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Ministers' Foreword

Planning is fundamentally about people and places, about the communities we live in and their futures. In planning for all our futures we have to consider the whole country, its physical infrastructure and our social and economic aspirations, while also striving to meet and address local issues and needs through the alignment of local area planning with city and country development plans, regional planning guidelines and national planning objectives. Accordingly, these Guidelines have been developed in recognition of the importance of good planning practices for local communities, their place in the wider planning context, and of the importance of those communities' involvement in the planning process.

Undoubtedly, Ireland has seen significant changes over the past decade, some positive and some less so. The recent and significant slow down in development activity offers us an important opportunity to review and renew our approach to the planning and development of our communities. A key element of this process of review and renewal, and the process also of responding to the findings of the Mahon Tribunal, is the return to focusing on settlements and place, rather than just development. In this, it is critical that the planning system takes a holistic approach which considers the needs – current and future - of the community when preparing a local area plan. We need to consolidate the development of our cities, towns and villages rather than simply expanding them for expansion sake. We need to plan for communities, not for profit. And we need to ensure that sustainability is at the heart of all our decisions as we strive to build communities, where people want to live, work and enjoy a good quality of life, now and into the future.

The publication of these Guidelines is particularly timely, as city and county development plans have been revising their development plans to include core strategies. Planning authorities are now required to assess the consistency of existing local area plans with the core strategies and to review them where necessary, with a view to aligning local planning with strategic city and county development objectives. We believe that this holistic approach will lead to a better and more coherent approach to planning across the country. The core strategy approach provides a much improved evidence base for preparing local area plans while co-ordinating planning between different local area plans.

At the heart of these guidelines is a recognition that effective consultation and consensus building is critical for the development of successful local area plans, and in that context, we wish to thank the members of the public and the various stakeholders who have made valuable contributions through well considered submissions which have been carefully considered in finalising these Guidelines. It is our wish, desire and belief that the next generation of local area plans will be greatly enhanced, and by extension the lives of people living in these communities, by the principles underpinning these Guidelines. The contribution of the Department of Arts, Heritage and the Gaeltacht to the preparation of these Guidelines, and the accompanying non-statutory best practice manual, is also noted and appreciated.



Phil Hogan

Mr. Phil Hogan T.D.
Minister for the Environment,
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Jan O'Sullivan

Ms Jan O'Sullivan, T.D.
Minister of State for
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1

Introduction

Introduction

Key Messages

- These guidelines disseminate best practice on local area plans.
- Local area plans are intended to provide more detailed planning policies for areas that are expected to experience significant development and change, through proper public participation and democratic oversight.
- Local area plans must focus on delivering quality outcomes for local communities informed by effective participation by those communities in preparing the local plan and the wider planning policy context.
- Local area plans are also important policy instruments in securing rejuvenation of city and town centres and protection of environmental qualities, including biodiversity.
- The local area plan must identify the mechanisms that will secure the implementation of the necessary physical, social and environmental infrastructure required to achieve the objectives of the plan.

1.1 Role and Purpose of Local Area Plans

The Planning and Development Act 2000-2012, (hereafter referred to as ‘the Act’) introduced a more plan-led system aimed at ensuring proper planning and sustainable development of land through a hierarchy of inter-related and complementary plans and policies at national, regional and local levels.

The 2000 Act introduced, inter alia, the concept of local area plans within the framework of higher-level plans (such as Regional Planning Guidelines and City and County Development Plans) local area plans provide more detailed planning policies for areas where significant development and change is anticipated, without having to prepare very detailed local planning policies and objectives for many specific areas within city and county development plans.

Within the context of proposed reforms of local government under the “Putting People First - Action Programme for Effective Local Government” document in relation to the establishment of new Municipal Districts, the local area plan process is particularly adaptable to planning at local level for either urban areas or wider urban and rural areas. Statutory local area plans provide for proper consultation with the public and statutory consultees, and are subject to approval by elected members and together with the Development Plan, establish a key element of the policy context for making decisions on planning applications and appeals. Beyond statutory plans, documents such as village design statements, environmental improvement plans or individual site development briefs may be drawn up, as long as they are consistent with the parameters laid down by statutory plans, to guide specific development proposals.

The Act and subsequent amendments in 2002 led to a rapid increase in the number of local area plans and in the levels of land zoned for development within such plans. This made co-ordination of development with the provision of necessary public infrastructure and implementation of strategic planning policies such as the National Spatial Strategy and Regional Planning Guidelines more difficult. Accordingly, the Planning and Development (Amendment) Act 2010 introduced important new legal



obligations on planning authorities to ensure that both existing and future local area plans comply with new core strategies which have been incorporated into city and county development plans.

These new core strategies establish an evidential base for the zoning of land at national, regional and local levels through quantification of need and requirements for alignment of the quantity of land to be zoned for development, especially for residential purposes, between plans at national, regional and local levels.

More than 350 local area plans have been adopted in Ireland across a wide range of planning contexts but mainly for:

- individual towns and villages;
- parts of cities and towns, where, for example, significant regeneration is anticipated; and
- urban extension projects for newly developing areas.

The flexibility of the legal provisions for local area plans enables different spatial contexts to be responded to by the different types of local area plans, including those types mentioned above, in setting more localised policy contexts for individual planning decisions.

Local area plans are also important policy instruments by which local authorities can promote economic renewal, as in the case of regenerating city and town centres and ensuring protection of environmental qualities, including bio-diversity.

1.2 Aims of the Guidelines

The aims of these guidelines are to:

- **highlight best practice** and improve the quality of local area plans, especially in relation to their content and consistency with higher-level plans, thereby improving the quality, consistency, effectiveness and efficiency of decision making on planning applications and the quality of development in general;
- **improve community and institutional participation** in the process of preparing or amending local area plans; and thereby
- **enhance the co-ordination and provision of essential public infrastructure** within the planning process.

These guidelines are relevant to both the executive of planning authorities who are responsible for preparing local area plans and the elected members of the planning authority who are responsible for decisions on the content of local area plans¹.

In particular, these planning guidelines outline advice on:

- the mandatory and discretionary content of local area plans;
- the role of local area plans within the hierarchy of planning frameworks;
- requirements for local area plan compliance with specific EU Directives such as Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) under the Habitats Directive;
- consultation procedures; and
- implementation.

¹ Section 20(3)(d) of the 2000 Planning and Development Act, as amended by Section 9 of the Planning and Development (Amendment) Act 2002 and Sections 19 and 20 of the Planning and Development (Amendment) Act 2010.



1.3 Status of the Guidelines

The Minister for the Environment, Community and Local Government has issued these Guidelines under section 28 of the Planning and Development Act 2000-2012. Planning authorities and An Bord Pleanála are required to have regard to the guidelines in the performance of their functions under the Planning Acts.

These Guidelines are accompanied by a non-statutory best practice manual, which may be updated and/or augmented reflecting innovations in local area plans over time.





2

Local Area Plans: Legislative and Policy Requirements

Local Area Plans: Legislative and Policy Requirements

Key Messages

- 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.
- A local area plan must be consistent with relevant planning guidelines issued by the Minister for the Environment, Community and Local Government under Section 28 of the Planning and Development Act 2000-2012.
- Working within the wider planning policy and legislative context, local area plans must also respond to and address the needs of local communities, as identified through public participation processes.
- Local area plans will also require, as a minimum, screening for both Strategic Environmental Assessment in accordance with the EU Strategic Environmental Assessment Directive and Appropriate Assessment in accordance with the EU Habitats and Birds Directives.

2.1 General

This chapter summarises some of the key legislative and policy requirements that local area plans must address.

Obligation to Make a Local Area Plan

A planning authority may prepare a local area plan for any particular part of its functional area.

Section 19 of the Act provides that a local area plan may be prepared in respect of any area, including a Gaeltacht area, or an existing suburb of an urban area as well as areas in need of renewal or areas likely to be subject to large-scale development. It is intended that, in line with the proposed reforms of local government referred to earlier in these guidelines, planning authorities will avail of the local area plan process to outline more specific planning policies at the local level.

It is mandatory for a planning authority to make a local area plan in respect of an area which:

1. is designated as a town in the most recent census of population;
2. has a population in excess of 5,000; and
3. is situated in the functional area of a planning authority which is a county council.

A planning authority must also indicate land use zoning objectives for any town or village within its functional area where the population of that town or village is between 1,500 and 5,000 persons and in indicating the objectives above, the planning authority has the option of either preparing a local area plan or, alternatively, indicating such objectives in the development plan.



The decision as to whether to prepare a local area plan in a sub-threshold context or include specific objectives in a development plan is a matter for the planning authority. However, such a decision would normally take on board criteria such as the degree to which major development is anticipated such as to justify the preparation of a standalone local area plan, the resource implications and the need to focus resources in using the local area plan process for areas where major alterations to the built environment are anticipated.

Some non-statutory studies or frameworks are prepared by local authorities to give guidance on specific development proposals working within the relevant development plan or local area plan parameters. As long as such documents work within defined policy and objective parameters of the relevant plan and do not set new policies or objectives outside the statutory process for defining such content, their usage is both appropriate and complementary to the preparation of statutory local area plans.

Planning authorities may also make plans in co-operation with adjoining authorities², in order to provide for the integrated planning of settlements and their hinterlands.

