

Sub 04

Anne Glancy

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Tuesday 3 August 2021 17:13
To: cdp
Subject: EXTERNAL - Proposed Material Alterations to the Draft Longford County Development Plan, 2021 - 2027
Attachments: Proposed Material Amendments to the Draft Longford County Development 2021 - 2027.pdf

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Dear Sir/Madam,

Please find attached a copy of TII's observations on the Proposed Material Amendments to the Draft Longford County Development Plan, 2021 – 2027.

Yours sincerely,

Michael McCormack

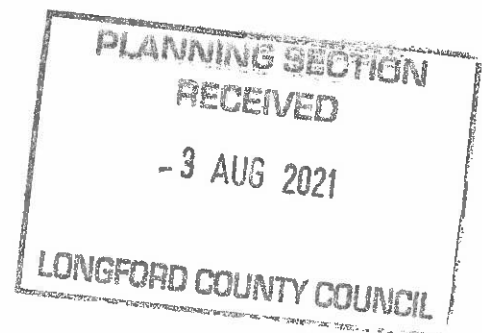
Senior Land Use Planner

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Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag <http://www.tii.ie/about/>

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SUB 04

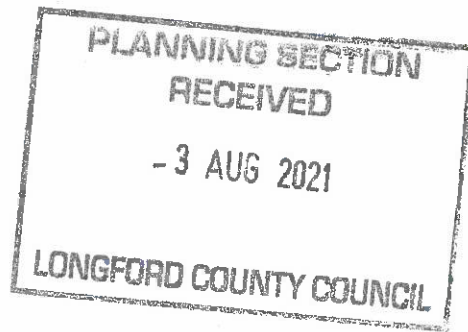


Administrative Officer
Review of County Development Plan
Forward Planning Department
Longford County Council

by e.mail; cdp@longfordcoco.ie

Dáta | Date
3 August, 2021

Ár dTag | Our Ref.
TII21-113946



Re. **Proposed Material Alterations to the Draft Longford County Development Plan, 2021 - 2027**

Dear Sir/Madam,

TII acknowledges receipt of referral of Proposed Material Alterations to the Draft Longford 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;

VOLUME ONE - WRITTEN STATEMENT

1. Material Amendment References CH 4.13 – CH 4.21 Rural Housing

TII notes Material Amendment References CH 4.13 to CH 4.21 which collectively relate to the Councils Rural Settlement Strategy. 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 included in Section 4.8.10 and 4.8.11 and associated Policy Objectives of the Draft Plan, TII would welcome inclusion in this 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.

An appropriate cross reference with Policy Objective CPO 5.17 (as proposed to be amended) of the Development 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.

Recommendation;

TII would welcome consideration by the Council of the following:

- To include an appropriate cross reference with Policy Objective CPO 5.17 of the Draft Plan with Section 4.8.10 and Section 4.8.11 and associated Policy Objectives concerning the Councils approach to the provision of rural housing in the open countryside 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.

2. Material Amendment Reference CH 5.2 Traffic and Transport Assessment/Mobility Management

TII notes proposed Material Amendment Reference CH 5.2 includes reference to requiring Mobility Management Plans to be prepared in accordance with the TII Traffic and Transport Assessment Guidelines (2014).

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In the interests of clarification, the TII Traffic and Transport Assessment Guidelines (2014) provide guidance on the preparation of Traffic and Transport Assessments relating to development proposals affecting national roads. The TII Traffic and Transport Assessment Guidelines are not guidance for the preparation of Mobility Management Plans.

Recommendation

TII would welcome consideration by the Council of the following:

- TII recommends review of the proposed text associated with Proposed Material Amendment Reference CH 5.2 as the TII Traffic and Transport Assessment Guidelines (2014) are appropriate guidance in relation to the preparation of Traffic and Transport Assessments but are not appropriate guidance for the preparation of Mobility Management Plans.

3. Material Amendment Reference CH 5.10 Exceptional Circumstances

TII notes proposed Material Amendment Reference CH 5.10 proposes to include a new Policy Objective as follows;

'To apply a less restrictive approach to non-residential development of strategic or national importance or extensions to such developments accessing onto the National Road Network in accordance with the provisions of Section 2.6 of the 'Spatial Planning and National Roads -Guidelines for planning authorities' (2012).'

With regard to the foregoing proposed amendment, the Council will be aware that the official policy requirement of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) requires the planning authority policy to avoid the creation of any new access or intensification of existing access to national roads where speed limits greater than 50 – 60kph apply.

While the provision of 'exceptional circumstances' to the restriction on access to national roads is addressed in Section 2.6 of the DoECLG Guidelines, such provisions are required to be identified plan-led and incorporated into the Development Plan with consultation with TII, not deferred to a case by case consideration subject to the development management function of the planning authority. Deferring significant official policy and road safety considerations to the development management function of the planning authority is considered inappropriate and contrary to the provisions of the Section 28 Ministerial Guidelines.

TII recommends the Council consider reviewing the proposed text to ensure adherence with the provisions of Section 2.6 of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) as follows;

To apply a less restrictive approach to non-residential development of strategic or national importance or extensions to such developments accessing onto the National Road Network in accordance with the provisions of Section 2.6 of the 'Spatial Planning and National Roads -Guidelines for Planning Authorities' (2012), such provisions will be identified in an evidence based plan-led manner for incorporation in the Development Plan.

Recommendation

TII would welcome consideration by the Council of the following:

- To include additional text in the proposed Policy Objective confirming that in accordance with Section 2.6 of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) any proposals for 'exceptional circumstances' will be identified plan-led for incorporation in the Development Plan prior to any decision on an individual planning application. To assist the following text is provided for the Councils consideration;

To apply a less restrictive approach to non-residential development of strategic or national importance or extensions to such developments accessing onto the National Road Network in accordance with the provisions of Section 2.6 of the 'Spatial Planning and National Roads -Guidelines for planning authorities' (2012), such provisions will be identified in an evidence based plan-led manner for incorporation in the Development Plan.

4. Material Amendment Reference CH 5.33 Renewable Energy Strategy

TII notes proposals to prepare a Renewable Energy Strategy for the County included in Material Amendment Reference CH 5.33.

TII recommends that any future Renewable Energy Strategy should have regard to the provisions of official policy relating to development management and access to national roads set out in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines' (DoECLG, 2012). TII is available for consultation with the Council in relation to any future Renewable Energy Strategy prepared.

Recommendation

TII would welcome consideration by the Council of the following:

- Any future Renewable Energy Strategy should have regard to the provisions of official policy relating to development management and access to national roads set out in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines' (DoECLG, 2012).
- TII is available for consultation with the Council in relation to any future Renewable Energy Strategy prepared.

5. Material Amendment Reference CH 5.34 Grid Connection Routing

TII acknowledges the Council policy to support the development and reinforcement of the electricity transmission and distribution network to provide for the future physical and economic development of County Longford outlined in Proposed Material Amendment CH 5.30.

Proposed Material Amendment CH 5.34 includes the proposal to include a new Policy Objective as follows;

'Require an assessment of alternative grid connection routing options to be submitted prior to any proposal being considered for a grid connection utilising the national road network'.

TII appreciates that the availability of a safe, secure and reliable supply of electricity is an essential requirement for Ireland's current and future economic wellbeing. The greening of energy generation via the transition from conventional fossil fuel power generation to sustainable forms of renewable energy supply such as wind and solar power is an essential development if Ireland is to meet its obligations to cut greenhouse gas emissions as we move towards a zero carbon economy and TII fully supports Government policy in this regard.

In TII's experience, the dispersed nature of renewable energy resources generally has the potential to result in interactions, to varying degrees, with the strategic national road network that require careful consideration and management.

In accordance with the National Planning Framework National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the national road network. This requirement is further reflected in the National Development Plan, the recent publication of the Draft National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

The dispersed and rural nature of the location of renewable energy resources requires the development of associated grid connection development. Grid connections accommodated on national roads have 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.

In that regard and having regard to the requirement to maintain the strategic capacity and safety of the national road network in accordance with official policy provisions, TII recommends that grid connection proposals should be developed which safeguard the strategic function of the national road network by utilising alternative available routes in the first instance.

Having regard to the foregoing, TII suggests a revision to the text of Proposed Material Amendment CH 5.34 to reflect the provisions of official policy, as follows;

‘Grid connection routing options should be developed to safeguard the strategic function of the national road network in accordance with Government policy by utilising alternative available routes. The Council requires an assessment of alternative grid connection routing options to be submitted prior to any proposal being considered for a grid connection utilising the national road network’.

Recommendation

TII would welcome consideration by the Council of the following:

- Having regard to the above observations, TII would welcome revision to the proposed new Policy Objective included in Proposed Material Amendment CH 5.34 as follows;

‘Grid connection routing options should be developed to safeguard the strategic function of the national road network in accordance with Government policy by utilising alternative available routes. The Council requires an assessment of alternative grid connection routing options to be submitted prior to any proposal being considered for a grid connection utilising the national road network’.

6. Material Amendments Reference CH12.2 and CH 12.3 Appropriate Assessment

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 in Section 12.5 of the Draft Plan.

In relation to the Proposed Material Amendments on display, TII recommends the Council consider the proposed wording of both policy objectives proposed in Material Amendment Reference CH12.2 and Material Amendment Reference CH 12.3 to ensure conformance with Article 6(3) and 6(4) of the Habitats Directive and in the interests of consistency with the text included in Section 12.5.3 of the Draft Plan.

In that regard, TII refers to use of the text that refers to ‘ensure that no plans, programmes, etc. or projects.... shall be permitted’ and ‘...will not be permitted’ in the text associated with Material Amendment Reference CH12.2 and Material Amendment Reference CH 12.3 respectively which appear to be inconsistent with text associated with Article 6(4) of the Habitats Directive. TII would welcome clarification on this item.

Recommendation

TII would welcome consideration by the Council of the following:

- TII recommends that consideration should be given to reviewing text associated with both Material Amendment Reference CH12.2 and Material Amendment Reference CH 12.3 to ensure conformance with Article 6(3) and 6(4) of the Habitats Directive and in the interests of demonstrating consistency with the text included in Section 12.5.3 of the Draft Plan.

CONCLUSION

As outlined above, TII acknowledges and welcomes proposed amendments to the Draft Plan that arise following the Councils consideration and assessment of TII’s initial submission.

In relation to the Proposed Material Amendments on display, TII respectfully requests that the foregoing observations are taken into consideration by the Council prior to finalising the Development Plan. TII has identified a number of proposed amendments and provisions which, in TII’s opinion, require review prior to adoption to ensure that the Development Plan provisions adhere to the provisions of official policy, in particular;

- Review of text associated with Proposed Material Amendment Reference CH 5.10 concerning the provision of ‘exceptional circumstances’ to ensure adherence with the provisions of Section 2.6 of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012),
- Review of proposed Policy Objectives outlined in Material Amendment Reference CH12.2 and Material Amendment Reference CH 12.3 to ensure conformance with Article 6(3) and 6(4) of the Habitats Directive.

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 Longford County Development Plan, 2021 – 2027.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M McCormack', written over a horizontal line.

Michael McCormack
Senior Land Use Planner