



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

6th November 2020

Senior Executive Officer,
Planning and Strategic Infrastructure Department,
Fingal County Council,
County Hall,
Main Street,
Swords,
Co. Dublin,
K67 X8Y2

Re: Draft Kellystown Local Area Plan 2020-2026

A chara,

Thank you for your authority's work on preparing the Draft Kellystown Local Area Plan 2020-2026 (the draft LAP).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put in to the preparation of the draft LAP against the backdrop of an evolving national and regional planning policy and regulatory context and the need to balance competing pressures within an increasingly complex system.

The Office would like to commend your authority on the overall presentation and format of the plan and the level of detail provided therein, including supporting documentation, and also for the extensive public engagement carried out to inform the development of the draft LAP.

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

The Office has evaluated and assessed the draft LAP under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended (the Act) and our submission has been prepared to provide high-level input to your finalising the draft LAP.

Subject to the recommendations and observations below, it is considered that the draft LAP is consistent with the objectives of Fingal Development Plan 2017-2023 and broadly reflects the key

objectives of the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES).

At the same time, the Office has identified a number of issues that your authority is requested to take into account in the completion of the plan-making process, in addition to other matters that your authority may take into account in its approach to the plan-making process in future.

Overview

The Kellystown LAP responds to a sensitive yet strategic physical and environmental context, which includes the western commuter rail line and Royal Canal to the North, Coolmine rail station to the west, Luttrellstown Demesne to the South and an area that has witnessed rapid growth in recent decades, particularly to the east.

Responding to that context, the LAP is evidence of a proactive forward planning approach by Fingal County Council that seeks to formulate a plan led and structured approach to the development of a sensitive area in a manner that balances both the views of the community and the strategic opportunities the area presents.

The previously undeveloped area covered by the LAP offers the potential to provide good quality and well located housing in a strongly plan-led manner, and in an area with a strong need for housing. There is also a strong emphasis in the plan on linking housing delivery with the provision of essential amenities, community and ecosystem services to support the creation of sustainable communities at a location that will soon benefit from the proposed major upgrade to the Maynooth rail line services and Clonsilla station under the DART+ West project as well as the Royal Canal greenway.

1. Population and compact growth

- 1.1 It is Government and regional policy to increase compact growth within specified areas (NPO 3b and RPO 3.2) and increase residential density (NPO 35). In addition, the RSES requires (RPO 5.3) that all future development within the metropolitan area be planned in a manner that facilitates sustainable transport patterns and is focused on increasing modal share of active and public transport modes.
- 1.2 Under section 28 guidelines, including the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)*, *Sustainable Urban Housing: Design Standards*

for *New Apartments* (2018) and the *Urban Development and Building Heights* (2018), it is Government policy to provide for increased residential density along public transport corridors.

- 1.3 The *Sustainable Residential Development Guidelines*, in particular, set out the need for land use planning to underpin the efficiency of public transport services by sustainable settlement patterns, including higher densities, on lands within existing or planned transport corridors in order to maximise the return on public transport investment. The Maynooth rail line services and infrastructure, including Clonsilla station adjacent the draft LAP lands, are proposed to be significantly upgraded under the DART+ West Project as part of the NTA's Transport Strategy for the Greater Dublin Area.
- 1.4 The Office notes that the consideration of this area for future development aligns with updates to the Fingal County Development Plan adopted under Variation (No.2) to incorporate the NPF and RSES. The chief executive's Report on the variation (March 2020) indicated that the preparation of the next Fingal county development plan will entail an evaluation of all undeveloped residential lands in the various settlements across the county, taking into consideration the overall planned levels of growth, location, suitability for the type of development envisaged, availability of and proximity to amenities, schools, shops or employment, accessibility to transport services, etc., tiered approach to zoning and compact growth.

The proximity to emerging high-quality public transport under the DART+ West Project will be particularly important for the Kellystown area in the context of the clear policy support for the efficient use of lands within existing or planned transport corridors to maximise the return on public transport investment and the number of people benefiting from that investment.

- 1.5 In this context, the office considers that the LAP should be kept under review in light of evolving opportunities to improve alignment with national policy by identifying opportunities for increased density, particularly in areas within a 1 km walking distance of the upgraded Clonsilla station.

Observation 1:

The Office would encourage the planning authority to consider the insertion of an objective to provide for periodic stock-taking and review of the Kellystown LAP in the light of the implementation of planned public transport and active travel infrastructure in the area and the potential for further development in accordance with government policy along public transport corridors.

- 1.6 The north-western corner of the Kellystown LAP abuts the Clonsilla rail station, an important public transport interchange between rail and bus services and the junction of the commuter lines to Maynooth and Dublin and Dunboyne.

- 1.7 It is considered that these lands, which are zoned residential, could provide for a better resolved transition to the higher density development in the LAP lands from the existing low density residential properties bounding the west of the site. In addition, the residential and commercial development indicated in the northwest corner of the plan area (nearest the station) is modest in scale and could be better structured in form to effect a proper place-making and way-finding approach to the link between the rail station and the main development areas in the LAP. The office considers that the approach taken by the planning authority in relation to the development of the area around Ashtown station provides a good example of what can be achieved in this respect.
- 1.8 Whilst it is possible that the lands within the vicinity of Clonsilla station may not be immediately available in the context of the delivery of the wider objectives of the LAP, it is important to take a long-term approach and avoid any inappropriate, or unplanned redevelopment takes place.
- 1.9 In addition, a transparent evidenced-based approach should be taken in balancing the competing requirements of policy on archaeological heritage protection and aforementioned policy requirements for compact, high density development at public transport nodes.

