

Minutes of Meeting of Planning & Emergency Services Strategic Policy Committee

on Thursday 9th July 2020 at 2.00p.m. in Thurles Municipal District Council Chamber, Castle Avenue, Thurles.

Present: In the Chair - Cllr. Phyll Bugler
Councillors – Hughie McGrath, Michael O’Meara, Micheál Lowry, Joe Hannigan, John Carroll, Roger Kennedy, Michael Fitzgerald, Ger Darcy, Marie Murphy, Mike Edwards.
John O’Shaughnessy, Patti O’Neill via zoom.

In Attendance: Eamon Lonergan, Acting Director of Services
Brian Beck, Senior Planner
Nuala O’Connell, Senior Executive Planner via zoom
Clare Lee, Executive Planner
Brian Clancy, Administrative Officer

Apologies: Karl Cashen, Director of Services, Dave Carroll, Chief Fire Officer

1. Minutes of last meeting held on 3rd December 2019

The minutes of the last meeting held on 3rd December 2019 were proposed by Cllr. H. McGrath, seconded by Cllr. M. O’Meara and adopted.

2. Update on Planning matters

• RSES (Regional Spatial and Economic Strategy)

Arising from the minutes and replying to a query from Cllr. P. Bugler, Brian Beck advised that while evidence was presented to the Southern Regional Assembly our submission to have Newport and Ballina included in the Limerick Metropolitan Area was voted down at the Regional Assembly meeting where the RSES was adopted. Cllr. H. McGrath stated that the new road proposed for Limerick should be extended as far as Daly’s Cross. In response to a query from Cllr. M. Murphy Brian Beck stated that the Housing Needs Demand Assessment is likely to result in 30% housing being allowed for in Clonmel, Nenagh and Thurles, 10% for the smaller towns including Cahir, Fethard, Templemore etc with the remainder left over for the villages, and that these are conversations we will need to have during the County Development Plan process. As part of the Draft RESES process Tipperary Co. Council Regional Assembly Members proposed that the existing population including Social Housing should not be included and that the relevant figure should relate to future growth, however the narrative text included in the final RSES document was changed. Members expressed concerns that while some policy proposals were outvoted other changes to the text proposed and seconded were not included. Brian Beck stated he would query these textual changes with the Regional Assembly and revert to the Members at the next meeting. The new Tipperary Co. Council representatives on the Assembly are to be informed. Cllr. R. Kennedy stated that when this matter comes back to the full Council

during the County Development Plan process the possibility of taking a Judicial Review can be considered. This issue can be further discussed at the County Development Plan Workshops to be held on 22nd & 23rd July and the September Meeting of the Council.

- **LSMATS (Limerick/Shannon Metropolitan Area Transportation Strategy)**

Brian Beck advised that this is a National Transport Authority (NTA) document prepared in co-operation and consultation with Limerick City & Co. Council and Clare Co. Council. The LSMATS will inform the integration of land use and transportation planning within the Limerick – Shannon Metropolitan Area, and will inform investment in transport infrastructure and services over the short, medium and longer term to promote and encourage sustainable transport use. The Transport Strategy will address all modes of transport including rail, and all public transport. Tipperary Co. Council were not invited to participate, however at a meeting held with the NTA it was proposed and a submission was made by Planning representatives of this Council that provision be included in the Strategy for the N24 upgrade, Limerick Junction rail hub, Limerick/Waterford and Ballybrophy/Limerick mobility hubs and to also include reference to Newport and Ballina Local Area Plans.

- **Cluster Guidelines**

The Design and Best Practice Guidelines for Cluster Housing Schemes in Rural Villages was shortlisted for an Irish Planning Institute Award in 2 Categories – Planning Making and Design. The Guidelines received a ‘Highly Commended’ award at the awards ceremony which took place on 27th February, 2020. Brian Beck complimented Nuala O’Connell on her work on this and noted it is included in the Programme for Government and local authorities can submit applications for seed funding. A Part 8 has been completed for a scheme in Kilsheelan. Land in Boher has been identified and discussions are ongoing with the landowner. In response to a query from Cllr. G. Darcy, Brian Beck stated he was happy to consider broadening the list of recognised villages in the County Development Plan for this purpose if the location had two or more community facilities. The aim is to keep the local school, shop, pub etc open and cluster developments would be encouraged on land adjoining villages. Where the Council was developing clusters, the Council would put in the roads and services and Outline Permission could be sought for half acre sites with septic tank, there would be no local need or occupancy clause requirement. Cllr. H. McGrath stated that backland development should be incentivised in suitable locations in town centres and Cllr. M. Fitzgerald stated the same should apply to a family plot in the countryside. In response to queries from Cllr. J. Hannigan and Cllr. G. Darcy it was clarified that the Record of Protected Structures (RPS) will be reviewed as part of the County Development Plan process and work has begun on this.

