



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

DP-011-22

27th April 2022

The Planning Department
Leitrim County Council
Áras an Chontae
Carrick-on-Shannon
County Leitrim

Re: Draft Leitrim County Development Plan 2023-2029

A chara,

Thank you for your authority's work in preparing the draft Leitrim County Development Plan 2023-2029 (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.

The Office wishes to commend the planning authority on the overall presentation and layout of the draft Plan and the supporting documents, which provide a comprehensive strategy for the proper planning and sustainable development of the county, with clear and concise objectives and policies within a well-structured draft Plan.

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 31AO(1) and 31AO(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 recommendations 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 Northern and Western Regional Assembly Regional Spatial and Economic Strategy (RSES), which seek to promote the rebalancing of regional development in a sustainable manner.

The Office supports the overall intended strategic approach of the draft Plan, which provides a clear vision for the county, with the aims, objectives and policies clearly aligned and consistent with each other, providing an appropriate planning framework for the future development of County Leitrim.

The Office considers that the draft Plan generally sets out a well-balanced strategy in terms of population/ housing growth and settlement hierarchy, with strong policy commitments to the regeneration and renewal of towns and villages in the county.

The Office in particular commends the planning authority for the approach to community development, climate action and renewable energy and environment,

heritage and amenity, which translate into a number of the key policy objectives contained in the draft Plan.

The Settlement Plans for towns and villages are also comprehensive and include regeneration initiatives and site-specific proposals that support compact growth, place-making, sustainable mobility and quality environments that can be implemented and monitored over the life time of the plan.

In addition, the supporting documentation to the draft Plan, including the Renewable Energy Strategy, the Landscape Character Assessment and the Review of Views and Prospects provide clear evidence-based support for the policies and objectives of the Plan. This submission does, however, raise some concerns in relation to the clarity of the core strategy, the approach to guiding and controlling development in Carrick-on-Shannon in the absence of an updated Local Area Plan (LAP), and the timescale for delivery of a transportation strategy for the county.

In particular, the Office notes the inclusion of a building height restriction, contrary to a specific planning policy requirement specified in Ministerial guidelines, and the statutory obligations of the local authority under section 12(18) of the Act.

While the Office appreciates the intention of such a provision to protect against inappropriate development, the policy objectives in the draft Plan are adequately positioned in this respect. It is considered that the proposed wording in the draft Plan can be amended in a manner that is consistent with the statutory provisions.

The planning authority will also be aware that the Office's evaluation of the draft 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.

It is within this context the submission below sets out 11 recommendations and 5 observations under the 10 following themes:



Key theme	Recommendation	Observation
Core Strategy and Settlement Strategy	-	Observation 1
Sustainable Development and Regeneration	Recommendations 1, 2, 3 and 4	-
Rural Housing and Regeneration	Recommendation 5	Observation 2
Economic Development and Employment	Recommendation 6	Observation 3
Sustainable Transport and Accessibility	Recommendations 7 and 8	-
Flood Risk Management	Recommendation 9	-
Renewable Energy Strategy	Recommendation 10	-
Environment, Heritage and Amenities	Recommendation 11	-
Implementation and Monitoring	-	Observation 4
General and Procedural Matters	-	Observation 5

1. Core Strategy and Settlement Strategy

1.1 Housing targets and core strategy table

The Office considers the total county population projections for the plan period in Table 2.6 of the core strategy to be generally consistent with the population prescribed for County Leitrim in the RSES and the NPF Implementation Roadmap.

The Office is also satisfied that the planning authority has determined the housing supply target (HST), as presented in the draft Plan, in accordance with the *Housing Supply Target Methodology for Development Planning (2020)*.

The draft Plan also provides for a sufficient supply of zoned land consistent with the housing targets for the plan period. This provides greater certainty and clarity for the

community and development sector alike, and means that investment in social and physical infrastructure are to be provided in the right locations.

In the interests of clarity, however, the Office advises that Table 2.6 of the written statement should be renamed as the draft Plan's Core Strategy Table.

1.2 Settlement Strategy

The planning authority is also commended for the proposed distribution of population between rural areas and the settlements in the county which is considered to be consistent with national and regional policy objectives in the NPF and RSES in particular NPO 3c, NPO 15, NPO 18a and RPO 3.1.

In particular, the growth rate for Carrick-on-Shannon as a Key Town is appropriate, whereby Carrick-on-Shannon is anticipated to provide for 362 households or c.30% of the final approved housing projections for the county consistent with NPO 9 of the NPF.

