

Appendix D - Department of the Environment, Heritage & Local Government Submission

8 September 2006

Mr. Tom Dowling,
Manager,
Meath County Council,
County Hall,
Navan,
Co. Meath.

Draft Meath County Development Plan 2007-2013

Dear Manager,

I am directed by Mr. Dick Roche, T.D., Minister for the Environment, Heritage and Local Government to refer to the Draft Meath County Development Plan 2007-2013 and wish to offer the following comments for consideration by the Council.

The Department wishes to emphasise that it is vital that the development plan for County Meath:

- establishes a strong policy framework for the sustainable development of the county aimed at delivering quality development and sustainable neighbourhoods in a manner consistent with the aim of proper planning and sustainable development required under the Planning and Development Act 2000;
- achieves good alignment between the location of future development and future investment programmes in physical infrastructure such as water services and public transport under Transport 21 as well as social facilities like schools, amenities and community facilities;
- ensures that Meath will continue to play its part in the delivery of an effective supply of housing within the overall Greater Dublin Area and at strategic and suitable locations; and
- fully implements the broad policy frameworks aims and objectives of the National Spatial Strategy (NSS), the Regional Planning Guidelines (RPG's) because the

planning system at local level has a most vital role to play in achieving the aims of the strategies above for overall long-term local, regional and national benefit.

The draft Plan is comprehensive and takes on board many of the concepts contained within the Regional Planning Guidelines (RPG's) for the Greater Dublin Area. However, the policy framework contained in the County Development Plan will need further adjustment and focus as outlined under the headings below if the principles outlined above are to be achieved and the draft plan is to fully accord with the RPG's and the National Spatial Strategy.

Settlement Strategy

County Meath is an integral and strategic part of the GDA. Planning policies and their implementation in Meath must have a broader regional perspective in order that the dynamic performance of the GDA is assured through strategic and sustainable planning policies and so that County Meath can contribute to and benefit from this performance. To support the competitiveness and quality of life of the GDA, Government policy has also been aimed at increasing the supply of housing in order to improve housing affordability and there is now a large land-bank of zoned and serviced land within the GDA and particularly within the Dublin region.

The core principle of the NSS and RPG's for the Greater Dublin Area is to create more compact, sustainable and public transport served development by consolidating growth within the metropolitan area of the GDA and at key strategic nodes in its hinterland. While the RPG's high-growth scenario suggested a population level in Meath of approximately 167,500 by 2013, the high growth experienced in Meath over the last few years, driven mainly by in-migration, has already increased the population to over 162,000, according to preliminary CSO Census 2006 figures. The Council acknowledges that, in setting its housing strategy targets at 180,000 by 2013 to align its settlement policies with the RPG targets for GDA consolidation, it will have to encourage a moderation in the rate of growth towards the end of the plan period and the location of that growth within the County.

In order to achieve the aims of the NSS and RPG's, to assure the continued sustainable development of County Meath and achieve a better match of future development and infrastructure within the GDA and County Meath, future development activity in the county therefore needs to be substantially more focused.

The Department is particularly concerned that the development plan for Meath should more explicitly prioritise and channel future development activity and growth potential within the county to a smaller number of strategic locations and over the period of the Plan. The Department holds this concern because of:

- (1) the very high level of zoned land already available in the county at a wide range of locations;

- (2) recent trends whereby high levels of development activity in the county are taking place across a wide geographical area, some of which are not consistent with the RPG's;
- (3) the development opportunities within and infrastructural stock of key locations such as Navan, Drogheda and the parts of Meath within the metropolitan part of the GDA (as set out in the RPG's); and
- (4) the need to take key infrastructure investment frameworks such as Transport 21 and the Department's water services capital programme into account in determining appropriate locations for future development.

Taking all of the above factors into account, the Department believes that, in order to deliver balanced self-sustaining and public transport served development in the future, it is essential that the development plan ensures that agreed levels of future population growth for the county be channelled first and foremost to locations such as Navan, Drogheda, locations within the metropolitan part of the GDA such as the Clonsilla-Pace rail corridor and other similar strategic locations.

The Department is not satisfied that the development plan as currently drafted has put in place the mechanisms to achieve the objective above and such mechanisms are essential in demonstrating that the plan is broadly consistent with the overall aims and objectives of the NSS and RPG's.

