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Dáta | Date
27 February, 2020

Ár dTag | Our Ref.
TII20-108500

**Re. Review of the Laois County Development Plan, 2017 - 2023
Preparation of the Laois County Development Plan, 2021 - 2027**

Dear Sir/Madam,

The Authority welcomes consultation on the review of the Council's Development Plan and the preparation of a new County Development Plan. The Authority submits the following observations for the Councils consideration which may inform the preparation of the Draft County Development Plan.

1. MANAGING EXCHEQUER INVESTMENT AND STATUTORY GUIDANCE

The EU Trans-European Transport Networks (EU TEN-T) are a planned set of transport networks across Europe. The EU TEN-T regulations target a gradual development of the transport network with the core network a priority (by 2030) followed by the remainder of the comprehensive network (by 2050). The EU TEN-T regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport, co-ordinated to achieve integrated and intermodal long-distance travel routes across Europe.

In Ireland, the core network currently consists of the route from Northern Ireland via Dublin to both Cork/Ringaskiddy and Limerick/Foynes. As a result of this directive, the M7 and M8 through Laois have been identified as part of the EU TEN-T Core Network which has repercussions and action requirements for policies and objectives which should be considered in the preparation of the new County Development Plan.

In addition to the M7 and M8, the N77, N78 and N80, national secondary roads, facilitate important regional and inter-regional connectivity within and through County Laois.

Project Ireland 2040 | National Development Plan, 2018 – 2027, outlines the investment priority to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users. Government also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework.

The routes identified above are important strategic national roads and give access to regional and international markets, including through strategic airport and port locations as well as linking with other strategic national roads.

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It is of particular importance that policies and objectives are drafted which allow the network of national roads to continue to play the intended strategic role in catering for inter-urban and inter-regional transport requirements that will serve economic competitiveness and regional accessibility by providing faster, more efficient and safer access to and from our major ports, airports, cities and large towns.

There is a critical need to manage these assets in accordance with national and regional policy as outlined in Smarter Travel (DTTAS, 2009), (SFILT) Investing in our Transport Future (DTTAS, 2015), the provisions of the Section 28 DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), Project Ireland 2040 and the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (EMRA RSES).

The EMRA RSES includes Guiding Principles for Integration of Land Use and Transport one of which explicitly requires that the strategic transport function of national roads and associated junctions should be maintained and protected.

TII requests that the preparation of the County Development Plan reflects the foregoing provisions of official policy and national and regional objectives in relation to spatial planning and national roads.

2. DEVELOPMENT AND CORE STRATEGY

As demonstrated in this submission, the Authority seeks to ensure that the carrying capacity, operational efficiency, safety and national investment made in national roads in County Laois continue to be safeguarded and that the relevant policies/objectives included in the County Development Plan are developed to reflect this.

In particular, the Authority requests that the Council consider the implications of land use policies on the strategic national road network in the area as a criterion in determining the future land use zoning strategy to be outlined in the Draft Development Plan and the respective Core Strategy.

The Authority respectively points out that although a requirement may be identified for the development of a particular location, any local transport function of national roads in respect of such areas is, and must continue to be, secondary to the role of these roads in catering for strategic traffic. Such an approach, consistent with the provisions of official policy, supports access to markets and economic growth. In addition, proposals should not be developed that are to the detriment of the investment in national infrastructure, by eroding or undermining that investment, which is required to service the Country's major inter-urban and inter-regional transport requirements and underpins economic competitiveness.

Policies and objectives in identified urban growth areas can be developed and adopted so as to avoid undermining the strategic transport function of national roads. Measures to cater for the needs of local traffic and local development related traffic are appropriately addressed within a framework of providing an adequate local transportation infrastructure. The Development Plan is the policy document to set this framework at county level. Where strategic frameworks for development proposals are agreed, e.g. Toghher Masterplan, Portlaoise, any agreed measures or approaches to development and development phasing should be included in the Development Plan in the interests of clarity.

In addition to the review of the extent and location of residential lands in accordance with core strategy requirements, the Council may consider it appropriate to review the extent and location of industry, employment and other commercial type land uses to prepare a co-ordinated and integrated land use pattern; the Guidance Note on Core Strategies published by the DoECLG (2010) contains advice on this requirement, page 8 refers.

The Authority recommends that residential, retail, and employment objectives especially zoning objectives should guide developers to design for sustainable transportation requirements at the earliest stages of development design. An integrated approach to the design of development areas should include a set of principles and criteria designed to ensure a high standard of access by public transport, foot and private car so that the variety of residential, enterprise and employment zones/areas can be easily accessible by all modes of transport and all sections of society.

