

8th March 2021

Senior Executive Officer, Planning Department, Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co. Kildare

Re: Issues Paper for the Kildare County Development Plan 2023 – 2029

A chara,

Thank you for your authority's work in preparing the Issues Paper for the review of the Kildare County Development Plan (the plan). The Office acknowledges and welcomes the publication of this paper and your authority's work, more broadly, in advancing the review of the plan.

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (the RSES);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Issues Paper is structured around seven strategic themes which reflect the three crosscutting key principles and Regional Strategic Outcomes (RSOs) of the RSES. The Office agrees with the statement that it is essential for the plan to respond to the challenges arising from the impacts of the Covid-19 pandemic, Brexit and climate change.

The Office has set out some broad areas for your authority to consider in formulating the draft development plan.

These observations are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan making process, and do not affect the obligation on your planning authority to comply with the relevant legislative requirements, or to be consistent with the fullness of the detailed policy context of the higher order plans and strategies and Ministerial guidelines.

Consultation strategies

The planning authority is commended for preparing a concise thematic based Issues Paper, which includes key achievements since 2017 and uses info-graphics to highlight information from the 2016 census.

The planning authority is also commended for the variety of methods used to inform and engage the public which included, inter alia, 'Frequently Asked Questions', virtual meetings, social media and targeted youth engagement.

The engagement with primary and secondary school children through the photographic competition is a very positive aspect of the public consultation process and has the potential to raise awareness of the development plan and its relevance to children and young people.

Core Strategy & Settlement Strategy

The NPF and the RSES, in addition to relevant specific planning policy requirements (SPPRs) specified in Ministerial guidelines under section 28 of the Act, will be key determinants in making the core strategy for the planning authority's functional area.

As the planning authority will be aware, the NPF has a target population for the county of 249,000-254,000 by 2026 and 259,000-266,500 by 2031, which represents a population increase of up to 31,500 people by 2026¹ and up to 44,000 people by 2031 above its 2016 census figure.

¹ Scope for headroom, not exceeding 25%, can be considered to 2026 in County Kildare

The Office welcomes the statement on page 7 of the Issues Paper:

'The Development Plan will play a crucial part in creating the conditions to accommodate these ambitious targets, by implementing sustainable settlement patterns at appropriate locations, facilitating compact growth and urban regeneration and encouraging healthy urban and rural communities in tandem with the delivery of the required social infrastructure.'

The preparation of the forthcoming plan will need to build on the strategic planning work already undertaken to align the current development plan with the NPF and RSES² and account for any adjustments such as for the Metropolitan Key Town of Maynooth allowed under National Policy Objective (NPO) 68³.

Recently, your authority was notified of the Ministerial Circular relating to *Structural Housing Demand in Ireland and Housing Supply Targets*, and the associated Section 28 Guidelines: *Housing Supply Target Methodology for Development Planning*. The Guidelines and supporting ESRI work provides a consistent national methodology for translating the population targets set out in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategies (RSESs), into projected demand for new households specific to your plan period.

The guidelines specify that it will be necessary to demonstrate the manner in which the core strategy and other elements of the plan are consistent with the NPF 50:50 City housing demand projection scenario identified by the ERSI (Appendix 1 Table 5) subject to the methodology set out in Section 4.0 of the guidelines and adjusted for your plan period.

Notwithstanding that Variation No. 1 to the Kildare County Development Plan 2017-2023 made changes to the county's settlement hierarchy, the Office advises the planning authority to revisit the categorisation and positioning of settlements in the hierarchy having regard to the above and the asset based approach outlined in the RSES.

The Office notes that the county is split between the three different regions in the RSES namely the Dublin Metropolitan Area, the Core Region and Gateway Region. In this regard, the forthcoming plan will need to demonstrate consistency with the growth enablers and guiding principles which relate specifically to the aforementioned regions in addition to those that apply more generally across the whole regional assembly area.

² Adopted Variation No. 1 to the Kildare County Development Plan 2017-2023

³ On 10/7/2020, the elected members of the Regional Assembly approved the transitional population projections for the Dublin MASP

Metropolitan Area Strategic Plan (MASP)

The MASP in the RSES is a key policy driver which sets out an integrated land use and transportation strategy for the sequential development of the Dublin Metropolitan Area.

