



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Stiúrthóireacht Forbartha Eacnamaíochta,
Comhairle Cathrach & Contae Luimnigh,
Cé na gCeannaithe,
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19th August 2022

Re: Proposal to revoke the Southern Environs Local Area Plan 2021 – 2027

A Chomhairleoir, a chara,

I enclose herewith a copy of the Chief Executive's Report on the proposal to revoke the Southern Environs Local Area Plan 2021 – 2027 for your consideration.

The proposal to revoke Southern Environs Local Area Plan 2021 – 2027 was placed on public display from Saturday 4th June, 2022 to Monday 11th July 2022 inclusive. During the statutory display period for the proposal to revoke the Southern Environs Local Area Plan a total of 2 no. submissions were received. A report consisting of a summary of the submissions received, together with my recommendations are attached as required by Section 20 of the Planning and Development Act 2000, (as amended). The submissions can be inspected on <https://mypoint.limerick.ie> and in the Forward Planning Section of Limerick City and County Council during normal office hours.

At the Meeting of the Metropolitan District of Limerick in September 2022, the Elected Members shall consider the Chief Executive's Report and decide whether to revoke or not revoke the Southern Environs Local Area Plan 2021 – 2027.

If you have any queries on the report please contact Ms. Karen Burke, Senior Executive Planner, on 061-557480.

Mise le meas,

Dr. Pat Daly
Chief Executive

SOUTHERN ENVIRONS LOCAL AREA PLAN 2021 – 2027

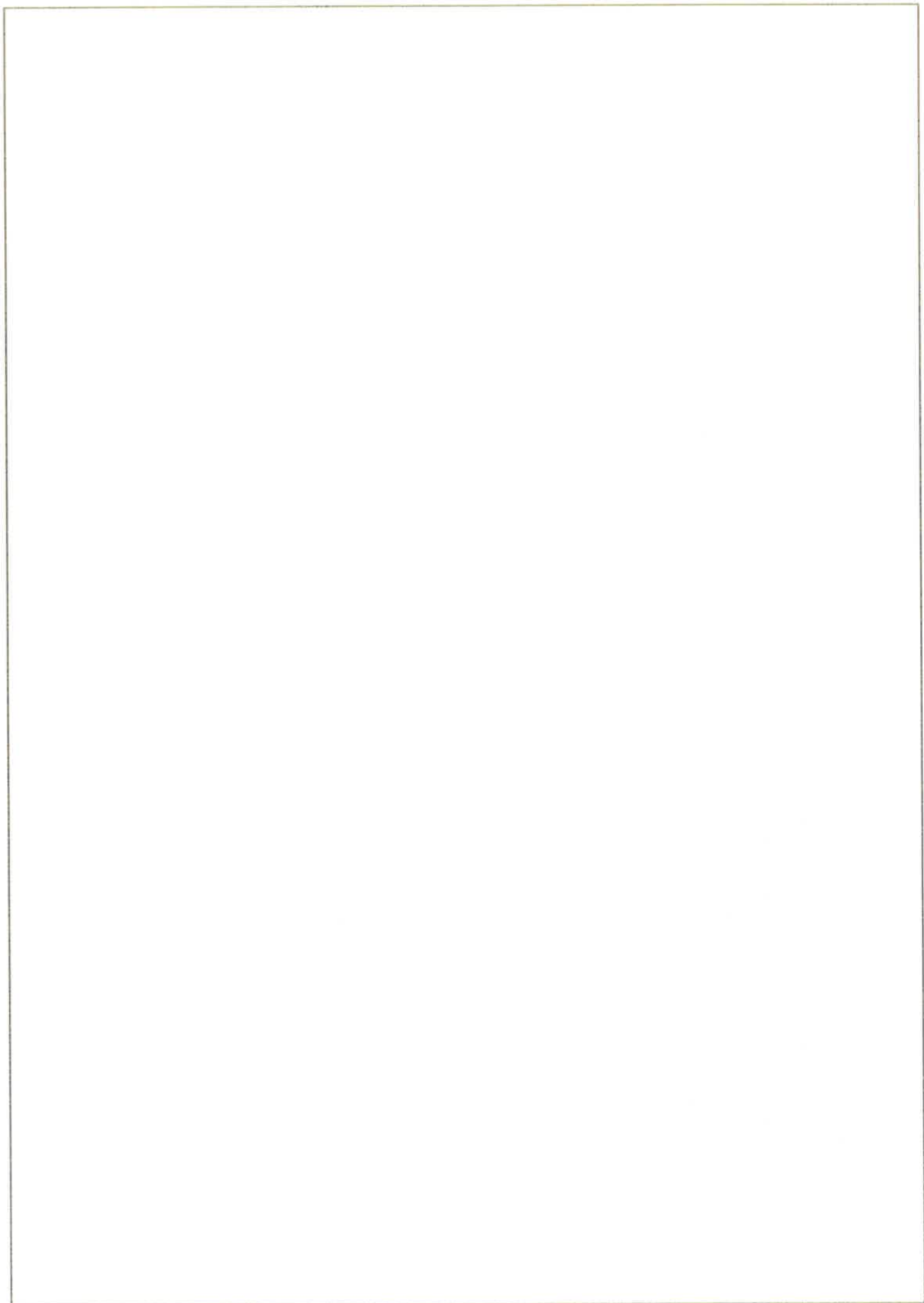
Proposed Revocation

Section 20(3)(c) Chief Executive's Report to Elected Members



Forward Planning Section
Limerick City and County Council,
Economic Development and Enterprise Directorate,
Merchants Quay,
Limerick

19th August 2022



Part 1 Introduction

1.1 Background

The Limerick Development Plan 2022 – 2028 incorporated policies and zoning objectives for the Southern Environs area, which supersedes the Local Area Plan 2021 – 2027 as the main public statement of planning policies and objectives for the Southern Environs area. The Limerick Development Plan 2022 – 2028 was adopted on 17th June 2022 and came into effect on 29th July 2022. Hence the recommendation in this report that the Southern Environs Local Area Plan 2021 – 2027 be revoked.

1.2 Statutory Procedure

Under Section 18(5) of the Planning and Development Act 2000 (as amended), a Planning Authority may revoke a local area plan. In accordance with Section 20 of the Act, an advertisement was published in the Limerick Leader on 4th June 2022 giving notice of the intention to revoke the Southern Environs Local Area Plan and invited submissions by the 11th July 2022.

The Elected Members are required to consider the proposal to revoke the Local Area Plan and this Chief Executive's Report and within 6 weeks after the furnishing of the Report, and decide to revoke the Plan, in accordance with Section 20(3)(d) of the Act.

1.3 Purpose of this report

The purpose of this report is to set out the opinion of the Chief Executive that it is appropriate to revoke the Southern Environs Local Area plan 2021 – 2027, having regard to the following:

- a) The justification for revoking the Local Area Plan in the context that the Limerick Development Plan 2022 – 2028 contains specific policies and objectives that apply to the Southern Environs area and will replace those of the Southern Environs Local Area Plan 2021 – 2027.
- b) Determinations with respect to the requirements, if any, for a Strategic Environmental Assessment or an Appropriate Assessment.
- c) Submissions made, from the Office of the Planning Regulator (OPR), and from Transport Infrastructure Ireland (TII).

Part 2 Strategic Environmental Assessment and Appropriate Assessment

2.1 Need for Strategic Environmental Assessment (SEA)

An assessment as to the need for a Strategic Environmental Assessment was undertaken, in accordance with the requirements of Section 20(3)(i) of the Planning and Development Act

2000 (as amended). Section 14B of the Planning and Development Regulations 2001 (as amended) is the statutory regulation that sets out when a SEA is required. Under Section 14B (d), a SEA is required where the implementation of a Local Area Plan is likely to involve significant effects on the environment. It was determined that as the proposal involves revoking a Local Area Plan, Section 14B is not applicable.

2.2 Need for Appropriate Assessment (AA)

Section 177U(2) of the Planning and Development Act 2000 (as amended) sets out when screening for an Appropriate Assessment is required. This is where a either Land Use Plan is being prepared or where consent for a proposed development is being given. The revoking of a Local Area Plan does not involve either, so screening for an AA is not required in this instance.

Part 3 Submissions made and consideration of issues raised

Submissions made consisted of the following two submissions:

- 1) **Office of the Planning Regulator (OPR)** - The OPR state in this submission that with respect to the proposed revocation of Southern Environs LAP ‘no observations or recommendations are warranted’.
- 2) **Transport Infrastructure Ireland (TII)** - In this submission TII note that the approach to the development in the vicinity of national road junctions adopted in the Sothern Environs Local Area Plan 2021 – 2027 is not reflected in the recent adoption of the Limerick Development Plan 2022 -2028. The Limerick Development Plan includes additional zoning proposals in the vicinity of the Dock road junction as well as in the vicinity of the Rosbrien and Ballysimon junctions. They further state that they would support a review of the proposed Development Plan zoning designations for the vicinities of these road junctions. TII contend that new zoning designations were introduced for these areas in the Development Plan, without supporting evidence or adherence to the requirements outlined in Section 2.7 of S28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (regarding ‘Development at National Road Interchanges or Junctions’).

In respect of the issues raised in the TII submission. It is important to note the following:

The sites referred to in the TII submission were either zoned for agricultural purposes or not zoned in the Southern Environs Local Area Plan 2021 – 2027. The Limerick Development Plan 2022 – 2028 was adopted on the 17th June 2022 with a number of further Material Alterations, which included the zoning of these sites for Enterprise and Employment purposes and data

centre zoning. A draft Ministerial Direction was received on the 28th July 2022 directing that the Planning Authority reinstate the original zoning objectives on these sites. The statutory procedure for processing this Ministerial Direction is ongoing; however revoking the LAP will not alter this process.

Part 4 Conclusion and Recommendation

Having regard to

- The justification for the proposed revocation of the Southern Environs Local Area Plan 2021 – 2027, namely the adoption of the Limerick Development Plan 2022 – 2028 on 17th June 2022 and its coming into effect on 29th July 2022 as the main public statement of planning policies and objectives for Southern Environs;
- The two submissions made in respect of the proposed revocation;
- The conclusions of the screening reports for both the Strategic Environmental Assessment and Appropriate Assessment that neither a Strategic Environmental Assessment nor an Appropriate Assessment are warranted.

It is the opinion of the Chief Executive that the Southern Environs Local Area Plan 2021 – 2027 should be revoked, in accordance with Section 20(3) of the Planning and Development Act 2000 (as amended).

Accordingly, It is recommended that the following resolution be approved by the Council:

‘Having considered the Chief Executive’s report, the Council resolves to revoke the Southern Environs Local Area Plan 2021-2027, in accordance with Section 20(3) of the Planning and Development Act 2000, (as amended).



Dr. Pat Daly,
Chief Executive

