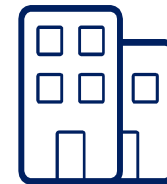




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Planning Regulator

Consideration and Finalisation of the Draft Development Plan: Assessment of Submissions



Niall Cussen: Planning Regulator

Focus of this presentation: Submissions



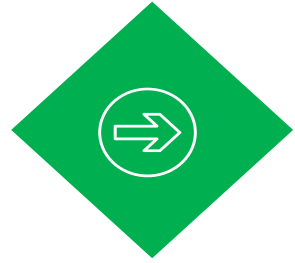
Documentation of submissions



Weighting of issues raised

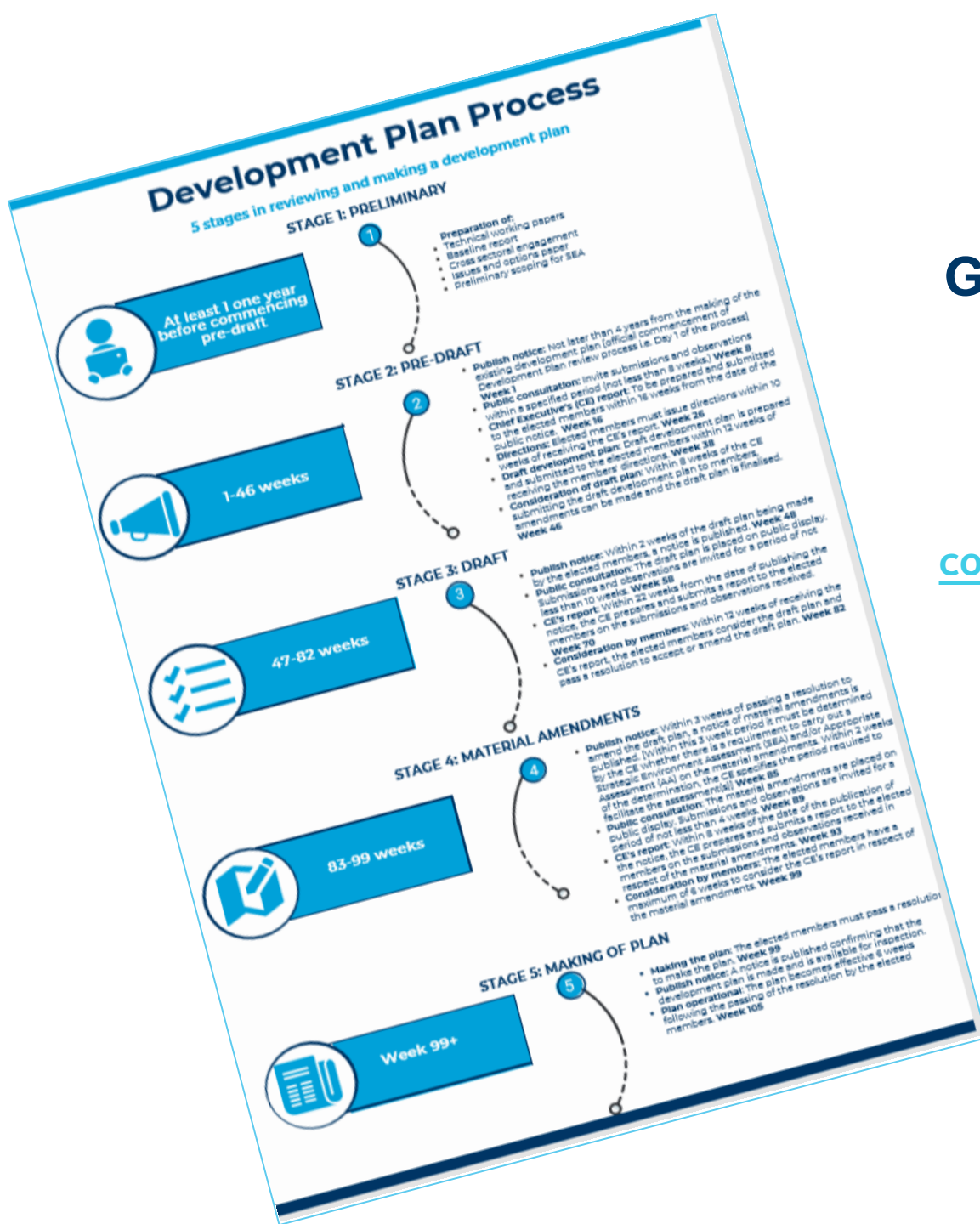


Submissions of the Office of the Planning Regulator



Takeaways....