The Office agrees with the intention of the draft Plan for Carrick-on-Shannon to develop as a settlement of regional scale and as a key driver of economic development in the county for population growth through the delivery of compact growth, consistent with the objectives of the RSES and with the regional settlement hierarchy set out in RPO 3.1.

The Office draws the attention of the planning authority to the designation of Sligo and Letterkenny as 'Regional Growth Centres' in the NPF and RSES. In order to avoid confusion with these growth centres, which are identified for very significant levels of population growth, the planning authority should consider renaming the Tier 2A Sub Regional Growth Centres to reflect their status and role as sub-county settlements.



Observation 1 – Settlement Hierarchy Clarification

Having regard to the designation of Sligo and Letterkenny as ‘Regional Growth Centres’ in the NPF and RSES, the planning authority is requested to rename the Tier 2A Sub Regional Growth Centres, to reflect their status and role as sub-county settlements and to avoid any confusion with the designated Regional Growth Centres which are identified for very significant levels of population growth.

2. Sustainable Development and Regeneration

2.1 Local Area Plan for Carrick-on-Shannon

The Office welcomes the intention to prepare a joint LAP with Roscommon County Council for Carrick-on Shannon and Cortober, in keeping with the requirements of the Act. However, the Office considers that the absence of an updated settlement plan and associated zoning map for Carrick-on-Shannon¹ means that there is insufficient information in the draft Plan to effectively guide development and future growth of the town in accordance with recent national and regional policies objectives, in particular NPO 3c and RPO 3.1.

In the interim, and pending the adoption of the LAP, it is important that an adequate planning framework is put in place to ensure that plan-led development can be facilitated in the short-term and that the town can be developed in a compact and sustainable manner.

The Office notes that the RSES envisages the delivery of the LAP within 3 years of the making of the RSES *i.e.* by early 2023. Pending the adoption of a LAP for the town, the planning authority may consider the approach taken by Tipperary County Council in the preparation of the draft Tipperary County Development Plan 2022-2028, where in the case of certain settlements, e.g. Nenagh, ‘Town Profile Plans’ have been prepared which provide a framework for the preparation of a LAP, with a focus on compact growth and sustainable mobility.

¹ Carrick-on-Shannon Local Area Plan 2010-16 was extended to 2019

Recommendation 1 – Planning Framework for Carrick-on-Shannon

- (i) Having regard to section 10(2) of the *Planning and Development Act 2000*, as amended, the planning authority is required to review its approach and provide greater clarity and transparency in the delivery of the core strategy objectives for the Key Town of Carrick-on-Shannon and to clearly set out how the objectives in section 10(2) are to be achieved in the interim and pending the adoption of a Local Area Plan for the Carrick-on-Shannon/Cortober area.

At a minimum, the planning authority is required to prepare maps and develop stronger and more specific policy objectives, identifying strategic objectives for the town, consistent with section 3.8 of the RSES.

In this regard, the planning authority is advised to consider including a high level framework settlement plan which includes a settlement boundary, compact growth area, the core retail area, settlement consolidation / key regeneration sites, strategic employment sites, provisions for sustainable mobility and relevant key future priorities and constraints such as flooding..

- (ii) Having regard to section 3.8 of the RSES and RPOs 3.1 and 6.27 and the need to ensure that the quantum of lands zoned is aligned with the core strategy's housing allocation for Carrick-on-Shannon, the planning authority is required to revise core strategy objective CS OBJ 9 to commit to the completion of a Joint Local Area Plan for Carrick-on-Shannon/Cortober, in conjunction with Roscommon County Council, and informed by a Local Transport Plan prepared in consultation with the National Transport Authority, within one year of the adoption of the Plan.

The planning authority is also advised to include details of the preferred route corridor for the N4 Carrick-on-Shannon to Dromod national road scheme in the development plan (framework plan for Carrick-on-Shannon) if available at material alterations stage.



2.2 Settlement Plans

The Office welcomes and commends the work of the council in preparing individual Settlement Plans for towns and villages. The approach taken is comprehensive and sets out a clear policy approach on how the planning authority aims to facilitate appropriate levels of growth within the settlements of the county, with a focus on regeneration and compact growth.

The Office is also satisfied that sufficient land has been zoned for residential use to meet the demands of the core strategy, consistent with the approach set out in the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021).

The Office welcomes that within each settlement plan there are a number of policy objectives specific to that plan area, which build on the distinctive aspects of the individual settlement.

In particular, the identification of brownfield/ infill Opportunity Sites is commended, and is consistent with national and regional policy, including the Government's recently published Towns First Policy.