Lifespan of Local Area Plans


Section 19 of the Act provides that subject to the requirements below, a planning authority must commence a review of a local area plan six years after the making of the previous local area plan. However, this review interval can be deferred where:

- not more than five years after the making of the previous local area plan, the planning authority by resolution defers commencing the review process for a further period not exceeding five years; and
- in considering this resolution, the planning authority has sought and obtained the Manager's opinion that the local area plan remains consistent with the objectives and core strategy of the development plan and that the objectives of the development plan remain to be secured.

Essentially, the mechanism above enables a planning authority to defer the review of a local area plan where the objectives of that plan remain valid and consistent with a core strategy (for example, in the case of a plan for the regeneration of central urban areas) but development has not proceeded because of significant factors, such as an economic downturn.

However, this deferral mechanism cannot be used to prolong the lifespan of a local area plan that is inconsistent with the core strategy of the development plan, e.g. if the level of development land zoned in that local area plan is inconsistent with the requirements of the core strategy as provided for below.

² Section 18(2) of the Planning and Development Act 2000-2012.



Section 19(2) of the Act requires local area plans to be consistent with the objectives of the development plan, its core strategy, and regional planning guidelines.

Furthermore, Section 19(2B) of the Act requires a review of a local area plan where a plan is no longer consistent with a development plan within one year following the making of the development plan. Given the introduction of core strategies mentioned elsewhere in these guidelines, it is likely that this provision will require the review of most, if not all, local area plans.

Preparation of Local Area Plan's Adjoining Other Plan Areas

Many urban areas transcend the boundaries of different planning authority areas. Notwithstanding this fact, the aims of the planning process should be to deliver seamless and consistent policies and planning services across those boundaries.

Recent efforts to prepare and adopt unitary plans for urban areas encompassing both statutory development plans and local area plans have been challenging to carry out, despite strong political and administrative agreement on the need for such a co-ordinated approach by virtue of linking the varying legislative requirements and timelines for preparation of development plans and local area plans.

Under the local government reform proposals encompassed in "Putting People First", development plans will be prepared for city and county councils only with local area plans for all other urban areas. Such proposals would considerably simplify the co-ordination of plan preparation across administrative areas. Furthermore, the Minister can direct local authorities to prepare joint plans. However, a bottom-up approach is a more desirable from a number of perspectives. In this regard, the various Regional Planning Guidelines have identified a number of key towns straddling county boundaries where the preparation of unitary plans is a key objective.


Accordingly it is anticipated that additional joint or unitary local area plans will emerge in the future, developed on a collaborative basis between the relevant local authorities at both administrative and political levels. Such a collaborative basis demands effective project management and co-ordination of the reserved powers of each Council in adopting its component of the overall plan.

2.2 General Content

Section 19(2) of the Act also sets out that a local area plan shall consist of a written statement and a map or maps indicating objectives. These objectives may include:

- zoning objectives; and
- such other objectives and in such detail as may be determined by the planning authority, including objectives for phased development, community facilities and amenities and on standards for design of development.

The provisions of the legislation, therefore, afford a high degree of discretion to planning authorities as to their content in respect of development objectives. That said, many planning authorities build their local area plan objectives around the templates provided by the mandatory and discretionary objectives outlined elsewhere in the



Planning Act for development plans. Such practice is appropriate but does not preclude the consideration of other development objectives as well.

Consistency with Environmental Obligations

Local area plans must be fully compliant with the Strategic Environmental Assessment and Habitats Appropriate Assessment requirements of the relevant EU Directives. In the case of the Habitats Directive, Section 19(5) of the Act now requires that an Appropriate Assessment of a draft local area plan is carried out in accordance with Part XAB of the Act. This provides for appropriate steps to be taken sequentially to ensure that plans are subject to screening and, if required, Appropriate Assessment, so that no plan, alone or in combination with other plans or projects, is adopted if there is potential for adverse effects on the integrity of a European site, except in certain exceptional circumstances where the requirements of Article 6(4) of the Habitats Directives can be met.

The Department has already published Planning Guidelines on the SEA process and best practice guidance on the AA process (see Section 2.3 below).

Consultation and Adoption of the Local Area Plan

Section 18(6) of the Act provided a mechanism for collaborative development of a local area plan in partnership with broadly based community interests. Planning authorities should note that this provision was introduced to facilitate good community engagement rather than the preparation of local area plans, directly or indirectly by local developer interests and such latter arrangements are inappropriate as the community interests are paramount.

Section 20(1) of the Act requires planning authorities to take whatever steps they consider necessary to consult with the Minister for the Environment, Community and Local Government and the public in preparing, amending or revoking a local area plan, including consultations with:

- local residents and community groups;
- public sector agencies;
- non-governmental agencies; and
- commercial and business interests within the area.

The accompanying best practice manual outlines some good examples in relation to innovative and participative approaches to local area planning. The level of consultation should be appropriate to the nature and scope of the local area plan being prepared.

Under Section 20(2) of the Act, a planning authority must consult with Údarás na Gaeltachta before making, amending or revoking a local area plan for an area which includes a Gaeltacht area.



2.3 Local Area Plans and Implementation of Other Planning Guidelines

Many of the planning guidelines issued by the Minister under Section 28 of the Act are particularly relevant to the preparation and implementation of local area plans.

The Appendix contains a summary of the key provisions of other planning guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000-2012 that are also of relevance to the preparation of local area plans.

2.4 Local Area Plans and Higher-Level Plans and Strategies

Local area plans must play a key role in achieving the objectives contained in higher-level plans and strategies such as:

- the National Spatial Strategy (NSS);
- Regional Planning Guidelines (RPGs);
- City and County Development Plans; and
- General Government Policy.

To comply with the requirements of the legislation therefore, the local area plan must be fundamentally guided and shaped by:

- any specific aims and objectives for the area of the local area plan in the relevant Regional Planning Guidelines;
- more specific objectives for the area of the local area plan identified within the core strategy of the relevant City or County Development Plan, including population targets and quantities of land required for residential or other purposes within such core strategy; and
- the capacity of existing essential social (schools, community facilities) and physical (transport, water services, communications) infrastructure, including the realistic prospects for addressing capacity constraints.

Core Strategies

It is essential requirement that local area plans are consistent with the core strategies of the relevant development plan.

An essential element of consistency is that the quantum and type of development envisaged under a local area plan is in line with the core strategy of the relevant development plan, especially anticipated future levels of population, requirements for different categories of land for future development, particularly so in relation to residential development.

In addition, development plans will, reflecting the NSS and RPGs, set out a settlement strategy for the functional area of the planning authority concerned, including the role, function and future scale of various cities or towns and villages. Such settlement strategies are an essential part of core strategies. Local area plans must also be set firmly within these settlement parameters to ensure consistency and co-ordination.

Every local area plan must therefore contain a statement that clearly places the area in question within the settlement structure as established by the relevant development plan.



This statement should outline the planning authority's aims and policies in relation to the local area plan in terms of:

- function;
- scale and population;
- future development priorities; and
- how environmental and heritage protection factors have influenced the approach.

The statement should be supported by a simple, clear and diagrammatic concept map that illustrates the relationships between the local area plan and the wider spatial context of the development plan.

The accompanying best practice guidance document outlines some useful examples in this regard.



3

Process for Preparing Local Area Plans

Process for Preparing Local Area Plans

Key Messages

- Planning authorities should allow sufficient time (ideally, up to one year), prior to the commencement of the statutory timeframe for preparing local area plans, to enable assembly of the key data and information necessary to facilitate the process.
- The detailed stages of plan preparation outlined in planning legislation should be closely observed.
- Planning authorities should pay close attention to integrating environmental and heritage considerations, including the requirements of relevant EU Directives, especially the Birds and Habitats Directives, into the process of preparing local area plans.
- It is recommended that planning authorities appoint a senior officer to project manage the initiation and delivery of each local area plan through its various stages.

3.1 Key Phases

There are two key phases in the process of making a local area plan:

- A non-statutory **background data gathering process**, where data and information (evidence) essential to preparing the local area plan is assembled including information on population, employment, economic development, physical and social infrastructure, heritage, flood risk assessment etc.; and
- The **statutory process** – as set out in the legislation with its various elements of statutory notices, issues papers, draft, amended draft and final documents.

Although there may be some degree of overlap between the processes above, a key message of this document is that planning authorities should allow sufficient time prior to the statutory processes to gather and evaluate the essential background information.

In addition, effective community involvement in gathering such data can help planning authorities minimise the administrative burden involved.

3.2 Preparing for the Local Area Plan Review Process

Although there is no statutory period for the background data gathering phase of the local area plan, good practice experience suggests that local authorities should set aside sufficient time before the statutory process commences to gather background data. The time required will vary between plans depending on their complexity but in the case of more complex local area plans, it would be prudent that preparations commence at least one year from the date the planning authority intends to put a draft local area plan on display.

Timely Consultation with Community and Key Stakeholder Interests

Planning authorities should also use the pre-draft stage of the plan preparation process to build consensus around the core aims of the plan using the legislative mechanisms particularly those under Sections 18(6) and 20(1) and where appropriate 20(2) of the Act.

