Oifig an Rialaitheora Pleanála
Office of the Planning Regulator

5th November 2026

Forward Planning Section,
Louth County Council,
Town Hall,
Crowe Street,
Dundalk,
Co Louth,
A91 W20C.

Re: Proposed Material Alterations to Variation No. 4 to the Louth County Development Plan 2021-2027 (as varied)

A chara,

Thank you for your authority's work in preparing the Material Alterations (material alterations) to prosposed Variation No. 4 (proposed Variation) to the Louth County Development Plan 2021-2027 (Development Plan).

As Louth County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (Office) is to evaluate and assess statutory plans to ensure consistency with legislative requirements and national and regional planning policy. The Office has undertaken this evaluation and assessment pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546, and this submission sets out the outcome.

In this context, submissions may include recommendations and observations. Recommendations arise where the Office identifies clear inconsistencies with legislative provisions or policy frameworks and are intended to be addressed to ensure compliance. Observations highlight areas where further clarification, justification, or refinement would strengthen the plan. The submission may also include advice to support the proper planning and sustainable development of the area.

Following adoption of the Variation, the Office will carry out a further assessment under section 63 of the Act.

1. Response to the Office's submission on the proposed Variation

The Office welcomes and commends the significant work undertaken by the Planning Authority to date including the material alterations, in addressing the recommendations and observations of the Office as expressed in its submission at draft stage. The Office particularly commends proposed material alterations in relation to flood risk management (MA 8, MA 9 and MA 14) and Nature-based Sustainable urban Drainage Systems (MA 12 and MA 16).

2. Overview of submission on proposed material alterations

As set out above, the Office welcomes the proposed material alterations which positively respond to its submission at draft stage and considers that the proposed Variation will be further enhanced and strengthened through additional text related to Developer-Led Infrastructure to support housing delivery (MA 7) and the protection of heritage assets (MA 15).

Notwithstanding the above, the Office has concerns in relation to the consideration of flood risk management and land use zonings (MA 17 and MA 18).

The following recommendation and observations set out below are intended to support the Planning Authority in finalising the proposed Variation and ensuring its effective implementation:

Subject	Recommendation	Observation
Flood risk management	MA Recommendation 1	MA Observation 1
Masterplans	-	MA Observation 2

3. Flood risk management

The proposed Variation includes the rezoning of lands in Dundalk for residential development (MA 17). However, these lands are located within Flood Zones A and B, where highly vulnerable development, including residential development, should be

avoided unless it can be demonstrated that the requirements of the Sequential Approach and the Plan Making Justification Test (Justification Test) have been satisfied in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009). Such justification must be supported by a clear and evidence-based assessment.

The development of this site for residential use would therefore be inconsistent with National Policy Objective 78 of the National Planning Framework First Revision (2025) and Regional Policy Objective 7.12 of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly area. Furthermore, the Strategic Flood Risk Assessment appended to the SEA Environmental Report concludes that MA 17 'would be likely to result in significant negative effects on: flood risk; human beings; property and infrastructure' and that the proposal would fail the Justification Test.

MA Recommendation 1 - Flood Risk Management

Having regard to flood risk management and having considered:

- NPO 78 of the NPF (in relation to flood risk management);
- RPO 7.12 of the RSES (to avoid inappropriate land use zonings and development in areas at risk of flooding); and
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009),

the Office recommends that the Planning Authority makes the Variation without MA 17.

The Office also notes the proposal to rezone lands at Ardee (MA 18) from H1 Open Space to A3 New Residential Phase 2 and A2 New Residential Phase 1, within the mid-high range Future Climate Scenario Flood Risk Area.

The Office notes that there is an increase in the 0.1% AEP extents in the mid-range future scenario outside of the lands zoned as Open Space and a further increase in 1% AEP and 0.1% AEP extents in the high-end future scenario reflecting increased flood risk due to climate change. This means that any housing development on these

lands could be potentially at risk of flooding or could result in flooding elsewhere. These risks should therefore be taken into account when reviewing the effects of climate change and on this basis the Office advises against the residential zoning proposed as MA 18.

MA Observation 1 - Flood Risk Management
Having regard to flood risk management and having considered: • NPO 78 of the NPF (in relation to flood risk management); • RPO 7.12 of the RSES (to avoid inappropriate land use zonings and development in areas at risk of flooding); and • The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), the Planning Authority is advised to update the Strategic Flood Risk Assessment to reflect the high-end future scenario for climate change with respect to MA 18 and amend land use zonings so that highly vulnerable development is not permitted on either Flood Zone A or Flood Zone B and less vulnerable development is not permitted on Flood Zone A. The Planning Authority is advised to liaise with the Office of Public Works in relation to the above.

4. Masterplans

The Office notes and welcomes additional text related to the Masterplan lands south of the Ardee Road in Dundalk and particularly the commitment to undertake a Traffic and Transport Assessment (MA 10). However, the absence of any reference to engagement with the relevant transport authorities is noted particularly where 'potential upgrades to existing infrastructure or requirements for new infrastructure shall be identified'. Therefore, it is considered reasonable and appropriate that the Planning Authority clarifies that engagement with the relevant transport authorities will be undertaken as part of the preparation of the Traffic and Transport Assessment for the Masterplan lands.

MA Observation 2 - Masterplans
Having regard to the need for integration of land use and sustainable transportation, and having considered: • NPO 37 of the NPF (sustainable mobility); • RPO 8.1 of the RSES (integration of transport and land use planning); and • RPO 9.10 of the RSES (integration of sustainable transport and land use planning), the Planning Authority is advised to: (i) amend the text relating to the Masterplan lands to the south of Ardee Road to ensure that engagement is undertaken with the relevant transport authorities as part of the preparation of the Traffic and Transport Assessment for these lands (MA 10): and (ii) amend the text relating to lands to the west of the Rockfield housing development in Ardee to ensure that engagement is undertaken with the relevant transport authorities regarding the future access arrangements to these lands (MA 11).

5. Next steps

The Office requests that the Planning Authority addresses the recommendation and observations set out above.

As part of this process, the Chief Executive's report to the elected members, prepared under section 58(15) of the Act should summarise the Office's recommendation and outline how it is proposed to address them.

Following adoption of the Variation, the Planning Authority is required to:

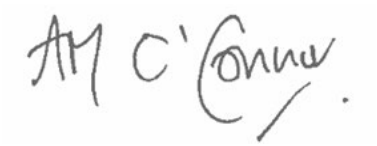
- provide the Office with a copy of the adopted Variation, together with any submissions received from the Minister, regional assemblies, and the National Transport Authority during the plan preparation process within **one week** of adoption;

- inform the Office, **as soon as practicable**, where the elected members decide not to comply with a recommendation, including the reasons for the decision of the elected members; and
- publish notice of the Variation within **one week** of adoption, confirming that the Development Plan as varied will be available for inspection (online and at a specified location) no later than **five weeks** after adoption.

The Office looks forward to continued constructive engagement with the Planning Authority. If further clarification or discussion would be helpful, the Office would be pleased to assist and can be contacted at plans@opr.ie.

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Anne Marie O'Connor

Deputy Regulator and Director of Planning Policy Implementation

Designated Public Official under the Regulation of Lobbying Act 2015

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