



Comhairle Contae **Lú**  
**Louth** County Council

Chief Executives Report on Submissions received  
in respect of proposed Variation No. 2 of the Louth  
County Development Plan 2021-2027 (as varied)

1<sup>st</sup> May 2024



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## 1 Section One - Overview

### 1.1 Introduction

This report forms part of the statutory process for varying a Development Plan and is prepared under Section 13(4) of the Planning and Development Act 2000 (as amended).

This Report includes:

1. A list of the persons or bodies who made submissions or observations;
2. A summary of the submissions/observations made under this section;
3. A response from the Chief Executive to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

### 1.2 Variation No. 1

This is the second proposed variation to the Louth County Development Plan 2021-2027. Variation No.1 was proposed for the following reasons:

1. To update the County Development Plan to take account of the methodology and housing projections as set out in the Section 28 Guidelines 'Housing Supply Target Methodology for Development Planning' and the 'Projected Housing Demand by Local Authority Area 2020-2031 – ESRI NPF Scenario Housing Supply Target' provided by the Department of Housing, Local Government and Heritage in December 2020. This will ensure that the housing provision in the Development Plan is consistent with, and aligned with, national and regional policy.
2. To update the County Development Plan to ensure it is consistent with Part V of the Planning and Development Act as amended by the Affordable Housing Act 2021.

Variation No.1 to the Louth County Development Plan 2021-2027 was adopted on the 18<sup>th</sup> July 2022.



### 1.3 Reasons for Proposed Variation No. 2

The reasons for this Variation are:

1. To update the County Development Plan to take account of the Guidelines ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’ published by the Department of Housing, Local Government and Heritage in January 2024 and issued under Section 28 of the Planning and Development Act 2000 (as amended). Section 28 provides that planning authorities shall have regard to Ministerial Guidelines and shall apply any specific planning policy requirements (SPPRs) of the Guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended), in the performance of their functions.

This report has been subdivided into two sections as follows:

#### **Section One:**

Provides an overview of the statutory process to date and sets out the legislative background and requirements for the preparation of the Chief Executives Report under the Planning and Development Act 2000 (as amended).

#### **Section Two:**

Contains a full listing of each of the submissions received during the public consultation phase. A summary of the main issues raised in each submission is provided together with the Chief Executive’s response and recommendations, taking into account the proper planning and sustainable development of the County, the statutory obligations of any local authority in the area and any relevant policies or objectives of the Government or Government Minister.

This Report is now formally submitted to the Elected Members for consideration on 1<sup>st</sup> May 2024.

### 1.4 Public Consultation

A copy of the proposed Variation No. 2 and the accompanying ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’ published by the Department of Housing, Local Government and Heritage in January 2024, Strategic Environmental Assessment Screening and Appropriate Assessment Screening were available for inspection from Wednesday 27<sup>th</sup> March 2024 until 4pm on Friday 26<sup>th</sup> April 2024. A Strategic Flood Risk Assessment was not required to be undertaken on the variation as the land use zoning objectives of the Louth County Development Plan 2021-2027 (as varied) are not affected. The documents in respect of this variation were available at the following locations:



#### Louth County Council - Customer Service Desks

- Louth County Council, Millennium Centre, Dundalk
- Louth County Council, Town Hall, Dundalk
- Louth County Council, Fair Street, Drogheda
- Louth County Council, Mid Louth Civic Services Centre, Ardee

#### Louth County Council – Public Libraries

- Louth Library, Dundalk
- Drogheda Library
- Ardee Library
- Dunleer Library
- Carlingford Library

The proposed Variation (No. 2) of the Louth County Development Plan 2021-2027 (as varied) was also available for inspection on the Council's [Online Consultation Portal](#).

### 1.5 Next Steps

It is required that the report of the Chief Executive be prepared and submitted to the Elected Members not later than 8 weeks after giving notice of the intention to make the proposed variation. This report is being circulated to the Elected Members on the 1<sup>st</sup> May 2024.

In accordance with Section 13(5)(a) of the Planning and Development Act 2000 (as amended) the Elected Members shall consider the proposed variation and the report of the Chief Executive. The Elected Members are then required, in accordance with section 13 (5) (b) of the aforementioned Act, to complete their consideration of the proposed variation and the report of the Chief Executive within 6 weeks of receiving the Chief Executive Report.

Following this, the Elected Members must, in accordance with Section 13 (6) (a) of the Planning and Development Act 2000, as amended, resolve to make the variation to the Development Plan, either with or without the proposed alterations or they may refuse to make it. Material alterations require a further public display period of 4 weeks.

In making the variation to the Louth County Development Plan 2021-2027 (as varied), the Members shall be restricted to considering the proper planning and sustainable development of the area to which the



Development Plan relates, the statutory obligations of any Local Authority in the area and any relevant policies or objectives for the time being of the of the Government or any Minister of the Government.

If adopted, the variation to the County Development Plan shall have effect from the day that the variation is made.

## 2 Section Two – Submissions

### 2.1 Submissions Received

Nine (9) submissions were received in relation to the proposed Variation No. 2 of the Louth County Development Plan 2021-2027 (as varied). The full list of submissions received are detailed in Appendix 1 of this report.

Each submission is summarised below and the Chief Executive’s response and recommendation to each is also provided. Where the details of a submission were replicated in another submission, in the interests of brevity, these have been collectively summarised with the CE Response and Recommendation.

### 2.2 Summary of Submissions and Chief Executive’s Response and Recommendations

Submission Ref. No. LH-C62-V2-1	Environmental Protection Agency
<b>Summary of Main Issues Raised:</b>	
<p>Recommends that available SEA guidance is taken into account in making the SEA Screening Determination and incorporate the relevant recommendations as relevant and appropriate to the Variation.</p> <p>Louth County Council should ensure that the Variation is consistent with the need for proper planning and sustainable development.</p> <p>The Variation should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.</p> <p>The Variation should also align with key relevant higher-level plans and programmes and should be consistent with the relevant objectives and policy commitments of the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES).</p> <p>A copy of the SEA determination should be made available for public inspection at LCC offices and on the LCC website and a copy should be sent to the relevant environmental authorities consulted.</p>	
<b>Chief Executive’s Response:</b>	



**Submission Ref. No. LH-C62-V2-1**

**Environmental Protection Agency**

As part of the preparation of this Variation Screening for Strategic Environmental Assessment was carried out. This Screening Report concluded that the proposed variation would not be likely to result in significant environmental effects and consequently Strategic Environmental Assessment is not required.

A Screening for Appropriate Assessment was also carried out as part of the proposed variation, which concluded that the proposed variation will not give rise to any effects on the integrity of any European Site, alone or in combination with any other plan and projects and a Stage 2 Appropriate Assessment is not required.

As part of the preparation of these Screening Reports the relevant EPA data sources and tools were utilised and the relevant environmental authorities consulted with.

Screening determinations were placed on public display alongside the other documentation associated with the proposed variation. The proposed variation is consistent with higher level objectives, including those relating to proper planning and sustainable development and climate action. Any further changes to the proposed variation will be screened using the same methodology employed to date. Environmental authorities will be informed of the final, adopted variation and associated documentation.

**Chief Executive's Recommendation:**

No Change.

**Submission Ref. No. LH-C62-V2-2**

**Transport Infrastructure Ireland (TII)**

**Summary of Main Issues Raised:**

No observations.

**Chief Executive's Response:**

Noted.

**Chief Executive's Recommendation:**

N/A.

**Submission Ref. No. LH-C62-V2-3**

**Eastern and Midland Regional Assembly (EMRA)**



**Summary of Main Issues Raised:**

EMRA wishes to acknowledge proposed variation No.2 of the Louth County Development Plan 2021-2027 where current references to the now revoked ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)’ will be omitted and replaced with the latest ministerial guidance for new residential development as set out in ‘Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities’ and the associated updates across a number of chapters within the County Development Plan.

The proposed variation is considered to be consistent with the RSES by bringing the content of the Louth CDP 2021-2027 in line with the updated Section 28 Guidelines issued in 2024 on this matter and the Regional Assembly supports in principle the proposed amendments to the Louth CDP 2021-2027.

In addition, the RSES sets out 16 Regional Strategic Outcomes (RSOs) which are aligned with national policy. RSO 2 ‘Compact Growth and Urban Regeneration’ is most relevant, and the proposed variation will align with RSO 2 of the RSES and Regional Policy Objectives 3.3, 5.4 and 9.10. The proposed variation is also considered complimentary to the Guiding Principles for Healthy Placemaking as set out in Section 9.4 of the RSES.

The proposed variation amendments do not impact on the core strategy chapter of the Development Plan and the Regional Assembly does not have any objection to the proposed variation No. 2 of the Louth CDP 2021-2027 as placed on public display and is consistent with the RSES for the Eastern and Midlands Region 2019-2031.

**Chief Executive’s Response:**

The Council welcomes the support of EMRA in relation to the proposed variation and the confirmation from EMRA that the proposed variation is consistent with the RSES. The proposed variation will ensure that the County Development Plan will align with national policy and the policy objectives within the RSES that relate to national standards for residential development.

**Chief Executive’s Recommendation:**

No Change.

**Submission Ref. No. LH-C62-V2-4**

**Uisce Éireann**

**Summary of Main Issues Raised:**

No objection.

**Chief Executive’s Response:**

Noted.

**Chief Executive’s Recommendation:**



N/A.

<b>Submission Ref. No. LH-C62-V2-5</b>	<b>Office of the Planning Regulator (OPR)</b>
<b>Summary of Main Issues Raised:</b>	
<p>The OPR wish to acknowledge the considerable and evident work LCC has put into the preparation of the proposed variation and welcomes the proposed variation having regard to Section 28 guidelines Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities 2024. The OPR considers that the variation will assist the planning authority in implementing compact growth and sustainable development in accordance with the policy objectives of the NPF and the RSES.</p> <p>Following assessment of the proposed variation, the OPR considers that no recommendations/observations warranted.</p>	
<b>Chief Executive’s Response:</b>	
<p>The Council welcomes the comments from the OPR in relation to the proposed variation and agrees that it will assist in the implementation of national and regional policy and in particular those policy objectives relating to compact growth.</p>	
<b>Chief Executive’s Recommendation:</b>	
<p>No change.</p>	

<b>Submission Ref. No. LH-C62-V2-6</b>	<b>DAERA – Northern Ireland Environment Agency</b>
<b>Summary of Main Issues Raised:</b>	
<p>The SEA Team within the Department of Agriculture, Environment and Rural Affairs Northern Ireland (DAERA) has considered the proposed variation and:</p> <ul style="list-style-type: none"> <li>- Agrees with the local authority and the conclusions of the SEA Screening Report prepared as part of the proposed variation; and</li> <li>- Welcome that the local authority has undertaken a screening for Appropriate Assessment and agree with the outcome of the AA Screening Report.</li> </ul>	
<b>Chief Executive’s Response:</b>	
<p>Noted.</p>	
<b>Chief Executive’s Recommendation:</b>	



N/A.

**Submission Ref. No. LH-C62-V2-7**

**Meath County Council**

**Summary of Main Issues Raised:**

Meath County Council (MCC) acknowledges and supports the new Sustainable Residential Development and Compact Settlement Guidelines 2024 and will also be introducing a future variation to the Meath County Development Plan 2021-2027 to incorporate same. The new standards provide for more compact settlements and higher densities however will challenge Local Authorities in terms of integrating the standards into Development Plans and promoting them.

MCC welcomes the proposed variation and recognises and supports the working relationship of both authorities, particularly in terms of the future development of Drogheda where a new Joint Area Plan is being drafted and will be adopted by both authorities in 2025. Meath will strive to provide a consistent approach to LCC to incorporate the new guidelines into the MCDP 2021-2027.

MCC consider the minimum requirements for public open space to be an important issue. While MCC recognise the 10-15% range identified within the Sustainable Residential Development and Compact Settlement Guidelines 2024, the substantial population growth in Meath and Louth in recent years puts significant pressure on existing public parks and amenity spaces. MCC consider that caution should be taken when considering a reduction in public open space provision below 15% particularly when private amenity space and separation distances are also reduced in the new standards. A reduction in public open space should only be considered in exceptional circumstances where it has been demonstrated that there is sufficient public open space in the area to meet population increases arising from a development. The provision of multifunctional public open spaces outside an application site may be preferable in some exceptional circumstances however this results in implications in terms of securing other lands with greater onus on the local authorities to secure, deliver and maintain such lands.

