



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

Office of the Planning Regulator Activity Report

Quarter 2 of 2024



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Introduction

This is the seventeenth of a series of quarterly activity reports that the Office of the Planning Regulator (the OPR) will publish on its website as an overview of the nature and extent of its functions across its statutory mandate. These are:

- i. evaluation of the statutory plans of the local government system;
- ii. reviews and examinations of local authority systems and procedures used in the delivery of planning services to the public; and
- iii. undertaking programmes relating to training, education, research and public awareness in relation to the benefits of planning.

Evaluation of Statutory Plans

The OPR is responsible for independently assessing city/county development plans and local area plans at three key stages: issues paper, draft plan and material alterations. The OPR also considers any proposed variations to existing city/county development plans or amendments to local area plans. OPR submissions may include recommendations, observations or advice.

In Q2 of 2024, 12 consultations on statutory plans opened for public consultation. These consultations related to: four consultations for issues papers, five consultations for material alterations and three consultations for draft local area plans.

OPR Submissions on Statutory Plans

In Q2 2024, the OPR made 17 submissions to local authorities. Table 1 sets out a breakdown by plan-type. In Q2 the majority of submissions related to local area plans.

Table 1: Submissions on Statutory Plans

Material Alterations to County Development Plans: <ul style="list-style-type: none"> Draft Donegal County Development Plan 2024-2030 	1
Variations to City/County Development Plans: <ul style="list-style-type: none"> Variation No. 1 to the Meath County Development Plan 2021-2027 Variation No. 2 to the Meath County Development Plan 2021-2027 Variation No. 2 to the Louth County Development Plan 2021-2027 	3
Issues Papers for Local Area Plans: <ul style="list-style-type: none"> Arklow Local Area Plan Blessington Local Area Plan Tullow Local Area Plan 2024-2030 Monasterevin Local Area Plan 2025-2031 Carrick-on-Suir Local Area Plan 2025-2031 Tipperary Town Local Area Plan 2025-2031 	6
Draft Local Area Plans: <ul style="list-style-type: none"> Draft Portlaoise Local Area Plan 2024-2030 	1
Material Alterations to Local Area Plans: <ul style="list-style-type: none"> Draft Westport Local Area Plan 2024-2030 Draft Loughrea Local Area Plan 2024-2030 Draft Carlow-Graigucullen Joint Urban Local Area Plan 2024-2030 Draft Roscommon Town Local Area Plan 2024-2030 	4
Amendments to Local Area Plans: <ul style="list-style-type: none"> Amendment No.1 of the Kilmallock Local Area Plan 2019-2025 Amendment No. 1 to the Callan Local Area Plan 2019-2028 	2
Total	17

Table 1 | Submissions on Statutory Plans

OPR Submissions by Regional Area

Local authorities are divided into three regional areas, represented by three regional assemblies: the Eastern and Midland Regional Assembly (EMRA), the Northern and Western Regional Assembly (NWRA) and the Southern Regional Assembly (SRA).

OPR submissions during Q2 2024 related to all Regional Assembly areas. Figure 1 shows the number of submission made on consultations within each regional assembly area.¹

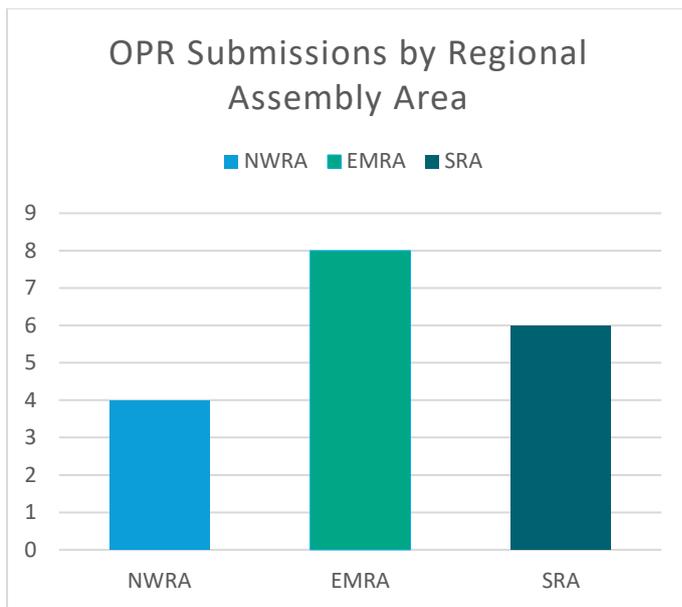


Figure 1 | OPR Submissions by Regional Assembly Area

¹ The chart 'OPR Submissions by Regional Assembly Area' notes 18 submissions rather than 17, as noted in Table 1, because the Carlow-Graigucullen Joint Urban Local Area Plan 2024-2030 is recorded here as a submission in both EMRA and SRA (Laois and Carlow).

OPR Recommendations and Observations

The OPR may make recommendations or observations in its submissions at the draft and/or material alterations stage. Due to the high-level nature of issues papers, the OPR does not make observations or recommendations at this stage.

Recommendations issued by the OPR relate to clear breaches of: relevant legislative provisions; the national or regional policy framework; and Government policy, as set out in the Ministerial guidelines under section 28 of the Act. The local authority is required to implement or address recommendation(s) made by the OPR.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The OPR requests that local authorities action an observation.

Table 2 sets out the number of observations and recommendations made by the OPR in Q2 2024.²

Table 2: Recommendations and observations made by the OPR			
	Submissions (number)	Recommendations (number)	Observations (number)
Material Alterations to City/County Development Plans	1	8	-
Variations to City/County Development Plans	3	3	-
Draft Local Area Plans	1	3	2
Material Alterations to Draft Local Area Plans	4	10	3
Amendments to Local Area Plans	2	-	1
Total	11	24	6

Table 2 | Recommendations and observations made by the OPR

² As the OPR does not issue recommendations or observations at Issues Paper stage these figures do not relate to submissions made at issues paper stage.

OPR Recommendations and Observations: Legislative Categories

The evaluation and assessment of plans considers the following legislative and policy matters:

- Consistency with the National Planning Framework (NPF);
- Consistency with the relevant Regional Spatial and Economic Strategy (RSES);
- Consistency with the relevant Development Plan (DP);
- Relevant guidelines for planning authorities made under section 28 of the Planning and Development Act 2000, as amended (the Act), including consistency with specific planning policy requirements (SPPR) specified in those guidelines;
- Consistency with the NTA Transport Strategy (if in the Greater Dublin Area);
- Consistency with the legislative provisions for statutory plans as provided for under the Act;
- Consistency with legislative provisions in relation to Climate Action.

A breakdown of the recommendations and observations made in Q2 by legislative category is contained in Tables 3 and 4. As recommendations can cover more than one legislative provision, the numbers presented in these tables (Table 3 and 4) differ from the total number of recommendations listed above in Table 2.

The most common themes across the recommendations and observations issued in Q2 2024 were consistency with the relevant DP and RSES and policy matters regarding relevant guidelines for planning authorities made under section 28 of the Act.

Table 3: OPR Recommendations	Number
Consistency with NPF	7
Consistency with RSES	15
Consistency with DP	12
Consistency with NTA TS for GDA	-
Policy Matters re section 28 Guidelines	9
Consistency with Legislative Provisions	5
Consistency with Legislative Provisions re Climate Change	3
Other	5
Total	56

Table 3 | OPR Recommendations

Table 4: OPR Observations	Number
Consistency with NPF	-
Consistency with RSES	-
Consistency with DP	-
Consistency with NTA TS for GDA	-
Policy Matters re section 28 Guidelines	1
Consistency with Legislative Provisions	1
Consistency with Legislative Provisions re Climate Change	-
Other	2
Total	4

Table 4 | OPR Observations

Adopted Plans – Outcome of OPR Submissions

Once a plan has been adopted, the OPR has four weeks to assess the plan as adopted and determine whether the plan aligns with national and regional policy and has satisfactorily addressed the recommendations made by the OPR.

The Donegal County Development Plan 2024-2030 was adopted by in Q2 2024. The Office made 27 recommendations in total at the draft and material alterations stages of this plan. In addition, the Kenmare Municipal District Local Area Plan 2024-2030 and the Westport Local Area Plan 2024-2030 were adopted. A total of 17 recommendations were made at the draft and material alterations stages. The recommendations of the Office were not all satisfactorily addressed for these three plans, this is explored further in the below sections.

In addition, four variations were made: Variation 5 to the Dublin City Development Plan 2022-2028, Variation No. 1 to the Meath County Development Plan 2021-2027, Variation No. 2 to the Meath County Development Plan 2021-2027 and Variation No. 2 to the Louth County Development Plan 2021-2027; and the proposed Amendment No. 1 of the Kilmallock Local Area Plan 2019-2025 was made. The OPR did not make any recommendations to the Minister regarding these.

Directions

Further to section 31AM of the Act, where the OPR is of the opinion that a plan has been made in a way that is not consistent with any recommendations made by the OPR and that the plan has been made in a manner which fails to set out an overall strategy for the proper planning and sustainable development of the area concerned, the OPR may deem that it is merited for the Minister to issue a direction.

In Q2 2024, the OPR issued a recommendation to the Minister of a draft Direction on the Donegal County Development Plan 2024-2030, Kenmare Municipal District Local Area Plan 2024-2030 and Westport Local Area Plan 2024-2030.

The OPR also issued a recommendation of a final direction on the Athenry Local Area Plan 2023-2029 during Q2 2024. Following this, the Minister issued their final recommendation on this plan in Q2 2024.

Note: *The OPR's submissions and recommendations to the Minister can be found on the [OPR website](#). Please note that Final Directions are only published once the direction process has been complete.*

Stakeholder Engagement

Engagement with Local Authorities

During Q2, the OPR continued to engage with local authorities, meeting with Meath County Council. This engagement allows the OPR to answer queries or discuss key matters regarding proposed plans, and to provide additional information, such as policy updates, which may support the work of the local authority during the plan-making process.

Plans Evaluation Forum

The OPR hosted one meeting of the Plans Evaluation Forum, in June 2024, which enabled discussions between all organisations on statutory plans subject to public consultation over that period.

Reviews and Examinations

Case Handling

Case activity

The OPR provides a service to the public in relation to a variety of planning-related case types including queries or general information requests, submissions on aspects of the operation of the planning process, and complaints about the delivery of planning services.

During **Q2**, a total of **52** cases were received and **66** cases were closed by the OPR, detailed by month in Figure 2.

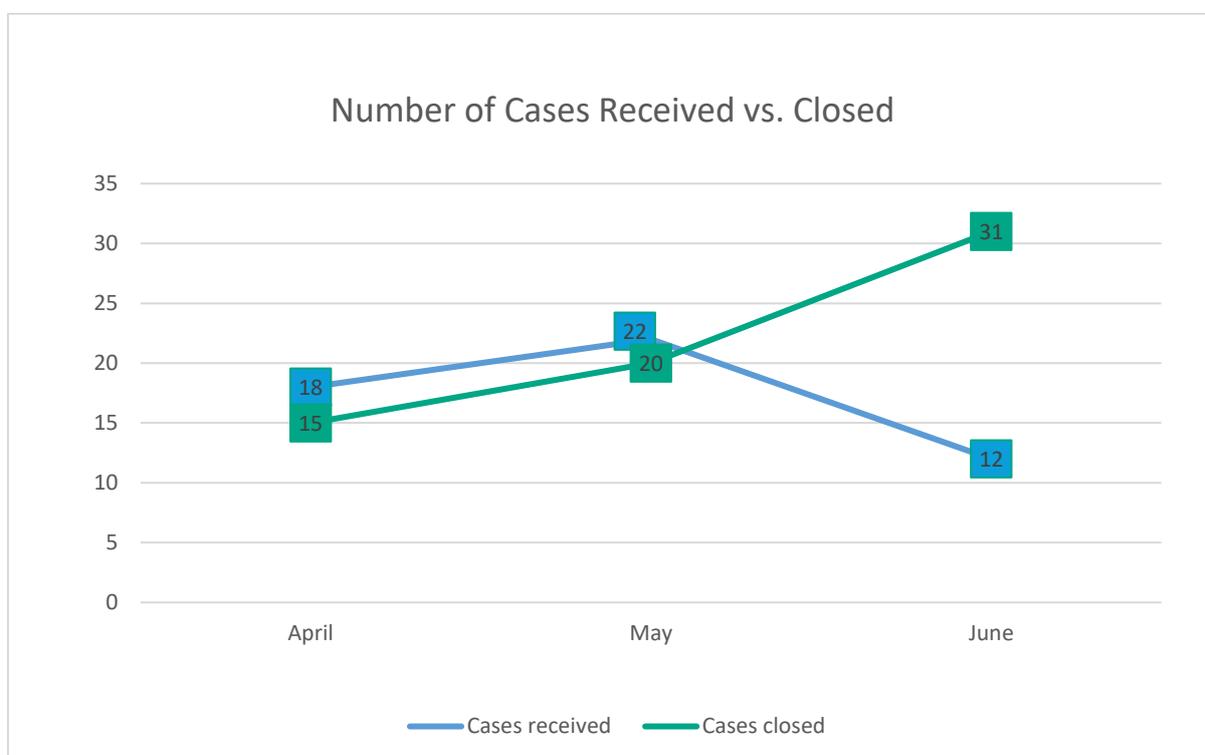


Figure 2 | Cases received vs. cases closed Q2, 2024

The **66** cases closed in **Q2** are outlined below and in Figure 3:

- **36** complaints (54.5%)
- **23** queries (35%)
- **7** submissions (10.5%)

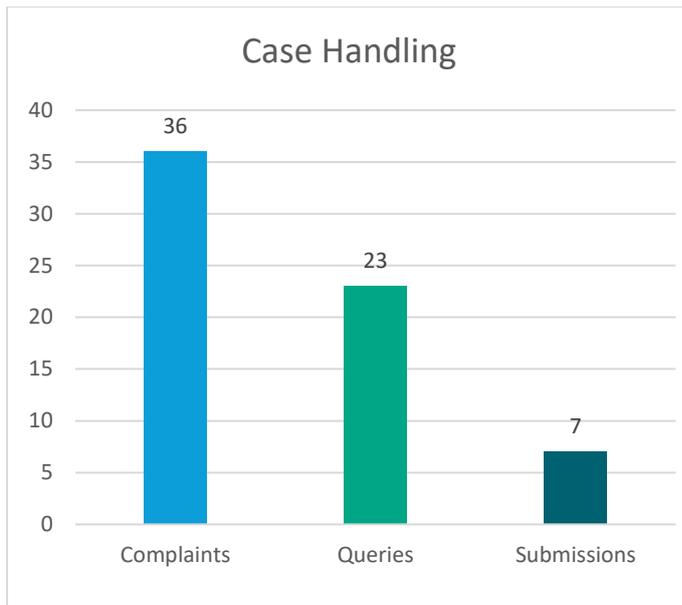


Figure 3 | Case types

While some of the cases received can be handled in a relatively straightforward manner, many of the cases involve the consideration of voluminous and complex technical detail and may require additional information gathering in order to reach the best outcome.

Often, especially with regard to complaints, the processing of cases can be time consuming, involving a series of correspondence with the customer and / or the relevant local authority. This comprehensive approach ensures a thorough understanding of the complexities involved and facilitates effective resolutions.

While a broad range of themes arose in the OPR’s case handling during Q2³, a number of dominant themes prevailed. As can be seen in Figure 4, the most common single theme was individual planning cases (occurring in 22% of cases) followed closely by issues associated with Customer Service (at 20%).

The theme entitled ‘*other*’ includes a variety of issues such as: stages of judicial review and the uploading of planning lists among other issues (at 6%).

³ Given the complexity of some cases which may be cross-cutting in nature, they may be assigned more than one theme where relevant. As such, a total of 103 individual themes were assigned to 66 closed cases in Q 2.

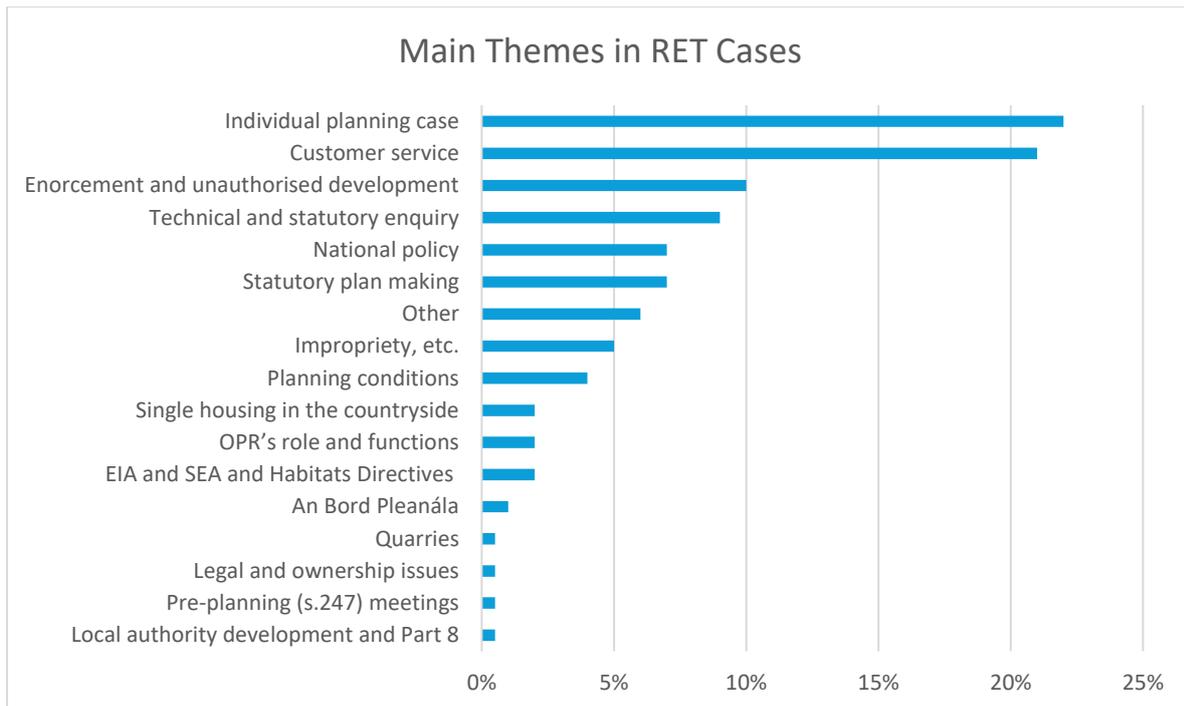


Figure 4 | Main themes of cases closed⁴

Complaints

The statutory provisions are precise with regard to the types of complaints that fall within the OPR's remit to examine. For a complaint to be considered examinable under the legislation, it must relate to the organisation of the local authority and of the systems and procedures used by it in the performance of its planning functions.

Where a complaint is considered appropriate to our statutory remit we will conduct a preliminary examination of the matters raised. This involves gathering relevant information, including from the local authority concerned.

With regard to the **66** complaints closed during **Q2**, based on the procedural matters raised, the OPR gave preliminary examination to **10** (15%) of these complaints.

Two of these complaints were upheld. Both of these complaints related to the issuing of notifications to individuals that had made third party observations, in relation to a Part 8 local authority development and the receipt of significant further information on a planning application respectively.

In **eight** of these complaints, though the preliminary examination of the issues raised, the specific cases did not provide sufficient evidence to represent a systemic concern that the relevant local authorities had not followed proper procedure. Of note, **five** of these cases related to **enforcement and unauthorised development**.

Planning Authority Reviews Programme

Through its reviews programme, the OPR fulfils an important oversight and monitoring role in relation to the systems and procedures used by local authorities in the performance of their statutory planning functions.

Review of Meath County Council

Following engagement with the Council and Minister for Housing, Local Government & Heritage on a draft report, the OPR published the Meath County Council review in **Q2** of 2024.

Overall, following a robust review process, the OPR found that Meath County Council's planning performance is satisfactory, with the planning department delivering its key statutory functions on an effective basis, and managing a significant programme of work. In this regard, in the region of 1,400 planning applications are being processed annually, a new development plan was adopted following a period of legislative changes, and the progression of projects to assist with the revitalisation and regeneration of towns through various funding streams are a key priority.

The review, in total, made **eight** recommendations regarding how existing service levels can be maintained and improved.

Review of Roscommon County Council

In **Q2**, the OPR made progress with its review of Roscommon County Council. In response to a request for information under section 31AV of the Act, the Council provided comprehensive details about its organisational and management context, statutory planning functions, and wider strategic context. This information is essential for the OPR to develop a clear understanding of the local authority's delivery of its statutory planning functions.

Following an analysis of the provided information, the OPR conducted an intensive schedule of workshops at Roscommon County Council offices in Roscommon town. During these workshops, the OPR engaged with senior management and staff from the planning department to discuss various aspects of the Council's planning operations.

Review of South Dublin County Council

The draft report in relation to the South Dublin County Council review issued to the Council and to the Minister for Housing, Local Government and Heritage. The report will be finalised following the receipt of any feedback.

Local Authority Monitoring

Monitoring the implementation of the OPR's recommendations helps to ensure the integrity of the review process. Monitoring is conducted at six monthly intervals.

During **Q2**, the OPR engaged with local authorities at various stages of implementation. A number of the reviews conducted as part of the pilot programme completed or neared completion of the monitoring cycle, namely;

- Galway City Council – the 24-month progress update was completed
- Louth County Council – the 24-month progress update was completed
- Tipperary County Council – the 24-month progress update was progressed
- Kildare County Council – the 24-month progress update was progressed

On completion of the monitoring cycle, the OPR issued staff surveys to local authorities, requesting feedback on the review process. In addition, a number of recently completed reviews entered the monitoring cycle, specifically;

- Waterford City and County Council – the 6-month progress update was completed
- Offaly County Council - the 6-month progress update was progressed

The OPR's monitoring indicates that our review recommendations are being implemented, or progressed, across the various local authorities, notwithstanding ongoing resourcing challenges being experienced within the local government sector.

An Bord Pleanála Monitoring

Ensuring the implementation of recommendations arising from both phases of the 2022 An Bord Pleanála review continues to be a high priority for the OPR. In this regard, the OPR Office engages with An Bord Pleanála on an ongoing basis, while a high level meeting, including the Chair and Chief Executive of both organisations, was held in April.

Research, Education, Training and Public Awareness

Local Authority and Regional Assembly Staff Training

In Q2, in line with the OPR's statutory mandate to conduct education and training programmes for staff of local authorities and regional assemblies in respect of matters relating to proper planning and sustainable, the OPR, working in conjunction with the County and City Management Association (CCMA) delivered an in-person workshop on the topic of '*Implementing Marine Spatial Planning*'.

Presentations were delivered by:

- Philip Nugent, Assistant Secretary, Department of the Environment, Climate and Communications;
- Karen Creed, Director of Maritime Authorisation, Maritime Area Regulatory Authority;
- Yvonne Doris, Director of Compliance, Enforcement and Revenue Collection, Maritime Area Regulatory Authority;
- Eamonn Kelly, Assistant Secretary General, Maritime Policy, Department of Transport;
- Ciara Kellett, Director of Planning, SID, Climate and Marine, An Bord Pleanála;
- Malachy Bradley, Senior Planner, Fingal County Council; and
- Thomas Watt, Senior Planner, Cork County Council.

The presentations covered:

- Implementing Marine Spatial Planning Processes Effectively and Efficiently;
- The Maritime Area Regulatory Authority's Role in the Maritime Planning Process;
- Offshore Renewable Energy Facilitation and Ports Policy;
- An Bord Pleanála's Role in Consenting in the Maritime Area and Input of Coastal Planning Authorities; and
- The Local Authority Role in Maritime Planning.

