



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

6th September 2021

Forward/Strategic Planning,
Economic Development Directorate,
Limerick City and County Council,
Merchants Quay,
Limerick

Re: Draft Limerick County Development Plan 2022 - 2028

A chara,

Thank you for your authority's work in preparing the draft Limerick County Development Plan 2022 - 2028 (the draft Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable work your authority has undertaken in the preparation of the draft Plan against the backdrop of an evolving national and regional planning policy and regulatory context. In particular, the Office acknowledges the challenge of preparing a single development plan for the merged city and county area given the breadth of matters to be addressed.

Subsequent to the publication of the draft Plan you will have been notified of the publication for consultation of the *draft Development Plans Guidelines for Planning Authorities by the Department of Housing, Local Government and Heritage (August 2021)* which provide clarity and assistance to planning authorities in the completion of development plans, notwithstanding that the Guidelines are in draft form.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.



The Office has evaluated and assessed the draft Plan under the provisions of sections 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

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.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The draft Plan is being prepared at a crucial time following the preparation of the *National Planning Framework* (NPF) and the *Southern Regional Assembly Regional Spatial and Economic Strategy* (RSES), which seek to promote the rebalancing of regional development in a sustainable manner. The draft Plan has proactively embraced many of the challenges and opportunities identified in the NPF, the RSES and the *Limerick Shannon Metropolitan Area Strategic Plan* (MASP) by directing future housing and economic growth to the MASP, key towns and larger settlements with strong policy commitments for compact growth, regeneration and economic development.

In particular, the Office welcomes the emphasis on compact growth (Chapter 10) and the identification of 'Limerick City Opportunity Sites' (Section 10.4.2) which will

facilitate and promote the redevelopment of these sites, with potential for positive impacts on compact growth, sustainable transport and climate mitigation. The Office also supports the overall approach to sustainable transport (Chapter 6), supported by development management standards (Chapter 11), which generally provides a sustainable transport strategy for the county.

Furthermore, the Office commends the planning authority for the comprehensive nature of the building height study which provides practical advice, and specific and tailored guidance for various locations across the city.

The Office has, however identified a number of areas which require further consideration in order to more fully align the development framework of the city and county with the current national and regional policy context. In this regard, the Office considers the draft Plan needs to present a more succinct and strategically coherent strategy for the proper planning and sustainable of the city component of the overall area of the authority.

The planning authority will also be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act in relation to climate change. The identification of meaningful modal share targets will be important in terms of providing a sustainable settlement and transportation strategy in accordance with section 10(2)(n), as will the issues raised in relation to the zoning of lands for specific uses (section 10(2)(a) of the Act), the establishment of guiding policies for smaller towns and settlements, and renewable energy.

It is within this context the submission below sets out 17 recommendations and 7 observations under the following 11 themes:

Key theme	Recommendation	Observation
Limerick-Shannon Metropolitan Area	1, 2.	
Core strategy and settlement strategy	3, 4, 5.	



Compact growth, regeneration and approach to land use zoning	6, 7, 8, 9.	
Rural housing and regeneration	10.	1.
Specialised Housing Requirements	11.	
Economic development and employment (including retail)	12, 13.	2, 3.
Sustainable transport and accessibility	14, 15.	4, 5.
Climate action and renewable energy	16.	
Flood Risk Management	17.	
Environment, heritage and amenities		6.
Monitoring and Implementation		7.
General and procedural matters		

1. Limerick-Shannon Metropolitan Area

The draft Plan for Limerick City and County Council must set out a strategy for proper planning and sustainable development for both the overall area of the planning authority but also the area of Limerick City.

The *National Planning Framework* (NPF) strongly directs that Limerick as one of Ireland's four regional cities, is to be supported in achieving ambitious population growth targets of at least 50% to 2040.

It is crucial, therefore, that the written statement and maps of the development plan strategically, concisely and practically express how the policies and objectives of NPF for Limerick to become a city of scale will be achieved over the lifetime of the plan and beyond.

In particular, Section 2.7 of the recently published draft *Development Plan Guidelines* (2021) urge planning authorities to ensure that they “*streamline the content of the*

written statement...with a view to improving legibility and providing clarity” (Section 2.7.1) and this is further emphasised with regard to mapping at Section 2.7.2.

Although the overall draft Plan written statement and maps and supporting statements and strategies are very extensive and comprehensive, the written statement does not include a separate chapter or number of chapters dealing with all the relevant city development issues in one integrated piece. This presentational approach has the effect of dispersing the various strands of an overall coherent city-strategy within an extensive written statement, making it more difficult to discern key messages for strategic city development in practical terms.

The written statement is accompanied by a very thoroughly prepared range of complementary and required strategies from the retail strategy to the building height strategy that are not the main parts of the written statement. They contain very important pieces of information and sub-strategies that users of the plan must familiarise themselves with, while at the same time recalling other parts of other documents, in framing their sense of the overall strategy for the city.

Examples include existing vacancy of retail units (Figure 5.4 retail strategy) opportunity retail development sites (Figure 7.1 retail strategy) and section 5 building height strategy. The dispersal across the documents could, however, create situations where the overall plan is read differently by different stakeholders, especially in the interpretation of the plan in development management contexts.

The written statement also refers to wider strategies of other bodies (eg. *Limerick-Shannon Metropolitan Area Transport Strategy* (LSMATS) or non-statutory strategies such as the *2013 Regeneration Strategy* and *Limerick 2030 Spatial Plan* but would benefit from succinctly distilling the specifics of such strategies into the policies and objectives for the city area in a stand alone chapter(s) within the draft Plan.

The draft Plan also contains many important objectives to secure regeneration, a substantial proportion of brownfield located housing delivery and modal shift towards active and public transport modes, and a succinct range of targets and measurable indices should be put in place to inform the ongoing monitoring of implementation. In particular, it would benefit from a vacant and/or brownfield land register and targets

for the delivery of housing in these locations in compliance with NPF targets, as well as targets for energy reduction as a result of more compact growth, greater use of active and public transport modes and roll-out of electric vehicle charging points.

Taking account of the above, the draft Plan should be amended to include a clearer city strategy component, bringing together extracts from all relevant wider parts of the plan in one chapter or part, as set out below.

The Office would suggest that the draft Waterford County Development Plan 2022-2028 would form a useful template for this approach.