**Chief Executive's Response:**

The Council welcomes the intention of Meath County Council (MCC) to prepare and introduce a similar variation having regard to the new government guidelines 'Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities'. As noted within the submission, this will be particularly important given that both local authorities are currently collaborating in the preparation of the Joint Local Area Plan for Drogheda and Louth County Council look forward to continuing to work with MCC as the Joint Local Area Plan for Drogheda progresses.

While the Council note the concerns within the submission in relation to public open space provision, the proposed variation seeks to apply national planning guidance in this regard, in the interests of achieving compact urban settlements. Therefore, the quantum of public open space to be provided will be site specific having regard to the characteristics of the site and its location in addition to the need or demand for additional open space areas to serve increasing future populations in certain areas. It should also be noted that there are areas which are zoned for H1 Open space throughout the County and where residential developments are proposed they would be required to be provide a quantum of 10-15% within their own development sites.



**Chief Executive's Recommendation:**

No change.

**Submission Ref. No. LH-C62-V2-8**

**Department of Education**

**Summary of Main Issues Raised:**

The Department acknowledges Policy Objective SC11 and notes that each audit taken on its own merits may not, in itself indicate demands for extra school provisions however, the Department asks that the Council be mindful that each individual development audit be examined in consideration of other proposed or ongoing development in the area to ensure that the cumulative effects does not lead to lack of capacity of local schools.

The Department notes the changes proposed as part of the new guidelines which allows for increased density and reduction in private open space. Any increase in the number of housing units will put pressure on existing school capacity in the area and the Department will monitor the impact of future development and if a review of school place provision capacity is required, will engage with the Council.

The Department acknowledges the importance of the ongoing work of the Council to ensure sufficient and appropriate land is zoned for educational needs.

**Chief Executive's Response:**

The Council recognises the concerns of the Department in relation to the assessment of Community, Social and Cultural Infrastructure Audits required under Policy Objective SC11. The Council agrees with the assertion of the Department that higher density residential developments and infill development will likely result in increased enrolments in existing schools. The purpose of the Social Infrastructure Audit is to ensure the necessary social and community facilities are in place in areas where it is likely that the residential population will increase. The provision of such infrastructure and facilities is a fundamental element of the creation of a sustainable community.

The Council will continue to work closely with the Department of Education in relation to the monitoring of existing school capacity and the requirements for the provision of new schools.

**Chief Executive's Recommendation:**

No change.



**Submission Ref. No. LH-C62-V2-9**

**Office of Public Works (OPW)**

**Summary of Main Issues Raised:**

The submission relates specifically to flood risk and the application of the Guidelines on the Planning System and Flood Risk Management (2009). The OPW has reviewed the documents associated with the proposed variation and the continued commitment to adhere the flood risk management guidelines.

Should any changes to zoning designations in areas of flood risk be implemented in the future, a flood risk assessment should be carried out and appropriate justification provided.

**Chief Executive's Response:**

The acknowledgement by the OPW of the Council's commitment to adhere to the Guidelines on the Planning System and Flood Risk Management (2009) and Circular PL02/2014 is welcomed. Louth County Council is committed to reducing and minimising flood risk and while no amendments to zoning designations are proposed under this variation, any future amendments to zonings will be made taking account of the requirements of the Flood Risk Management Guidelines (2009).

**Chief Executive's Recommendation:**

No change.



## Appendix One

A total of 9 submissions were received by Louth County Council in relation to the Proposed Variation No. 2 of the Louth County Development Plan 2021-2027 (as varied), as detailed in Table 1 hereunder:

**Table No. 1 – List of Submissions Received**

<b>Submission No.</b>	<b>Name</b>
1.	Environmental Protection Agency (EPA)
2.	Transport Infrastructure Ireland (TII)
3.	Eastern and Midland Regional Assembly (EMRA)
4.	Uisce Éireann
5.	Office of the Planning Regulator (OPR)
6.	DAERA – NIEA (Northern Ireland Environment Agency)
7.	Meath County Council
8.	Department of Education
9.	Office of Public Works (OPW)