Rather, it is imperative in this submission to emphasize that the merits put forward to in the 'Pre-draft submission' to support the case for 'Residential' zoning, are in fact consistent with the "Development Strategy" set out in Section 5.2 of the Draft Plan which states:

"The 'Development Strategy' for the town has established a framework to facilitate compact residential development on lands zoned within the town centre area and areas close to existing services. The Council will also seek to promote compact growth through the re-use and re-development of vacant properties, regeneration and consolidation sites, brownfield and infill sites. In particular, the Council will seek to incentivise the creation of the town centre as a living neighbourhood, encourage and direct new development to the town centre and adjoining areas and support compact growth and the revitalisation of town centre neighbourhoods".

Further to that, the provisions of Section 5.2.1 ('Residential Neighbourhoods') of the Draft Plan refer specifically to defined neighbourhood of 'Limerick Road /Gortlandroe' where the Council states its expectation that a significant proportion of new population growth will occur in this area with a focus on higher density, and that it will seek the consolidation of existing and vacant underuses areas.

Policy 5.2 of the Draft Plan states that it is the policy of the Council to:

"Support new development and growth in the town and within the identified 'Neighbourhoods', in accordance with the principles for each 'Neighbourhood' as set out in Section 5.2.1, ensuring appropriate residential densities on central areas in accordance with the relevant s28 planning guidelines".

The case put forward in the pre-draft submission has demonstrated that the subject lands represents a significant underused plot of land positioned centrally, and in close proximity to the town centre, services and employment, and that the residential use of it, would **facilitate compact growth** through **provision of new residential development centrally** within the town, which would **contribute toward revitalisation of 'town centre neighbourhoods'**.

The provisions of the Draft Plan including the residential 'Development Strategy' and Policy 5.2 referenced above, not only support the case put forward heretofore for Residential use of the subject land, but it indicates the clear and express intention of the Council to facilitate and encourage residential development specifically within this neighbourhood during the lifetime of

the LAP. Residential use of the subject lands as sought by is therefore consistent with Policy 5.2 of the Draft LAP and its residential development strategy. On the other hand, the 'Strategic Reserve' zoning applied to the subject lands in the Draft LAP for the technical reasons set out below, is somewhat at variance and contradictory to that Development Strategy and Policy 5.2 as well as to National, Regional and county policy in the pursuit of a compact sustainable development model.

Redress of Matters set out in the Service Land Assessment - Roads, Footpath, and Cycle Lane

In dealing with the latter two matters first, ('footpath' and 'cycle lane'), there is no rationale to zone the land 'Strategic Reserve' in lieu of 'Residential' use in the Draft LAP on the basis of the supposed absence of 'footpath' and/or 'cycle lane' infrastructure necessary to facilitate that development.

The subject land is not located in an outer lying edge of Nenagh, that is disconnected from the established footpath or cycle lane infrastructure of the town. To the contrary. The subject land, which is centrally positioned within the Town, can avail from existing footpath infrastructure and cycle lanes (where they exist) on surrounding roads and streets which the residential development of the subject land can and would connect to. Any residential development of the subject land would itself be required (as per development management standards) to provide the requisite 'on-site' 'footpath', and where necessary, cycle lane infrastructure. The provision of that on-site infrastructure is provided as part of planning application design. It is not required in advance of that normally, and there is nothing unusual in this instance to warrant the provision of that infrastructure in advance of detailed design, having regard to; its central position; availability of that infrastructure on adjacent lands; and connectivity options with the surrounding area.

'Roads' Access Infrastructure

In relation to 'roads', vehicular access to the subject land, sufficient to accommodate residential use of it during the lifetime of the new LAP, is achievable via a number of potential options.

In this regard, the Council is referred to the appended "Access Assessment Report" prepared by where three different options to the subject land are identified and assessment from; a traffic and roads capacity perspective; and from general connectivity with the town centre. Those potential access options include access; via the adjacent Coille Bheithe Estate; via Castle Oak Cresent Estate; and via Nenagh Type Centre Lands. Using estimated development traffic, the assessment examines the capacity of those access options in combination with existing traffic movements, taking into account; road geometry, estimated traffic flows and junction capacity.

