



**Chief Executive's Report under Section 13(4) of the Planning and
Development Act 2000 (as amended)
in Respect of**

**Proposed Variation No. 1
of
Monaghan County Development Plan 2019 – 2025**

**(Policy NRP 7: To protect the selected route of the N2 upgrade road
scheme between Ardee and Castleblayney and the selected route
between Clontibret and the border with Northern Ireland, and to
prohibit development that could prejudice their future delivery)**

1.0 Introduction and Background

1.1 The Clontibret to NI Border N2 realignment scheme has been a long standing proposed road scheme that is of national and international importance in providing an upgraded road linkage between Dublin and Derry City/Letterkenny and the wider northwest region, including N.Ireland.

1.2 Although a preferred route corridor for the Clontibret to NI Border N2 realignment scheme was selected in 2012 and currently benefits from protection from inappropriate development under the current Monaghan County Development Plan, this is currently being reassessed afresh to ensure compliance with current environmental standards and new legislative, governance and guidance developments since the previous route was selected.

1.3 Given the history of accidents and fatalities on the stretch of N2 road between Ardee and Castleblayney, it is further proposed to upgrade the N2 single carriageway N2 National Road from just north of Ardee to the roundabout at Tullyvin, south of Castleblayney. An announcement on progression of this scheme was made in 2017 and the contract for the design and upgrade of the N2 was officially awarded in late 2018.

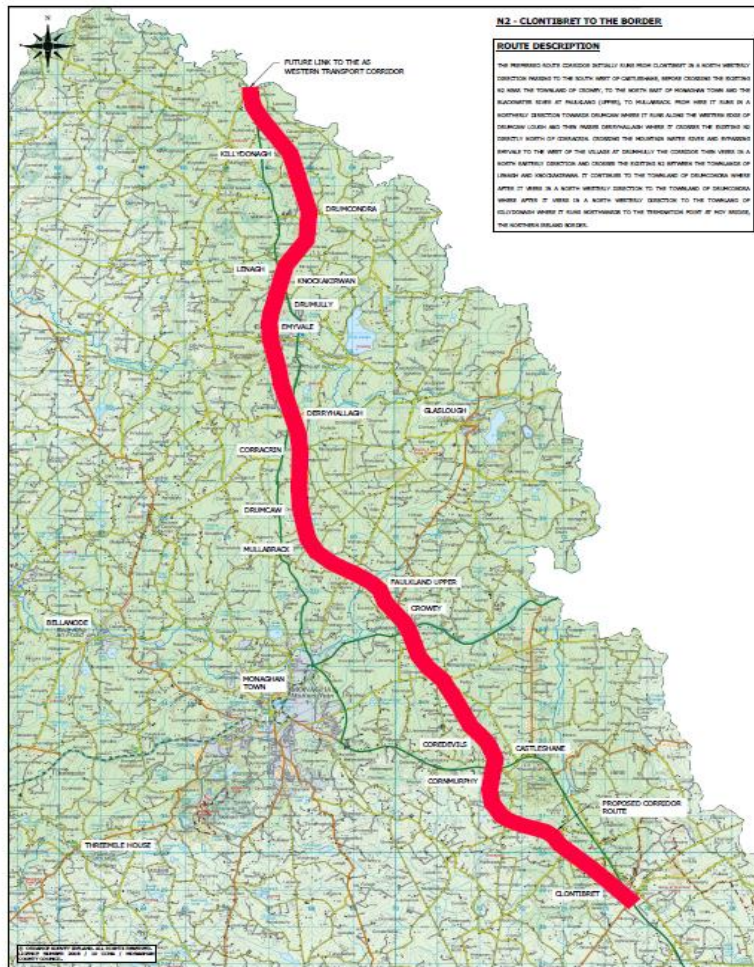
2.0 Current Policy Context of Monaghan County Development Plan 2019 – 2025

2.1 At the time of the decision to upgrade two stretches of the N2 road, the preparation of the Monaghan County Development Plan for the period 2019 to 2025 was at an advanced stage, whereas the selection of the preferred routes for the Clontibret to NI Border and the Ardee and Castleblayney N2 schemes were at the initial stages. Consequently, there is a need to update the current policy set out in the county development plan accordingly to ensure it is consistent with recent developments in relation to the selection of the preferred routes.

2.2 The N2 is mentioned in Section 7.1 of the Monaghan County Development Plan 2019 – 2025 as follows:-
“The National Planning Framework specifically references the N2/A5 (Clontibret to Tyrone/NI Border) roads project. It is considered that this route should be prioritised given its strategic importance and the lack of any direct rail infrastructure serving significant urban areas in the northwest along the route of the N2/A5.”

2.3 A map of the previously selected preferred route corridor of the N2 realignment is also included in this section as set out in Figure 7.0 of the development plan (refer overleaf).

