



Bonneagar Iompair Éireann
Transport Infrastructure Ireland

Planning, Infrastructure & Economic Development
Forward Planning Section
Louth County Council
Dundalk
Co Louth

By email louthcdp@louthcoco.ie

Dáta | Date
26 July 2021

Ár dTag | Our Ref.
TII21-113820

Re. Draft Material Alterations to Louth County Development Plan, 2021 – 2027.

Dear Sir/Madam,

TII acknowledges receipt of referral of Proposed Material Alterations to the Draft Louth County Development Plan, 2021 - 2027. The Authority welcomes the Proposed Material Alterations arising from consideration of the Authority's initial submission on the Draft Plan. In relation to other Proposed Material Alterations on display, TII outlines the following observations;

1. Material Alteration Reference 44, and 46

TII notes Material Alteration References 44, and 46 which relates to policies concerning the provision of rural housing in County Louth.

As outlined in TII's initial submission on the Draft County Development Plan, TII acknowledges and supports the need to sustain rural communities. In relation to the Councils approach to the provision of rural housing in the open countryside TII would welcome inclusion in these Section of the Development Plan, in the interests of clarification and as an advisory to potential applicants for development in rural areas, of the requirement to adhere to the provisions of official policy in relation to development accessing national roads similar to that included in Alterations no 62, 192, 204, and 205. This is considered important early assistance to applicants in the preparation of any subsequent planning application where there may be implications for the strategic national road network in the area.

Recommendation;

TII would welcome consideration by the Council of the following:

- To include text Material Alteration References 44, and 46 similar to that indicated in Alterations no 62, 192, 204, and 205.

2. Material Alteration Reference 96

TII notes Material Alteration References 95 and 96

TII would highlight that it is with concern that Policy Objective MOV 35 has not been amended to include for the protection of junctions to reflect Section 2.7 of the Section 28 Ministerial Guidelines 'Spatial Planning and National Road Guidelines for Planning Authorities' (DoECLG, 2012).

The following was recommended by TII at Draft Development Plan Stage:

*"To protect the strategic transport function of national roads, including motorways **and associated junctions** through the implementation of the 'Spatial Planning and National Roads – Guidelines for Planning Authorities'"*

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However TII notes with serious concern the inclusion of material alteration no 96 which states:

“To promote and facilitate development at urban–related interchanges in accordance with the zoning provisions for Drogheda and Dundalk as set out on the zoning maps for Drogheda and Dundalk in the Draft County Development Plan and any subsequent Local Area Plans adopted for these settlements. Insertion of footnote *Urban–related interchanges are Ballymascanlon (Junction 18), Castleblayney Road (Junction 17), Dundalk South interchange (Junction 16) and Drogheda North (Junction 10).”*

TII would highlight that the zoning, existing and proposed, included in the Draft County Development Plan do not have been examined, reviewed nor undertaken in accordance with the requirements of Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012), Section 2.7 Development at National Road Interchanges or Junctions refers.

As indicated in the ministerial guidance, Interchanges/junctions are especially important elements of national roads infrastructure that development plans and local area plans must take account of and also carefully manage. In this instance 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*

TII would highlight that existing zonings in the vicinity of Dundalk South interchange (Junction 16) and Drogheda North (Junction 10) are based on masterplans prepared before 2012 and require redrafting to reflect the changes not only with respect to national transport policy but also the many other statutory sustainable development requirements in the last 13 years.

In addition, the rezoning extension proposal under Masterplan 7 and Material Alteration no. DLK8. has been put forward in the absence of an evidence base required Section 2.7 Development at National Road Interchanges or Junctions of Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines’ (DoECLG, 2012) nor the requirements Section 8.3 ‘Working Together for Economic Advantage’ of *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*”. It would also appear that the zonings would need to be reviewed as part of local area planning for Drogheda, and Dundalk with the associated local transport plans.