The draft plan facilitates additions to the already significant levels of land currently zoned for residential purposes in Meath, although the plan aims for a overall county population of 180,000 by 2013. Table 6 of the draft plan would appear to indicate that, if all existing zoned land was developed, it could provide for an ultimate county population of some 300,000, well above the target population of 180,000 by 2013. Taking account of recent levels of development and population increase, unless the planning authority takes very firm measures to channel and focus future growth potential, there is a risk that development-led growth at unsuitable and unserved locations may effectively overwhelm the reasonable aspirations of the Plan to manage the growth of the county sustainably towards a population of around 180,000.

Accordingly, it is considered essential for the achievement of the aims of the NSS, RPG's and the proper planning and sustainable development of County Meath that the planning authority demonstrate clearly what policy mechanisms, (such as de-zoning, phasing etc.), it will use to deliver plan-led development of the county over the period of the Plan.

Furthermore, it is important that local area plans should expand on, rather than extend, the more general principles and policies set out in the County Development Plan; they must always operate within the parameters of the county plan. Any proposals that exceed the development scope or parameters of the County Development Plan require statutory variation of the county Plan in the first instance.

The Department is of a firm view that the delivery mechanisms outlined above must act to channel development to the most appropriate locations as described above which should be the first priority for the zoning, servicing, release and promotion of development land because they have the services, social infrastructure and existing/future high capacity rail transport connections to facilitate major urban expansion and the creation of sustainable neighbourhoods and communities. Indeed, strategic development potential for Navan is considerable – of the order of 60,000 population and the Navan Development Plan envisages a population of 45,000+. The reserves of residentially zoned and strategic reserve lands in the southern environs of Drogheda in Meath alone have development potential for 25,000 - 30,000 persons. However, these very significant levels of development potential may be very slow to realise if large land-banks in other areas closer to Dublin on motorways etc. are also available, in addition to the large stocks of zoned and serviced land in Dublin, thereby undermining the objectives of the RPG's, NSS etc.

The Department notes that much recent population growth in the 1996-2006 intercensal period and future growth potential as set out in the draft Plan is located to the south and east of the county where there is marginal additional water services capacity, little or no high capacity in public transport and major pressure on social facilities such as schools. Furthermore, areas in East Meath such as Bettystown, Laytown and Stamullen, and other areas in the county such as Dunshaughlin, Kilbride and Ratoath and which are proposed for substantial residential growth are not part of the RPG's for the Greater Dublin Area. The Council should therefore reconsider these areas as areas of growth or at a minimum demonstrate if and where there has been a reciprocal rebalancing of the population growth or consolidation of settlement elsewhere within the county (through de-zoning or some other such mechanism) to ensure implementation of the RPG's.

While it is proposed to designate Dunshaughlin as a moderate growth town through varying the RPG's, there is no mechanism to do this. Pending consideration of this at the review stage of the RPG's, it is suggested that this proposal be omitted from the Plan. Similarly, regarding the proposed designation of Kilbride as a village, the Council have to clearly demonstrate how this accords with the RPG's, and provide greater clarity on what is proposed (population levels etc.) or, failing that, to withdraw the proposed designation.

As regards the small growth towns designated in the draft Plan, it is an inherent intention in the RPG's that any development in these towns would be driven by local needs for services etc. and not driven by regional pressures. It would be helpful,

therefore, if the Plan clearly set out their envisaged development and also the mechanisms that will be put in place to ensure that any growth over the period of the Plan is to serve local needs. This would help to avoid confusion for third parties and interested stakeholders.

Population Projection

The draft Plan indicates that population growth will continue in the early part of the Plan and then, depending on in-migration trends and household size, the rate of growth should decline in the latter part of the Plan. Given the unpredictability of the situation, Meath County Council may need to consider, as a specific objective of the Plan, the careful monitoring of the population numbers and the spread of population linked to the application of or increased use of specific mechanisms such as phasing to channel and manage growth in a manageable manner. Analysis of relevant outcomes of Census 2006 would greatly assist the Council in this.

Residential Growth Management

The RPG's for the GDA require the moderation of residential growth over the Mid-East area which will contribute to the consolidation of the Dublin Metropolitan Area, and the development of key locations within the Mid-East region. The draft Plan indicates that this moderation will occur in the latter part of the Plan period. It is estimated that the overall growth rate for the period will be 1.85% *per annum*. The draft Plan does not indicate how this growth rate will be slowed down, given that, in aggregate terms, there is adequate land zoned for this population growth, and infrastructure provision can be provided under four options outlined in the draft plan.

The Plan should indicate the mechanisms that will be used to slow the growth rate in the latter part of the Plan period, for example, through de-zoning, phasing integrating the release of residential land with the release of infrastructure, use of the jobs ratio or some other such mechanism.

