

Sub 10

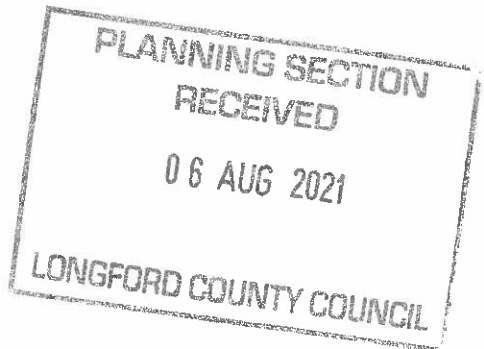
Anne Glancy

From: Thomas Kennedy <kennedy.dalkey@gmail.com>
Sent: Friday 6 August 2021 15:17
To: cdp
Cc: jsmyth@oms.ie; kmcdermott@oms.ie
Subject: EXTERNAL - Formal Submission. Draft Longford County Development Plan 2021-2027. Material Alterations
Attachments: Longford Submission August CDP.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir /Madam

Please find attached submission as part of the formal public consultation process for the Draft Longford County Development Plan 2021-2027 Material Alterations stage.



KENNEDY ASSOCIATES
Chartered Town Planners

GOUROCK, BARNHILL ROAD, DALKEY, CO. DUBLIN
01 2852255 086 385 5682 kennedy.dalkey@gmail.com

3rd August 2021

Administrative Officer
Draft County Development Plan
Forward Planning Unit
Longford County Council
Áras An Chontae,
Great Water Street,
Longford, N39 NH56.



Draft Longford County Development Plan 2021-2027
Proposed Material Alterations Submission

Re: Lands at Ard Michael, Longford, Co. Longford

Dear Sir / Madam

In accordance with your requirements under the Data Protection Act I confirm that this submission is made by;

Kieran Kennedy
Kennedy Associates Chartered Town Planners
Gourock
Barnhill Road
Dalkey
Co. Dublin. A96Y 3X2

The submission is made on behalf of;

Adaview Ltd
3 Dublin Street
Longford
Co. Longford

Details of the submission are set out in the attached letter.

KENNEDY ASSOCIATES
Chartered Town Planners

GOUROCK, BARNHILL ROAD, DALKEY, CO. DUBLIN
01 2852255 086 385 5682 kennedy.dalkey@gmail.com

3rd August 2021

Administrative Officer
Draft County Development Plan
Forward Planning Unit
Longford County Council
Áras An Chontae,
Great Water Street,
Longford, N39 NH56.

**Draft Longford County Development Plan 2021-2027
Proposed Material Alterations Submission**

Re: Lands at Ard Michael, Longford, Co. Longford

Dear Sir / Madam

We act on behalf of Adaview Ltd of 3 Dublin Street, Longford, owners of lands at Ard Michael, Longford, as indicated on Map 1 (see page 9 of this submission). We are instructed by our client to make this submission to the Draft Longford County Development Plan.

The lands indicated on Map 1 are currently designated with zoning objective "*Residential 1; Established Residential Extents*" in the current County Development Plan 2013 – 2019 (Variation No 2) / Longford Town and Environs Local Area Plan 2016. The Draft Longford County Development Plan 2021 – 2027 proposes to amend this zoning objective for the northern portion of the Ard Michael lands to "*Strategic Residential Reserve*." The area proposed to be re-zoned extends to 1.19ha (2.9ac). See Map 2 attached.

The practical effect of this proposed amendment is to de-zone a significant portion of our client's lands.

Our client strongly objects to the proposed amendment and requests that the zoning objective for the Ard Michael lands remains "*Residential 1; Established Residential Extents*" in accordance with the provisions of the current County Development Plan 2013 – 2019 (Variation No 2) / Longford Town and Environs Local Area Plan 2016.

