

13th August 2025

Planning Department,
Westmeath County Council,
Civic Offices,
Mount Street,
Mullingar,
Co. Westmeath
N91 FH4N.

Re: Proposed Variation No. 1 to the Westmeath County Development Plan 2021-2027
(Mullingar Settlement Area Plan)

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 1 (the proposed Variation) to the Westmeath County Development Plan 2021-2027 (the County Development Plan).

As Westmeath 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 plan, the Office will consider whether the plan 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 acknowledges and welcomes the overall approach of your authority in the preparation of the proposed Variation and in addressing the Revised National Planning Framework (Revised NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly area in accordance with section 13 of the Act.

The Office welcomes the policy approach to supporting Mullingar's designation and role as a Key Town, the support of the role of Mullingar as a Decarbonising Zone and the wider approach to climate action in the proposed Variation, and the preparation of the Local Transport Plan (LTP) in conjunction with the National Transport Authority and Transport Infrastructure Ireland. In particular, the proposal for Park and Stride locations at town centre locations and in close proximity to active travel infrastructure will encourage a modal shift towards more sustainable modes of travel.

The proposed Variation identifies policy objectives for Opportunity Sites and Strategic Regeneration Opportunity Sites and includes 3 Framework Areas, which are extensive and well laid out. The proposed Variation also includes a strong Settlement Capacity Audit (SCA) (appendix 1) and Social Infrastructure Audit (appendix 2).

The Office generally considers that the approach to zoning is consistent with the compact, sequential and proportionate growth of the Key Town of Mullingar and aligns with the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) [Amendment No. 2 of the proposed Variation].

There are discrepancies in the application of the Tier 1 & Tier 2 criteria in the SCA with regard to Employment and Residential zonings which require clarification, and a recommendation is made in relation to this matter. More detail around phasing of the Settlement Frameworks would be beneficial and also an application of appropriate densities to reflect Mullingar's Key Town status.

The Office has also recommended amendments to ensure that risk of flooding to people and property is avoided and managed.

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 three (3) recommendations and one (1) observation under the following key themes:

Key theme	Recommendation	Observation
Residential and employment lands	Recommendation 1	-
Sustainable transport	Recommendation 2	-
Flood risk management	Recommendation 3	-
Monitoring and implementation	-	Observation 1

1. Residential and employment lands

The office welcomes the preparation of the Settlement Capacity Assessment, however, it is not clear from the Settlement Capacity Assessment and the methodology used that Tier 2 zoned lands can be serviced within the plan period. In addition, certain sites, for example sites 47 & 52 (Employment) to the north-east of Mullingar, are identified as Tier 1 when neither site has available wastewater infrastructure. Tier 1 sites must be currently serviced.

The methodology for the identification of Tier 1 and Tier 2 lands should therefore be reviewed, clarified and updated so that there is a reasonable expectation of infrastructure delivery for zoned lands, and to ensure that infrastructure providers can prioritise lands where development will be realised during the plan period.

The Framework Area Plans are detailed and include strong development guidance for the three distinct areas of Ardmore-Marlinstown, Mullingar South and Robinstown. The Framework Area Plans would however benefit from further details regarding phasing as they are extensive and include a significant tract of lands identified as Tier 2.

Given that Mullingar is a Key Town, the Planning Authority should adopt the minimum density requirements of the Compact Settlements Guidelines to apply a minimum density of 40uph except for Serviced Sites where lower densities are considered more appropriate. This is particularly relevant as Amendment No. 2 of the proposed Variation proposes to integrate the Specific Planning Policy Requirements from the Compact Settlements Guidelines into the County Development Plan.

Recommendation 1 - Residential and employment land supply

Having regard to the provision of a sufficient supply of zoned lands to support compact and sustainable growth and the co-ordination of land use zoning, infrastructure and services, and in particular to:

- NPO 45 of the Revised NPF for appropriate residential density in settlements;
- NPO 26 and NPO 43 of the Revised NPF for balanced, proportionate and sustainable growth, regeneration and renewal, and the alignment of investment in infrastructure, employment and supporting amenities and services;
- NPO 101, NPO102 and NPO103 of the Revised NPF for the tiered approach to zoning and the co-ordination of land use zoning, infrastructure and services;
- the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines), including section 4.4 The Core Strategy and Zoning for Residential Use, the policy and objective that the core strategy requirements set out in section 10(2A)(c) and (d) of the Act must be applied; the policy and objective for a sequential approach to zoning; and the policy and objective for zoned land to be informed by the Settlement Capacity Audit; and
- Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) to apply the relevant density ranges within statutory development plans,

the Office recommends that the Planning Authority:

- (i) reviews the Settlement Capacity Assessment in appendix 1, and clarifies Tier 1 and Tier 2 classification, in accordance with the Development Plans Guidelines and engages with relevant statutory bodies to review the zoning objectives to

ensure that lands that cannot be reasonably or cost effectively delivered within the plan period are not zoned for development;

(ii) on the basis of point (i) reviews the Framework Area Plans to include a coherent phasing based on expected delivery of infrastructure;

(iii) reviews the density assumptions applied to the Settlement Strategy figures in section 3.4 of the Settlement Strategy to ensure that higher residential densities within the ranges set out in the Compact Settlements Guidelines have been applied, and amends the Settlement Strategy accordingly; and

(iv) prepares a table that clearly sets out:

a) an appropriate density; and

b) a yield for each of the following: Proposed Residential, Strategic Regeneration Opportunity Sites, Opportunity Sites and Serviced Sites.

