

24th July 2025

Carlow County Council,
Senior Executive Officer,
Planning Department,
Athy Road,
Carlow.

Re: Proposed Variation No. 2 to the Carlow County Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 2 (the proposed Variation) to the Carlow County Development Plan 2022-2028 (the County Development Plan).

As Carlow County Council (the Planning Authority) is aware, a key function of the Office of the Planning Regulator (the Office) is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the proposed Variation under the provisions of sections 31AM(1) and 31AM(2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

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, planning authorities are requested 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. Planning authorities are advised by the Office to action an observation.

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

On adoption of the Variation, the Office will consider whether it has been made in a manner consistent with the recommendations of the Office and whether the plan sets out an overall strategy for the proper planning and development of the area concerned.

Overview

The Office welcomes the proposed Variation which will result in the integration of the proposed Muine Bheag/Royal Oak District Town Plan into the County Development Plan placing the land use zoning and policy objectives on a statutory footing within the County Development Plan, following the expiration of the Muine Bheag/Royal Oak Local Area Plan 2017-2023 (as extended).

The proposed Variation sets out a well-balanced approach to the future development of the town, with an appropriate focus on the continued development of the town centre and the zoning of residential land close to the town centre in proximity to existing services and in a manner that promotes compact growth and sustainable development. As a result, the plan policy for Muine Bheag/Royal Oak supports the regeneration of underutilised brownfield, infill, derelict, and vacant sites, particularly within the town centre.

Constraints in wastewater infrastructure capacity which previously constrained development of the town have been addressed by the recent upgrade of the town's wastewater treatment plant by Uisce Éireann (Q1 2025). The proposed Variation and its land activation measures are therefore critical to Muine Bheag/Royal Oak achieving its population targets set down in the County Development Plan's core strategy. In this regard, the proposed Variation would benefit from additional detail regarding the development ambitions for the settlement consolidation and regeneration sites to provide a greater focus for implementation.

The Office welcomes the preparation of a Local Transport Plan (LTP) and the transposing of the priority measures for the different transport modes into the proposed District Town Plan. To improve the alignment between transport and land use planning, the Office recommends the refinement of the priority active travel measures.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within the above context that the submission sets out four (4) recommendations under the following key themes:

Key theme	Recommendation	Observation
<u>Consistency with development plan and core strategy</u>	<u>Recommendation 1</u>	-
<u>Sustainable transport</u>	<u>Recommendation 2</u>	-
<u>Flood risk</u>	<u>Recommendation 3</u>	-
<u>Regeneration</u>	<u>Recommendation 4</u>	-

1. Consistency with development plan and core strategy

While the Office has identified a number of matters to be addressed in relation to table 3.2 in the proposed Variation, these are to ensure that the relevant planning policy has been correctly applied and presented in a manner that is clear and transparent. Subject to these matters being addressed, the Office has no significant concerns in relation to the quantum or location of residential zoned land in the proposed Variation and considers that the Residential sites are well-located in terms of proximity to the town centre, at locations where they support compact growth, and adopt the sequential approach.

Table 3.2 of the proposed Variation provides for 510 housing units for Muine Bheag/Royal Oak from 2025 to 2031. The Office accepts the approach to extrapolate the County Development Plan housing supply target for an additional three years to 2031 (i.e. 295 plus 148 units). However, the Planning Authority seems to have mis-applied the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines) in this respect. Under section 4.4.3 of the Development Plans Guidelines ‘additional provision’ is a basis to provide additional Residential zoned lands to ensure a sufficient supply of zoned land (i.e. it applies to the requirement for zoned land and not to the housing target). It should not therefore affect the housing supply target as calculated in accordance with section 4.7 of the Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020) (Housing Supply Target Methodology). The Planning Authority is therefore required to amend the housing supply target in accordance with the Housing Supply Target Methodology (i.e. amend the housing supply target in table 3.2 to 443 units).

Furthermore, in the interest of transparency it is considered that the following additional information should be provided in table 3.2 of the proposed Variation:

- the amount of zoned land required (ha) to achieve the proposed housing targets (443 units) including the 25% additional provision under section 4.4.3 of the Development Plans Guidelines, and
- the quantum of residential zoned land (ha) zoned within the proposed Variation.