Background

The Ard Michael lands are located within the existing built-up footprint of Longford Town, approx. 700m to the east of the town centre, in a mixed residential-commercial area. They are bounded on all sides by development and form an infill site of some 3.7ha (9.1ac) in extent. The lands are bounded to the west and south by two-story housing. St. Michael's Templemichael Glebe (the historic Bishop's Palace), Scoil Eimear, a primary school together with further housing are located to the east and south-east respectively. The Ballinalee Road (N63 National Secondary Route) forms part of the northern boundary. The IDA Business and Technology Park is located just to the north-east. The lands are very much part of the urban fabric of Longford Town and have been appropriately zoned for housing development since 2004. It is noted that the lands are also located well within the CSO defined '*Urban Settlement Boundary*' for Longford, where development within this boundary is defined as 'brownfield' and development outside of the boundary is defined as 'greenfield'.

The lands originally formed part of a large residential development parcel of some 6.46ha (approx. 16 ac) in the ownership of St Mel's Diocesan Trust. In 2005 planning permission was granted to the Trust by Longford County Council (Ref. 04/700107) and subsequently by An Bord Pleanala (Ref. PL68. 212173) for the provision of 141 residential units (105 houses and 36 apartments) together with associated site development works on the lands. Mains water and drainage was available to service the development. In 2006 Longford County Council granted planning permission for the provision of a crèche facility as part of the overall development (Ref. 06/700059).

While construction of the permitted housing scheme commenced in 2006 only 46 units were completed due to the financial crisis of 2008 and subsequent years. The estate remains unfinished and a number of partially completed structures on the subject lands were eventually demolished.

Adaview Ltd has recently acquired the remaining undeveloped land parcel as indicated on Map 1 and intends to apply to Longford County Council for planning permission for a revised development comprising some 90 dwellings in a mix of three and four-bedroom units together with a crèche facility, public open space and site development works. The proposed scheme will provide significant additional housing for the town and lead to the completion of an unfinished housing estate, part of the legacy of the 2008 economic collapse.

However, owing to the proposed re-designation of the northern portion of the site from *Residential 1* zoning to *Strategic Residential Reserve* in the Draft County Development Plan, the area available for new housing as part of the intended development is significantly reduced. Our architect estimates that the proposed change will result in the loss of at least 25 houses together with the proposed crèche facility.

Planning Policy Context

The Ard Michael lands have been zoned for residential development for many years. The Longford Town Development Plan 2004 designated the lands for "primarily residential" development and this objective is further reflected in the current County Development Plan 2013 – 2019 (Variation No 2) / Longford Town and Environs Local Area Plan 2016, which zoned the lands for *Residential 1; Established Residential Extents*."

The suitability of the site for housing was acknowledged by An Bord Pleanala in its assessment of the appeal relating to the 2005 planning application referred to above (Ref. PL68. 212173). In his report on the proposal to An Bord Pleanala, the Inspector noted as follows;

- *“I believe that the proposed (residential) development at St. Michael’s, Longford Town, would be in accordance with the County and Town Development Plan policies in regard to facilitating housing development within existing designated towns and villages within the Longford settlement hierarchy, as well as the provisions of the suite of applicable National Planning Policy (i.e.: the D.o.E’s. Residential Density Guidelines, and National Spatial Strategy). In addition, I consider that the proposed development will facilitate sustainability by the increased efficiencies resulting from residential development of zoned, serviced lands within designated urban areas such as Longford Town; the reduced need for, and generation of commuter traffic; and will impact positively on the ability of designated urban centres such as Longford Town to attain or secure a critical mass of sustainability.” (page 24. Inspectors Report)*

The Inspector further noted at page 27 of his Report;

- *“Located within the urban development boundary of Longford Town, I believe that the proposed urban residential development is entirely consistent and appropriate with the site’s location and zoning provision”.*

