



05 March 2024

Senior Executive Officer

Planning Department
Carlow County Council
Athy Road
Carlow
R93 E7R7

Dear Sir/Madam

Re: Muine Bheag-Royal Oak Local Area Plan 2024-2030 Issues Paper

The Heritage Council was established in 1995 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 Muine Bheag-Royal Oak Local Area Plan (LAP) Issues Paper. We have considered the questions provided under each section of the Issues Paper, and our comments below are a response to these questions, where they were relevant. Our comments will deal with both built heritage and natural heritage, as the matters appear in the Issues Paper. 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 onset 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.

Baill na Comhairle | Council Members

Martina Moloney (Cathaoirleach | Chairperson),
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Fionnuala May, Deirdre McDermott, Dr. Patricia O Hare,
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Dr. Mary Tubridy

Charity reg. no 20036867

Aras na hOidhreachta, Lana an Teampaill,
Cill Chainnigh, Eire, R95 X264

Aras na hOidhreachta, Church Lane,
Kilkenny, Ireland, R95 X264

T 056 777 0777 | E mail@heritagecouncil.ie

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The 4th 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 local area plans. 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 **Carlow County Development Plan 2022 – 2028** has a comprehensive chapter on natural and built heritage. Policies NH. P1 and NH. P2 place strong emphasis on the protection and enhancement of natural heritage, with no net loss of biodiversity envisaged. Policy ND. P1 also seeks the protection of ecological networks and corridors. While policy WT. P1 places strong emphasis on the protection of hedgerows and trees when considering new development proposals. Built heritage policies within the Carlow CDP 2022-2028, namely BH. P1 and BH. P2 seek to position heritage at the heart of planning in Carlow, including in relation to regeneration, while Policy PS. P1 identifies the role of protected structures, including Architectural Conservation Areas in promoting the heritage of Carlow.

Specific comments on the Issues Paper

3. Future Vision for Muine Bheag and Royal Oak

The current vision captures well the importance of heritage in the definition of place for small settlements such as Muine Bheag – Royal Oak. The emphasis on the distinct character provided by the built and natural heritage is supported. The traditional [Irish](#)

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[townscape](#) of linear townhouse development along arterial routes is an important part of our heritage. Good examples of this exist in Muine Bheag, namely Market Square/Main Street and Regent Street, therefore efforts to achieve a more consolidated urban form that amplifies this 'townscape' character should be pursued. We would recommend that these positive elements of the current vision be brought forward into the new vision for Muine Bheag-Royal Oak. The LAP could assist this vision, by ensuring infill development which mirrors this linear townscape. While ensuring collaboration with other departments in the council, insofar as supporting the repurposing of vacant/ derelict buildings particularly for residential uses, is needed.

4. Strategic Planning

Policies CS P8 and Policies CS P9 from the CDP have rightly been identified as important policies for Muine Bheag – Royal Oak. Decision making at county level will also be relevant here to ensure that these policies are successful. In relation to the area of focus of the LAP, there is a need for the LAP to identify opportunity sites/ brownfield sites in order to maximise brownfield potential. This is the specificity that is needed from local areas plans. Therefore, we encourage the LAP to exhaust the potential for brownfield site locations before any greenfield expansion is considered. A proactive effort is required in this regard. Within opportunity sites, it is key to identify natural and built heritage constraints/assets; these should then inform the design/development approach to the site. In the first instance, development should not negatively impact the integrity or the setting of important features of natural, archaeological, and architectural interest.

8. Compact Growth Urban Design and Regeneration

The most successful public realm proposals anchor off the heritage assets that exist, using them as the centrepiece in new public realm projects. This should be actively pursued in this LAP. There are examples throughout the country where this exists, including some efforts in Carlow. We also strongly recommend that the LAP maximise opportunities for public realm/pedestrianisation in the town. This can successfully contribute to the perception and experience of the built historic environment, which is all too often car dominated. Good examples exist (e.g. Tramore) that can be replicated elsewhere.

In addition, public realm and landscaping proposals can too often 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 aid local biodiversity ambitions. This opportunity is particularly acute in small towns with a large rural hinterland such as Muine Bheag-Royal Oak, where there already exists hedgerow and riparian habitats in the surrounding environs.

