



01 August 2024

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

Dear Sir/Madam

**Re: Draft Maynooth and Environs Joint Local Area Plan 2025–2031 –Towards a Low Carbon Town**

The Heritage Council was established as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995.

We seek to provide submissions on forward planning, development control and strategic infrastructure developments as they relate to Ireland’s heritage, namely built, cultural and natural heritage. We welcome the opportunity to comment on the *Draft Maynooth and Environs Joint Local Area Plan 2025–2031 –Towards a Low Carbon Town*. Ireland’s national heritage is defined in the Heritage Act, 1995 as including: ‘monuments, archaeological objects, heritage objects, architectural heritage, flora, fauna, wildlife habitats, landscapes, seascapes, wrecks, geology, heritage gardens, and parks and inland waterways’.

*National and Local Policy Context*

It is important to state from the outset that the **National Planning Framework – Project Ireland 2040**, identifies “*Enhanced Amenities and Heritage*” as one of our national strategic outcomes. Within this, the NPF correctly notes that built, cultural and natural heritage has intrinsic value in defining the character of urban and rural areas, adding to their attractiveness and sense of place. National policy objectives 16, 17 and 52 in the NPF give further support to this ambition and there is a need to reflect this in LAPs.

**Development Plans – Guidelines for Local Planning Authorities** was prepared for county and city councils in June 2022. Within these guidelines, there are detailed requirements for local forward planning objectives. Features of special architectural, historical, or natural value are our heritage assets, and mandatory objectives under the themes of ‘heritage and landscape’ have been identified throughout these guidelines. There is an obligation on local authorities to ensure the inclusion of such objectives in their statutory plans.

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The 4<sup>th</sup> edition of Ireland's **National Biodiversity Action Plan (NBAP) 2023 – 2030** was published in January 2024. The NBAP states that “local authorities play a key role in biodiversity conservation through the planning system”. There are several targets identified under Outcome 2A (*The protection of existing designated areas and protected species is strengthened and conservation and restoration within the existing protected area network are enhanced, regarding designated areas and protected species*) that are relevant for local authorities in their plan making functions. However, of key importance is Outcome 3C (*Planning and development will facilitate and secure biodiversity's contributions to People*). Action Numbers 3C2 and 3C3 are especially important, whereby the objectives of the NBAP are to be aligned and integrated within the statutory land use plans. In addition, actions 1B9, 1C5 should also be key considerations for all plans.

**Heritage Ireland 2030** was published in February 2022 and details a number of action points relevant for local authorities and these should be included in LAPs. Most importantly are Action 22 - *Introduce policies on supports for urban biodiversity and tree planting*; Action 26 - *Support nature-based solutions for land-use management*; and Action 37 - *Integrate heritage considerations into urban and rural regeneration to ensure that built and natural heritage objectives underpin the planning and development process and inform the 'Town Centres First' policy approach*.

The **Guidelines for Planning Authorities on Architectural Heritage Protection** were developed in 2004 and give expression to the provisions of the Planning and Development Act 2000, with regards to built heritage. Chapter 2 and 3 give detailed guidance on the role of statutory county level plans with regards to the Record of Protected Structures and Architectural Conservation Areas. The Office of the Planning Regulator has also provided guidance on **Archaeology in the Planning Process** through **Planning Leaflet 13**.

The Eastern & Midland Regional Assembly's **Regional Spatial & Economic Strategy 2019-2031** is the current regional plan for counties Kildare and Meath. Whilst the RSES primarily deals with spatial planning matters at the regional level, there are several sections within the RSES that are relevant for LAPs. We would bring particular attention to Objective RPO 7.21, which aims to ensure that local authorities promote an ecosystem services approach to statutory land use plans, while Objective RPO 9.30 supports the sensitive reuse of protected structures.

The **Kildare County Development Plan 2023 – 2029** has comprehensive chapters on Built and Cultural Heritage (Chapter 11) and Biodiversity and Green Infrastructure (Chapter 12). There are several policies on archaeological and architectural heritage, vernacular heritage, demesnes and statutory designations in the former. Whilst policies in Chapter 12 provide detailed expectations for designated sites, features outside of designations, aspiration for county biodiversity sites, as well as policies for the water environment, trees and hedgerows, and geology. The **Meath County Development Plan 2021-2027** has a robust chapter on Cultural and Natural Heritage, which also provides robust policy provision for biodiversity and built heritage assets.