Meaningful engagement with the public and as many as possible stakeholder bodies on the critical issues to be addressed in the plan should be explored by the time the first formal draft of the plan is prepared. Consultation is dealt with in more detail in Section 4 of these Guidelines.


A 12-month period is also advisable to enable planning authorities to pre-consult with all statutory agencies and bodies and to secure, to the maximum extent possible, a shared understanding in relation to the provision of the relevant infrastructure.

The Statutory Process

The statutory local area plan process takes a minimum of approximately 18 weeks to complete, from the date on which the draft plan is placed on public display up to a maximum of 35 weeks allowing for amendments to a draft local area plan. The key milestones of the local area plan making process from the Act are summarised below.

- 1. Serving of the initial public notice** under Section 20(3)(a)(i) that the planning authority intends to make, amend or revoke a local area plan to statutory consultees and the wider public and stating that the copy of the draft local area plan may be inspected for a period not less than 6 weeks;
- 2. The Manager's report** under Section 20(3)(c)(i) to the members on the list of submissions³, their broad content and appropriate recommendations within 12 weeks of the notice above; then following consideration of the report either:
- 3. The making, amending or revoking of the draft local area plan in accordance with the recommendations of the Manager** (in which case the plan is deemed to have been made/amended/revoked 6 weeks after the furnishing of the managers report); or
- 4. The making, amending or revoking of the plan otherwise than as recommended by the Manager; or not making, amending or revoking the plan.**
- 5. Following consideration of the Manager's report, the members may decide to alter a draft local area plan.** If so, the planning authority has 3 weeks to publish notice of such alteration and any determinations under relevant EU Directives, subject to the manager considering within 2 weeks of the members resolution whether the 3-week period above may need to be extended to facilitate consideration of any requirements arising from the alteration in relation to Strategic Environmental Assessment and Appropriate Assessment. However, it is important to note that the local area plan cannot proceed where an Appropriate Assessment carried out under Article 6 of the Habitats Directive finds that there is the potential for a significant adverse impact on the integrity of a Natura 2000 site, or there is reasonable doubt about the potential for such an impact.

³ In the case of a planning authority within the Greater Dublin Area, the report must summarise any issues raised by the National Transport Authority and outline appropriate recommendations.

- 
6. **Public display of the proposed materially-altered draft local area plan** then follows for a period of not less than 4 weeks.
 7. A **second Manager's report** is then prepared, within 8 weeks of the date of publication of the proposed amended draft local area plan on any submissions received over the display period of those proposed amendments, which report must list the submissions made, summarise the issues raised and make appropriate recommendations;
 8. **The making/amending of the materially-altered draft local area plan** with all, some, or none of the material amendments published must then be considered by the members within 6 weeks of the submission of the Manager's report to the members, subject to the provision under Section 20(3)(o) that where the planning authority decides to make or amend the local area plan or change a material alteration, then;
 9. In **finalising the materially-altered draft local area plan**, not less than half of the members of the planning authority must pass the relevant resolution and any further modification to a material amendment can only be for a minor issue and not one that would:
 - have significant effects on the environment;
 - adversely affect the integrity of a European site;
 - increase the area zoned for any particular purpose; and
 - add to or delete from the record of protected structures.

In performing all of the functions above, the members of the planning authority are restricted to considering the proper planning and sustainable development of the area, statutory obligations and any relevant policies or objectives of the Government or of any Minister.

A local area plan then has effect 4 weeks from a decision under (9) above and planning authorities must send a copy of the local area plan as made to statutory consultees.

Figure 1 summarises the key stages and timelines in preparing a local area plan.

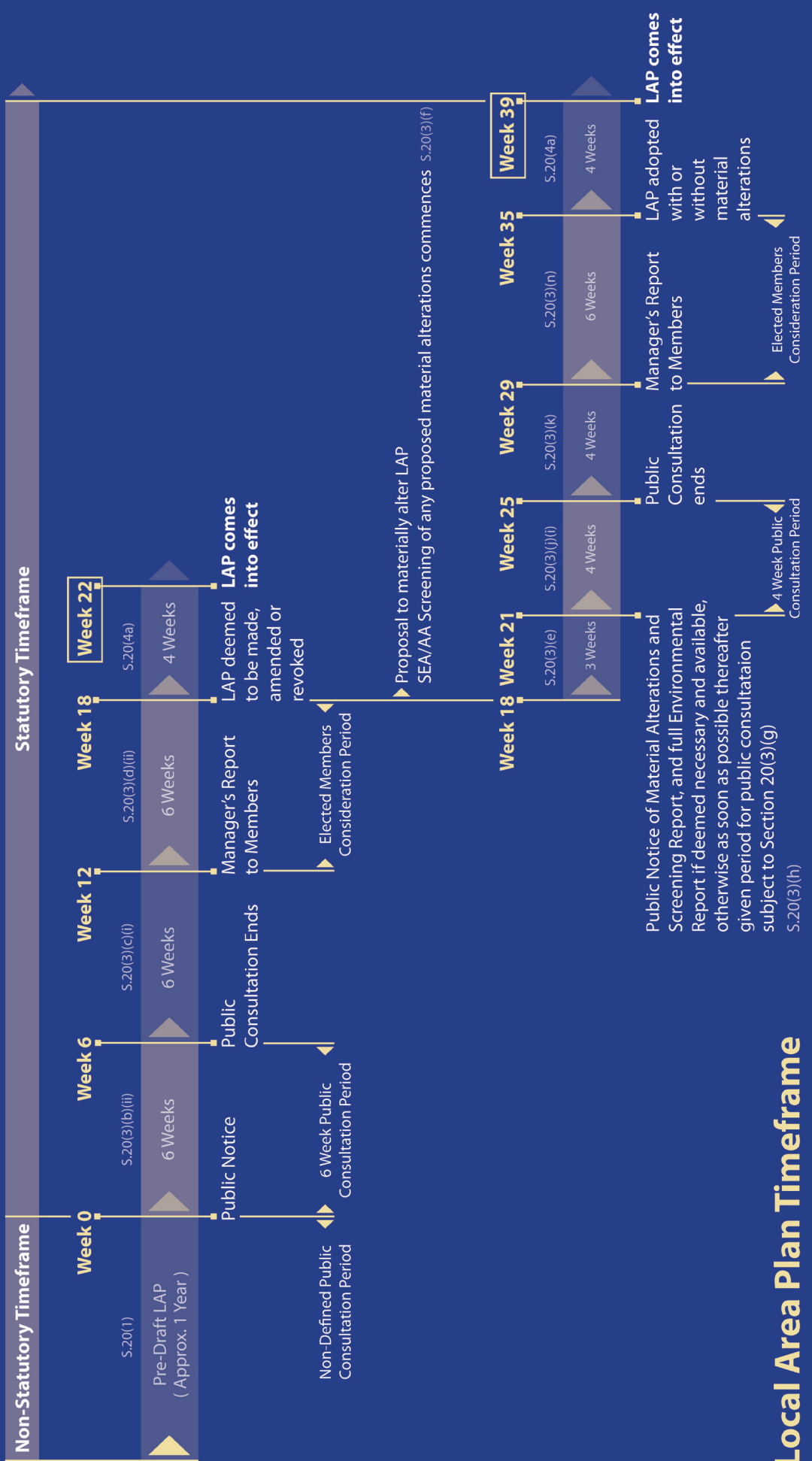
Local Area Plans, SEA and AA Requirements

The 2004 SEA Regulations⁴ were amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (S.I. No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (S.I. No. 201 of 2011), the latter of which applies to land use plans, including local area plans.


A notable amendment to these regulations which impacts on local area plans is the reduction in the threshold for mandatory SEA from a population of 10,000 to 5,000 or where the area covered by the plan is greater than 50 square kilometres, or where the local area plan is being prepared for a town and its wider environs. This brings the thresholds more in line with measures introduced in the Planning and Development (Amendment) Act 2010.

⁴ The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

Figure 1 – Key Stages & Timelines in preparation of Local Area Plans



Local Area Plan Timeframe



There is also a requirement for the making of a determination, or in other words, screening as to the need for an SEA of a local area plan with a population or target population under 5,000 persons or where the area covered by the local area plan is less than 50 square kilometres.

Section 57 of the Planning and Development (Amendment) Act 2010 outlines important obligations for planning authorities in preparing and making local area plans under the EU Birds and Habitats Directives.

It is critical that a local area plan includes appropriate policies and objectives for the conservation, and protection of European sites and to ensure that their integrity will not be adversely affected by the implementation of the plan or development⁵. The plan should also have appropriate policies and objectives for the conservation and protection of national sites (Natural heritage Areas, National Parks, Nature Reserves) ecological corridors and stepping stones (Article 10 Habitats Directive) and strictly protected (Annex IV, Habitats Directive) species and other protected species.

Screening is an essential requirement in ascertaining the fit between a plan and the obligations above. The hierarchy of land-use plans means that the level of detail required in the screening process will vary considerably between the different levels of plans in the planning hierarchy. Consequently, in moving down the hierarchy of land use plans from the regional planning guidelines to development plans and then to local area plans, the level of detail required in screening will become greater.

