

Forward Planning,
Economic Development and Enterprise Directorate,
Limerick City and County Council,
Corporate Headquarters,
Merchant's Quay,
Limerick

By email:
devplan@limerick.ie

19th August 2022

Dear Sir or Madam,

RE: LANDS ADJOINING THE CRESCENT SHOPPING CENTRE, DOORADOYLE DISTRICT CENTRE, LIMERICK

We are writing on behalf of our client, Clancourt Group, with respect to the draft Ministerial Direction on the Limerick City and County Development Plan 2022-2028.

Executive Summary

In summary (and set out in detail further in this letter), our clients lands, which are subject of one of the recommendations by the OPR and the Draft Ministerial Direction are proposed to be designated with an 'enterprise and employment' zoning objective following the adoption of the Development Plan with Material Alteration 148. However the draft Direction seeks to revert the lands to the 'semi-natural open space' zoning objective based on flood risk.

The lands are exceptionally well served by infrastructure and a high frequency bus corridor, proposed to be further upgrade as part of BusConnects. The lands adjoin the Dooradoyle District Centre with a wide variety of existing services and amenities present, such as retail, services, Council offices, library and playground, all surrounded by a large residential hinterland.

Contrary to the views expressed by LCCC, it has been demonstrated in submissions made on the Draft Development Plan that the lands subject to Material Alteration 148 do in fact pass the Plan Making Justification Test in the Flood Risk Guidelines and strongly pass the provisions of the sequential approach, being infill lands within the built up area of Limerick City. There is a clear and robust national and regional policy basis for the lands to be brought forward for employment uses and more specifically office uses, given the high quality public transport availability, and the lands comprising a natural infill site in Limerick City. The lands are located on the former city and county boundary, and have not been previously considered for development, partly due to the road reservation for the now constructed

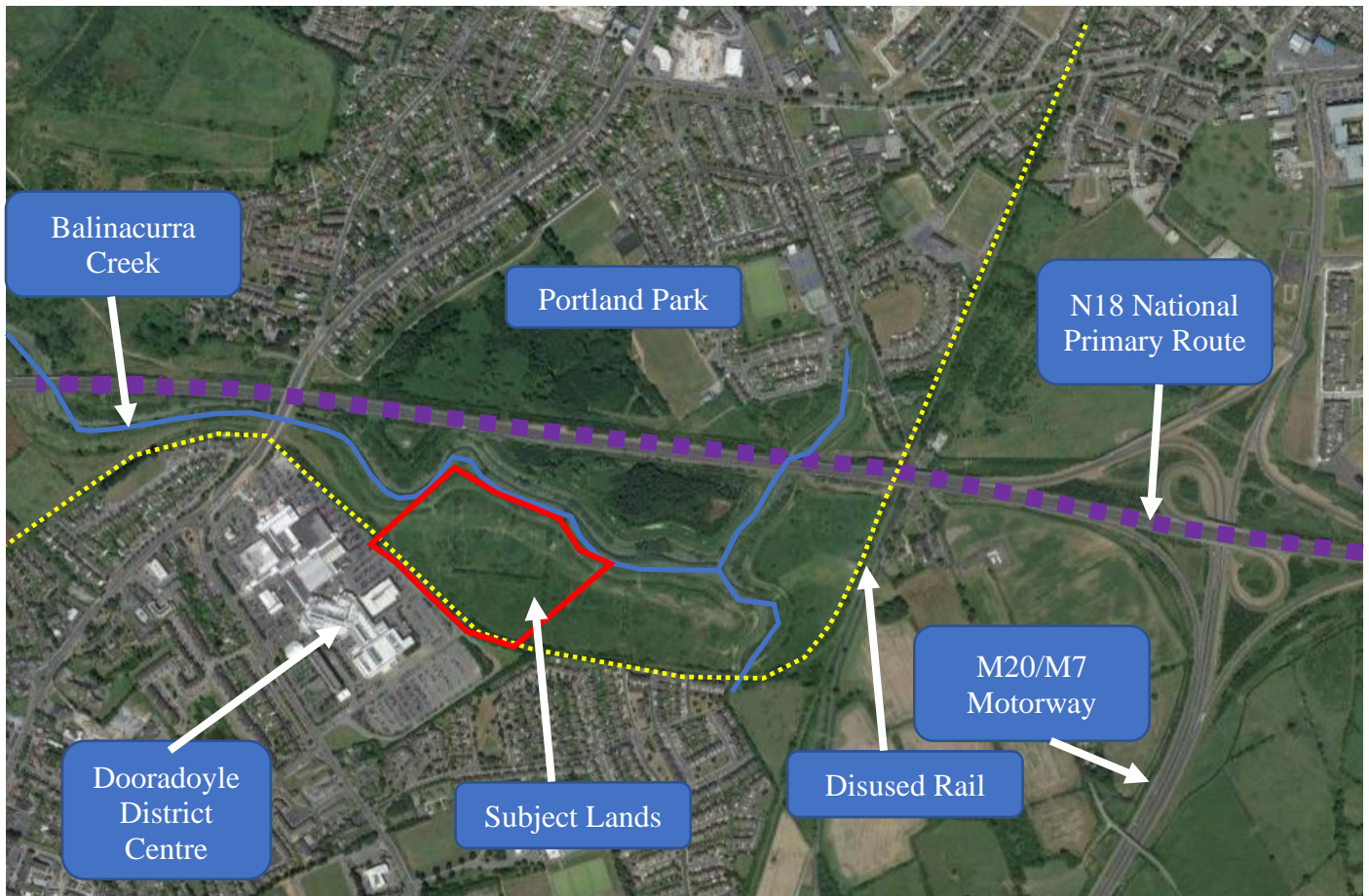
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Limerick tunnel link. The undeveloped lands between these two well established areas of the city and southern environs include Balinacurra Creek, the source of the flood risk, the N18 National Primary Route which links the Limerick Tunnel to the M7 and M20 motorways, and a disused rail line to the cement factory, being considered by the NTA for future commuter rail as part of the Limerick Shannon Metropolitan Areas Transport Strategy.



Aerial Image of Local Context – (Source: Google Maps) approximate outline of subject lands in red; N18 in purple; disused rail line to Mungret Cement in yellow; and Balinacurra Creek in blue

The disused nature of the lands have long formed a barrier between the two developed areas of Limerick City and now present an opportunity to be developed as a key infill site, to achieve national and regional objectives for a compact urban form, and objectives to deliver economic growth to the cities outside of Dublin as a counterbalance.