1.1 Infrastructure Assessment

The Office welcomes the preparation of an Infrastructure Assessment (appendix 5) as part of the proposed Variation documents. The Infrastructure Assessment would benefit from setting out the site areas (ha) for all the sites and the potential housing yield for the sites zoned New Residential, Regeneration, Consolidation Sites and Town Centre. This information should also be transposed into chapter A.2.0: CDP Strategy for Muine Bheag/Royal Oak of the proposed Variation.

1.2 Residential Development Strategy

MB11 (Map A11.2 Objectives Map) is a Greenfield site (c.2.4 ha), which the Planning Authority has zoned as Existing/Infill Residential. Given the undeveloped nature of these lands, the Office considers that they should be zoned as New Residential and included in the calculations relating to the quantum of residential zoned land throughout the proposed Variation and in the Infrastructure Assessment (appendix 5).

1.3 Densities

Section 3.3.4 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) set out the density ranges for Small to Medium Sized Towns (1,500-5,000 population), with densities in the range of 25-40 dph to generally be applied at the edge of small to medium sized towns.

Section A.4.2 of the proposed Variation estimates the residential land capacity and states that a 'maximum density of 25 units per hectare' is applied. Having regard to Policy and Objective 3.1 of the Compact Settlements Guidelines, the Office requests that the reference to maximum densities is removed from the proposed Variation.

Recommendation 1 – Settlement Strategy

Having regard to the compact and sustainable growth of the town, and in particular to:

- NPO 46 of the Revised NPF to provide evidence-based housing policy;
- NPO 45 of the Revised NPF and RPO 165 of the RSES for increased residential density and more compact forms for development;
- Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020);
- section 4.4.3 of the Development Plans, Guidelines for Planning Authorities (2022); and
- Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) regarding densities,

the Office recommends that the Planning Authority:

- (i) rezones the MB11 lands from Existing/Infill Residential to New Residential and update the quantum of residential zoned lands accordingly throughout the Variation;
- (ii) amends table 3.2 to:
 - a) clarify the housing supply target as 443 consistent with the core strategy of Carlow County Development Plan 2022-2028;
 - b) include the amount of zoned land required (ha) to achieve the proposed housing targets; and
 - c) include the quantum of residential zoned land (ha) within the Variation;
- (iii) inserts a table in the Infrastructure Assessment which sets out the site areas (ha) and the potential housing yield in each case for New Residential (including MB11 land), Regeneration, Settlement Consolidation Sites and Town Centre lands. This table should also be inserted into chapter A.2.0; and
- (iv) removes reference to maximum densities in section A.4.2.

The Planning Authority is requested to consult with this Office in relation to this recommendation.

2. Sustainable Transport

The Office welcomes the preparation of the LTP for Muine Bheag/Royal Oak, which has the potential to deliver an integrated approach to land use planning for the town. This is particularly important given the need to reduce car-based travel and promote more sustainable and active travel modes in the town, given its compact size and scale.

A key function of local transport plans, as set out under the Regional Spatial and Economic Strategy for the Southern Region (RPOs 151 and 154), is to ensure the integration of land use and transport planning at a local level. The Office is concerned that the active travel measures have not been adequately prioritised with a view to the lifetime of the plan. In this regard, the transport strategy should prioritise infrastructure that is within realistic walking and cycling distances from existing employment, educational and recreational areas and into appropriately zoned emerging development areas. To this end, the priority active travel measures incorporated into the Variation from the LTP should be reviewed to ensure that the projects are appropriately prioritised to improve the alignment between transport and land use planning over the plan period.

Finally, the proposed Variation would benefit from the inclusion of additional detail on the timeframes of the priority transport projects, to assist in its implementation and monitoring.

Recommendation 2 – Integration of transport and land use planning

Having regard to the need for integration of land use and sustainable transportation, and in particular to:

- NPO 107 and National Strategic Outcome 5 of the Revised NPF (sustainable mobility);
- RPO 151 and RPO 154 of the RSES for the integration of land use and transport to guide development; and
- RPO 152 of the RSES to deliver a high level of priority and permeability for walking, cycling and public transport modes,

the Office recommends that the Planning Authority:

- (i) reviews the priority active travel measures incorporated into the proposed Variation from the Local Transport Plan to ensure that there is a clear alignment between transport and land use planning over the plan period; and
- (ii) identifies the timeframes of the priority transport projects included in the District Town Plan.