As acknowledged in the Issues Paper, the MASP, *…identifies several large scale strategic* residential and economic development areas, that will deliver significant development in an integrated and sustainable manner in the metropolitan area, of which Maynooth, Leixlip, Celbridge and Kilcock form part (northeast of the county)⁴

It will be essential for the core strategy to have a focus and implementation strategy for the strategic development areas identified in the North West Corridor in Table 5.1 of the RSES.

The planning authority's attention is drawn to table 5.2 which sets out further spatial guidance for increased employment densities in the metropolitan area, and the guiding principles for the location of strategic employment and investment prioritisation in section 6.3 of the RSES.

Compact Growth and zoning

Compact growth is one of the National Strategic Outcomes of the NPF, with a target under NPO 3c to 'Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints'.

The growth and settlement strategy of the RSES reflects the compact growth / urban consolidation objectives of the NPF. In this regard, the planning authority's attention is drawn to the guiding principles for infill and brownfield development in chapter 3 of the RSES including the establishment of a database of brownfield sites and active land management strategies⁵.

The Office notes the potential for regeneration, consolidation and compact growth in the designated key towns of Maynooth and Naas as outlined in section 4.6 of the RSES, and that the allowance for additional population growth in Maynooth⁶ is subject to demonstrating compact growth on high capacity planned or existing public transport such as the proposed DART expansion.

⁴ Page 2 of the Issues Paper

 ⁵ Regional Policy Objectives 3.2 and 3.3 of the RSES
⁶ Allocation from the MASP under NPO 68

A key challenge for the forthcoming plan will be to ensure that opportunities for compact and sequential growth in the higher tier settlements are not undermined by greenfield development in the lower tier settlements that do not benefit from the same level of services and public transport. This is discussed further in the next section on local area plans.

In relation to zoning, the Office advises the planning authority to consider the implications of any infrastructural constraints in applying the tiered approach to land zoning set out in the NPF. In this regard, the planning authority's attention is drawn to the requirement of NPO 72a which states:

'Planning authorities will be required to apply a standardised, tiered approach to differentiate between i) zoned land that is serviced and ii) zoned land that is serviceable within the life of the plan.'

Further information regarding the above is provided in Appendix 3 of the NPF: *A Methodology for a Tiered Approach to Land Zoning.*

Local Area Plans

The Office acknowledges the intent of the planning authority to focus on developing the key towns of Maynooth and Naas as 'economic drivers' and 'strategic employment locations' supported by self-sustaining growth towns and self-sustaining towns.

Given the strategic importance of Maynooth within the MASP, it is important that the preparation of a joint local area plan (LAP) with Meath County Council is prioritised to ensure that the town can capitalise on opportunities for regeneration, consolidation and sequential growth and that infrastructural requirements to support sustainable growth are co-ordinated and delivered. Regional Policy Objectives (RPOs) 4.33, 4.34, 4.35 and 4.36 refer.

A key priority for the county town of Naas is the regeneration of the historic town centre with enhancement of retail and commercial functions and consolidation of strategic development areas. The Office is aware that the preparation of a draft LAP for the key town of Naas is at an advanced stage and that the LAP will be informed by the recently completed Naas-Sallins Transport Strategy. The Office commends the planning authority for this approach which will respond to a number of RPOs including, inter alia, RPOs 4.48, 4.49, 4.50, 4.52 and 8.6.

The Office notes from the council's website that there are some 10 existing LAPs which include settlements at tiers 1 to 4 of the county's settlement hierarchy.

While the Office appreciates that Variation No. 1 to the Kildare County Development Plan 2017-2023 made changes to the population projections and housing need figures in the core strategy to align with the NPF and RSES, it did not make commensurate changes to the extent of residentially zoned land in the LAPs for the county's towns.

Therefore, a critical issue for the forthcoming development plan is to ensure that the extent of land zoned for residential development in the county's towns including settlements that have a statutory LAP is aligned with the population projections and housing need allocations set out in the forthcoming core strategy. This will be essential to ensure that housing development over the next development plan period is consistent with national and regional policies for compact and sequential development and building centres of scale.