The OPR will have placed considerable weight on the SFRA prepared on behalf of LCCC; however ARUP have identified inaccuracies in the assessment of the information submitted on behalf of our client, as set out further.

The contention by LCCC and the OPR that there are suitable alternative employment lands is to the detriment of both economic growth in attracting investment and compact urban growth, as the alternative is large portions of employment lands in more peripheral locations which are established as industrial and high technology areas. There does not appear to be due consideration that a variety of employment uses should be catered for, each with their own criteria for suitability of site selection. This concern was raised by IDA Ireland in their submission on the draft Development Plan i.e. that there was not sufficient lands zoned for employment uses to capitalise on potential foreign direct investment to the area.

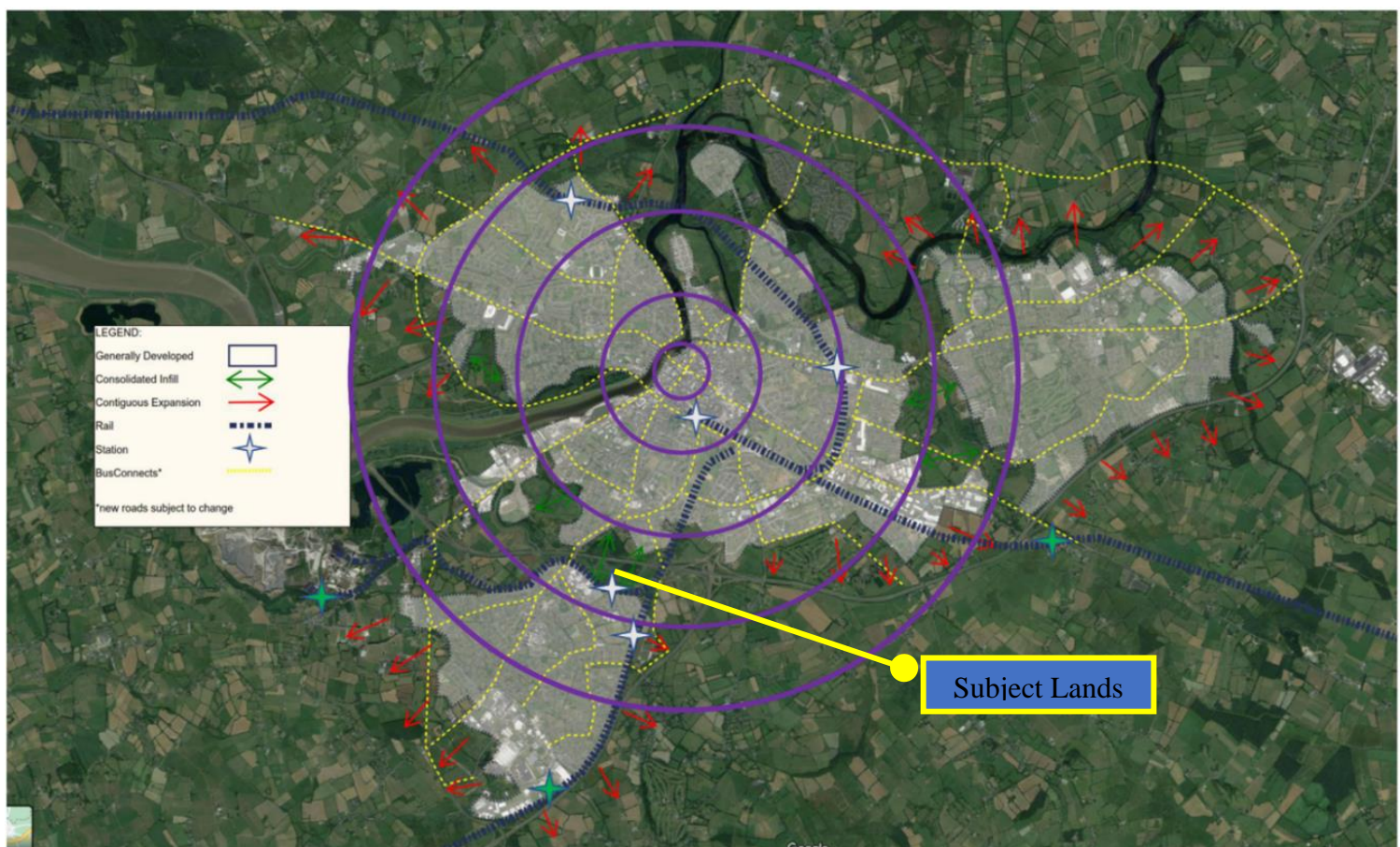
Additionally, as set out in the Cushman and Wakefield Report, there is a dearth of office availability, with office schemes in the pipeline already subject to negotiations.

There is therefore a considerable risk that the availability of lands to facilitate economic growth will counter the objectives of the national and regional policies for growth outside of Dublin.