As indicated in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) where planning authorities propose large scale development in urban areas and or areas adjoining national roads, including major junctions and interchanges, development plans should ensure that the capacity on national roads is utilised appropriately and that such roads can continue to perform their intended function into the future by:

- protecting undeveloped lands adjoining national roads and junctions from development to cater for potential capacity enhancements;
- ensuring that capacity enhancements and or traffic management measures will be put in place to facilitate new development; and
- improving operational efficiency of the regional and local road and transportation infrastructure – e.g., where appropriate, promoting new regional and local road networks and alternative modes.

The Council is also advised that any costs such as land acquisition, additional road infrastructure and environmental mitigation measures arising to the national roads network to accommodate local development proposals will be borne by the local authority and will not be funded by TII and thus should be integrated into future local development contributions schemes.

In TII's opinion, the co-ordination of land use planning and transportation is critical to achieving the complementary objectives of compact urban growth while safeguarding the strategic function of the national road corridors in County Laois.

a. Development at national road junctions

In addition to the Core Strategy and general development strategy safeguarding the strategic inter-urban and inter-regional function of national roads, as outlined above, it will be important for the Council to exercise particular care in their assessment and management of development proposals in the Development Plan relating to the zoning of locations at or close to junctions on the national road network where such development could generate significant additional traffic, thereby potentially compromising the capacity and efficiency of the national road/associated junctions and possibly leading to the premature and unacceptable reduction in the level of service available to road users.

Proposals for development and land use zoning designations at national road interchanges and junctions require careful consideration and any proposals should be prepared in the context of the provisions of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines. TII remains available to assist the Council in preparing Strategic Transport Assessments to address development proposals in the proximity of national roads where such proposals are demonstrated as being in accordance with the provisions of official policy in the first instance. The Council will be aware that Section 2.7 of the DoECLG Guidelines do not extend to include retail and residential development.

As outlined, Draft Development Plan policies should reflect and safeguard the strategic role of the national road network and associated junctions in catering for the safe and efficient movement of inter-urban and inter-regional traffic. Planning authorities, in considering proposals for zonings adjacent or close to existing or planned national roads/motorways and junctions, should give special attention to the preferences expressed in the Retail Planning Guidelines for locating developments that attract many trips within established towns and district centres.

It should be noted that whilst the Authority recommends that traffic and transport assessments be carried out for individual planning applications as part of the development management process, this is not a substitute for a prior overall transport assessment of areas where the planning authority is determining fundamental issues of land use and transportation. Leaving the overall transport assessment of areas to individual applicants' transport assessments is considered highly inappropriate and would lead to a piecemeal and unsustainable approach to development in the vicinity of the strategic national road network. Such an approach is particularly relevant for planned growth areas in the County and within the higher tiered settlements.

The Council will be aware that Section 8.3 of the EMRA RSES outlines the policy to apply the guiding principle that the strategic transport function of national roads and associated junctions should be maintained and protected in

statutory land use plans. Therefore, as outlined above, in the context of official policy there is a requirement to carefully consider zoning and development proposals in the vicinity of the strategic national road network and associated junctions.

It is the Authority's opinion that the Council should give consideration to undertaking appropriate Area Based Transport Assessment and/or Strategic Transport Assessment (STA) to support the preparation of the Draft County Development Plan, particularly, in relation to areas of planned development which have an interface with the national road network. Section 1.4 of the NRA/TII Traffic and Transport Assessment Guidelines (2014) refers. The Authority supports the approach taken by the Council in relation to the Togher Masterplan lands in this regard. In addition, guidance is also available in TII Publications PE-PDV-02046 Area Based Transport Assessment (ABTA) Guidance Notes, jointly prepared by TII and the NTA.

TII also notes the requirement to undertake a Local Transport Plan for Portlaoise included in the EMRA RSES. TII would welcome consultation with the Council in relation to such proposals where there may be implications for the national road network.

b. Access to national roads

The DoECLG Spatial Planning and National Roads Guidelines advise, Section 2.5 refers, that development plans should make it clear that the policy of the planning authority will be to avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 50kph apply. It is requested that this official policy provision is reflected in the Development Plan.

This also creates the requirement to co-ordinate proposed zoning designations and/or access strategies in the Development Plan and accompanying settlement plans, as appropriate, with speed limits on national roads.

c. 'Exceptional Circumstances'

Where the planning authority proposes to exercise a less restrictive approach to the control of development accessing national roads, this should be plan led, done in consultation with and subject to the agreement of TII in accordance with the provisions of Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines.

