



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

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11th November 2022

Senior Executive Officer,
Planning Department,
Kildare County Council,
Áras Chill Dara,
Naas,
Co. Kildare,
W91 X77F.
and

Senior Executive Officer,
Planning Department,
Meath County Council,
Buvinda House,
Dublin Road,
Navan,
Co. Meath,
C15 Y291.

Re: Issues Paper for the Maynooth and Environs Joint Local Area Plan 2024-2030

A chara,

The Office of the Planning Regulator (the Office) acknowledges and welcomes the publication of the Issues Paper for the Maynooth and Environs Joint Local Area Plan 2024-2030 (JLAP).

The Office commends the on-going collaboration between Kildare County Council and Meath County Council in commencing the preparation of the JLAP under section 18(2) of the *Planning and Development Act 2000*, as amended, (the Act).

4ú hUrlár, Teach na Páirce, 191-193A An Cuarbhóthar Thuaidh, Baile Átha Cliath 7, D07 EWW4.

4th Floor, Park House, 191-193A North Circular Road, Dublin 7, D07 EWW4.

T +353 (0)1 553 0270 | E info@opr.ie | W www.opr.ie

In this respect, the Office agrees with the key challenges identified in the Issues Paper – accommodating housing and population growth and employment growth, housing quality, climate action, accessibility, infrastructure delivery, economic synergy with Maynooth University, consolidation and regeneration, building height and increased density, integration of land use and transport planning, and protecting Maynooth’s heritage.

In accordance with the provisions of section 31AO of the Act, the Office is obliged to evaluate and assess local area plans in the context of certain parameters including:

- matters generally within the scope of section 19;
- consistency with the objectives of the Kildare County Development Plans, including its core strategy, and with the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy;
- consistency with the transport strategy of the National Transport Authority (NTA);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29; and
- such other matters as the Minister may prescribe under section 262, or otherwise prescribe.

The Office has set out some broad areas for your authorities to consider in formulating the JLAP, under the following headings:

- Strategic Policy Framework
- Core strategy
- Zoning, compact growth and infrastructural services
- Economic development and employment
- Movement and active travel
- Environment and climate change
- Heritage and amenities

These 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 authorities 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

Section 20(5) of the Act requires the JLAP to be consistent with the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES), in addition to the National Planning Framework (NPF) and the Development Plans. The provisions of the RSES have generally been transposed through the Meath County Development Plan 2021-2027 and can also be anticipated to be transposed through the Kildare County Development Plan 2023-2029, currently under preparation. Therefore, in ensuring consistency with the two development plans and their respective core strategies, the planning authorities can ensure that it is also generally consistent with the RSES and NPF.

The Office also encourages the planning authorities to liaise closely with the Eastern and Midland Regional Assembly in preparation of the draft JLAP to ensure consistency with the RSES, particularly where clarity is required on the objectives and guiding principles set out in the RSES.

The Office welcomes the commencement of preparation of the JLAP by Kildare and Meath County Councils, which will enhance co-ordination of development in Maynooth, including its environs in County Meath, in accordance with RPO 4.34. The Issues Paper demonstrates a clear understanding of the town's strategic role as a key town within the metropolitan area, and the aspirations for the town for delivery of significant housing and employment consistent with the Settlement Hierarchy set out under section 4.2 of the RSES and the Dublin Metropolitan Area Strategic Plan (MASP) forming part thereof.

The Office agrees with the key challenges for Maynooth identified in the Issues Paper, which are consistent with those set out for Maynooth in the RSES, including the strategic role of the settlement in education, the opportunities to grow with its neighbours, the significant potential for regeneration and the need for investment.

The Office welcomes the setting out of a clear strategic purpose of the new JLAP, to set out an overarching land use strategy for the proper planning and sustainable development of the town, across the two planning authorities to 2030, to incorporate a framework for guiding the future development of transportation, housing, retail, heritage, employment, and social and community infrastructure in Maynooth.