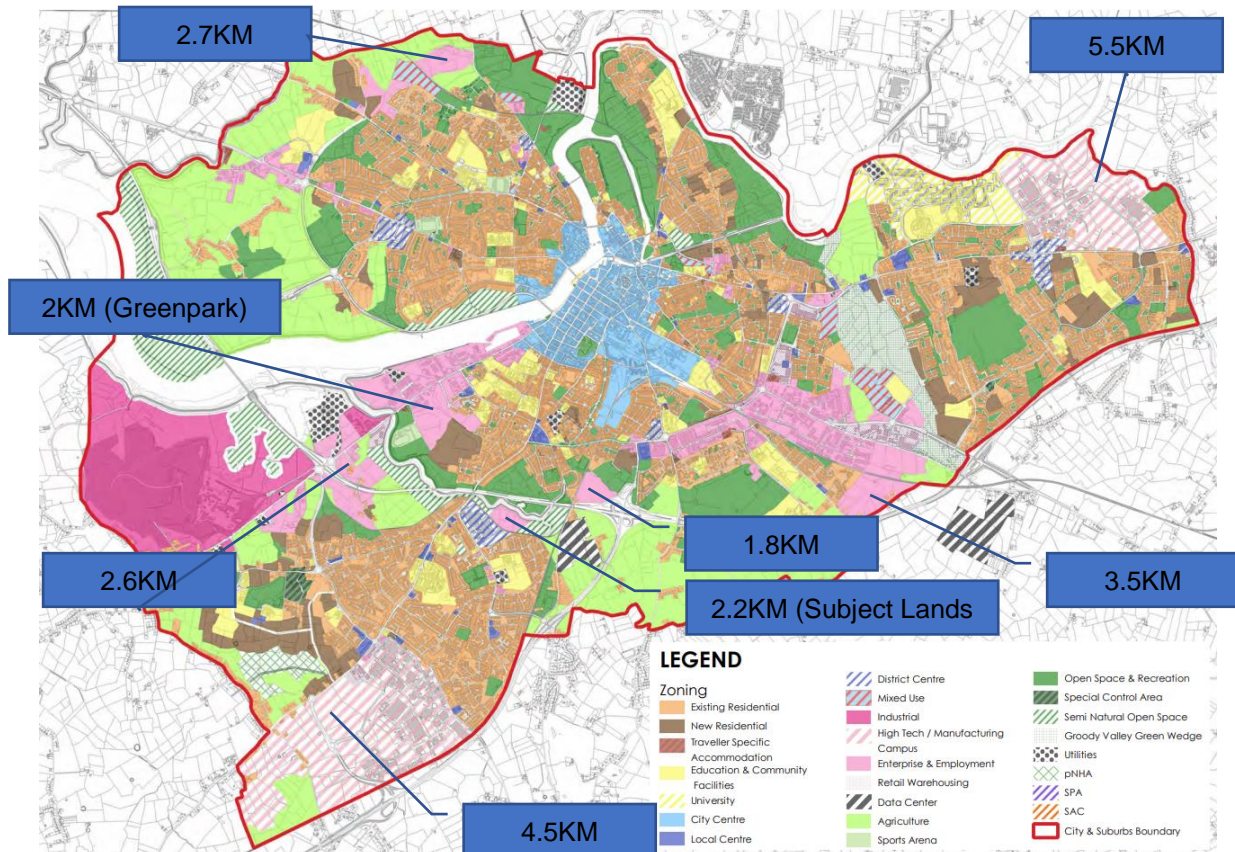
The lands are exceptionally suited to deliver economic growth, and this is recognised in objective ECON 04 which forms part of the adopted 2022-2028 Development Plan, and designates the Dooradoyle District Centre and adjoining lands as a Strategic Employment Location, which strengthens the strategic planning rationale for the lands to be retained with the enterprise and employment zoning objective, as per the adopted Development Plan. The Dooradoyle District Centre currently employs c. 1,500 employees.

The 'Advice Note' published on the LCCC website lists ECON04 (Material Alteration 13) as not coming into effect as part of the adopted Development Plan. ECON04 (or Material Alteration 13) is not listed in the draft Ministerial Direction or the Recommendation of the OPR in the available documentation, and therefore it is submitted that this objective forms part of the adopted Development Plan. This should be corrected by LCCC.

A simple mapping exercise, shown below (an extract of the previously submitted Plan Making Justification Test prepared by this office), highlights the existing developed areas, within which potential infill development may be located. There are also a number of apparent undeveloped locations which would be considered infill between existing developed areas (identified with green arrows) which would contribute to the delivery of a compact urban form, in favour of outward sprawl (identified with red arrows).



The subject lands are 2.2 km from the city centre, comparable to other lands adjacent the subject lands considered suitable for employment uses by LCCC and the OPR at Greenpark, which are subject to similar flood risk. The following map (the adopted zoning map for the city) shows the distances to other undeveloped employment lands. Firstly it is apparent that there are limited undeveloped lands zoned for employment uses and secondly, the majority of the sites are located further from the city centre. Those sites in closer proximity, do not have access to existing bus services of the quality at the Dooradoyle District Centre.



Distances to other undeveloped employment lands in Adopted Development Plan from City Centre

The single issue is flood risk and an assertion that the development of the lands is premature pending the Limerick Flood Relief Scheme. The lands are already defended against the coastal flood risk with embankments, maintained by the OPW. ARUP have undertaken comprehensive assessments on behalf of our client, which formed components of the submissions on the Draft Plan by our client and motions on the matter. The ARUP assessments are based on more detailed information than that used in the catchment CFRAMS, and therefore of a higher accuracy.

The ARUP Assessments demonstrate how the flood risk can be managed without adverse impacts elsewhere, and how the development would not only facilitate the future flood relief scheme, but also enhance it. The LCCC SFRA contains inaccuracies in their review of the ARUP assessments, further calling into question it's determination that the lands do not pass the Plan Making Justification Test.

We therefore respectfully request that the lands retain the enterprise and employment zoning objective in the adopted Limerick City and County Development Plan in the interest of the proper planning and sustainable development of Limerick and the achievement of a

compact urban form and economic development, in accordance with the National Planning Framework.

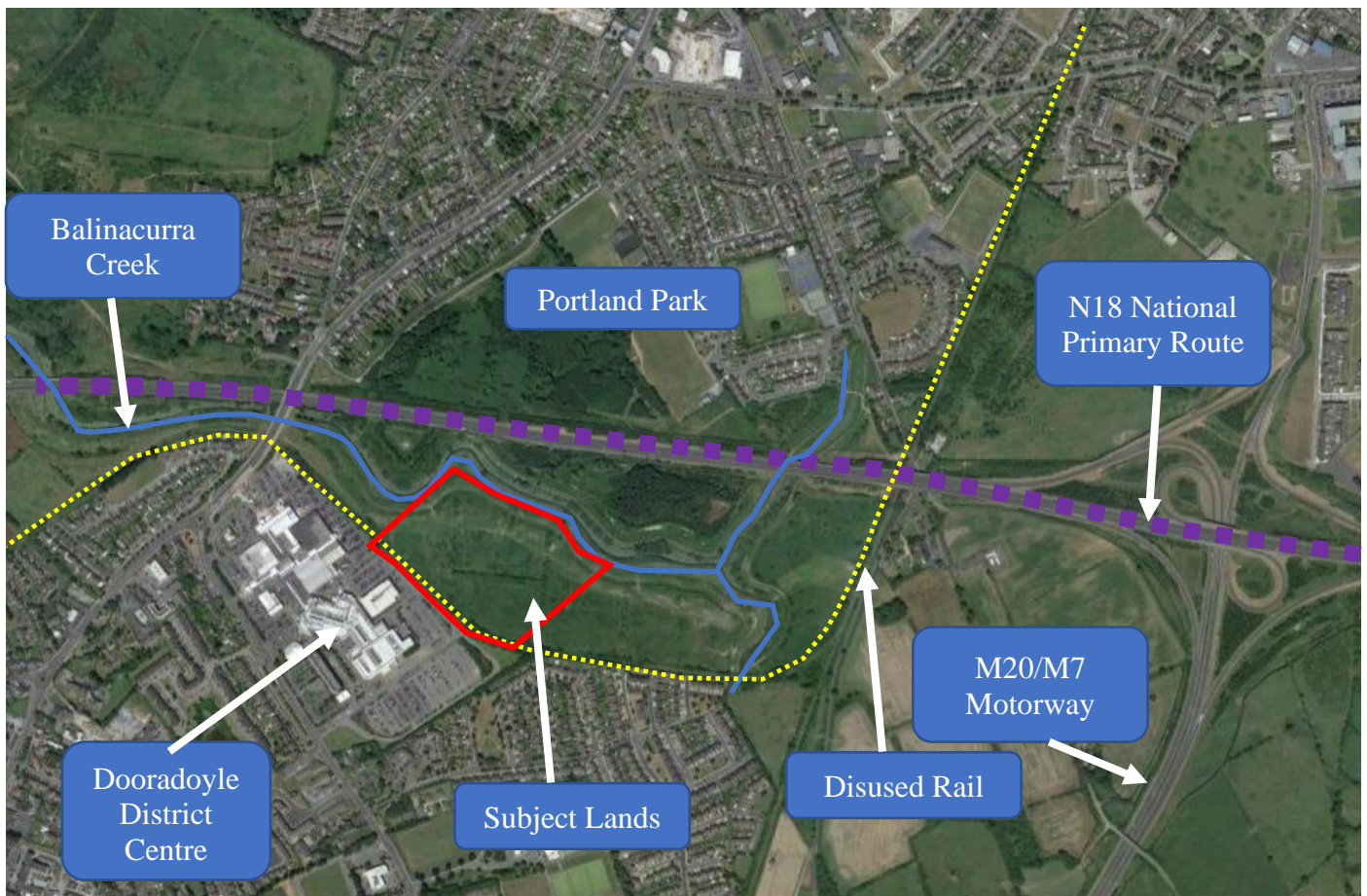
In summary, it is submitted that there is a clear strategic planning, technical engineering and economic rationale for the zoning of the subject lands as enterprise and employment on the basis of:

- the sequential approach – the lands are an infill site within the built up area;
- the requirement for lands to facilitate employment uses to ensure the competitiveness of Limerick and National Objectives to counterbalance Dublin,
- the lands being serviced;
- the presence of an existing public transport corridor, planned to be enhanced by BusConnects;
- the availability of other complementary uses at the District Centres, such as retail services and considerable residential hinterland and the achievement of a compact urban form in a 15 minute city;
- The extensive technical analysis and floor disk assessment undertaken by ARUP
- The designation of Dooradoyle District Centre as a Strategic Employment Location in the adopted Limerick City and County Council Development Plan, with c 1,500 employees currently

Sequential Analysis and Suitability of Lands for Economic Development

Our client is the owner of a substantial landholding at Dooradoyle which includes the Crescent Shopping Centre at the Dooradoyle District Centre in the southern environs of Limerick. Clancourt have engaged with Limerick City and County Council throughout the plan making process for both the Southern Environs Local Area Plan and new City and County Development Plan. The Crescent Shopping Centre is a major employment centre, with c. 1,500 employees presently. The District Centre provides for a wide variety of retail and service uses for the surrounding area. Our client is supportive of the 15 minute city concept, to diversify uses in areas to create more sustainable communities. District Centres have considerable potential to deliver on these concepts.

The District Centre and its hinterland are well serviced by public transport, with high frequency bus services, cycle lanes, footpaths and existing utilities and water infrastructure. With respect to land use, the District Centre provides wide ranging retail and services, a library and Council offices, with the surrounding area comprising primarily residential areas, community uses and schools.



Aerial Image of Local Context – (Source: Google Maps) approximate outline of subject lands in red; N18 in purple; disused rail line to Mungret Cement in yellow; and Balinacurra Creek in blue

To the north of the lands, is the disused rail line to the Mungret cement factory, Balinacurra Creek, a watercourse that runs towards the River Shannon at the Dock Road and the N18 National Primary Road, which leads to the M7, M20 and Limerick Tunnel.

These lands, which are subject of one of the Recommendations of the OPR and contained within the draft Direction, formed the old boundary between City and County, and due to the

constraints of the Creek, rail line and road, have not previously been considered for development, notwithstanding they form a key infill site in the built up area of Limerick City between existing developed areas. North of the creek is Portland Park, a large area of local authority parkland.

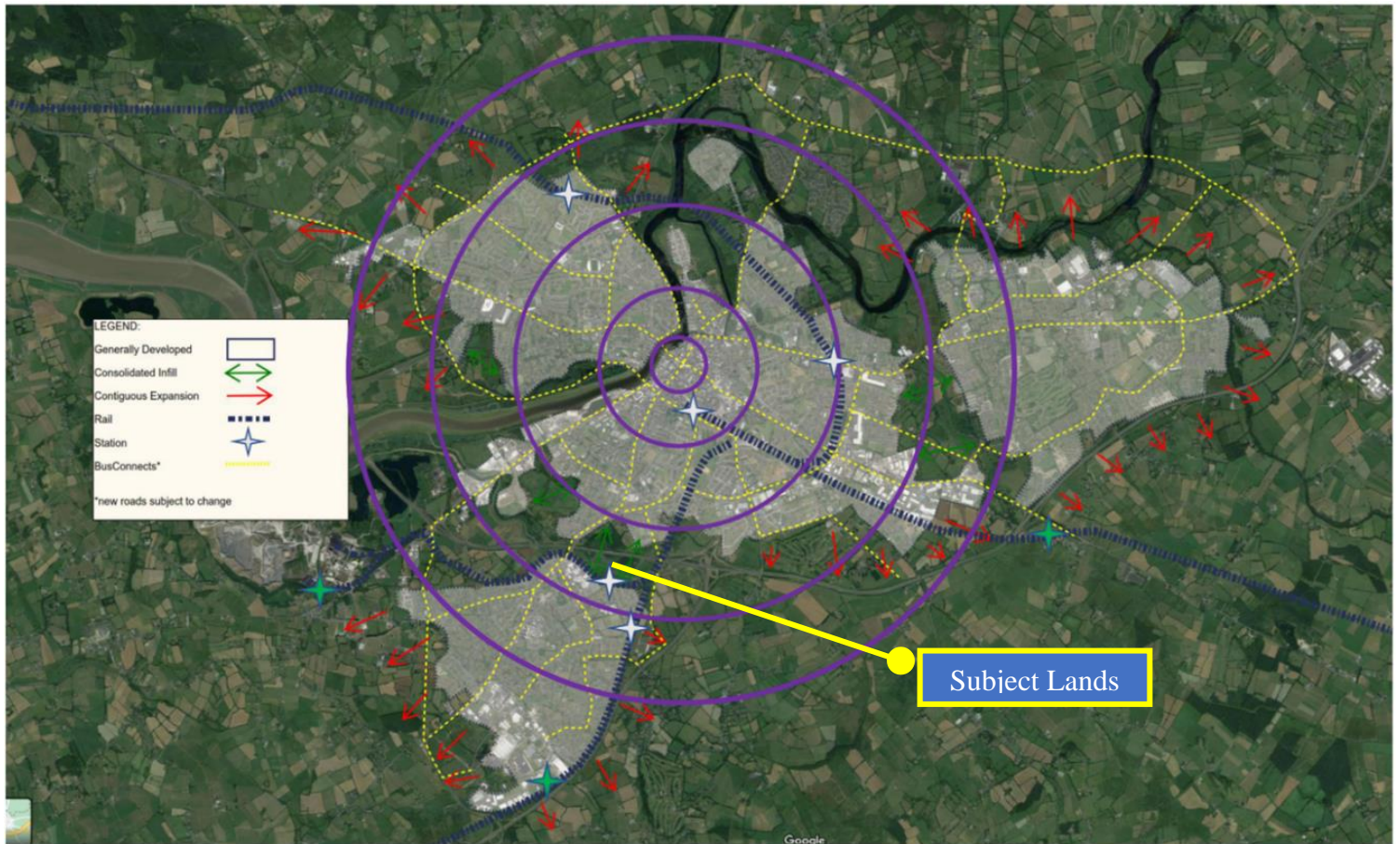
Material Alteration 148 to the City and County Development Plan proposed that the land use zoning objective be changed from 'semi-natural open space' to 'enterprise and employment' approximately in the location of the red line in the map above.