2. Sustainable transport

The Office welcomes the preparation of the LTP using the Area Based Transport Assessment Advice Note (2018), which supports the integration of land use and transport planning by including a range of measures to improve sustainable transport.

The LTP indicates one of its key objectives is to promote a modal shift from private car to sustainable modes during the plan period. This will be essential to achieving national mandatory climate action targets to reduce greenhouse gas emissions by 51% by 2030.

The LTP Priority Actions are included in the chapter 8 of volume 1, however the proposed Variation would benefit from having these LTP network maps included in the volume 2 Book of Maps.

Having clear modal shift objectives would assist with achieving these targets and the Office recommends the inclusion of ambitious but realistic mode share targets for Mullingar, together with an effective monitoring programme within the proposed Variation.

Recommendation 2 - Integration of land use and sustainable transport

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 of the RSES (integration of land use and transport);
- RPO 152 of the RSES (permeability for walking, cycling and public transport modes);
- RPO 157 of the RSES (preparation of Local Transport Plans (LTP)); and
- the Climate Action and Low Carbon Development Act 2015, as amended, mandatory target to reduce greenhouse gas emission by 51%, the Climate Action Plan 2025 and associated actions including the National Sustainable Mobility Policy (2022) targets to reduce vehicle kilometres travelled per year and the National Investment Framework for Transport in Ireland (2021),

the Office recommends that the Planning Authority:

- (i) includes mode share targets for Mullingar together with an effective monitoring programme;
- (ii) includes the key LTP network maps in the volume 2 Book of Maps; and
- (iii) includes the LTP network on the Framework Area Maps.

3. Flood risk management

The Office welcomes the preparation of the Strategic Flood Risk Assessment (SFRA) in accordance with NPO 1 of the Revised NPF and the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines).

The Office welcomes the inclusion of a Plan Making Justification Test (Justification Test) in appendix A of the SFRA, which enhances the assessment of the suitability of specific developments located in the area identified as having moderate or high flood risk, as detailed in section 3.7 of the Flood Guidelines. However, no clear conclusion is provided as to whether the Justification Test criteria have been satisfied. Similarly, no determination is

provided on whether specified mitigation measures can effectively reduce the risks to an acceptable level while not exacerbating flood risk elsewhere. The Office, therefore, recommends that this is addressed to provide clarity and consistency with the Flood Guidelines.

The Office is concerned that land use zonings for undeveloped lands and existing development in areas that are identified as being at risk of flooding have not been subject to a Justification Test. Lands which have not satisfied all criteria of the Justification Test in Flood Zone A should be zoned for water compatible use, and in Flood Zone B should be zoned water compatible, or substituted for a land use appropriate to the level of flood risk.

In addition, for existing development, when avoidance or substitution is not possible and all criteria cannot be satisfied, a policy should be included to limit development to minor extensions only in accordance with section 5.28 of the Flood Guidelines and limit new development accordingly.

Recommendation 3 - Flood risk management

Having regard to:

- NPO 78 of the Revised NPF (avoiding inappropriate development in areas at risk of flooding that do not pass the Plan Making Justification Test (Justification Test));
- RPO 7.12 of the RSES (seek to avoid inappropriate land use zonings and development in areas at risk of flooding in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines)); and
- the Flood Guidelines,

the Office recommends that the Planning Authority:

- (i) reviews and amends the Strategic Flood Risk Assessment to ensure that it is fully consistent with the Justification Test as set out in the Flood Guidelines, all zoned lands that can accommodate vulnerable uses should be included and any zoning objective for highly vulnerable development (Flood Zone A or B) or less vulnerable development (Flood Zone A) that does not pass the Justification Test in accordance with the Flood Guidelines should be omitted; and

- (ii) includes a policy where all criteria of the Justification Test cannot be satisfied, to limit existing development to minor development only as outlined in section 5.28 of the Flood Guidelines.

The Planning Authority is advised to liaise with the Office of Public Works to address this recommendation.

4. Monitoring and implementation

The Office welcomes section 14 of the proposed Variation which provides implementation and monitoring overview and commentary around funding, phasing and monitoring and evaluation and includes table 14.2 Monitoring Framework.

A number of masterplans and key infrastructural elements have been mentioned in the plan material and in table 14.2 Monitoring Framework, however these should be clearly represented in a tabular format setting out when the key elements will be delivered including phasing as appropriate.

Observation 1 - Monitoring and implementation

Having regard to the effective implementation and monitoring of the Mullingar Settlement Area Plan 2025-2031 (Settlement Area Plan), and in particular to sections 10.3 and 5.1 of the Development Plans, Guidelines for Planning Authorities (2022), the Planning Authority is advised to include in addition to the Monitoring Framework as part of the monitoring strategy for the implementation of the Settlement Area Plan, a table setting out when the key masterplans and infrastructure elements will be delivered including phasing as appropriate, during the lifetime of the plan with detail relating to funding and expenditure.

5. General and procedural matters

In the interests of clarity and transparency, the Office considers that the proposed Variation would benefit from:

- rationalising policy objectives that are duplicated in separate sections of the proposed Variation with different references e.g. Cross-referencing in relation to policy objectives throughout all sections of the proposed Variation;

- an additional map to indicate the Settlement Framework Areas on the Land Use Zoning Plan for the Mullingar Settlement Area Plan 2025-2031; and
- amendment to section 16.3 so that it refers to the updated Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025).

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 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.

Is mise le meas,



Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015