

8th May 2025

Senior Executive Officer,
Planning and Economic Development Department,
Dún Laoghaire-Rathdown County Council,
County Hall,
Marine Road,
Dún Laoghaire,
Co. Dublin,
A96K6C9.

Re: Issues Paper for the Rathmichael Local Area Plan

A chara,

Thank you for your authority's work in preparing the Issues Paper for the proposed Rathmichael Local Area Plan (the Issues Paper). The Rathmichael Local Area Plan (Local Area Plan), is not a mandatory local area plan under section 19(1) of the Planning and Development Act 2000, as amended (the Act). Notwithstanding the above, however, the Office notes that it is an objective of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 (County Development Plan) to prepare a local area plan for Rathmichael (Policy Objective CS10 (Local Area Plans) and SLO No. 86).

The Office of the Planning Regulator (the Office) welcomes the commencement of the plan-making process, through the publication of the Issues Paper, in view of the provisions under sections 18(4)(b) and 19 (2B) and in view of the County Development Plan.

The Office acknowledges the work of Dún Laoghaire-Rathdown County Council (Planning Authority), more broadly, in advancing the preparation of the Local Area Plan.

As section 20(1) does not prescribe the requirements for public consultation at pre-draft stage for local area plans, the Planning Authority is commended for publishing the Issues Paper, engaging proactively with the public and relevant public bodies and notifying the Office of the intention to prepare the Local Area Plan. The future Local Area Plan has the

potential to deliver on key objectives of the County Development Plan, including housing and social, community and physical infrastructure and services.

In accordance with the provisions of section 31AO of the Act, the Office is obliged to evaluate and assess local area plans to ensure alignment with national and regional planning policy and the objectives of your county development plan.

The Office has set out broad issues relevant to the preparation of local area plans, in addition to some specific issues of particular relevance to the preparation of the Local Area Plan, under the following headings:

1. [Strategic policy framework](#)
2. [Development plan core strategy](#)
3. [Zoning, compact growth and infrastructural services](#)
4. [Regeneration](#)
5. [Education, social and community amenities](#)
6. [Economic development, employment and retail](#)
7. [Transport and mobility](#)
8. [Flood risk management](#)
9. [Climate action](#)
10. [Environment, built and natural heritage](#)
11. [Implementation and monitoring](#)

The Office's comments are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan-making process. They 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.

1. Strategic policy framework

The Planning Authority will be aware that section 20(5) of the Act requires the Local Area Plan to be consistent with the objectives of the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional

Assembly (EMRA) area, the specific planning policy requirements (SPPRs) of section 28 guidelines and the County Development Plan.

The Office encourages the Planning Authority to liaise with the EMRA in preparation of the draft Local Area Plan to ensure consistency, particularly where clarity is required on how the objectives and guiding principles set out in the RSES and also the Metropolitan Area Strategic Plan relate to the Local Area Plan.

The Issues Paper demonstrates a clear understanding of the role of Rathmichael within the wider county and regional context. In this regard, the RSES identifies 'Dublin City and Suburbs' as the first tier in the settlement hierarchy where the indicative Rathmichael Local Area Plan area is located within this boundary.

Having regard to the fact that most of the Local Area Plan area is not currently serviced with strategic wastewater infrastructure and that many existing residents are using septic tank systems, the Planning Authority is strongly encouraged to have regard to Regional Policy Objective (RPO) 4.2 of the RSES whereby it is essential that the Local Area Plan includes a clear phasing strategy, in consultation with infrastructure providers, to ensure that adequate capacity for services is available to match projected demand for services and that the assimilative capacity of the receiving environment is not exceeded. The phasing strategy should clearly set out the projected timelines for the delivery of infrastructure and associated development (in terms of housing numbers) over the period of the Local Area Plan in as detailed a manner as is possible.

2. Development plan core strategy

Section 19(2)(b) of the Act requires that the Local Area Plan shall be consistent with the objectives of the County Development Plan and its core strategy. A key message of the section 28 Local Area Plans, Guidelines for Planning Authorities (2013) (LAP Guidelines) is that consistency between local area plans and the core strategy of county development plans is an essential requirement, particularly in relation to the quantum and location of lands identified for development.

The Office notes the Issues Paper states the area of A1 (New Residential) zoned land in the Local Area Plan areas as being over 200ha, with an estimated yield of 2,400 homes arising from c. 83ha of undeveloped lands.