This recommendation by the OPR and contained in the draft Direction is for the lands to revert to a the 'semi-natural open space' zoning objective from 'enterprise and employment'.

Core to the rationale for the Recommendation, is the assertion that the lands do not pass the Plan Making Justification Test with respect to flood risk. However, our client and professional advisors disagree with this assertion and submit that the Plan Making Justification Test has not been correctly applied by LCCC in the Strategic Flood Risk Assessment (SFRA).

Key to the delivery of compact urban form, as supported by the National Planning Framework, RSES, Development Plan Guidelines and Flood Risk Guidelines, is the application of the sequential approach with development being delivered from the centre of the urban settlement and in areas well served by infrastructure and making appropriate use of infill opportunities. The development of infill lands are therefore a central component to achieving compact urban development in accordance with the National Planning Framework. A sequential analysis of Limerick was undertaken in the Plan Making Justification Test prepared by this office and included in the various submissions in the Plan Making process on behalf of our client.

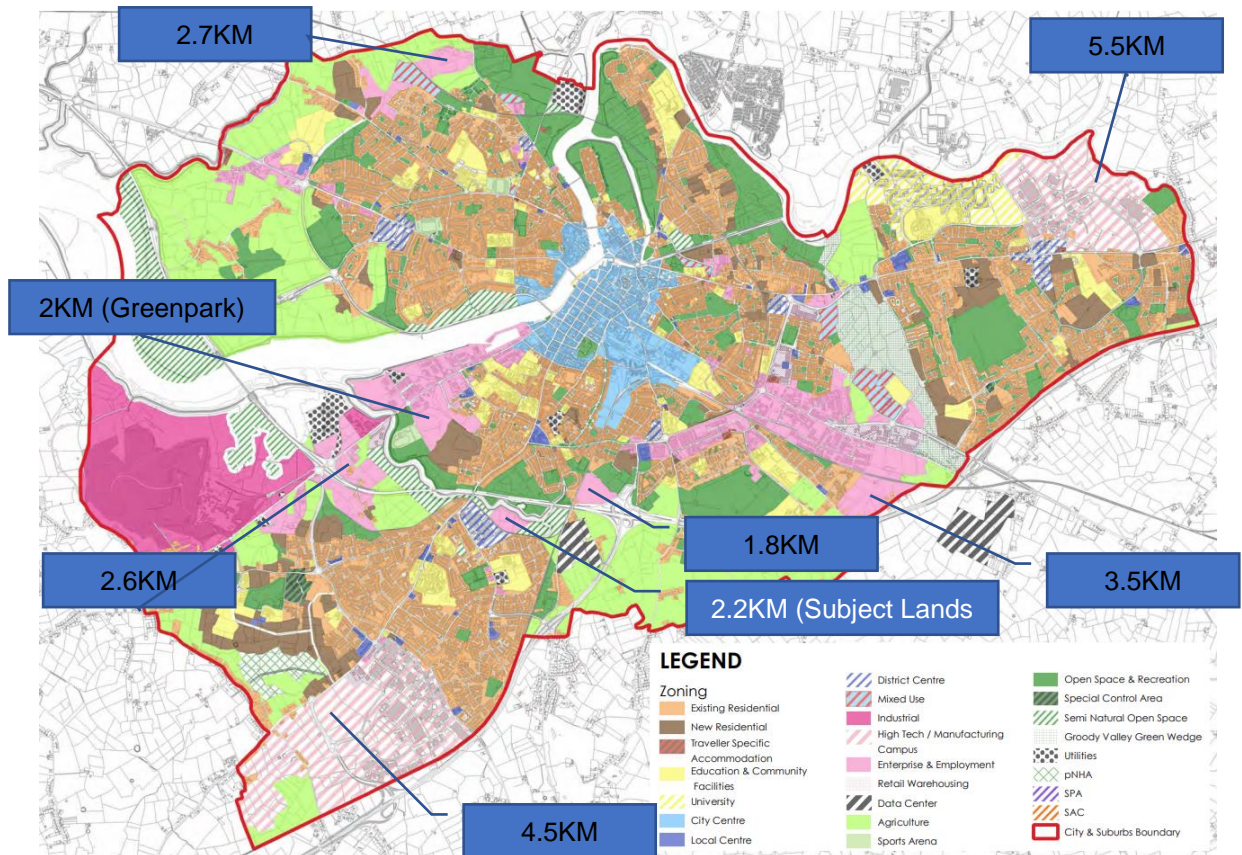
A simple mapping exercise, shown below, highlights the existing developed areas, within which potential infill development may be located. There are also a number of apparent undeveloped locations which would be considered infill between existing developed areas (identified with green arrows) which would contribute to the delivery of a compact urban form, in favour of outward sprawl (identified with red arrows).



The mapping exercise overlays BusConnects routes, to provide the additional context of public transport corridors. The potential utilisation of disused rail lines and potential stations for commuter rail is also overlain, which are big considered by the NTA as part the Limerick Shannon Metropolitan Transport Strategy (LSMATS). We understand the commuter rail may not currently provide a robust business case and therefore may be a longer term plan; however the development of sites along this corridor would strengthen the business case. Nonetheless, the lands are served by existing high quality bus services, which will be further strengthened by BusConnects improvements, which are being progressed by the NTA as a priority.