Recommendation 1

Recommendation 1 – Limerick-Shannon Metropolitan Area

Having regard to *Limerick-Shannon Metropolitan Area Strategic Plan* (the LSMASP) forming part the RSES and in accordance with the requirements of section 9(4) of the *Planning and Development Act 2000* (as amended), the planning authority is required to amend the proposed written statement to include a standalone chapter addressing the future planning of the Limerick Metropolitan Area as a distinct spatial planning unit, forming part of the Limerick Shannon Metropolitan Area, and to draw together the relevant development issues and policy approaches relating to the Metropolitan Area.

This should include a city spatial strategy (as a subset of the overall Core Strategy and as derived from the Limerick 2030 strategy) reflecting the following:

- (i) Greater details, and integration, of existing vacant lands and buildings across the city together with brownfield and regeneration opportunities and ongoing initiatives. This should include the regeneration of Colbert as well as the Limerick 2030 DAC sites and remaining deliverables from the 2013 Limerick Regeneration Framework Implementation Plan;
- (ii) Relevant outputs/conclusions of the building heights strategy, retail strategy and key elements from the evolving Limerick-Shannon Metropolitan Transport Strategy (LSMATS), particularly as regards the strategic active

and public transport network and specific interventions to enable same such as bus prioritisation measures, strategic greenway network and cross-river bridging requirements;

(iii) Co-ordination of the urban character area analysis at Table 5.1 and the building height strategy;

(iv) Safeguards to prevent further “doughnut” residential development progressing at the expense of new housing supply in the city core, such as phasing and matching of suburban delivery to city core delivery.

1.1 Core strategy Table and Map

The extent of the Metropolitan area with the boundary of your authority is clearly identified in the RSES, and comprises the top tier in terms of the settlement hierarchy to be followed in the core strategy (RPO 3, refers).

The Office notes, however, that Level 1, Limerick Metropolitan City and Environs including Mungret and Annacotty in the draft Plan does not accord with the metropolitan area of Limerick-Shannon but reflects the existing Limerick City Environs area which has no status under the NPF, the RSES or MASP.

Consequently, the draft core strategy figures (table 2.7) and core strategy map (map 2.7) do not provide the information relevant to the Metropolitan Area.

Given the significance of the role assigned to the Limerick-Shannon Metropolitan Area in national and regional policy as a driver for growth across both Limerick County and the Southern Region as a whole, it is crucial that the Core Strategy table and map are consistent with the policy framework. This will ensure the strategic and coordinated growth of the area, including the coordinated investment in infrastructure aligned to the *National Development Plan*.

This should further differentiate between Limerick city and suburbs and any sustainable development areas for housing identified in the MASP, such as Mungret and Castletroy.



In addition to the above, the Core Strategy Map 2.7 is not consistent with the requirements of section 10(2B) of the Act as it does not provide details of matters referred to in paragraph (g) as required under paragraph (h). As the core strategy relates to the development plan of a city and county council, the core strategy diagram is required to include details of the city centre, areas designated for significant development during the plan period, in particular those areas for which it is intended to prepare a local area plan, the availability of public transport within the catchment of residential or commercial development, and retail centres in the city. The provision of greater detail in the core strategy map will assist the planning authority in finalising its overall strategy for the county.

Recommendation 2

Recommendation 2 – Limerick-Shannon Metropolitan Area: Core strategy table and diagrammatic map

- (a) The planning authority is required to amend the proposed core strategy table to ensure consistency with the provisions of the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and the Metropolitan Area Strategic Plan (MASP) for the future development of Limerick city and suburbs and the Limerick-Shannon metropolitan area as a regional driver, including:
- (i) Limerick city and suburbs as defined by the Central Statistics Office (CSO) boundary, having regard to NPO 3b and NPO 8;
 - (ii) strategic residential development areas for the city (such as Mungret) in accordance with the MASP;
 - (iii) other settlements located within the defined metropolitan area, taking account of the full MASP boundary (note in particular the strategic potential of Castleconnell, Patrickswell and other smaller settlements in addition to Annacotty); and
 - (iv) rural areas within the MASP.

(b) The planning authority is required to amend the core strategy diagrammatic map consistent with the requirements of section 10(2B). In this regard the planning authority is advised to delineate the boundary of the Limerick-Shannon Metropolitan Area, as context.

Consideration should also be given to including relevant details (such as employment and residential growth areas, and infrastructure) for that part of the Metropolitan Area within County Clare, in consultation with Clare County Council and the Southern Regional Assembly, as may be appropriate, and in view of the requirements of section 9(4) of the Act.

2. Core Strategy and Settlement Strategy

2.1 Housing and Population targets

The Office considers that the total County population projections in the Core Strategy are generally consistent with the population prescribed for the County in the RSES and the NPF. The Office commends the planning authority for the preparation of housing supply targets in line with the '*Housing Supply Target Methodology Guidelines for Planning Authorities*' (2020).

2.2 Settlement Hierarchy

The settlement typology of the RSES (table 3.2) sets out the settlement hierarchy to be followed in the core strategy (RPO 3, refers). With exception of issues raised above in relation to Level 1 Cities - Metropolitan Area and the designation of Kilmallock as a Key Town, the Office considers that the overall settlement hierarchy is consistent with national and regional policy.

In relation to Kilmallock, it is noted that Level 2 of the core strategy includes Kilmallock, in addition to Newcastle West, within the Key Town tier. Newcastle West is, however, the only settlement defined as the Key Town for County Limerick in the RSES which defines the roles of certain county settlements in an overall regional context as Key Towns based on variety of criteria, including size and wider service functions.

Although Killmallock performs a key role within the southeast of the County, this must be reflected in the plan in a manner consistent with the RSES, adopted by elected members for the Southern Regional Assembly.

Recommendation 3

Recommendation 3 – Settlement Hierarchy: Killmallock

Having regard to the settlement typology and the designation of a limited number of Key Towns in the Southern Region under the RSES (table 3.2 Settlement Typology and RPO 3 refer), the planning authority is required to amend the county settlement hierarchy providing for Newcastle West as the only Key Town in level 2 of the hierarchy. The positioning of Killmallock within the settlement hierarchy should therefore be amended to reflect the RSES settlement typology.

2.3 Distribution of growth

Notwithstanding the issues raised in relation to clarifying the Core Strategy approach to the metropolitan area, the Office commends the planning authority for the focus on delivering housing growth within the Limerick urban area in accordance with the principles of compact growth and facilitating sustainable transport patterns. With the exception of the comments below, the distribution of growth across the remaining settlements and rural area is also considered to be generally consistent with national and regional policy.

In order to ensure that the growth of settlements is appropriate to the nature, scale and social and physical infrastructure, NPO 9 limits population growth outside of cities, regional growth centres and key towns to 30% of its 2016 population by 2040. It is noted, however, that a growth rate of 97% is proposed for Patrickswell, which arises from the extant permissions for 270 units in this small village located adjacent the M20.