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These pertinent national and local policies are emphasised to provide context to our comments. Additional guidelines and policies are identified for specific sections of the draft LAP in the following paragraphs.

### *Specific comments on the Draft LAP*

#### General Note

The Heritage Council commend the comprehensive work that has gone into the preparation of the Draft Maynooth Joint Local Area Plan. However, we are growing increasingly concerned that the planning system remains inaccessible to the public. The Draft Local Area Plan is more than 240 pages, not including appendices. Given that the County Development Plan is also the relevant planning document for Maynooth, it is unreasonable to expect a citizen who has an interest in their community to familiarise themselves with an excess of 800 pages of planning policies. This is not unique to this local authority, but the Heritage Council believe that the planning system should do more to engage citizens in a more accessible way. To aid this, we do observe several unnecessary trends in the Draft Maynooth Joint Local Area Plan 2025-2031:

1. There is a tendency to have unnecessary long preambles to the policies which could be made more succinct
2. The supporting evidence base/data for the LAP is often positioned within the document. This should be kept in supporting documentation, with the necessary data included in the plan by way of appendix.
3. There are unnecessary lists/documentation of features that could be listed in an appendix (e.g. Maynooth specific list of RPS) or a link shared to the information.

Secondly, whilst there is not a specific chapter labelled Climate Change, the Heritage Council does acknowledge that mitigation and adapting to climate change is a thread that travels through all the sections of this LAP. Accordingly, we would ask that that the overarching importance of this is made explicit in the introduction and that each section complies to the Kildare Climate Action Plan 2024-2029. In terms of specific policies, we would recommend that the following are considered and integrated into the relevant chapter(s):

- Ensure that any greenfield release makes efficient use of land, whilst providing the mix of homes necessary, and having densities and facilities, that are conducive to public transport roll out, and cycling and walking. Such transport infrastructure should be available from the outset, before unsustainable travel modes become established.
- Avoid sites that have high ecological potential, informed by habitat mapping.
- That existing brownfield sites and well-located sites within the urban boundary are preferred in a sequential approach to development including any sites next to the train station.

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- Active reuse of existing building stock, which does constitute much of our vernacular and urban heritage building stock, therefore acknowledging the significance of their embodied carbon in addressing the climate emergency

Achieving this will reduce greenhouse gas emissions from the built environment but it will also ensure that land take is restrained and does not pose undue threats to cultural and natural heritage.

### Specific Chapters

## **2. Spatial Planning Context and Vision**

### **2.3.1 Strategic Development Principles**

We welcome the inclusion of the strategic development principle – “*making room for nature*”, which has been well detailed. We would recommend that cultural and built heritage, which is a strong feature of Maynooth as a historic settlement be factored into one of the strategic development principles i.e. preferably in the “*sustainable and compact settlement*” principle when urban design/placemaking is being discussed. If this is not possible, establish built and cultural heritage, in terms of its contribution to place, as an individual strategic development principle.

## **3. Compliance with the Core Strategies**

### **3.6 Future Development Priorities**

The Heritage Council strongly supports compact development in all our settlements. This needs to be achieved through proactive and good decision making. In this regard, there is also a need for the LAP to identify opportunity sites/ brownfield sites to maximise brownfield potential. This is the specificity that is needed from LAPs. Whilst we recognise that it is unlikely that all the housing need of a local authority would be met on brownfield sites only, we do encourage the LAP to exhaust the potential for brownfield site locations before any greenfield expansion is pursued.

We also believe land activation efforts should seek out both designated and non-designated heritage assets in core sites, to bring new uses to them. Collaboration with other council departments i.e. Housing departments to proactively seek out derelict and vacant sites in central locations to ensure the public sector lead the way for tackling vacancy in Irish towns by providing new uses. The Heritage Council believe such endeavours will go a long way to tackling vacancy and dereliction in Irish towns, albeit Maynooth does not suffer significantly from this, while also reducing the footprint of the built environment.