The Access Assessment report reaffirms the original access option set out in the Pre-draft submission via the Coille Bheithe Estate (referred to in the Access Assessment report as 'Access Option A-A') concluding that that existing estate junction with Conlan's Road has sufficient

capacity to cater for the traffic estimated from residential use of the subject lands via that estate.

Access Option B-B (via Castle Oak Cresent Estate) to the north east is also a potential access option onto the L1148 Dark Road given that the Access Assessment Report is satisfied that the road geometry exists to facilitate access into that unfinished housing estate which has recently been taking in charge by Tipperary County Council and which is accessed at the end of the Coille Bheithe Estate. The Council will be mindful that the Castle Oak Cresent estate itself has been zoned for 'Residential' use in the Draft Plan despite the fact that it is situated on a peripheral edge of settlement location further removed than the subject land.

A third option (Option 'C-C' via Nenagh Tyre Centre) is also presented which would require further design configuration at detailed design stage but which still presents a possible solution.

The Access Assessment report concludes that there are access options and, that there would appear no obvious fundamental matters that could not be overcome through detailed design at the next stage of the process. In addition to that, there are also several options to achieve non-vehicular permeability connections between the site and the surrounding urban area including more direct access options than the vehicular access options - which would contribute to less reliance by private car.

The 'Access Assessment Report' which, whilst not normally required, enables a conclusion, through technical engineering analysis, that the use of the subject land for residential use, is not restricted by the availability of 'Roads' infrastructure *per se.* or in the manner suggested in the Service Land Assessment. Taking the Access Assessment report into account, including the absence of any fundamental restrictions in relation to 'footpath' or 'cycle lanes' then it can be concluded that the subject land would incur a 'pass' ("\sqrt{"}") mark across all the infrastructure topics in the Service Land Assessment matric of the Draft Plan in addition to the existing pass marks applied by the Council in respect to other essential services including 'water' and 'foul sewer' and 'public lighting' infrastructure.

In presentation of the 'Access Assessment' report, is mindful that the obvious access solution for the subject lands (that is; Option A-A via the Coille Bheithe Estate) is also being relied upon, and has been deemed acceptable by Tipperary county for the purpose of the residential zoning of adjacent lands, adjoining the northeastern boundary of the subject land. In its assessment of that site (Site ref: "15") for the suitable of residential development, the Service Land Assessment confirms the availability of roads infrastructure. In submits that the same analysis and conclusion is equally applicable to the consideration of the subject lands, otherwise, the differing assessment of roads infrastructure between the two sites in the SLA where there adjoin each other, presents an inconsistent analysis.

Other Matters - Compliance with the Core Strategy

There are no grounds or planning policy set out in the Draft LAP to suggest or to conclude that the residential use of the subject land would not be consistent with the Core Strategy. The residential use of the subject land would be consistent with strategic and national spatial

development objectives in relation to compact sustainable urban growth for the reasons stated heretofore and as set out in the Pre-draft Submission and which references also, the provisions of the Tipperary County Development Plan in respect to its settlement objectives for Nenagh. Those reasons are still valid at this Draft LAP stage.

Now, with the benefit of 'Access Assessment' report, it is respectfully submitted that the subject lands meets all of the 'infrastructural' criteria necessary for it to be designated as 'Tl' in the Service Land Assessment (SLA) by the Council. Moreover, collective consideration of all the SLA criteria including; 'availability of infrastructure' criteria, and the 'Sustainable Planning' criteria would conclude that the subject lands are in fact more appropriate to the 'Tl' determination than some of the further removed sites situated at peripheral locations which have been zoned for 'residential' use mentioned earlier.

The information provided heretofore presents a centrally located, underused land with sufficient infrastructure for it to be zoned for Residential use in the Nenagh LAP.

Whilst the zoning of the subject land at this stage of the LAP process, may in the context of the Core Strategy allocation, necessitate a revaluation of the existing residential land supply provided for in the Draft LAP, it is respectfully submitted that such evaluation is necessary in the context of ensuring that the Nenagh LAP is in compliance with strategic national, regional and county spatial settlement development objectives. The central, accessible and serviceable characteristics of the subject land affords it priority consideration over lands further removed.