The Office agrees with the intention of the draft Plan that higher densities will be applied to the higher order settlement of Carrick-on-Shannon to align with its role as a Key Town and that higher densities will also be applied to Ballinamore and Manorhamilton, in recognition of their status within the settlement hierarchy as Tier 2A settlements.

The Office also supports a graded reduction in residential density for Sub Regional Growth Centres, Support Towns, Key Villages and Villages that is commensurate with each settlement's character, infrastructure capacity and position in the settlement strategy.

The Office considers, however, that the low density residential development proposed in Ballinamore on the west side of the Enniskillen Road (R202) would give rise to inappropriate and extensive ribbon development, which would militate against



the development of back-lands and also militate against compact growth in the future as the town develops in this direction towards Ballinamore Secondary School.

Recommendation 2 – Low density residential in Ballinamore

Having regard to national and regional policy objectives NPO 3c and RPO 3.2, section 4.19 of the *Development Plans, Guidelines for Planning Authorities (2007)*, and section 10(2)(n) of the *Planning and Development Act 2000*, as amended, it is considered that the areas zoned for low density residential development in Ballinamore on the west side of the Enniskillen Road (R202) would give rise to inappropriate ribbon development, which would work against the development of back-lands and against compact growth in the future as the town develops towards the Ballinamore Secondary School. The planning authority is required to review and reduce the extent of low density residential zoning at this location.

The Office also considers that the provision in the draft Plan to deliver at least 20% of all new homes within the existing built-up footprints on infill and/or brownfield sites in settlements other than Carrick-on-Shannon, Ballinamore and Manorhamilton is not consistent with NPO 3c and should be amended to 30%.

Recommendation 3 – Compact Growth Target

Having regard to NPO 3c of the NPF and RPO 3.2 of the RSES for the Northern and Western Regional Assembly, the planning authority is required to amend section 2.2 and CS OBJ 6 of the draft Plan such that it is proposed to deliver at least 30% of all new homes that are targeted in all settlements in the county within their existing built-up footprints.

2.3 Standards and Guidelines

The Office welcomes the Development Management Standards included in the draft Plan, which support the overall objectives in the Plan, including the objective to achieve greater compact growth. Those standards, which underpin the *Guidelines for*

Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the *Sustainable Urban Housing: Design Standards for New Apartments* (2020) are also noted.

In terms of the *Urban Development and Building Heights Guidelines for Planning Authorities* (2018), the draft Plan states that in all settlements, other than Carrick-on-Shannon, the extent of any increased building height shall be limited to 3-4 storeys high (section 13.9.1). Any increase in building height above this limitation is considered unacceptable with the potential to give rise to considerable adverse impacts on the character, scale and form of such settlements as well as adverse impacts on residential amenity.

While the Office appreciates the concern about the impacts of increased building heights, the draft Plan contains a wide range of objectives, which provide a comprehensive and robust framework to protect against inappropriate development without the need for an overly general and unconditional restriction.

The inclusion of this blanket building height restriction is also contrary to SPPR 1 of the *Urban Development and Building Heights Guidelines for Planning Authorities* (2018), and your authority will be fully aware of the statutory obligation of local authorities to ensure that the development plan is consistent with specific planning policy requirements (SPPR) specified in guidelines under section 12(18) of the Act.

Recommendation 4 – Standards and Guidelines

In accordance with section 12(18) of the *Planning and Development Act 2000*, as amended, and having regard to section 1.4 and SPPR 1 of the *Urban Development and Building Heights Guidelines for Planning Authorities* (2018), the planning authority is required to amend section 13.9.1 of the draft Plan. The Office advises the planning authority to consider including the following amended text as it considers that the text is not consistent with the Guidelines:

‘Elsewhere, other than Carrick-on-Shannon, the extent of any increased building height shall be generally 3-4 storeys high. Any increase in building height above

this will be carefully considered due to the potential to give rise to considerable adverse impacts on the character, scale and form of such settlements as well as adverse impacts on residential amenity.'

3. Rural Housing and Regeneration

3.1 Rural housing policy

The Office acknowledges the strategic development approach set out in the draft Plan for lower tier rural villages and graigs and the open countryside as outlined in the core strategy, including the draft Plan's overarching policy intention to promote sustainable rural settlements as a key component of delivering balanced regional development.

The Office also welcomes that the draft Plan distinguishes between Low Capacity and other rural areas and has identified rural housing policies relevant to both areas. Likewise, the identification of the two Low Capacity Areas on Map 3 is considered to be consistent with NPO19.