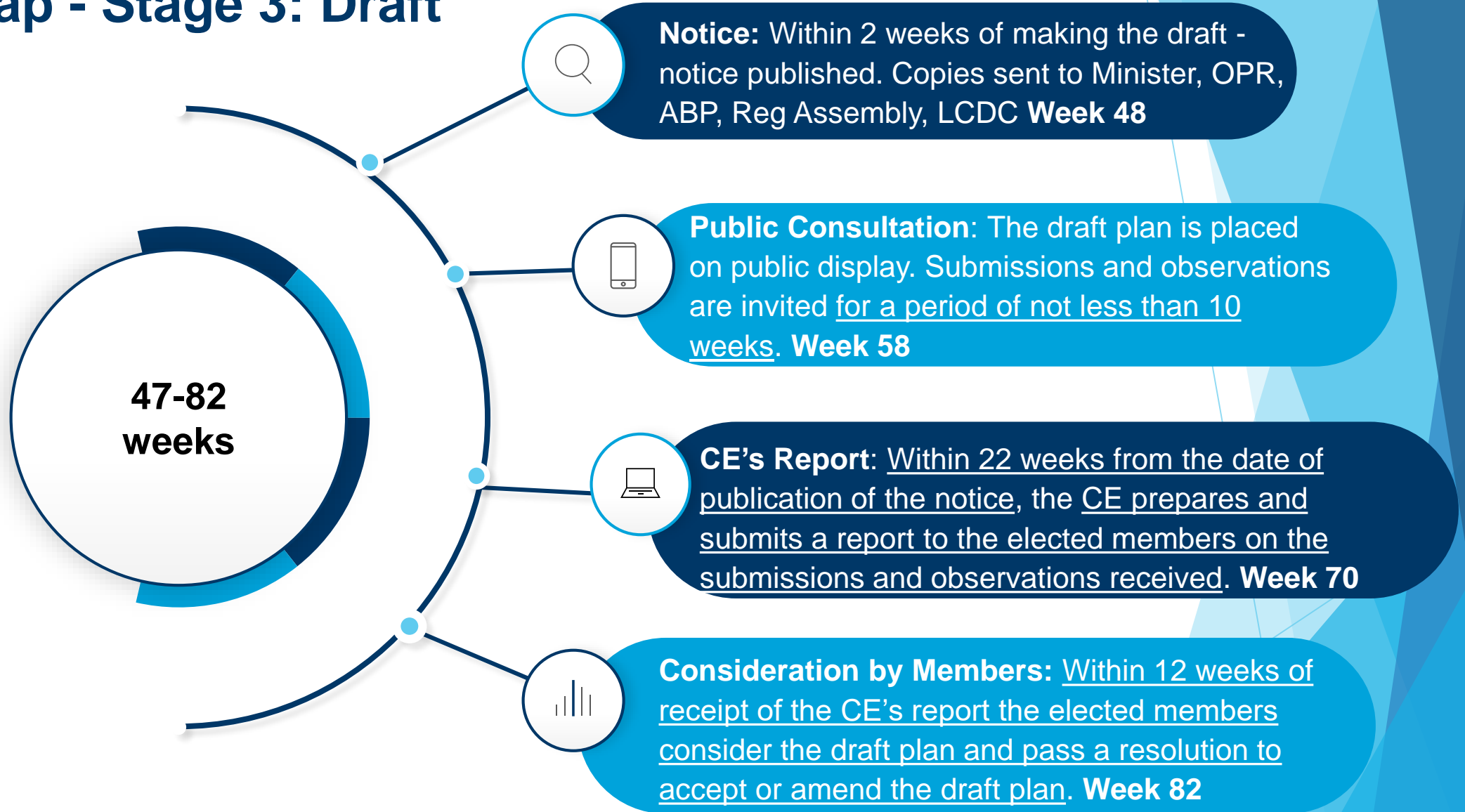
Guide to 5 stages of Plan-Making Process available on our website....

