

15th December 2023

Planning Department,
Kildare County Council,
Áras Chill Dara,
Devoy Park, Naas,
County Kildare.

Re: Adopted Kildare Town Local Area Plan 2023 - 2029

A chara,

The Office of the Planning Regulator (the Office) acknowledges the adoption of the Kildare Town Local Area Plan 2023-2029 (the LAP) by the members of Kildare County Council on the 26th October 2023.

The Office also acknowledges receipt of your letter of 3rd November 2023, further to section 31(AO)(5) of the *Planning and Development Act 2000*, as amended.

The Office would like to state at the outset that the LAP generally provides a robust evidence-based planning framework with a high level of consistency with national and regional planning policies and the Kildare County Development Plan 2023-2029 (the Development Plan).

The Office's submission on the Material Alterations had however raised a number of concerns, in particular regarding the approach to the proper planning and sustainable development of the area to the south of the M7 motorway.

The Office welcomes therefore, the decision of the elected members to adopt the LAP without Material Alteration 112, and notes that the three parcels of lands affected revert to the zoning objectives in the draft LAP i.e. G: National Stud and Green Belt and S: Equine Industry. These lands are generally not well located in relation to established and future residential areas of the town, and it is important that the development of Kildare Town occurs in a compact and sustainable manner that does not impinge upon the special character of the Curragh Plains.

The Office had also included a recommendation to make the LAP without Material Alteration 89 to include a site-specific objective SR*: Strategic Reserve (Employment) and associated change to the land use zoning map for lands to the south of the M7 motorway. The reasons for this recommendation related in the first instance to the absence of an evidential basis or strategic justification to support the identification of these lands for Strategic Reserve (Employment). The location of the lands, in close proximity to an intersection on the M7 motorway, and remote from high capacity public transport also potentially undermine the strategic transport function of the motorway and facilitate car-dependent development.

The Office has considered the reasons provided by the elected members¹ for adopting the LAP with Material Alteration 89 contrary to this recommendation of the Office, and also accepts that the adopted LAP did not zone the land for development in the plan period.

The Office accepts in principle that there is a need to zone sufficient lands for employment in order to improve the town's job ratio and notes that the contiguous employment lands are the subject of a current planning application for employment use.

Any future proposal to zone the subject lands for employment uses must, however, have an evidence based rationale that is clear and strategic in nature in terms of the need for employment land at this location in the context of the economic or employment strategy in the Development Plan. Careful consideration will also be required regarding the nature of any employment use, having regard to the policy requirements to locate employment intensive development in areas served by high quality public transport. Full consideration must also be given to potential impacts on junction 13 of the M7.

In this regard, the planning authority must demonstrate consistency with the employment objectives of the Development Plan, which relate to the location of employment development such as objectives RE O3, RE O6, RE O8 and RE O9. The planning authority must also address section 6.2.5 of the *Development Plans, Guidelines for Planning Authorities* (2022) and section 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012).

¹ Appendix 1 of the planning authority's letter.

In relation to Material Alteration 8 (b) to zone land south of Grey Abbey Road for low-density housing, the Office accepts the elected members' reasons for adopting the LAP with the Material Alteration, in particular that the site provides an alternative to one-off rural housing. The Office considers that the zoning without the Open Space zonings proposed in Material Alteration 112, would not materially impact on the green belt.

The Office also accepts the elected members' reasons for adopting the LAP with Material Alteration 104 to zone land north of Grey Abbey Road for tourism uses, in particular that the land previously had planning permission for a hotel, bar / restaurant amongst other uses, and having regard to the footnote² included as a minor modification on page 154 of the adopted LAP.

In addition to the above, the Office had also expressed concern regarding the omission of specific permeability and cycling measures (Material Alterations 43 and 48) and the inclusion of Objective MTO 3.7 for an outer relief road and an indicative route alignment (Material Alteration 64).

While the Office remains of the view that the inclusion of these permeability and cycling measures would enhance and expand on opportunities for residents to walk and cycle in the town, we note the recent pedestrian / cycling facilities implemented and the remaining measures proposed to be implemented from the adopted LAP. The planning authority may wish to revisit the proposals omitted at a future date.

In relation to the outer relief road, the Office continues to have reservations about the need for this road, or at least the full extent of the indicative route mapped. In particular, the need for a relief road was not identified within the Kildare Town Transport Strategy (section 9.8.5) which informed the LAP. The submission from the National Transport Authority (NTA) also concluded that the inclusion of the objective for an outer relief road would not be considered consistent with the Greater Dublin Area Transport Strategy 2022-2042. The Office notes however that this is an indicative route only. Any further consideration of the matter should involve discussions with the NTA to determine the future requirement for the relief road to support modal shift initiatives for cyclists and pedestrians, and may require a review of the local transport strategy.

² *'Any application for the development of the site shall be accompanied by a Traffic and Transport Assessment (TTA) to include consideration of public transport modes with a specific consideration of climate objectives and eco-tourism.'*

Finally, the Office is satisfied that the issues raised in MA Observation 1 are no longer relevant since the elected members accepted the Chief Executive's recommendation to not adopt Material Alteration 91 which proposed to rezone approximately 15 ha of land at the northern periphery of the LAP to F: Open Space and Amenity.

Notwithstanding the concerns outlined above, the Office is satisfied with the overall outcome of the adopted LAP and the manner in which the majority of its recommendations and observations were addressed at draft plan and Material Alterations stages.

In conclusion, the Office welcomes the adoption of the Kildare Town Local Area Plan 2023-2029, and looks forward to continued engagement with Kildare County Council in the implementation of national and regional policy at the local level.

I trust the above clearly sets out the position of the Office, particularly in relation to the area to the south of the M7 motorway, and would be grateful if this letter could be brought to the attention of elected members.

Is mise le meas,

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A handwritten signature in blue ink that reads "AM O'Connor". The signature is written in a cursive style with a small flourish at the end.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations

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