In addition, the planning authority is commended for committing to the provision of a detailed report within one year of the Plan coming into effect which identifies all potential sites within villages and possibly graigs that are considered suitable to accommodate low density housing proposals.

However, the Office considers that an additional Low Capacity Area may be warranted along the County Leitrim coastline and the N15 national primary road. It is evident from the analysis of aerial views and from the number of houses granted permission that this area is the subject of considerable pressure for urban generated housing.

The pressure in the hinterland around Bundoran for such housing is confirmed by the designation in the Donegal County Development Plan 2018-2024 of the adjoining county area as being under strong urban influence.

It is also noted that the *Sustainable Rural Housing Guidelines for Planning Authorities* (2005) include second home development in the definition of urban generated housing. Section 3.2.2 of the Guidelines specifically refers to holiday and second home development.

Draft plan policy in the identified Low Capacity Areas is to facilitate housing development for applicants from the local rural community who have a demonstrable economic or social requirement to live in the local rural area in adherence to national and regional policy considerations. This is consistent with NPO 19.

The Office also notes that the draft Plan proposes to accommodate demand from existing members of the rural community for permanent residential development in Low Capacity Areas who have strong links to the area and who are an intrinsic part of the rural community and have a demonstrable social need to live in a particular local rural area. The draft Plan defines demonstrable social need as those who have lived a substantial period of their lives in the local rural area (minimum 18 months) in which the house is proposed (RUR SET POL 3).

The Office considers, however, that 18 months is insufficient time to establish a demonstrable social housing need consistent with NPO 19, and this provision should be increased, on an evidence basis, to a meaningful level.

Whereas RUR SET POL 3 refers to demonstrable social and economic need consistent with NPO 19, policies relating to Low Capacity Areas do not refer to *the viability of smaller towns and villages* as required under the NPO. Likewise, for those areas not designated Low Capacity the requirement that policy should facilitate the provision of single housing in the countryside '*...having regard to the viability of smaller towns and villages*' is not referred to. This is an important element of NPO 19 that the Office considers should be addressed.

Recommendation 5 – Rural Housing

Having regard to NPO 19 and NPO 15, *The Sustainable Rural Housing Guidelines for Planning Authorities (2005)* and the designation of areas under strong urban influence in the *Donegal County Development Plan 2018-2024*, the planning authority is required to:

- (i) review the designation of Low Capacity Areas and consider including a further Low Capacity Area in the north of the county. The area along the N15 and the coastline appears to be under strong urban pressure and the Office notes that the Donegal County Development Plan 2018-2024 identifies the hinterland of Bundoran as being under strong urban influence (Map 6.2.1);
- (ii) amend policy RUR SET POL 3 to delete the word ‘links’ and replace it with ‘economic or social needs’ consistent with NPO 19.
- (iii) expand the draft Plan’s rural housing policies for both Low Capacity Areas and other rural areas to include reference *to the viability of smaller towns and villages*; and
- (iv) amend RUR SET POL 3 which identifies persons with a demonstrable social need to live in a particular local rural area as persons who have lived a substantial period of their lives in the local rural area (minimum 18 months) in which the house is proposed. The time period should be increased on an evidence basis to a meaningful level.

3.2 Rural Regeneration

The Office commends the planning authority on successfully securing funding under the Rural Regeneration and Development Fund for five individual projects in Manorhamilton, Ballinamore, Mohill, Dromahair and Drumshanbo.

The Office also welcomes objective RUR SET OBJ 7 which seeks to pursue active land management measures in the delivery of serviced sites where a demonstrated

demand exists and where attempts have failed by perspective applicants to acquire such sites. The provision of serviced sites that create “build your own home” opportunities within the existing footprint of settlements in the draft Plan is considered appropriate. It is also considered appropriate that such sites are identified with an infill/low density designation in the Objectives Maps for individual settlements and that the draft Plan allows for a relaxation in density standards in the development of these sites (DENSITY POL 2).

The draft Plan also notes the requirement of the RSES that 20% of all individual dwellings in rural areas consist of brownfield redevelopment. The Office advises that the planning authority put in place a process to monitor the achievement of this objective.

Observation 2 – Rural Regeneration

Having regard to NPO 15 and RPO 3.3, the planning authority is requested to include measures to monitor the following:

- (i) residential development permitted as single rural houses; and
- (ii) the 20% target for the delivery of all new housing in rural areas on brownfield sites.