2.4 Section 7.2 Regional Context of the development plan contains a reference to North-western Route (N2/A5) as one of four key road transport linkages in the Region.



Route of N2/A5 Upgrade

2.5 A specific policy (TP04) in section 7.6 of the development plan states:-

“To plan for future traffic and transportation needs in County Monaghan and to ensure that new development does not prejudice the expansion of road and cycling corridors in the County. Proposed road routes, road realignment schemes and future cycle route corridors shall be kept free from free development that would compromise their future delivery.”

2.6 The development plan in Section 7.8 also states:-

“The N2 is part of the Trans-European transport Network (TEN-T) and is categorised as being part of the “comprehensive network”, a multi-modal network of relatively high density which provides all European regions (including peripheral regions) with an accessibility that supports their further economic, social and territorial development as well as the mobility of their citizens.”

2.7 It is also recognised in the development plan that Transport Infrastructure Ireland (TII) have “committed to providing additional funding for an online upgrade of the N2 extending from north of Ardee to south of the

Castleblayney bypass and that this project is at preliminary design stage”, being a joint project between Monaghan County Council and Louth County Council.

2.8 Both the N2 Clontibret to Border scheme and the Ardee to Castleblayney scheme are specifically mentioned in table 7.2 of the development plan as a strategic national road proposals. These national road projects which form key routes and linkages with other development centres, sea ports and airports, will be advanced in partnership with Transport Infrastructure Ireland.

Scheme Ref	Road	Route	Timeframe
1	N2/ A5	Clontibret – NI Border	At design stage
2	N2	Ardee – Castleblaney Road Upgrade	At design stage
3	N2/N54	Monaghan Town Northern link Route Road Link	At outline stage
4	N54	Clones By-Pass	At outline stage
5	N53/N2	Dundalk Road-Tullyvin Roundabout Road Link	At outline stage
6	N53	Ballynacarry Bridge Replacement	At outline stage

Strategic National Road Proposals for County Monaghan

2.9 Section 7.8.1 sets out National Roads Policy and in relation to the N2 National Route policy NRP5 states:-
“To seek to progress and ensure the upgrade of the N2 in co-operation with Transport Infrastructure Ireland and the relevant adjoining local authorities.”

3.0 Proposed variation

3.1 As previously stated there is a need to update the current policy set out in the county development plan to ensure it is consistent with recent developments in relation to the selection of the preferred routes for the Clontibret to NI Border and Ardee and Castleblayney N2 Schemes. In particular, Section 7.8.1 is required to be amended by a variation to the county development plan.

3.2 Section 7.8.1 sets out National Roads Policy and in relation to the N2 National Route and although policy NRP5 seeks to progress and ensure the upgrade of the N2 in co-operation with Transport Infrastructure Ireland and the relevant adjoining local authorities, it is proposed that in addition to this general policy relating to the upgrading of the N2, the following specific policy should be incorporated within the County Development Plan:-

NRP 7: To protect the selected route of the N2 upgrade road scheme between Ardee and Castleblayney and the selected route between Clontibret and the border with Northern Ireland, and to prohibit development that could prejudice their future delivery.

4.0 Legislative Context

4.1 Section 13(1) of the Planning and Development Act 2000 (as amended) states that, “A Planning Authority may at any time, for stated reasons, decide to make a variation of a development plan which for the time being is in force.” Where a planning authority proposes to make a variation in a development plan, it shall-

- a) *Send notice and copies of the proposed variation of the development plan to the Minister, the Minister for Arts, Heritage and the Gaeltacht, the Board, the relevant regional assembly, and, where appropriate, to any adjoining planning authority, the prescribed authorities, and any local community development committee within the area of the development plan,*
- b) *Publish notice (in prescribed form) of the proposed variation of the development plan in one or more newspapers circulating within that area.*
- c) *Not later than 8 weeks after giving notice under subsection 2, the chief executive of the planning authority shall prepare a report on any submissions or observations received under that subsection and shall submit a report to the members of the authority for their consideration.*
- d) *The report shall be in a specified form listing the persons or bodies who made submissions or observations, summarise the recommendations, submissions and observations made by the persons or bodies in the submissions, and give the response of the chief executive to the issues raised, taking account of the proper planning and development of the area, statutory obligations and relevant policies and objectives for the time being of the Government or of any minister of the Government.*
- e) *The Members of a planning authority shall consider the proposed variation and the report of the chief executive, and may as they consider appropriate, by resolution make the variation, with or without modifications, or they may refuse to make it. A further modification to the variation may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site but shall not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures.*

4.2 An Appropriate Assessment screening exercise in respect of the potential impacts of the proposed variation upon Natura 2000 sites (Special Areas of Conservation and Special Protection Areas) was carried out in accordance with Section 177U of the Planning and Development Act 2000 (as amended). The Planning Authority concluded that the proposed variation would have no impacts upon designated sites within or adjoining the County and therefore no Appropriate Assessment was required.