Economic Development & Employment

The Issues Paper acknowledges the economic challenges the county will face from the Covid-19 pandemic and Brexit and the required response '...to rebuild a strong economy and reconnect our communities'⁷.

The Office agrees with the statement on page 8 of the Issues Paper:

'Kildare is strategically positioned to benefit from local, national and international markets owing to its location, excellent transport links, access to a highly educated population and its unique natural and built heritage assets.'

Further to the policy guidance for the MASP, the RSES also identifies specific economic opportunities for the key towns of Maynooth and Naas to act as economic drivers for the county.

Notwithstanding the challenges facing retail development from the Covid-19 pandemic and the acceleration in online retailing, the forthcoming development plan should set out the level of retail provision in the county consistent with the regional retail hierarchy in table 6.1 of the RSES. In this regard, the planning authority should also have regard to the *Retail Planning Guidelines for Planning Authorities 2012,* RPOs $6.12 - 6.14^8$ and the RSES guiding principles for the location of trip intensive development.

⁷ Page 8 of the Issues Paper

⁸ RPOs for town centre renewal

The Office notes from page 5 of the Issues Paper that 43.8% of the county's residents work in County Kildare with 39.2% working outside the county largely in the Dublin City Council and South Dublin County Council areas. This is reflected in a number of the county's towns with over 5,000 population such as Clane, Kilcock and Sallins which have a low ratio of jobs to resident workers⁹.

As outlined above, a key challenge for the forthcoming plan will be to ensure that housing is delivered in the higher tier towns that have existing or planned employment and access to good public transport options. The need to ensure more integrated land use and transport planning is outlined further in the next section.

Transport & Infrastructure

The Office agrees with the statement on page 10 of the Issues Paper:

'The Plan must promote and facilitate movement to, from, and within the County, by integrating land use with a high quality, sustainable transport system that prioritises walking, cycling and public transport.'

In view of GHG emissions from transport (which are second only to agricultural emissions in terms of national emissions¹⁰), and the energy use for transport (highest energy use by sector, accounting for 42% total final consumption in 2018¹¹), it will be essential for the planning authority to achieve a significant modal shift in the county in order to meet the requirements under section 10(2)(n) of the Act.

Chapter 8 (Connectivity) of the RSES contains, inter alia, a transport strategy and a framework for the integration of transport planning with spatial planning policies which together with the *Transport Strategy for the Greater Dublin Area 2016-2035*¹² will inform the sustainable settlement and transport strategies for your plan area, in line with section 10(2)(n) of the Act.

The Office notes the key achievements listed on page 4 of the Issues Paper and commends the planning authority for the progress it has made on blueways, greenways and to improve accessibility across the county.

The Office also commends the planning authority for its recent approach to the preparation of draft LAPs for Athy and Naas which are informed by local transport strategies. This

⁹ Appendix 2 of the NPF

¹⁰ EPA: www.epa.ie/ghg/currentsituation/

¹¹ https://www.seai.ie/data-and-insights/seai-statistics/key-statistics/energy-use-overview/ (08/03/2021)

¹² The National Transport Authority has commenced a review of the strategy

approach will greatly assist in the integration of transport and land use planning consistent with RPOs 8.1, 8.2, 8.3 and 8.4 and promoting a modal shift from the private car.

In view of the above, the Office would encourage the planning authority to include modal shift targets to be achieved over the plan period, aligned to relevant implementation measures, in order to achieve meaningful improvements in GHG emissions and energy use in line with section 10(2)(n) of the Act.

As the planning authority will be aware, the county is traversed by a number of national roads which form part of the Trans-European Transport Network (TEN-T network). Under the National Development Plan 2018-2027, the works associated with the M7 (including new interchange and Sallins Bypass) are well advanced and M4 Maynooth to Leixlip project is listed as a scheme in pre-appraisal/early planning¹³.

Therefore, a key issue for the forthcoming development plan is to ensure that policies protect the strategic function of national roads, maximise the benefits of existing and planned public transport investment such as BusConnects, and that planned improvements to the national road network are not eroded by a growth in demand for car travel, especially for short distances.

