

8 March 2021

Forward Planning Section,
Limerick City & County Council,
Economic Development Directorate,
Merchants Quay,
Limerick

Re: Material alterations to Southern Environs Local Area Plan 2021-2027

A chara,

Thank you for your authority's work in preparing the material alterations to the draft Southern Environs Local Area Plan 2021- 2027 (the draft LAP).

As your authority will be aware, one of the key functions of the Office of the Planning Regulator (the Office) includes strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the material alterations to the draft LAP under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended, and within the context of the Office's earlier recommendation and observations.

As outlined in the Office's submission to the draft LAP, the Office considered the draft LAP to be generally consistent with policies in the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly area, the core strategy in the current county development plan and relevant section 28 Ministerial guidelines except for sections 2.7 and 2.9 of the *Spatial Planning and National Roads Guidelines (January 2012).*

In response to **Recommendation 1** of the Office's submission letter on the draft LAP, the planning authority has made the following change to the land use zoning map.

Amend the land use zoning map from Enterprise and Employment to Agriculture as per the 2011 – 2017 Local Area Plan zoning at Junction 30 Rosbrien (Submission No's 1, 3, 20).

In this regard, the planning authority is advised that the above amendment is satisfactory to address draft LAP Recommendation 1.

The Office's evaluation and assessment has had regard to the current county development plan, the RSES, relevant section 28 guidelines and emerging transport policies for the metropolitan area.

The planning authority is advised that a number of the material alterations in particular those relating to policy objectives for transport and climate change are welcomed since they will provide for further policy direction or clarity in the final LAP.

The five observations below are in response to the following material alterations:

- 1. Objective TM O24 improved accessibility from Limerick Southside to the M20/M7
- 2. Objective TM O26 employment lands at Dock Road
- 3. Transport Map 4 link road from Dooradoyle Road to Rosbrien Road
- 4. Change zoning matrix regarding Enterprise & Employment zoned land

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

1. Objective TM O24

TM O24 has been introduced with the stated objective to 'Explore improved accessibility to Limerick Southside, including the possible provision of a motorway interchange connection from the M20/M7 to Limerick Southside.'

It is noted that Regional Policy Objective 167 of the RSES lists the *Limerick Southside Accessibility Project M20/M7 Interchange* project with a group of other projects that '... are also supported as strategic regional priorities to achieve NSO Enhanced Regional Accessibility subject to the recommendations of the three MASPs, the preparation of associated Metropolitan Area Transport Strategies and the preparation of Local Transport Plans for key settlements and other urban centres where applicable.⁷

¹ Page 182 of the RSES for the Southern Regional Assembly

While the M20 Cork to Limerick road project is listed in the *National Development Plan 2018-2017*, the planning authority is advised that there is no government commitment for the above road project, and that it would require a motorway order and assessment of its environmental impacts.

Section 2.7 of the Spatial Planning and National Road Guidelines for Planning Authorities (2012) states

"...in certain circumstances, additional junctions, or enhancements to existing junctions on national roads, may become necessary to service development needs of national and strategic importance or in cases where a proposed development is demonstrated by the planning authority to be more appropriately located proximate to such junctions."

The guidelines also outline 9 no. criteria to be met where the national transport authority will support such capacity enhancement and development proposals. The Office considers that the following observation is necessary to provide additional clarity in respect of objective TM O26.

MA Observation 1- Policy objective TM O24

Having regard to the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), the planning authority is advised to clarify that the provision of an additional junction or enhancement to an existing junction on a national road which is contemplated in policy objective TM O24 would need to satisfy the criteria in section 2.7 of the aforementioned section 28 guidelines and undergo an assessment of its environmental impacts.

2. Objective TM O26

The Office notes that the planning authority proposes to retain the existing zoning of lands at Junction 2 – Dock Road subject to the addition of the following specific objective TM O26.