While it is of course accepted that the planning policy context has altered somewhat since 2005, the principle of securing compact and sustainable urban growth, with residential development located within defined urban centres, where services and facilities are available to serve new residential communities, remains a fundamental tenet of good planning policy and practice. This is again reflected in the current County Development Plan 2013 – 2019 (Variation No 2) / Longford Town and Environs Local Area Plan 2016 wherein the lands are designated with zoning objective *“Residential 1; Established Residential Extents.”*

At a national level, one of the key objectives of the Government’s *“Ireland 2040 National Planning Framework”* (NPF) relates to the need to secure more sustainable urban growth, with housing development located within existing built-up areas and a focus on the regeneration of infill and brownfield sites. The NPF points out that currently, the fastest growing areas are at the edges of, and outside our cities and towns, meaning:

- A constant process of infrastructure and services catch-up in building new roads, new schools, services and amenities
- A gradual process of run-down of city and town centre and established suburban areas as jobs, retail and housing move out, leaving behind declining school enrolments, empty buildings and a lack of sufficient people to create strong and vibrant places
- That most development takes the form of greenfield sprawl that extends the physical footprint of our urban areas, and when it is the principal form of development, works against the creation of attractive, liveable, high quality urban places in which people are increasingly wishing to live, work and invest, and
- A significantly higher carbon footprint than the EU average, in part due to higher transport and energy demand, mostly based on fossil fuels, that has worked against achieving agreed climate action targets. (page 28)

The NPF contends that *“a preferred approach would be compact development that focuses on reusing previously developed, ‘brownfield’ land, building up infill sites, which may not have been built on before and either reusing or redeveloping existing sites and building.”* (page 28)

In response to the problems of urban sprawl it is an objective of the NPF under National Planning Objective 3a (NPO 3a) to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements. In addition, NPO 3c requires the delivery of at least 30% of all new homes that are targeted in settlements other than the five cities and their suburbs (Dublin, Cork, Limerick, Galway and Waterford) within their existing built-up footprints. NPO 3c is applicable to Longford Town.

The Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES) also identifies 'compact growth' as the means to deliver sustainable growth of urban settlements. It promotes consolidation of towns and cities rather than continued sprawl into the countryside and is focused on securing the development of both 'brownfield' and 'infill' sites within defined urban settlement boundaries.

The Ard Michael lands are located well within the defined urban boundary as indicated both by the Draft County Development Plan and the CSO *Urban Settlement Boundary* for Longford. In addition, the lands clearly fall with the definition of an 'infill' site and could also be considered as 'brownfield' land given both the CSO definition referred to earlier in this submission and the fact that development had commenced on the subject lands but was never completed and was subsequently demolished.

Draft Longford County Development Plan 2021 – 2027

The Draft County Development Plan has been prepared in the context of both the NPF and the RSES and reflects the objectives referred to above. The Draft Plan contends that;

- *“urban regeneration and ‘compact growth’ are key focus areas within this Plan, supported with a central objective to regenerate the County’s towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing.” (p 177)*

The Draft Plan further explains that

- *“A vital element of this approach is the regeneration of infill and brownfield sites.” (page 178)*

In the context of regeneration The Draft Plan points out that *“flexibility in the application of zoning and development management policies and standards, will be considered in order to ensure that regeneration is promoted rather than inhibited.” (page 173)*. While this statement is welcomed, it is unclear as to how this will operate in practice and how 'flexibility' will be applied by the Council in the context of development management and the interpretation of the zoning matrix requirements.

Under the heading *‘Compact Growth Urban Regeneration (Housing) – County Policy Objectives’* the Draft Plan sets out the Council’s objectives in this regard as follows:

- CPO 6.1
To work with all relevant stakeholders in the promotion of urban 'compact growth' regeneration in County Longford
- CPO 6.2
To facilitate urban development on infill/brownfield sites through the redevelopment and regeneration of underused, vacant or derelict town centre and urban lands to create more desirable places in which people can live and work.