It must be said that "Map 3 Regeneration sites" identifies sites that are mostly not in the central urban core of the town. Some of the sites are on the edge of town or in some cases not physically connected with the town; therefore, their categorisation under 'regeneration' is questionable. LAPs should go deeper in terms of a greater expression

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of detail of their county development plans. Further work on identifying small sites in the town should be pursued based on a sequential town centre first approach.

In addition, one of the key fundamentals of proper planning, identified in the *development plan guidelines* for local authorities, is the integration of land use (patterns of development) and transport (mobility). Like other towns in Ireland, sites are not being identified in locations next to existing large scale public transport infrastructure. Muine Bheag benefits from a mainline train station on the Waterford/Dublin route with connections to Kilkenny and Carlow. Unless there are showstopping constraints (e.g. flood risk, natura 2000 sites), far greater effort needs to be made in terms of identifying sites adjacent to the rail station in the LAP. While it is essential that CDP policies in terms of residential amenity and parking standards are not automatically assumed for core inner town sites. It is likely that some of these standards are excessive and not conducive to compact growth or regeneration, particularly for the reuse of buildings of heritage value.

We strongly recommend that that Carlow County Council consult in detail, the *Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities*, published in January 2024, with specific concentration on the relevant sections for the settlement size of Muine Bheag. This guidance should then inform and be incorporated into the LAP. These guidelines relate to density, placemaking, and development management standards insofar as how they should be applied in specific contexts.

9. Sustainable Transport and Infrastructure

This section rightly identifies the importance of integrated land use and transport planning (as per our previous point). Please note again here our comments in relation to the identification of potential development sites and their location next to transport infrastructure. The introduction to this chapter will be somewhat meaningless without tangible measures for identifying sustainable locations for development.

We strongly support the priority list of users identified in the active travel section. To meet climate action ambitions by reducing car dependency we would recommend that Carlow County Council ensure that non-car based alternatives are viable. On this particular point there is a need for safety during the journey and secure storage at both ends of the journey for cyclists. Cycle parking standards are needed for all development and for all uses, while active route planning for cycle lanes (number of km to be provided) needs to be carried out for the LAP. This is imperative to provide alternatives to the car, therefore reducing GHG emissions, thus reducing climate change impacts on our natural heritage, habitats, and ecosystems.

10. Climate Change and the Environment

Policies to reduce car reliance is essential and are needed. We have already noted this under the compact growth and transport sections. The *development plan guidelines* rightly emphasise that objective 10(2)(n) is to promote sustainable settlement and transportation strategies in urban and rural areas, in relation to the location, layout and

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design of development. At the level of first principles, together with the reuse of the embedded carbon in vacant buildings, this is the most important role the planning system has in reducing greenhouse gas emissions i.e. the cause of climate change. In this context it is important that the Muine Bheag-Royal Oak LAP:

- Ensures that any greenfield release makes efficient use of land, whilst providing the mix of homes necessary, and being at a density that is conducive to public transport roll out, and cycling and walking.
- Existing brownfield sites and well-located sites within the urban boundary are preferred in a sequential approach to development.
- Active reuse of existing building stock, which does constitute much of our vernacular and urban heritage building stock.

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.

In terms of adaptation there naturally will be flood plains along the Barrow, adjacent to the town. Development should be avoided in these locations, while we would recommend to Carlow County Council that any flood defence measures should be considered at the entire catchment level in the first instance. There is opportunity to manage flood risk via nature-based solutions, whereby lands liable to flooding should be avoided in terms of development, while at the same time natural habitats should be allowed to replenish in these flood plains. Flood plains should be the “low hanging fruit” for ecological restoration measures given their unsuitability for development. While it is recognised that in urban areas, flood relief schemes may be needed; in the first instance, a whole river basin catchment approach to managing flooding should be pursued (as noted under actions 2D6 and 2D7 of the NBAP 2023-2030). Any flood alleviation measures for the town should include an assessment of solutions upstream before moving onto hard physical infrastructure in the built environment.

12. Heritage and Green infrastructure

We strongly support the statement that “The preservation of both built and natural heritage assets is considered an important element in the future development in Muine Bheag and Royal Oak”. The identification of assets is good practice and should be borne in mind when considering developments within the town and its environs. The *Development Plan guidelines* also identify mandatory objectives for architectural heritage which include Architectural Conservation Areas, and the Record of Protected Structures. These need to be included in the LAP.