The proposed housing allocation to Patrickswell, at 287 units, is greater than that allocated to any settlement other than to Level 1 or to the key town of Newcastle



West (Level 2). This small village would appear to have very limited services and employment base, which will result in high levels of car-dependent commuting patterns on the adjacent M20 and an unsustainable settlement and transportation strategy contrary to Section 10(2)(n) of the Act.

Section 4.4.1 and Appendix A (section 1.2.3) of the draft *Development Plans, Guidelines for Planning Authorities (2021)* provide guidance on how extant planning permissions should be considered in respect of the core strategy and land availability. In this context, the Office requests that the planning authority reviews the allocations to Patrickswell to ensure greater consistency with NPO 9 and for the reasons outlined above.

Recommendation 4

Recommendation 4 – Future Growth of Patrickswell

Having regard to National Policy Objectives NPO 3c and NPO 9 of the NPF, the requirements of section 10(2)(n) of the *Planning and Development Act 2000* (as amended), and the housing unit allocations to Patrickswell, a Level 4 (large villages) settlement, the planning authority is required to:

- (i) review the assumptions upon which this very high allocation was based; and
- (ii) reconsider the housing and population allocation having regard to the potential for adverse impacts on the settlement arising from such rapid growth due to inadequate services and infrastructure and car dependent development.

2.4 Core Strategy and zoning for residential use

The newly published *Development Plans, Guidelines for Planning Authorities - Draft for Consultation (August 2021)* provide clear guidance in terms of ensuring that sufficient housing lands/ sites are provided in development plans based the housing

unit yield of land zoned for residential and a mix of residential and other uses. This is critical in terms of the ability to plan for the timely delivery of physical and social infrastructure in the right location to serve new housing development and ensuring appropriate housing delivery by housing providers in such locations, ensuring that both homes are delivered and in the form of compact growth.

It is important, therefore, that this calculation is based on density assumptions consistent with the *Sustainable Residential Development in Urban Areas (Cities, Towns and Villages), Guidelines for Planning Authorities (2009)*, as further clarified recently by *Circular Letter NRUP 2/2021* to planning authorities.

In this regard, the Office notes that the residential density assumptions (Table 2.6) which inform the core strategy do not fully align with the recommended densities of the *Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009)* (SRDUAGs), particularly in respect to settlements outside of the metropolitan area. Furthermore the core strategy assumes that 20% of all housing in settlement levels below level 1 will be developed at 10 units per hectare, which is not considered justified in view of the national and regional objectives for compact growth.

Recommendation 5

Recommendation 5 – Core Strategy and Zoning for Residential Use

Having regard to section 10(2A) of the *Planning and Development Act 2000* (as amended) the requirement for compact growth in accordance with National Policy Objective 3, the planning authority is required to:

- (i) review the core strategy to ensure that, for each settlement, the core strategy takes account of the total area (in ha) of lands proposed to be zoned for (a) residential use and (b) for a mixture of residential and other uses in accordance with section 10(2A)(d), including the potential housing yield for those lands, having regard to national policy that development of land shall take place on a phased basis;

(ii) review the density assumptions used to estimate the quantity of zoned land arising from the Housing Supply Targets in the revised Core Strategy to ensure consistency with the recommended residential densities for large towns, small towns and villages in the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009).

Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021 (Appendix A) provides a useful reference and illustrative example for the presentation of this information in the core strategy table.

3. Compact Growth, regeneration and approach to zoning

3.1 Compact Growth targets

It is an objective (NPO 3b) of the NPF that 50% of all new homes targeted for delivery in the city and suburbs of Limerick are to be delivered within the existing built up footprint of the settlement, with a minimum of 30% to apply to all other settlement under NPO 3c. This is supported by several other objectives under the NPF, including, inter alia: NPO 6, NPO 7 and NPO 13. These objectives are refined and elaborated upon in the RSES, including RPO 35 (compact growth) s.3.2 Guiding Principles (LSMASP) and RPO 34 (regeneration).

In order to ensure that these objectives can be met it is crucial that the core strategy and associated objectives clearly identify both the quantum of lands proposed to be zoned which comprise infill/brownfield land and the key regeneration sites, and provide for robust monitoring of the objectives through the lifetime of the plan.

Recommendation 6

Recommendation 6 – Compact growth

Having regard to the national policy objectives for compact growth NPO 3b and NPO 3c and the corresponding regional objectives, the planning authority is required to:

- (i) amend the core strategy to include columns for the quantum of land in each settlement that will contribute to compact growth (50% for Limerick City and Suburbs and 30% for other settlements), including infill and brownfield lands, and the anticipated housing yield from compact growth for each settlement;
- (ii) identify in plan sites contributing to compact growth, including regeneration sites for all zoned settlements; and
- (iii) include objectives for the monitoring of the implementation of compact growth.

Development Plans, Guidelines for Planning Authorities, Consultation Draft, August 2021 (Appendix A) provides a useful reference and illustrative example for the presentation of this information in the core strategy table.

3.2 Land use zoning objectives and local area plans

While the Office appreciates the significant resource requirements involved in the preparation of land use zoning objectives for various relevant locations, the *draft Development Plans Guidelines* (2021) advise that land-use zoning should principally be undertaken as part of the development plan process due to the practical advantages to aligning the core strategy, settlement strategy and principal residential zoning functions in a single, integrated development plan process.

Limerick City and County has a very high number of Local Area Plans (LAPs) which include the zoning objectives for those settlements. As such, the draft Plan does not include zoning objectives for the Level 2 or Level 3 settlement tiers (Newcastle West, Kilmallock, Castleconnell, Abbeyfeal, Rathkeale and Caherconlish), or for the settlements of Adare, Askeaton, Croom and Patrickswell which have live Local Area Plans (LAPs). The majority of these LAPs pre-date both the NPF and the RSES and are not therefore based on the current national and regional policy frameworks.

The core strategy Table 2.7 also indicates that there is a significant excess of existing zoned lands in these settlements to cater for the housing target allocations,



and as such the land use zoning objectives of those LAPs conflict with the provisions of the core strategy under the draft Plan.

It is an objective of the draft Plan (SS O8) to monitor and review the LAPs for Newcastle West and Kilmallock to align with the Plan, and (SS O9) to monitor and review the other LAPs for the other settlements to align with the Plan. The intention to review and prepare new LAPS for Newcastle West, Kilmallock, Castleconnell, Abbeyfeale, Rathkeale, Caherconlish, Adare, Askeaton, Croom and Patrickswell following the adoption of the draft plan is also noted.