It is with this in mind, that the Heritage Council notes with concern that there is no mention in the objectives in this section on the fundamentals of land use planning in terms of compact settlements, i.e., making efficient use of land, minimum density requirements,

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brownfield sequential development, and optimising land use. We do note in the town centre consolidation and renewal objectives, further on in the document, that there are objectives relating to the re-use of vacant buildings, and back land development. This is welcomed. However, there is a need to ensure that the objectives in this section reflect the points we have made here.

As per our general point, we are concerned about the accessibility of the planning system to the public. Therefore, we question the rationale to introduce abstract notions such as “quadrant-based planning” in Objective CCSO 1.1. In addition, there is also a new pivot off the concept of the 15-minute neighbourhood and 20-minute city, to the “10-minute settlement” in this LAP. The Heritage Council does not have particular concerns regarding the use of branding or slogans as long as it is accessible to the citizen, who is ultimately the target audience, and that any such policies apply universally understood planning jargon.

#### 4. Delivering Place Quality in a Low Carbon Town

##### 4.8.4 Town Centre Consolidation and Renewal

We strongly support the objectives in this section, particularly objectives TCO 1.1 to TCO 1.3. We are concerned that existing heritage, which cannot be recreated or replicated is not adequately reflected or valued in this chapter. i.e. heritage led regeneration and public realm. The most successful public realm proposals anchor off the heritage assets that exist, using them as the centrepiece in new public realm projects. This can also successfully contribute to the perception and experience of the built historic environment. In this regard we would recommend that public realm and landscaping proposals do not only concentrate on hard landscaping (paving, stonework). Greater emphasis on soft landscaping, that incorporates native plant species, will not just make the built environment more pleasant, but will also aid local biodiversity ambitions. This should be reflected in policy.

In addition, the traditional Irish townscape of linear townhouse development along arterial routes is an important part of our heritage. Maynooth has an excellent example of this on Main Street. Protecting this heritage along with ensuring compact growth do not have to be conflicting objectives but can be achieved through a heritage led design approach that should be reflected in this section. Generally, linear terraced houses have a relatively efficient high density-high coverage land use typology that accommodates family homes. The more sustainable aspects of this design can be combined with more modern development typologies to achieve efficient use of land in settlements such as Maynooth.

We also strongly recommend the flexible application of development management standards, in terms of residential amenity, set back distances, and parking standards for inner core sites. There is also a need to cite The *Sustainable Residential Development and Compact Settlements* guidelines which were published in January 2024. They specifically note the importance of responsive placemaking for existing heritage as well as expectations for the application of density and development management standards.

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We strongly recommend that Kildare and Meath County Council consult in detail these guidelines with specific concentration on the relevant sections for the settlement size of Maynooth. This guidance should then inform and be incorporated into this section of the LAP and the placemaking sections.

## **8. Built Heritage and Archaeology**

### **8.2 Architectural Heritage**

The Heritage Council commend the preamble and policies in this section. We particularly welcome policy BHO 1.2 which rightly identifies the need for flexibility to the continued use of historic structures. We believe that as long as good conservation principles are met, the continued use of protected structures is key to their long-term viability and to the viability of the streets and places in which they are located. Please note that the flexible application of development management standards for such structures mentioned previously could be reiterated here.

The Heritage Council also welcome the views analysis provided in this section and the subsequent policy provision through BHO 2.3. The other policies in this section are also well crafted. We note the compilation of the Statement of Character for Maynooth ACA (Appendix C) and acknowledge this as an important initiative commissioned by the Council. This has acted as a basis for the policies proposed and is a model for other local authorities in characterising ACAs and planning policy.

Proposals for the Carton Avenue element of the ACA are also critical and it is important that appropriate policies are implemented for this link to Carton House and having regard to its role as a green space and historic axis. We reiterate our comments on the Irish townscape in this specific context for the Architectural Conservation Area Policies and recommended that new development design respond positively to this rich architectural context. We also strongly support Policy BHO 3.3 in the archaeological heritage section.

