

Frank Pentony
Director of Services
Forward Planning Dept.
Louth County Council
Town Hall
Crowe Street
Dundalk
Co Louth



Dáta | Date
13 March, 2019

Ár dTag | Our Ref.
TII19-104841

Re: Proposed Variation no. 1 to the Louth County Development Plan, 2015 - 2021

Dear Mr Pentony,

The Authority acknowledges receipt of the revised notice of 18 February, 2019, relating to Proposed Variation no. 1 to the Louth County Development Plan, 2015 – 2021. Having reviewed the revised notice and the Authority's initial submission, also of 18 February, 2019, on Proposed Variation no. 1, TII's initial observations remain the position of the Authority. The following, in the interests of clarity and consistent with previous observations made, outlines TII's position for the consideration of the Council prior to the adoption of Proposed Variation no. 1.

1. Proposed Variation no. 1

It is noted that the Proposed Variation relates to lands at Carrickcarnon, Co. Louth and subject to Policy RD 39 of the County Development Plan, 2015 – 2021. TII is aware that the subject lands, adjoining the R-132 Regional Road, are included in the adopted Development Plan as an Economic Business Zone and were subject to a Draft Ministerial Direction which was ultimately not issued as a Direction by the Minister.

The site is in proximity to M1 Junction 20. The M1 Dublin to Belfast Corridor is part of the EU TEN-T Core Network. The Trans-European Transport Networks (TEN-T) define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport in a co-ordinated fashion to achieve integrated and intermodal long-distance travel routes across Europe.

Section 8.3 'Working Together for Economic Advantage' of the National Planning Framework addresses the importance of the Dublin-Belfast Economic Corridor and advises that there will be a focus on developing the corridor as a distinct spatial area with international visibility by, inter alia;

- Improving and protecting the key transport corridors such as the TEN-T network and strategic function of the Dublin to Belfast road network from unnecessary development and sprawl.

These are European and national policy considerations to ensure that the strategic function of the network is safeguarded. Therefore, it is reasonable, in the opinion of TII, to exercise caution in the assessment of any development proposals impacting on the operation of a national route and associated junctions.

In relation to the lands concerned, TII outlined the following observations in a submission of 22 July, 2015, on the Proposed Amendments to the Draft Louth County Development Plan, 2015 – 2021;

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
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The Authority notes the inclusion of the Carrickcarnon Economic/Business Zone map and the proposed revision to Policy RD39 of the Draft County Development Plan concerning the proposed Economic Business Zone at Carrickcarnon in proximity to M1, Junction 20. The proposed revisions to Table 6.3 of the Draft Plan also refer.

The Council will be aware of the requirements of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), in particular, section 2.7 considers development at national road interchanges or junctions.

It is noted that the proposed amendment to the Draft Plan concerning the designation of lands in proximity to the Carrickcarnon Junction is not supported by the evidence base required by Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.

The position outlined above, as related to lands at Carrickcarnon, Co. Louth now subject to Proposed Variation no. 1, remains the position of TII. It is unfortunate that the Council has not taken the opportunity in the intervening period to support the Proposed Variation now on display with the required evidence base to demonstrate compatibility of the proposal with safeguarding the safety and capacity of the national road and associated junctions, in accordance with the provisions of the DoECLG Spatial Planning and National Road Guidelines. In addition, with particular reference to the extended nature and range of development proposals now proposed to be accommodated at the subject site, including retail warehousing, reference should also be made to the provisions of the DoECLG Retail Planning Guidelines (2012).

Such an evidence base is considered a critical requirement arising from Proposed Variation no. 1. It remains the opinion of TII that a required evidence base should be developed to support the proposals included at Carrickcarnon, including the alterations in Proposed Variation no. 1.

2. Proposed Masterplanning

It is noted that the proposed text amendment to Policy RD 39 subjects the lands at Carrickcarnon to the preparation of a Masterplan for the written agreement of the planning authority. TII considers such an approach to be inappropriate given the significant strategic national road network issues that are unresolved in the Proposed Variation as identified in the foregoing, specifically concerning the absence of the development of an appropriate evidence base.

