

**National Planning Framework
Issues Paper Submission**



On behalf of Makros Limited

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1 Introduction

1.1 Submission Summary

The National Planning Framework should promote the development of towns and associated lands that are currently and clearly available, serviced and appropriately zoned in the identification of suitable “Primary Development Centres” as titled in the previous National Spatial Strategy. Kildare town is located on the strategic road and rail network and is adequately serviced from a waste water perspective unlike other towns in County Kildare such as Naas and Newbridge where a waste water treatment plant upgrade is required before any further development can take place and Kilcullen, which is not served by intercity rail services. Kildare Town can play an important strategic role in the realisation of a coherent national planning strategy and should be identified as such in the upcoming draft National Planning Framework

1.2 Purpose of Submission

In February 2017 the Department of Housing, Planning, Community and Local Government published the document – “*Ireland 2040, Our Plan – Issues and Choices*”.



Figure 1: Ireland 2040, Our Plan

This submission was prepared by Brock McClure Planning and Development Consultants on behalf of Makros Limited in response to the invitation by the Department of Housing, Planning, Community and Local Government to submit views of the document – *Ireland2040, Our Plan – Issues and Choices*. This submission focuses on proposing additions to the draft National Planning Framework document, which we consider, should be included when it is published later this year.

Brock McClure Planning and Development Consultants have been involved in a wide variety of public and private sector projects over the past number of years. These projects have included a broad diversity of development types in various locations.

Makros Limited have been at the forefront of the development industry for a number of years and have a broad range of development experience that can be appropriately reflected in a national planning framework.

Having reviewed the consultation issues paper on behalf of Makros Limited we consider that as currently presented, elements of national planning policy in our view need to be reviewed and modified as set out in this report.

The *National Planning Framework* (NPF) when finalised should provide clear policy guidance and principles relating to development in suitable locations as stated in the Ministers' Foreword:

“If we want our country to be the best it can be, we must ensure that development and services are located where all of our people can best be served. In other words, that the right development can take place in the right places, at the right time.”

As such the NPF will occupy a crucial role shaping economic growth and the location of future development on this island and it is our view that national planning policy contains elements that does not currently allow this economic growth to occur.

1.3 Role of the National Planning Framework

The precursor to the preparation of the National Planning Framework was the National Spatial Strategy 2002-2020. While the theory behind the NSS may have been generally appropriate, the implementation of a balanced program for growth has not been successfully implemented with many of the towns and areas earmarked for growth outside the top growth towns over the past 10-15 years.

Figure 2 below illustrates the National Spatial Strategy for the Dublin and mid East Region that is illustrated in the NSS document 2002-2020. Kildare is highlighted as an “Urban Strengthening Opportunity”.