In view of the provisions of section 19(2B) of the Act¹, the preparation of LAPs for all of these settlements will present a very significant challenge for the planning authority. The planning authority should therefore consider including relevant objectives for some or all of the settlements concerned in the draft plan.

Recommendation 7

Recommendation 7 - Land use zoning and local area plans

Having regard to the provisions of sections 18(4)(b) and 19(2B) of the *Planning and Development Act 2000* (as amended), which will require the planning authority to amend or replace the local area plans for up to ten settlements within one year of the making of the development plan, the planning authority is required at a minimum the planning authority should identify the compact growth area, key regeneration sites, significant constraints such as flooding, sustainable mobility objectives and relevant key future priorities for these in order to ensure greater consistency with the draft Plan, the principles of compact growth, and to clearly set out how the objectives in section 10(2) of the *Planning and Development Act 2000* (as amended) are to be achieved in the interim pending the adoption of Local Area Plans for these settlements.

¹ Section 19(2B) provides that where an LAP is no longer consistent with the development plan for the area the planning authority shall as soon as may be (and not later than one year following the making of the development plan) amend the LAP to make it consistent.



3.3 Tiered Approach to Zoning

NPO 72a, NPO 72b and NPO 72c require planning authorities to implement a standardised tiered approach to zoning in the plan, to make a reasonable estimate of the costs of providing services and lands that cannot be serviced during the plan period should not be zoned. The standardised approach is include as Appendix 3 of the NPF.

The infrastructural assessment carried out for Level 4 settlements in Volume 4 of the draft Plan indicate (as Tier 1) lands proposed to be zoned in the settlements of Hospital and Murroe, notwithstanding that these two settlements have wastewater treatment capacity issues. Assuming these constraints can be resolved within the plan period the subject lands should be indicated as Tier 2 serviceable. It is the objective of the Council to support the upgrade of the water services infrastructure. However, based on information from Irish Water there are no current projects proposed to resolve the capacity constraints during the plan period. Accordingly the subject lands should not be zoned for development.

Recommendation 8

Recommendation 8 - Tiered Approach to Zoning

Having regard to the provisions NPO 72c and to the wastewater treatment capacity constraints affecting the settlements of Hospital and Murroe, for which there appear to be currently no proposals by Irish Water or the local authority to resolve over the plan period, lands should not be zoned for development during the period of the proposed plan. The planning authority should therefore amend the plan for consistency with NPO 72c or demonstrate how the wastewater capacity constraints will be resolved during the plan period.



3.4 Standards and Guidelines

The draft Plan makes reference to a number of relevant Development Management Standards applicable to development projects and which support the overall objectives in the draft Plan, including the objective to achieve greater compact growth. In this context, the NPF signals a move away from rigidly applied, blanket planning standards in relation to building height, garden size and car parking in favour of performance based standards (NPO 13) where appropriate.

The Office has, therefore, identified a number of areas which require further consideration in relation to guidelines and standards to support the principle of promoting appropriate density and compact growth in the higher order tier settlements.

It is also noted that no specific standards are included in the development management chapter with respect to density standards. In this regard Section 11.2.3 and Objective HO O2 refer to the core strategy (Table 2.6 and Section 2.3.5.2). As identified above, the density standards specified in the core strategy are not fully consistent with the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009). To ensure compliance with these Section 28 Guidelines, it is considered that a policy objective is included in the draft Plan to require density standards are applied as per the Guidelines.

The Office welcomes the Draft Limerick Building Height Strategy included as Volume 6 of the draft Plan which provides a clear policy direction for where increased building height and tall buildings will be supported within a wider city context and at a site specific level. Overall, the detailed draft strategy is comprehensive in nature and provides practical advice and specific and tailored guidance for various locations (character areas / gateways) across the city. It is considered that the strategy is consistent with NPO 13 and *Urban Development and Building Heights, Guidelines for Planning Authorities* (2018). However, policy objectives for building height and tall buildings do not appear to have been included or cross referenced in the objectives in the written statement, which will militate against the implementation of the draft strategy.

Recommendation 9

Recommendation 9 – Development Management Standards

In accordance with section 10(2A)(a) of the *Planning and Development Act 2000* (as amended), and having regard to NPO 3, 6, 13 and 35, the planning authority is required to:

- (i) include an additional policy objective to state that car-free developments will be considered in Zone 1, and associated revisions made to all parts of Table DM 8(a) to highlight the potential for such an approach in urban areas in accordance with NPO 13;
- (ii) remove the site coverage and plot ratio standards and minimum separation distances between opposing windows and instead focus on assessing individual development proposals on performance based criteria dependent on location and individual site characteristics in accordance with the provisions of NPO 13;
- (iii) include a development management standard in the Plan requiring consistency with the residential density standards set out in the *Sustainable Residential Density Guidelines for Planning Authorities* (2009); and
- (iv) include appropriate policy objectives for building height and tall buildings, consistent with the *Draft Limerick Building Height Strategy* accompanying the draft.

4. Rural Housing and Regeneration

The Office welcomes the approach taken by the planning authority to promote serviced sites within the rural towns and villages through the identification of suitable lands within the settlement maps.



4.1 Rural Housing Policy

Limerick has a strong rural-based population and it is important that the countryside continues to be a living and lived-in landscape, focusing on the requirements of rural economies and rural communities as recognised by the NPF. At the same time, it is imperative that development plan policy protects against ribbon and over-spill development from urban areas, and supports the National Strategic Outcomes (NSO) of compact growth, sustainable mobility, transition to a low carbon and climate resilient society and sustainable management of environmental resources.

Subject to the recommendation below, the Office considers that the rural housing policy approach adopted by the draft Plan is generally consistent with the legislative and policy context, including NPO 19 and the *Sustainable Rural Housing Guidelines for Planning Authorities (2005)*.

Identification of areas under urban influence

Consistent with NPO 19, the plan identifies two rural categories, 'areas of strong urban influence' and 'rural areas elsewhere'. The Office acknowledges that these areas are informed by the workforce commute to the city but is concerned that this may not fully reveal any other areas of pressures, such as other large settlements (e.g. Newcastle West and Abbeyfeale) and/or the influence of the N21 and N20 routes and along the Cork county border with Charleville. Accordingly, the Office considers that other criteria needs to be considered in determining its rural areas, within the context of the rural area classifications.



Recommendation 10

Recommendation 10 - Rural Housing Policy

Having regard to NPO 19, the planning authority is required to review in an evidence based approach and to consider, by way of additional spatial analysis, the rural settlement strategy (map CDP-C3-RSS) in respect of the area to the south of the county which may be within the influence or catchment of larger settlements such as Newcastle West, Abbeyfeale and along the Cork county border with Charleville.