We strongly believe that conservation through use, and the refurbishment of existing historic buildings (designated and non-designated) should be a significant part of every settlement’s local area plan. Heritage led regeneration can build on the existing character, which is unique, and cannot be replicated or recreated. Again, we would emphasise that regeneration and the need to bring life back into inner villages and towns respond in a

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positive way to the established pattern of development. Similarly, the *Sustainable Residential Development and Compact Settlements guidelines* specifically note the importance of responsive placemaking for existing heritage, and we suggest that this informs the strategic ambitions for this LAP.

Having studied the Historic Environment Viewer, and the Record of Protected Structures as part of the Carlow CDP 2022-2028, there does appear that there is scope for identifying further heritage assets for designation in Muine Bheag - Royal Oak. There are several properties located on Regent's Street near the junction with Barretts Street that are certainly worthy of consideration. While we would also recommend that the LAP seeks to identify any ensemble of linear townhouses that portray well the character of the typical Irish town in Muine Bheag. In this vein, and in line with Policies PS. P1 to PS. P4 in the CDP, we recommend that Muine Bheag Town Centre be considered for an ACA designation. The Council's Heritage Officer/ Conservation Architect could be consulted on this endeavour. It is important to note in this context that heritage protection is essential for a viable tourism product.

In terms of natural heritage, the new NBAP 2023-2030 has a list of targets that are relevant for planning authorities regarding their statutory plan making functions. We would strongly recommend that all local authorities, through their biodiversity officers, audit this document to identify the relevant actions/ targets for land use statutory plans, and subsequently reflect them in their LAPs.

The *Development Plans Guidelines* detail mandatory heritage and landscape objectives in Chapter 9. Whilst these may be more relevant for CDPs, there is a need to ensure that the Muine Bheag- Royal Oak LAP ensures that there is compliance with these objectives. These guidelines also rightly note that the majority of the country "lies outside of the network of protected sites, and that 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. Features such as hedgerows, river corridors, ponds and small stands of trees etc. provide important habitats, and land use plans can play an important role in protecting these assets.

It is with this in mind that The Heritage Council strongly supports measures that enhance biodiversity in Muine Bheag-Royal Oak and its environs. There is a need to protect existing hedgerows/ trees when new development is proposed. 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. From an ecological view these linear features are one of few ecological corridors/hotspots in and around settlements. Opportunity sites within the town or any phased greenfield release should have stringent design standards for retention of natural features.

We would remind Carlow County Council that this is a requirement of National Policy Objective 58 of the NPF, insofar "*as integrated planning for Green Infrastructure and ecosystem services will be incorporated into the preparation of statutory land use plans*"; while National Policy Objective 60 (*Conserve and enhance the rich qualities of natural*

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and cultural heritage of Ireland in a manner appropriate to their significance) is also a requirement. In addition, policies noted previously in the Carlow CDP 2022-2028 re-enforce this ambition.

The *development plan guidelines* also specifically seek the protection of areas of amenities (natural features) namely (i) Special Amenity; (ii) Landscape Conservation Areas; (iii) Tree Preservation Orders; and (iv) Public Rights of Ways. Within an urban area not all such natural features will be relevant, however public rights of way are often essential for not just the experience of the landscape, but also the experience of local heritage, in both towns and rural areas. We would recommend that public rights of way are maintained or expanded where necessary.

The Heritage Council would also encourage active TPO work in the form of a fresh 'walk about town' assessment of trees of important ecological and character value with the view to identify further TPOs. We recommend that "*Amenity Trees and Woodlands – A guide to their Management in Ireland*" published by the Tree Council of Ireland, be identified as source in the relevant section of the LAP, which should also consider the inclusion of a green network strategy, or similar.

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 that Carlow County Council continue to acknowledge the primacy of Muine Bheag – Royal Oak's heritage resource. The built and natural heritage of the town should be the focus for guiding any future strategy. This was rightly identified in the vision for the current LAP and 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 Carlow County Council progresses the Muine Bheag - Royal Oak Local Area Plan.

Yours sincerely,

Ian Doyle
Head of Conservation

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