



**Oifig an
Rialaitheora Pleanála**
Office of the
Planning Regulator

National Councillor Training Programme

Purpose of the OPR in the planning system

Niall Cussen M.I.P.I Planning Regulator





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Purpose

- ▶ Implementation of key recommendation of Mahon Tribunal to strengthen independent oversight of the planning process through:
 - ▶ (1) Assessment of statutory plans of local govt system for fit with statutory (Government/EU) policy and legislative requirements;
 - ▶ (2) Reviews and examinations of local authority and Bord Pleanála systems and procedures in the delivery of planning services to the public; and
 - ▶ (3) Building knowledge and information base in planning through training for LA members and staff, public information, research.



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Establishment

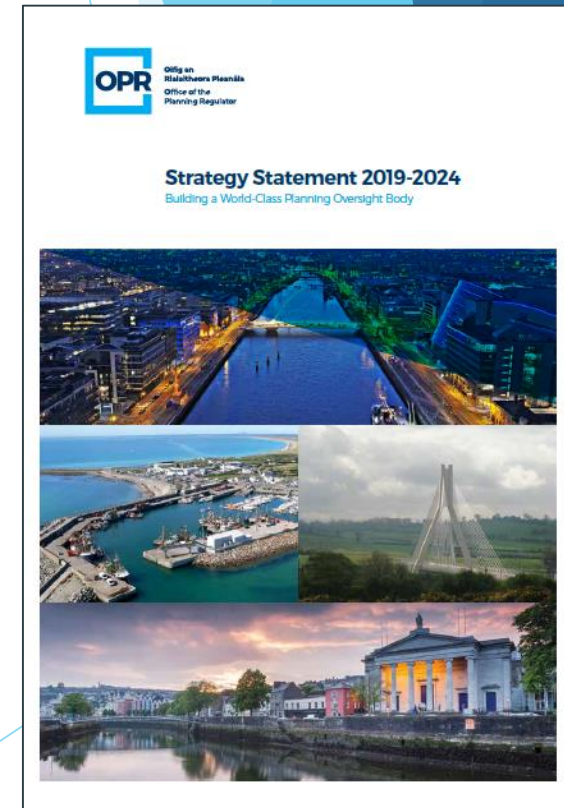
- ▶ Legally established April 2019
- ▶ Corporate Strategy published 2nd October
- ▶ Circa 20 staff - 3 work teams:
 - ❑ Evaluation of Plans
 - ❑ Reviews & Examinations
 - ❑ Research, Training, Public Awareness and Corporate Services
- ▶ Located at 77 St John Rogerson's Quay Dublin 2
- ▶ Contact
 - ❑ Phone: 01 553 0270 (9.30AM - 1PM and 2PM - 4PM)
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Strategy Statement

- ▶ Published 2nd Oct under Section 31T of 2000 Act - Goals - Milestones...
- ▶ Purpose: driving coordination of planning policy implementation...
- ▶ Vision: creating a culture of continuous improvement in planning...
- ▶ Values: independence, professionalism, transparency, engagement...
- ▶ 31 submissions received during six-week consultation process...
- ▶ High level of support for the OPR in delivering on its goals





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Plan Making & OPR

- ▶ OPR will evaluate local authority/regional assembly plans at strategic level:
 - ❑ Pre-plan making stage; (issues papers)
 - ❑ Draft plan/amended draft stages.
- ▶ Focus on climate change, consistency with National Planning Framework (Brownfield Targets), Regional Spatial and Economic Strategies, Guidelines issued by Minister under S28 Act, Directives under S29, Directions under S31...
- ▶ OPR is developing - with stakeholders - an objective plans assessment methodology



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Legislation

- ▶ **S31AM(2) Planning and Development Act 2000 (as amended)**
- ▶ **OPR must assess:**
 - ▶ **Content of development plans set out under Section 10 (mandatory and discretionary objectives)**
 - ▶ **In particular - section 10(2)(n) in relation to Climate Change**
 - ▶ **Consistency between the plan and the National Planning Framework - Regional Spatial and Economic Strategies (RSES)**
 - ▶ **Section 28 Guidelines - particularly Specific Planning Policy Requirements**
 - ▶ **Section 29 Policy Directives**
 - ▶ **Any legislative and policy matters the Minister may communicate to the Office**