To ensure that the overarching policy objectives, as set out in the core strategy, are not undermined by reason of the rural housing policy the planning authority should consider:

- (i) the proximity to larger towns or to major transport corridors with ready access to urban areas including those large urban centres beyond the county boundary;
- (ii) any rural areas with high population growth in the county (CSO data); and
- (iii) those rural areas which have direct access to the national primary and secondary road network which provides access to the larger urban areas.

Rural Housing and Zoning Matrix

Footnote 9 to the Land Use Zoning Matrix (Section 12.4) states that residential use is permissible in 'Education and Community' subject to "compliance with the Rural Housing Policy". This would, however, prejudice the delivery of the objectives for these land uses. Furthermore, the use of footnotes to set out policy objectives is not advisable as it has the potential to create ambiguity for the zoning strategy of the draft Plan.



Observation 1

Observation 1 - Rural Housing Policy

Having regard to Section 10 (2) (a) of the *Planning and Development Act 2000* (as amended), a development plan shall include objectives for the zoning of land for the use solely or primarily for a particular purpose in accordance with the proper planning and sustainable development of the area. The planning authority is advised to remove Footnote 9 to the Land Use Zoning Matrix (Section 12.4) which states that residential use is permissible in 'Education and Community' subject to "compliance with the Rural Housing Policy" as this approach is not transparent and has the potential to undermine delivery of the primary objective of the zoning objective.

5. Specialised Housing Requirements

Section 3.7.17 of the draft Plan includes relevant policies from the housing strategy addressing specialised housing requirements of certain sectors of society, including the Travelling community (HO O15). This policy objective seeks to implement the *Traveller Accommodation Programme 2019-2024*. The Office also welcomes the identification of existing and projected need for Traveller accommodation as detailed in the Limerick Traveller Accommodation Programme (TAP) set out in the Housing Strategy.

The Office considers, however, that the draft Plan does not provide implementable objectives for the provision of accommodation for Travellers consistent with the estimated need, and the land use zoning maps do not appear to indicate the location of lands to provide for such accommodation, as required under section 10(2)(i) of *the Act*. This is of particular importance in Limerick given the high proportion of the Travelling community resident in the county.



Recommendation 11

Recommendation 11 - Traveller Accommodation

Having regard to the requirements of section 10(2)(i) of the *Planning and Development Act 2000*, (as amended) the planning authority is required to include objectives in the plan for the provision of accommodation for Travellers, and the use of particular areas for that purpose in accordance with the legislative requirements under section 10(2)(i) of the Act.

This will include the identification of specific locations in the land use zoning maps for the county.

6. Economic Development and Employment

6.1 Employment zoned land

Overall, the draft Plan provides a strategic and well-considered approach to the development of employment and enterprise development in the city and county, focussed on strategic employment locations set out in the RSES. In this regard the Office welcomes the inclusion of tiered approach to zoning (TAZ) for the employment lands zoned within the Limerick city and metropolitan area.

Chapter 4 sets out the policies and objectives for how the planning authority will support new or expanded employment generating development and designates Limerick city centre and environs as the key focus for economic growth. Having regard to Recommendation 1 above, the policy framework should, however, be refocussed on the metropolitan area in line with the RSES.

There is also no indication that an evidence based review has been conducted for the larger settlements outside of the city and metropolitan area (for example Newcastle West, Rathkeale, Croom) where the existing LAPs precede the NPF and RSES. This issue is addressed by Recommendation 7 (Local Area Plans).

It is also unclear how the draft Plan will support the delivery of RPO 30 of the RSES which identifies Newcastle West, Abbeyfeale and Rathkeale as part of the North Kerry – West Limerick – Shannon Estuary – Clare inter urban network that are strategically driving sub regional growth. RPO 22, supporting the role of Newcastle West as the key town and its potential within the Atlantic Economic Corridor initiatives are also not referenced.

Observation 2

Observation 2 – Alignment of Employment policy with Regional Spatial and Economic Strategy

Having regard to the Regional Spatial and Economic Strategy for the Southern Regional Assembly, the planning authority is requested to review Chapter 4 of the draft Plan to ensure that it accurately reflects the regional policy objectives set out in the RSES for Limerick City and County area, specifically with regard to the identification of the role of Newcastle West as the Key Town and Abbeyfeale and Rathkeale as part of the inter-urban networks set out in RPO 30 of the RSES.

The Office does, however, have some concerns in relation to number of the proposed zoning objectives having regard to the ‘Guiding Principles to identify locations for Strategic Employment Development’ in the draft Plan, and RPO 62 of the RSES. It would appear that some of the employment zonings would have potential to conflict with the principle of compact growth and having regard to deficiencies in public transport access and/or their accessibility in terms of walking and cycling distances to residential areas, would tend to be car based development, which would run counter to the requirements under section 10(2)(n) of the Act in relation to climate action.

In particular, new employment areas have been included within the southern environs area of the metropolitan area that were did not form part of the recently adopted Southern Environs LAP, as well as lands isolated from any settlement being identified as strategic employment locations for the County. It is considered that an



evidence based justification is required for the extent and location of employment zonings at these locations.

Recommendation 12

Recommendation 12 - Employment Zoned Lands

Having regard to National Strategic Outcome for Compact Growth, NPO 10b, the principles of sequential approach to zoning (section 28 *Development Plans Guidelines* (2007) & section 6.2.5 of the *draft Development Plans Guidelines* (2021)), the Regional Spatial and Economic Strategy and the Limerick-Shannon MASP, section 2.7 of the *Spatial Planning and National Road Guidelines for Planning Authorities* (2012) and the objectives of the *Draft Limerick Shannon Metropolitan Area Transport Strategy* (LSMATS), the planning authority is required to provide robust justification for the extent and location of employment zoned land and to demonstrate that the criteria of the aforementioned have been satisfied specifically in respect of the following employment zonings:

- (i) Lands to the south of Raheen Business Park (Ref No 35 in TAZ, Volume 2) with a zoning objective to provide for high tech/manufacturing campus and agriculture which are identified in the TAZ in Volume 2 as being unserviced lands.
- (ii) Lands to east of Delta Retail park (Ref No 14 in TAZ, Volume 2) with a zoning objective to provide for enterprise and employment.
- (iii) Map 4.1 Askeaton Industrial park, located outside of any settlement boundary and whereby objective ECON O14 (a) is to safeguard the lands for the accommodation of large establishments of regional importance. It is acknowledged that these lands are identified in the Shannon Integrated Framework Plan (SIFP) for marine related industry and the specifics of this have not been clearly transposed into the draft Plan.
- (iv) Map 4.2 at Annacotty Business Park, located outside of any settlement boundary, whereby objective ECON O14 (b) is to facilitate sustainable



expansion of a scale, phasing and character compatible with the surrounding land use and capacity of the road network.

