



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

OPR Ref: BP-038-22

11th July 2022

Forward/Strategic Planning,
Economic Development Directorate,
Limerick City and County Council,
Merchants Quay,
Limerick,
V94 EH90.

Re: Revocation of Kilfinane Local Area Plan 2012-18 (extended until October 2022)

A chara,

Thank you for your authority's work in preparing to revoke the Kilfinane Local Area Plan 2012-2018 (the LAP) pursuant to section 20(3) of the *Planning and Development Act 2000*, as amended, (the Act).

The Office of the Planning Regulator (the Office) wishes to acknowledge the work your authority has put in to the preparation of the Limerick Development Plan 2022 – 2028, which incorporates the area within the boundaries of the Kilfinane LAP against the backdrop of an evolving national and regional planning policy and regulatory context, including the National Planning Framework (NPF), the Southern Regional Assembly Regional Spatial and Economic Strategy (RSES) and the establishment of the Office.

As your authority will be aware, a key function of the Office is the assessment of statutory plans and strategies to ensure consistency with legislative and policy requirements relating to planning. This includes a requirement to make submissions on statutory plans, including any observations or recommendations the Office considers necessary to ensure the effective co-ordination of national, regional and local planning requirements.

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.

The Office has evaluated and assessed the proposed revocation under the provisions of sections 31AO(1) and 31AO(2) of the Act, and concludes that no recommendations or observations are warranted.

1. Rationale for revoking the LAP

The Office notes that the Kilfinane LAP came into effect on the 19th November 2012, and on the 19th September 2017 Limerick City & County Council extended the duration of the LAP for a further five years, until October 2022.

The Office further notes that the planning authority has prepared and adopted the Limerick Development Plan 2022 – 2028¹, which incorporates the settlement area within the boundaries of the Kilfinane LAP.

The Office is currently in the process of conducting an independent review of the adopted development plan, which is due to come into effect on the 29th July. The Office will correspond with the local authority separately on this matter.

Given the need to ensure that there is a statutory plan in place for the Kilfinane area at all times, the planning authority is advised to co-ordinate the timing of the revocation of the LAP with the coming in to effect of the Limerick Development Plan 2022-2028.

The Office welcomes the incorporation of the planning framework including settlement objectives and zoning map for Kilfinane into the overall development plan for the city and county.

In this regard, the Office does not have any 'in-principle' objection to the proposed revocation of the Kilfinane LAP.

¹ Limerick Development Plan 2022 – 2028 was adopted on 17th June 2022

2. Strategic Environmental Assessment and Appropriate Assessment

The Office notes that the planning authority has undertaken screening for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) and has determined that SEA and AA are not required for the revoking of the Kilfinane LAP.

Summary

The Office's evaluation and assessment of the proposed revocation of the Kilfinane LAP concludes that no recommendations or observations are warranted.

The Office looks forward to continued positive engagement with your authority regarding the implementation of the Limerick Development Plan and the preparation of new local area plans for the larger settlements in the county.

Please feel free to contact the staff of the Office if you have any questions regarding the comments above. Contact can be initiated through plans@opr.ie.

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Niall Cussen

Planning Regulator