For example, local area plans will indicate the location of any relevant European sites. Then the site synopsis will give an indication of the sites conservation objective(s) and this will alert planning staff and the general public to both the Natura 2000 site location and the 'precautionary' areas outside the site where development will have to be carefully screened and managed to ensure that there are no significant effects that would adversely affect the Natura 2000 site.⁶

3.3 Project Management

Given the practical and procedural complexities of preparing a local area plan, planning authorities should nominate a senior professional planning officer to take charge of the project management aspects of the survey and analysis, drafting and completion stages.

⁵ Under Section 10(2)(c) of the Planning and Development Act 2000, planning authorities should ensure that policies and objectives are appropriately worded to ensure the preservation of certain places and sites of ecological interest, the inclusion of such objectives having the effect of de-exempting certain previously exempted developments (see also Article 6 and Article 9(1)(vii) of the Planning and Development Regulations 2001).

⁶ Current practice has indicated that a 15km area around the Natura site could in the first instance be considered the 'precautionary' area but this will have to be dealt with on a case-by-case basis for each Natura site as in other instances, the site synopsis may have indicated that the ecology of the site is dependent on a clean water source up stream, so that the 'precautionary' area is not around the site but upstream of the site.





4

Consultation and Consensus

Consultation and Consensus

Key Messages

- Local area plans are the level of forward planning closest to local communities and, therefore, the involvement of those communities in the plan-making process is essential.
- Planning authorities must engage with the providers of essential physical and social infrastructure and ensure that local area plans are based on realistic assessments as to the funding and timing of the delivery of such infrastructure, recognising that some levels of strategic infrastructure may take a number of plan cycles to provide.
- The views and opinions of children and young persons must shape the policies and objectives of local area plans.
- A range of other statutory consultees is prescribed in planning regulations for the purposes of public consultation.

4.1 Consulting with Communities and Stakeholders

As the level of plan-making that is closest to local communities, either in urban or rural contexts, local area plans must be based on effective public participation and consultation with interested bodies. Participation and consultation in preparing local area plans involves reaching out to two distinct groups (a) local communities and (b) interested bodies, for example the Department of Education and Skills, or the National Transport Authority.

The concept of the community as envisaged in these guidelines is broadly based, not just embracing residents and bodies representing particular parts or interests of the community such as younger persons, older persons, people with disabilities, but also those interests key to enabling the achievement of the objectives of the plan, as in the case of landowners, developers and chambers of commerce and similar organisations. In summary, the community might be considered as all those that are both affected by or important to the implementation of the plan. The locally elected members are also a critical element as the democratically elected representatives of the local community.

Public participation and consultation should be effected by means of a range of innovative processes, such as information sessions, workshops, internet-based mechanisms and focus groups, in addition to the more usual written consultation process. Careful consideration should be given to the timing of consultation events aimed at the community, for example at evening times, to ensure maximum public access to information about proposed local area plans. Social media can also be a useful mechanism in spreading awareness of local area plan preparation processes.

Planning Authorities should actively seek ways to engage with the public and interested bodies and monitor the success of their approach both in qualitative and quantitative terms.



Public participation and consultation in preparing local area plans must also take account of the differing types of contexts for such plans.


In preparing local area plans for established towns and villages, the views of local communities should be particularly central to the plan-making process, for example, by examining the provision of essential local community facilities and amenities and objectives for their improvement where necessary.

Alternatively, local area plans for urban extension projects where local communities have not yet been established may be more focused on securing the maximum possible agreement between the various statutory bodies and agencies central to physical and social infrastructure provision, as well as engaging with neighbouring communities.

Where the local area plan is for a wider geographic area, encompassing distinct but interrelated urban and rural communities, the planning authority must make every effort to ensure that the overall community is consulted and engaged with in the plan making process and to make sure that the plan is reflective of the views of the overall community. In relation to local area plans which envisage major new urban development and depend on the co-operation of statutory bodies and agencies, it will be especially important to engage with:

- the Department of Education and Skills in relation to forecasts for demand for future school places and the adequacy, or otherwise, of existing school facilities;
- infrastructure providers such as the relevant infrastructure sections of the planning authority, and, as appropriate, the National Transport Authority, National Roads Authority and both CIE and the RPA (Rail Procurement Agency) in relation to transport-related matters;
- utility providers such as Eircom, Eirgrid/ESB Networks, Bord Gáis etc;
- the Department of Environment, Community and Local Government/Irish Water in relation to water services-related matters;
- the Department of Arts, Heritage and the Gaeltacht in relation to architectural or archaeological heritage or nature conservation (including the National Parks and Wildlife Service in relation to Appropriate Assessment and the biodiversity, flora and fauna aspects of SEA);
- the Environmental Protection Agency in relation to Strategic Environmental Assessment;
- the Office of Public Works in relation to flood and flood risk-related matters, and in particular the availability of existing relevant information;
- IDA Ireland, Enterprise Ireland, County Enterprise Boards and the relevant Chamber of Commerce in relation to employment and economic development; and
- The National Disability Authority in relation to promoting effective access for all in the future development of areas.

To facilitate meaningful engagement by interested bodies such as those mentioned above and others, planning authorities should outline the purpose and brief for the proposed local area plan in forwarding documentation to such bodies, including a



location map with the boundaries of the plan marked and any preliminary estimates of the likely development potential of the area in terms of housing units or floor area of other envisaged developments.

It is strongly recommended that planning authorities use the provision available to them under Section 20(1) of the Act to ascertain the views of different infrastructure providers, landowners and developers with particular regard to how future development and infrastructure provision, such as local transport, schools, amenities and water services, might be effectively phased and integrated.

Through effective engagement such as that described above, local area plans will be based on more realistic assessments of the likelihood of the provision of the infrastructure, including, agreements with relevant agencies and interests on the relevant funding and timelines for delivery of such infrastructure.

Notwithstanding the above, it is recognised that significant pieces of infrastructure, such as neighbourhood parks, new and/or enhanced traffic and transportation routes and water mains, may be delivered beyond the lifetime of the plan through the development management process. This should be reflected in the local area plan's phasing schedule.

Finally, whereas Section 18(6) of the Act provided a mechanism for collaborative development of a local area plan in partnership with broadly based community interests, planning authorities should note that this provision was introduced to facilitate good community engagement rather than the preparation of local area plans, directly or indirectly by local developer interests and such latter arrangements are inappropriate.

4.2 Consultation with Children and Young People

Under Section 13 of the Planning and Development (Amendment) Act 2010, which amended Section 20 of Planning and Development Act 2000, children, or groups or associations representing children, are entitled to make submissions or observations on local area plans. This will require planning authorities to be innovative and engage with any community-based organisations that represent younger persons.

For example, the need for, location and design of recreational areas for younger children and teenagers should be guided by input from both groups representing younger persons and local communities alike. The provision of well designed and maintained green space with naturalistic play areas can positively transform the everyday experiences of children, young people and their families, encouraging better mental, physical health both directly and indirectly.

The Green Schools initiative is also a potential mechanism that could be used to facilitate greater participation by younger persons in the planning process.

The provision of youth facilities such as sports and assembly areas and teen cafés are important in providing a structured approach in meeting the needs of younger people. Local area planning should therefore strive to engage with younger persons and organisations involved in their development.



4.3 Statutory Consultees

The Planning and Development Regulations prescribe certain authorities and bodies for the purposes of consultation in developing local area plans.

Arising from the transfer of certain functions to the Minister for Arts, Heritage and the Gaeltacht and the amendments made to the SEA Regulations, planning authorities must now consult with the Minister for the Environment, Community and Local Government, in the Minister's role as a statutory consultee on environmental issues. (e.g. water quality, environmental status of marine waters, foreshore, waste management etc.) at SEA screening, scoping and environmental report stages. This consultation is an additional and distinct requirement from the existing requirement to consult with the Minister on planning policy matters.

It remains a requirement for planning authorities to issue a notice to all other designated environmental authorities (as appropriate), giving them an opportunity to comment on whether or not they consider significant effects on the environment would be likely to arise in relation to the local area plan process. In this regard, the list of designated authorities that must be consulted include:

- the Minister for Agriculture, Food and the Marine, and the Minister for Communications, Energy and Natural Resources where it appears there might be a significant effect on fisheries or the marine environment; and
- the Minister for Arts, Heritage and Gaeltacht Affairs where it appears there might be significant effects in relation to the architectural or archaeological heritage or to nature conservation.

Furthermore, any planning authority preparing a local area plan must consult with any adjoining planning authority whose area is contiguous to the area of the local area plan.

Planning authorities are also reminded of their obligations under the EU Strategic Environmental Assessment Directive in relation to transboundary consultation in the case of an local area plan affecting another EU member state, which in the Irish context will normally involve plans in areas adjoining or close to Northern Ireland.

The Department has put in place a number of arrangements with its equivalents in Northern Ireland and local authorities affected should advise the Department if they believe trans-boundary consultation to be necessary and the appropriate arrangements will be put in place accordingly.



5

Structure and Content of Local Area Plans

Structure and Content of Local Area Plans

Key Messages

- Good-quality local area plans will, first and foremost, focus on the needs of local communities.
- Local area plans also have a key role to play in supporting overall efforts for national recovery, especially in relation to identifying and facilitating sustainable economic activity and employment growth.
- Integration of environmental considerations such as climate change, biodiversity, nature conservation and green infrastructure into the local planning process is essential in meeting future challenges.
- Local area plans are a central implementation mechanism for key national policies in relation to planning for schools, smarter travel, architecture, and urban design.
- High-quality presentation of local area plans is essential in communicating the messages of such plans and maximising consensus on future development objectives.

