



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

OPR Ref: MA-013-23

4th September 2023

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

Re: Material Alterations to the Draft Kildare Town Local Area Plan 2023 - 2029

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations (the proposed material alterations) to the draft Kildare Town Local Area Plan 2023 - 2029 (the LAP).

As your authority is aware, a core function of the Office of the Planning Regulator (the Office) is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. This includes a requirement to make submissions on statutory plans, including any observations or recommendations the Office considers necessary to ensure the effective co-ordination of national, regional and local planning requirements.

The Office has evaluated and assessed the proposed material alterations under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act) and within the context of the Office's earlier recommendations and observations.

The Office's evaluation and assessment of the proposed material alterations has had regard to the current Kildare County Development Plan 2023 – 2029 (the Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland region (EMRA), and relevant section 28 guidelines.

Overview

As outlined in the Office's submission to the draft LAP, the Office concluded that draft LAP is generally consistent with the objectives of the Development Plan and the regional policy objectives contained in the RSES.

The submission contained one recommendation (strategic flood risk assessment) and one observation (sustainable transport measures), and the Office is generally satisfied with the Alterations proposed to address these matters.

The Office had also commended the planning authority for the evidence-based approach informing the draft LAP and for the clear policy direction to achieve the LAP's vision and which also relates to National Strategic Outcomes of the *Project Ireland 2040: National Planning Framework* (NPF).

The LAP's vision is to promote the development of the town '*...in a compact, permeable and sequential manner*' which will be achieved through key strategic development principles including '*creating compact and connected communities*'. This in turn is supported by objectives for compact growth (CSO 1.3), sustainable active transport (MTO 1.1) and sustainable economic development (EDO 1.1) and various measures and initiatives such as the permeability measures in table 7-1 and town renewal projects in table 4-1.

The Office has assessed the various material Alterations relating to residential development and has concluded that the majority are on balance acceptable with the exception of material alteration 8 (b) which is addressed below.

The Office is however also concerned that a number of further proposed material Alterations also propose to expand the town's urban footprint to areas on the far side of the M7 motorway, remote from the town centre and public transport and in some

cases encroaching into the green belt. These Alterations are not consistent with the LAP's vision and key strategic development principles which promote compact and sustainable growth and sustainable travel.

In particular, the Office is of the view that the material Alterations which propose to zone undeveloped land for employment and other uses in close proximity to the M7 and to expand the LAP boundary to accommodate future employment uses are not in accordance with national and regional policy for national roads and securing compact and sustainable growth.

Further, these Material Alterations are not consistent with Development Plan objectives RE O15 and RE O39 which seek to locate economic development that is urban in nature in urban areas.

The tourism zoning objection Material Alteration no. 104 also has the potential to facilitate development that is more appropriately located in the existing built up area of the town. The proximity to junction 13 of the M7 motorway is also of concern.

The Office notes that a number of material Alterations also propose to remove a number of permeability / cycling measures recommended in the Kildare Town Transport Strategy and include an objective for an outer relief road on undeveloped lands zoned for Agriculture and Green Belt inside the LAP's northern boundary. A number of these Alterations are however located at strategic locations which have the potential to be used by significant numbers of people to walk and cycle within the town. These will play an important role in reducing car trips, greenhouse gas emissions and improving air quality. For these reasons, the Office is of the view that these specific proposals should not be removed from the adopted Plan.



It is within this context the submission below sets out three (3) recommendations and one (1) observation under the following six (6) themes:

Key theme	Recommendation	Observation
Recommendation 1 of the Office's submission to the draft LAP	-	-
Observation 1 of the Office's submission to the draft LAP	-	-
Proposed material Alteration no. 89 – Strategic Reserve (Employment)	Recommendation 1	-
Proposed material Alterations 8 (b), 104 and 112 (Green Belt)	Recommendation 2	-
Proposed material Alterations 43, 48 and 64 (Transport Infrastructure)	Recommendation 3	-
Proposed material Alterations 85, 91, 92 and 111 (Southgreen Key Development Area)	-	Observation 1

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

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 planning authority is requested by the Office to action an observation.