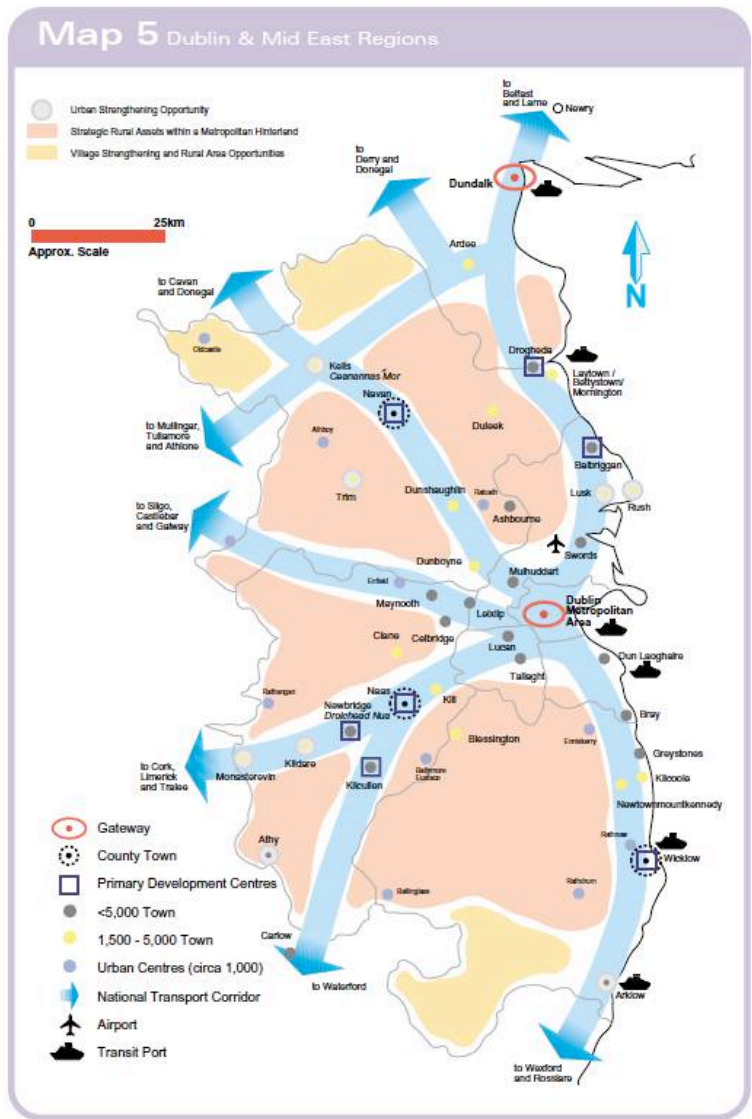


Figure 2: National Spatial Strategy 2002-2020

Kildare town is located on the M7 linking it to a strategic road network that performs a variety of functions:

- Provides Inter-urban Routes to connect centres of economic activity
- Forms the most significant Public Transport Network in the Country for inter urban trips
- Provides a freight transport network for the country

These three facts cumulatively mean that Kildare town is strategically located to perform as a significant engine for economic growth and if appropriately managed can allow focused development that will allow Ireland to continue to compete at an international level and attract international investors.

Allied to this road connectivity, the access to the strategic rail network will further enhance the strategic transport links of Kildare Town and lands in the vicinity. The challenge of the NPF will be to capture the development potential of such strategically located land areas and allow these areas to be brought forward for development in a timely manner to allow for sustainable land use practices to be realised.

1.4 Smarter Travel – A Sustainable Transport Future

In 2009 the Department of Transport published “Smarter Travel – A Sustainable Transport Future 2009-2020”. In this policy document the Government reaffirms its vision for sustainability in transport and sets out five Key Goals, Targets and Actions to achieve this vision.

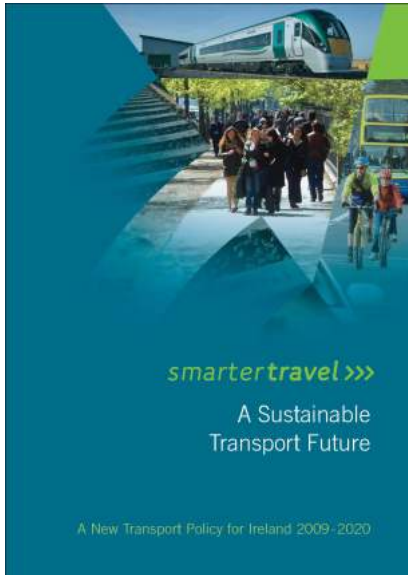


Figure 3: Smarter Travel – A Sustainable Transport Future 2009-2020

Smarter Travel sets down the context within which this must be achieved and states that “The efficient movement of goods is vital to our competitiveness and economic welfare” and sets out an Action for “improving efficiency in the movement of goods and promoting economic competitiveness”.

It is within this context of providing a transport system which facilitates and drives economic competitiveness the five Key Goals include the following:

- Improve accessibility to transport for all
- Improve economic competitiveness through maximising the efficiency of the transport network and alleviating congestion and infrastructural bottlenecks
- Minimise negative impacts of transport through reducing air pollutants and greenhouse gas emissions
- To reduce overall travel demand and commuting distances travelled by the private car
- Improve security of energy supply by reducing dependency on imported fossil fuels

The key challenges for spatial planning in Ireland as identified in the NSS and Smarter Travel - A Sustainable Transport Future are centred on economic competitiveness, appropriate design and environmental sustainability.

The National Planning Framework now has an opportunity to solidify country wide policy with regard to the management and roll out of development and the following submission sets out how this may be possible in the context of development ready urban areas and particular sites.

2 Subject Site

This submission is made on behalf of Makros Limited in response to the publishing of the issues paper on the National Planning Framework. Makros Limited are one of a number of landholders in a strategically located parcel of land in Kildare Town to the north of the Dublin-Cork Railway line and with convenient access to the national motorway network at the M7.

The subject land area extends to c.91ha in area and is located on the northern side of Kildare Town. The site is generally agricultural in nature with a community school and a number of detached houses/existing residential development located within the site boundaries.

The site is generally greenfield in nature and slopes gently from north to south. The strategic context location and general outline of the South Green Area (owned by Makros and other third party landowners) is illustrated in Figures 4 and 5 below.