Other Matters – Request by Others to De-zone land zoned for 'Residential Use'

Whilst it is not the function of this submission to balance the Core Strategy land allocation for the Draft LAP, is mindful that other submissions made heretofore in respect to the draft LAP have requested other lands zoned 'Residential' in the Draft Plan (understood to relate to Site ref: "10" on the SLA), to be rezoned to 'Strategic Reserve' given the express indication by the owner, not to facilitate residential development of those lands during the lifetime of the LAP. The consequent removal of residential zoning from Site 10 will make available additional Residential land requirement which whilst not essential, could be applied by the Council to the facilitate the rezoning of it.

Summary Observations

The merits of this submission are summarised as follows:

- The zoning of the subject lands for **Strategic Reserve** in the draft plan has no logic or justification given its central position within the town.
- It is the intent of the landowner to make the subject land available for residential development during the lifetime of the new Nenagh Local Area Plan.
- The zoning of the subject land for Strategic Reserve is at variance to the residential development strategy set out in the Draft Nenagh Local Area Plan and Policy 5.2 of the Draft Plan.
- The subject lands represent a significant underused plot of land positioned centrally, and in close proximity to the town centre, services and employment, and that the residential use of it, would facilitate compact growth through provision of new residential development centrally within the town, which would contribute toward the development of 'town centre neighbourhoods' as advocated in the Draft Nenagh LAP.
- Contrary to the Service Land Assessment (SLA) set out in the draft Plan, there are no
 fundamental infrastructure restrictions to the development of this land for
 residential use. The enclosed access report demonstrated access options in the context
 of the capacity of other roads and junctions to accommodate the residential use of the
 subject lands.
- The access options identified and assessed to support the residential zoning of the subject lands are the same access options that have been deemed acceptable by the Council in its zoning of adjacent lands for residential use.
- The residential use of these lands during the lifetime of the Local Area Plan would: be consistent with; National Planning Framework, National Planning Guidelines in relation to residential density, the Regional Spatial and Economic Strategy, and the Tipperary County Development Plan 2022-2028 which direct and dictate that the LAP development framework should seek to achieve inter-alia; compact urban development and settlement growth for Nenagh, increased land supply for housing within the town for circa 664 homes, through infill development of underused land in order to reduce transport and emissions and contribute to the 10-minute concept of proximity to services.

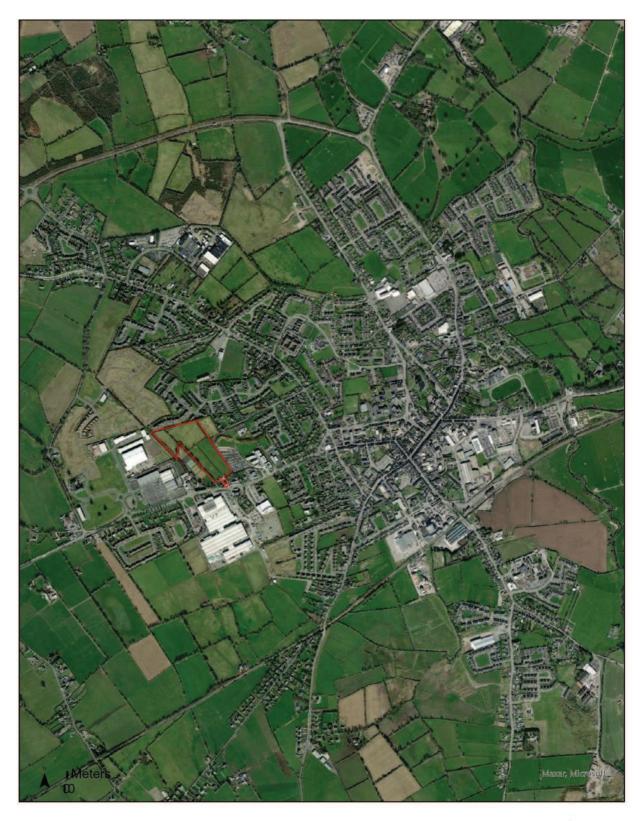
For these material planning considerations, it is respectfully requested that the subject lands are zoned for 'Residential' use in the finalisation of the Nenagh Local Area Plan.