## **9 Green and Blue Infrastructure**

### **9.2 Natural Heritage in Maynooth and Designated Sites**

There is one European designated site - Rye Water Valley / Carton Special Area of Conservation (SAC) – which is also a proposed Natural Heritage Area (pNHA), with Royal Canal pNHA, which traverses the town, also present. The Heritage Council welcome their identification in the draft plan.

In our recent submissions on forward plans, the Heritage Council have been forthright in the need to protect locally important biodiversity sites. It is therefore welcome that features such as hedgerows, stands of trees, ponds have been identified as such important natural and semi natural habitats in this draft plan.

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#### 9.4 Green and Blue Infrastructure (GBI)

This section goes on to describe the Maynooth and Environs Habitats Mapping Report. It is important to note at this point that the Heritage Council aspires to a universal locally important biodiversity site identification process that ensures that policies for protected local ecological networks in county development plans and local area plans have a supporting evidence base. This aspiration is couched within the context of ensuring that forwards plans can comply with the development plan guidelines for local authorities insofar as under Section 9.2.4 Nature Conservation, they state that:

*“While protected areas cover a significant part of the country, the majority of the country lies outside of this network. There are many other sites which are of **local importance for flora and fauna**. Local authorities have an important role to play in preventing the loss of such sites and the species which rely upon them for their survival. **Development plans should identify such sites of local ecological importance and endeavour to secure their protection**. Any development on or near such sites should avoid any significant adverse impact on the features for which the site is considered to be of local importance”*

The Kildare County Development Plan through Policy BI P5 shares this ambition. We believe that the habitat mapping report done for this LAP contributes to this. This is particularly important for counties in the east of the country like Kildare and Meath which have relatively smaller areas of protected nature. We welcome the discerning nature of the work insofar as the need to establish sites with high ecological potential. It appears that this work was subsequently integrated into the Green and Blue Infrastructure work and accordingly the main policy provision is through GBIO 2.1. We assume that the most important ecological features and habitats have been captured in the Figure 9.1 Green and Blue Infrastructure.

It is also important to note at this juncture that the Heritage Council have concerns that regularly green infrastructure is conflated with biodiversity. This LAP does appear to have a clear understanding of this and recognises that green and blue infrastructure is indeed multi-functional. This is important as several of these functions such as recreation facilities have limited ecological potential. Many features of green infrastructure are highly dependent on the design and maintenance regimes of said infrastructure to achieve any biodiversity value. We therefore recommend that this LAP continues to emphasis this.

#### 9.9 Increasing Biodiversity in Maynooth

There is often needless removal of mature trees and hedgerows, of considerable character and ecological value, as part of site works to ‘tidy’ the site before construction commences. While opportunity sites within the town or any phased greenfield release should have stringent design standards for retention of natural features. Accordingly, the Heritage Council commend and strongly support Policy GBIO 2.2 and the supporting tree cover map (Figure 9.5). We also suggest that consideration be given to the further use of Tree Preservation Orders if needed.

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There are several other policies for specific projects that the Heritage Council support. We would however like to use this chapter as an example of our general point in the introduction. There is a lot of contextual and evidence base type information that makes this chapter very long. Given that forward plans are essentially policy documents that are supported by a short preamble/justification for such policies, there is scope to shorten this chapter and have much of the discussion either as an appendix or as a link to a supporting evidence paper. We emphasise that it is not a matter of quality of the material but simply concern that overly long documents discourage engagement from the public.

### **Strategic Environmental Assessment/ Appropriate Assessment**

There will be an SEA and Appropriate Assessment required for the LAP. There is a need to ensure that all future policies drafted are individually assessed against the SEA objectives, when the time comes. The Heritage Council recommends that the SEA guidance prepared by the Office of the Planning Regulator (OPR) be consulted when preparing the SEA for the LAP.

### *Conclusion*

The Heritage Council strongly encourage both Kildare and Meath County Council to continue to acknowledge the primacy of Maynooth and environs' heritage resource. The built and natural heritage of the town should be the focus for guiding any future strategy. We recommend that this important heritage and character continues to guide a sustainable future development trajectory for the town and its environs.

I trust these comments will be considered carefully as both councils progress the Draft Maynooth and Environs Joint Local Area Plan 2025–2031.

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