3. **National Policy and Legislation update**

Nuala O’Connell, Senior Executive Planner gave a presentation via zoom on National Policy and recent legislation. The principal points were as follows:

Ministerial Guidelines

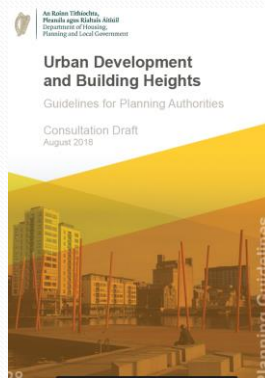
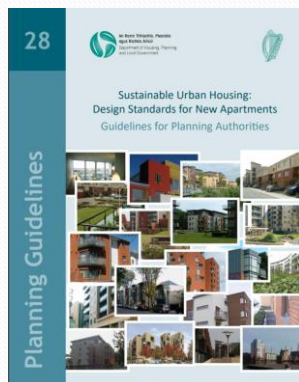
- Issued by the Minister under Section 28 of the Planning and Development Act (as amended)
- Planning Authorities/An Bord Pleanála **must** have regard to them
- Where **Specific Planning Policy Requirements** (SPPR) are identified –Planning Authorities/An Bord Pleanála must comply

Ministerial Guidelines (approx. 50)

- Development Plan Guidelines June 2007
- Architectural Heritage Protection
- Architectural Heritage Protection for places of worship
- Sustainable Residential Development in Urban Areas, Dec '08
- Best Practice Urban Design Manual Dec '08 (Part 1 & 2)
- Childcare Facilities guidelines
- Design Standards for new apartments
- Development Contribution Scheme for Planning Authorities
- Development Management guidelines- June 2007
- Provision of Schools & the Planning system
- Quarries & Ancillary Activities
- Retail Planning Guidelines
- Strategic Environmental Assessment (SEA)
- Sustainable Rural Housing
- Telecommunications Antennae and Support Structures
- Wind Energy Development
- The Planning system and Flood Risk Management- Consultation Draft Guidelines
- Rural Housing policies and local need criteria in Development Plans- Circular letter
- Appropriate Assessment- Circular letter
- Landscape and Landscape assessment

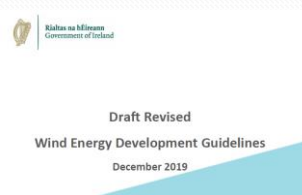
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Recent & Expected Guidelines



Due in 2020.....

Development Plans



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Draft Wind Energy Guidelines

- Wind Energy Guidelines 2006
- Circular December 2013
- Draft December 2019
 - Public Consultation Dec-Feb 2020



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Wind Energy Guidelines: Key Points

- Incorporation of EU & National Policy
- Environment and Land Use Assessment
 - Sieve Analysis

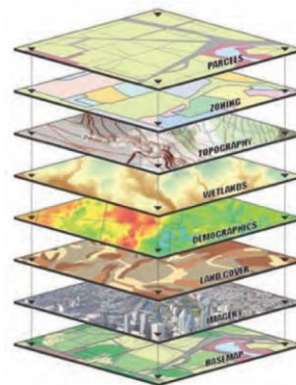


Figure 6.1: Example of Geographical Infrastructure System Model for Wind Policy

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Planning Regulator



Established in April 2019

Implementation of key recommendation of Mahon Tribunal to strengthen independent oversight of the planning process through:

- (1) Assessment of statutory plans of local government system for fit with statutory (Government/EU) policy and legislative requirements;
- (2) Reviews and examinations of local authority and Bord Pleanála systems and procedures in the delivery of planning services to the public; and
- (3) Building knowledge and information base in planning through training for LA members and staff, public information, research.