4.3 A screening exercise in accordance with Article the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended) was carried out. The Planning Authority concluded that the proposed variation is not likely to have any significant impacts on the environment and therefore a strategic environmental assessment report is not required.

5.0 Consultation, Submissions and Observations Received

5.1 The proposed variation to the County Development Plan was advertised in the Northern Standard newspaper on 31st October 2019, with submissions and observations from the public invited on the proposed variation, up to, and including 29th November 2019. The documentation was available on the County Council website. Consultations were also issued to the prescribed bodies as set out in the Planning and Development Act 2000 (as amended). Submissions and observations were invited on the proposed variation from the 31st October to 29th November 2019.

5.2 A total of eight submissions were received. An assessment of these submissions and the response are provided in the table below.

Ref.	Name	Body/Address	Issues Raised
1	Alan Hanlon	Department of Education and Skills Site Acquisitions and Property Management Portlaoise Road, Tullamore, Co. Offaly	No comment
Response: Noted.			
2	Karen Donovan	The Office of Public Works, Engineering Services Administration Unit Jonathan Swift Street, Trim, Co. Meath	Notes the continued commitment to adhere to the appropriate application of the Planning System and Flood Risk Management Guidelines (2009) and Circular PLO2/2004. No changes to zoning designations in areas at risk of flooding should be made without an appropriate flood risk assessment being carried out and appropriate justification for any decisions.
Response: Noted and accepted.			
3	Michael McCormack Senior Land Use Planner	Transport Infrastructure Ireland Parkgate Business Centre, Parkgate Street, Dublin 8,	Welcomes variation in the interests of safeguarding the selected route of the proposed road schemes. Section 2.9 of the Spatial Planning and National Roads Planning Guidelines requires development plans to identify lands required for future national road projects, protect them from development and ensure that adjacent sensitive uses are compatible with the construction and operation of the road. The guidelines also state that development objectives should not compromise the route selection process, particularly where potential route corridors or upgrades have been identified.

			<p>Pending the identification of a preferred route corridor, route corridor options must be kept free from development and adjacent sensitive development must be compatible with the construction and operation of the road.</p> <p>It is proposed that consideration be given to alteration of the text of the variation to substitute the words “<i>selected route</i>” with the words “<i>potential route corridors and thereafter the preferred route corridor</i>”.</p> <p>Significant Exchequer investment has been directed to the development of road schemes and it is considered that the proposed text amendments would safeguard the investment made.</p> <p>The proposed amendments should be incorporated within the proposed variation prior to adoption in the interests of adhering to national policy.</p>
<p>Response: Whilst it is accepted that no development should be permitted which could prejudice the future delivery of the proposed road schemes, it is considered appropriate to protect the final selected route of each upgrade when determined.</p>			
4	Claire O'Dwyer Principal Environmental Health Officer	Health Services Executive (North East) Environmental Health Office The Arcade, Main Street, Cavan	<p>The Emergency Planning Department, Estates Department, Assistant National Director for Health Protection and Regional Director for Performance and Integration of HSE were made aware of the consultation.</p> <p>Environment Health Service has no objection to the proposed variation.</p> <p>Department of Public Health supports the actions outlined in the County Development Plan that can create a shift towards public and active transport modes as a well designed public and active transport system can mitigate against the adverse impacts of transport.</p> <p>The shift from private transport modes to public transport modes, the expansion and enhancement of rapid and frequent public transport and active transport network, the prioritisation and integration of direct, well designed, high quality and safe walking and cycling routes, the provision of secure cycling infrastructure, addressing affordability and accessibility to public transport, and the accelerated roll out of electrified vehicles to reduce emissions from the road network are supported and recommended.</p> <p>Appendix setting out Public Health responsibilities is attached to the submission.</p>
<p>Response: Noted and accepted.</p>			
5	Nicci Nolan Senior Executive Planner	Eastern and Midland Regional Assembly Floor 3 North, Ballymun Civic Centre, Main Street, Ballymun, Dublin 9	<p>The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region (EMRA) was made on 28th June 2019 and county development plans or any variation must be consistent with the relevant RSES.</p> <p>The RSES for the EMRA highlights the significance of the TEN-T network, supporting its improvement and protection through Regional Policy Objectives 8.11 and 8.16 and its role in ‘Strategic Connectivity’ as a growth enabler for the Region.</p>