The Office notes that a land availability study was undertaken to inform the core strategy of the County Development Plan. While the quantum of land for each of the land use zonings is set out in the Issues Paper, the Planning Authority is requested to provide a clear core strategy table as part of the draft Local Area Plan which sets out population and housing growth, the densities pertaining to each land use zoning type, and the anticipated residential yield from each land use zoning type over the life of the Local Area Plan.

3. Zoning, compact growth and infrastructural services

Land use zoning objectives have already been provided for Rathmichael in the Development Plan, which have taken account of the objectives for compact growth under the NPF (National Policy Objective (NPO) 8 and NPO 9) and the RSES (RPO 3.2) and densification (NPO 45). Compact growth will play a central role in achieving the national climate objective and the Government's obligatory target of 51% for Greenhouse Gases (GHG) emissions reduction by 2030 and for a carbon neutral economy by 2050. The implementation of effective compact growth to avoid urban sprawl also plays a key role in climate change mitigation.

In relation to residential development, any provisions or standards for density or building height in the Local Area Plan are required to have regard to relevant section 28 guidelines and to comply with any SPPRs therein, including, in particular:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines);
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018); and
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023).

Land use zoning should follow a sequential approach and phasing programme linked with any necessary investment in water services, public transport and community facilities, as set out under section 6 of the LAP Guidelines.

The Planning Authority also needs to ensure that lands that cannot be serviced within the lifetime of the Local Area Plan are not zoned for development, consistent with the tiered approach to zoning under NPO 101, NPO 102 and NPO 103 of the NPF. In this regard, the

Office welcomes the undertaking of the Infrastructure Capacity Assessment Study (ICAS) to facilitate the plan-led development of both the Old Connaught and Rathmichael Local Area Plan areas which will inform the Local Area Plan for Rathmichael.

4. Regeneration

Both the NPF (NPO12, NPO 14, NPO 26, NPO 27 and NPO 45) and the policy objectives and provisions of the RSES place a strong emphasis on the opportunities for urban and village regeneration to create attractive, liveable, well-designed, high quality urban places that provide for a high quality of life and well-being. Regeneration and revitalisation of areas through reuse of brownfield sites and vacant / underutilised buildings will play a crucial role in mitigating climate change and in achieving the Government's GHG emissions target.

The Local Area Plan provides an opportunity to identify infill and regeneration sites, in accordance with the guiding principles of the RSES.

Where such sites are identified, the Planning Authority should include guidance for the future development of these areas regarding layout, massing, permeability, green infrastructure and Sustainable urban Drainage Systems (SuDS) etc., as set out in section 5.7 of the LAP Guidelines.

5. Education, social and community amenities

Access to quality childcare, education and health services is a National Strategic Outcome of the NPF. The Local Area Plan should be consistent with NPO 41 of the NPF, which seeks to align population and employment growth with investment in childcare and education facilities on well-located sites. It is an objective (NPO 12 of the NPF) to ensure the creation of liveable places that are home to diverse and integrated communities and provide improved integration and greater accessibility in delivering sustainable communities and associated services (NPO 38 of the NPF). This includes planning for the housing, transport, accessibility and leisure needs of an aging population (NPO 40 of the NPF) and for the Traveller Community. The Local Area Plan should also be consistent with the objectives of the RSES for education facilities.

The Planning Authority's Local Economic and Community Plan 2023-2028 (LECP) should inform the Local Area Plan to provide for the co-ordinated spatial planning of community services for the area. In addition, the Planning Authority's Traveller Accommodation Programme 2025-2029 should also inform the Local Area Plan, having regard to the specific objective for Traveller Accommodation under the County Development Plan within the Local Area Plan lands.

The Issues Paper recognises that a wide range of local community facilities catering for social and community needs are an essential component in designing sustainable communities. The Office notes and welcomes that a strategic aim of the Local Area Plan will be to ensure the timely delivery of an appropriate range of social and community facilities to meet the needs of the expanding local community. The Office also commends the Planning Authority for undertaking a county wide Community and Culture Infrastructure Audit which will inform the preparation of the Local Area Plan.