5.1 Key Policies for Future Local Area Plans

Over the past decade, Ireland has experienced rapid change in its society, economy and environment. Ireland now faces significant challenges in consolidating this change, learning from this experience, and adapting to changed circumstances and the need for national recovery. Local area plans, have a key role to play in assisting the process of national recovery.

As local area plans need to respond to differing contexts, these guidelines do not propose a standard template for their structure. However, the changed social, economic and legislative context for local area plans suggests that they should contain policies and objectives that:

- **Link the local area plan** to the corresponding core strategy of the development plan with a clear vision and set of strategies to deliver that vision in the local area plan;
- **Focus on identifying and meeting the needs of communities** rather than development for development's sake;
- **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;
- **Integrate environmental considerations into local planning** by addressing both the causes and the effects of climate change such as flood risk, maximising biodiversity, and providing green infrastructure;
- Ensure that **adequate provision is made for schools**;
- **Encourage smarter travel patterns through more compact, less sprawling, and better structured urban areas** and facilitating more sustainable and healthier travel habits such as walking, cycling, and the use of public transport; and
- **Deliver high-quality urban design** that improves people's quality of life.



Local area plans should also be clear and concise, written in non-technical language and presented with diagrams and maps that are easy to understand.

5.2 Focusing on the Needs of Local Communities including Gaeltacht Areas


Given that a local area plan can be made for a variety of physical contexts, the interests of local communities will depend on whether the area of the plan is a newly-developing area, an established one or a rural area. However, local area plans focused on meeting the needs of the community will all:

- **implement the core strategy** of the relevant development plan to identify realistic assessments of the need for future development such as housing, so that future development requirements are in line with actual need;
- **represent consensus**⁷ to the greatest extent possible through participative approaches to plan preparation involving, first and foremost, the local community, relevant infrastructure providers and developing a thorough understanding and knowledge of the place or area being planned for;
- **be specific on implementation**, including relevant roles and responsibilities, for example, through co-ordination of the local area plan process with the local development functions of the local authority; and
- **meet the needs of specific key segments of local communities** such as younger and older persons and those with mobility or other impairments through comprehensive transport and mobility assessments enabling the creation of more sustainable, accessible, better quality, and enduring towns and neighbourhoods.

In an existing developed area, meeting local community needs will usually be particularly focused on:

- **reinforcing existing neighbourhood facilities** through the adequate provision of social, community and recreational facilities;
- **improving the public domain** by providing active frontage to all public spaces and routes, thus promoting streets which encourage pedestrian activity and are safer by benefitting from passive surveillance;
- **promoting mixed use development** to ensure that village and town centre areas are both living and working spaces;
- **providing for a variety of housing types** which respond to the differing needs of differing households whether single people, families or older people with a suitable mix of tenure;
- **promoting sustainable and safe communities** by identifying areas at risk of flooding to ensure the avoidance of inappropriate development in floodplains and the management and mitigation of flood risks; and
- **conserving and enhancing local heritage** of the built and natural environment which help to define the identity and sense of place of local communities.

⁷ Consensus may not be possible where different sections of the local population want radically different outcomes. Planning Authorities must use the best evidence and best practice to propose solutions. Where consensus or compromise is not possible or appropriate, the matter will be one for the elected members to make a final decision.



For local area plans focused on meeting the needs of communities in newly developing areas, the emphasis should be on:

- **providing compact, walkable neighbourhoods** incorporating a variety of house types with mixed tenure;
- **providing conveniently-located neighbourhood facilities** commensurate with projected population, including playground/play areas;
- **providing a mix of residential and commercial uses** with adequate local employment opportunities;
- **designing in active streets and designing out anti-social behaviour** through urban masterplanning, encouraging good mixture of uses and adaptability of buildings; and
- **measures to encourage local people to adopt healthier, smarter ways to travel** around their local communities, especially walking and cycling.


Local area plans that encompass both urban and rural areas should address the distinct and shared needs of both areas in the analysis and objectives of such plans, focusing particularly on matters such as travel and transport, conservation and heritage, flood risk and provision of schools. Regardless of the physical or locational context for local area plans, planning also has an important role to play in promoting and facilitating active and healthy living patterns for local communities. For example, the local area plan can promote active and healthier lifestyles by ensuring that:

- future development prioritises the need for people to be physically active as a routine part of their daily lives;
- pedestrians, cyclists and users of other modes of transport that involve physical activity are given the highest priority in transport and mobility strategies, policies, and objectives;
- public open spaces are located and delivered in a way that ensures they are capable of being easily reached on foot or bicycle by routes that are secure and of a high standard and that take biodiversity issues into account in their design;
- any new workplaces are linked to walking and cycling networks;
- play areas are designed to encourage varied and physically active play; and
- exposure of children to the promotion of foods that are high in fat, salt or sugar is reduced such as the careful consideration of the appropriateness and or location of fast food outlets in the vicinity of schools and parks.

The preparation of local area plans should take account of factors such as those outlined above and integrate them into specific proposals and objectives of the plan.

Local authorities may decide to prepare **local area plans for Irish speaking or Gaeltacht areas**. In preparing such plans, the protection of the linguistic and cultural heritage and identity of such areas must be an overarching objective. The guidelines for planning authorities on the preparation of development plans contain practical advice on the content of plans for Gaeltacht areas, including in the Appendices to the guidelines, and this advice is also relevant for local area plans.

In overall terms, local area plans covering Gaeltacht areas must strike a good balance between facilitating a level of activity and development that meets the needs of the local community and its stability in economic and social terms while avoiding an



extent of development and in-migration that may impinge on the dominance of the Irish speaking tradition and culture at a local level. In addition, there are a range of practical policies and measures that planning authorities should adopt to promote the prominence and use of the Irish language at a local community level. These policies and measures are reflected in the guidelines mentioned above.

5.3 Promoting Local Economic Development and Employment

The Governments action programme for reform of local government gives particular prominence to the enhanced role local authorities should play in promoting the economic development of their areas and to economic recovery as a whole as well as securing long term government, regional and local planning objectives.

In understanding the place or area covered by a local plan, the economic structure of the plan area is of key importance as strong local economies are central to making progress on the objectives of the plan.

For example, local area plans for smaller towns or local area plans for city or town centre areas within larger development plans may have to address issues created by stagnation or decline in population or economic activity. In such cases, the focus should be on identifying the planning system's role in facilitating economic opportunities that will support the overall viability of the settlement and underpin community services such as:

- identifying low-cost but high-quality ways of providing space for start-up businesses, including the re-use of vacant but under-utilised buildings and or the development of business incubation units and linkages to third level education and innovation;
- ensuring a quality public realm that attracts passing business;
- identifying locations for local farmers/Christmas/craft markets (that may include new/revamped public open space⁸);
- highlighting opportunities for community-based urban improvements through, for example, the Tidy Towns movement; and
- reducing the costs to society of the maintenance and improvement of areas associated with sprawling, low-density patterns of development.


Particular focus should also be on facilitating the work of the County Enterprise Boards.

Strong city and town centres are especially important to strong local communities, and local area plans can play a key role in activating the development potential of central areas through site assembly, identification of opportunity sites and areas and briefs for their development and use.

5.4 Integrating Environmental Considerations in Local Area Planning

The development trends of recent years have raised questions about sustainability in environmental as well as economic and social terms. Local area plans can play a key role in turning around future patterns towards less energy intensive, more prudent and ecologically sensitive ways to meet the development needs of Irish society and its economy. Local area plans should therefore be based fundamentally doing no harm to

⁸ In this regard the planning authority should give consideration in ensuring that any new/revamped public space makes provision for basic utility services such as lighting/electricity etc that would assist the temporary nature of markets.



the stock of environmental qualities that might be affected by the development of that area and in addition, maximising the opportunities for improving those environmental qualities.

Climate Change

Local area plans can make a substantial contribution towards both the causes and effects of climate change.

In relation to the causes of climate change, low density, sprawling, and car-dependent forms of development will exacerbate recent trends towards increasing carbon emissions, especially from the transport and residential sectors.

Instead, by promoting compact urban development and a move towards smarter travel options, future development can become less carbon intensive.

Local area plans should, therefore, be consistent with the objectives of the National Climate Change Strategy, as amended.

Mechanisms are becoming available to determine the carbon intensity of different options for the development of urban areas. Developments of such modelling systems, and their use, should be constantly monitored and considered by planning authorities.

In relation to the issue of adapting to the effects of climate change, local area plans should also take account of the integration of climate change adaptation in the relevant city/county development plan as required under the National Climate Change Adaptation Framework (December 2012). In this regard, incorporating flood risk assessment into the local planning process is essential in ensuring future development avoids locations that are more vulnerable to flooding associated with more extreme weather events. In this regard, the Planning System and Flood Risk Management Guidelines (2009) are aimed at ensuring a more consistent, rigorous, and systematic approach to flood risk identification, assessment and management within the planning system. The Guidelines focus on providing guidance to planning authorities on the comprehensive consideration of flood risk in future regional plans, development plans, local area plans, and in determining applications for planning permission in line with the principles of proper planning and sustainable development.