CPO 6.3

To enable infill and appropriate brownfield redevelopment in order to maximise the efficient use of existing infrastructure and services and promote a positive modal shift towards sustainable transport use. (page 178)

In the context of the above, the proposed amendment to the previously permitted development framework for the Ard Michael lands is entirely unjustified in policy terms. No rationale for the amendment is presented in the Draft Plan and the amendment has been proposed without any consultation with the landowner. The proposed residential development of the Ard Michael lands is clearly in compliance with the NPF, the RSES and the Objectives of the Draft Plan. The lands are located within the development boundary in close proximity to the retail and commercial core of Longford Town, benefit from the availability of infrastructural services, social and community services including schools and are vacant and underutilised. The effective de-zoning of a significant portion of the lands makes no strategic sense in planning policy terms.

The designation of the northern portion of the lands for '*Strategic Residential Reserve*' means that residential development, other than in very limited circumstances (see below), will not be permitted at this location during the lifetime of proposed Plan; i.e. before late 2027 at the soonest. There is, of course, no certainty that the 'Reserve' designation will be removed in the following County Plan or any future Plans.

Volume 2 (page 13) of the Draft Plan sets out the very limited circumstances where residential development may proceed during the lifetime of the Plan under the *Strategic Residential Reserve* zoning. Such circumstances include;

- *"1) Where there is a live permission for residential development that has not been activated. The life of these permissions may be extended in accordance with the provisions of Section 42A of the Planning & Development Act 2010, as amended. Proposals for new developments will not be considered over the lifetime of the current plan period.*
- *2) A proposal for a single dwelling house may be considered under this zoning where:
 - a) the unit to be provided will serve as the permanent place of residence of the landowner or a member of his/her immediate family
 - b) and where it can be clearly demonstrated that the provision of such a unit would not compromise the ability of the wider area of zoned land to be developed in the future,
 - c) and the dwelling would easily integrate with the existing and future development of the lands and those in the vicinity.*
- *3) In exceptional circumstances where it can be clearly demonstrated by the developer that there is a significant difficulty in the release or identification of lands for a specific residential type development, consideration will be given to the release of lands zoned Strategic Residential Reserve, subject to established planning criteria and including in particular;
 - a) The requirement to remain within the overall residential land use targets as set out in the Core Strategy;
 - b) The lands are being developed in a sequential manner;
 - c) It has been clearly justified and demonstrated, to the satisfaction of the Planning Authority, that there is a clear discrepancy between the supply and release of residentially zoned lands and the demand for residential units."*

The Draft Plan also states that "*certain developments that can demonstrate a strategic element, (e.g. a significant commercial or social element), may be deemed acceptable.*" (Volume 2, page 13)

However, no further details or explanation of this statement is given. Indeed, given that these lands are intended as a strategic 'residential' reserve, the reference to a strategic 'commercial' element is puzzling.

It is clearly evident from the above that the proposed zoning amendment of the northern portion of the Ard Michael lands from 'Residential' to 'Strategic Residential Reserve' constitutes, de facto, a de-zoning of the lands. Such action by the Council is entirely unjustified.

We recognise that residential land allocations may need adjustment in line with OPR comments and RSES and Core Strategy population and housing figures. However, the subject lands are entirely appropriate for retention as *Residential 1; Established Residential Extents*" when reviewed against the

- policies and objectives outlined above,
- the land allocation requirements and housing figures of the Core Strategy and the
- zoning criteria set out in Chapter 4 of 'Development Plans Guidelines for Planning Authorities' issued by the Department of Environment Heritage and Local Government in June, 2007. For convenience, we quote the relevant criteria set out in the Guidelines below.

"(f) Sequential Approach

In order to maximise the utility of existing and future infrastructure provision and promote the achievement of sustainability, a logical sequential approach should be taken to the zoning of land for development:

(i) Zoning should extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. 'leapfrogging' to more remote areas should be avoided);

(ii) A strong emphasis should be placed on encouraging infill opportunities and better use of under-utilised lands; and

(iii) Areas to be zoned should be contiguous to existing zoned development lands.