Yours sincerely,



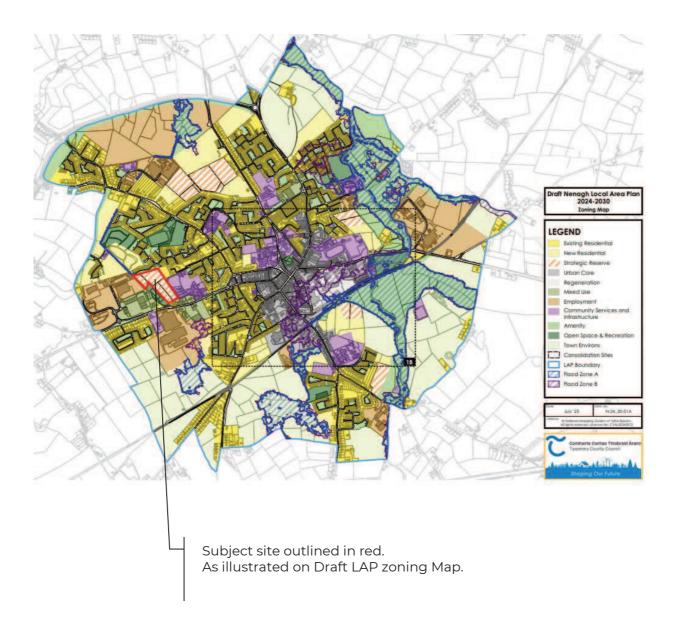
Appended.

Site Location Map and Property Outline Access Assessment Report (
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Undeveloped Lands in the townlands of 'Nenagh North', Nenagh. Co. Tipperary

Access Assessment Report

DOCUMENT CONTROL SHEET

Client						
Project Title	Undeveloped Lands in the townlands of 'Nenagh North', Nenagh. Co. Tipperary					
Document Title	Access Assessment Report					
Document No.	CCE0435Rp001					
This Document	DCS	TOC	Text	List of Tables	List of Figures	No. of Appendices
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1 Access Assessment

1.1 General

This Access Assessment Report was prepared by on behalf of the support a submission to Tipperary County Council on the Nenagh Local Area Plan 2024 – 2030. This submission was prepared by to support and recommends a Residential land use zoning of the subject site, a large undeveloped property situated in the townland of 'Nenagh North', Nenagh. Co. Tipperary.

This report comprises an overall mobility review of the subject site and a feasibility review of several site access options which could potentially serve the development of the site in principle. This report should be read in conjunction with the main submission report by are traffic and transport consultants based in and and and are submission and and are submission.

1.2 Subject Site Location, Local Road Network and Potential Access Options

As shown below, the subject site is ideally located in close proximity to Nenagh town centre (<10mins walk & <4min cycle), local employment, retail and other services and amenities. See Appendix A. With several potential access options available for consideration onto the local road network, the subject site has the potential to reduce the reliance on the private car and encourage more sustainable and alternative modes of transport such as walking, cycling and public transport and improve site accessibility, permeability and connectivity in line with DMURS.

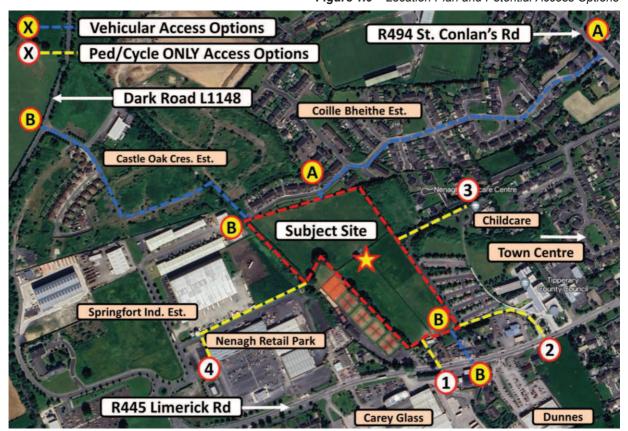


Figure 1.0 – Location Plan and Potential Access Options

1.3 Site Accessibility, Permeability and Connectivity

As shown, the potential development of the subject site as zoned residential lands would allow for critical and essential permeability and connectivity to the R445 Limerick Road (through the subject site), shortening travel distances significantly and allowing the following key surrounding residential areas ease of access to the town centre, local employment areas, amenities and more:

- The Coille Bheithe residential estate (approx. 233 houses & 41 apartments: TBC)
- The unfinished Castle Oaks Crescent estate (Local Authority owned & planned for completion)
 which is slightly isolated in terms of pedestrian/cycle accessibility at present.