Biodiversity and Green Infrastructure

Since the publication of the National Biodiversity Plan in April 2002, (the latest plan "Actions for Biodiversity 2011-2016 was published in 2011) it is Government policy to protect, maintain and, where possible, enhance biodiversity throughout the entire countryside. The Irish landscape of today is the product of intense interaction between human beings and nature over many thousands of years. Such interaction can have positive impacts on biodiversity. It has, on occasion, led to the creation of new sites and habitats of conservation importance.

The development of an integrated approach to green infrastructure planning will improve the quality of our natural environment and support biodiversity. Planning



authorities have a key role to play in preserving the natural heritage of their areas, arising from the legal responsibilities placed on them and from the increasing public awareness of the importance of nature conservation at local level. In doing so, they should also avail of opportunities that may arise to create or promote new features of biodiversity in new developments.

Green infrastructure is a mechanism to conserve and improve biodiversity and can be broadly defined as an interconnected network of green space that enables natural ecosystems to thrive, such as in the case of rivers and streams that act as amenities, a mechanism to manage flood risk and local ecosystems.

To promote biodiversity, local area plans, in identifying green areas such as open spaces, linear green corridors and natural areas, should ensure that each area links into a larger network that incorporates other public and private green spaces in the area, including areas where farming, forestry, recreation, and conservation can take place together.

The adoption of a green infrastructure approach can contribute greatly to the effectiveness of a local area plan. This approach was introduced to Ireland by means of an international conference organised by Fingal County Council in November 2008. In August 2010, Comhar, the Sustainable Development Council, produced a research report focusing on Green Infrastructure, entitled “Creating Green Infrastructure for Ireland”. This report sets out a broad definition of green infrastructure and proposes an approach and a set of principles that should be followed in green infrastructure planning.

Green infrastructure has already been integrated into several strategic planning exercises including the Regional Planning Guidelines for the Greater Dublin Area 2010–2022, Fingal Development Plan 2011–2017 and Dublin City Development Plan 2011–2017. The integration and incorporation of a Green Infrastructure approach, including an initial inventory of green resources, into the local area plan process can contribute greatly to the quality of the environment in the area covered by the local area plan, to the conservation and enhancement of green resources over a wider area and to climate change mitigation and adaptation.

Screening of a local area plan for Appropriate Assessment and Strategic Environmental Assessment will also assist planning authorities in looking at wider biodiversity issues arising from its proposed implementation.

Local Biodiversity Action Plans, adopted as part of integrated Local Heritage Plans, can set out a range of measures for the conservation and sustainable use of biodiversity at the local level and are one of the measures set out in Ireland’s National Biodiversity Plan. Of particular importance are measures to protect plants, animals and habitats of local and national importance. Local Biodiversity Action Plans aim to raise awareness of biodiversity and its importance to human wellbeing. Local area plans can create important synergies with Local Biodiversity Action Plans through the inclusion of policies and objectives to protect plants, animals, and habitats of local and national importance.



5.5 Providing for Schools

Planning authorities are encouraged to promote the delivery of schools as part of well-structured, focal places/centres for the community or neighbourhood. Other community buildings such as community halls, health centres, crèches, and youth cafés could be provided adjoining or nearby school buildings. Alternatively, other community uses could be incorporated into a larger grouping of community buildings or co-located within a larger multi-purpose building. It is recommended that local area plans provide a realistic phasing timetable to ensure that the provision of school facilities is delivered in conjunction with the phased construction of dwellings.

Planning guidelines on “The Provision of Schools and the Planning System: A Code of Practice for Planning Authorities” (Department of Education and Science and the Department of the Environment, Heritage and Local Government) were issued by the Minister under Section 28 of the Act in July 2008.


These guidelines seek to ensure that the planning system facilitates the timely and cost-effective roll-out of school facilities by the Department of Education and Skills in line with the principles of proper planning and sustainable development. The Code of Practice complements and expands on the Planning Guidelines on Development Plans (2007) and identifies complementary roles for the Department of Education and Skills in working with planning authorities in delivering schools through effective strategic planning and demographic analysis, liaison with school patrons and communities, as well as site identification and acquisition and school building projects.

In addition, a new Memorandum of Understanding has been agreed between the Department of Education and Skills, the Department of Environment, Community and Local Government and the City and County Managers’ Association in relation to the acquisition of sites for schools by local authorities. The provision of schools is an integral part of formulating a local area plan and can greatly assist in promoting the development of a compact and sustainable urban community, particularly so in the case of greenfield areas.

The Department of Education and Skills has developed a comprehensive Geographical Information System (GIS) for school-planning purposes. This holds data on school locations, capacities, demographic trends, and analyses of need. Planning authorities should liaise directly with the above Department’s Forward Planning Section to input such data into their own forward planning exercises.

At a strategic level, the development plan will have addressed future school premises and site requirements. The local area plan provides an opportunity, at a more detailed level, to consider site location, access to services, detailed design and operational issues to ensure school sites are fit for purpose.

The location of sites for new schools should be centred on the existing/proposed population catchments and encourage sustainable mobility (i.e., walking/ cycling/ public transport) in accordance with the Department of Transport, Tourism and Sport’s “Smarter Travel” policy framework. In addition, local area plans should also identify



the location of reserved school sites within areas of residential expansion including the option of developing development briefs for reserved sites in conjunction with the Department of Education and Skills.

5.6 Achieving Smarter Travel

The Government launched the document, “Smarter Travel - A Sustainable Transport Future”, in February 2009. This policy document, which was the subject of extensive public consultation, sets out how the Government’s vision of sustainable travel and transport in Ireland can be achieved by the year 2020

To reach this level of sustainability, changes are necessary, both in terms of personal behaviour and in relation to settlement patterns. There will also be a need to make continued investment in public transport, especially less capital intensive measures to promote walking and cycling for local trips.

The five key goals of *Smarter Travel – A Sustainable Transport Future* are to:

- reduce overall travel demand;
- maximise the efficiency of the transport network;
- reduce reliance on fossil fuels;
- reduce transport emissions; and
- improve accessibility to transport.

In developing local area plans, planning authorities should consider the practical steps that can be taken to promote the achievement of all of these goals and include relevant policies and objectives.

Local area plans, therefore, have a pivotal role in ensuring that spatial and transport planning are aligned to avoid unsustainable travel. A key and associated element of this approach is to align employment and transport policies and promote the use of mobility management plans through the development management process.

In order to achieve smart travel, local area plans should be underpinned by an effective understanding of transportation and mobility of the relevant area and:

- include practical measures to promote an increase in walking and cycling, especially for shorter trips around urban areas;
- promote the location of small-scale retail, industrial and residential development in small towns and villages to counteract population decline and contribute to a reduction in emissions by lessening the need for private car trips;
- ensure that housing development is located in such a manner as to be capable of being serviced by good public transport connections and safe routes for walking and cycling;
- promote the consolidation of urban growth in a phased and sequential way from the centre out of settlements by prioritising and maximising the development potential of brownfield/existing sites for new residential and mixed-use development;
- ensure a general minimum density of between 35 and 50 dwellings per hectare in urban areas of suitable size and population where local circumstances warrant, particularly in high-capacity public transport corridors ;

- specify a maximum permitted level of car parking for commercial sites which have suitable public transport facilities and are within walking/cycling distance of amenities;
- require covered cycle parking and employee showering facilities for commercial/ industrial developments;
- ensure that high-density development occurs along urban rail corridors and the use is appropriate for public transport use (e.g. not warehousing or other activities with low employment intensity);
- be consistent with the retail strategy for the area and the retail planning guidelines, as amended, based upon the general presumption against the future development of out-of-town shopping or retail centres;
- contain specific proposals, where appropriate, for the retro-fit of areas towards creating sustainable neighbourhoods so that walking and cycling become the best options for local trips (e.g. to reach local facilities such as shops and schools); and
- ensure business parks are easily accessible from residential areas by walking, cycling and public transport.

All local area plans should therefore contain clear and implementable policies and objectives which support sustainable transportation modes. Furthermore, it is reasonable and desirable that local area plans identify the cost of funding the public transport infrastructure that is required to support the sustainable development, where feasible.

Planning authorities should in general, and especially in locations benefiting from substantial investment in public transport, set some quantifiable targets for modal split in favour of public transport, walking and cycling. Such targets should be used to influence the phasing and sequential development with the local area plan. The trend in modal choices can be used to monitor the implementation of the local area plan.

5.7 Achieving Quality in Urban Design

Urban design is about creating high-quality places for people. It includes the way places work, how they are linked, and matters such as community safety, as well as how they look. It concerns the connections between people and places, movement and urban form, nature and the built fabric, and the processes for ensuring successful villages, towns, and cities⁹.

Planning authorities should promote high-quality urban design in their local area plans policies, objectives, and standards. Clearly defined policies create more certainty for potential developers and their design teams, and also provide a basis for developing a shared, collaborative approach to pre-application consultations with the planning authority.

Urban design is a key to creating sustainable developments and the conditions for a flourishing economic life, for the prudent use of natural resources, and for social progress. Good design can help create lively places with distinctive character; streets and public spaces that are safe, accessible, pleasant to use and human in scale; and places that inspire because of the imagination and sensitivity of their designers.