While the addition of the objective is welcomed, it is considered that it would benefit from clarity in relation to the specific area affected and to address issues regarding the proximity of this employment area to the national road network.

The Draft Limerick Shannon Metropolitan Transport Strategy (LSMATS) states the following in relation to road capacity issues on the M7/N18:

'...The mainline carriageway of the M7/N18 operates within capacity throughout the day, however, there is recognition of localised congestion on the grade separated junctions with this road, in particular: Mackey (Newport) Roundabout, Ballysimon Interchange and <u>Dock</u>
<u>Road Interchange</u>. ² (Emphasis added)

To address the above, it is considered that the planning authority should map the area affected by policy TM O26 and include a commitment to prepare a local transport assessment / study with the relevant landowners, stakeholders and authorities to assess the implications of further development on the national road network.

Having regard to localised congestion at the Dock Road interchange, the extent of land zoned for industrial / enterprise and employment uses along Dock Road, it is considered that the following observation is necessary.

MA Observation 2 – Policy Objective TM 026

Having regard to section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), the planning authority is requested to amend objective TM O26 to include a requirement to prepare a transport assessment regarding the lands zoned for industrial and employment uses along Dock Road (N69) and in proximity to its intersection with the N18.

This assessment should assess the implications on the safe and efficient operation of the national road network in the area and determine the quantum of development that can be supported at this location. The planning authority is also requested to map the area of zoned land affected by policy objective TM O26 to clarify the extent of land affected by same. The planning authority is advised to consult with Transport Infrastructure Ireland and the National Transport Authority in this regard.

3. Link Road from Dooradoyle Road to Rosbrien Road

The material alterations include an objective to provide an east-west link road from the Dooradoyle Road (Crescent Shopping Centre) to the Rosbrien Road.

² Page 68 of the Draft Limerick Shannon Metropolitan Area Transport Strategy

The Office notes that the link road objective is in an area affected by flood risk and would require a bridge crossing of the Ballinacurra Creek.

Chapter 5 – Flood and Development Management of *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)* states the following in respect of bridge structures:

Where development proposals include the construction or amendment of bridges, culverts or similar structures the applicant should have regard to the requirements of Section 50 of the Arterial Drainage Act, 1945.³

Given the extent of flood risk in the area where the link road is proposed and the requirements of section 50 of the Arterial Drainage Act, the following observation is considered necessary.

MA Observation 3 – Link Road from Dooradoyle Road to Rosbrien Road

Having regard to The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) and the location of the proposed link road (from Dooradoyle Road to Rosbrien Road) which is in an area at risk of flooding and would require a bridge crossing of the Ballinacurra Creek, the planning authority is requested to include a requirement for a flood risk assessment and hydraulic modelling regarding the proposed link road in the Local Area Plan and also reference to the requirements of Section 50 of the Arterial Drainage Act, 1945 in respect of the construction of bridge structures.

The Office notes that the proposed link road is located in an area part-zoned for open space, and is not identified as a new road in the Draft LSMATS.

The planning authority's attention is drawn to the principles for the provision of new roads on page 87 of the Draft LSMATS in particular for the need for new roads to '...be designed to provide a safe and appropriate arrangements to facilitate walking, cycling and public transport provision'. In this respect, it is considered that the objective should be for a proposed road designed in accordance

³ Page 51, Section 5.25 of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)

with the *Design Manual for Urban Roads and Streets 2019*. It is considered that the following observation is necessary.

MA Observation 4 - Link Road from Dooradoyle Road to Rosbrien Road

Having regard to the principles for new roads in the Draft Limerick Shannon Metropolitan Area Transport Strategy and the location of the proposed link road from the Crescent Shopping Centre (Dooradoyle Road) to Rosbrien Road, and in an area part zoned for open space and at risk of flooding, the planning authority is requested to amend Transport Map 4 to indicate a requirement for a proposed road that is designed in accordance with the requirements of *Design Manual for Urban Roads and Streets 2019* and include text in the final Local Area Plan to state that the requirement for the road would be subject to more detailed assessment including the implications for flooding in the area (MA Observation 3).

