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Dáta | Date
9 March, 2022

Ár dTag | Our Ref.
TII21-116523

Re. Draft Clare County Development Plan, 2023 – 2029

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) welcomes consultation on the Draft Clare County Development Plan, 2023 – 2029, 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 functions 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

1.1 Core Strategy

Clare County Council in collaboration with TII has overseen significant investment in the County improving strategic national road connectivity to and within the County and Region including to critical international gateways.

As outlined in observations made by TII in relation to the County Development Plan pre-draft consultation stage, the Trans-European Transport Networks (TEN-T) are a planned set of transport networks across Europe. The 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 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.

Specifically, in relation to the EU TEN-T Network, Section 8.3 'Working Together for Economic Advantage' of the **National Planning Framework (NPF)** advises that there will be a focus on improving and protecting key transport corridors, including the TEN-T Network 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.*

The N/M18, national primary road, is part of the EU TEN-T Comprehensive Network and the N19, national primary road, the N67, N68 and N85, national secondary roads, provide important regional and inter-regional connectivity within and through Clare, including critical international connectivity.

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
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Chapter 7 ‘Enhanced Regional Accessibility’ of the National Development Plan, 2021 – 2030, sets out the key sectoral priority of maintaining Ireland’s existing national road network to a robust and safe standard for users.

Government policy also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework. This requirement is further reflected in the publication of the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

Having regard to the foregoing official policy provisions and the requirement to safeguard the existing and planned strategic national road network, TII would welcome the inclusion of new text in Chapter 3 ‘Core Strategy’ of the Draft Plan.

The new text requested would be associated with improvement to the national road network in accordance with National Development Plan investment objectives and safeguarding the existing networks in accordance with the provisions of official policy outlined in the NPF, NDP and Section 28 Ministerial Guidelines; ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

The Authority considers that the Core Strategy would benefit from reflecting such strategic objectives. The strategic national road network is critical to supporting and enhancing regional economic growth and providing regional accessibility and enhanced accessibility to international gateways. Relevant Core Strategy ‘Principles’ for inclusion in the Development Plan related to the proposed and existing strategic national road network can be summarised as;

- a) to maintain the strategic function, capacity and safety of the national roads network, including planning for future capacity enhancements, and
- b) to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, safety, accessibility and connectivity to transport users.

Recommendation

TII would welcome consideration by the Council of the following:

- Inclusion as new Core Strategy Objectives in Chapter 3 ‘Core Strategy’ strategic objectives to reflect the official policy requirements, summarised as;
 - to maintain the strategic function, capacity and safety of the national roads network, and
 - to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, safety, accessibility and connectivity to transport users.

1.2 Local Area Plans/Local Transport Plans/Area Based Transport Assessment

Objective CDP 4.1 and Objective CDP 4.4 confirm the Councils commitment to undertake Local Area Plans for Ennis and Shannon respectively. Objective CDP 11.3 outlines the objective to implement Local Transport Plans (LTP’s) for a number of key towns.

TII welcomes the commitment to future local area planning and undertaking LTP’s. TII considers that the preparation of a LTP should be integral to the forward planning/local area plan process as outlined in the TII/NTA Area Based Transport Assessment (ABTA) Guidance. TII would welcome confirmation in the Development Plan that the preparation of the proposed LTP’s would be undertaken in accordance with ABTA Guidance and would include for relevant stakeholder consultation, including with TII where national roads are impacted.

TII also notes that Objective CDP 4.1 indicates that a Mobility Plan will be prepared for Ennis. The relationship of such a Mobility Plan to the proposed Local Transport Plans is unclear and TII considers that the Draft Plan would benefit from clarifying this matter.

Recommendation

TII would welcome consideration by the Council of the following:

- TII would support and welcome consultation on the preparation of Local Area Plans and the Local Transport Plans where there may be implications for the strategic national road network in the area.

- TII would welcome the Draft Plan confirming that LTP's will be prepared in accordance with the NTA/TII ABTA Guidance.
- Findings and recommendations of any Local Transport Plans, undertaken in accordance with ABTA, should be incorporated into the preparation of the statutory Local Area Plans.

1.3 Other Plans and Strategies

TII notes proposals to seek a Strategic Development Zone designation for a Planning Scheme in South Clare included in Section 6.9.1 and the Core Strategy of the Draft Plan. In addition, Objective CDP11.19 includes the commitment to undertake an Airport Strategy and Objective CDP11.24 supports the development of a Regional Freight Strategy.

Recommendation

- TII would welcome consultation on the proposed strategies where there may be implications for the strategic national road network in the area. Where there are implications for the strategic national road network, TII considers that proposals should be developed in accordance with the requirements of official policy relating to national roads, including the Section 28 Ministerial Guidelines on 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) and the associated plan-led evidence base requirements.

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

2.1 Access to National Roads

Section 11.2.9.3 of the Draft Development Plan outlines the Council approach to the assessment of development proposals and access to national roads. In the interests of consistency with Government policy, TII recommends amendment to Objective CDP 11.13 to align with the provision of the DoECLG Spatial Planning and National Roads Guidelines as follows;

Objective CDP11.13;

'It is an objective of Clare County Council:

'a) To safeguard the safety, efficiency and carrying capacity of national primary and secondary roads, including associated national road junctions, within the County in line with national policy;

'b) To restrict individual accesses, and the intensification of existing access, onto national roads in order to protect the substantial investment in the national road network, to improve carrying capacity, efficiency and safety, and to prevent the premature obsolescence of the network...'

2.2 'Exceptional Circumstances'

A number of 'Exceptional Circumstances' to the general restriction on access to national roads are outlined in the Draft Plan, namely;

- Developments of National and Regional Strategic Importance
- Lightly Trafficked Sections of National Secondary Routes
- Existing Accesses onto National Secondary Roads

TII acknowledges the consultation that has taken place with the Council in advance of the publication of the Draft Plan. As previously advised, TII considers it critical that the evidence base to support proposals for 'exceptional circumstances' needs to be developed, or updated, where the Council propose to include such provisions in the Development Plan. TII is not aware of an update or review exercise undertaken by the Council in this regard.

With respect to the provisions included in the Draft Plan, TII outlines the following observations for the Council.

2.2.1 Developments of National and Regional Strategic Importance

The Authority notes the proposal to include five 'exceptional circumstances' cases where a less restrictive approach to the general policy on restriction of access to national roads might apply. It is noted that four of the identified cases were included in the existing Development Plan, 2017 – 2023, the proposed case on the N19, national road, at Shannon Airport has been added to the list in the current Draft Plan.

The position as outlined in TII's submissions on the Clare County Development Plan, 2017 – 2023, remains, i.e., having regard to the provisions of Section 2.6 (1) of the DoECLG Spatial Planning and National Roads Guidelines, the Authority is of the opinion that there is a requirement to clarify proposals included Section 11.2.9.3 'Developments of National and Regional Importance' to ensure compliance with the provisions of the Guidelines.

TII acknowledges that a technical appraisal of the four sites/junctions that were included in the Development Plan, 2017 – 2023, had been undertaken at that time by the Council, however, it still remains the case that there is, in the Authority’s opinion, a lack of clarity in terms of ‘strategic’ uses that will be facilitated at the specific locations identified. The requirement to update the technical appraisals previously undertaken, having regard to the period that has passed since the initial appraisals were undertaken, has also not been addressed. Also no elaboration of proposals in relation to the N19 Shannon Airport ‘exceptional circumstances’ case has been outlined.

TII remains of the opinion that there is critical road safety and policy provisions that still remain to be addressed pending the inclusion of the proposed ‘Developments of National and Regional Strategic Importance’ ‘exceptional circumstances’ cases in the Development Plan, including full demonstration of compliance with the DoECLG Guidelines. In such circumstances, TII cannot support the proposals as currently provided for in the Draft Development Plan. TII recommends that this aspect of the Draft Plan is reviewed to ensure adherence to the provisions of official policy outlined in the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’.

2.2.2 Lightly Trafficked Sections of National Secondary Routes

TII notes that there are no alterations to the agreed ‘exceptional circumstances’ relating to development proposals provided in relation to Lightly Trafficked Sections of National Secondary Routes.

Although no update has been provided by the Council, TII has reviewed available national road traffic count data and confirms continued agreement to the proposals included in the Draft Plan.

As previously advised, the Council is also requested to develop and agree a monitoring and recording regime related to planning permissions granted in accordance with the above provisions.

The identification of ‘exceptional circumstances’ does not affect the Authority’s statutory role and TII expects to continue to receive relevant planning applications referred in accordance with the provisions of the Planning and Development Regulations, 2001 – 2021.

In the interests of clarity TII recommends that the reference to the NRA Design Manual for Roads and Bridges (DMRB) included in this section of the Draft Plan is updated to TII Publications.

2.2.3 Existing Accesses onto National Secondary Roads

In addition to the above, the Draft Plan also includes provisions whereby the Council propose to give consideration to individual rural house developments utilising existing accesses onto national secondary roads, subject to specified criteria. TII is aware that a similar provision was included in the County Development Plan, 2017 – 2023.

The Council will be aware that Section 2.5 of the DoECLG Spatial Planning and National Roads Guidelines clearly outline; *the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmh apply. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.*

In that regard, the Authority is strongly of the opinion that ‘exceptional circumstances’ included in this section of the Draft Plan, ‘Existing Accesses onto National Secondary Roads’, is at variance with the provisions of official policy and conflicts with objectives to safeguard capacity and road safety on the national road network. TII respectfully requests removal of the foregoing provisions from the Draft Plan prior to adoption to ensure adherence to the provisions of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

Recommendation

TII would welcome consideration by the Council of the following:

- There is critical road safety and policy provisions that still remain to be addressed in relation to the inclusion of the proposed ‘Developments of National and Regional Strategic Importance’ ‘exceptional

circumstances' cases in Section 11.2.9.3 of the Development Plan, including full demonstration of compliance with the DoECLG Guidelines prior to such provisions being incorporated into the Plan.

- The 'exceptional circumstances' included in Section 11.2.9.3 of the Draft Plan, 'Existing Accesses onto National Secondary Roads', are at variance with the provisions of official policy and conflict with objectives to safeguard capacity and road safety on the national road network. TII requests removal of the foregoing provisions from the Draft Plan prior to adoption to ensure adherence to the provisions of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).
- TII recommends update to Objective CDP 11.13 to reflect Government policy on development access to national roads, as follows;

Objective CDP11.13;

'It is an objective of Clare County Council:

'a) To safeguard the safety, efficiency and carrying capacity of national primary and secondary roads, including associated national road junctions, within the County in line with national policy;

'b) To restrict individual accesses, and the intensification of existing access, onto national roads in order to protect the substantial investment in the national road network, to improve carrying capacity, efficiency and safety, and to prevent the premature obsolescence of the network...'

- TII recommends update to references in Section 11.2.9.3 from NRA DMRB to TII Publications.

2.3 Section 4.2.5 Single Houses in the Countryside

Section 4.2.5 of the Draft Plan considers Rural Housing and includes the Council policy position in relation to a range of rural housing activities including new houses, refurbishments and holiday homes (also addressed in Section 5.2.12 of the Draft Plan). Having regard to the extensive and largely rural nature of the strategic national road network in Clare, it is considered that such development proposals have the potential to result in a demand for access to the strategic national road network.

Therefore, in the interests of clarity, TII would welcome a cross reference included in Section 4.2.5 and Section 5.2.12 of the Draft Plan referring to Objective CDP 11.13 and the policy to avoid the creation of any new direct access points from development or the generation of increased traffic from existing direct access/egress points to the national road network, to which speed limits greater than 60 km/h apply.

TII is of the opinion that such a cross reference would provide clarification and early assistance to applicants in the preparation of any planning application where there may be implications for the strategic national road network in the area and clearly identify, at an early stage, any policy conflicts related to access to national roads for the applicants to consider.

As noted above, the National Development Plan, 2021 – 2030, outlines the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. This position is further reflected in the publication of the National Investment Framework for Transport in Ireland. The DoECLG Spatial Planning and National Roads Guidelines also emphasize the critical importance of ensuring high standards of road safety on national roads which is addressed by managing access and intensification of access to national roads and guarding against a proliferation of roadside development accessing national roads to which speed limits greater than 50 – 60kmh apply.

Recommendation

TII would welcome consideration by the Council of the following:

- Include a cross reference in Section 4.2.5 and Section 5.2.12 of the Draft Plan referring to Objective CDP 11.13 in the interests of providing clarification and early assistance to applicants in the preparation of any rural housing planning application where there may be implications for the strategic national road network in the area.

2.4 Strategic Economic Development Locations, including Rural Economic Development

Economic development is addressed in Chapter 6 of the Draft Plan and a diverse range of proposals are identified, including the Atlantic Economic Corridor Initiative, Shannon Estuary, Shannon Airport and the South Clare/University of Limerick Strategic Development Zone. Further, the Strategic Integrated Framework Plan for the Shannon Estuary is also addressed in Section 12.2 of the Draft Plan.

While the strategic national road network supports economic development, TII considers that the Draft Plan should also reflect cognisance of the need to safeguard existing infrastructure and the investment made to date to reflect the investment hierarchy identified in the National Investment Framework for Transport in Ireland; Maintain, Optimise, Improve and New.

Safeguarding the strategic function of the national road network in the County is considered a significant complementary and contributing factor to the successful implementation of the Councils economic objectives.

Also, Agricultural Development, Rural Enterprise and Tourism Development are addressed in Chapter 6 of the Draft Plan in the context of Economic Development. It is noted that Section 8.2.2 and subsequent sections also address Economic Development in Rural Areas.

TII acknowledges that rural areas play a key role in driving the economy and policies associated with economic and rural development understandably seek to facilitate enterprise and employment proposals in a rural environment. The Authority supports the need to sustain these rural communities in County Clare.

TII would welcome inclusion in the Draft Plan, in the interests of clarification and as an advisory to potential applicants for economic development proposals in the strategic development locations and in general rural areas, of the requirement to adhere to the provisions of official policy on access to national roads.

TII respectfully recommends that the Draft Plan should acknowledge this factor and reflect this in a new Objective for inclusion in Chapter 6 and Chapter 8, such as;

'Proposals for economic development, including those related to strategic economic locations in the Development Plan and rural enterprise proposals will be progressed complementary to safeguarding the strategic function, safety and investment in the strategic national road network to date and in compliance with the provisions of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012)'.

In addition, similar to the request related to 'Rural Housing' above, TII would welcome a cross reference included in Chapter 6 and in Chapter 8 and the range of economic categories included in those Sections of the Draft Plan cross referring to Objective CDP 11.13 and the policy requirement to avoid the creation of any new direct access points from development or the generation of increased traffic from existing direct access/egress points to the national road network, to which speed limits greater than 60 km/h apply.

TII is of the opinion that such a cross reference would provide clarification and early assistance to applicants in the preparation of any planning application where there may be implications for the strategic national road network in the area and clearly identify, at an early stage, any policy conflicts related to access to national roads for the applicants to consider.

Recommendation

TII would welcome consideration by the Council of the following:

- TII respectfully recommends that the Draft Plan should acknowledge that safeguarding the strategic function of the national road network in the County is considered a significant complementary and contributing factor to the successful implementation of the Councils economic objectives and this should be reflected as a new Objective included in Chapter 6 and Chapter 8 of the Draft Plan;

'Proposals for economic development, including those related to strategic economic locations in the Development Plan and rural enterprise proposals will be progressed complementary to safeguarding the strategic function, safety and investment in the strategic national road network to date and in compliance with the provisions of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012)'.

- Include a cross reference in Chapter 6 and in Chapter 8 of the Draft Plan referring to Objective CDP 11.13 in the interests of providing clarification and early assistance to applicants in the preparation of any rural

economic development category planning applications where there may be implications for the strategic national road network in the area.

2.5 Retailing

TII acknowledges the support for the primary retail areas in Town and Village Centres and the requirement to apply the sequential approach to retail development outlined in Objective CDP 7.2 of the Draft Plan. TII notes that Chapter 7 of the Draft Plan also addresses other features of retailing including Tourism Related Retail Developments, Edge of and Out of Centre Retailing and Retail Warehousing and Retail Parks.

In the interests of clarity, TII would welcome a new policy objective included in the Development Plan to reference the explicit presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways reflecting policy outlined in the Retail Planning Guidelines, 2012.

Recommendation

TII would welcome consideration by the Council of the following:

- The inclusion of a new policy objective included in the Development Plan to include the explicit presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways reflecting policy outlined in the Retail Planning Guidelines, 2012.

3. TRANSPORT PLANNING AND NATIONAL ROAD SCHEMES

TII acknowledges that Section 11.2.9.1 of the Draft Plan includes Objective CDP 11.11 which identifies proposed national road projects, including those advancing in collaboration with TII.

As the Council is aware, Section 2.9 of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) requires that development objectives, including rezoning of lands, must not compromise the road planning and route option evaluation process in circumstances where road scheme planning is underway and potential routes have been identified and brought to the attention of the planning authority.

Similarly, development strategies or rezoning proposals should not have the effect of altering the function of these routes or importantly, increase the cost of land to be acquired or under active consideration as a route option for a national road scheme. Such proposals, while potentially bringing major financial gains to the property owners involved, would be at variance with the broader public interest and would, by significantly increasing the cost of the land to be acquired for road schemes, reduce the funding available to the Authority for road construction and improvement work generally.

Having regard to the foregoing, TII recommends the Draft Plan is amendment to safeguard proposed national road schemes, for example;

'To protect the study area, route corridor options and thereafter the preferred route corridor selected for the national road schemes being progressed in the Development Plan and to prohibit development that could prejudice their future delivery'.

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 accurately reflects these requirements in Objective CDP3.1 and Objective CDP 11.11.

The Council will also be aware that the implementation of all national road schemes is subject to budgetary constraints and is subject to prioritisation and adequacy of the funding resource available to the Authority. In these circumstances and taking account of the Exchequer financial position and levels of funding available to the Authority, the relative priority or timeframe for national road schemes may be subject to alteration.

The Authority's priorities in relation to national roads in Clare includes the maintenance of the existing national road network, including junctions, and safeguarding the Exchequer investment in national roads to date.

The Authority notes the inclusion of additional schemes related to national roads included in Objective CDP11.11. While such 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, in accordance with adopted procedures and design standards, the Council will be aware that TII may not be responsible for the funding of any such schemes or improvements and, as indicated above, their implementation may be subject to budgetary constraints, prioritisation and the adequacy of the funding resource available to the Authority. In particular, the Council will be aware of comments previously provided by TII in relation to;

- The Limerick Northern Distributor Road, and
- Proposals for a new interchange on the M18 at Quin Road, Ennis.

In relation to the Limerick Northern Distributor Road proposal, the Council will be aware of the special requirements of the tolling scheme (N18 and the Limerick Tunnel Scheme) which should be factored into considerations; details of potential implications have already been circulated to the relevant Council Chief Executives. TII's position remains as previously stated in that regard.

In relation to the proposal for an additional junction on the M18 at Quin Road (R469), Ennis; the proposed additional connectivity to the M18 at this location is not consistent with the requirements of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines and would require a Motorway Order.

As previously advised, TII has no knowledge of such a proposal and has not been consulted with respect to this objective which will have serious impacts on the safety, efficiency, and maintenance of the motorway. TII does not support its inclusion in the Development Plan.

Recommendation

TII would welcome consideration by the Council of the following:

- TII recommends the Draft Plan is amendment by inclusion of a new Objective to safeguard proposed national road schemes;
'To protect the study area, route corridor options and thereafter the preferred route corridor selected for the national road schemes being progressed in the Development Plan and to prohibit development that could prejudice their future delivery'.
- In all instances, national road improvement schemes should be developed complementary to safeguarding the strategic function of the national road network and proposals impacting on the national road network should be developed in consultation with and subject to the agreement of TII.
- Observations previously provided by TII concerning the proposed Limerick Northern Distributor Road remain.
- TII does not support the proposed objective including for a new interchange on the M18 at Quin Road, Ennis, for inclusion in the Development Plan for reasons stated above.

4. OTHER TRANSPORT PROPOSALS

4.1 Integration of Land Use Planning and Transport

TII notes that Section 11.2.1 of the Draft Plan addresses Integrated Land Use and Transportation Planning. As outlined above, TII welcomes the commitment to undertaking Local Transport Plans in the Draft Plan and considers the alignment of Local Area Plan preparation with undertaking LTP's an integral element of successful integrated land use and transport planning.

Section 11.2.10 of the Draft Plan considers the Design Manual for Urban Roads and Streets (DMURS) and Objective CDP11.18 outlines the Objective to implement DMURS.

In addition to the requirements relating to DMURS, 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).

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 the interests of the safety of all road users.

Recommendation

TII would welcome consideration by the Council of the following:

- The incorporation of reference to TII Publications Standard DN-GEO-03084 'The Treatment of Transition Zones to Towns and Villages on National Roads' in the Development Plan in association with reference to DMURS, in the interests of providing clarification that such a standard will be applied, in the interests of road user safety, on national roads.

5. ANCILLARY POLICY PROVISIONS AND ISSUES

5.1 Service Areas

TII acknowledges that Motorway Service Area provision as outlined in the TII Service Area Policy is reflected in Section 11.2.9.2 of the Draft Plan.

The planning authority will also be aware that Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines indicate the requirement for a forward planning approach to the provision of off-line motorway service areas at national road junctions and addresses roadside service facilities on non-motorway national roads and their junctions. TII would welcome these requirements also reflected in the Draft Plan.

Recommendation

TII would welcome consideration by the Council of the following:

- The inclusion of a policy position reflecting the requirements outlined in Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines relating to the provision of roadside service facilities on non-motorway national roads and their junctions in the Draft Plan.

5.2 Safeguarding National Road Drainage Regimes

TII would welcome consideration being given to including a new objective associated with Section 11.2.9.1 relating to National Primary and Secondary Roads and protection of national road drainage regimes.

Significant improvements to the national road network have been overseen by Clare 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.

Recommendation

TII would welcome consideration by the Council of the following:

- Having regard to the extensive national road network in Clare, 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 Clare will be safeguarded for national road drainage purposes'.

5.3 Grid Connection Routing and Renewable Energy Development

Section 11.8 of the Draft Plan addresses Energy and Communications and sets out the Councils policies related to Renewable Energy.

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 publication of the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

TII recommends that Solar Farm Renewable Energy Development proposals in the vicinity of the strategic national road network should be accompanied by glint and glare assessments and that such a requirement should be included as an Objective of the Development Plan prior to adoption.

In addition, 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 can 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 available alternatives. TII would welcome this matter being considered as a policy provision in the Development Plan prior to adoption.

Recommendation

TII would welcome consideration by the Council of the following:

- 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 grid connection routing options should be developed to safeguard the strategic function of the national road network in accordance with Government policy by utilising available alternatives.
- Applications for Solar Farm developments should be accompanied by glint and glare assessments and such a requirement should be included as a provision of the Development Plan prior to adoption.

5.4 Traffic and Transport Assessment (TTA), Road Safety Audit (RSA) and TII Publications (Standards)

TII welcomes the inclusion of Section A1.6.4 of the Development Management Guidelines which address the requirements for Traffic and Transport Assessments and Road Safety Audits.

As noted above, TII recommends all references included in the Draft Plan related to the NRA Design Manual for Roads and Bridges should be updated to TII Publications.

Recommendation

- The DMRB has been superseded and all relevant design standards for national roads are now included in TII Publications. The Council may consider a review of the text included in Section 1.2.1 and Section 1.20 that refers to the NRA to ensure updated referencing to TII and TII Publications is included in the Draft Plan.

5.5 Noise

It is noted that Noise is addressed in Section 11.6.1 of the Draft Plan. Government policy requires that development proposals identify and implement noise mitigation measures, where warranted, for noise sensitive development proposed in the vicinity of existing or proposed national roads; TII considers that this issue should also be referenced in the Development Plan.

Recommendation

TII would welcome consideration by the Council of the following:

- Development proposals should identify and implement noise mitigation measures, where warranted, for development proposed in the vicinity of existing or proposed national roads. The costs of implementing mitigation measures shall be borne by the developer, as the Authority will not be responsible for the provision of additional noise mitigation.

5.6 Signage

TII welcomes Objective CDP 11.25 of the Draft Plan which commits to controlling the proliferation of signage on and adjacent to national roads. It is noted however, that the Objective refers to the Spatial Planning and National Roads Guidelines as being TII's. In the interests of clarification, the Guidelines are issued as Section 28 Ministerial Guidelines by the DoECLG and not TII. TII recommends that this error is corrected in the Draft Plan.

Recommendation

TII would welcome consideration by the Council of the following:

- The Authority welcomes the provisions of the DoECLG Spatial Planning and National Roads Guidelines concerning signage incorporated into the Development Plan but recommend update to reflect that they are DoECLG and not TII Guidelines.

6. SETTLEMENT PLANS/DEVELOPMENT STRATEGIES

Volume 3 of the Draft Development Plan includes the Municipal District Settlement Plans and relevant zoning and development objectives. TII provides the following observations for the Councils consideration;

6.1 Volume 3a Ennis Municipal District Settlement Plans

6.1.1 Ennis

The Council will be aware from previous submissions on development planning in Ennis that TII indicated concern that proposed development objectives in the vicinity of and related to M18 national road junctions conflicted with the provisions of the DoECLG Guidelines. A number of the proposed development objectives pose a significant risk to the objective of safeguarding the significant Government investment in the national road network in the region.

The relevant objectives of concern are;

- zoning proposals and development objectives adjoining M18 junctions 12 and 13,
- proposals for additional M18 motorway connectivity at the Quinn Road (R469), outlined in the Draft Development Plan and also included in Table 2 subject to Objective V3(a)16 of the Draft Plan Volume 3a.

TII does acknowledge that the site at Toureen for a Data Centre development in the vicinity of M18 Junction 13 was subject to a plan-led designation and adopted as Variation no. 1 of the Clare County Development Plan, 2017 – 2023. This approach is commended.

However, in relation to the Commercial zoned lands at M18 Junction 12 and identified with Objective COM7 which provides for an off-line service area, TII recommends that proposals are considered in the context of Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities. The Guidelines advise that a proliferation of off-line service area facilities at national road junctions should be avoided and that a co-ordinated approach to the provision of such facilities is undertaken. This should be reflected in the amendments to the Draft Plan.

Comments in relation to a proposed new M18 Junction at Quin Road are outlined in the above observations. TII does not consider such proposals consistent with the provisions of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and such proposals would require a Motorway Order. The Authority advises that it has no knowledge of such a proposal and has not been consulted with respect to this objective which will have serious impacts on the safety, efficiency, and maintenance of the motorway.

6.1.2 Other Development Proposals

There also remains potential for other development objectives, individually and in combination, to adversely affect the operation of the national road and associated junctions in the Ennis area if the cumulative impact of development is not planned for and co-ordinated with required infrastructure improvements to safeguard sufficient capacity on the strategic national road network, for example Beechpark (ENT1/TOU2).

As previously advised in relation to such lands, TII recommends that development proposals are progressed in accordance with appropriate traffic and transport assessments undertaken in accordance with TII/NRA Traffic & Transport Assessment Guidelines (2014) and should include an assessment of the cumulative impact of traffic/transport generated by planned development in the area on the junctions concerned.