			<p>The RSES for the EMRA recognises the importance of maintaining, improving and protecting the strategic function of key transport corridors and the N2 Ardee to south of Castleblaney project is of strategic importance to the Eastern and Midland Region in terms of investment in improved strategic road connectivity.</p> <p>Regional Policy Objective 8.10 of the RSES for the EMRA supports the appraisal and or delivery of this road project as set out in Table 8.4 of the RSES subject to the outcome of appropriate environmental assessment and the planning process.</p> <p>The proposed variation to include a new national roads policy objective to protect the selected route of the N2 upgrade road scheme between Ardee and Castleblaney is welcomed by the Eastern and Midland Regional Assembly.</p> <p>The proposed variation will align with Regional Policy Objective 8.10 of RSES for the EMRA which supports the investment and delivery of the proposed project as part of improved strategic road connectivity within the Region and the wider Ten-T network.</p> <p>The proposed variation underwent a Screening for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) and it was concluded that the proposed Variation will not result in any significant adverse environmental effects nor likely significant effects to European sites.</p> <p>The proposed variation to include new Policy NRP 7 is consistent with the EMRA RSES 2019-2031.</p>
Response: Noted and accepted.			
6	David Galvin	Environmental Protection Agency SEA Section Office of Evidence and Assessment Regional Inspectorate Inniscarra Co. Cork	<p>Notes determination that SEA is not required for proposed variation No. 1.</p> <p>Monaghan County Council should ensure that the variation remains consistent with the relevant objectives and policy commitments of the National Planning Framework and the Northern and Western Regional Spatial and Economic Strategy.</p> <p>Monaghan County Council should ensure that the variation is consistent with the need for proper planning and sustainable development. Adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the variation.</p> <p>Monaghan County Council should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.</p> <p>Monaghan County Council should also ensure that the variation is consistent with key relevant higher-level plans and programmes.</p>

			<p>The recommendations, key issues and challenges described in the most recent State of the Environment Report Ireland's Environment – An Assessment 2016 (EPA, 2016) should be considered, as relevant and appropriate to the variation.</p> <p>Where modifications are proposed, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 2A of the SEA Regulations (S.I. No. 436 of 2004)</p> <p>Monaghan County Council should ensure that the variation complies with the requirements of the Habitats Directive where relevant. Where Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and the Variation.</p>
Response: Noted and accepted. It is considered that the proposed variation is consistent with national policy, regional policy, and key relevant higher-level plans and programmes.			
7	Maude Ní Bhrolcháin Higher Executive Officer	Office of the Planning Regulator Statutory Plans Evaluation Block C, 77 Sir John Rogerson's Quay, Grand Canal Dock, Dublin 2	<p>Notes that the proposed variation does not provide for the development of or improvement / upgrading of the N2 national road, rather it provides for the protection of the selected routes for road improvements.</p> <p>Considers that the proposed variation no. 1 will complement existing policies in the Monaghan County Development Plan 2019-2025, National Planning Framework and draft Regional Spatial and Economic Strategy relating to the upgrading of the N2 national road.</p> <p>Welcomes the proposed variation and urges the authority to finalise same and has no specific recommendations to make under the provisions of Section 31AM(3)(a) of the Act.</p>
Response: Noted and accepted.			
8	Elaine Heneghan Regional Forward Planning Specialist	Irish Water Asset Strategy and Sustainability Unit 6, N5 Business Park, Moneen Rd, Castlebar, Co. Mayo	<p>Several of the proposed route options have the potential to impact Irish Water assets and it will be necessary to protect, access and maintain these assets and carry out upgrades and new network infrastructure over time.</p> <p>All necessary measures should be incorporated into the road design to protect and maintain access to Irish Water infrastructure and on going engagement is required.</p> <p>The Ardee to Castleblayney road upgrade has the potential to impact water and wastewater networks at Carrickmacross and Castleblayney.</p> <p>The Clontibret to Border road upgrade has the potential to impact water and wastewater networks at Monaghan Town and Emyvale.</p>
Response: Noted and accepted.			

6.0 Conclusion and Recommendation

6.1 It is considered that the proposed variation accords with the obligations of the Planning Authority under the Planning and Development Act 2000 (as amended) to provide for the proper planning and sustainable development of the area, in that it will allow the Planning Authority to protect the selected routes of the upgrade of the N2 from Clontibret to the Border and between Ardee and Castleblayney when identified, from inappropriate development that may compromise the progression of these upgrades or prejudice their future delivery.

6.2 Having regard to the above, it is considered that this proposed variation of the Monaghan County Development Plan 2019 – 2025 as set out would be in the interests of the proper planning and sustainable development of the county. Consequently, it is recommended that the proposed variation be adopted by the elected members, subject to a minor amendment to remove the word 'online' in the accompanying text of Section 7.8 of the County Development Plan as set out in paragraph 2.7 of this report, to ensure there is no conflict between the proposed policy and the existing text.

Eamonn O'Sullivan
Chief Executive