The Office notes the ICAS report prepared by the Planning Authority in relation to the provision of schools specifically, wherein the report acknowledges that the Planning Authority engages with the Department of Education (DoE) on an ongoing basis and through this engagement the DoE has identified a future requirement for one or more primary schools in Rathmichael and potentially a requirement for a post primary school in the wider area. The Planning Authority should continue to proactively engage with the Forward Planning Section and Property Management and Site Acquisition Section of the DoE as the draft Local Area Plan progresses.

Similarly, the Local Area Plan should be informed by the ICAS at a minimum in relation to the level of social and civic infrastructure required to facilitate the proposed population growth at Rathmichael during the life of the Local Area Plan.

It is also important that access to existing and proposed facilities by walking or cycling is prioritised, consistent with the sustainable approach to settlement and mobility discussed below.

6. Economic development, employment and retail

As the Local Area Plan lands are zoned Objective A1 (New Residential), Objective G (High Amenity), Objective GB (Green Belt), Objective F (Open Space and Amenity), Objective SNI (Sustainable Neighbourhood Infrastructure) and Objective NC (Neighbourhood

Centre), there would appear to be limited areas within the overall Local Area Plan area for local economic development and employment growth. However, as a wide range of uses are permitted in principle or open for consideration for employment type uses on a number of land use zoning types, it will be appropriate for the Local Area Plan to provide clarity on how relevant economic development and employment uses will be considered within Local Area Plan lands, having regard to the County Development Plan objectives, the RSES, the LAP Guidelines, and the LECP.

The Local Area Plan should consider how the demand for retail services for the anticipated population will be accommodated, whether within the Local Area Plan boundary and/or within the wider area. Regard should be had, in particular, to the sequential approach to the location of retail development and other provisions of the Retail Planning Guidelines for Planning Authorities (2012), and the retail hierarchy of the County Development Plan.

An integrated approach to land use and transport planning for enterprise, employment and commercial / retail development will also play an important role in mitigating climate change and in achieving the Government's obligatory target of 51% for GHG emissions reduction by 2030.

7. Transport and mobility

A mandatory national target of 51% reduction in GHG emissions by 2030 will be implemented through the Climate Action Plan 2024 (Climate Action Plan) which identifies the need to significantly reduce car kilometres and increase sustainable journeys. The Climate Action Plan is guided by the National Sustainable Mobility Policy (2022) and the proposed National Demand Management Strategy.

In relation to the NPF, there are a number of notable objectives that promote the integration of land use and transportation in order to achieve our climate goals, including NPO 37 (alternatives to the car), NPO 43 (location of new homes), NPO 69 (reducing our carbon footprint) and NPO 93 (air quality). Similarly, RPO 5.2 and RPO 5.3 of the RSES are particularly relevant in relation to Sustainable Transport.

Policy Objective T2 of the County Development Plan provides that it is a policy objective to prepare Local Transport Plans (LTP) (Area Based Transport Assessments (ABTA)) in tandem with the preparation of Local Area Plans. The Office notes and welcomes that, in accordance with this policy objective, the Planning Authority has undertaken an ABTA (as

part of the ICAS) to inform the emerging Local Area Plan for Rathmichael. The Planning Authority should ensure that it has had full regard to the National Transport Authority's (NTA) Area Based Transport Assessment Advice Note (2018) and ABTA How to Guide, Guidance Document Pilot Methodology (2021) as well as Transport Infrastructure Ireland's (TII) Area Based Transport Assessment Guidance Notes (2018). The Planning Authority is advised to incorporate the full extent of all relevant objectives, targets and measures of the LTP, along with relevant associated maps, into the Local Area Plan in support of the NPOs referred to above.

The Office acknowledges that Rathmichael is not currently serviced by public transport and that the future development of the Rathmichael area will result in an increase in travel patterns to, from and within the Local Area Plan area. Furthermore, the Local Area Plan area has insufficient walking and cycling infrastructure to cater for even the existing population.

There are a number of notable proposed transportation and active travel measures that will, however, directly and indirectly benefit the Local Area Plan area. The Office notes that Measure LRT5 in the Greater Dublin Area Transport Strategy 2022-2042 (GDA Transport Strategy) intends to extend the Luas Green Line southwards Bride's Glen to Bray.