2. Core strategy

Highly ambitious population and housing targets have been set for Maynooth under the RSES and the Dublin MASP, having regard to reallocation of the population growth from Dublin city and suburbs to the metropolitan key towns in agreement with the regional assembly in line with NPO 68 of the NPF.

Although the RSES does not set out a population target for Maynooth, it anticipates (table 5.1) total growth capacity of 37,000 along the northwest corridor of the Maynooth / Dunboyne commuter line / DART. However, as noted in the Issues Paper, additional population allocation of up to 10,000 persons from redistribution of NPF City and Suburbs allocation was agreed with EMRA in July 2020 for Maynooth, within County Kildare. This has been taken into account in the core strategy of the draft Kildare County Development Plan 2023-2029.

While the core strategy of the Meath County Development Plan 2021-2027 provides for population growth of 1,000 people, it is noted that half of this was a preliminary figure based on an assumed future agreed population reallocation under NPO 68. It is the understanding of the Office that no additional population growth was assigned to that portion of the settlement with County Meath.

As such, the draft Plan should provide clarity regarding the balance of growth between the Kildare and Meath areas, also taking account of existing and planned infrastructure so that the settlement grows in a sustainable manner.

3. Zoning, compact growth and infrastructural services

In setting out the intended land use strategy in the JLAP, inclusive of maps indicating objectives for purpose such as the zoning of land, the planning authorities will need to ensure consistency with the objectives of the two development plans, their core strategies and the RSES, having regard to the provision under section 19(2) of the Act.

As no land use zoning objectives for Maynooth have been included in the draft Kildare County Development Plan 2023-2029, it can be expected that land use zoning objectives will be included in the future JLAP. In determining land use zoning objectives the planning authorities will need to ensure consistency with the provisions for tiered approach to zoning under NPO 72 a-c of the NPF. The Issues Paper highlights the delivery of critical

infrastructure as a key challenge for the JLAP period, which infrastructure will be necessary to provide for sustainable residential and employment growth.

This will require the carrying out of an infrastructure assessment for the town in accordance with Appendix 3 of the NPF and with section 4.5.2, Settlement Capacity Audit, of the *Development Plan, Guidelines for Planning Authorities (2022)* (the Development Plan Guidelines). It will be of critical importance to the implementation of the JLAP to ensure that all lands zoned for residential and other development are serviced or will be serviceable during the plan period. This will enable the planning authorities to meet the growth targets for Maynooth for the plan period through the delivery of lands included Greenfield and Railpark, as well as consolidation lands to the northwest and southwest of the town, as identified in the RSES.

Although lands have been zoned for Maynooth under the Meath County Development Plan 2021-2027, these objectives were not informed by an infrastructure assessment report forming part of the Development Plan, which matter was raised by the Office in its recommendations on the draft Plan (MA Recommendation 1). It is the understanding of the Office that the said lands are not serviced or serviceable over the plan period, notwithstanding their identification in the RSES for future development. The Office notes objective CS OBJ 11 JLAP Maynooth of the Plan, which seeks to undertake detailed infrastructure assessment consistent with the Tiered Approach to Zoning (TAZ) appendix 3 NPF as part of the preparation of the JLAP, and strongly reinforces the importance of this commitment.

The Issue Paper identifies wastewater and local water network upgrades as enabling infrastructure. Such capacity issues could significantly affect the ability of the settlement to accommodate strategic growth through enabling infrastructure. It is important that those capacity issues and the timeline within which they realistically can be anticipated to be resolved are fully understood and are seen to inform the JLAP. The resolution of same will be essential to ensuring the implementation of the JLAP, including the delivery of housing targets and population growth under the core strategy of the County Development Plans and the development of key towns on the MASP. It will also be essential to the delivery of economic and enterprise growth for the town, to provide employment for future residents.

The Office therefore advises the planning authorities to liaise closely and collaborate with Irish Water concerning the delivery of wastewater and water infrastructure to facilitate the implementation of a sustainable JLAP (RPO 5.1).

In this regard the Office notes that the town would appear to have short term wastewater treatment capacity issues, which are projected to be resolved by 2026. Certain lands in the town have network issues that will also need to be addressed.