4. Economic Development and Employment

The Office welcomes the strong policy support for economic development and employment which is expressed in the draft Plan’s objectives, strategic aims, and economic development policy objectives

The Office also notes the scale of the economic development challenge to provide more jobs for the resident population. It acknowledges the challenge to provide for economic growth from an employment perspective and to reverse unsustainable commuter trends.

The Office agrees with the key principles identified to facilitate economic growth in the draft Plan and welcomes the linking of the economic and spatial dimensions of

the Plan by aligning economic growth with the settlement hierarchy, recognising the critical role of rural places in the economic development of the county and providing a sufficient quantum of appropriately zoned and serviced lands to facilitate enterprise opportunities and employment creation in towns.

The planning authority is commended for its proactive approach to local community development whereby key strategic relationships have been developed within the county, which include the establishment of a number of Town Teams in Manorhamilton, Carrick-on-Shannon, Mohill and Ballinamore.

The zoned Enterprise and Employment land in various settlements throughout the county is generally well located e.g. in Manorhamilton and Tullaghan. However, the Office has concerns over the peripheral location of areas of the Enterprise and Employment zoned lands in some settlements, particularly in the absence of an evidence-based rationale for the zoning of such lands.

It is considered that the location of certain zoned lands would contribute to unsustainable travel patterns and would militate against the achievement of compact growth and, as such, would not be consistent with the requirements under section 10(2)(n) of the Act, National Strategic Outcome 5 of the NPF and the Growth Ambition for the region as set out in the RSES.

While it is noted that the Enterprise and Employment zoned lands to the south of Ballinamore on the R204 contain some industrial buildings, some undeveloped lands remain at this location. In addition, a significant portion of the lands zoned Enterprise and Employment on the Dowra Road in Drumshanbo are undeveloped and lie outside the CSO settlement boundary.

The Office considers that the planning authority should review and provide justification for the aforementioned employment lands and the employment lands at the periphery of Mohill, Kinlough and Carrigallen.

Recommendation 6 – Enterprise and Employment

Having regard to National Strategic Objective Outcome 5 of the NPF, NPO 10b, the Growth Ambition for the region set out in the RSES and section 10(2)(n) of the *Planning and Development Act 2000*, as amended, the planning authority is required to provide an evidence-based rationale for the overall quantity and the spatial location of the following Enterprise and Employment land zonings, having regard to their peripheral locations and all relevant infrastructural constraints (tiered approach to zoning):

- (i) Ballinamore - the area of land, of c. 8.6 hectares, located to the southeast of the town on the east side of the Willowfield Road, located outside the CSO boundary;
- (ii) Drumshanbo - the area of land to the north of the town centre, in particular the area of c.3.9 hectares on the east side of the R207, north of Mulvey's Hardware, located outside the CSO boundary;
- (iii) Kinlough - the area of land, of c. 5 hectares, located to the western periphery of the town;
- (iv) Mohill - the area of land located on Green Road at the northern periphery of the town and north of the Mohill Tyre Centre; and
- (v) Carrigallen - the area of land, of c. 2.2 hectares, on the Ballinamore Road, northwest of the town centre.

In the absence of a clear evidence-based rationale for these zoning objectives, the planning authority is required to omit any of the above lands, which cannot be justified.

The Office welcomes the policies relating to extractive industry and building materials production set out in section 10.7 of the draft Plan which seek to support the future development of the industry. It is considered that the development plan would benefit from a map showing the location of quarries and minerals across the county.



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 Leitrim.

5. Sustainable Transport and Accessibility

The planning authority is commended on the comprehensive analysis on modal split in the county and for its engagement with the National Transport Authority (NTA) in interrogating the POWSCAR dataset to derive modal share information in respect of internal journeys within settlements and journeys made from settlement to settlement within the county as well as external journeys beyond the county boundary.

The Office welcomes that the draft Plan seeks to achieve an integrated approach to land-use and transportation, which aligns with the core strategy and which directs most of the future development into existing towns and settlements within County Leitrim, to reduce car dependency to the maximum amount possible.

It also welcomes that lands identified for residential development in the Land Use Zoning maps of the principal towns are generally located within the built-up area and are situated close to, or within, the core areas of the settlements in order to encourage the consolidation of the settlements and make active travel (walking and cycling) more viable. The sustainable mobility measures identified for the individual settlement plans are commended.

The inclusion of an objective to implement a programme of traffic and parking management measures in towns and villages throughout the county is also supported by the Office.

The Office also recognises that the provision of public transport outside of the larger settlements of the county poses a challenge, in terms of viability and representing a



viable alternative to the private car, and that the reduction in trip generation for the private car is a particular challenge.