6.2 Rural Economy

The NPF highlights the key role of the planning process in realising the potential of extractive industries in identifying and protecting important mineral reserves for future use. Although the draft Plan considers the existing registered quarries in the county, it does not identify or map the location of major deposits as advised by the section 28 *Quarries and Ancillary Activities Guidelines for Planning Authorities* (2004) and the guidelines are not referenced in the draft Plan.

Observation 3

Observation 3 – Extractive Industry

Having regard to National Policy Objective 23 and the section 28 *Quarries and Ancillary Activities Guidelines for Planning Authorities* (2004), the planning authority is requested to include a map to show the location of quarries and minerals across County Limerick.

6.3 Retail

The Office welcomes the preparation of a joint retail strategy by Limerick and Clare local authorities, consistent with RSES MASP Policy Objective 17, and considers that the retail hierarchy generally is consistent with the settlement hierarchy in the draft Plan. The stated objectives of the retail strategy are also welcome, including the aspiration for Limerick city to fulfil its role at the top of the regional hierarchy as the preferred location for new retail development and, support for the high order retail function of Newcastle West as tier 2 Major Town Centres.



The Office is of the view, however, further strengthening of the retail policy framework is required to support the strategic role of Limerick City, and the vibrancy and vitality of other town centres consistent with the *Retail Planning Guidelines* (2012) and the RSES. This would include policy objectives to strengthen retail cores by addressing vacancy and derelict/underutilised sites, support for a diverse mix of uses including residential and living over the shop opportunities, and to promote the town centre first for expansion of retail floor space as part of a sequential approach.

Recommendation 13

Recommendation 13 - Retail and regeneration

Having regard to the provisions of the section 28 *Retail Planning Guidelines* (2012) and the *Southern Regional Assembly Regional Spatial Economic Strategy* 2040, Limerick MASP Policy Objective 2 and 17, the planning authority is required to review the retail policies under section 4.6.1 – 4.6.4 of the draft Plan to include additional policy objectives in the draft Plan to prioritise retail provision within the city centre and the urban cores of the settlements included in Table 4.1a and 4.1b of the retail hierarchy, and the need to adopt a sequential approach to development as set out in the *Retail Planning Guidelines* (2012) by;

- (i) Identifying the core retail area for the city and district centres on the Limerick City and Environs Zoning Map (Map CDP/V2/02) consistent with the retail strategy;
- (ii) Include policy objectives to promote the opportunity sites identified in the Retail Strategy included in Volume 6;
- (iii)** Include policy objectives to support the implementation of the key actions and recommendations set out in Section 5 of the Draft Retail Strategy included in Volume 6. This should include expansion of the District Centre Retail Parks.



7. Sustainable Transport and Accessibility

7.1 Implementation of sustainable transport

The Office welcomes the overall transport strategy included in chapter 6 of the draft Plan. The draft Plan recognises the need to utilise the Avoid-Shift-Improve Framework approach to implementing land use and transport planning and indicates that the focus will be on the reduced need to travel and the development of 10 minute cities and towns where people live close to their workplace, community facilities and services.

The Office considers the overall approach to be generally consistent with the requirement under section 10(2)(n) of the Act to include objectives for sustainable settlement and transport strategies, which can be anticipated to secure a reduction in energy use and GHG emissions, which is acknowledged in the chapter. In view of the importance of this mandatory objective due to the increasing urgency in addressing climate change and adaptation, the Office suggests that it would be appropriate for the draft Plan to refer to the specific requirements of same in the draft Plan.

The draft Plan contains many relevant policies and objectives in chapter 6 and distributed throughout its various chapters that may be considered consistent with the ASI Framework, the draft Plan does not tie these elements together to show how the ASI Framework will be implemented at a strategic level. The implementation of the framework would be facilitated by tabulating the initiatives, objectives and programme measures contained in the Plan that align with the ASI framework so that it can be more effectively implemented and understood. Table 12.1 of the draft Cork County Development Plan 2022-2028 provides an example of how this may be approached.

The Office welcomes the commitment in the draft Plan to implement the LSMATS in the objectives of chapter 6. This key document represents an integrated transport strategy for walking, cycling, bus, rail and road to support the projected, sustainable compact growth of the Limerick-Shannon Metropolitan Area up to 2040 in line with the NPF, RSES and LSMASP. In view of the critical role of the LSMATS in

facilitating and supporting the growth of the Metropolitan Area, it would be appropriate to reference the LSMATS as an overarching cross-boundary transport policy document in a separate section addressing metropolitan transport planning. This should be addressed under Recommendation 1 above.

In order to promote mode shift in line with objective TR O13 of the draft Plan it will be necessary to reference relevant baseline mode share, against which mode share targets can be set for the plan period for the county and/or its constituent parts, including rural areas, having regard to the overall transport strategy for the county. These details would provide the planning authority with the tools to plan for and measure the effectiveness of its sustainable transport strategy, consistent with the requirements of section 10(2)(n). Such targets should be determined in discussion with the NTA.

The Office supports the draft Plan's inclusion of maximum car parking standards and minimum bicycle parking standards based on the zonal approach. However provision should also be made for consideration of car free developments based on appropriate criteria basis consistent with Recommendation 9 (Development Management Standards) above.

The draft Plan makes several references the *Design Manual for Urban Roads and Streets* (2019) (DMURS), however the wording often does not reflect that mandatory status of these design standards in specified locations, as adopted by the Department of Housing, Local Government and Heritage and the Department of Transport. A commitment to implementing DMURS for urban areas where a speed limit of 60kph or less applies should be included in the plan.

The planning authority should consider whether the plan would benefit from some reformatting, such as bringing forward section 6.8 Rural Transport to follow section 6.5 Sustainable Mobility, in view of the focus of section 6.8 on sustainable modes. In addition the roads objectives under section 6.4 may sit more appropriately in section 6.7.

Recommendation 14

Recommendation 14 - Modal Share and Sustainable Transport

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the *Planning and Development Act 2000* (as amended), the planning authority is required, in consultation with the National Transport Authority (and Transport Infrastructure Ireland), as appropriate, to:

- (i) include existing baseline figures for modal share for the overall county and modal share targets for the plan period. It is recommended that this could best be provided at individual settlement level for the larger settlements, and at aggregate level for rural towns and villages and the open countryside; and
- (ii) provide an effective monitoring regime for the implementation of the planning authority's sustainable transport strategy and the modal share targets in particular.