We would respectfully contend that the application of the above criteria and a review against other residential zoned lands in Longford would clearly demonstrate the applicability of retaining the subject lands in *Residential 1* zoning.

Conclusion

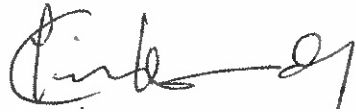
In conclusion, we request that the proposed zoning amendment to the Ard Michael lands be deleted and the land use policy and zoning designation "*Residential 1; Established Residential Extents*" as set out in the current Longford County Development Plan 2013 – 2019 (Variation No 2) / Longford Town and Environs Local Area Plan 2016 pertaining to Ard Michael, be retained.

The proposed amendment is unjustified in policy terms and will undermine the viability of the previously approved development strategy for Ard Michael, to the detriment of the long term development of Longford.

In the interests of transparency and fairness we would request that details of the analysis carried out by the Council in advance of the decision to amend the zoning of these lands be made available to our client for review. Our client should be made aware of the rationale behind the Council's decision.

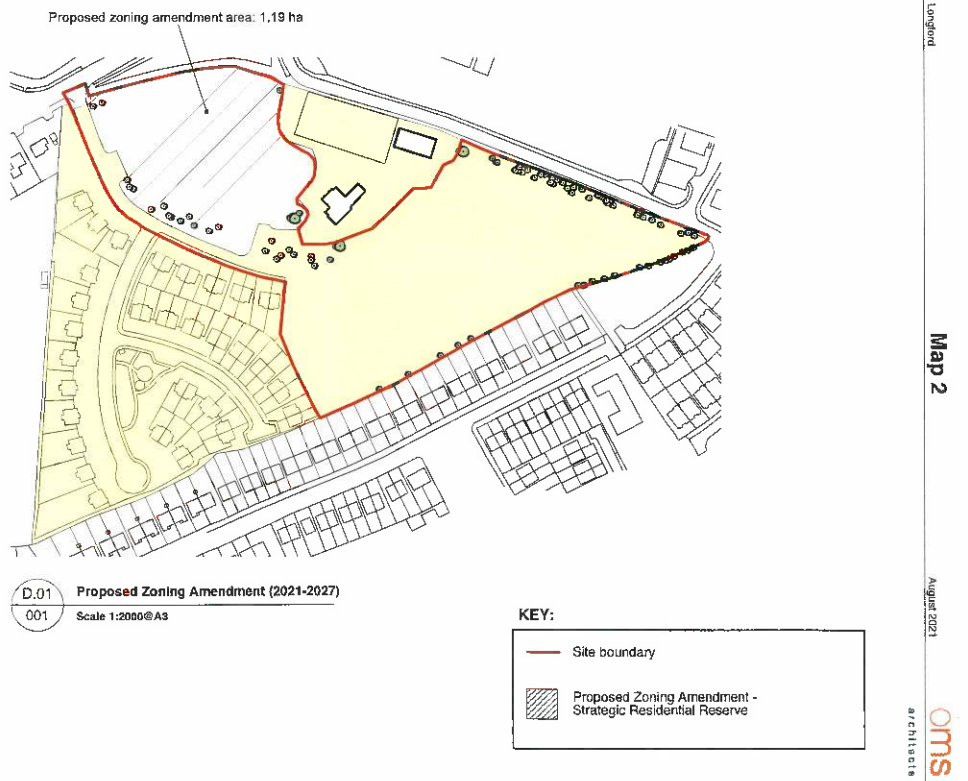
We would welcome an opportunity to discuss the above in more detail or provide any further information required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kieran Kennedy', with a long horizontal flourish extending to the right.

Kieran Kennedy
Chartered Town Planner

MAP 1: Ard Michael Lands



MAP 2: Proposed Zoning Amendment, Ard Michael Lands