It is acknowledged that substantial efforts have been made to increase the jobs ratio in the county through different promotional and marketing ventures and which are now yielding considerable success. Much credit is due to the planning authority for this. It would be helpful if there were provisions in the Plan for this to be closely monitored so that there is integration between the provision of employment into towns/villages and the development and provision of housing.

Zoning

Meath County Council recently prepared a draft supplementary development contribution scheme for the initial phase of the re-opening of the Navan to Dublin Railway line (Clonsilla to Dunboyne/Pace). In the draft scheme, it is indicated that it will involve the zoning of an additional 1,000 hectares of land. While it is acknowledged that the draft Plan was prepared prior to this draft scheme, it is unclear if this additional 1,000 hectares of land with population potential has been included in the population figures proposed for the County in the draft Plan or if it is in addition to those proposed. If the latter were the case, the Council will need to

consider reciprocal de-zoning of land or similar mechanisms to allow for this and ensure broad consistency between the level and location of future development in Meath and the broad objectives of the NSS and RPG's.

It would also be helpful if the Council could clarify some apparent ambiguity over the development of the former airfield lands at Gormanston. While these lands have been zoned for employment purposes in the East Meath Local Area Plan, there is a supposition in the infrastructure section of the draft Plan that the lands may be used for residential purposes. In such event, a Local Area Plan for the Gormanston area would be required.

It is noted that the draft Plan retains existing levels of zoned land in the village of Donore which is within the buffer area of the World Heritage Site. In view of the scale of additional zoned land provided under the last Development Plan and the need for new and existing development to be effectively integrated in an architecturally sensitive manner respecting the village character, my Department concurs with the Council's approach and would urge that no additional zoned land be identified at this stage for Donore.

Temporary Infrastructure Provision

It is noted that there is a provision in the draft Plan that in certain circumstances infrastructure can be provided through a temporary arrangement and the draft Plan indicates certain conditions that have to be satisfied. However, given the lack of any stated methods to manage this population growth and the proposed widening of the growth areas, there is a need to elaborate on the specific circumstances where this would be allowed. I would urge that a basic premise would be that such temporary provision should only be considered in locations which accord with the RPG's.

Brú na Bóinne World Heritage Site

I consider it imperative that the Plan clearly set out in detail in the Council's position on development in the area of the Brú na Bóinne World Heritage site. This is necessary in the interests of openness and transparency for prospective planning applicants and to ensure that a robust and effective conservation strategy is maintained for this extremely important World Heritage site.

The provisions and objectives of the draft Plan regarding the Brú na Bóinne complex are noted, especially Heritage Policy 65. However, my Department is concerned that Heritage Policy 65 may not be sufficient to manage the potential cumulative impacts of additional housing and related development upon the character, setting and integrity of the area covered by the UNESCO World Heritage Site designation. . There is, therefore, a case for including a policy in the Plan generally restricting new development within the core area of Brú na Bóinne to modest works such as small-scale extensions to existing domestic dwellings and for permitting only small-scale development in the buffer zone, with appropriate planning.

Heritage Policy 63

In order to protect landscapes of exceptional value and sensitivity, it is recommended that this policy be amended as follows:

“To employ the full extent of the provisions of the Planning & Development Acts and Regulations to ensure the sustained protection of landscapes of exceptional value and sensitivity and in particular to protect the rural character, setting, amenity and archaeological heritage of Brú na Bóinne and the Hill of Tara, and of the surrounding areas including the area in the vicinity of the proposed M3 motorway and its related interchanges. “

Finally, in the Book of Maps Volume 1, Map no. 8.4 should outline the entire boundary of the Core Area of the World Heritage Site with the yellow line.

I attach as an appendix to this letter some further comments in relation to heritage policy, national monuments and nature conservation issues, and more detailed comments in relation to development in the vicinity of Brú na Bóinne.

I hope these comments are of use to the Council in its considerations and I wish the Council well in the preparation of its new Plan which will be crucially important for the development of Meath and the Greater Dublin area over the period 2007 to 2013.

Yours sincerely,

Brian Kenny,
Spatial Policy.

Appendix – further comments

Brú na Bóinne World Heritage Site

In the event that the Council wishes to retain policy Heritage Policy 65, then it should be considerably strengthened through the following suggestions;

- (i) Add the word “locally” so that it now reads “To permit individual housing only to those involved locally in full-time agriculture and who do not own land outside the Brú na Bóinne World Heritage Site;
- (ii) Add to this paragraph "that in addition to satisfying a clear agricultural housing need, such development is also subject to the Development Assessment Criteria set out in Volume 1, Chapter 8, section 3.3.2, and elsewhere in the Development Plan.”