<https://www.opr.ie/wp-content/uploads/2020/06/Development-Plan-Process-Infographic.pdf>

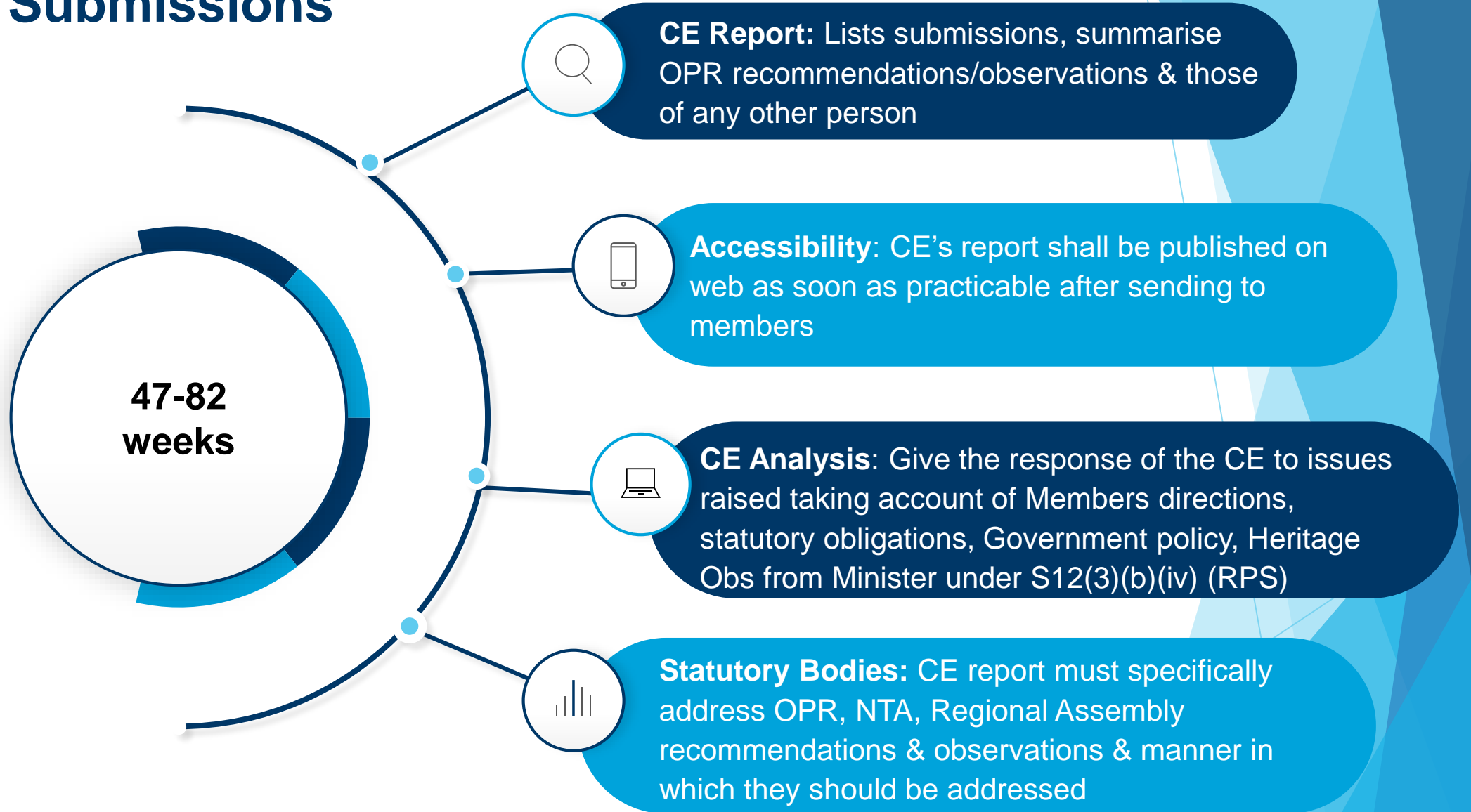


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Recap - Stage 3: Draft



Stage 3: Submissions



Quality in CE's Report Vital



Can be a substantial volume of material to go through



Key to allocate proper time to go through the report & consider implications



Critical the CE report is well laid out - easy to follow – any changes clear



CE reports (CDP) will take several meetings to consider



Don't forget your communications & engagement strategy once consideration of submission is complete



Taking the OPR's submissions into account...



(a) **Observations** & (b) **Recommendations**
...necessary to ensure effective coordination of national, regional and local planning....



OPR **recommendations** must be addressed and any decision not to comply must be notified to the OPR and reasons given once plan made...



Observations/recommendations are **intended to guide you in making a plan compliant** with legal and policy requirements...



Recommendations not implemented – **where key policy breaches arise - can result in recommendations to the Minister** to issue Directions to rectify...