1.4 Development Potential (Density, Number of Units and Traffic Flows)

Development of the site at, for example, a modest average of 35 units per hectare, would yield circa 190 units, with a likely split of approx. 80% houses (152no. units) and 20% Apartments (38no.). This would result in the following generation of 'Car' trips only based on TRICS (industry standard) and on local CSO mode of travel data for 'Coille Bheithe' which reveals that 50% use cars for home/work/school trips, 17% walk, 2% cycle, 22% passengers, etc (see Appendix B).

Subject Site: Estimated Peak Car Trips/Traffic	Arrivals	Departures
AM 08:00-09:00	13	37
PM 17:00-18:00	33	19

1.5 Access Options

A feasibility review of the several access options shown in Figure 1 which could provide access for all modes of transport and serve the development of the site if zoned residential. In addition, several additional and separate potential pedestrian/cycle ONLY access options were also reviewed which would complement the main vehicular access options:

- Ped/Cycle Access 1 via an existing field access gate onto the R445
- Ped/Cycle Access 2 via Local Authority lands (car park) onto the R445
- Ped/Cycle Access 3 provide direct access to the Nenagh Childcare Centre
- Ped/Cycle Access 4 provide direct access to the Nenagh Retail Park

1.6 Access Option A-A (via Coille Bheithe Estate)

As shown in Figure 1.0, Access Option A-A via the Coille Bheithe estate and onto the R494 Conlan's Road was examined in terms of access, geometry, facilities, estimated traffic flows and junction capacity. An existing field access is present between the subject site and the rear of the Coille Bheithe estate (adjacent to house no.247) and could be suitable for upgrade to a formal junction to serve the development of the site in addition to the provision of footpaths and more. Existing traffic flows arriving and departing Coille Bheithe shown below were again estimated using the number of units, above trip rates and local CSO modes of transport statistics.

Collie Bheithe Est. Peak Traffic Flows	Arrivals	Departures
AM 08:00-09:00	19	55
PM 17:00-18:00	49	28

The existing Coille Bheithe entrance junction onto R494 Conlan's Rd was observed to operate under capacity with minimal queuing during peak hours and should therefore have sufficient reserve capacity to cater for the above estimated car traffic flows (see above) from the subject site.

1.7 Access Option B-B (via Castle Oak Cresent Estate)

As shown in Figure 1.0, Access Option B-B via the unfinished Castle Oaks Crescent and onto the L1148 Dark Road was also examined in terms of multiple design criteria. It is understood that the Local Authority now own the undeveloped lands ('ghost estate') associated with Castle Oaks Crescent lands which are zoned residential and are planned for completion in the near future (tender process underway).

As shown in Appendix C, potential access from the subject site B-B would first pass through the end of a Cul De Sac (within the Coille Bheithe estate Folio TY40773F) and then into the undeveloped Castle Oaks Crescent lands. The Cul de Sac area provides sufficient width (approx. 20m) to introduce an connecting road at this location with minimal impact on Coille Bheithe.

1.8 Access Option C-C (via Nenagh Tyre Centre Lands)

As shown in Figure 1.0, Access Option C-C via the Nenagh Tyre Centre from the R445 Limerick Road has been agreed in principle with the Tyre Centre landowner and was again examined in terms of multiple design criteria. As shown in Appendix C, the boundary line of the Tyre Centre lands provides a width of approx. 44m of road frontage on the R445 Limerick Road within which a standard 'T' junction to DMURS standards could be introduced to serve the development.

Although it is recognised that the existing traffic flows and turning movements from the 'filling station' opposite would require careful consideration, similar access configuration is common in urban DMURS areas where access junctions are located in close proximity to facilitate development and where vehicles speeds are significantly low due to conditions (~30km/h).