A submission can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

1. Recommendation 1 of the Office's submission to the draft LAP (3rd May 2023)

Recommendation 1 of the Office's submission to the draft LAP required the planning authority to review the Strategic Flood Risk Assessment (SFRA) for the draft LAP to include a flood risk assessment of the Armour Stream.

Material Alteration no. 114 includes a number of Alterations to the SFRA to address Recommendation 1 of the Office's submission to the draft LAP.

The Office has reviewed the proposed Alterations to the SFRA and considers that the matters raised in Recommendation 1 have been addressed.

2. Observation 1 of the Office's submission to the draft LAP (3rd May 2023)

Observation 1 of the Office's submission requested the planning authority to investigate measures to promote use of public transport and active travel for the undeveloped lands zoned Enterprise and Employment west of the Kildare Village Outlet Centre, and zoned Industry and Warehousing and New Residential south of the M7.

Material Alterations no. 44, 48 and 55 include measures to improve permeability, cycling and public transport connectivity along the R415 and Grey Abbey Road.

The Office has reviewed the proposed Alterations and considers that the matters raised in Observation 1 of the Office's submission to the draft LAP have been addressed.



3. Proposed Material Alteration no. 89 – Strategic Reserve (Employment)

Material Alteration no. 89 proposes to include a site-specific objective SR*: Strategic Reserve (Employment) and amend Map 11.1 Land Use Zoning by including reference to SR* on the map for the site outlined with the broken red line.

The site specific objective states –

To protect the integrity of the lands to provide for the future strategic expansion of the town for employment purposes (if required). The development of the lands is a long-term vision and does not form part of the Development Strategy of Kildare Town during the lifetime of this Plan....

The land has an area of approximately 50 hectares and is located to the southwest of Kildare Town outside the current LAP and draft LAP boundary. The land is immediately south of the M7 motorway and more than 2 km from the train station. The land is in agricultural use and was not considered in the Settlement Capacity Audit prepared for the draft LAP.

The Office has a number of concerns regarding the alignment of this proposal with policy objectives for an evidence based approach to securing compact and sustainable development.

Firstly, there appears to be no evidential basis or strategic justification to support the identification of these lands for Strategic Reserve (Employment). Section 6.2.5 of the Development Plan Guidelines for Planning Authorities states that ‘...*the evidence and rationale underpinning the zoning of land for employment purposes must be clear and strategic in nature*’.

Secondly, the material Alteration provides policy support for future greenfield development outside the boundary on lands that are remote from high capacity public transport. This approach to development is not consistent with the National Strategic Objective for compact growth (NSO1) and the Regional Strategic Outcomes for sustainable settlement patterns (RSO1) or integrated transport and land use (RSO6).



Consistent with national and regional policy, the Development Plan 2023 – 2029 includes objectives such as CS O13 and RE O35 for the promotion of sustainable settlement and transportation strategies consistent with section 10 (2) (n) of the Act. This is further reinforced in the vision, key strategic development principles and objectives of the draft LAP.

Finally, the lands are in close proximity to an intersection on the M7 motorway and have the potential to undermine the strategic transport function of the motorway.

One of the key principles in section 1.5 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) (National Roads Guidelines) is that development should be plan led which means that

... in preparing development and local area plans, planning authorities must assess the trip generation aspects of any land use zoning objectives and how such trip generation is to be catered for, promoting the use of sustainable modes, while protecting the strategic function of the national roads network.

Section 2.7 of the 2012 guidelines states

...planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road.

Objective TM O62 of the Development Plan seeks to

*Ensure the protection of the strategic transport function of national roads, including motorways and their associated junctions, by maintaining and protecting their safety, capacity, efficiency and strategic function, in line with national policy as set out in the *Spatial Planning and National Road Guidelines for Planning Authorities* (2012).*

The RSES (page 187) also sets out guiding principles for the integration of land use and transport including the following:



'The strategic transport function of national roads and associated junctions should be maintained and protected.'