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Wind Energy Guidelines: Key points

- A setback distance for visual amenity purposes of **4 times the tip height** is to be applied between a wind turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development, subject to a **mandatory minimum setback of 500 metres**.
- The draft guidelines **propose a noise limit, referred to as a *Relative Rated Noise Limit (RRNL) in the range of 35 – 43 dB(A)***, while not exceeding the background noise level by more than 5dB(A) with an upper limit of 43 dB(A). Noise to be monitored and reported on.
- The new Guidelines encourage the implementation of a standardised operational period of 30 years for wind energy across the Country.
- Community Consultation & Community Investment Scheme

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In reply to a query from Cllr. M. Fitzgerald, Nuala O'Connell advised that there are no National Guidelines regarding solar energy but Tipperary Co. Council have made a submission that these should be considered as part of the Renewable Energy Strategy. Replying to Cllr. P. Bugler, Nuala agreed that solar panels on agricultural buildings should be encouraged.

In the discussion on the role of the Planning Regulator Cllr. J. Hannigan was advised that in the event that a planning permission which is granted by Tipperary Co. Council and subsequently refused by An Bord Pleanála on appeal the only alternatives for the applicant are to pursue a Judicial Review in the High Court or seek an alternative site.

4. County Development Plan

Clare Lee gave a presentation on the County Development Plan process and replied to queries raised. The principal points were as follows:

- What is a County Development Plan?
- The current county planning framework
- Why prepare a new Plan now?
- What will be different?
- Why is it important?
- What about Town Development plans?
- 2028 - Planning and adapting for change?
- Sustainable development

What is a County Development Plan?

- The County Development Plan ‘the Plan’ is a suite of documents that will guide the future management and sustainable development of the County.
- Both public and private sector investment will be guided by the Plan.
- The Plan includes a written statement, appendices, maps and graphics.
- Supported by extensive research, studies and the input of stakeholders and the general public.
- The Plan has a six year lifespan 2022 – 2028.

What will the County Development Plan address?

- The location of future population growth,
- Provision of Housing;
- Improving the qualities of towns and rural areas;
- Education and lifelong learning;
- Creating and sustaining quality jobs;
- Supporting rural development;
- Identifying priorities for infrastructure investment, including educational, healthcare, social, community, sporting and cultural facilities;
- Preserving and protecting the environment, its amenities and landscape qualities;
- Transportation, water services, energy and communications networks, and waste management facilities;
- Address climate change;
- Promoting sustainable settlement and transportation strategies in urban and rural areas,
- Enhancing economic performance

The current county planning framework

- As Tipperary was previously two counties, two plans were required.
- Now, the proposed new Plan will replace the existing two plans with a single Plan for the entire county.
- Existing Plans may be viewed at www.tipperarycoco.ie.
- Plans are in place for the former areas of both North and South Tipperary:
 - The North Tipperary County Development Plan 2010,
 - The South Tipperary County Development Plan 2009.
- A complete review of the current Plans was carried out in 2015 by way of variations to these Plans.

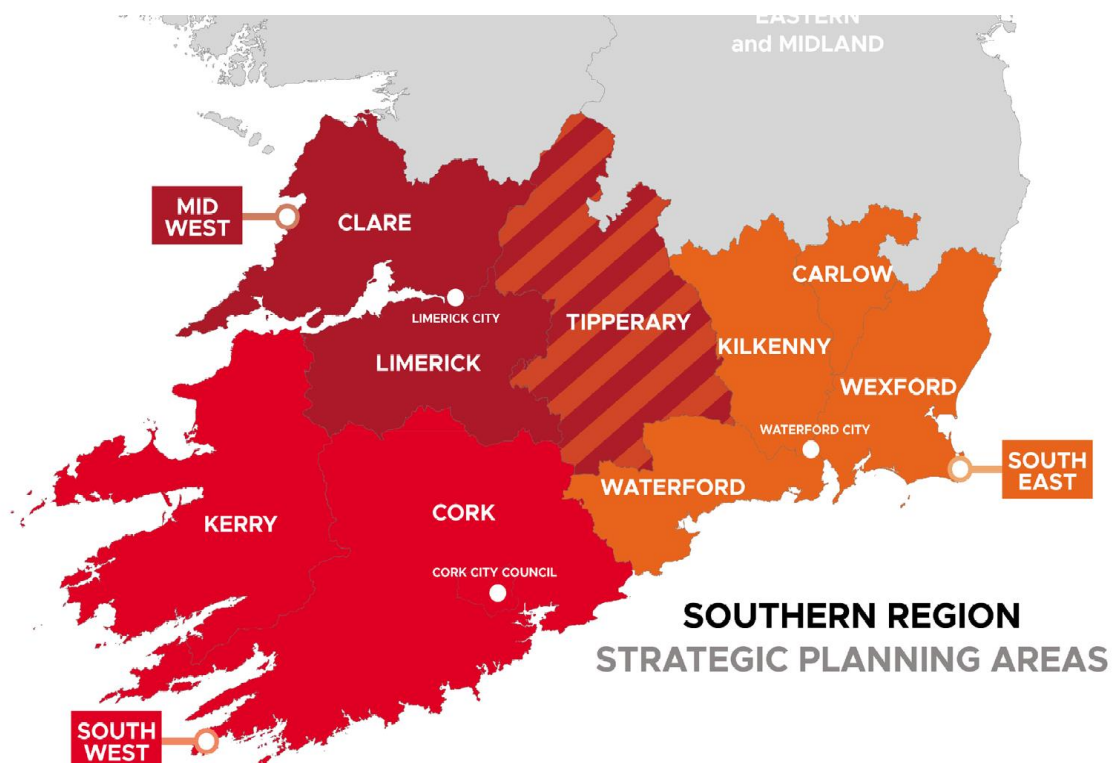
- This ensured that there has been consistency in the planning frameworks for the county since the amalgamation in 2014.
- **Why prepare a new plan now?**
- The Planning and Development Act requires the Council to commence the preparation of the Plan within 6 months of the making of the Regional Spatial and Economic Strategy (RSES).
- The RSES for the Southern Region came into effect on 31st January 2020.
- Covid 19 extension orders have lengthened the process by 8 weeks.
- Therefore the two year plan-preparation process will formerly commence on 18th September 2020.