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S10(2) Objectives Examples

- ▶ 18 mandatory areas for plans to address, including
- ▶ Core Strategy: consistency with NPF - RSES and S28 Guideline SPPR's
- ▶ Article 10 Habitats Directive - River Basin Management Plans
- ▶ Development/Renewal objectives facilitating Vacant Site Levy
- ▶ Traveller Accommodation (use of particular areas for that purpose)
- ▶ Protection of Gaeltacht areas
- ▶ Provision of infrastructure for communities
- ▶ Climate Change - strategies and measures on location, layout and design of new development that
 - ❑ Reduces energy demand
 - ❑ Reduces greenhouse gas emissions and
 - ❑ Adapts to effects of climate change



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Climate Change

- ▶ Ireland 4th highest EU state in energy intensity of transport - patterns of development key...
- ▶ Next generation of city/county development plans a historic opportunity to show how, through planning, planning can lead in tackling the causes and effects of CC...
- ▶ ‘Avoid-Shift-Improve’ (ASI) approach “avoiding” energy demands through spatial density, ‘shift’ to active and public modes and ‘improvement’ of energy/carbon efficiency through behavior/technology...
- ▶ Climate Action Plan commits to statutory plan evidence based measurement methodology...
- ▶ Utilise Core Strategy Options and Strategic Environmental Assessment to quantify climate impact...



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Environment

- ▶ **Water, Air, Noise** (EU Directive Requirements integrated into the development plan process)
- ▶ **River Basin Management Plans** - next plans must demonstrate a much stronger evidential grounding in supporting/achieving RBMP objectives (DHPLG guidelines in progress)
- ▶ **Waste Management** - implementation of Government policy, enabling infrastructure roll-out and enabling the circular economy
- ▶ **Biodiversity**: spatial plans have a huge role to play in tackling habitat and species loss
- ▶ **More environmentally sound plans = more certainty in planning process and less litigation!**



The role of the Office of the Planning Regulator (OPR) in the creation of a new development plan





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Complaints

- ▶ Section 31AU - OPR may examine complaints made by any person or where requested by the Minister
- ▶ Complaints can only relate to the organisation of a planning authority and of the systems and procedures used:
 - ▶ systemic issues, not individual cases
- ▶ Other bodies include LA own complaints procedures, ABP, Ombudsman, SIPO, An Garda Síochána, etc.
- ▶ 150 complaints / enquiries since establishment in April



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Reviews

- ▶ **At instigation of OPR (section 31AS) or request of the Minister (section 31AT)**
- ▶ **Systems and procedures used by all planning authorities, including An Bord Pleanála**
- ▶ **OPR will implement a proactive reviews program with scope for baseline assessment and/or reviews of PA's in relation to specific themes or groups of authorities**
- ▶ **Review process to be a resource to the planning sector**
- ▶ **Draft methodology under development - to be agreed with Sector and Stakeholders**



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Public & Planning

- ▶ Engagement with the public at plan making stages is key...
- ▶ Build better ownership of plan objectives and policies at plan-making stage through three dimensional/development brief approach...
- ▶ Work with your executives to innovate in participative approaches to plan-making - shorter documents - more imagery - plain language - use of social media and web based interaction portals - eg Fingal and DCC...
- ▶ OPR will work to develop easy-to-use sources of information that the public can access...
- ▶ Implementation of national (Government) policies also crucial to communicate with the public and translate taking account of local conditions appropriately...
- ▶ ABP (SHD) will uphold plans that appropriately translate national policies at local level...



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Conclusion

- ▶ **Much progress in building a stronger, more evidence based and investment-backed planning process - Project Ireland 2040, NPF, RSES, funds, Land Development Agency...**
- ▶ **OPR enhances governance and oversight aspects of our planning process...Our focus in Year 1 is building organisational capability and key relationships...**
- ▶ **Significant volume of (plans assessment) work is approaching for 2020+...**
- ▶ **Research and training for elected members and LA's opportunities for OPR and Regional Assemblies...**
- ▶ **Huge challenges & opportunities ahead for planning process in developing radically better plans with stronger community ownership that address the challenges ahead...**