The lands as a natural infill site, are clearly sequentially favourable to greenfield sites on the periphery of the city and capable of facilitating higher intensity employment in a sustainable manner due to the existing and future bus public transport corridor.

The subject lands are 2.2 km from the city centre, comparable to other lands adjacent the subject lands considered suitable for employment uses by LCCC and the OPR at Greenpark, which are subject to similar flood risk. The following map (the adopted zoning map for the city) shows the distances to other undeveloped employment lands. Firstly it is apparent that there are limited undeveloped lands zoned for employment uses and secondly, the majority of the sites are located further from the city centre. Those sites in closer proximity, do not have access to existing bus services of the quality at the Dooradoyle District Centre.



Distances to other undeveloped employment lands in Adopted Development Plan from City Centre

The OPR states that there is no “*strategic planning reason*” for the development of the lands as other lands have been identified for such purposes.

The Southern Regional Spatial and Economic Strategy includes three specific strategies (aligned with the National Strategic Outcomes of the National Planning Framework and UN Sustainable Development Goals) which are of particular relevance in support of the development of the subject lands, and provide a strategic basis for same:

“RSES Strategy 1. Compact Growth Strengthening and growing our cities and metropolitan areas; harnessing the combined strength of our 3 cities as a counterbalance to the Greater Dublin Area, through quality development; regeneration and compact growth; building on the strong network of towns and supporting our villages and rural areas.”

“RSES Strategy 4. Sustainable Mobility Transforming our transport systems towards well-functioning, sustainable integrated public transport, walking and cycling and electric vehicles.”

“RSES Strategy 5. A Strong Economy Building a competitive, innovative and productive economy”

As noted in the Development Plan Guidelines for Planning Authorities (DPG), different types of employment uses will be suited to different locations, depending on employment density, DPG: “*Differing typologies of commercial /industrial land-uses will generate different employment characteristics (e.g. high-intensity commercial office use in comparison to lower intensity warehousing/logistics) and these should be considered in the overall strategic assessment.*”. Therefore, it is essential that a variety of employment lands of differing scale

and location are provided to ensure that all opportunities for economic growth are realised, particularly in the context of seeking cities such as Limerick to provide a counterbalance to Dublin. Should the availability of such lands be constrained, the consequence would be that the ability to achieve the National and Regional counterbalance growth would also be constrained.

We note the submission by the IDA on the draft Development Plan which emphasised the importance of the availability of sufficient zoned, serviced and accessible lands and raised concerns with respect to the extent of suitably zoned employment lands in the draft Plan, seeking additional lands in order to fulfil their function in attracting Foreign Direct Investment:

“Fundamental to achieving this will be the availability of sufficient zoned, serviced and accessible land in strategic locations that will ultimately provide a compelling location option for multinationals in the mobile FDI marketplace. The availability of land zoned for industrial and enterprise development in advance of demand is a key element of IDA’s strategy to attract foreign direct investment to Ireland and to facilitate employment growth in Limerick and the Mid-West region commensurate with projected population increase. The development of identified lands can then be plan-led over a medium-term horizon in collaboration with national agencies and local planning authorities.”

“IDA Ireland have reviewed the Draft DP in the context of availability of suitable lands in the Limerick Metropolitan Area to address this requirement, in recognition of the fact that the established locations of Raheen Business Park and the National Technology Park (NTP), Castletroy have limited remaining capacity and potential to support new greenfield manufacturing. We consider that the proposals in the Draft DP with the zoning of adjoining lands at these locations does not meet this strategic greenfield requirement. Based on this, our client requests that the Council zones more appropriate lands to make provision for strategic employment growth opportunities at appropriate sites.”

Significant elements of the employment zonings within the Development Plan are located in Raheen, Annacotty and Ballysimon. These are peripheral locations to the city, located at the edge of the settlement boundary. These employment locations are established primarily as industrial and high technology type uses. The characteristics of office development, which are generally higher density employment, are best located in more central areas such as the city centre and District Centres with high quality public transport, rather than locations which are more car dependent. The OPR and LCCC Executive do not appear to have fully taken such a consideration into their assessment, which is an important element in achieving compact urban growth. The extent of employment lands must be considered in terms of their suitability for end users and the requirement for choice in attracting businesses if Limerick is to continue to successfully attract economic investment. The Development Plan Guidelines (DPG) acknowledge such flexibility is required with respect to the extent of employment lands:

DPG - “Estimating the land-use zoning requirement for employment development may require some flexibility and a strategic, long-term perspective. However, proposed employment zonings must have a credible rationale, particularly with regard to location and type of employment. It should be possible to demonstrate that the quantum of land zoned is not significantly out of step with estimated future demand arising from population, economic and employment growth and change. The economic policy objectives of the Regional Spatial and Economic Strategy will be instructive in this regard and the development plan must demonstrate consistency with these.”

The current lack of office space availability is highlighted in the Cushman & Wakefield Q1 2022 Office Marketbeat for the Limerick Market stating:

“Availability in the Limerick office market remains particularly tight, as further declines were recorded over the past twelve months. Availability sat at 30,885 sq m in Q1 2022, reflecting an annual decrease of 15%. The corresponding vacancy rate is 7.4%, the lowest vacancy rate in our +20 years detailed data series. Market churn, meaning the release of secondhand stock, decreased in 2020 and despite improving in 2021, it remains low. This trend, combined with limited development activity and continued take up, contributes to the decrease in availability. In terms of location, the majority of space is located in the Shannon Free Zone, 46%. Looking ahead, our market intelligence provides visibility on a number of larger units due to come to the market over the coming quarters. These units will improve vacancy levels somewhat however some of this space is under active negotiation.”

Having regard to the current shortage of available office space in Limerick and the active negotiations on office space in the pipeline, the provision of sufficient lands for employment uses, would support the adoption of the Development Plan with Material Alteration 148 to change the zoning of the subject lands to Enterprise and Employment in the adopted plan.