The Council may also wish to consider cases relating to any planned strategic infrastructure development proposals. TII would welcome and is available to discuss proposals in relation to Section 2.6 of the Guidelines with the Executive of Laois County Council for incorporation into the new Development Plan. It will be important that the appropriate evidence base is developed to support any proposals in this regard.

3. TRANSPORT PLANNING AND NATIONAL ROAD SCHEMES

As you are aware the Authority is developing/progressing major national road schemes and improvements within the region identified in accordance with National Development Plan investment commitments. The Authority's other priorities in relation to national roads are the maintenance of the existing national road network, including junctions, and safeguarding the Exchequer investment in national roads to date.

Planning authority policies and objectives, including rezoning of lands, should not compromise the road planning and route option evaluation process in circumstances where road scheme planning is underway and potential routes have been identified and brought to the attention of the planning authority, including schemes that may currently be suspended. Similarly, development strategies or rezoning proposals should not have the effect of altering the function of these routes or importantly, increase the cost of land to be acquired or under active consideration as a route option for a national road scheme. Such proposals, while potentially bringing major financial gains to the property owners involved, would be at variance with the broader public interest and would, by significantly increasing the cost of the land to be acquired for road schemes, reduce the funding available to the Authority for road construction and improvement work generally.

The Council may also consider it appropriate to identify any local improvements to national roads planned by the Council over the term of the Development Plan that may be incorporated into the adopted plan. The Authority

advises that while any additional improvements relating to national roads identified at a local level should be done so in consultation with and subject to the agreement of TII, the Council will be aware that TII may not be responsible for the funding of any such schemes or improvements. Any additional connectivity to national roads should be developed in accordance with the requirements of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines (2012).

Related to the foregoing, the Authority requests the inclusion of policies and objectives in the Development Plan that provide for the following:

- objectives providing for development of relevant national road schemes,
- a policy to protect routes of national road schemes free from adverse development that may compromise the development of route options or the construction of preferred routes, or add to the overall costs associated with proposed schemes.

The Council will be aware that the implementation of all national road schemes is subject to budgetary constraints and is subject to prioritisation and adequacy of the funding resource available to the Authority. In these circumstances and taking account of the Exchequer financial position and levels of funding available to the Authority, the relative priority or timeframe for national road schemes may be subject to alteration.

4. OTHER SPECIFIC POLICIES AND OBJECTIVES

a. Road Safety

The Road Safety Authority's Road Safety Strategy, 2013 – 2020, builds on existing road safety interventions, but reframes the way in which road safety is viewed and managed in the community. It addresses all elements of the road transport system in an integrated way with the aim of ensuring collision energy levels are below what would cause fatal or serious injury. It requires acceptance of shared overall responsibilities and accountability between system designers and road users and it stimulates the development of innovative interventions and new partnerships necessary to achieve ambitious long term road safety targets.

Therefore, the design of development proposals must address the functionality and safety of road needs. Two processes address these design concerns: Road Safety Impact Assessment (RSIA) and Road Safety Audit (RSA).

- **Road Safety Impact Assessment (RSIA)** is described in the EU Directive on Road Infrastructure Safety Management (EU RISM) 2008/96/EC as a strategic comparative analysis of the impact of a new road, or for substantial modifications to an existing road, on the safety performance of the road network (refer to TII Publications Planning and Evaluation PE-PMG-02001 Road Safety Impact Assessment).
- **Road Safety Audit (RSA)** involves the evaluation of road schemes during design, construction and early operation to identify potential hazards to all road users. RSA is to be carried out on all new national road infrastructure projects and on any schemes/proposal which results in a permanent change to the layout of a national road (refer to TII Publications GE-STY-01024 Road Safety Audit).

RSIA is a separate process to RSA. While RSA examines the safety aspects within a scheme, RSIA considers the safety impact of a scheme on the surrounding road network. RSIA and RSA both work to improve the safety performance of new roads and existing roads that require modifications due to projects or proposals. Both have consequences for the design and layout of any project.

b. Traffic and Transport Assessment (TTA)

As referenced in the observations above, the Authority recommends that planning applications for significant development proposals should be accompanied with TTA to be carried out by suitably competent consultants, which are assessed in association with their cumulative impact with other relevant developments on the road network. Guidance in relation to TTA is given in the "Traffic Management Guidelines". To assist with TTA, the Authority has updated the Traffic and Transport Assessment Guidelines (2014), which are available at www.tii.ie and could be referenced in the Draft Plan as appropriate guidance. The Guidelines also include recommendations on the requirement for sub-threshold traffic and transport assessments.