Figure 4: Strategic Context



Figure 5: Site Location

The Dublin-Cork Railway line bounds the site to the south. A number of roads run through and bound the site including the Dunmurry road to the east, the Old Road, Southgreen Road and Green Road to the west. Agricultural lands bound the site to the north. The lands are a natural extension to Kildare Town with the Kildare Railway station located adjacent to the south east corner of the site.

3 Current Planning Context – South Green Landholding

3.1 Kildare Local Area Plan 2012-2018

The Kildare Local Area Plan 2012-2018 identifies the South Green lands as the most logical and appropriate location for the expansion of Kildare Town and where the bulk of residential development can take place. The zoning map for the area is outlined below.

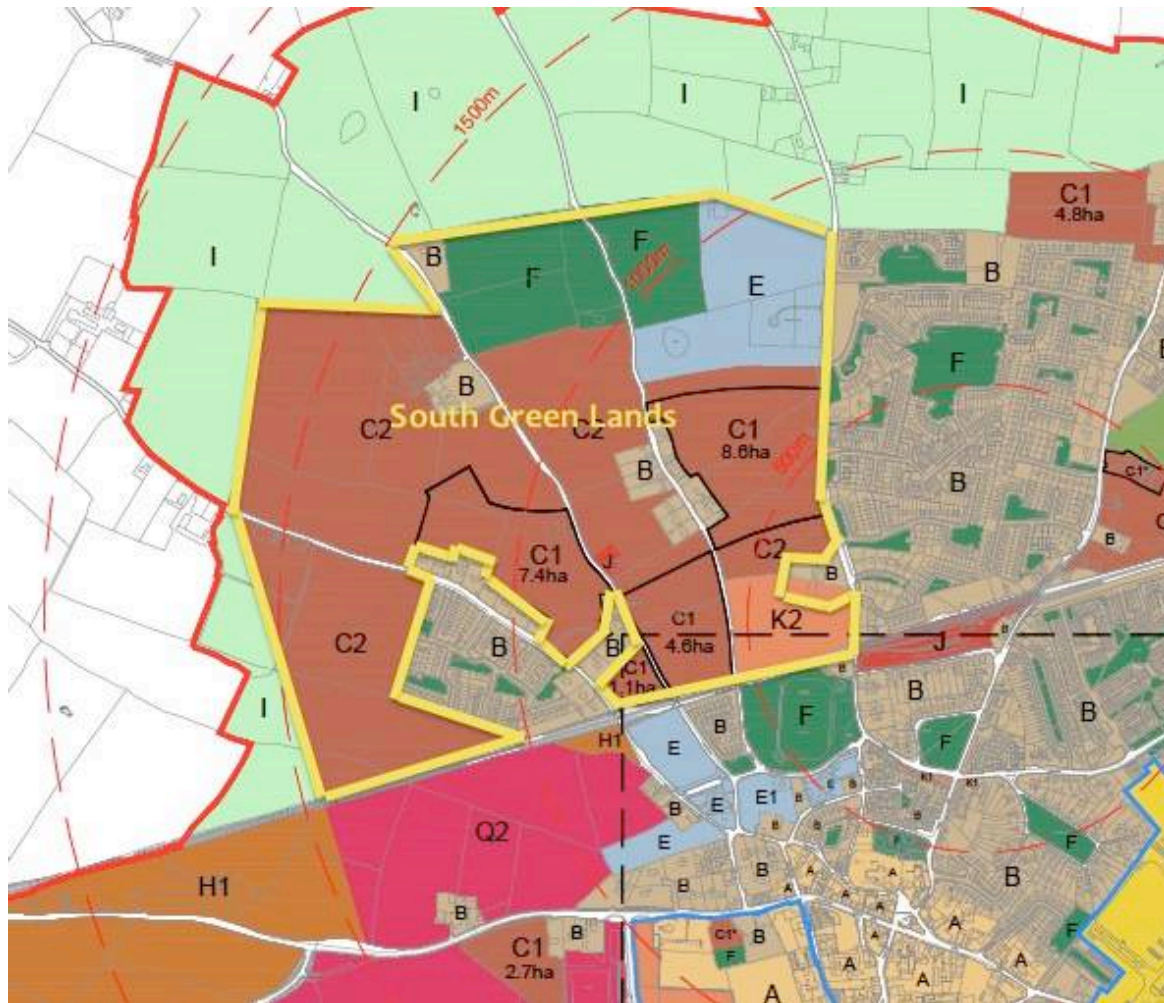


Figure 6: Kildare LAP Zoning Map for South Green Area

Consequently the land is zoned for a range of uses, predominantly C1 and C2 – residential, which has an objective “To provide and improve new residential areas and for associated local shopping and other services incidental to new residential development.” C1 is identified as Phase 1 development and C2 as Phase 2.