⁹ By Design: Urban Design in the Planning System: Towards Better Practice. Department of Communities and Local Government (UK), 2000.



Local area plans have a key role in translating overarching development plan urban design policies and objectives at the local level. Local area plans should:

- define key elements of local character;
- identify relevant development plan urban design principles and policies which respond to the local context;
- provide detailed guidance regarding layout, density, massing, height, materials, etc., and indicate minimum/maximum densities; and
- include indicative layouts to guide the shape and form of future development, leaving individual building and open space design to expert designers. The effective integration of green spaces/parks into the overall planning and design process will contribute significantly to achieving high-quality places.

Where appropriate and practical (for example in relation to key undeveloped or infill sites) local area plans could include three dimensional imagery to both enable the community to more easily understand the implications of the local area plan and provide better guidance for developers.

A local area plan that is being prepared for a greenfield location or is dealing with infill development on brownfield sites needs to provide at a minimum three-dimensional modelling in order to provide a holistic view of the built form being promoted. This will enable the community to more easily understand the implications of the local area plan and provide certainty to developers.

5.8 People-Friendly Urban Design

Universal design is the process that results in the creation of an urban environment that can be used by all people, regardless of their age, disability or ability etc.

Planning authorities should have regard to the National Disability Authority's Building for Everyone Booklet 9 – Planning (www.nda.ie) in relation to universal design for local area plans.

In relation to local area plans for existing settlements, the primary focus will be on the retention of existing positive features and subsequently improving accessibility within the existing built environment. Policies should ensure that existing features that aid personal mobility within the built environment are retained and protected.

The local area plan should establish a regulatory, policy, and urban design framework which incorporates universal design features within all new development proposals. Where appropriate, a pro-active stance to retro-fitting of universal design features should also be pursued.

Local area plans being prepared for brownfield sites should retain existing features that assist permeability and integrate new development with the wider area. Local area plans should avoid proposals that are based on the assumption of access to private transport and the enhancement of linkages to public transport without having regard to acceptable walking distances.



5.9 Key Local Area Plan Strategies

Local area plans must contain a written statement and maps depicting the objectives of the plan. In developing the local area plan maps, it is very important that the plan should be informed by a number of key strategies which draw together the various elements of the plan discussed earlier in this section. Diagrammatic maps can be a useful technique in explaining the thinking behind the plan in visual terms. The Best Practice Manual which accompanies these guidelines outlines various examples which depict how the following key strategies can be used to shape a local area plan;

- character and heritage – the essence of a place and place making;
- vitality and diversity – creating robust strategies to meet the needs of the local economy, community, and society;
- community and housing – targeted response to community housing and educational needs;
- urban and landscape structure and form – a coherent and distinctive spatial strategy;
- movement and transport – promotion of integrated, multi-modal transport needs; and
- energy and micro-climate in sustainable generation and consumption of energy.

5.10 Presentation

Local area plans are, by and large, aimed at a local audience. Planning authorities should therefore make every effort to ensure that local area plans are well presented, written in easy-to-understand non-technical language, with a glossary of terms, if necessary, to explain technical phrases. They should also include plenty of illustrations to help the public interpret the plan and understand how the area of the plan will develop into the future.

The best practice guidance document accompanying these guidelines contains many good examples of high standards in relation to presentation aspects of local area plans.

Planning authorities are also reminded that local area plan maps should be prepared in a format that enables that authority to input future plans into the Department's development plan geographical information system (Myplan.ie). In particular, planning authorities are encouraged to adopt the generic zone type (GZT) system for categorising land use zoning objectives.





6

Delivering Local Area Plans

Delivering Local Area Plans

Key Messages

- Delivery of local area plans is dependent on creating a strong overall development strategy and buy-in from key stakeholders to that strategy.
- Securing funding for the provision of infrastructure and services, and the phasing of development, is critical to the successful delivery and implementation of new development. Local area plans must be supported by and linked to relevant Section 48 and 49 development contribution schemes to enable funding for infrastructure.
- A planning authority must identify all public and private investment resources (grants, development contributions and planning gain) which will contribute to the implementation of the objectives of the plan.
- Local area plans for newly developing areas, in particular, should include a sequential development and phasing programme linked with any necessary investment in water services, public transport, community facilities, and schools.
- Planning authorities are encouraged to conduct a civic infrastructure audit as part of the local area plan process in order to maximise the social and financial return generated by financial investment by State agencies and other.

6.1 Local Area Plans and Infrastructure Provision

Successful implementation of local area plans depends on the identification of the funding and delivery mechanisms for the provision of the physical and social infrastructure that the plan identifies as essential to achieving its objectives.

The development contribution schemes provided for in Sections 48 and 49 of the Act established one important mechanism to fund public infrastructure benefiting development in the area of the plan. Planning guidelines on development contributions have been published.

There are other complementary means by which to fund infrastructure including direct exchequer funded investment, private investment and public-private partnerships. The scope for all should be carefully considered in the plan making process.

Planning authorities should therefore seek to implement the aims, policies and objectives of the local area plan in a pro-active manner harnessing all available public and private funding avenues to support local area plan implementation.

6.2 Phasing of Development

Section 19(2) of the Act provides for the phasing of development within a local area plan. Some local area plans will be developed over a longer period of time, such as those for major docklands regeneration etc, and where this issue arises it is important that the local area plan outlines a clear phasing programme, identifying first and foremost the lands expected to be developed over the plan period and the physical and social infrastructure required to be provided in tandem with that development.



The phasing programme will indicate the number of phases proposed and the enabling works that are required in each phase before being able to move onto the next phase. The programme will also specify the amount of residential development that should take place in each phase, integrated with the provision of the appropriate social facilities (such as schools, childcare, and health facilities) as well as transport.

When land is zoned in a development plan without the benefit of a more detailed local area plan designation, the development plan should identify, where practicable, the sequential and co-ordinated manner in which zoned lands, buildings or floorspace will be developed, so as to avoid a haphazard, inefficient and costly approach to the provision of social and physical infrastructure. The sequential approach as set out in the Department's "Development Plan Guidelines" (2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and on public transport routes being given preference, encouraging infill opportunities, and that areas to be zoned shall be contiguous to existing zoned development lands, and that any exception must be clearly justified in the written statement of the development plan.

The provision of water and sewerage investment programmes by planning authorities must also be related to the sequencing of residential lands and must also be integrated with the provision of public transport, schools, community, and leisure facilities. This will involve keeping up the close contact with other agencies which would have occurred during the plan-making period.

A good local area plan will, therefore, include a general framework for the development of the area of the plan in relation to:

- **key milestones or phases** in plan implementation;
- the **main interrelationships between particular categories of development**, for example, in relation to how development of future housing beyond a certain amount will need to be accompanied by the provision of certain critical enabling infrastructure such as a new school (or an extension to an existing school), transport improvements, community facilities, or water services infrastructure;
- **objectives in relation to physical works** such as enhancement of social and community facilities, such as parks and sports facilities and basic infrastructure such as footpaths, lighting, and roadside drainage; and
- **a monitoring regime** which will periodically report on the performance and successful implementation of the local area plan.

Taking account of the above, it is strongly advised that local area plans should include an Implementation and Infrastructure Delivery Schedule, which would require a planning authority to work closely with all relevant departments, agencies and stakeholders involved in securing the delivery of the formulation, adoption, implementation, and monitoring of the policies and objectives of the local area plan.

It is also recommended that this implementation schedule is informed by a capital cost estimate of the infrastructure that is needed to support the sustainable development of the area.

At a basic level, phasing must be broken down into short, medium, and longer-term phases within an overall plan delivery horizon. Planning authorities are encouraged to use their discretion in this regard. One option is to tie the phasing for a local area plan into the 6-year plan cycle (i.e., short term can mean 1-2 years, medium 2-4 years and long 4+ years). Nonetheless, it is recognised that the phasing schedule for brownfield locations such as the Dublin and Cork Dockland Regeneration areas may have a longer, overall delivery horizon.

Each phase should then contain a schedule of development which must take place within each phase timeframe. An example of an Implementation and Infrastructure Delivery Schedule is outlined below.

Phase: Medium Term	
Key development	Residential and non-residential uses and social infrastructure
Timescale	2015 – 2020
Key outcomes required	Phase 2
	(1) Community hall and sports facility;
	(2) Final phase of public park;
	(3) Completion of primary school;
	(4) Phase 2 of Quality Bus Network;
	(5) Phase 2 of distributor road network; and
	(6) Upgrading of waste water treatment plant to PE 4000.
Associated development	The build of the residential and commercial development must take place in this phase. The community hall and sports facility must be completed before the next phase of development commences. This quantum of community and amenity development is critical to creating a critical mass of population to support the final phase of development.
Residential Quarters	4 to 6
Funding sources	In partnership with local sports club (Local Authority lands being provided). Local Authority own sources partly funded by Development Contributions. Department of Education and Skills Capital Programme – confirmed start 2014. National Transport Authority Capital Programme – confirmed start 2015 once road (5) complete. Local Authority Capital Works Programme: Part 8 complete, start 2014. Department of Environment, Community and Local Government Water Services Investment Programme and development contributions



6.3 Provision of Social and Community Infrastructure

The delivery of soft infrastructure, viz social and community facilities, in line with the phased provision of hard infrastructure is crucial in terms of creating sustainable communities. Developing areas depend on the integrated delivery of essential social infrastructure.