In this regard, the Office advises the planning authority to review the extent and location of land zoned for employment, industry and commercial uses in the vicinity of all national roads and associated junctions. The co-ordination of land use and transport planning in areas like the Northwest Quadrant in Naas will be critical to safeguarding the strategic function of the national roads in the county and achieving objectives for compact and sustainable growth.

Commitment to the proactive implementation of the Design Manual for Urban Roads and Streets (revised 2019) in the required locations, consistent with RPO 9.10, will also assist in delivering sustainable and active transport modes, in addition to improvement in the street environment and overall quality of life of urban areas and settlements of all sizes.

The Office notes that waste water and local water network upgrades are identified as phasing / enabling infrastructure for strategic development areas in Maynooth and Leixlip¹⁴. This will require the planning authority to work proactively with Irish Water to ensure that deficiencies are resolved over the short to medium term.

¹³ Page 41 of the National Development Plan
¹⁴ Table 5.1, page 105 of the RSES

In respect of surface water management, the development plan should seek to maximise the implementation of Sustainable Urban Drainage Systems (SuDS), in accordance with the guiding principles and objectives for surface water (RPOs 10.15 – 10.18) of the RSES.

Rural Development

The Office notes that *…there remains considerable pressure for the development of single homes in rural areas across County Kildare*¹⁵.

Having regard to the above, it is important that the forthcoming plan provides a strong policy framework to protect against urban generated housing in open countryside and to proactively address issues of town/village decline and compact growth.

In this regard, the plan's policies will need to demonstrate consistency with NPO 15, NPO 19 and NPO 20.

Furthermore, the plan will need to consider the practical implementation of appropriate policy objectives through suitable land activation approaches and proactive facilitation of the building of homes within the existing footprint of rural settlements through measures such as site acquisition and serviced sites, consistent with NPO 18a and NPO 18b.

Such initiatives have the potential to alleviate pressure on the open countryside through provision of a desirable alternative to one-off housing for families who would like to live close to the facilities, services and amenities available in rural villages and towns whilst maintaining ties to the wider rural community.

Flood Risk Assessment

The planning authority will be aware of the need to prepare a Strategic Flood Risk Assessment (SFRA) as part of the forthcoming draft development plan, consistent with *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).*

In this regard, the Office advises against the use of information from the Office of Public Work's (OPW) Preliminary Flood Risk Assessment (PFRA) and arterial drainage benefitting land maps to inform the SFRA.

The planning authority will need to take account of OPW Flood Relief Schemes including those that are proposed ¹⁶ or being implemented ¹⁷ in the county and undertake adequate

¹⁵ Page 7 of the Issues Paper

¹⁶ OPW Flood Relief Schemes are proposed for Athy, Clane, Leixlip, Maynooth and Celbridge

¹⁷ Flood Relief Schemes in Lower Morell and Naas

flood risk assessment to determine if there is sufficient information to inform zoning decisions or if further more detailed analysis is required. The planning authority is advised that zoning objectives and policies in the development plan should support and not impede such schemes.

To assist with transparency and assessment of land use zonings proposed in the forthcoming draft development plan, the planning authority is requested to overlay flood mapping with land use zoning maps.

Climate Action and Energy

The planning authority will be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act.

The Office notes that Kildare County Council has published a *Climate Change Adaption Strategy 2019-2024* which informs policy making at a county and local level.

Having regard to the *Climate Action Plan 2019* and to the objectives of the NPF and the RSES, the county's transition to a low carbon economy and the overall reduction in carbon emissions will become a central issue in the preparation of the plan.

In this regard, the Office endorses the statement on page 11 of the Issues Paper:

'One of the cross-cutting principles of this plan must be to initiate a transition to a low carbon and climate resilient society, a necessary measure that is also a National Strategic Outcome (NSO 8) of the National Planning Framework (NPF).'

The Office notes that Kildare County Council is the lead local authority in the Eastern and Midlands Climate Action Regional Office and commends the council for its ambition *'…to be an exemplar in its Planning Strategies, Plans and Policies*'¹⁸.