In the interests of clarity, the Authority will not be responsible for funding required capacity improvements to facilitate private development; this is a matter for the Council to address.

TII also recommends review of zoning objectives to the west of Ennis adjoining the N85 national road. TII's records indicate that the zoning designations extend outside the area to which a 50 – 60kph urban speed limit applies. Access requirements should conform to the provisions of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities concerning the general restriction on access to national roads outside reduced urban speed limits. TII considers clarification of this matter is required in the Development Plan prior to adoption.

6.1.3 Clusters

In relation to other settlements in the Ennis Municipal District Settlement Plans, it is noted that the Drumeen settlement cluster has a proposed development boundary that extends along the N68 at a location where a 100kph speed limit applies; in the interests of clarity, the Authority recommends that access to lands identified in the cluster should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

Recommendation

- TII acknowledges the commitment to undertake a Local Area Plan and a Local Transport Plan for Ennis included in the Draft Plan.
- TII considers that the development objectives and zoning objectives identified above require review prior to the adoption of the Development Plan to ensure proposals conform with the requirements of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). In particular, zoning proposals and development objectives;
 - adjoining M18 junctions 12 and 13 as indicated,
 - proposals for additional M18 motorway connectivity at the Quinn Road (R469), outlined in the Draft Development Plan and also included in Table 2 subject to Objective V3(a)16 of the Draft Plan Volume 3a,
 - Beechpark (ENT1/TOU2), and other similar development sites in the vicinity of the strategic national road network,
 - zoning objectives to the west of Ennis adjoining the N85 national road extend outside the area to which a 50 – 60kph urban speed limit applies,
 - Drumeen settlement cluster proposed development boundary which extends along the N68 at a location where a 100kph speed limit applies.

6.2 Volume 3b Shannon Municipal District Settlement Plans

6.2.1 Limerick – Shannon Metropolitan Area Settlements

a) Shannon Town

It is noted that local area planning for Shannon is addressed in the Shannon Town and Environs Local Area Plan, 2012 – 2018 (as extended) as amended. The Draft Plan outlines proposals to review the Shannon Local Area Plan and TII would welcome consultation. Objective CDP 11.13 of the Draft Plan outlines the Council objective to implement a LTP for Shannon on which TII would also welcome consultation.

b) Bunratty

TII acknowledges the important tourism function of Bunratty in the south Clare area. It is noted that the Bunratty Settlement Plan includes a number of tourism and development objectives, including TOU1, TOU2 and REC2 that the Draft Plan outlines shall be subject to a Masterplan process.

Having regard to the proximity of the sites and Bunratty generally to the N18 and associated junctions, TII considers it critical that such tourism and development objectives consider the cumulative impact of development on the national road and associated junctions. It does not appear that any mechanism for preparing, agreeing, or adopting the proposed Masterplan has been identified. Such an approach could lead to uncoordinated development impacting the national road and associated junctions.

TII recommends that the Draft Plan is updated to provide clarity in relation to the Masterplan approach and to outline the mechanism for adoption. The Council will be aware that official policy provides that where a masterplan

is to be relied upon for development management functions it should include public consultation and be incorporated into the relevant Development/Local Area Plan by way of variation or amendment. TII would welcome consultation on the proposed Masterplan and the above provisions incorporated into the Development Plan prior to adoption.

6.2.2 Clusters

TII notes a number of cluster settlements, including Ballymorris, Drumline (2) and The Wells clusters have proposed development boundaries that extend to the line of the N18, national road. In the interests of clarity, the Authority recommends that access to lands identified in the clusters should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

In addition, development proposals in the clusters should ensure the provision of appropriate noise mitigation. In accordance with official policy, the costs of implementing noise mitigation measures shall be borne by the applicant/developer, as the Authority will not be responsible for the provision of additional noise mitigation.

Recommendation

- TII acknowledges the commitment to undertake a Shannon Local Area Plan included in the Draft Plan and requests consultation on the Local Area Plan and Local Transport Plan for Shannon,
- TII recommends that the development objectives and zoning objectives identified above require review prior to the adoption of the Development Plan to ensure proposals conform with the requirements of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012). In particular, zoning proposals and development objectives such as;
 - The Masterplan process indicated in relation to objectives TOU1, TOU2 and REC2 in the Bunratty Settlement Plan are updated to provide clarity in relation to the approach and the mechanism for adoption prior to finalising the Development Plan,
 - Ballymorris, Drumline (2) and The Wells settlement clusters where proposed development boundaries extend to the line of the N18, national road.