Observation 4

Observation 4 – Implementation of Sustainable Transport

Having regard to the requirement to include objectives for sustainable settlement and transport strategies under section 10(2)(n) of the *Planning and Development Act 2000*, (as amended) the planning authority is advised that the following amendments would further improve the overall sustainability of the approach to transport under Chapter 6:

- (i) Consider including a table of the policies, objectives and measures contained in the plan that align with the implementation of the elements of the ASI framework;



- (ii) A clear commitment to implementing DMURS for urban areas where a speed limit of 60kph or less applies, for both development management and forward planning functions, should be included in the plan.

7.2 Exceptional circumstances for access onto national roads

Objective TR O35(d) National Roads provides an exception for access onto national roads for members of the farming community, on a case-by-case basis. This is inconsistent with section 2.6 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012), which provides that a less restrictive approach may be applied to accesses onto identified stretches of national roads in a plan-led approach following consultation with and taking on board the advice of TII.

Recommendation 15

Recommendation 15 – Exceptional circumstances for access onto national roads

Having regard to the provisions of section 2.6 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) the planning authority is required to omit the exemptions provided for under objective TR O35(d).

7.3 Limerick Northern Distributor Road

It is the proposed objective (TR O6) to support the delivery of the Limerick Northern Distributor Route, which will connect the Coonagh to Knockalisheen Road Scheme to the existing R445 (old N7) and adjoining road network to the east of Limerick City and will incorporate Smarter Travel measures, in accordance with all environmental and planning assessments. This objective is consistent with the RSES and LSMASP, however the objectives of the draft Plan should reflect the need to protect the strategic nature of the future road in accordance with the draft Limerick Shannon Metropolitan Area Transport Strategy (p.75) which envisages that:



'In terms of a strategic land use planning policy based approach and the management of longer-term changes to land use patterns, the route of the LNDR will be regarded as being similar to roads covered by the National roads and the Spatial Planning and National Roads Guidelines and that implementation of the LNDR would not support any significant development along the route, subject to any strategic and/or national considerations'.

Observation 5

Observation 5 – Limerick Northern Distributor Road

The planning authority is requested to reflect the provisions of the draft LSMATS in the written statement of the draft Plan in respect of strategic land use policy, in coordination with adjoining authorities, along the emerging alignment of the Northern Distributor Road.

8. Climate Action and Renewable Energy

8.1 Climate Action

The *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)* place considerable emphasis on climate action (adaptation and mitigation). Balancing growth with sustainable approaches to development, land-use and transportation are key policy decisions to be made through the development plan. To this end in responding to the recommendations relating to compact growth (Recommendation 6), sustainable transport and mobility (Recommendation 14), renewable energy (Recommendation 16) and flood risk management (Recommendation 17) will be crucial to ensure compliance with the requirements set out under section 10(2)(n) of *the Act* and the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation (August 2021)*.

The Office welcomes the inclusion of climate change as a cross-cutting principle of the draft Plan. Similarly, the policies and objectives for the transport under the draft

Plan promote mode shift to active and sustainable transport modes, including through the implementation of an integrated approach to land use and transport planning, commit to implementing the LSMATS, and address demand management through the development management standards for parking.

Regarding the necessity to adapt to climate change, it is an objective of the draft Plan (CAF O1) to support the National Adaptation Framework 2018, but that only ‘*cognisance shall be taken of the Limerick Climate Change Adaptation Strategy (2019)*’. The Office is concerned that this approach falls short of the requirements under section 10(2)(n) and it would advise the planning authority that its commitment to addressing adaptation to climate change should be strengthened in the draft Plan.

Other elements of the draft Plan are consistent with more proactive approach to climate adaption. In particular, the commitment to the implementation of nature-based solutions (objective EH O14) throughout Limerick, along with associated provisions and objectives, ensures that the plan has the potential to ensure that development adapts to increased surface water run off events.

The Office acknowledges the inclusion of general policies and objectives supporting renewable energy development detailed in Chapter 8. The Office has, however, identified a number of areas where the draft Plan is not consistent with national policy in relation to renewable energy and climate change, and in particular wind energy.

In particular, the draft Plan does not set out how the implementation of the development plan will contribute to realising national targets on renewable energy and climate change mitigation and, in particular, wind energy production and the potential wind energy resource (in megawatts) as required by the Specific Planning Policy Requirement (SPPR) in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*.

Furthermore, Section 11.7.21 which sets out the development management standards applicable to Wind Energy proposals includes a restriction “that turbines shall be no closer than 100m from the boundaries of adjacent properties without the



written consent of the landowner in areas preferred for wind farm development. In areas open to consideration they shall be no closer than 150m from the boundary”. No evidence-based approach is provided for the separation distance, and it has no basis in national or regional policy. The inclusion of such a requirement has the potential to significantly undermine the contribution of the development plan to meeting national renewable energy targets under the Climate Action Plan. It is also noted that the separation distances for wind energy development is not considered in the SEA in terms of its likely significant effects on climate. The Office advises that the inclusion of the above requirement is considered to be contrary to national guidelines on wind farm development.

Areas suitable, or otherwise, for wind energy potential are identified in Wind Energy Locations Map 8.1. The evidence-basis for this maps is not, however, clear from the draft Plan (as required by Section 3.5 of the *Wind Energy Guidelines (2006)*) and there are conflicts between the *Draft Tipperary County Development Plan 2022-2028* and the *Draft Cork County Development Plan 2022-2028*. In this respect, the attention of the planning authority is drawn to Section 9(4) of *the Act*, which requires planning authorities co-ordinate the objectives in the development plan with those of neighbouring authorities except where the planning authorities considers it appropriate or not feasible to do so.