Your authority will note that both the NPF (NPO 55) and the RSES (inter alia, RPO 7.35) promote and support renewable energy generation, which will contribute to achieving a net zero carbon economy by 2050.

The continued promotion of renewable energy sources within the county in accordance with the section 28 *Wind Energy Development Guidelines* (2006), Circular Letter PL 5/2017: *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and*

¹⁸ Page 9 of the Issues Paper

Climate Change and Wind Energy Development Guidelines 2006 – Update on Review (July 2017), or any replacement guidelines issued by the Minister for Housing, Local Government and Heritage, will also be critical to ensure Ireland meets its national targets and commitments to increase renewable energy supply and reduce greenhouse gas emissions.

In this regard, the attention of the planning authority is drawn, in particular, to the SPPR under the aforementioned interim guidelines. This requires, inter alia, that the planning authority indicate how the implementation of its development plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts).

Summary

In summary, the Office commends your authority for the preparation of this Issues Paper and for the variety of approaches used to engage and inform the local community.

The Office advises your authority to pay particular attention to the following issues in the preparation of the county development plan:

- Having regard to national and regional objectives for population growth, compact growth and regeneration in determining the core strategy, the Office advises that a significant proportion of the county's future homes arising from the housing supply targets, will need to be allocated to the designated key towns and larger settlements consistent with the RSES (including MASP). This settlement hierarchy and associated housing supply targets should also inform the quantum of land zoned for residential development in other settlements, with the allowance allocated to the rural remainder.
- The planning authority should revisit the categorisation and positioning of settlements in the hierarchy having regard to the asset based approach outlined in the RSES.
- A critical issue for the forthcoming development plan is to ensure that the extent of land zoned for residential development in the county's towns including settlements that have a statutory LAP is aligned with the population projections and housing supply targets set out in the forthcoming core strategy. This will be necessary in order to demonstrate compliance with national and regional policies for compact and

sequential growth, and to achieve a sustainable pattern of development in the county.

- Your authority is required to ensure that the development plan provides sufficient clarity and certainty in terms of the measures proposed under section 10(2)(n) to direct the preparation of future local area plans made consequent to the development plan. In this regard, the Office would strongly advise that all land use zoning objectives for your functional area should be included as part of the development plan rather than delayed to the preparation of local area plans.
- The planning authority should prioritise the preparation of a joint local area plan for Maynooth with Meath County Council, which should be informed by a local transport plan prepared in consultation with the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII).
- The plan should clearly demonstrate how it can implement and measure the implementation of economic and regeneration objectives and initiatives contained in the NPF and the RSES. The coordination of land use and transport planning, and in particular the location of employment zoned lands in areas that can be served by sustainable transport and do not undermine the strategic function of national road infrastructure will be important in this regard.
- The inclusion of specific policies and implementation measures that encourage infill/brownfield development in the MASP and the county's towns and the building of homes within the footprint of rural settlements. These policies and implementation measures should be specific, targeted, and measurable (i.e. include monitoring measures).
- The development of rural housing policies that are consistent with NPOs 18 and 19 of the NPF, and which distinguish between areas under strong urban influence and elsewhere, and support the regeneration of rural towns and villages by directing residential development to serviced areas and facilitating more sustainable transport patterns.
- The need for consultation with transport agencies including the NTA and TII, and neighbouring planning authorities, during the preparation of land use and transport plans, and to ensure that policies and development management standards

regarding access to national roads including exceptional circumstances are consistent with the *Spatial Planning and National Roads Guidelines (2012).*

- The promotion of sustainable settlement and transport strategies for urban and rural areas with measures to reduce GHG emissions, reduce energy usage and to adapt to climate change. The plan should include targets for modal shift over the plan period aligned to specific implementation and monitoring measures.
- The promotion of renewable energy sources within the county in accordance with the relevant section 28 guidelines, and in particular the requirements of the SPPR under the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)*.

The Office looks forward to reviewing the future draft development plan and is committed to continued positive engagement with your authority in implementation of national and regional policies at county and local level.

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 the undersigned or at plans@opr.ie.

Is mise le meas,

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