6.3 Volume 3d West Clare Municipal District Settlement Plans

The West Clare Municipal District Settlement Plan contains development boundaries and development objectives for a significant number of settlements in the West Clare area. The N67, N68 and N85, national secondary roads, provide important regional links to/from and within West Clare. The Council has also identified a number of sections of lightly trafficked national secondary road in West Clare where agreed ‘exceptional circumstances’ are incorporated into the Draft Plan.

In accordance with Government policy, it is critical that the national road network is safeguarded to fulfil its strategic economic function and to provide a robust and safe network for road users and communities served.

The DoECLG Spatial Planning and National Roads Guidelines also emphasis the critical importance of ensuring high standards of road safety on national roads which is addressed by managing access and intensification of access to national roads and guarding against a proliferation of roadside development accessing national roads to which speed limits greater than 50 – 60kmh apply.

Aligning development objectives and development boundaries to ensure planned development occurs in a manner consistent with and complementary to safeguarding the strategic function and safety of national roads is a critical requirement to ensure the provisions of the DoECLG Spatial Planning and National Roads Guidelines are reflected in the Development Plan. In that regard, a number of proposals included in Settlement Plans in the West Clare area have been identified that TII considers should be subject to review or clarification to demonstrate compliance with the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities.

Recommendation

- TII recommends that the following Settlement Plans development objectives require review prior to the adoption of the Development Plan to ensure proposals conform with the requirements of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

1) Service Towns

Ennistymon/Lahinch; R5 and SR lands adjoin the N67, national road, at a location where TII's records indicates a 100kph speed limit applies.

2) Small Towns

Lisdoonvarna; SR1 and SR2 lands adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.

3) Large Villages

- Ballyvaughan; OP1 (former Culligans Visitor Centre) adjoins the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Doonbeg; TOU1 lands adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Inagh; COM2 lands adjoin the N85, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Quilty; TOU3, COM1 and C4 lands all adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.

4) Small Villages

- Belharbour; OS1, TOU3 and MAR1 lands all adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Kilshanny; COM1 lands adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Lisseycasey; VGA2 lands and infill residential plots lands adjoin the N68, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.
- Spanish Point; TOU1 and TOU8 lands adjoin the N67, national road, at a location outside where the reduced urban 50 – 60kph speed limit applies, according to TII's records.

5) Small Villages/West Clare Clusters

- Access and development objectives require clarification and review in Ballyea South (N85), Caherea (N68), Mortyclough (N67) and Mountrivers (N67) as an 80kph - 100kph speed limit applies to the national secondary road through the clusters. The Authority recommends that access to lands identified in the clusters should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads. TII recommends that such requirements should be reflected in the Development Plan prior to adoption.

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 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, there are a number of specific interactions between land use policy, development objectives and the strategic national road network in Clare included in the Draft Plan that the Authority considers require review prior to the adoption of the Development Plan.

Such review would ensure consistency with official policy and safeguard the strategic function of the national road network in the area, in particular;

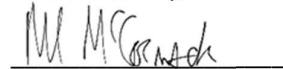
- Inclusion of Core Strategy Objectives to reflect official policy requirements including maintaining the strategic function, capacity, and safety of the national roads network and to ensure quality levels of service, safety, accessibility, and connectivity to transport users.

- There is critical road safety and policy provisions that still remain to be addressed in relation to the inclusion of the proposed 'Developments of National and Regional Strategic Importance' 'exceptional circumstances' cases in Section 11.2.9.3 of the Development Plan, including full demonstration of compliance with the DoECLG Guidelines.
- The 'exceptional circumstances' included in Section 11.2.9.3 of the Draft Plan, 'Existing Accesses onto National Secondary Roads', are, in the opinion of TII, in conflict with the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).
- The proposal for an additional junction on the M18 at Quin Road, Ennis is not consistent with the requirements of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines and would require a Motorway Order. As previously advised, TII has no knowledge of such a proposal and has not been consulted with respect to this objective which will have serious impacts on the safety, efficiency, and maintenance of the motorway.
- TII considers that Settlement Plan zoning proposals and development objectives identified in the above submission should be reviewed to ensure consistency with the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).
- An objective to be included in the adopted Development Plan in relation to renewable energy and in relation to safeguarding the national road network, indicating that grid connection routing options should be developed to safeguard the strategic function of the national road network in accordance with Government policy by utilising available alternatives.

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 County Development Plan and national roads and TII would welcome future consultation on local area plan and local transport planning undertaken by the Council where there may be implications for the strategic national road network.

It is respectfully requested that the above observations are taken into consideration prior to the adoption of the Clare County Development Plan, 2023 – 2029.

Yours sincerely,



Michael McCormack
Senior Land Use Planner