Furthermore, the County Development Plan includes a number of road objectives, traffic management measures and active travel upgrades relevant to the Local Area Plan area. Notable proposals include a new link road at the M50 Cherrywood Interchange to Rathmichael (section 5.4) and the M50 Western Parallel Road from Old Conna to Cherrywood Environs (table 5.4). Specific Local Objective (SLO) No. 108 and SLO No. 150 in the County Development Plan are also noted, where SLO 108 (at the southern point of the Local Area Plan area where it adjoins the M50) will 'provide pedestrian/cycle access across the M11 corridor in the vicinity of Allies River Road, the corridor and route selection process outlined in Policy Objective T24 should be followed' and SLO 150 (at the northern point of the Local Area Plan area where it adjoins the M50) will:

allow for the provision of a new pedestrian and cycle link via a new combined foot and cycleway bridge from Rathmichael Road towards the Luas station at Cherrywood Business Park passing under the existing M50 motorway bridge and crossing the R116 Brides Glen road and valley.

The implementation of the above measures would be of significant benefit to the overall Local Area Plan area and would serve to connect existing and future development with existing and planned public transport in close proximity to Rathmichael and also to provide access to adequate walking and cycling infrastructure within the Rathmichael area.

In order to increase the potential for trips to be made on foot, bicycle or public transport, the Local Area Plan should demonstrate consistency with the Avoid-Shift-Improve principle and the 10 Minute Town Concept, as well as providing for the proactive implementation of the Design Manual for Urban Roads and Streets (revised 2019) and the NTA's Permeability Best Practice Guide.

Such improvements would encourage a modal shift away from the private car towards more sustainable modes of transport which would provide the Rathmichael area with the means to positively contribute towards the national target reduction in GHG emissions. This would be particularly true where safe, attractive, well segregated walking and cycling routes can be provided.

The Planning Authority is therefore strongly advised to continue the proactive engagement with both the NTA and TII as the Local Area Plan progresses to ensure that the above objectives can be realised.

The Office would welcome the inclusion of ambitious (but realistic) modal shift targets for Rathmichael in the Local Area Plan during the life of the plan, at the very least.

The Planning Authority will also be aware that consistency with the GDA Transport Strategy is required for Local Area Plan within the Greater Dublin Area planning authorities (Section 19(2A) of the Act).

8. Flood risk management

Having regard to the location of Bride's Glen River to the north of the plan area and the Crinken Stream near Rathmichael Wood, flood risk management will be the most critical climate change adaptation measure to be addressed in the Local Area Plan, informed by a Strategic Flood Risk Assessment (SFRA).

The Planning Authority should ensure that the Local Area Plan is consistent with NPO 78 of the NPF by avoiding inappropriate development in areas at risk of flooding, in accordance with the detailed requirements and provisions of section 28 The Planning

System and Flood Risk Management Guidelines for Planning Authorities (2009)'. These guidelines require a staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the Plan Making Justification Test where appropriate.

Flood risk zones¹ should also be clearly overlaid on any proposed land use zoning maps to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The Planning Authority is also requested to make a copy of digital mapping data available to the Office and to the Office of Public Works (OPW) to facilitate assessment.

The Planning Authority is strongly advised to liaise with the OPW in the early stages of preparing the SFRA to avoid issues arising at draft Local Area Plan stage. In particular, you should be aware that the Preliminary Flood Risk Area maps are preliminary assessments and should not be relied upon to inform zoning decisions.

In accordance with NPO 77 of the NPF, the Local Area Plan should integrate sustainable water management solutions, using SuDS nature based solutions. The use of nature based solutions for rainwater management is supported and required to have regard to section 28 guidelines and government guidance including, in particular:

- Compact Settlements Guidelines;
- Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines);
- Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2022); and
- DMURS Advice Note 5 – Road and Street Drainage using Nature Based Solutions (2023).

¹ With flood zone A and B separately identifiable on the zoning maps

The guidance promotes a more systemic and plan-led approach to water sensitive urban design that combines nature-based solutions with spatial planning and advises on the cross-sectoral benefits of nature-based solutions in terms of protecting against pluvial flood risk, climate adaptation, water quality, biodiversity and road safety in active travel schemes.

9. Climate action

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. The NPF acknowledges climate change as a national environmental challenge and it is an objective (NPO 69) to reduce Ireland's carbon footprint in support of national targets for climate policy mitigation and adaptation, including targets for GHG emissions reduction.