Other zonings for the lands include:

- E – Community and Educational;
- F – Open Space and Amenity;
- B – Existing Residential;
- K – Commercial (K1 phase 1 and K2 Phase 2).

The LAP states the following with regard to the South Green development lands and the phasing of development:

“A strong emphasis is placed on phasing lands sequentially thereby encouraging the better use of under utilised lands with options and opportunities for brownfield regeneration prioritised. In the event that permissions expire on existing zoned residential lands designated as Phase 1 consideration may be given to development of Phase 2 lands which are

sequentially close to the town centre and are adequately serviced by appropriate infrastructure. The remaining Phase 2 lands will not be eligible for development until such time as Phase 1 lands are developed appropriately or until the review of this plan through the statutory process and in the context of the core strategy set out in the County Development Plan (CDP), as may be amended. Significant residential land use zoning (both phase 1 and phase 2) are located to the north of the railway line in South Green. These lands will facilitate the appropriate development of a sustainable new neighbourhood in the town over a 15–20 year period.”

This effectively means that the lands zoned C2 will be sterilized for possibly a ten year period after which the planning and full build out process for C1 lands is complete. This will potentially marginalize a vast land bank that could accommodate substantial residential development in the coming years. A protracted planning process involving the preparation of an Area Action Plan (AAP) and subsequently the preparation of the LAP has frustrated the process for the development of this overall land bank. This approach has not helped the delivery of residential development on development ready land as is evidenced by the current housing shortage in the Greater Dublin Area.

Residential housing supply has become a very real issue in Ireland over the past 5-6 years. A report by the Housing Agency in July 2015 titled “National Statement of Housing Supply and Demand 2014 and outlook for 2015-2017” states the following with regard to housing supply and demand:

“there is a persistent mismatch between the supply and demand for housing, particularly in Dublin and surrounding counties, and major cities such as Cork, Galway and Limerick.

Nationally, there was an undersupply of the required housing in 2014 (73% of the requirement was provided), allowing for pent up demand from 2012 to 2013. In addition, new household formation is projected to increase for each of the next three years and an accelerated delivery of residential units is required to address this deficit.”

Kildare Town has the potential to provide a significant number of residential units of much needed housing stock on readily serviced sites. The lands are proximate to and well served by public transport and other transport infrastructure. Such sites and Kildare Town should be promoted for development purposes within the National Planning Framework and where possible, not needlessly delayed by duplicate planning processes such as an area action plan and subsequent LAP process.

3.2 Infrastructure Constraints Outlined in South Green AAP

Pre-dating the adoption of the Kildare Local Area Plan was the “Area Action Plan for Lands at South Green Kildare Town” published in 2004. This plan identified the subject lands as suitable for substantial development subject to a number of pre-development works required at that stage. The Area Action Plan (AAP) states the following with regard to enabling works:

“The Council will require developers in the South Green area to apply for a long-term permission (such as a period of 10 years) to carry out site development and enabling works.

This proposal will show, to the satisfaction of the Planning Authority, the proposed methods for the transmission and treatment of foul effluents, the surface water drainage network, and the provision of other services and works. The issue of road access, bridge and road upgrading works will also be addressed by this application.

Following the agreement of the Council to this works schedule, sites in the AAP will be developed sequentially in line with the phasing programme.”

These infrastructure constraints were addressed by a Part 8 application that was submitted concurrently with an application for a residential development in 2007 (Reg. Ref. 07/1450) and also through the provision of upgraded waste water treatment facilities in Kildare Town.

3.3 Planning History (Reg. Ref. 07/1450)

In August 2007 Makros Ltd applied for the following development at Hill Road, South Green, Kildare Town:

“Permission is sought for a residential development consisting of 210 no. dwellings of varying types as follows: 36 no. 4 bedroom semi detached houses, 75 no. 3 bedroom end of terrace

houses, 22 no. 2 bedroom mid terrace houses, 6 no. 2 bedroom end of terrace houses, 57 no. 3 bedroom mid terrace houses; 14 three storey four bedroom terrace houses. A total of 359 no. surface car parking spaces. 4 no. vehicular access points and associated works.”