It is not evident, however, that any consideration has been given to the potential impact on the safety, capacity, efficiency and strategic function of the M7, let alone that the proposal satisfies the criteria in section 2.7 of the National Roads Guidelines.

The Development Plan contains clear objectives regarding locations suitable for economic development. In this regard, objectives RE O15 and RE O39 seek to:

Ensure that economic development that is urban in nature should be located in urban areas and will not be permitted to re-locate to the countryside or to un-serviced rural areas.

Encourage economic development that is urban in nature to locate on appropriately zoned lands within urban areas in the first instance.

In summary, the Office considers that the site specific objective and related Alteration to the land use zoning map is contrary to compact growth and integrated land use and transport, development plan policy and would support unsustainable car dependant development at a greenfield location remote from high capacity public transport and in close proximity to a junction on the national road network.

MA Recommendation 1 – Strategic Reserve (Employment)

Having regard to :

- (a) section 6.2.5 of the *Development Plan Guidelines for Planning Authorities* (2022) that the evidence and rationale underpinning the zoning of land for employment purposes must be clear and strategic in nature;
- (b) Objective TM O62 of the Kildare County Development Plan 2023 – 2029 and section 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012) to protect the strategic transport function of national roads;



- (c) Regional Strategic Outcomes for Compact Growth and Urban Regeneration (RSO 2) and Integrated Transport and Land Use (RSO 6) of the Regional Spatial and Economic Strategic for the Eastern and Midlands region; and
- (d) Objectives RE O15 and RE O39 of the Kildare County Development Plan 2023 -2029 regarding preferable locations for economic development, the planning authority is required to make the LAP without Material Alteration no. 89.

4. Proposed material Alterations 8 (b), 104 and 112 (Green Belt)

Material Alterations 8 (b), 104 and 112 primarily relate to lands south of the M7 motorway and zoned National Stud / Green Belt in the draft LAP.

These lands are located on the far side of the M7 motorway, remote from the town centre and public transport, and the Office has a number of concerns regarding the alignment of the proposals with policy objectives for securing compact and sustainable development and protecting the special character of the Curragh Plans and green belt area.

Section 1.8.1 of the Development Plan contains the key overarching principles, which includes *'To ensure the compact growth and regeneration of lands within all settlements across the Settlement Hierarchy'*.

Material Alteration 8 (b) proposes to zone a rural property inside the defined greenbelt area to New Residential * and includes objective HCO 2.6 and a specific objective to provide for self-build houses at a low residential density. The draft LAP retains the National Stud / Green Belt zoning from the Kildare Town Local Area Plan 2012 – 2018. The land is approximately 1.5 km from the train station. The land to the east has an open rural character in contrast to the land on the western side of the R415.



Material Alteration no. 8 (b) must also be considered in the context of Material Alterations 104 and 112 which also propose to rezone lands east of the R415 and south of the M7 which are zoned National Stud / Green Belt in the draft LAP.

Material Alteration no. 104 proposes to insert an additional land use zoning M – Tourism and zone lands for Tourism between Grey Abbey Road and junction 13 of the M7 motorway. The land has a rural character and is in agricultural use like the adjoining land to the east and is largely undeveloped except for a rural dwelling.

The land is zoned Industry and Warehousing (Phase 1) in the current LAP and National Stud / Green Belt in the draft LAP. While it is acknowledged that the land had planning permission (now expired) for a hotel and other commercial uses, the Office agrees with the Chief Executive's (CE's) response to submission no. 69¹ which states that planning policy in Ireland has changed significantly since the 2012 LAP was prepared and adopted, and that the focus on plan-making now is towards compact sequential growth and sustainable mobility. The Office also agrees with the CE's comments on the principal differences between the subject land and the lands zoned for Industry and Warehousing on the western side of the R415, which states –

...It was considered appropriate to contain development to the south of the motorway and west of the regional road, and to prevent further sprawled development south of the motorway east of the regional road. The land east of the regional road is of a different character and functions as a Green Belt...