Objectives ST OBJ 1 and MSSM OBJ 2 in particular are noted which seek co-ordination and co-operation with other transport agencies in devising and securing the implementation of the transport strategy for the county, in order to achieve an agreed modal share target for the private car for total commuter journeys and a target of total commuter journeys to be undertaken by sustainable mobility modes within the lifetime of the Plan.

The delivery of a transport strategy will be critical in achieving improved modal share in the county and the Office considers that the timely delivery of the strategy is required, consistent with the Sustainable Mobility Strategic Outcome 4 of the NPF and NPO 27.

Recommendation 7 – Sustainable Transport and Accessibility

Having regard to NPO 27, NPO 54 and section 10(2)(n) of the *Planning and Development Act, 2000*, as amended, the planning authority is required to:

- (i) commit to a clear time line for the commencement and progress of engagement with other transport agencies with the overall objective of delivering the transport strategy for the county within two years of the adoption of the Plan;
- (ii) include potential targeted objectives for what the Plan intends to achieve in terms of sustainable transport over the plan period, in respect of the various transport modes and the priorities for same under Government's Smarter Travel, including setting modal share targets; and
- (iii) commit to devising an effective monitoring programme for modal share targets.

The Office notes that objective CARRICK OBJ 6 seeks to pursue the development of a 'new regionally significant opportunity site' to the east of Carrick-on-Shannon and

contiguous to existing zoned lands for use as a data centre or alternative regionally scaled employment use following the undertaking of a feasibility study. Access would potentially be from the National Primary Road (outside of the reduced speed limit zone). The objective notes that this will require inclusion of an exceptional circumstance for a new entrance off the N4 to be agreed with Transport Infrastructure Ireland (TII). The objective is reiterated in S.8.11.2.5 and TRANS POL 5 of the draft Plan.

The Office however also notes the location of the proposed access within the Constraints Study Area for the N4 Carrick-on-Shannon to Dromod national road scheme, which is included as an objective of the National Development Plan 2021 – 2030, and at a location where a 100kph speed limit currently applies.

It is considered however, that the inclusion of the proposed access in the form currently presented, and in advance of the undertaking an evidence-based analysis, is premature and would be in conflict with National Strategic Outcome 2 of the NPF, RPO 6.7 and the provisions of section 2.6 of the Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

The Office notes Policy TRAN POL 2, which provides a policy provision and approach for protecting efficiency of national primary routes, however the proposed policy makes reference to the term ‘*inappropriate*’ new access points. The inclusion of the term ‘inappropriate’ would conflict with Section 2.5 of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

Similarly, the Office notes proposed policy objective policy RUR SET POL 9, which includes the wording ‘*save for exceptional circumstances where alternative access cannot be achieved*’. The inclusion of this reference within proposed policy RUR SET POL 9 would be contrary to the Guidelines (2012) as section 2.6 of the Guidelines does not accommodate individual residential development accessing national primary roads.

Recommendation 8 – National Roads

Having regard to National Strategic Outcome 2 of the NPF, RPO 6.7 and the *Spatial Planning and National Roads Guidelines for Planning Authorities (2012)*, the planning authority is required to:

- (i) review section 8.11.2.5 of the draft Plan and associated objective CARRICK OBJ 6 and policy TRANS POL 5, arising from the potential adverse impact of the proposed ‘exceptional circumstance’ access onto the N4 at Carrick-on-Shannon in advance of undertaking an evidence-based analysis in accordance with the process set out in section 2.6 of the Guidelines;
- (ii) review objective MHN 23 to relocate the Manorhamilton fire station to a site which adjoins the N16 national primary road in light of the required process for access onto national roads set out in section 2.6 of the Guidelines;
- (iii) omit the reference to ‘inappropriate’ new access points to national roads in TRAN POL 2 which is not consistent with section 2.5 of the Guidelines; and
- (iv) omit the reference to ‘save for exceptional circumstances where alternative access cannot be achieved’ in objective RUR SET POL 9 which is not consistent with section 2.5 of the Guidelines.

Where the process for new access onto national roads specified under (i) and (ii) is not achieved, the planning authority is required to omit the relevant provisions from the draft Plan.

The Office welcomes the inclusion of objectives for Carrick-on-Shannon to:

- prepare a Local Transport Plan for the town and establish specific modal share targets for the town to be incorporated into the forthcoming Local Area Plan (MSSM OBJ 1); and



- enhance placemaking and improve pedestrian and cycle connectivity to the existing train station and improve bus stops/future transport interchanges.