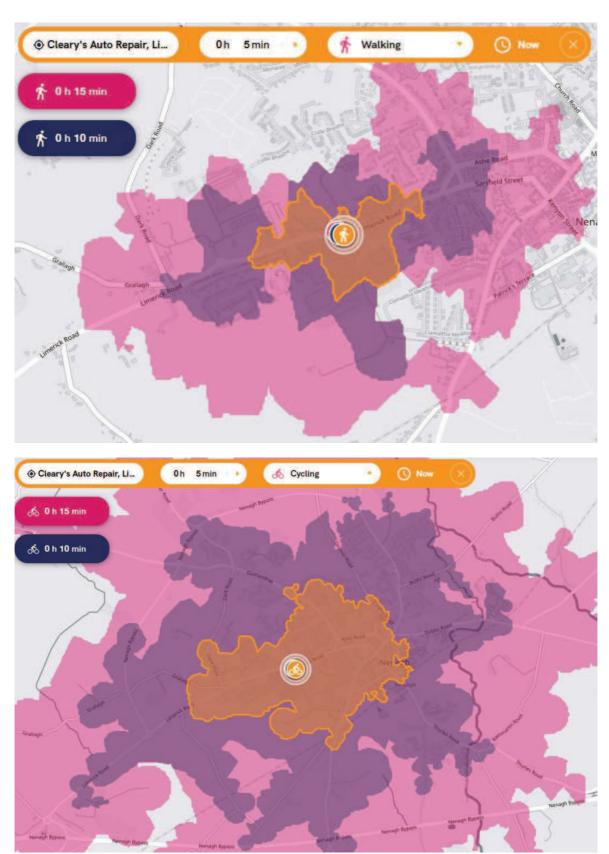
2 Summary and Conclusion

As outlined above, in principle, there would appear to be several potential access options available to serve the development of the subject site, with A-A and/or B-B being the preferable options to serve vehicular traffic. Although each access option would require further assessment in terms of geometric design, traffic impact, road and junction capacity as part of any future planning application process, in conclusion, there would appear to be no obvious fundamental design issues which could not be mitigated or overcome, or which would prevent each access option from being successfully implemented in some manner.

Additionally, the potential development of the subject lands could also be considered beneficial to surrounding existing residential areas by providing essential and critical permeability and accessibility and shorter walking and cycling distances 'through' the subject site to nearby trip generators such as the town centre, local retail, local employment areas, amenities and more.

Appendix A – Walk and Cycle Times

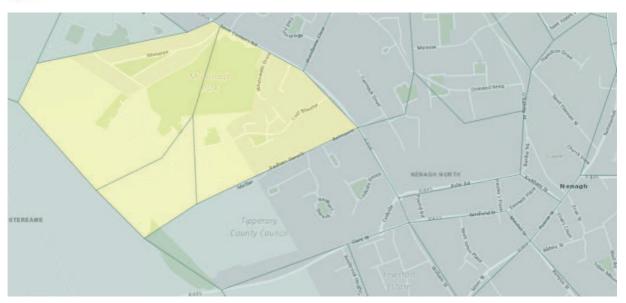
Based on typical walk and cycle times, the figures below shows a isochrones, illustrating how far the average Adult (3.1mph/5km/h) can walk or cycle in 5, 10 and 15 minutes from the site. These fifures clearly illustrate that the site ideally located with <10min walk of the town centre and more.



Appendix B – CSO Mode of Travel Data

The subject site is located in close proximity to existing residential areas and within easy walking and cycling distance of several key attractors and typical vehicle trip generators. The Central Statistics Office (CSO) Census 2016 Small Area Population Statistics (SAPMAP) has been used to gather data for existing population and commuting travel patterns for 'Population aged 5 years and over by means of travel to school, work or college' for 3 Small Areas as shown below which include both the Coille Bheithe and Monaree estates.





Key Statistics for the areas above include:

- Population: 748
- Mode of Travel (approx):

Travel Mode	2016 Mode of Travel to Work/School/College	
	Local CSO Areas	
On foot	16.7%	
Bicycle	2.1%	
Bus, minibus or coach	2.5%	
Car driver	49.4%	
Car passenger	21.8%	
Other (train, van, not stated, etc)	7.5%	
TOTAL	100.0%	

Appendix C – Access Options: Land Ownership Map

