

**DRAFT DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)
Laois County Development Plan 2021-2027**

“Development Plan” means the Laois County Development Plan 2021-2027

“Planning Authority” means Laois County Council

WHEREAS the powers and duties of the Minister for Housing, Local Government and Heritage under the Planning and Development Act 2000 (as amended), other than the power to prosecute an offence, have been delegated to the Minister of State at the Department of Housing, Local Government and Heritage pursuant to the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S.I. 559 of 2020).

WHEREAS the Minister of State at the Department of the Housing, Local Government and Heritage in exercise of the powers conferred on him by Section 31 of the Planning and Development Act 2000 (as amended) ("the Act"), and consequent to a recommendation made to him by the Office of the Planning Regulator under Section 31AM(8) of the Act hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Laois County Development Plan 2021-2027) Direction 2022.
- (2) The Planning Authority is hereby directed to take the following steps:
 - a. Delete the setback distance of 1.5 km from Section 6.1 – Buffer Zones which is contained in the Development Control Standards for wind farms in County Laois in Section 6 of Appendix 5: Wind Energy Strategy of the adopted Development Plan.

- b. Take such steps as are required to identify, on an evidence-basis and using appropriate and meaningful metrics, the target which County Laois can contribute in delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period, and in particular wind energy production and the potential wind energy resource (in megawatts), and to amend the adopted Plan accordingly.
- c. Delete policy *'Developments shall be no more than 3 storey on greenfield sites'* from the adopted Development Plan.
- d. Reinstate the following zoning objectives to that of the draft Plan consistent with the recommendations of the Chief Executive's Report dated 17th November 2021.
 - (i) Zoning amendment 85 (Portlaoise) – Revert from R2 New Residential Development and reinstate the zoning status of the subject land to that of the draft Plan i.e. the subject land reverts to not zoned.
 - (ii) Zoning amendment 86 (Portlaoise) – Revert from R2 New Residential Development and reinstate the zoning of the subject land to that of the draft Plan i.e. the subject land reverts to Transport and Utilities.
 - (iii) Zoning amendment 89 (Portlaoise) – Revert from R2 New Residential Development and reinstate the zoning of the subject land to that of the draft Plan i.e. the subject land reverts to Strategic Reserve.
 - (iv) Zoning amendment 92 (Stradbally) – Revert from R2 New Residential Development and reinstate the zoning status of the subject land to that of the draft Plan i.e. the subject land reverts to not zoned.

STATEMENT OF REASONS

- I. The Laois County Development Plan 2021 – 2027 as made is inconsistent with Ministerial Guidelines issued under Section 28 of the Act, specifically items 2 and 3 of the Specific Planning Policy Requirement contained in the Interim Guidelines for Planning Authorities on *Statutory Plans, Renewable Energy and Climate Change (2017)*, and the requirement for the planning authority to comply with the aforementioned Specific Planning Policy Requirements under Section 28(1C) and 12(18). The development plan as made therefore fails to set out an overall strategy for the proper planning and sustainable development of the area.

- II. The Laois County Development Plan 2021 – 2027 as made is inconsistent with Ministerial Guidelines issued under Section 28 of the Act, specifically Specific Planning Policy Requirement 1 contained in the *Urban Development and Building Height Guidelines (2018)*, and the requirement for the planning authority to comply with the aforementioned Specific Planning Policy Requirements under Section 28(1C) and 12(18). The development plan as made therefore fails to set out an overall strategy for the proper planning and sustainable development of the area.

- III. The Development Plan as made includes material amendments to the draft Plan, that are inconsistent with the evaluation of the Strategic Environmental Assessment and which individually and cumulatively are not consistent with the Core Strategy, national and regional planning policy, and the proper planning and sustainable development of the area, including:
 - a. Land zoned for residential development located in peripheral locations remote from the existing settlement, inconsistent with the requirements for compact growth in NPO 3c and RPO 3.2, and the sequential approach to development having regard to Section 4.19 of *Development Plans Guidelines for Planning Authorities (2007)*.

- b. Land zoned for residential development in excess of that needed to meet the Core Strategy housing supply targets for Portlaoise and Stradbally in the adopted Plan, and which would further undermine the achievement of the brownfield development targets in the Core Strategy Table.

The development plan as made therefore fails to set out an overall strategy for the proper planning and sustainable development of the area.

- IV. The Development Plan has therefore not been made in a manner consistent with the recommendations of the Office of the Planning Regulator under Section 31 AM and fails to set out an overall strategy for the proper planning and sustainable development of the area.

GIVEN under my hand,

A handwritten signature in blue ink, appearing to read "Peter Burke". The signature is written in a cursive style with a large initial "P".

Minister for Local Government and Planning

7th March 2022