The Settlement Capacity Audit categorises the subject Site L (Grey Abbey Road) as Low - No Development in terms of serviceability. Sect. 5.1 of the audit explains the categorisation of sites including No Development:

...Lands which scored poorly and didn't pass a pre-determined threshold demonstrated a poor level of serviceability. Therefore, these sites cannot be categorised as either Tier 1 lands or Tier 2 lands and therefore are not

¹ Page 213 of the Chief Executive's Report on submissions to the draft Kildare Town Local Area Plan 2023 - 2029

developable within the plan period. As per Appendix 3 of the National Planning Framework such lands should not be zoned for development...

NPO72 (c) states *‘When considering zoning land for development purposes that cannot be serviced within the life of the relevant plan, such lands should not be zoned for development.’* (Emphasis added)

Furthermore, the tourism objectives RE O106 and RE O104 in the Development Plan seek to *‘Encourage the clustering of tourism enterprise in town and village centres’* and *‘Direct the provision of tourist related facilities such as Tourist Information Centres, self-service brochure units, kiosks, and cultural centres, into town and village locations’* respectively.

These objectives acknowledge the benefits of locating tourism development in existing town centres, and the inclusion of a tourism zoning objective at a location that is remote from the town centre is inconsistent with the aforementioned tourism objectives.

In addition, Material Alteration no. 112 proposes to rezone three parcels of land as follows:

- National Stud / Green Belt to Open Space and Amenity (east of Grey Abbey Road and south of M7).
- National Stud / Green Belt to Open Space and Amenity (east of French Furze Road and south of M7).
- Equine Industry to Open Space and Amenity (east of French Furze Road and north of M7).

There appears to be no strategic planning justification for rezoning lands for further open space at this location. The lands are removed from the established and future residential areas of the town except for the Grey Abbey Views development under construction to the west of the R415. Further, the council is proposing to zone land along Southgreen Road within the northwest growth corridor to provide for an area of strategic open space. (Material Alterations 91, 92 and 111 refer.)



Material Alteration no. 112 needs to be considered in the context of Material Alterations 8 (b) and 104 in particular which together would expand the footprint of the town into a largely undeveloped rural area which forms part of the green belt.

The G – National Stud / Green Belt zoning has the following objective:

To protect and enhance the development of the Irish National Stud and established agricultural / bloodstock uses while also protecting the physical, environmental, natural and heritage resources such as the Curragh.

Section 6.3 of the draft LAP includes the following residential development objective:

HCO 1.4

To manage the provision of one-off housing on lands zoned as 'I: Agricultural' and 'G: National Stud and Green Belt'. Limited one-off housing will be permitted in this zone subject to compliance with the rural housing policy of the Kildare County Development Plan and all other normal siting and design considerations.

Section 9.8 Kildare Town and The Curragh Plains of the draft LAP states the following in respect of the special character of the Curragh Plains to the east and south of Kildare Town.

...An important part of this Plan is ensuring that the development of Kildare Town does not impinge upon this special character of the Curragh Plains. To clearly differentiate the transition from the town to the Curragh, a Green Belt is included on the Land Use Zoning Map (Map 11.1, refers) to the east and south of the town to protect physical, environmental, natural and heritage resources, whilst enhancing the development of the Irish National Stud and established agricultural/bloodstock uses with the National Stud and Green Belt land use zone... (Emphasis added)

Therefore, the policy intent for the green belt and Curragh Plains and rationale for its inclusion on lands to the east and south of the town is clearly set out in section 9.8.

The draft LAP's vision for Kildare Town is *'To promote the social, economic and physical development of Kildare Town as a self-sustaining growth town in a compact, permeable and sequential manner...'* which will be achieved by strategic development principles including Creating Compact and Connected Communities.