Our focus will be on



Alignment of Core Strategy and wider national/regional requirements



National Planning Framework/Regional Strategy follow-through



Ensuring Ministers guidelines taken on board (examples)

- No residential zonings in areas at high risk of flooding
- Form and density of development delivers compact, sustainable cities, towns, villages...
- Retailing/employment areas in correct locations – easy walking/bike/public transport access



Elements of the plan coherent: strategy/ objectives/ environmental reports



Refer to OPR training presentation from February 2020 for good examples.



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Considering the draft is a listening exercise...



Other Key Submissions

**Make sure
you address
these**



NTA/TII: strategic investment priorities & key locational policies (NTA transport strategies & land use at N-road/motorway intersections)



Irish Water: Broad alignment between Core Strategy & IW Capital Programme including any smaller towns & villages the focus for targeted investment



Heritage: Record of Protected Structures up to date NATURA sites identified and measures to protect archaeological zones protected



Department of Education: Schools Planning Guidelines followed – growth areas include planning/provisioning of school accommodation



Regional Assemblies: Good alignment between Core Strategy and DP objectives and the strategy of your regional assembly



Office of Public Works: Local flood risk assessment done – no vulnerable uses in high flood zone areas generally – where necessary follow sequential & exception tests

What is Your Role?



OPR submission will signpost making a sound and well co-ordinated plan



You need to weigh up our submission in the context of local considerations



Your decision on submissions must be based on proper-planning avoiding vested interests



Can be a number of ways to respond to OPR submission..(examples)

What is Your Role?



If you decide not to implement recommendations, you must give reasons



Those reasons need to be firmly grounded in planning rationale – *not agree to disagree*



OPR will examine this reasoning and where significant policy/regulatory breaches remain, we will recommend draft Directions be issued by the Minister

**Directions are complex, delay, can be litigious –
to be avoided – by following our advice...**



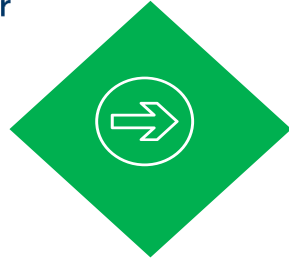
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Strategic Environmental Assessment (SEA)

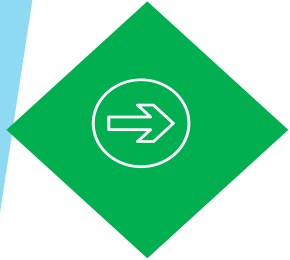
- ▶ **Planning Act & Regulations set specific obligations** in considering submissions in the light of the Environmental Report (SEA) & Natura Impacts (Habitats)...
- ▶ **Pay very close attention to the advices of your Executive** regarding compliance with these statutory obligations **or you risk your plan or key planning decisions made in its light being challenged** in the Courts...
- ▶ Previous OPR presentations (December '19/ February '20) address these in more detail...



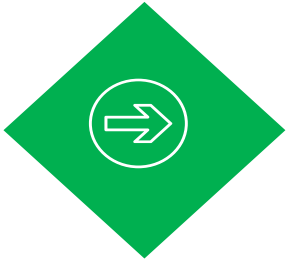
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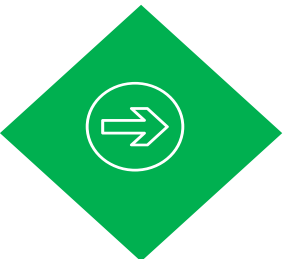
Takeaways...



CE Report is a key step in the plan-making process...



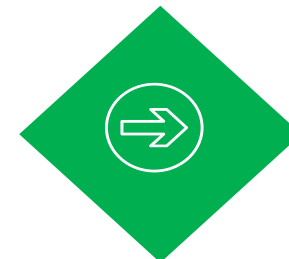
Take the time to carefully study the CE report and allocate sufficient Council time...



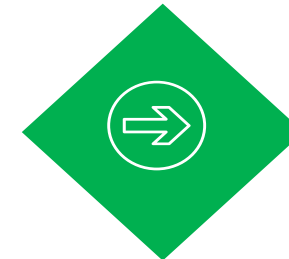
Watch the environmental assessments that amendments can give rise to...



Follow-up **communications & engagement strategy** with communication at/after CE report



Pay particular attention to OPR & statutory body submissions – address these...



Proper planning must be your key guide in deciding on submissions & planning reasons given...



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Thank You