The JLAP should therefore prioritise the development of serviced and / or serviceable land in order to ensure the objectives for housing, employment and other development growth can be achieved during the plan period.

The delivery of transport infrastructure will also be vital to ability of Maynooth to accommodate the rapid growth proposed. These have been identified in the Issues Paper as DART expansion, road upgrades, bridge, Maynooth Outer Orbital Route (MOOR), consistent with the RSES. However, walking and cycling infrastructure, including the Royal Canal Greenway will also be vital infrastructure to facilitate the sustainable development of the town as it grows. It is critical that the density and height of development is sufficient to maximise the return on the significant public investment in sustainable transport modes, in particular, consistent with RPO 5.2. The Office welcomes, therefore, the identification in the Issues Paper of the promotion of increased density and height as a key challenge to be considered in the future JLAP.

The zoning of land will also have to be consistent with the objectives of the NPF (NPO 3c) and the RSES (RPO 3.2) to achieve compact growth of at least 30%, in addition to similar objectives in the development plan for each planning authority. Land use zoning should also follow the policy and objective for a sequential approach to zoning for residential development set out under section 6.2.3 of the Development Plan Guidelines.

The Office welcomes the identification in the Issues Paper of the promoting increased density of development and taller buildings at appropriate locations within the town as a key challenge. The inclusions of a positive and evidence-based policy approach in this regard has the potential to help achieve compact growth and optimise the use of public infrastructure.

The Issues Paper correctly highlights the regeneration of the town centre, Canal Harbour and Carton Park as one of the key parameters to guide the growth of the town. The



facilitation of development of existing backlands, brownfield lands and vacant buildings have the potential to further revitalise the centre of the settlement with residential population, as well as help it to meet and exceed the compact growth target, in accordance with RPO 3.3 and RPO 4.36. In this regard the Office encourages the planning authorities to include clear, practical provisions for active land management and a clear strategy for the implementation of regeneration objectives.

4. Economic development and employment

The RSES considers there to be significant opportunities to further develop knowledge-based employment in the town focusing on ICT and manufacturing through the development of a research and technology campus to the west of the existing university campus. It also recognises the further development of Maynooth University as critical for the economic development of the town and the region with synergies to large established employers. The RSES also identifies lands at Moygaddy, County Meath, for science and technology based development.

The Issues Papers note these as key elements of employment growth over the next decade. The challenge for the JLAP will be to facilitate and guide such development in a sustainable way, including planning for and facilitating the delivery of the necessary enabling infrastructure.

In addition, having regard to the objectives for sustainable transport under the Meath County Development Plan and the draft Kildare Development Plan, to national investment proposed for sustainable and active transport modes serving the settlement, and to the obligations on Government to reduce GHG emissions by 51% by 2030 under the *Climate Action and Low Carbon (Amendment) Act 2021* (Climate and Low Carbon Act), it will also be essential to ensure that such development is easily accessible by sustainable and active modes.

The facilitation of retail facilities will also need to be considered to provide for the anticipated population growth. 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)* (Retail Guidelines), and the position of the settlement in the retail hierarchy of the county development plan.

5. Movement and Active Travel

The Issues paper recognises the location of the town on strategic rail route Dublin-Sligo, the M4 and Royal Canal. The RSES notes the planned upgrades to the M/N4 motorway, enhanced rail services on the Dublin-Sligo line including DART to Maynooth and increased recreational use of the Royal Canal as part of a Dublin to Westport Greenway, will improve northwest connectivity.

The Office agrees with the planning authorities that it will be critical for the Joint Local Area Plan to develop an integrated land use and transport strategy, which determines the most appropriate locations for this development to occur within the town. This approach will help ensure the JLAP is consistent with NPO 27 and with RPO 5.3 and should, in particular, have regard to the RSES guiding principle.

As noted above, the JLAP is required to be consistent with the NTA's Transport Strategy for the GDA. The planning authorities are aware that the Transport Strategy, which proposes a second train station for the settlement, is currently at draft stage and is likely to be finalised in advance of the publication of the draft JLAP.

