



18th March 2020

Frank Pentony,
Forward Planning Section,
Town Hall,
Crowe Street,
Dundalk,
Co. Louth

Re: Proposed Variation no.2 of Louth County Development Plan 2015-2021

A Chara,

Thank you for your authority's work in preparing the Proposed Variation no.2 of the Louth County Development Plan 2015-2021 (the proposed variation).

The Office of the Planning Regulator (the Office) has evaluated and assessed the proposed variation, above, under the provisions of sections 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act).

As your authority will be aware, one of the key functions of the Office includes assessment of statutory plans and strategies to ensure consistency with legislative and policy requirements relating to planning.

The Office is currently developing an overall evaluation and assessment methodology for statutory plans. The submission below has been prepared to provide a high-level input to your authority in finalising the proposed variation.

1. Matters within the scope of section 10 and section 10(2)(n)

The Office is satisfied that proposed variation is consistent with the provisions of section 10 of the Act.

The Office is satisfied that proposed variation would be unlikely to have a materially significant impact in terms of climate action under section 10(2)(n).

2. Consistency of proposed variations with the hierarchy of statutory plans

The Office notes NPO 46 of the National Planning Framework (NPF) to enhance transport connectivity between Ireland and Northern Ireland including, inter alia, cross-border roads such as the N2; and notes RPO 8.10 of the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (the RSES) to support the subject road project.

The Office is therefore satisfied that the proposed variation is consistent with the provisions of the NPF and the RSES.

3. Relevant section 28 Guidelines

The Office considers the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DECLG, 2012) to be relevant to the evaluation and assessment of the proposed variation.

Section 2.9 of the said guidelines requires that a development plan *'should identify any land required for future national road projects including objectives that:*

- *Retain required lands free from development; and*
- *Ensure that measures are put in place so that any adjacent development of sensitive uses, such as housing, schools and nursing homes are compatible with long-term operation of the road.'*

It also requires that:

*'Development objectives, including the zoning of land, must not compromise the route selection process, particularly in circumstances where road scheme planning is underway and **potential route corridors** or upgrades have been identified and brought to the attention of the planning authority.'* (Our emphasis)

The Office notes the observation of TII which recommends that the wording of proposed policy TC 20A be reworded in the interests of adhering to the provisions of official policy. The Office would concur with the position of TII and would support the rewording of proposed policy TC 20A as suggested by TII.

Observation 1:

Your planning authority is requested to give consideration to the amendment of the proposed wording of proposed policy TC 20A, subject of the proposed variation no.2, as follows:

'To protect the potential route corridors and thereafter the preferred route corridor selected of the N2 upgrade road scheme between Ardee and Castleblaney and to prohibit development that could prejudice its future delivery.'

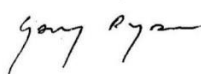
Summary

The Office requests that your authority addresses the specific observation outlined above, which is made in the context of the provisions of Section 31AM(1) and (2), in order to ensure that the variation is consistent with relevant national policy obligations, guidelines and legislative requirements.

Your authority is reminded that the Planning and Development Act imposes obligations on a planning authority in the carrying out of its forward planning functions, regardless of any observations or recommendations made by the Office in respect of a development plan (or local area plan) arising from an evaluation and assessment carried out in accordance with the provisions of the legislation.

Please feel free to contact the staff of the OPR in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Is mise le meas,



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