Pages 25 and 26 of the draft LAP set out objectives for compliance with the core strategy objectives including objective CSO 1.3:

Support and facilitate the compact growth of Kildare Town through the sustainable and sequential land use development objectives which consolidate the town centre, commercial uses and established residential areas.

This is consistent with the core and settlement strategy objectives of the Development Plan such as objectives CS O5 and CS O7.

It is considered that Material Alterations 8 (b), 104 and 114 are contrary to the draft LAP's vision, strategic development principles and objective CSO 1.3 which promote the compact and sequential development of the town and would undermine the achievement of RSO 2 – Compact Growth and Urban Regeneration and RSO 6 – Integrated Transport and Land Use. Further, these zonings would erode part of the town's green belt contrary to the policy intent for the special character of the Curragh Plans and green belt area in section 9.8 of the draft LAP.

MA Recommendation 2 – Material Alterations affecting green belt area

Having regard to:

- (a) Regional Strategic Outcomes for Compact Growth and Urban Regeneration (RSO 2) and Integrated Transport and Land Use (RSO 6) of the Regional Spatial and Economic Strategic for the Eastern and Midlands region;
- (b) key overarching principles of the Kildare County Development Plan 2023 – 2029 which includes compact growth;
- (c) tourism objectives RE O106 and RE O104 from the Kildare County Development Plan 2023 – 2029;

- (d) the vision and strategic development principles of the draft Kildare Town Local Area Plan 2023 – 2029 for sustainable and sequential land use development objectives which consolidate the town centre, commercial uses and established residential areas;
- (e) Objective CSO 1.3 (compact growth) and section 9.8 (special character of the Curragh Plains) of the draft Kildare Town Local Area Plan 2023 – 2029; and
- (f) NPO 72a-c and the co-ordination of land use zoning, infrastructure and services

the planning authority is required to make the LAP without the following material Alterations:

- (i) Material Alteration no. 8 (b) New Residential * zoning on land southeast of the junction of Grey Abbey Road and the R415, and retain the National Stud / Green Belt zoning;
- (ii) Material Alteration no. 104 Tourism zoning on land between Grey Abbey Road and the M7, and retain the National Stud / Green Belt zoning;
- (iii) Material Alteration no. 112 Open Space and Amenity zoning on land southeast of Grey Abbey Road and south of the M7, and retain the National Stud / Green Belt zoning;
- (iv) Material Alteration no.112 Open Space and Amenity zoning on land east of French Furze Road and south of the M7, and retain the National Stud / Green Belt zoning; and
- (v) Material Alteration no.112 Open Space and Amenity zoning on land east of French Furze Road and north of the M7, and retain the Equine Industry zoning.



5. Proposed material Alterations 43, 48 and 64 (Transport Infrastructure)

Material Alteration no. 43 proposes to remove permeability measures 7, 8, 9, 23, 24, 25, 34, 35, 39 and 41 which are included in table 7-1 of the draft LAP.

Material Alterations no. 48 proposes to remove cycling measures 32, 34, 35, 37, 38, 46 and 58 which are included in table 7-2 of the draft LAP.

The Office notes that these permeability and cycling measures are recommended in the Kildare Town Transport Strategy (sections 11.1 and 11.2) which informs the draft LAP, and will provide safe and convenient walking and cycling options to help achieve the targets set out in the Development Plan.

In this regard, the Office notes that the Development Plan outlines ambitious targets to reduce car-based trips to work from 74% to 50% and the car-based trips to education from 50% to 40% during the lifetime of the Development Plan (specific target TM T1 in section 5.4 – Sustainable Movement of the Development Plan relating to objective CS O2).

Having regard to the draft LAP's vision and strategic development principle – creating compact and connected communities and MTO 1.1 to *'Support and promote the use of sustainable active transport modes in Kildare Town and seek to implement a connected network of walking and cycling infrastructure in the town...'*, it is considered that the removal of permeability measures 9, 23, 24, 34, 35, 39 and 41 and cycle measures 35, 37, 38, 46 and 58 would undermine the overarching vision and development principles in the draft LAP and other policy objectives for sustainable transport such as MTO 1.1.