The effective implementation of climate mitigation objectives through the Local Area Plan, consistent with national and regional policy objectives (and guiding principles) identified by the Office under each of the themes in this submission, will be critical to the achievement of the Government's GHG emissions reduction target to mitigate climate change.

The efficient use of land, including through infill development and brownfield development consistent with compact growth, will ensure consistency with NPO 67 of the NPF (land use). An integrated approach to land use and transport planning will help ensure that climate action is integral to the Local Area Plan in support of national mitigation targets (NPO 69 of the NPF) under the Climate Action and Low Carbon Development Act 2015, as amended. The Local Area Plan should also consider how development in the area might best contribute to the delivery of renewable energy consistent with NPO 70 of the NPF.

The effective implementation of climate adaptation objectives through the Local Area Plan will be essential to ensure Rathmichael is climate resilient into the future. As noted, above, flood risk management will be the most critical climate change adaptation measure to be addressed in the Local Area Plan.

10. Environment, built and natural heritage

The Planning Authority is the competent authority for Strategic Environmental Assessment and Appropriate Assessment and will be aware of the Strategic Environmental Assessment, Guidelines for Regional Assemblies and Planning Authorities (2022) issued

under section 28 of the Act and the Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (2010).

The Office notes that there are no designated or candidate/proposed Special Protection Areas, Special Areas of Conservation or Natural Heritage Areas within the Local Area Plan area.

The Planning Authority should also ensure the Local Area Plan is consistent with objectives of the NPF and RSES concerning environmental protection. In this regard the Office highlights the importance of integrating green and blue infrastructure into the Local Area Plan consistent with NPO 82 of the NPF and planning for greenbelts (NPO 83). Planning for green and blue infrastructure can contribute to climate change adaptation, in particular nature-based solutions (NPO 77) and flood risk management (NPO 78) . It can also make a positive contribution to climate mitigation and have positive impacts on biodiversity and clean air (NPO 93).

Although the key built-heritage related objectives and policies are contained in the County Development Plan, the Planning Authority should consider what location specific objectives or measures would assist in the protection or improvement of built and archaeological heritage (including protected structures, industrial heritage and archaeological sites) over the period of the Local Area Plan. Accordingly, the Planning Authority should have regard to the Architectural Heritage Protection, Guidelines for Planning Authorities (2011).

11. Implementation and monitoring

The NPF and the RSES place increased emphasis on the importance of monitoring the implementation of statutory strategies and plans to measure plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The Planning Authority is, therefore, encouraged to set out specific provisions for monitoring the implementation of the objectives of the Local Area Plan, having regard to the provisions of the Development Plans Guidelines and the LAP Guidelines.

Summary

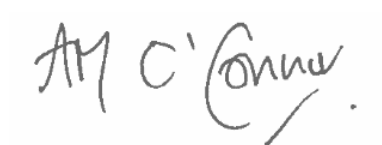
In summary, the Office commends the Planning Authority for the preparation of this Issues Paper. The Office advises the Planning Authority to:

- include a clear core strategy table as part of the Local Area Plan which sets out population and housing growth, the densities pertaining to each land use zoning type, and the anticipated residential yield from each land use zoning type over the lifetime of the plan;
- continue the proactive engagement with both the NTA and TII in order to realise the objectives of both the GDA Transport Strategy and the County Development Plan;
- include ambitious (but realistic) modal share targets in the Local Area Plan for the lifetime of the plan;
- recognise the opportunities presented by nearby / adjoining local area plan areas which will include connections to existing and proposed public transport infrastructure;
- carefully balance any transition from the established pattern of development within the Local Area Plan area with the application of Compact Settlement Guidelines;
- include a clear phasing strategy that sets out the timeline for the delivery of essential infrastructure (transport (including active travel)/ water/ wastewater/ community/ social services) in consultation with key infrastructure providers, either before or in tandem with specified levels of development;
- have regard to the Planning Authority's Traveller Accommodation Programme 2025-2029 and to the specific objective for Traveller Accommodation under the County Development Plan, within the Local Area Plan lands; and
- include a clear implementation and monitoring programme for all elements of the Local Area Plan.

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

Please feel free to contact the staff of the Office in the context of 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,

A handwritten signature in dark ink, appearing to read 'AM O'Connor' with a stylized flourish at the end.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015