Recommendation 1:

The planning authority is required to consider a better resolved approach in urban form and density policy consistent with national policy in relation to the north western section of the draft LAP and to achieve a successful spatial and functional linkage to and from Clonsilla train station.

This should be done on an evidence-based approach, consistent with Government policy under section 28 guidelines, including inter alia the Guidelines for Planning Authorities Sustainable Residential Development in Urban Areas (2009), to increase residential density in such locations to maximise return on planned investment in commuter rail services.

2. Transport and accessibility

- 2.1 The Office welcomes, as part of the draft LAP, the inclusion of a Movement and Transport Strategy seeking to align with the NTA Transport Strategy for the Greater Dublin Area 2016-2035 and to deliver an exemplar sustainable development, providing future residents with a range of travel choices.
- 2.2 The Transport Strategy for the GDA sets a mode share target of a maximum of 45% to 2035 of car-based work commuting (down from 65%) established under ‘*Smarter Travel – A Sustainable*

Transport Future. To achieve this, the strategy requires inter alia an increase in walking, cycling and public transport, a safe cycling network with extensive coverage in metropolitan Dublin, and an enhanced pedestrian environment, including measures to overcome severance and to increase permeability as a priority.

2.3 It is apparent from Figure 7.11, outlining the walking and cycling network and the matters above, that the Movement and Transport Strategy could deliver improved direct pedestrian and cycling routes to/from Clonsilla and Coolmine stations, bus services on Diswellstown Road, the district centre at Clonsilla, and residential areas, schools and services, etc. The routes proposed appear, however, to be either recreational/ amenity in nature or reliant on the existing car-dominated road network rather than routes to facilitate direct travel between key services or locations. The Office is of the view that, in line with NTA advice, the LAP should provide more direct pedestrian and cycle connections and optimum conditions for those modes through a comprehensive network of safe routes determined not solely by the road network but by evidenced-based desire lines, and to provide for priority of pedestrians and cyclist at intersections.

Recommendation 2:

The planning authority is required to provide for a revised network of cycle and pedestrian routes, which is comprehensive and integrated, and provides direct connections to/from:

(a) key attractors - Clonsilla and Coolmine stations, bus services on Diswellstown Road, the district centre at Clonsilla, and

(b) residential areas and schools and other facilities.

in accordance with NTA's Transport Strategy for the GDA 2016-2035 to increase walking, cycling and public transport and to achieve safe, extensive and integrated active and sustainable transport mode networks.

The revised network shall provide optimum conditions for those active transport modes through a comprehensive network of safe routes, not determined solely by the road network, but by evidence-based desire lines, and to provide for priority of pedestrians and cyclists at intersections.

2.4 Planning authorities are required to facilitate the implementation of the principles, approaches and standards to road and street design set out in the *Design Manual for Urban Roads and Streets* (2013; revised 2019) (DMURS) in carrying out their development planning functions under the Planning Code.

In this regard, the Office welcomes the inclusion of key goals and opportunities for sustainable and active modes as part of the Movement and Transport Strategy, and the commitment, including in objective 7.1, that streets and roads will be designed as per DMURS and the National Cycle Manual (NCM).

2.5 The indicative layout of the draft LAP would, however, appear to conflict with the principles of DMURS, including through poor permeability/connectivity for pedestrian and cycle networks. Most notably, development in the western development area does not address or access onto the main link road through the LAP area and to the R121 to the west, but would be set back at a distance and served by separate carriageways running parallel to the link road (Figure 6.5,).

Observation 2:

The planning authority is requested to conduct a review of the proposed layout and design of the draft LAP to ensure that it demonstrably implements the principles, approaches and standards to road and street design set out in DMURS, including, in particular:

- *How planned development will directly address the R121, the proposed link road (including the western development area) and Diswellstown Road; and*
- *Pedestrian and cycle permeability, connectivity, priority and safety throughout the site and with the surrounding area, with particular regard to key external destinations.*

3. Climate action

3.1 The evaluation and assessment, above, has highlighted several issues where the sustainable settlement and transport strategies for the draft LAP could be further strengthened in achieving optimum reductions in energy use and greenhouse gas emissions resulting from transport.

The resolution of these issues has the potential to set a new standard for future development in the area, which will help it realign with the Government's target to meet the net carbon neutral approach by 2050 under the Climate Action Plan and act as an exemplar for development within the five Metropolitan Area Strategic Plan areas.

Summary

The Office requests that your authority addresses the recommendations outlined above, which are made in the context of the provisions of section 31AO(3)(a) of the Act, in order to ensure that

the LAP is consistent with relevant national and regional policy obligations, guidelines and legislative requirements.

The report of the chief executive of your authority prepared for the elected members under Section 20 of the Act must summarise these recommendations and the manner in which they should be addressed.

Your authority is required to notify this Office within **five working days** of the making of the local area plan and send a copy of the written statement and maps as made, in accordance with section 31AO(5) of the Act. **Please note that this statutory timeline differs from the requirement for other consultees and must be complied with.**

Where the planning authority decides not to comply with a recommendation s of the Office, or otherwise makes the plan in such a manner as to be inconsistent with any recommendation s 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 31AO and 31AP of the Act.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Is mise le meas,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

Anne Marie O'Connor
Deputy Regulator and Director of Plans Evaluations
