

9th September 2019

Forward/Strategic Planning Limerick City and County Council Merchants Quay Limerick V94 EH90

RE: Proposed Material Alterations to the Kilmallock Local Area Plan 2019 - 2025

To whom it concerns,

Thank you for your authority's work in preparing the Proposed Material Alterations to the Kilmallock Local Area Plan 2019-2025.

A submission was previously made by the Office to the Council on 27th May 2019 in relation to the above local area plan. The Office notes that subsequent Material Alterations to the plan were published by the Council following consideration by the elected members.

The Office previously highlighted the transitionary nature of the timing of the Draft LAP in advance of the finalisation of the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly. As such, a programed review of the LAP to ensure consistency with the higher order RSES and subsequent new Limerick City and County Development Plan is of paramount importance. It is noted that Objective C1 requires the review of LAP to this end. However, it is considered that this review should be statutory in nature and be commenced within a reasonable period following the adoption of the new city and county development plan in order to avoid any unnecessary extended period of conflict within the hierarchy of plans.

Recommendation: The Office recommends that Objective C1 includes clarification of the statutory nature and timing of the future programmed review of the LAP as follows:

Objective C1 Consistency of the proposed Kilmallock Local Area Plan with the hierarchy of statutory plans

It is the objective of the Council to ensure that the Kilmallock Local Area Plan is consistent with the hierarchy of statutory plans. The proposed LAP will be subject to a <u>statutory</u> review in the context of its consistency with the Limerick City & County Development Plan adopted following the making of the Regional Spatial and Economic Strategy (RSES) for the Southern Assembly Region. <u>This review shall be commenced within 6 months of the adoption of the</u> <u>new Limerick City & County Development Plan.</u>

<u>Summary</u>

The Office requests that your authority addresses the above recommendation which is made in the context of the provisions of Section 31AO(3)(a) in order to ensure that the draft LAP is consistent with relevant national policy obligations, guidelines and legislative requirements.

The report of the Chief Executive of your authority prepared for the elected members under Section 20 of the Act must summarise this recommendation and the manner in which it should be addressed.

Your authority is required to notify this Office within five working days of the making of the local area plan and send a copy of the written statement and maps as made.

Where the planning authority decides not to comply with a recommendation of the Office or otherwise makes the plan in such a manner as to be inconsistent with any recommendations made by the Office, then the Chief Executive shall inform the Office and give reasons for the decision of the planning authority.

Such notice requirements enable the Office to consider the matter further as regards the making of any recommendations to the Minister in relation to the provisions of Sections 31AO and 31AP of the Act.

If you have any further queries please contact me, using the details provided below, or any of the staff of the Office of the Planning Regulator at plans@OPR.ie

Yours sincerely,

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