In relation to the approach to require developer led Masterplans as opposed to any Masterplanning exercise undertaken by the planning authority, TII would draw the Councils attention to the provisions of both the DoECLG Local Area Plan Guidelines and DoECLG Sustainable Residential Development in Urban Areas Guidelines which advise that such plans can supplement or complement but not replace statutory plans. Although the Council will note that the Guidelines refer primarily to non-statutory studies or frameworks prepared by local authorities and not developers.

Also, the DoECLG Sustainable Residential Development in Urban Areas Guidelines advise that if it is intended to use such non-statutory documents for development management, planning authorities should incorporate them in the development plan or local area plan for the area by way of variation and where possible, public consultation should be integrated into the preparation on non-statutory frameworks. This is not evident in the proposals included in the proposed text amendments to Policy RD 39 included in Proposed Variation no. 1.

The primary issue, in this regard, relates to the absence of appropriate Plan-led evidence based planning and the absence of future liaison and collaboration with TII in relation to planning exercises promoted by the local authority that have significant implications for the strategic national road network in the area concerned. The Authority considers that such issues can be addressed with collaboration and should be addressed in advance of the adoption of Proposed Variation no. 1.

The Council will be aware that the DoECLG Spatial Planning and National Roads Guidelines require that development should be Plan-led, as outlined above. The promotion of developer led masterplan exercises without consultation and liaison by the local authority with TII and in the absence of strategic transport evidence base requirements is wholly inappropriate and leads to substantial risks for future development. The Guidelines require

that planning authorities must also ensure that they consult with the NRA (now TII) in preparing any local area plans or other non-statutory plans where there may be material implications for national roads.

The Authority requests that this issue is addressed in the Proposed Variation to address the deficiencies in consultation, liaison and evidence base requirements evident in Proposed Variation no. 1. TII is of the opinion that developer led masterplanning in such proximity to a strategic national road is inappropriate and recommends that the Council should lead such proposals and incorporate provision for appropriate consultation with relevant stakeholders and consultees.

To assist with the foregoing, TII suggests the following wording (in italics) to the proposed amendment to Policy RD 39 for the consideration of the Council;

Policy RD 39

... To ensure co-ordinated and integrated development, this area will be subject to the preparation of a Masterplan prepared in collaboration with the ~~for the written agreement of the~~ Planning Authority subject to the development of an appropriate evidence base including addressing any implications for the strategic national road network in the area. The Planning Authority will undertake appropriate consultation with stakeholders and consultees and will incorporate the proposed masterplan into the statutory framework for the area prior to any decision on any planning application in the area concerned. ~~linked to leisure, recreation and tourism, agricultural diversification and extensions to authorised developments).~~

3. Service Areas

It is acknowledged that policy in relation to the provision of Service Areas is outlined in Section 7.3.2 of the adopted County Development Plan, 2015 – 2021, which states that the provision of off-line motorway services shall be guided by the DoECLG Spatial Planning and National Roads Guidelines, 2012.

The Council will be aware that the DoECLG Spatial Planning and National Roads Guidelines, 2012, advise that a proliferation of private off-line service area facilities at national road junctions should be avoided. It is therefore important that a coordinated approach between planning authorities should be undertaken in consultation with the NRA (now TII) as part of the drafting of development plans.

TII is not aware of any forward planning approach undertaken by the Council to ensure a co-ordinated approach to the provision of such off-line facilities and to avoid the proliferation of private off-line facilities at national road junctions in accordance with the provisions of Section 2.8 of the DoECLG Spatial Planning and National Road Guidelines.

The Authority would welcome clarification on proposals relating to the preparation of a forward planning approach to the provision of off-line Service Areas in the County in the interests of adherence to the provisions of Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines (2012) and safeguarding the strategic function of the national road network.

Conclusion

It is requested that the foregoing comments and observations are taken into consideration prior to the adoption of Proposed Variation no. 1 to the Louth County Development Plan, 2015 – 2021.

Yours sincerely,



Michael McCormack

Senior Land Use Planner