Recommendation 16

Recommendation 16 - Renewable Energy Targets & Wind Energy

In accordance with the provisions of section 28(1C) of *the Act*, and having regard to the government’s commitment in the *Climate Action Plan* to achieve 70% of electricity from renewable sources by 2030 (adding 12GW of renewable energy capacity nationally), National Policy Objective 55 which promotes renewable energy use and generation to meet national targets, and section 28 guidelines *Wind Energy Development Guidelines (2006)* and the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*, the planning authority is required to:

- (i) indicate how the development plan will contribute to meeting national renewable energy targets, including specific targets in megawatts for wind energy potential in the county. In the absence of any nationally or regionally determined targets for County Limerick specifically, you are advised to demonstrate appropriate metrics in this regard, which could include Limerick's share of estimates of additional national renewable electricity target as defined by the % of national land area represented by the county, linked back to the cumulative renewable energy production potential of the areas designated for renewables development
- (ii) delete the requirement set out in Section 11.7.2.1 which states that “turbines shall be no closer than 100m from the boundaries of adjacent properties without the written consent of the landowner in areas preferred for wind farm development” as the inclusion of a requirement for would restrict the potential for wind farm development in the county (areas open for consideration), would undermine other policy objectives supporting wind farm development and be contrary to national policy and Ministerial guidance on wind farm development.
- (iii) Clarify the evidence basis for the Wind Energy Locations map (Map 8.1) and coordinate the objectives for wind energy development in the development plan with those of the neighbouring counties to ensure for a coordinated wind energy strategy across the region. Particular coordination shall be required with Tipperary County Council and Cork County Council where current conflicts arise in the identification of preferable locations in the consideration of their recently published Draft Development Plans.

9. Flood Risk Management

The response of a development plan to flood risk is a key element of adaptation to climate change. In this regard a Strategic Flood Risk Assessment (SFRA) has been



carried out by the planning authority and is appended to the draft Plan with relevant policies included in chapter 8. This has been reviewed by this Office and the OPW and the inclusion of the Plan-making justification test in the SFRA is welcomed. However the flood maps for Limerick Metropolitan Area are of poor resolution and are unclear. Further, it is considered that a number of specific sites within the settlements require a review where inconsistencies with the Guidelines have been identified.

Recommendation 17

Recommendation 17 - Flood Risk Management

Having regard to the detailed requirements of *The Planning System and Flood Risk Management, Guidelines for Planning Authorities* (2009), section 28 guidelines, the planning authority is required to:

- (i) provide clear maps showing lands identified as flood risk A and B for the Limerick-Shannon Metropolitan area
- (ii) undertake a plan making Justification Test for lands located in Flood Zone A at Dock Road, zoned Industry and Enterprise and Employment
- (iii) include a policy objective to ensure that any new development (vulnerable uses) in existing developed areas located in Flood Zone A and B is limited to minor development only. This should be applied to all relevant settlements.

10. Environment, Heritage and Amenities

The Office acknowledges the comprehensive and systematic approach taken by the planning authority in address the wide range of issues relevant to the protection, preservation and improvement of environmental and built heritage and amenities, including Chapter 5, Environment, Heritage, Landscape and Infrastructure together with Volumes 3 and 5 to address the mandatory objectives relating to environment and heritage conservation and protection.



10.1 Rights of Way

Section 9.18 references the requirement to include public rights of way and lists the public rights of way and Maps 9.1 A and B indicate the rights of way. The Office notes that there is only one right of way included for the County area and it is considered that objective SCI 038 should be expanded to ensure that additional public rights of way are included during the course of the plan.

Observation 6

Observation 6 – Public Rights of Way

The planning authority is advised to revisit the policy objective SCI 038 to ensure that the policy includes a clear timeline and to set a measurable target and timeline against which the implementation additional public rights of way can be added to the plan.

The planning authority's attention is drawn to examples of good practice identified in the OPR's recent Case Study Paper on this subject matter.

10.2 Environmental Reports

An SEA Environmental Report, an Appropriate Assessment Screening Report and Natura Impact Report have been prepared and are attached to the draft plan. The inclusion of an analysis of the Member's amendments in the Environmental Report is welcome and is consistent with the strategic environmental assessment process in accordance with the SEA Directive and the Section 28 ministerial Guidelines.

The Office further advises that the correct test for the Appropriate Assessment carried out by the planning authority is that the plan will not adversely affect the integrity of any European site in view of its conservation objectives. The terminology used should be consistent with this conclusion.



11. Monitoring and Implementation

The Office welcomes the inclusion of Chapter 13 ‘Implementation and Monitoring’ having regard to the guidance in the *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)*, which states that planning authorities will need to establish strong, frequent and ongoing monitoring system for the implementation of their development plan and the performance of their objectives. It is an objective of the draft Plan (SS O5 Monitoring Growth) to monitor growth patterns and pace of growth within individual settlements and apply appropriate management measures to ensure compliance with the core strategy, with the additional households permitted per settlement not to exceed the core strategy growth identified in table 2.7.

The *draft Guidelines (2021)* recommend a monitoring task for the strategic functions relating to Core Strategy Monitoring and Plan Objectives Monitoring. The Office advises that implementation and monitoring would most effectively focus on the anticipated or proposed key outcomes of the plan, as determined by the planning authority, such the core strategy (e.g. population growth and housing delivery), urban and rural regeneration, the sustainable transport strategy (e.g. modal share, preparation of Local Transport Plan), climate action (e.g. renewable energy development, biodiversity and landscape (e.g. status of designate habitats) and others.

Observation 7

Observation 7 – Implementation and Monitoring

Having regard to the commitment of the planning authority to securing and monitoring the implementation of the strategies, policies and objectives of the draft Plan, the Office advises the planning authority to consider how Chapter 13 ‘Implementation and Monitoring’ could be amended to ensure that any monitoring is strategic in nature consistent with Part 10 of the *Development Plans, Guidelines for Planning Authorities, Consultation Draft (August 2021)*.



12. General and Procedural Matters

The Office commends the planning authority for keeping the length of the Written Statement relatively concise, especially in view of the significant challenge of formulating a plan for the combined city and county area for the first time.

Furthermore, in terms of format, the chapters are presented in a standardised format that is easily followed and understood. The accessibility of the individual chapters in the online version also make it easier for the public to access the relevant information.

Regarding terminology, the Office would advise the planning authority to ensure that the draft Plan correctly reflects the terminology and spatial areas applied in the NPF, the RSES and the MASP. This will ensure that the final Plan is seen to be consistent with national and regional policy context. In particular, this relates to references to the Limerick Shannon Metropolitan Area under the Core Strategy and Settlement Hierarchy.

The detailed mapping provided in the draft Plan is welcomed. It is noted, however that maps have not been included for the ACAs in Volume 3, or for SEVESO sites within county. These would be useful additions for the carrying out of development management under the final Plan.

Finally, having regard to the recently published *Development Plans, Guidelines for Planning Authorities, Consultation Draft* (August 2021), the planning authority should consider revising the zoning objectives in the draft Plan to align with the standardised zoning objectives in Appendix B of the Guidelines. This will assist in providing a consistent approach to zoning nationally and aid the understanding of zoning objectives by the public and the development sector alike.



Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 12 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the draft Plan. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

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