Furthermore, we note the adopted Development Plan includes a text objective (which has not been subject to a recommendation by the OPR or contained within the draft Direction and it is submitted has incorrectly included in the ‘Advice Note’ on the LCCC website) which references the Dooradoyle District Centre and adjoining lands as a **Strategic Employment Location**. It is noted that there are considerable safeguards inbuilt into the text objective with respect to flood risk:

“ECON 04 Dooradoyle Urban Quarter - It is an objective of the Council to:

- a) Promote the continued development of lands around the Dooradoyle District Centre and adjoining lands as a Strategic Employment Location through the delivery of additional office based employment uses in a phased manner in conjunction with supporting infrastructure development.*
- b) Promote improvements to connectivity, signage and permeability within the wider area including pedestrian and cycle facilities linking to Portland Park and provide for the link road from Dooradoyle Road to Rosbrien Road.*
- c) Facilitate the early upgrading of the existing flood defence infrastructure, thus ensuring the long-term flood protection of the wider lands in Dooradoyle in a manner compatible with any future City Wide Flood Relief Scheme.*
- d) Ensure any application on lands at risk of flooding is accompanied by a Site Specific Flood Risk Assessment which shall demonstrate that any development does not result in additional significant flood risk in the area and does not impede the future delivery of a wider flood relief scheme for Limerick. This FRA shall also include a detailed Emergency Response Plan and a Breach Modelling Assessment using a methodology to be agreed in advance with LCCC.*
- e) Require an overall framework plan/ masterplan to be prepared for the lands in advance of, or as part of, any application for a portion of the currently undeveloped lands.” (JSA emphasis added)*

There is therefore a further strategic reason for the development of the lands as a Strategic Employment Location.

Flood Risk

Specifically in relation to flood risk, the SFRA for the Development Plan was undertaken by JBA Consulting, including the Justification Test for the subject lands within which the SFRA states the lands do not pass the Plan Making Justification Test.

MA13/Objective ECON04, incorporates comprehensive safeguards to ensure the development of the lands would not prejudice the Flood Relief Scheme and it has been demonstrated in the comprehensive assessments undertaken by Arup which accompanied the various submissions on the draft Plan on behalf of our client and the elected members, that there is a clear technical solution to address flood risk in the development of the subject lands.

The SFRA states “A FRA was included as part of the submission. This identifies a high risk of breach associated with the existing embankments and resulting high depth of flooding should breach occur.” This is inaccurate and further calls into question the accuracy of the SFRA undertaken on behalf of LCCC. We note:

- The report in fact concluded that the likelihood of such a scenario was extremely remote and was easily mitigated.
- The detailed site specific SFRA prepared for the site is far more detailed and up to date than the Shannon CFRAMS
- The Shannon CFRAMS does not contain the suitable level of detailed required to undertake the Justification Test for the subject site as required by the Guidelines
- The potential of a future flood relief scheme for the wider Limerick area cannot be used as a justification for delaying the consideration of strategic sites as part of the development plan making process, and the Flood Risk Guidelines do not provide for arguments on prematurity on these grounds.
- The ARUP SFRA uses the most up to date survey data, flood risk information and therefore represents the suitable level of detail required by the Guidelines.
- It clearly demonstrates that flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere.
- The ARUP SFRA demonstrates not only that the lands can be developed in a manner compatible with any future flood defence scheme and can facilitate the early delivery of a scheme which protects a larger area of land and critical sustainable infrastructure routes than the Scheme identified by the CFRAMS study.

With regards to the Limerick Southern Environs, OPW noted on the Draft Development Plan that ‘*It is stated in the commentary that areas zoned Semi-Natural Open Space and Agriculture located within Flood Zones should be maintained until the Limerick Flood Relief Scheme is in place.*’ OPW advises ‘*that as Flood Zones are based on the undefended scenario, areas within should be assigned appropriate zonings regardless of whether there is a flood relief scheme in place.*’

The point that OPW is making here is that a decision on appropriate zonings should made, not in the context of the presence or promise of the future presence of a flood defence, but rather by the correct application of the sequential approach and Plan making Justification Test. It follows that a decision on the zoning of any lands should not be delayed on the basis that a future flood defence scheme might be implemented.

The OPW submission on the Material Alterations stated:

“If a land use zoning cannot be justified, the zoning should be avoided or alternatively, should be substituted for a land use zoning appropriate to the level of flood risk.”

The submission by the OPW sets out that on the basis of the LCCC SFRA, which stated the subject lands do not pass the Justification Test, the lands should not be zoned. The OPW submission is not however an interrogation of the SFRA to determine if the Justification Test was applied correctly. This submission appears to have been misinterpreted by LCCC and the OPR and utilised to bolster the arguments in the OPR Recommendation.

We would respectfully point out that the purpose of the Development Plan is to ensure that all future development (including flood defence infrastructure) is appropriately planned to meet the strategic needs of the area. In other words, the strategic development of the city should come first and inform the requirements of any future flood defence infrastructure, not the other way around.

With respect to policy objectives to support the development of flood relief schemes, the OPW recommends that *‘the text in these objectives could be clarified to ensure zoning or development proposals support and do not impede or prevent the progression of these measures’*. The OPW does not suggest that development is put on hold until flood defence schemes are in place.

In summary, it is submitted that there is a clear strategic planning, technical engineering and economic rationale for the zoning of the subject lands as enterprise and employment on the basis of:

- the sequential approach – the lands are an infill site within the built up area;
- the requirement for lands to facilitate employment uses to ensure the competitiveness of Limerick and National Objectives to counterbalance Dublin,
- the lands being serviced;
- the presence of an existing public transport corridor, planned to be enhanced by BusConnects;
- the availability of other complementary uses at the District Centres, such as retail services and considerable residential hinterland and the achievement of a compact urban form in a 15 minute city;
- The extensive technical analysis and flood risk assessment undertaken by ARUP
- The designation of Dooradoyle District Centre as a Strategic Employment Location in the adopted Limerick City and County Council Development Plan, with c 1,500 employees currently

The single issue is the potential flood risk on the lands and it is submitted that the Plan Making Justification test has not been correctly applied in this instance and there are robust safeguards built into ECON04/MA13 in relation to the assessment of any proposals for the development of the lands in the context of flood risk. This is an approach which has been followed successfully in other inner urban areas in other cities, such as the Ballsbridge, Donnybrook and Sandymount areas of Dublin City. It is an approach which is fully consistent with the Flood Risk Guidelines for Planning Authorities, which also delivered on key objectives of national, regional and local planning policy for the achievement of a more sustainable and compact urban form.

It is therefore respectfully requested that the Limerick City and County Development Plan is adopted with Material Alteration 148 in the interests of the future proper planning and sustainable development of Limerick.

Appended to this letter is a response to the Plan Making Justification Test with respect to the subject lands.

Our client would be most appreciative if this letter is taken into consideration in considering any Direction.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "John Spain Associates", written over a horizontal line.