4. Change zoning matrix

The planning authority also proposes to change the zoning matrix regarding Enterprise & Employment to change the uses Health Clinic and Health Practitioner from 'open for consideration' to 'generally permitted'.

The Office understands that the proposed change to the zoning matrix also relates to the material alteration to rezone the land at 1 Dooradoyle Road from Existing Residential to Enterprise and Employment. The Office notes that the uses Health Clinic and Health Practitioner are generally not permitted on land zoned Existing Residential, which is the existing zoning of 1 Dooradoyle Road.

It is considered that the proposed change to the zoning matrix is not justified and should be reconsidered having regard to the purpose of the Enterprise & Employment zoning objective which states '...To accommodate compatible industry and employment activities that are incapable of being situated in the city centre, in a high quality physical environment', and the extent of land zoned for Enterprise & Employment in the LAP. It is considered that the following observation is necessary.

MA Observation 5 – Change zoning matrix

Having regard the extent of land zoned for Enterprise & Employment in the Local Area Plan and the purpose of the Enterprise & Employment zoning objective, which inter alia, seeks '...To accommodate compatible industry and employment activities that are incapable of being situated in the city centre, in a high quality physical environment', the planning authority is requested to delete the proposed change to the zoning matrix regarding the land uses health clinic and health practitioner as it is considered that the change has not been justified and is not of a nature that is generally commensurate with activities that are incapable of being situated in the city centre or a district centre.

5. Miscellaneous matters

The Office acknowledges that the draft LAP clearly outlines that it is an interim plan⁴ and the intent of the planning authority is to incorporate the LAP into the new Limerick Development Plan and subsequently revoke the LAP⁵.

It is noted that page 20 of the draft LAP states the following in respect of the additional headroom⁶ allowed for certain counties like Limerick in the National Planning Framework:

'...in the absence of the adoption of the proposed Limerick Development Plan, the Local Authority has made assumptions with respect to population projections and allocation, additional residential units and zoned land requirements in accordance with the NPF, the Implementation Roadmap for the NPF and the RSES. In this respect, the assumed Southern Environs population growth allocation is an additional 7,420 persons to 2027. This equates to a projected requirement for an additional 2,968 residential units over the period up to 2027, based on 2.5 persons per household. These figures include headroom of 25% for the interim projection to 2026, permissible in Limerick under the Implementation Roadmap for the NPF.'

⁴ Spatial Planning Objective on page 8 of draft LAP

⁵ Strategic Objective 1 on page 17 of the draft LAP

⁶ Implications and Safeguards in section 3(a) of the NPF Implementation Roadmap

Notwithstanding the interim nature of the LAP, the planning authority is advised that the population projections in the LAP (Table 1) which include an allowance of 25% headroom will need to be reviewed as part of the preparation of the core strategy for the forthcoming Limerick Development Plan to ensure that the 25% headroom is appropriately considered at city and county level and consistent with the implications and safeguards in section 3(a) of the NPF Implementation Roadmap and any relevant adjustments as part of the Section 28 Guidelines: *Housing Supply Target Methodology for Development Planning 2020*.

In this regard, the planning authority is advised to review the above text on page 20 of the LAP and include a footnote for Table 1 which states that the 25% headroom contained in the population projections will be reviewed as part of the preparation of the core strategy for the forthcoming Limerick Development Plan.

Summary

The Office's evaluation and assessment of the proposed material alterations concludes that no recommendations are warranted, and the substantive issue contained in Recommendation 1 of the OPR's submission on the draft LAP has been satisfactorily addressed.

However, the Office considers that the final local area plan would benefit from some further modifications to address the issues raised in the five observations outlined above.

Your authority is required to notify this Office within **five working days** of the decision in relation to the material alterations to draft plan.

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

Yours sincerely,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations