

6th February 2019

Senior Executive Officer Planning and Strategic Infrastructure Department Kildare County Council Aras Chill Dara Naas Co. Kildare

Re: Proposed Variation No. 1 of the Kildare County Development Plan 2017-2023

A Chara,

Thank you for your authority's work on Proposed Variation No. 1 of the Kildare County Development Plan 2017-2023. The Office of the Planning Regulator (the Office) has evaluated and assessed the proposed variation to the development plan, above, under the provisions of sections 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act).

As your authority will be aware, one of the key functions of the Office includes assessment of statutory plans and strategies to ensure consistency with legislative and policy requirements relating to planning.

In the case of assessments under sections 31AM (1) and (2), the Office is statutorily obliged to ensure it addresses the legislative and policy matters relating to development plans including:

- a. Matters generally within the scope of section 10 of the Act, in particular subsection (2)(n) of that section, in relation to climate change;
- b. Consistency with the development plan and National Planning Framework (NPF) and regional spatial and economic strategies;
- c. Relevant guidelines for planning authorities made under section 28 of the Act, including any specific planning policy requirements specified in those guidelines;
- d. Policy directives issued under section 29 of the Act; and
- e. Such other legislative and policy matters as the Minister may communicate to the Office in writing, the effect of which shall be published on the website of the Office.

Assessment

The Office has considered the proposed variation in the context of the general requirements under sections 31 AM(1) and (2) of the Act.

The proposed variation updates the population target figures within the Core Strategy and the related housing target figures and the Settlement Hierarchy to reflect what is set out for the County in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA).

As the formal review of the Kildare County Development Plan 2017 - 2023 is not due to commence until early 2021, the appropriate method of incorporating the NPF and the RSES into the development plan is by a variation to the development plan.

The Office welcomes the proposed variation and is generally satisfied that it will align the plan with the NPF and RSES.

In addition to wider RSES and NPF population projections, Section 5.7 on Housing Delivery (Page 113) of the RSES states:

'There is a further allowance of transition population targets in NPO 68 by way of up to 20% of the targeted growth in the city being transferred to other settlements in the MASP. This shall apply only to the three Metropolitan Key Towns in the MASP namely Bray, Maynooth and Swords, and only if they can demonstrate compact growth on high capacity planned or existing public transport corridors.

.....The determination of population targets for local authorities within the MASP in accordance with the NPF and this strategy, including the population targets for the City and the Metropolitan Key Towns, should be agreed in consultation with the MASP Implementation Group,...'

The Office understands that the consultation referred to above is underway and that the Regional Assembly, working with all the relevant local authorities and the Department of Housing, Planning and Local Government will provide clarity on the appropriate adjustments of broad NPF and RSES population forecasts to take account of NPO 68.

The Office notes that the proposed variation does not make reference to the above text from page 113 of the RSES regarding the Metropolitan Key Town of Maynooth. Accordingly and arising from the reasoning above, the Office makes <u>recommendation 1, set out on page 4 of this submission</u>, under section 31AM(1) and section 31AM(3)(a) of the Act.

The Office notes that the population projection of 238,993 for the county to 2023 on page 58 of the variation is below the range of 249,000-254,000 for 2026 from the NPF Implementation Roadmap.

The Office observes that the figures for population growth and dwellings target to 2023 appear to have been extrapolated using a 7-year rather than 10-year period. In this regard, the Office requests the planning authority to provide clarity regarding the methodology used to calculate the

figures for population growth and dwellings target for the county (Table 2.4) and the County's individual settlements (Table 3.3). This may also affect the figures for population projection and additional dwelling need on pages 38 and 58.

The Office welcomes the inclusion of the text on pages 58 and 59, and in particular the need for an infrastructural assessment and preparation of a joint LAP for Maynooth with Meath County Council. The Office considers that the preparation of the joint LAP should be prioritised and advises that this should be stated in the variation.

The Office welcomes the inclusion of reference to the strategic development areas for residential and employment within the North-West Corridor of the Metropolitan Area Strategy Plan (MASP) in the RSES. The Office advises the planning authority to include a copy of the map of the MASP from Figure 5.2 of the RSES to provide clarity on the relationship of the county to the overall strategic plan.

The Office notes the key trends on page 49 and that between 2011 and 2016, a total of 13 of the 89 Electoral Divisions (EDs) in Kildare witnessed population decline. In this regard, the Office welcomes the inclusion of policy CS 4 (a) and the following text to provide for viable and sustainable rural settlements.

'The Development Capacity of the Villages and Rural Settlements are detailed in Section 2.4 of Appendix 2, Volume 2 of the Plan. The population growth of Villages should not grow beyond 25% of the Census 2016 population with a growth of 20% for Rural Settlements. It is envisaged that the provision of serviced sites to create 'build your own home' opportunities within the existing footprint of rural settlements will also provide an alternative to one-off housing in the countryside. The development capacity of individual proposals shall be controlled to 10-15% of the existing housing stock over the lifetime of the Plan. Larger Schemes will only be considered where they relate to important strategic sites (e.g. infill within the core of a village/settlement, or the redevelopment of backlands) and will be contingent on the agreement of a masterplan and the agreement of a phasing arrangement as per Policy VRS 6 contained in Volume 2, Section 2.4.'

While the existing plan makes reference to the preparation of a strategic Land Use, Employment and Transportation Study of northeast Kildare, the proposed variation does not make reference to the need to prepare local transport plans (in conjunction with the NTA) for the towns of Naas and Newbridge.

In order to provide for greater consistency with the RSES in respect of transport policy and Regional Policy Objective (RPO) 8.6 specifically, the Office advises the planning authority to include reference to the need to prepare a local transport study for the towns of Naas and Newbridge.

In order provide for greater consistency with Section 12.4 of the RSES, the Office advises that the planning authority may wish to consider including a brief summary referring to the establishment of the Office of the Planning Regulator and its evaluation role in Chapter 1.

The Office would like to make the following observations.

- It is noted that the Settlement Strategy map proposed to be inserted as Figure 2.1 is not consistent with the adopted RSES. The map legend refers to Hinterland Areas and Outer Region instead of Core Region and Gateway Region respectively.
- The proposed variation appropriately refers to the RSES designation of Naas and Maynooth as Key Towns. However, it does not acknowledge or make the distinction that Maynooth is one of three Metropolitan Key Towns while Naas is a Key Town in the Core Region.
- The population figures and housing targets for the county in table 2.4 and the county's settlements at table 3.3 appear to relate to the period from 2020 to 2023 rather than the period from 2016 to 2020.
- Policy SS 1 refers to the now superseded RPGs in respect of managing the county's settlement pattern in accordance with housing unit allocations set out regional guidance etc.

Recommendation 1

Arising from the foregoing evaluation and assessment of the proposed variation no. 1 to the Kildare County Development Plan and in order to ensure effective co-ordination of national, regional and local planning requirements by the planning authority in the discharge of its development planning functions, the Office recommends Kildare County Council include appropriate reference to the potential of up to 20% of the targeted growth in the city being transferred to the Metropolitan Key Towns of Maynooth, Swords and Bray in consultation with the MASP Implementation Group.

Summary

The Office requests that your authority addresses the recommendation outlined above, which is made in the context of the provisions of Section 31AM(3)(a), in order to ensure that the County Development Plan is consistent with relevant national policy obligations, guidelines and legislative requirements.

The report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise this recommendation and the manner in which it should be addressed.

Your authority is required to notify this Office within 5 working days of the making of the variation to the development plan and send a copy of the variation as made.

Where the planning authority decides not to comply with a recommendation of the Office, or otherwise makes the variation in such a manner as to be inconsistent with any recommendations

made by the Office, then the Chief Executive shall inform the Office and give reasons for the decision of the planning authority.

Such notice requirements enable the Office to consider the matters further as regards the making of any recommendations to the Minister in relation to the provisions of sections 31AM and 31AN of the Act.

Please feel free to contact the staff of the Office in the context of any queries in relation to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at <u>plans@opr.ie</u>.

Is mise le meas,

your bran

Gary Ryan Director, Office of the Planning Regulator

076 100 2747 gary.ryan@OPR.ie