3. Flood Risk

The Office welcomes the preparation of the Strategic Flood Risk Assessment (SFRA) and the inclusion of Policy A8. P15 relating to the management of flood risk in the proposed Variation. The SFRA would also benefit from including this policy to ensure consistency between the SFRA and the proposed Variation. The Office welcomes the inclusion of the climate change mapping and its inclusion in the Settlement Zoning Review of the SFRA (chapter 7). There does however appear to be an inconsistency between the climate change mapping for the Enterprise and Employment lands at Clonrusk Upper which show a more extensively affected area (see figures 4-6 and 4-7) than the associated text included in the zoning review for these lands (section 7.2) and which states that the site has a 'moderate sensitivity to climate change'. The Office requests the Planning Authority to review the text of section 7.2 of the SFRA for Clonrusk Upper to more appropriately highlight the findings of the climate change mapping analysis.

The SFRA identifies two areas of flooding associated with the Dunleckney Stream (figure 4-8) which will affect the development of site MB9 (Town Centre zoned lands), and this should be included on Map A11.2 Objectives Map.

Recommendation 3 – Flood Risk Management

Having regard to flood risk management, and in particular to:

- NPO 78 of the Revised NPF to promote sustainable development by ensuring flooding and flood risk management informs place making;
- RPO 114, RPO 115 and RPO 116 of the RSES to incorporate flood risk management into the planning system; and

- the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009),

the Office recommends that the Planning Authority:

- (i) reviews the text of section 7.2 of the Strategic Flood Risk Assessment (SFRA) for Clonrusk Upper to highlight the findings of the climate change mapping, as per figures 4-6 and 4-7 of the SFRA;
- (ii) revises all areas of flooding associated with the Dunleckney Stream which will affect the development of site MB9 should be shown on Map A11.2 Objectives Map (see figure 4-8 of the SFRA); and
- (iii) includes Policy A8. P15 in the SFRA.

4. Regeneration

The Office welcomes the approach taken by the Planning Authority to focus on the consolidation of the town core, with six Town Centre Opportunity Sites identified. The Office commends the Planning Authority on the presentation and clarity of the development objectives for these sites.

While the Office welcomes the identification of three Settlement Consolidation Sites and four Regeneration Sites for future growth, improved focus should be provided in terms of setting out the key development priorities and ambitions for these sites, including the permeability links and/or active travel provisions. This will assist in achieving the aims of the proposed Variation, particularly the town centre led urban regeneration and providing a greater focus for implementation.

Recommendation 4 – Regeneration

Having regard to the compact and sustainable growth of Muine Bheag/Royal Oak and to support the implementation and monitoring of the proposed Variation, and in particular to:

- NPO 25 of the Revised NPF to target the reversal of rural decline in the core of small towns and villages through sustainable targeted measures that address vacant premises and deliver sustainable reuse and regeneration outcomes;

- NPO 45 of the Revised NPF to increase residential density in settlements, through a range of measures including area or site-based regeneration, increased building height and more compact forms of development;
- section 4.2 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) to highlight issues that should be addressed in planning applications; and
- Regeneration Policy RA. P1 of the Carlow County Development Plan 2022-2028 supporting regeneration areas and to collaborate with landowners and stakeholders,

the Office recommends the Planning Authority sets out the key development priorities and ambitions for the Regeneration and Settlement Consolidation Sites, including the permeability links and / or active travel provisions.

Other matters

The Planning Authority is requested to ensure that the legend on the maps refer to the map boundary as 'District Town Plan Boundary' and not 'Draft Muine Bheag/Royal Oak Local Area Plan Boundary' (see Built Heritage map).

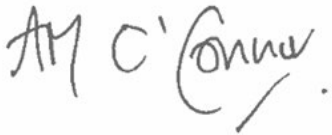
Summary

The Office requests that your authority addresses the recommendations above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they will be addressed.

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 proposed Variation. 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 made by this Office, then the Chief Executive shall inform the Office and give reasons for this decision.

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.

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A handwritten signature in dark ink, appearing to read 'AM O'Connor'.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015