New Plans across the Country

- Regional Spatial and Economic Strategies have been prepared for all three regions in Ireland.

This means that all City and County Plans are now in/beginning the process of review

Counties in the Southern Region



What will be different?

- A new National Planning Framework (NPF) and National Development Plan (NDP) - 'Project Ireland 2040'.
- Tipperary is now part of the Southern Region with a new RSES dated 2020.

- New legislation and national guidance, in particular a move towards a low-carbon society and economy.

Planning Framework and the Plan



What about Town Development Plans?

- The Plan will set out a settlement strategy, and detailed policies and objectives for Towns and Villages.
- The current Town Development Plans will be replaced by Local Area Plans (LAPs), these will set out local polices and objectives relevant to each town.
- Therefore, in due course, LAPs will be prepared for Clonmel, Nenagh, Thurles, Carrick on Suir, Tipperary, Cashel, Templemore, Roscrea and Cahir.
- LAPs will be prepared after the County Development Plan is made and will support its vision and objectives

Why is the Plan important?

- As the first Tipperary County Development Plan, the Plan will consider the entire county and its wide range of natural and man-made assets and features.
- It will be a blue-print for social and economic development, inwards investment, environmental protection and better linkages/synergies with the greater region.
- An opportunity for citizens and ourselves to actively shape the future of the County.
- Will be consistent with a regional strategy and vision and with adjoining County Development Plans.

2028 Planning and adapting for change

- In this Plan-making process we must plan for and consider long-term change.
- What will Ireland and Tipperary be like in 2028 when this Plan will still be in place?

- What will Ireland be like in 2050?
- How will our needs change and how will we adapt in the face of global change in areas beyond our control?
- Economic uncertainties – Brexit, Covid-19
- A rapidly changing climate,
- Uncertainty in terms of energy supplies i.e. Oil, Gas
- A low-carbon society and economy,
- Older population with increasing age dependency,
- Changing role of Towns and Villages,
- Global conflict and changes in population movement,
- Changing agricultural and tourism economies,
- Adapting to a multi-cultural society,
- Protection of the environment and sustainable development etc.

Ireland is a signatory to the United Nations Sustainable Goals which gave national agendas and policies to 2030

There is significant alignment between the UN SDGs and the National Planning Framework's National Strategic Outcomes (NSOs) in areas such as climate action, clean energy, sustainable cities and communities, economic growth, reduced inequalities and innovation and infrastructure, as well as education and health.

Cllr. M. Murphy requested that the County Development Plan be written in understandable format using N.A.L.A, (National Adult Literacy Agency) standard. In relation to consultation with the Fire Services in reply to Mike Edwards, Clare Lee advised that any interested party can make a submission during the public consultation phases in the County Development Plan process.

5. Dates/venue of future meetings

It was agreed to hold the next meeting to be held in September, the date will be decided in consultation with the Chair of the SPC.

This concluded the business of the Meeting.