The Office also has concerns regarding Material Alteration no. 64 which proposes to include an objective for an outer relief road connecting from the junction of the R445 (Monasterevin Road) and L3004 (Kildangan Road) to the R413 (Melitta Road). The indicative road alignment Map Ref. 7.4 passes through undeveloped lands largely zoned for Agriculture and National Stud / Green Belt close to the draft LAP boundary for a distance of approximately 5 km. It is noted that the current LAP includes an



objective for an outer relief road, but without the section from the R415 Kilbride Road to the R413.

However, no clear justification for the current road proposal is evident from either the spatial pattern of growth planned for in the draft LAP or the transport strategy prepared to inform the draft LAP.

It is noted that Sect. 9.8.5 of the Kildare Town Transport Strategy addressed Protected Road Corridors for Future Development which are identified in the 2012-2018 LAP. Section 9.8.5 provides the following comment in relation to the outer relief road:

...It was determined that a continuous orbital corridor extending from the west of the town on the R445, across the north of the town, to the east of the town on Melitta Road; was not required due to the lack of zoned development in the north-east. In the future, most of the growth in Kildare Town will occur in the north-west between the R445 and the R401; with these protected corridors designed to provide a future orbital route which links these areas with the existing urban area. There is no need to designate a protected road corridor from the R415 to Melitta Road because the land-use zoning for the majority of land in the north-east is 'green belt' which will remain undeveloped and will not require a road.

It is considered that the proposed outer relief would lead to a substantial expansion of the town's urban footprint into undeveloped lands zoned primarily for Agriculture and National Stud / Green Belt and encourage car borne forms of development contrary to compact growth (RSO 2) and integrated land use and transport (RSO 6).

MA Recommendation 3 – Sustainable Transport and Active Travel

Having regard to:

- (a) Regional Strategic Outcomes for Compact Growth and Urban Regeneration (RSO 2) and Integrated Transport and Land Use (RSO 6) of the Regional Spatial and Economic Strategic for the Eastern and Midlands region;
- (b) Objective CS O2 (resilience to climate change and greenhouse gas emissions reductions) and Target TM T1 (under Section 5.4 – Sustainable Movement) of the Kildare County Development Plan 2023 – 2029;
- (c) the LAP's vision and strategic development principle – creating compact and connected communities;
- (d) Objective MTO 1.1 of the draft LAP which promotes the use of sustainable active transport modes; and
- (e) the Kildare Town Transport Strategy (Table 13.3 - Permeability Strategy Measures and Table 13.4 – Cycle Network Strategy Measures);

the planning authority is required to make the plan without Material Alterations 43 and 48 and to reinstate the following permeability and cycling measures into the draft LAP:

- (f) Measure 9 as it would provide better connectivity between R401 - Dunmurray Road and R415 - Rathbride Road;
- (g) Measures 23 and 24 as they would connect a number of cul de sacs within an existing housing estate accessed from R413 - Melitta Road to the R445 - Dublin Road;
- (h) Measures 34 and 41 as they connect the Oaktree estate to the Kildare Primary Care Centre on the R445 and into the proposed pedestrian links in Cherry Avenue Park² (measure 38);

² Development Plan action LR A24 relates



- (i) Measures 35 and 39 as they relate to the undeveloped Enterprise and Employment lands and form part of the future link road connecting the R445 to the R415 (opposite the Kildare Retail Outlet);
- (j) Cycle 35, Cycle 37 and Cycle 38 as they all connect with each other and various streets in the town centre zoned area; and
- (k) Cycle 46 and Cycle 58 as they connect the Oaktree estate to the Kildare Primary Care Centre on the R445 and into the proposed pedestrian links in Cherry Avenue Park (measure 38). The measures also traverse the undeveloped K – Commercial zoned lands.