The workshop was recorded and the recording was circulated to senior management and staff in local authorities and regional assemblies and is available on the OPR's website.

Publication of Educational Material for Local Authority and Regional Assembly Staff and Other Key Stakeholders

During Q2, the OPR hosted a meeting of the Planning Law Bulletin Steering Group and agreed the case selection for the fourth edition of the '*Learning from Litigation*' bulletin. Thereafter the OPR engaged with legal practitioners to draft the case summaries. These cases included:

- Crofton Buildings Management CLG and Stephanie Bourke v An Bord Pleanála [2024] IESC 12;
- Fionuala Sherwin v An Bord Pleanála [2024] IESC 13;
- Keshmore Homes Limited v An Bord Pleanála [2023] IEHC 369;
- Grafton Group PLC v An Bord Pleanála [2023] IEHC 725
- Peter Sweetman v An Bord Pleanála, Ireland and the Attorney General, Interveners Bradán Beo Teoranta, Galway City Council and the Environmental Protection Agency C-301/22

The fourth edition of the '*Learning from Litigation*' legal bulletin was published in Q2. This edition was shared with stakeholders and promoted extensively via OPR social media accounts. It is intended that the legal bulletin will be published on a quarterly basis.

Implementation of the Learning and Development Strategy for Local Authority Planning Staff

In Q2 work continued on the implementation of the Local Authority Planning Sector Learning and Development Strategy. The OPR held a number of meetings with the Local Authority Services National Training Group's Courseware Development Specialist and supported the establishment of the Courseware Development Group. The OPR nominated a representative to this Group. During Q2 the OPR also assisted in the identification of potential trainers and contributed to an online information briefing for the trainers.

Ministerial Action Plan on Planning Resources

During Q2 the OPR participated in three meetings of the Steering Group, established by the Department of Housing, Local Government and Heritage, to coordinate and oversee the development of a Ministerial Action Plan on Planning Resources. The aim of the Ministerial Action Plan is to increase the pool of planning and related expertise and to bring forward new talent to meet present and future needs. The OPR contributed to the development of the action plan and offered comments and suggestions.

Initial Consortium Steering Group on Planner Apprenticeship Project

During Q2 the OPR was invited to join an Initial Consortium Steering Group (ICSG) for a proposed Planner Apprenticeship Project. The first meeting of this group took place in Q2. The group comprises representatives from the Department of Housing Local Government and Heritage, the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS), the CCMA, the LGMA, An Bord Pleanála, the OPR, the Irish Planning Institute and the private sector. The aim of the ICSG is to develop and submit an initial proposal to the National Apprenticeship Office for the development of a Planner apprenticeship in line with the Public Service Apprenticeship Plan.

Stakeholder Engagement

National Planning Knowledge Group

The National Planning Knowledge Group held its second meeting of 2024 in May. During the meeting the OPR provided an update on the work that is being advanced under the Strategic Planning Research Programme (2023-2025) and as part of the education, training and public awareness brief. Representatives from the International Centre for Local and Regional Development (ICLRD), the Department of Housing Local Government and Heritage, the Housing Agency and TU Dublin's CRAWL research team provided updates to the Group on their work.

County and City Management Association (CCMA) and OPR Engagement Group

A meeting of the CCMA-OPR Engagement Group took place in Q2. During the course of this meeting the OPR briefed the CCMA representatives on the status of the various OPR research projects and upcoming training events. The CCMA representatives also shared updates on the work of the CCMA's Planning Resources Working Group, the status of the ePlanning project and its rollout across the local government sector, and the public consultation process associated with the revised draft Residential Zoned Land Tax (RZLT) maps.

OPR Research Output

In Q2 the OPR advanced work on a number of research projects identified within the Strategic Planning Research Programme (2023-2025) some of which were long-term projects carried over from the original Strategic Planning Research Programme (2020-2022).

Strand One (Planning Issues) Projects

During Q2 the International Centre for Local and Regional Development (ICLRD) advanced work on the '*InPLACE – Investigating Planning, Place-Making and Commuting*' research project. Following a review of the draft report by the Operational Partnership Group and the Research Advisory Group, it was agreed that further work should be carried out on the policy implications. A workshop was held in May at which time the key implications arising out of the report were identified and are being incorporated in the final report. It is intended that the research report will be finalised, published and formally launched in Q3.

During Q2 extensive work was undertaken on the Brownfield Land Activation Research Series Report (RSR01). The report was published in June and shared with stakeholders.

During Q2, the OPR continued to support TU Dublin with the Science Foundation Ireland (SFI) funded project for sustainable communities' research. The project entitled '*Campuses' Role as Actors for Walkability and Liveability* or CRAWL uses TU Dublin's five campuses as living laboratories to assess and to implement solutions to improve walkability and liveability in communities. The OPR is the Societal Impact Champion for this project. In that capacity, in Q2, the OPR supported the CRAWL team at the 'Get Cork Walking' stakeholder workshop on 24 April; participated in the 'Theory of Change' SFI training day for societal impact champions on 14 May and the SFI NCF Mentoring Session on 14 June. The OPR also hosted the CRAWL team at the NPKG and engaged in regular project team meetings.

Following the publication of the EPA's '*Ireland's Climate Change Assessment*' (ICCA) report in Q1, the OPR engaged with the EPA in Q2 on the development of a communications plan to maximise the reach and impact of the report. The OPR will continue to support the EPA in their efforts to disseminate the report.

Strand Two (Planning Performance) Projects

During Q2, work was advanced on the OPR-EPA funded project '*Public Participation and Performance Criteria in Strategic Environmental Assessment: The Way Forward to Advancing Practice*' or 'SEAWAY'. The aim of this project is to improve public participation in Strategic Environmental Assessment (SEA) in Ireland and to develop a robust SEA performance evaluation framework and associated Key Performance Indicators (KPIs). In Q2 the steering committee approved the publication of the 'Guidance Note on Public Participation in SEA' which was promoted via the OPR website. The publication of the final report is due in Q3.

During Q2 the OPR, as a Steering Committee member, continued to attend meetings and provide input to the EPA-funded research project 'Pro-Health SEA'. The literature review was finalised and the project is advancing to case study review. The next meeting of the Steering Committee is scheduled for Q4.

In Q2 following receipt of an invitation from the EPA, the OPR joined the Steering Committee of a new EPA-funded research project titled 'REMARC'. This project is a multidisciplinary research project that seeks to identify pathways towards higher rates of septic tank remediation to safeguard the environment and public health. The project kicked-off on 29 April. The next meeting of the Steering Committee is scheduled for Q3.

Strand Three (Planning Practice) Projects

In Q2 the OPR convened a 'Development Plan Monitoring' workshop with key stakeholders in an effort to build on the RTPI's 'Measuring What Matters: Planning Outcomes Research' from 2020 and to identify how best to address the needs of those involved in plan-making and plan-monitoring in Ireland. The purpose of the workshop was to offer an opportunity to share experiences and to identify how the OPR's proposed research can help the local government sector to fulfil their plan-monitoring obligations in a coherent and consistent manner. During Q3 the OPR will review the outputs of the workshop and devise an action plan.

During Q2 work continued on Practice Note PN04 - '*Planning for Employment Growth: The Development Plan and Employment Lands*'. Comments and feedback from the peer review stage were reviewed and the draft report was further refined. It is expected that the practice note will be finalised and published in Q3.

Communications and Data Analytics

- During Q2 the OPR recruited a Communications A/D and Data Analyst
- The OPR continued promoting planning as a career of choice
- The OPR completed the 2023 OPR Annual Report and it was published on 04 July 2024.
- There was a small increase in followers across OPR social media accounts during Q2 2024, as outlined below:
 - LinkedIn: 3540 Followers. Increase of 163 on last quarter
 - X: 2664 Followers. Increase of 4 on last quarter



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