RPO 8.6 requires that Local Transport Plans (LTP) will be required to be prepared for selected settlements in the region to give local expression to the Transport Strategy, including for certain large settlements within the Dublin Metropolitan Area. The two planning authorities have been proactive in preparing LTPs for its settlements in accordance with the implementation of an integrated approach to land use and transport planning. The Office advises the planning authorities to liaise closely with the NTA in the preparation of the draft JLAP and, in particular, with its requirements regarding the preparation of the LTP in accordance with the evidence-based approach.

The Issues Paper identifies the need to achieve greater alignment between where people live and work to reduce the need to travel and facilitate sustainable travel modes such as walking and cycling and public transport. The Office directs the planning authorities to the guiding principles for integration of land use and transport in the RSES, which provides clear direction on the appropriate policy approach to be followed in the JLAP.

The Issues Paper also identifies climate resilience by reducing carbon emissions as a key challenge. The implementation of an appropriate integrated approach to land use and transport planning, which will reduce the need to travel and facilitate transport by

sustainable and active modes will ensure that the growth of the settlement will contribute to the achievement of Government targets to reduce GHG emissions by 2030.

6. Environment and Climate Change

The Office notes the intent of the planning authorities, as the competent authorities to undertake Strategic Environmental Assessment and Appropriate Assessment as part of the JLAP process.

Regarding climate change and adaption, the JLAP should be consistent with the relevant objectives and be informed by the guiding principles of the RSES. The measures to be included in the JLAP should be cognisant of the actions under the *Climate Action Plan 2021* to implement the binding interim target to reduce greenhouse gas emissions by 51% by 2030 under the Climate and Low Carbon Development Act.

Flood risk management, including the avoidance of flood risk, is an essential consideration in plan preparation and, in particular, in determining land use zoning objectives for the draft JLAP to avoid inappropriate development at risk of flooding and to inform placemaking, consistent with NPO 57 and with RPO 3.7, which requires potential flooding impacts to be taken into account in the selection of land for future development. It is also a requirement of the RSES that Strategic Flood Risk Assessment (SFRA) be carried out as part of the draft JLAP preparation (RPO 7.12).

The planning authorities are required to ensure that it has regard to section 28 Ministerial guidelines *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009) as amended, (Flood Guidelines) in preparing the JLAP and, in particular, zoning objectives to be included in the JLAP. In particular, any land intended to be zoned for highly vulnerable development (flood zone A or B) or less vulnerable development (flood zone A) must have passed a plan-making Justification Test in accordance with the Flood Guidelines.

The Office also advises that flood maps be overlaid on proposed zoning maps in the JUJLAP to provide clarity and transparency for members of the public.

The Office strongly advises the planning authorities to liaise with the OPW in preparing the draft JLAP for Maynooth to ensure the provisions of the guidelines are met.

In this regard the Office highlights the following issues for consideration:

- the arterial drainage scheme to the north of the settlement;
- there is an existing Flood Relief Scheme for Maynooth (Lyreen Meadowbrook), which must be taken into account in the preparation of the draft JLAP (RPO 7.14) and a proposed Flood Relief Scheme to augment the existing scheme;
- the CFRAMs would indicate the town has extensive flood risk, including lands at and surrounding the location of the indicative second train station; the planning authorities are required to work with EMRA and other agencies to implement the recommendations of the CFRAM programme and to ensure that flood risk; management policies and infrastructure are progressively implemented (RPO 7.13)
- the Justification Test will need to be passed where it is proposed to zone lands at risk of flooding for vulnerable or highly vulnerable uses; and
- the SFRA will need to take account of climate change impacts on future likely flood risk.

Having regard to the responsibility of the two planning authorities for surface water drainage, it would be appropriate for the JLAP to provide for the implementation of the *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). This will ensure consistency with NPO 57, to integrate sustainable water management solutions such as Sustainable Urban Drainage Systems (SUDS) and facilitate adaption to climate change within the surface water drainage system.