Recommendation

TII therefore recommends that material alteration no 96 is amended as follows:

“To promote and facilitate development at urban–related interchanges in accordance with the zoning provisions for Drogheda and Dundalk as set out on the zoning maps for Drogheda and Dundalk in the Draft County Development Plan and any subsequent Local Area Plans adopted for these settlements with the requirements of Section 2.7 Development at National Road Interchanges or Junctions of Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).”*

3. Material alteration 90

TII notes and welcomes that local area planning for Drogheda, and Dundalk, appears to be deferred. This is despite new zonings included within these urban areas.

TII would again encourage and welcome consultation on the preparation of the Local Transport Plans where there may be implications for the strategic national road network in the area. TII considers that the preparation of the Local Transport Plans should occur in advance of the Land Use Plans and therefore, fully inform Council decisions related to zoning and development objectives.

TII will remind the Council that the development plan principles promoted in the Ministerial Guidelines DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities 2012 are explicit in requiring that where a development plan or local area plan proposes development to take place on zoned lands adjacent to national roads

which could affect the operation and capacity of such roads, the planning authority must prepare its plans in such a way that demonstrates that such roads can continue to perform their strategic transport function into the future. The Guidelines require that planning authorities must therefore develop an evidence-based approach to planning policy and undertake detailed transport modelling, as necessary. This needs to be referenced in alteration no. 90

In addition TII would highlight that Advice and guidance in relation to area based transport assessment to assist in preparation of development and local area plans related is available at TII Publication Number PE-PDV-02046 (Area Based Transport Assessment) was co-prepared and published by TII and the NTA to ensure an integrated approach to transport and land use planning.

Recommendation

TII would recommend the following minor amendments to reflect role of national roads:

To prepare a Local Transport Plan in consultation with the National Transport Authority, *Transport Infrastructure Ireland* and other relevant stakeholders for Dundalk and Drogheda as part of the preparation of the Urban Area Plans / Local Area Plans for these settlements. The preparation of these plans will be based on the guidance note on Area Based Transport Assessments published by the NTA/TII in 2019 and these plans will be subject to screening for SEA and AA and full assessments will be undertaken if appropriate.

4. Material Amendment DLK 8 , Alteration 174 Proposed Masterplan 7 , New Spot Objective no. 3

TII notes proposals to zone additional lands in proximity to M1 Dundalk South interchange (Junction 16) to E2 Business and Technology and the insertion of a New Spot Objective 3.

As already highlighted, Section 2.7 of the Section 28 Ministerial Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) advise that planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges/junction on national roads.

TII is not aware of any analysis undertaken by the Council to develop an evidence base, in accordance provisions of official policy nor to establish potential implications for the strategic national road network in the area and also undertakings to support the proposed zoning at this location in conjunction with the lands associated with the non-statutory Mullagharin Framework Plan.

It is unclear if the zoning proposal adjoining the national road network and associated junctions has been subject to appropriate transport assessment including appropriate transport modelling or the development of appropriate mitigation measures taken in conjunction with lands covered by a non-statutory masterplan prepared in 2008.

A basic requirement for any evidence based approach to demonstrate that proposed trip generation can be catered for, while protecting the strategic function of the M1 which is part of the EU TEN-T Core Network. Taking account that the M1 provides important strategic links within and through the county and region, including providing critical international connectivity and regional accessibility under NSO 2 and 6 of the National Planning Framework.

Recommendation

TII would welcome consideration by the Council of the following:

- Section 2.7 of the Section 28 Ministerial Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) advise that planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges/junction on national roads.

The Proposed Material Alterations are not supported by the required evidence base and plan-led approach required by Section 28 Ministerial Guidelines on Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and should be omitted due to prematurity.

5. Material Alteration no 179 Mullagharlin

TII notes the inclusion of a new spot objective as indicated below:

Spot Objective Number	Location	Objective
11	Dundalk	To provide for a mixture of higher order business uses supported by cafes/restaurants, community facilities, office, health care, residential, and business units. Individual shops in excess of 350m ² gross floorspace or warehousing and distribution will not be considered appropriate.

As already highlighted, Section 2.7 of the Section 28 Ministerial Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) advise that planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges/junction on national roads.

TII is not aware of any recent analysis undertaken by the Council to develop an evidence base, in accordance with the provisions of official policy, to establish potential implications for the strategic national road network in the area and to support the proposed objective at this location.

It is unclear if the objective which applies to lands adjoining the national road network and associated junctions has been subject to appropriate transport assessment including appropriate transport modelling or the development of appropriate mitigation measures taken in conjunction with lands covered by a non-statutory masterplan prepared in 2008.

There is a requirement for an evidence based approach to demonstrate that the proposed trip generation associated with this objective can to be catered for, while protecting the strategic function of the M1 which is part of the EU TEN-T Core Network and provides important strategic links within and through the county and region, including providing critical international connectivity and regional accessibility under NSO 2 and 6 of the National Planning Framework.

Recommendation

TII would welcome consideration by the Council of the following:

- Section 2.7 of the Section 28 Ministerial Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) advise that planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges/junction on national roads.
- The Proposed Material Alterations is not supported by the required evidence base and plan-led approach required by Section 28 Ministerial Guidelines on Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and should be omitted in its current form due to potential to undermine critical international connectivity and regional accessibility under NSO 2 and 6 of the National Planning Framework and as the existing non-statutory masterplan is out of date.

6. Masterplans

The Draft Development Plan relies in Section 13.5 on Master Plans which are included in the written statement text. In particular, TII notes the inclusion of a number of Master Plans located in proximity to the national roads network which were prepared over 10 years ago prior to the publication of the National Planning Framework, Section 28 Ministerial Guidelines relating to Spatial Planning and National Roads Guidelines for planning authorities and many other statutory planning guidelines .

The ones of concern to TII are the following:

- Drogheda Northern Environs Masterplan (2006)
- Mullagharlin Framework Plan (2008)
- Northeast Ardee Masterplan Area (2008) (Not available on Louth County Council's Website)

TII is of the opinion that these Masterplans do not reflect the changing circumstances and policies which have occurred in the intervening period. In addition, it is considered that these existing Masterplans could materially impact national roads.

As already indicated in TII's original submission, a figure titled "an Overall Zoning Map 1 - Extract from North Drogheda Environs Local Area Plan, 2004" is included in Drogheda Northern Environs Masterplan. With concern, it is observed that an area on the west side of the M1 Junction 10 appears to be zoned "*To provide for tourism and leisure uses consistent with protection of adjoining heritage area*". This document is available via a link in the written statement and could create confusion in its status as well in regards to compliance with current national policy guidelines.

With regard to the approach to require developer led Master Plans advocated in Section 13.5, 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 solely 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.

The primary issue, in this regard, relates to the absence of appropriate statutory 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 may 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 adoption of the County Development Plan.

The Council will be aware that the DoECLG, Spatial Planning and National Roads Guidelines for Planning Authorities 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 the NTA) and in the absence of strategic transport evidence base requirements is wholly inappropriate and leads to substantial risks for future development

The DoECLG 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 reviewed again to clearly address the deficiencies in consultation, liaison and evidence base requirements and also the requirements for the preparation of Local Transport Plans, Local Area Plans and joint Urban Area Plan (UAP) / Local Area Plan (LAP) objectives for Drogheda.

7. Other issues

• 5.1 TII Publications

TII has previously advised that Design Manual for Roads and Bridges (DMRB) has been subsumed into TII publications. It is recommended that the development plan text is checked to ensure that this matter has been dealt with consistently throughout the text...

• Appropriate Assessment Requirements

Associated with the delivery of national road improvements is the requirement to adhere to relevant environmental regulations, including Appropriate Assessment. It is acknowledged that the Draft Plan addresses this requirement. TII would welcome consideration by the Council to ensure the consistency in the future Development Plan with the requirements of Article 6(3) and Article 6(4) of the Habitats Directive.

CONCLUSION

The Authority is available to meet the Executive of the Council to discuss any issues arising in the foregoing or other matters related to the Development Plan and national roads.

It is respectfully requested that the above observations are taken into consideration prior to the adoption of the Louth County Development Plan, 2021 – 2027.

Yours sincerely

Tara Spain
Head of Land Use Planning.