The Council are requested to reference the TII Traffic & Transport Assessment Guidelines (2014) in the Draft Development Plan relating to development proposals with implications for the national road network. Thresholds advised in the TII Traffic & Transport Assessment Guidelines (2014), including sub-threshold TTA requirements, relate specifically to development proposals affecting national roads.

c. Service Areas

The planning authority will be aware that Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines indicates the requirement for a forward planning approach to the provision of off-line motorway service areas at national road junctions and also addresses road side service facilities on non-motorway national roads and their junctions. Comments, above, in relation to development at national road junctions may also be pertinent in the case of such development proposals.

The Council will be aware that the Authority has issued the TII Policy on Service Areas (August, 2014). Section 1.4 of the Policy outlines the roles of the Authority and planning authorities in relation to the provision of service areas.

The Authority would welcome the provisions of the TII Service Area Policy (2014) and the DoECLG Guidelines reflected in the Draft County Development Plan.

d. Signage

TII has also issued the Policy on the Provision of Tourist & Leisure Signage on National Roads (March 2011). The purpose of this document is to outline TII's policy on the provision of tourist and leisure information signs on national primary and national secondary roads in Ireland.

With respect to the new Development Plan, the Planning Authority is also referred to Section 3.8 of the DoECLG's Spatial Planning and National Roads Guidelines which indicates a requirement to control the proliferation of non-road traffic signage on and adjacent to national roads. The Authority would welcome the provisions of the TII Policy and the DoECLG Guidelines incorporated into the new Development Plan.

e. Noise

The Council is also requested to refer to the requirements of S.I. No. 140 of 2006 Environmental Noise Regulations in the Draft Plan. The Authority advises that it requires that development proposals identify and implement noise mitigation measures, where warranted. The costs of implementing mitigation measures shall be borne by the developer, as the Authority will not be responsible for the provision of additional noise mitigation.

f. Safeguarding national road drainage regimes

TII would welcome consideration being given to including a new objective associated with safeguarding investment in the national road network relating to protection of national road drainage regimes. Significant improvements to the national road network have been overseen by Laois County Council. There is an onus and a policy requirement on road and planning authorities to safeguard the national investment made. In that regard, TII has experienced a number of instances nationally where private development proposals have accessed or sought to access national road drainage regimes to dispose of surface water drainage.

National road surface water drainage regimes are constructed with the objective of disposing of national road surface water, it is important that capacity in the drainage regime is retained to address this function.

Having regard to the extensive national road and motorway network in Laois, TII would welcome consideration of a new Objective included in the Development Plan outlining that;

'The capacity and efficiency of the national road network drainage regimes in County Laois will be safeguarded for national road drainage purposes'.

g. Renewable Energy

In relation to Solar Energy development proposals, TII recommends that an objective is included in the Plan requiring the submission of Glint and Glare Assessments with relevant applications where there may be implications for the safety and efficiency of the strategic national road network.

In addition, for all renewable energy developments requiring grid connection to the national grid, TII recommends that an assessment of all alternatives to grid connection should be assessed. It is considered inappropriate to only consider utilising the national road as a grid connection route when alternatives are available.

In TII's experience, grid connection accommodated on national roads has the potential, inter alia, to result in technical road safety issues such as differential settlement due to backfilling trenches and can impact on ability and cost of general maintenance and safety works to existing roads. Constraints and costs arise to on-line national road improvements and upgrades also.

Having regard to the foregoing, TII would welcome consideration being given to including an objective in the Development Plan, in relation to renewable energy and in relation to safeguarding the national road network, indicating that it should be demonstrated that an assessment of all alternative grid connection options has been undertaken prior to any proposals being brought forward for grid connection utilising the national road network.

CONCLUSION

Having regard to the foregoing, the Authority recommends that the development objectives included in the Draft Development Plan reflect the provisions of the DoECLG's Spatial Planning and National Roads Guidelines which indicates the importance of developing an evidence based approach at development plan stage for proposals with implications for the on-going safe and efficient operation of national roads.

In summary, the Planning Authority is advised to ensure in the review of the County Development Plan:

- The protection of the safety, carrying capacity and efficiency of the existing and future national roads network is maintained,
- Future National Road Scheme planning is provided for and schemes are safeguarded, and;
- An integrated approach to land use and transportation solutions throughout the County should be undertaken such that local traffic generated by developments is catered for primarily within the framework of the local (i.e. non-national) road network.

The Authority is available to meet the Executive of the Council to further discuss the issues raised in this correspondence at your earliest convenience as an aid to devising an appropriate and sustainable development strategy for County Laois.

Yours sincerely,



Michael McCormack

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