The planning authority is also required to make the LAP without Material Alteration no. 64:

- (l) Objective MTO 3.7 and related text in section 7.5.1; and
- (m) Indicative route alignment for outer relief road on map ref. 7.4.

6. Proposed material Alterations 85, 91, 92 and 111 (Southgreen Key Development Area)

Material Alteration no. 85 proposes to insert a new Sub-section 11.2 - Southgreen Key Development Area and insert Figure 11-3 Southgreen Key Development Area Design Framework. The latter identifies an area of strategic open space extending northwards to the draft LAP boundary.

Material Alterations 91, 92 and 93 propose to rezone three separate areas to Open Space and Amenity east of Southgreen Road at the northern periphery of the town.

The three rezoning Alterations also propose to include the same site specific objective under the zoning objective F (1).

The proposed Open Space and Amenity zoning extends from approximately 800 metres to 1.6 km from the train station. The land is undeveloped and extends from the urban fringe to the open countryside to the north of the town. It is noted that part



of the land (approximately 7 ha) on Old Road inside the LAP boundary is currently used for GAA playing pitches.

The land subject to Material Alterations 91, 92 and 111 is accessible from Southgreen Road to the west and Old Road to the east. Both Southgreen Road and Old Road are narrow country roads with no footpaths or public lighting at this location. It is noted that permeability measure 6 extend footpaths along Southgreen Road north of the Train Line to connecting with the Greenway proposed under PERM 5 only extends as far as the southern end of the SR – Strategic Reserve zoning in the draft LAP.

The land subject to Material Alterations 92 and 111 is zoned for Open Space and Amenity in the current LAP. Having regard to the current zoning of the land the subject of Material Alteration no. 111, the Southgreen Key Development Area Design Framework, the CE's response³ that the said land '*...would be appropriate for open space purposes*' and its relationship to existing and future residential development and planned neighbourhood centre, it is considered that Material Alteration no. 111 is on balance acceptable.

The land the subject of Material Alteration no. 92 is a relatively narrow strip of land fronting Old Road. It makes planning sense to also rezone this land to Open Space and Amenity rather than leaving an isolated pocket of land zoned Agriculture.

The land subject to Material Alteration no. 91 is zoned Agriculture in the current LAP, however it is noted that the existing GAA club playing facilities occupy about 7 hectares of the land zoned Agriculture in the current LAP and draft LAP. Having regard to the current use of part of the land for playing pitches and the intent to develop the strategic open space amenity sequentially from the south, it is considered that rezoning Material Alteration no. 91 is, on balance, acceptable.

The Office is generally satisfied with the design framework for Southgreen Key Development Area which envisages an expanded residential community planned

³ Page 222 of the Chief Executive's Report on submissions to the draft Kildare Town Local Area Plan 2023 - 2029



around a future neighbourhood centre and primary school with a playground and playing pitches to the north.

Notwithstanding, the planning authority should be requested to provide clarity in relation to the need for further permeability and cycling measures in section 7.3 - Active Travel Walking and Cycling and which supports LAP objective MTO 1.1 which seeks to *‘Support and promote the use of sustainable active transport modes in Kildare Town and seek to implement a connected network of walking and cycling infrastructure in the town...’*.

MA Observation 1 – Southgreen Key Development Area – sustainable transport measures

Having regard to:

- (a) the intent in section 11.2 to provide for an area of strategic open space along Southgreen Road;
- (b) the design framework for the Southgreen Key Development Area (Material Alteration no. 85);
- (c) the active travel measures for permeability and cycling included in section 7.3 of the draft LAP; and
- (d) Objective MTO 1.1 of the draft LAP,

the planning authority is requested to provide clarity in relation to the need for further permeability and cycling measures to better connect the northern areas of the subject lands to the town.

In summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, 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 will be addressed.



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At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the draft LAP. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations of the Office, under the provisions of section 31AO(5) of the Act the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.

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,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations

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