With regard to the assessment criteria in the draft Plan in relation to development in the vicinity of Brú na Bóinne, I would request that the following changes (highlighted and underlined) are made:

- There should be no inter-visibility between the development sites and the National Monuments of Newgrange, Knowth and Dowth, up to and including apex of roof level, and minimisation of inter-visibility between the development site and other National Monument sites;
- Existing protected views shall be retained;
- Development must not negatively affect the amenity, views, and landscape setting of the National Monuments; i.e. protecting all of the above;
- Extensive screen planting that would alter the landscape setting of the National Monuments will not in itself be considered as adequate mitigation;
- Development that would give rise to or exacerbate inappropriate clustering or ribbon development will not be permitted.

In addition, I would request that the following paragraph regarding exempted development be added;

Exempted development is subject to restrictions in certain circumstances. For example, exemption does not apply to development which would interfere with sites, features or views listed for protection in the Meath County Development Plan. Please refer to the Planning and Development Regulations 2001, Part 2 'Exempted Development' in particular Article 9(1)(a) parts (i),(vi), and (vii).

Chapter 8: Cultural, Heritage & Landscape Protection

The Department welcomes the provisions of this Chapter which but recommends the following amendments and additions.

8.2.9 - Peatlands

The archaeological potential of peatlands should be emphasised and included in the **HER POL 53** in **8.3.2**

8.2.11 Hedgerows

HER POL 25 – The archaeological importance of townland boundaries including hedgerows should be underlined and that such boundaries should be retained.

8.3.2 Archaeological Heritage

After the Paragraph referring to Section 12 of the National Monuments (Amendment) Act 1994, the following should be inserted:

“All excavation, digging, ploughing or disturbance of the ground in proximity to National Monuments in the ownership or guardianship of the Minister for the Environment, Heritage and Local Government or of the local authority requires the consent in writing of the Minister (Section 14 as substituted by Section 5 of the National Monuments (Amendment) Act 2004).”

Development Assessment Criteria

It is recommended that the first bullet point be amended to include developments of such a scale or nature as to make it reasonable to consider its impact on as yet unidentified elements of the archaeological heritage. (*Framework and Principles for the Protection of the Archaeological Heritage, 3.6.2*)

The second bullet point should be amended to read as follows:

“Ensure that a suitably qualified archaeologist carries out all archaeological works required when permission is granted for development that require mitigation of impacts on the archaeological heritage.”

Nature Conservation

With regard to water services and related infrastructure, it is clear that water quality, flood protection, waste water treatment and water supply are major issues which Meath County Council must address over the period of this Plan. From a nature conservation perspective, it is important that, in dealing with these issues, Meath County Council ensure that such works do not adversely impact on coastal areas, groundwater, surface water and wetland areas, in line with their stated policies regarding protecting natural heritage and biodiversity.

Map 8.3, which deals with the designated sites for natural heritage and shows pNHAs in blue, SPAs in pink and SACs in red, appears to be out of date. It is noted that a number of pNHAs which have been subsumed into the River Boyne and River

Blackwater SAC (2299) should now be shown as part of the SAC rather than as pNHAs. In addition, the Boyne Coast and Estuary SAC (1957) is identified as an SPA and pNHA but has omitted the SAC designation. Meath County Council should liaise with the National Parks and Wildlife Service (NPWS) of the Dept. Environment, Heritage and Local Government to ensure they have the designations shown correctly on map 8.3.

A list of designated sites is given in the Environmental Report on pages 19-21. While the SAC and SPA lists appear to be correct, the pNHA list needs to be amended.

Mount Hevey Bog pNHA (1584) appears to be the same site as Mount Hevey Bog SAC (2342). This needs to be amended/clarified. Crewbane Marsh pNHA (553) is not on the list, it has been subsumed into the River Boyne and River Blackwater SAC. Also subsumed into the River Boyne and River Blackwater SAC are the pNHAs of Boyne Woods (1592), Dowth Wetland (1861), Lough Shesk (556), Rosnaree Riverbank (1589), Slane Riverbank (1591) and Trim Wetland (1257). It is suggested that the list should be amended to reflect this. Also, Laytown Dunes and Nanny Estuary pNHA (554) are not on the list and this should be corrected. The Council should liaise with National Parks and Wildlife Service on the above to ensure they have the correct information.

It would also be useful for the County Development Plan to include a list of the designated sites so that a person examining the map could establish details relating to the designated sites and relate it back to the map.

On another point, the reference in Section 6.2.4 to Map 6.8 showing SPAs, cSACs and high biodiversity habitats appears incorrect. This should refer to map 6.7.