As noted above, the Office also welcomes the intention to prepare a joint LAP with Roscommon County Council for Carrick-on Shannon and Cortober. Again however, the Office considers that pending the delivery of a transport plan for Carrick-on-Shannon/Cortober, a high level framework settlement plan, with provisions for sustainable mobility, will be essential as required in Recommendation 1 above.

6. Flood Risk Management

The Office supports the objectives and policies included in the draft Plan in respect of flooding, which are considered appropriate.

It welcomes that the extent of the *Constrained Land Uses* is illustrated on the individual settlement zoning maps, with a hatching corresponding to the extent of Flood Zones A and B overlain over the land use zoning objective underneath, allowing a clear identification of areas at risk.

The inclusion of specific policies in respect of flooding in the individual settlement plans where risk of flooding is identified is also welcomed.

The appropriate zoning of lands at risk of flooding for open space or tourism related development is also acknowledged.

However, the Office notes that there is one instance in the draft Plan where land subject to flooding is zoned for uses other than open space, agriculture or tourism related development. This is an area of land to the northeast of the town centre of Dromod, located within the Constrained Land Area and zoned for Enterprise and Employment use.

It is acknowledged that there is an existing industrial use on the northern section of these lands and it is proposed to progress the development of a Flood Relief Scheme for Dromod. However, the zoning is not considered consistent with NPO 57 and *The Planning System and Flood Risk Management Guidelines* (2009), given the



level of flood risk and pending a review of the appropriateness of zoning these lands following the completion of the flood relief scheme.

The Office also considers that where lands zoned for Tourism are located within Flood Zones A or B in towns and villages throughout the county, an additional Infrastructure Objective in each individual settlement plan to restrict development on these lands to water compatible usages only should be included.

Recommendation 9 – Flood Risk Management

Having regard to *The Planning System and Flood Risk Guidelines* (2009) and NPO 57, the planning authority is required to:

- (i) review the Enterprise and Employment zoning of c. 1 hectare to the northeast of the town centre of Dromod located within the Constrained Land Area and Flood Zone A (Map 28); and
- (ii) include an additional Infrastructure Objective in each individual settlement plan to restrict development on lands zoned for Tourism and located within Flood Zones A or B to water compatible usages only.

7. Renewable Energy Strategy

As referenced at the outset, the Office commends the planning authority for the preparation of a Renewable Energy Strategy, which in general provides a comprehensive, rational, and evidence based approach to determining how Leitrim can contribute to the national targets for renewable energy consistent with the national strategic outcome for the transition to a low carbon and climate resilient society.

The *Climate Action Plan 2021* includes a target of an additional 8GW of onshore wind capacity by 2030 in order to achieve up to 80% of electricity generation from renewable sources. The proposed development plan period, 2022-2028, is therefore a critical period with regard to achieving the national targets for 2030 as set out in the *Climate Action Plan 2021*.

In this respect, the Office welcomes the inclusion of an operational wind energy target of 175 MW by 2030 consistent with item (2) of the Specific Planning Policy Requirement (SPPR) in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*, and the statutory obligations in relation to the implementation of SPPR under sections 28(1)(c) and 12(18) of the Act.

The Office notes, however, that one of the limiting factors used in the capacity study relates to 500m set back distances from housing. There is, however, no basis for this set back distance at a Plan level in the LARES methodology, Wind Energy Guidelines 2006, Interim Guidelines (2017), or indeed the draft Wind Energy Development Guidelines (2019) (notwithstanding that these guidelines have not been issued under section 28 by the Minister).

Crucially, the inclusion of a mandatory setback through the sieve analysis process conflicts with the item (3) of the Special Planning Policy Requirement under the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change and Wind Energy Development Guidelines 2006 (2017)*, which has not been considered specifically in the SEA Environmental Report in terms of impact on the climatic factor.

Having regard to the additional and reasonable limitations arising from potential impacts on the environment and the amenities of an area that apply to any development project, the net result of this approach is to limit the potential for County Leitrim to contribute to meeting national targets for renewable energy necessary to tackle climate change.

It is also noted that the draft Plan references the draft Wind Energy Development Guidelines (2019). Given the status of these guidelines, it is considered that the plan should instead reference the Wind Energy Development Guidelines 2006 and the Leitrim County Renewable Energy Strategy 2022 when referring to specific requirements relating to wind energy developments.