Local area plans provide a critical opportunity for planning authorities to take a leadership role in relation to co-ordinating the activities and investments of various infrastructure providers. Planning authorities should use this opportunity to formulate a shared vision and implementation schedule for the local area plan. A round-table format may prove useful in brokering agreements between various stakeholders to ensure the successful implementation of the local area plan.

Local area plans must act as vehicles for the delivery of social infrastructure provision by containing policies, objectives and measures which:

1. implement the joint Department of Environment, Community and Local Government/Department of Education and Skills Code of Practice on Schools Planning;
2. provide funding for arts and cultural facilities by the Department of Arts, Heritage and the Gaeltacht under the ACCESS programmes;
3. implement the Planning Guidelines on Childcare;
4. use development levies under Sections 48 and 49 of the Planning and Development Act 2000-2012 to fund community and sports facilities; and
5. promote joined-up approaches in site identification, acquisition, and premises development in the delivery of schools, libraries, community facilities on shared campuses in suitable locations.

6.4 Lessons for Local Plans from Strategic Development Zones

Strategic development zones (SDZs) are an innovative type of development designation introduced in the Planning and Development Act in 2000.

Such zones facilitate specified development of areas of economic or social importance to the State. Once a site is designated by the Government for the establishment of an SDZ, a development agency is required to prepare a draft planning scheme within two years. The planning scheme is made either by elected members of the planning authority or after an appeal process by An Bord Pleanála. Development within an SDZ requires planning permission from the planning authority and the planning authority has to grant permission where the proposed development is consistent with the planning scheme. There is no appeal to An Bord Pleanála against the decision of the planning authority on an application for development within an SDZ.

To date, the following SDZs have been designated for residential development by the Government.

- Adamstown, Lucan (2001) – South Dublin County Council.
- Hansfield, Blanchardstown (2001) – Fingal County Council.
- Clonmagadden Valley, Navan (2001) – Meath County Council.
- Balgaddy-Clonburris (2006) – South Dublin County Council.

- Cherrywood, Dublin (2010) – Dun Laoghaire Rathdown County Council.
- Monard, Cork (2010) – Cork County Council.
- Grangegorman, Dublin City (2010) – Dublin City Council.
- North Lotts and Grand Canal Dock, Dublin (2012) – Dublin City Council.

There are a number of features that local area plans can adapt from the SDZ model.

Development Agency

The success to date of the SDZ model, particularly Adamstown, has been due in part to the establishment of a development agency which represents all the land owners to secure private sector agreement on what is needed to be done, by whom, how, and when. Planning authorities should use the local area plan process to clearly establish areas of responsibilities between all stakeholders, together with a programme for the phasing of development in line with the delivery of physical, social and recreational infrastructure.

In-house Planning and Project Management

The establishment of a dedicated, multi-disciplined in-house planning and project management team within South Dublin County Council has ensured that the necessary resources and focus is provided at local level to co-ordinate and facilitate development in Adamstown. This in-house team is made up of professional and technical staff from the authority's planning, architecture, engineering, parks, and housing departments. Prior to embarking on the preparation of a local area plan, a planning authority must ensure that all the resources are available to deliver the physical, social, and environmental infrastructure needed to support the sustainable development of the area in question

Sustainability Tool Kit

The successful implementation of the policies and objectives of a local area plan must be informed by key social, environmental and physical indicators. The Clonburris SDZ is pioneering the development of a carbon neutral/low energy neighbourhood. A sustainability toolkit has been developed to provide a check-list for both the planning authority and developers to ensure that the implementation of the SDZ happens in sustainable manner. The Clonburris SDZ approach provides a template for a top down/ bottom up approach to sustainability that should be utilised in relation to county development plans and local area plans.

Local area plans must contain policies and objectives which focus development on achieving sustainability through encouraging biodiversity, for example, through protecting habitats, energy efficiency through promoting passive energy in building design and district heating systems whilst at the same time building at densities which encourage the optimisation of public transport.

6.5 Monitoring Systems

Planning authorities are encouraged to periodically review the success or otherwise of the implementation of the policies and objectives of a local area plan within the life of the plan by effective monitoring systems. Such monitoring could include reviewing



progress achieved in securing the objectives of the development plan¹⁰ or experience in implementing its various policies and objectives and act as part of the monitoring regimes required under the Strategic Environmental Assessment¹¹ and Appropriate Assessment processes as required by Article 6(4) of the Habitats Regulations.¹² Monitoring can also encompass periodic surveys including housing land availability, employment (or business) land availability, retail health checks, audits of open space and community facilities.

10 Section 15 of the Planning and Development Act 2000.

11 Article 10 of the SEA Directive requires Member States to monitor the significant environmental effects of the implementation of plans and programmes in order to identify at an early stage unforeseen adverse effects and to be able to undertake appropriate remedial action.

12 Although there is at present no statutory requirement for the monitoring the ongoing impact of the implementation of a development plan on the conservation objectives of Natura 2000 sites, it is best practice to do so. See DEHLG/NPWS “Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities” (December 2009).



Appendix

Appendix

This table identifies particular aspects of other guidelines published by the Minister under Section 28 of the Planning Act 2000-2012 or other documents that will, inter alia, be of particular relevance in preparing and implementing local area plans

Guideline	Relevant Area	Requirement
Childcare Facilities Guidelines (June 2001)	Social infrastructure	- Objective & policies which promote the appropriate locations for childcare in terms of land use zonings & transportation infrastructure.
Design Standards for New Apartments (September 2007)	Residential Development	- Average floor areas to be achieved in apartment developments.
Spatial Planning and National Roads (January 2012)	Transportation and Access	- consultation on implications of local area plan's for national roads network. - Access policies and requirements.
Retail Planning Guidelines (May 2012)	Retail	Objective & policies which reflect; - County retail hierarchy; - Sequential test; - Strategies; & - Policies.
Development Management Guidelines (June 2007)	Policy objectives & development standards	- Policies & objectives must be clear & unambiguous in order to achieve their implementation.
Development Plans Guidelines (June 2007)	Core strategy	- An overview of major planning issues and influences on policies as transposed from the development plan; - Objectives and policies needed to achieve the core strategy; & - Supporting information upon which the core strategy is based.
Provision of Schools and the Planning System (July 2008)	Social infrastructure	- An assessment of existing provision & need in collaborate with the Department of Education & Science ; - Identification of suitable site for new schools or expansion of existing schools; & - Implementation strategy.
Sustainable Residential Development in Urban Areas & Best Practice Urban Design Manual (May 2009)	Urban Design	- Objective & policies which promote compact urban form; - Higher densities in urban areas generally; & - Facilitation of sustainable travel modes.
Telecommunications Antennae and Support Structures (July 1996)	Telecommunications	- Policies & objectives which include locational requirements
Wind Energy Development	Energy	- Policies & objectives which include designations
The Planning System and Flood Risk Management (November 2009)	Flood Risk	- Screening for flood risk assessment; - Site-specific flood risk assessment; & - Objective & policies which assess & manage flood risk.
Strategic Environmental Assessment (SEA) (November 2004)	Environmental protection	- Screening for environmental assessment; - Formulation of alternative policies & objectives; & - Objective & policies which mitigate environmental impact.
Putting People First	Municipal Districts	Members of proposed Municipal Districts to prepare and adopt local area plans for their areas.

The table below highlights other important regulatory and policy requirements that planning authorities should consider in preparing and finalising local area plans.

Guideline	Relevant Area	Requirement
Government Policy on Architecture 2009-2015: Towards a Sustainable Future: Delivering Quality within the Built Environment.	Public Realm and Architectural Quality	- Policies & objectives to promote exemplary practice on quality within the built environment.
Architectural Heritage Protection – Guidelines for Planning Authorities 2004	Built Heritage	- Policies and objectives to promote exemplary practice in Built Heritage conservation and the provision of guidance on Part (IV) of the Planning and Development Acts 2000-2012.
Delivering Homes, Sustaining Communities & Quality Housing for Sustainable Communities best practice guidance 2007	Housing	- Policies & objectives to promote exemplary practice Housing Standards & Urban Design.
Waste Water Discharge (Authorisation) Regulations - Circular PD 7/09	Water Services	- Objectives & policies which demonstrate compliance with the Urban Waste Water Regulations & EPA waste water licensing regime.
Guidance on Appropriate Assessment (AA) for Plans & Projects in Ireland	Natura 2000 sites	- Screening for AA; - Objective & policies which protect the integrity of Natura 2000 network.
Green City Guidelines (2008, UCD Urban Institute Ireland)	Green Infrastructure	- Policies & objectives to promote the enhancement and conservation of biodiversity
“Creating Green Infrastructure for Ireland” (August 2010) Comhar, Sustainable Development Council	Green Infrastructure	- Policies & objectives to promote the enhancement and conservation of biodiversity
Manual on Unfinished Housing Developments (DECLG 2011)	Housing	- Ensuring focus on resolving these developments in zoned areas firstly before considering greenfield development.