John Spain Associates

PLAN MAKING JUSTIFICATION TEST

Plan Making Justification Test Criteria	SFRA Comment	Response
The urban settlement is targeted for growth under the National Planning Framework regional planning guidelines, statutory plans as defined above or under the Planning Guidelines or Planning Directives provisions of the Planning and Development Act 2000, as amended.	The Limerick Shannon Metropolitan Area is targeted for growth under the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) for the Southern Region. The NPF envisages Limerick as the principal focus within the Mid-West Region, with the potential to generate and be the focus of significant employment and housing growth. The RSES includes a Metropolitan Area Strategic Plan (MASP) for the Limerick Shannon area. The MASP supports the NPF's ambitious growth targets to enable Limerick City to grow by at least 50% to 2040 and to enhance its significant potential to become a city of scale.	Agreed
The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the town and in particular:		
i) Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement	The lands are not essential to facilitate regeneration. Within the Metropolitan Area, the area zoned as Limerick's "City Centre" would correspond with the centre of the settlement. Given the distance of these lands from the city centre, they are not essential to facilitate expansion of the centre of the settlement.	<p>This point is strongly disputed.</p> <p>The lands are not essential to facilitate regeneration given their undeveloped nature; however, are essential to facilitate the expansion of the urban settlement. The subject lands are entirely suitable for such expansion given their infill nature and being located adjoining a District Centre with a range of services and amenities and access to high quality public transport.</p> <p>The rationale for the favourable Justification test applied to the Greenpark lands would also apply to the subject lands:</p> <p><i>"The undeveloped area at Greenpark consolidates the existing built up area between the City Centre and the natural boundary presented by the Ballinacurra Creek and N18. These greenfield and brownfield lands are</i></p>

		<i>therefore essential to facilitate expansion and compact growth of Limerick City in accordance with national and regional planning policy”</i>
ii) Comprises significant previously developed and/or under-utilised lands	These are undeveloped greenfield lands.	<p>The SFRA does not fully address this element of the test.</p> <p>The lands are undeveloped however comprise a significantly underutilised land bank in an infill location between two developed areas with exceptionally public transport access in the context of the existing services in Limerick. Therefore, the lands are exceptionally under utilised and should be targeted for development.</p>
iii) Is within or adjoining the core of an established or designated urban settlement	The lands are not within or adjoining the City core.	<p>The criterion of the Flood Risk Guidelines refers to ‘within or adjoining an established or designated urban settlement’.</p> <p>The Flood Risk Guidelines provide a definition for ‘Core of an urban settlement’:</p> <p><i>“The core area of a city, town or village which acts as a centre for a broad range of employment, retail, community, residential and transport functions.”</i></p> <p>Firstly, the lands adjoin a designated District Centre. Secondly the lands comprise an infill site between two existing developed areas.</p> <p>The Dooradoyle District Centre clearly provides a range of services including employment, retail and community uses and the lands are located close to extensive residential areas. The lands are also exceptionally well serviced by bus routes i.e. within the definition of the Guidelines.</p> <p>The Dooradoyle District Centre is an existing significant employment centre, with in the region of 1,500 persons employed.</p>
iv) Will be essential in achieving compact or sustainable urban growth	The delivery of development on these lands is not essential to achieve compact or sustainable growth.	<p>This point is strongly disputed.</p> <p>The contention that the lands are sequentially favourable has been set out in this document. The lands comprise and infill site between two</p>

		developed areas and are the exact sites which should be developed to achieve a compact urban form.
v) There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement	Suitable alternative lands are available for enterprise and employment development elsewhere in areas outside of any flood risk.	<p>These lands are exceptionally well suited for enterprise and employment uses given the existing infrastructure and facilities in place. As previously noted, it is contended by the IDA that there is not sufficient lands proposed in the draft Development Plan to meet the potential needs of inward investment.</p> <p>Large portions of employment lands in the Development Plan are in areas which are established industrial and high technology uses such as Raheen, Annacotty and Ballysimon.</p>
A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the development plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere.	The site is largely within Flood Zones A and B and at risk of flooding from tidally influenced fluvial sources. A FRA was included as part of the submission. This identifies a high risk of breach associated with the existing embankments and resulting high depth of flooding should breach occur. Furthermore, within the Shannon CFRAM, this was identified as a source of flood risk and was highlighted within the Flood Risk Management Plan. The embankments and associated flood protection are now within the scope of the Limerick Flood Relief Scheme, which has been progressed in a partnership project between OPW and Limerick City and County Council.	<p>This is inaccurate and further calls into question the accuracy of the SFRA undertaken on behalf of LCCC. The FRA did not identify a high degree of breach. The report in fact concluded that the likelihood of such a scenario was extremely remote and was easily mitigated. We would note that the detailed site specific SFRA prepared for the site is far more detailed and up to date than the Shannon CFRAMS and that the Shannon CFRAMS does not contain the suitable level of detail required to undertake the Justification Test for the subject site as required by the Guidelines, and that rather the site specific SFRA provided by our client should be used for this purpose. The potential of a future flood relief scheme for the wider Limerick area cannot be used as a justification for delaying the consideration of strategic sites as part of the development plan making process, and the Flood Risk Guidelines do not provide for arguments on prematurity on these grounds.</p> <p>The SFRA provided by ARUP uses the most up to date survey data, flood risk information and highest resolution and accuracy of all available data on flood risk at the subject site and therefore represents the suitable level of detail required by the Guidelines.</p>

		It clearly demonstrates that flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere. Furthermore, it demonstrates not only that it can be developed compatible with any future flood defense scheme, but in fact how such lands can facilitate the early delivery of a scheme which protects a larger area of land and critical sustainable infrastructure routes than the Scheme identified by the CFRAMS study. It is evident that the site specific FRA prepared for the site has considered a vision for the more sustainable flood protected development of the wider Dooradoyle area.
	Conclusion	Response
	The lands within Flood Zone A and B should be retained for water compatible uses as Parts 2 and 3 of the Justification Test have not been passed. Pending the completion of the flood relief scheme the zoning of these lands are considered premature. However, the Local Authority acknowledge that on completion of the flood relief scheme the potential for development of the lands can be re-appraised on foot of an appropriately detailed site specific flood risk assessment.	As set out in the OPW submission, the appropriate use for lands should not be determined pending a Flood Relief Scheme. It is also submitted that having regard to the responses above, and detailed information set out in the accompanying Justification Tests, the lands are suitable and appropriate for the Employment and Enterprise land use zoning objective.
	Recommendation	Response
	Land to be retained as water compatible Semi Natural Open Space.	It is recommended that the Development Plan is adopted with MA148