Recommendation 10 – Renewable Energy Strategy

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 2021* to achieve 80% of electricity from renewable sources by 2030, NPO 55 which promotes renewable energy use and generation to meet national targets towards achieving a low carbon economy by 2050, 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 revise the Renewable Energy Strategy to omit the use of a 500m separation distance from the limiting factors applied in the sieve mapping analysis, which is inconsistent with item (3) of the SPPR the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* (2017), and revise Map 12.4 ‘Wind Energy Areas’ accordingly.

8. Environment, Heritage and Amenities

The planning authority is commended for the objectives and policies relating to the natural and built heritage of the county set out in the draft Plan. Objectives and policies relating to natural heritage are comprehensive and appropriate.

The draft Plan is supported by a Landscape Character Assessment in Appendix VI. The assessment creates an appropriate baseline to inform future decision making by the planning authority.

The Office also notes that mandatory objectives in relation to protected structures and architectural conservation areas (ACA’s) for the county are addressed. The Office welcomes that designated ACAs in towns and villages in the county have been identified and mapped and that the planning authority proposes to prepare a Statement of Character for each of the identified ACAs within 2 years of the Development Plan having come into effect, in order to identify the character that is worthy of protection for each (ACA OBJ 1). It also welcomes the comprehensive

range of policies included in the plan, which seek to ensure the preservation of the special character of each ACA, in particular ACA POL 1.

It is acknowledged that policies and objectives in respect of rights of way are included in the draft Plan, however, no Rights of Way are identified in list or map form.

Such rights can contribute to the economic base of the county through the facilitation and encouragement of tourism, in addition to providing important amenities to the local population and it is therefore important that the planning authority is proactive in identifying and securing the future of such routes.

The planning authority's attention is drawn to examples of good practice identified in the OPR [Case Study Paper CSP01](#) 'Public Rights of Way and the Local Authority Development Plan'.

Recommendation 11– Rights of Way

To ensure compliance with section 10(2)(o) of the *Planning and Development Act 2000*, as amended, the planning authority is requested to include a list and map identifying public rights of way.

9. Implementation and Monitoring

The Office welcomes the commitment of the planning authority to securing and monitoring the implementation of the key aims and objectives of the development plan.

The *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021), state that planning authorities will need to establish strong, frequent and ongoing monitoring systems for the implementation of their development plan and the performance of their objectives.

The *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021) recommend monitoring of the strategic functions relating to core strategy and Plan objectives.

The Office advises that the implementation and monitoring measures within the draft Plan could be brought together, and in places expanded, to provide a clear and focused system. This would most effectively focus on the anticipated or proposed key outcomes of the Plan, as determined by the planning authority, such as the core strategy (e.g. population growth and housing delivery), urban and rural regeneration, the sustainable transport strategy (e.g. modal share, transport strategy for the county and preparation of the Carrick-on-Shannon Local Transport Plan), and climate action (e.g. renewable energy development, biodiversity and landscape (e.g. status of designate habitats)).

Observation 4 – Monitoring

Having regard to the duty and function of the planning authority under section 15(1) and 15(2) of the *Planning and Development Act 2000*, as amended, and the commitment of the planning authority to secure and monitor the implementation of the strategies, policies and objectives of the draft Plan, the Office advises the planning authority to include proposals for monitoring, consistent with Part 10 of the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021).

10. General and Procedural Matters

The planning authority is commended for the overall standard of mapping in the draft Plan. The land use zoning maps and separate objectives maps for the Tier 2A and Tier 2B towns and the lands use zoning maps for each of the Tier 3 Villages and 15 Tier 4 Villages are welcomed.

The Office notes that two of the settlement plan maps would benefit from including the zoning objectives from adjoining planning authority areas. It would be beneficial if Map No. 35 for Dowra included the zoning objectives from the draft Cavan County Development Plan 2022-2028, across the River Shannon, and Map No. 48 of Roosky included the zoning objectives from the adopted Roscommon County Development



Plan 2022-2028, again across the River Shannon. This would provide context for the planning framework for the settlements.

Observation 5 – Mapping

The planning authority is requested to include the zoning objectives from the draft Cavan County Development Plan 2022-2028, across the River Shannon, on Map No. 35 for Dowra, and include the zoning objectives from the Roscommon County Development Plan 2022-2028, again across the River Shannon, on Map No. 48 for Roosky.

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. In accordance with section 12(5)(aa), where the planning authority decides not to comply with any of the Office's recommendations made in the draft plan and report, they shall inform the Office, by notice in writing containing the reasons for the decision.

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 of the Office, the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.

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.



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

Is mise le meas,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
