

OPR Ref: DP-005-24

2nd April 2024

Forward Planning,
Limerick City and County Council,
Merchants Quay,
Limerick,
V94 EH90.

Re: Amendment No. 1 of the Kilmallock Local Area Plan 2019-2025

A chara,

Thank you for your authority's work in preparing the proposed Amendment No. 1 (the proposed Amendment) of the Kilmallock Local Area Plan 2019-2025 (the LAP).

The Office of the Planning Regulator (the Office) wishes to acknowledge the work your authority has put into the preparation of the proposed Amendment against the backdrop of an evolving national and regional planning policy and regulatory context, including the *National Planning Framework* and the Regional Spatial and Economic Strategy (RSES) for the Southern Region.

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.

The Office has evaluated and assessed the proposed Amendment under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act). The Office considers that one observation is required in respect of the proposed Amendment.

Overview

The Office considers the proposed Amendment, which seeks to amend the land use zoning objective of an area of c. 0.3 hectares from Residential Development Area to Enterprise & Employment within the settlement boundary of Kilmallock, with associated ancillary amendments, to be relatively minor.

No particular concerns arise in respect of conflict with the policy framework of the Limerick Development Plan 2022-2028 (the Development Plan) or the RSES.

However, the Office notes a minor error in the proposed figures in section 2.1 of the proposed Amendment to Table 9.1 of the LAP which is addressed in an observation, below.

It is within this context the submission below sets out one observation under the following theme:

Key theme	Recommendation	Observation
General and procedural matters	-	Observation 1

1. Consistency with Regional, Spatial and Economic Strategy

The Office is satisfied that the proposed Amendment does not result in any inconsistency with the regional policy objectives and general provisions of the RSES for the Southern Region.

2. Consistency with the objectives and core strategy of the development plan

The Office is satisfied that the proposed Amendment does not result in any inconsistency with the policies and objectives and core strategy of the Development Plan.

3. General and procedural matters

The Office notes that the proposed amended area of land identified Enterprise and Employment in section 2.1 of the proposed Amendment to Table 9.1 of the LAP is incorrect, as the area has been reduced by 0.3 hectares rather than increased by that amount. The planning authority should review and update Proposed Amendment 2 to Table 9.1 of the LAP to accurately reflect the quantum of zoned lands for Enterprise and Employment.

Observation 1 – General and procedural matters

The planning authority is advised to review and update section 2.1 of the proposed Amendment to Table 9.1 of the Kilmallock Local Area Plan 2019-2025 to ensure that the area of land zoned for Enterprise and Employment is accurate.

Summary

The Office requests that your authority addresses the observation as outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 20 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 proposed Amendment.

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.

Is mise le meas,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations