



Bonneagar Iompair Éireann
Transport Infrastructure Ireland

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

Dáta | Date
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TII20-111332

Re. Draft Louth County Development Plan, 2021 – 2027.

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) welcomes consultation on the Draft County Development Plan, 2021 – 2027, and the opportunity to comment on emerging policies and development objectives scheduled in the Draft Plan.

TII's observations, provided in the following submission, seek to address the safety, capacity and strategic function of the national road network in accordance with TII's statutory function and the provisions of official policy. To that effect TII provides the following comments for the Council's consideration.

1. MANAGING EXCHEQUER INVESTMENT AND STATUTORY GUIDANCE

As outlined in observations made by TII in relation to the County Development Plan pre-draft consultation stage, the Trans-European Transport Networks (EU TEN-T) are a planned set of transport networks across Europe. The EU TEN-T Regulations target a gradual development of the transport network with the core network a priority (by 2030) followed by the remainder of the comprehensive network (by 2050). The EU TEN-T Regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport co-ordinated to achieve integrated and intermodal long-distance travel routes across Europe.

The M1 Dublin to Belfast Corridor which passes through Louth is included as part of the EU TEN-T Core Network. In addition, the N2 and N33, national primary roads, and the N51, N52 and N53, national secondary roads, are important road corridors in the County. Together, the EU TEN-T Network and the national roads identified provide 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.

TII also advises that 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, therefore, advises that in relation to the Dublin-Belfast Economic Corridor, the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (RSES) includes the Regional Policy Objective to safeguard and improve accessibility and service by rail, road and communication between Dublin and Belfast and drive cross border networks between Drogheda, Dundalk and Newry.

However, it is noted that apart from CS 8, the Draft Plan does not clearly acknowledge the need to *"improve and protect 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"*. This is especially apparent in relation to the following sections and associated policy objectives such as S01, SS1, SS2, Sections 5.7 and 5.11.1.

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Within the above strategic context, the Authority requests that a review and amendment of these sections is undertaken to account for the strategic issues identified for inclusion in the Development Plan prior to formal adoption.

2. SECTION 28 GUIDANCE: DoECLG SPATIAL PLANNING AND NATIONAL ROADS GUIDELINES FOR PLANNING AUTHORITIES

2.1 Access to National Roads

TII notes the inclusions in Sections 7.7.2 National Roads and 7.9 Protected National and Regional Routes and advises as follows:

Section 7.7.2 National Roads is welcomed. However, TII strongly recommends that Policy Objective MOV 35 should be 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). Therefore the following alterations are advised:

*"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'"*

In addition, TII considers that MOV 46 needs to be altered to reflect the Spatial Planning and National Road Guidelines for Planning Authorities as follows:

*"To safeguard the capacity and safety of the National and Regional Road network by ~~restricting to~~ **avoiding the creation of any additional access point from new development or the generation of increased traffic from existing accesses** onto National Primary, National Secondary, and Protected Regional Roads in accordance with the details set out in Tables 7.5 and 7.6."*

TII would highlight that the Spatial Planning and National Road Guidelines for Planning Authorities states that the provisions related to national roads applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.

A significant number of land use types addressed under Sections 3.17 Housing in the Open Countryside, 5.19 Rural Economy, energy related developments in Chapter 10 and Chapter 13 are unclear with regard to policy related to the national road network have the potential to interact with and in some instances, rely on, the strategic national road network. Examples include rural housing, agriculture related development, extractive industries, etc. TII recommends consideration of the text alterations to prior to the adoption of the Development Plan in the interests of clarity and to guide and assist applicants/developers and scheme promoters at the earliest stages of development planning.

2.2 Exemptions

Related to the above point, it is noted that Table 7.5 includes 4 categories of development that may be subject to a less restrictive approach to the control of development accessing national roads, namely;

1. Where the new access would eliminate a traffic hazard.
2. Where a new access is required for any major employment generating activity including tourism or a development of national or regional importance.
3. Extensions to an authorised use where the additional traffic would not result in the creation of a traffic hazard.
4. Where a new access is to a fixed natural resource of national or regional importance where no other suitable vehicular access can be provided.

TII advises that no agreements exist in relation to these exemptions. The exceptions to the proposed Objective also defer critical road safety and policy considerations to the development management function of the Council. TII considers this approach inappropriate and in conflict with the provisions of the Section 28 Ministerial Guidelines relating to Spatial Planning and National Roads Guidelines for Planning Authorities.

TII strongly recommends that this element of the Draft Plan is reviewed and the proposals in conflict with the Section 28 Ministerial Guidelines be omitted. The approach currently proposed is considered inappropriate, contrary to the approach identified in Government policy and presents significant uncertainty for prospective applicants, their agents and/or developers.

TII remains available to assist the Council in the development of proposals for consideration as ‘exceptional circumstances’ cases in accordance with the provisions of the DoECLG Guidelines.

2.3 Local Area Planning

TII notes that local area planning for Drogheda, Dundalk, Ardee and Dunleer is deferred to future local area planning. TII would welcome consultation on the Local Area Plan processes having regard to the significant national road interactions that exist in relation to the towns identified.

The Draft Plan also includes the commitment to undertake the preparation of the Local Transport Plans to inform future zoning decisions for the towns concerned. TII would 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 advises that the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities require that planning authorities exercise particular care in their assessment and management of development proposals in the Development Plan relating to the zoning of locations at or close to junctions on the national road network where such development could generate significant additional traffic, thereby potentially compromising the capacity and efficiency of the national road/associated junctions and possibly leading to the premature and unacceptable reduction in the level of service available to road users.

Therefore, in relation to the preparation of such plans, TII requests that where there are implications for the safe and efficient operation of the national road network, existing and proposed, that appropriate consultation with TII would occur.

2.4 Master Plans

Associated with the Local Area Plans above, TII notes that 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 Section 28 Ministerial Guidelines relating to Spatial Planning and National Roads Guidelines 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.

To demonstrate, it is noted that 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.

Also in the written statement text, there are also a number of masterplans to be prepared which could materially impact national roads which are not in the table. They are as follows:

- EE 35 “*To support the development of employment lands in the town including: i) The lands in the northern part of the town adjacent to the M1 Retail ParkNo development shall take place in the absence of a Master Plan being agreed in writing with the Planning Authority.*”
- EE 60 “*To consider, subject to the preparation of a Master Plan, the development of the Economic Business Zone at Carrickcarnon for commercial development including an Off line Motorway Services area, truck stop, service, repair and parking area and associated ancillary infrastructure to include motel/hotel, ancillary retail shop and dining facility, light industrial, storage and logistics facilities, retail warehousing (bulky goods only) and motor sales. “*

- A Northern Environs Framework Plan mentioned in Policy Objective SS33. However, there is no document available for reference online or accompanying the Draft Development Plan.

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 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 proposed Draft Variation no. 3.

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, 2021 – 2027.

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 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 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.

2.5 Retailing

TII acknowledges the support for concentrating retail uses in established town centres, the presumption against large scale out of town retailing and the application of the sequential test included in the Retail Strategy of the Draft Plan. TII welcomes the above approach having regard to the explicit presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways outlined in the Retail Planning Guidelines, 2012.

TII advises that in relation to Section 13.12.5 Service Stations and Retailing, the planning authority will also be aware that Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines indicates the requirement for a forward planning approach to the provision of off-line motorway service areas at national road junctions and also addresses road side service facilities on non-motorway national roads and their junctions.

The Authority would welcome the above provisions of the DoECLG Guidelines reflected in the County Development Plan, prior to adoption, in the interests of safety and adherence to the provisions of official policy.

2.6 Rural Development

It is noted that Sections 3.17 and 5.19 and Chapters 10 and 13 of the Draft Plan outline a number of policies associated with rural development which understandably seek to facilitate residential, enterprise and employment, etc. proposals in a rural environment. TII acknowledges and supports the need to sustain rural communities.

As already highlighted, TII would therefore welcome inclusion in the Draft 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. An appropriate cross reference in these Sections with Objective MOV 35 and MOV 46 of the Draft Plan would be welcome and 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.

2.7 Signage

TII notes that road and advertising signage is addressed in Section 7.10 and throughout Chapter 13 of the Draft Plan. TII would welcome a review of signage policies in the Draft Plan and consideration being given to including reference to Section 3.8 of the DoECLG Spatial Planning and National Roads Guidelines and the TII Policy on the Provision of Tourism and Leisure Signage on National Roads (2011).

3. TRANSPORT PLANNING AND NATIONAL ROAD SCHEMES

3.1 National Road Scheme Planning

As you are aware the Authority, in collaboration with the Council, is developing/progressing road schemes and improvements within Louth in accordance with National Development Plan investment commitments.

TII is very concerned with regard to wording highlighted which is problematic for the protection of the N2 NDP scheme in MOV 40 which states

“To support the progression of the long term upgrade of the N2; and in particular to protect the selected route of the upgrade road scheme between Ardee and Castleblayney, and prohibit development that could prejudice its future delivery; and to continue to work closely with Transport Infrastructure Ireland, Monaghan County Council, property owners, and residents affected, and other stakeholders in the delivery of this project.”

The road scheme concerned is being progressed in accordance with Project Ireland 2040 National Development Plan objectives and National Planning Framework National Strategic Outcome 2; Enhanced Regional Accessibility.

Section 2.9 of the Section 28 DoECLG Spatial Planning and National Roads Guidelines requires that a development or local area plan should identify any land required for future national road projects including objectives that:

- retain required lands free from development; and
- ensure that measures are put in place so that any adjacent development of sensitive uses, such as housing, schools and nursing homes, are compatible with the construction and long-term operation of the road.

The DoECLG Guidelines also state; *“Development objectives, including the zoning of land, must not compromise the route selection process, particularly in circumstances where road scheme planning is underway and **potential route corridors** or upgrades have been identified and brought to the attention of the planning authority.”* (Emphasis added).

Monaghan and Louth Councils have progressed the Scheme. However, the Scheme is not developed to a stage to identify a selected route/preferred route corridor. Pending the identification of a preferred route corridor, it is critical that Route Corridor Options are safeguarded free from development and that any adjacent development of sensitive uses, are compatible with the construction and long-term operation of the road, in accordance with official policy.

In the interests of reflecting the provisions of official policy, TII requires alteration to the text as had previously advised;

*“To support the progression of the long term upgrade of the N2; and in particular **to protect potential route corridors and thereafter the preferred route corridor** of the upgrade road scheme between Ardee and Castleblayney, and prohibit development that could prejudice its future delivery; and to continue to work closely with Transport Infrastructure Ireland, Monaghan County Council, property owners, and residents affected, and other stakeholders in the delivery of this project.”*

A similar approach should be undertaken with regard to N52 Ardee Bypass in associated policy objective MOV 42. It is considered critical that corridors for national road schemes are safeguarded pending the delivery of any scheme; Section 2.9 of the DoECLG Spatial Planning and National Roads Guidelines refers.

The Authority's priorities in relation to national roads in County Louth are listed in the National Development Plan, and also include the maintenance of the existing national road network, including junctions, and safeguarding the Exchequer investment in national roads to date.

Any additional improvements relating to national roads identified at a local level should be done so in consultation with and subject to the agreement of TII, the Council will be aware that TII may not be responsible for the funding of any such schemes or improvements. While proposals should be developed complementary to safeguarding the strategic function of the national road network, proposals impacting on the national road network should be developed in consultation with and subject to the agreement of TII.

4. ANCILLARY POLICY PROVISIONS AND ISSUES

4.1 Safeguarding National Road Drainage Regimes

TII would welcome consideration being given to including a new objective associated with Section 8.7.1 National Roads and Section 9.11.11 Surface Water Management of the Draft Plan relating to protection of national road drainage regimes.

Significant improvements to the national road network have been overseen by Louth County Council. There is an onus and a policy requirement on road and planning authorities to safeguard the national investment made. In that regard, TII has experienced a number of instances nationally where private development proposals have accessed or sought to access national road drainage regimes to dispose of surface water drainage.

National road surface water drainage regimes are constructed with the objective of disposing of national road surface water, it is important that capacity in the drainage regime is retained to address this function.

Having regard to the extensive national road and motorway network in Louth, TII would welcome a new Objective included in the Development Plan outlining that;

'The capacity and efficiency of the national road network drainage regimes in County Louth will be safeguarded for national road drainage purposes'.

4.2 Renewable Energy and Grid Connection

Chapter 10 of the Draft Plan refers to the County's approach to Energy. In relation to Solar PV development proposals, TII requires the submission of Glint and Glare Assessment to assess impacts on, among other matters, roads.

TII would particularly emphasise the importance of such assessments where there may be implications for the safety and efficiency of the strategic national road network given the high speed and highly trafficked nature of such roads. It is important that mitigation proposed is robust from the earliest stages of construction and/or commissioning and is sufficient to function year round.

In addition, for all renewable energy developments requiring grid connection to the national grid, TII recommends that an assessment of all alternatives for grid connection routing should be undertaken. It is considered inappropriate to only consider utilising the strategic national road network as a grid connection route when alternatives are available. From a review of the Draft Plan, it does not appear that this issue is considered.

In TII's experience, grid connection accommodated on national roads has the potential, inter alia, to result in technical road safety issues such as differential settlement due to backfilling trenches and can impact on ability and cost of general maintenance and safety works to existing roads. Constraints and costs arise to on-line national road improvements and upgrades also.

Having regard to the foregoing, TII would welcome an objective included in the adopted Development Plan, in relation to renewable energy and in relation to safeguarding the national road network, indicating that it should be demonstrated that an assessment of all alternative grid connection routing options have been undertaken prior to any proposals being brought forward for grid connection routing utilising the national road network.

5. OTHER SPECIFIC POLICIES AND OBJECTIVES

5.1 TII Publications

In relation Section 7.3.2, TII advises that Design Manual for Roads and Bridges (DMRB) has been subsumed into TII publications.

In addition Design Manual for Urban Roads and Streets (DMURS) states that the design manual '*must be applied by the Council in relation to all urban roads and streets, that is, streets and roads with a speed limit of 60km/h or less*'. Notwithstanding the above requirements, urban national roads require a specific action, the Council will be aware of complementary TII Publication 'The Treatment of Transition Zones to Towns and Villages on National Roads' (TII Publications DN-GEO-03084), which should be referenced in the Draft Plan.

The TII Publications Standard describes the requirements that shall be implemented on National Roads on the approaches to towns and villages in terms of the provision of traffic calming measures and pedestrian crossings. National Roads within 60km/h zones can traverse many areas with very different characteristics such as low density residential areas, industrial areas, mixed use neighbourhoods and town and village centres. This requires different design solutions within each of these different contexts.

In urban areas, where national roads continue to pass through, such as Ardee, Collon, etc., there remains a strategic national road function that is required to be safeguarded. In addition, these roads will continue to be national roads until such time as they are bypassed and therefore will continue to facilitate heavy commercial vehicles passing through the urban areas. It is critical that urban enhancement/street improvement proposals are undertaken complementary to safeguarding the strategic function of the national road and importantly, addresses safety for all road users, including vulnerable road users, in town centre and urban locations.

In that regard, TII requests that the Draft Plan acknowledges that TII Publication 'The Treatment of Transition Zones to Towns and Villages on National Roads' (TII Publications DN-GEO-03084) will be applied in combination with DMURS principles on national roads in urban areas.

CONCLUSION

The Authority acknowledges the significant undertaking for the Council in drafting a Development Plan and the requirement to consider and address a multiplicity of factors in developing a sustainable spatial planning framework not just issues relating to national roads.

The Authority acknowledges and welcomes the generally positive alignment in the Draft Plan with official policy concerning development planning and development management and national roads and compliments the Council in this regard. Notwithstanding this there are a number of specific interactions between land use policy and development objectives included in the Draft Plan and the strategic national road network in County Louth that the Authority considers require review prior to the adoption of the Development Plan to ensure consistency with official policy and in order to safeguard the strategic function of the national road network in the area.

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.