7. Heritage & Amenities

The Office agrees that the protection of Maynooth's natural and built heritage assets will be a key challenge in view of the significant residential and employment growth envisaged for the town. Such assets need to be taken into account in the preparation of the Plan and appropriately protected consistent with NPO 17, NPO 60 and RPO 3.5, having regard to the RSES guiding principles.

In particular, the draft JLAP should include appropriate protections for St. Patrick's College, the Royal Canal, Maynooth Castle and the nearby demesne landscape of Carton House identified as key assets and attractions in the RSES. However, a balance will have

to be struck between appropriate protections and the facilitation of development to achieve residential and employment growth ambitions, including provisions for increased density and tall buildings.

In this regard, the planning authorities are advised to have regard to the *Architectural Heritage Protection Guidelines for Planning Authorities* (2011) and to liaise with the Heritage Section of the Department of Housing, Local Government and Heritage in preparing the draft JLAP.

Regarding natural heritage, the Office highlights the requirement to promote the ecosystems services approach to the preparation of statutory plans under RPO 7.21. The protection of natural heritage should also be considered in the development of green infrastructure (RPO 7.22) and greenways and blueways (RPO 7.24) and the inclusion of riparian setbacks (RPO 7.26).

Summary

In summary, the Office commends your authorities for the preparation of this Issues Paper. The Office advises your authorities to pay particular attention to the following issues in the preparation of the JLAP:

- consistency with the core strategy of both County Development Plans and, in the case of the Meath County Development Plan core strategy compliance with the actual population growth reallocation under NPO 68 agreed with EMRA;
- consistency with the requirement for the tiered approach to zoning under NPO 72a-c through the preparation of a fully informed infrastructure assessment and settlement capacity assessment in accordance with the provisions of the Development Plans Guidelines, in consultation with the relevant infrastructure providers, to ensure that land zoned to deliver anticipated growth in housing, employment and associated services and amenities is serviced or serviceable during the JLAP period;
- consistency with NPO 3c and RPO 3.2 compact growth in the determination of land use zoning objectives for the settlement, including through the development of infill and brownfield development consistent with NPO 6, RPO 3.3 and RPO 4.36 and RSES guiding principles will contribute to a reduction in the per capita GHG emissions of the town as it grows;

- in view of the very high growth rate applicable to the settlement under the RSES and core strategy, it is critical that the determination of zoning objectives demonstrably have regard to the requirement for the sequential approach to zoning under the Development Plans Guidelines
- ensure that the full benefits from the significant public investment in sustainable transport modes, and in particular the DART extension and new station, are realised through an appropriate approach to density and height at appropriate areas within the town consistent with RPO 5.2;
- implement the sequential approach to zoning for retail development, having regard to the provisions of the Retail Planning Guidelines, consistent with an integrated approach to land use and transport planning under RPO 5.3;
- consistency with NPO 27, RPO 5.3, RPO 8.6 and NTA's Transport Strategy for the GDA, through the development of an integrated land use and transport strategy for the settlement, informed by an evidence based LTP, having regard to the RSES guiding principles, will facilitate sustainable and active travel modes and contribute to a reduction in the per capita GHG emissions of the town as it grows;
- consistency with NPO 157 and with RPO 3.7 concerning the consideration of flood risk management in plan preparation; the planning authorities should have regard to the detailed requirements of the Flood Guidelines, as amended, including through the carrying out of a Strategic Flood Risk Assessment to inform land use zoning objectives, with the implementation of the sequential approach to flood risk management and the carrying out of the plan-making justification test, as necessary, taking account of future climate scenarios; and
- the protection of Maynooth's natural and built heritage assets, in view of the significant growth anticipated, having regard to the *Architectural Heritage Protection Guidelines for Planning Authorities (2011)*, and consistent with NPO 17, NPO 60 and RPO 3.5, having regard to the RSES guiding principles.

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



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Please feel free to contact the staff of the Office in the context of your authorities' responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Is mise le meas,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