The planner’s assessment of this application continues to state the following:

*“The proposed site is identified as site C3: Medium Density residential’ being part of Phase 1. It is stated that the development of phase 1 may take place in the short term after the agreement of ‘site development and enabling works’ programme. The AAP states that the following enabling works for the South Green Area are required to be applied for by the developers and agreed with the Planning Authority prior to the development of any of the proposed phases within the plan area; the proposed method for transmission and treatment of foul effluents, the surface water drainage network, the provision of other services and works such as road access, bridge and upgrading works. In the planning report submitted, the applicant acknowledges the requirements of the AAP in relation to these enabling works but states that **a Part 8 application has been approved which has facilitated predevelopment works** and that the proposed development is now timely.” [BMC Emphasis]*

The application was considered acceptable subject to a number of conditions, including a condition in relation to the completion of necessary infrastructure works:

“3(a) Necessary infrastructure works associated with the development shall be provided prior to the construction of Phase 1A & 1B of the South Green Action Plan Area unless otherwise agreed in writing with the Planning Authority.”

The subject development did not proceed due to waste water treatment capacity issues that have since been resolved through the opening of a new facility in 2013. The subject development site and Kildare Town is therefore appropriately serviced both from a strategic and local servicing perspective, with broader transport connections as well as critical local infrastructure connections.

4 Points to Note on National Planning Framework Issues Consultation

Kildare Town and the subject site is a prime example of development lands that can be positively influenced by the provisions of the new National Planning Framework.

4.1 Point of Submission – Strategic Issues

Section 6 of the document “Ireland 2040, Our Plan – Issues and Choices” is concerned with infrastructure and on that basis the following is outlined:

“The status quo has also meant a recurring mismatch between population growth and housing supply in recent decades. Most recently, there has been an oversupply of housing across the Country, followed by a housing shortage in the main population centres. This cycle characterizes the ‘business as usual’ approach and it has been necessary to prioritise putting in place the Rebuilding Ireland Action Plan for Housing and Homelessness to tackle the current challenges and accelerate delivery of housing solutions in the short term.”

As outlined in the issues paper it is appropriate to examine the relationship between population projections, housing supply, location and supporting infrastructure as part of a strategic analysis of the necessary approach to planning for people and places. Kildare Town is part of the Greater Dublin Area and Dublin City Region where the highest proportion of national population is present and it plays an important role in the overall economic strategy of the country. Section 6.2 of the issues paper states the following:

“In some instances, the rapid growth of small settlements has resulted in development at a scale and pace that has challenged the capacity of services and has led to requirements for infrastructure, facilities and services, whereas in others, existing services and infrastructure have become underutilized or redundant, serving diminishing and ageing populations.

...

In combination, this has made effective service and infrastructure planning difficult. For example many planned development areas are supported by public infrastructure, including public transport, the potential benefits of which cannot be realized.”

Kildare Town, with development ready lands, such as those at South Green, should be brought forward in the development process where the landowner, planning provisions and supporting infrastructure are all in place.

4.2 Point of Submission - South Green Landholding

It is our submission that The National Planning Framework should prioritise Kildare Town and serviced development lands such as South Green in the development strategy for the island of Ireland.

There has been speculation in the recent past that tax interventions would be necessary by the Government to encourage the development of serviced and zoned land. After the financial crisis in 2008 it was apparent that there was an oversupply of zoned land with the subsequent dezoning of much of this land. In June 2008, there was 14,191 hectares of serviced zoned land in the state, enough for up to 462,000 potential new units (DECLG 2014). In addition, there was another 30,000 hectares of un-serviced zoned land. This mis-match between zoned and serviced land and dezoning of residential land has led to a shortfall in residential development land and therefore land that is appropriately zoned and serviced should now be maximized before the need for further residentially zoned lands are to be identified.

Kildare Town is well placed to take full advantage of effective infrastructure including public transport provided by the high capacity Cork-Dublin railway line. In order to avoid early obsolescence of the supporting infrastructure serving the town, provisions should be put in place to identify the location of strategic sites within the National Planning Framework. While these sites may only be a small piece of the picture in an overall national strategic planning sense, they can be the catalysts for positive change in how development land is brought forward and in responding to the national housing shortage currently ongoing. This is supported by the following text from the issues paper:

“The long time horizon of the NPF will enable a range of strategic projects to be aligned and sequenced in relation to emerging spatial development and land use outcomes. Ongoing monitoring and review of spatial development outcomes will feed into periodic review of both the NPF and serve to influence future strategic infrastructure spending and sequencing.”

Considering the foregoing, Kildare Town, with the subject lands and similar located and serviced development sites should be suitably identified and prioritised for development in the short term in the National Planning Framework document. This may be done by way of graphical representation or through supporting policy text and is logical for the following reasons:

- ✦ Inappropriate to allow serviced, well connected land to lie idle with no return on investment on infrastructure;
- ✦ Underutilised lands available proximate to public transport and local amenities providing a logical extension to built up area;
- ✦ Towns identified in the National Spatial Strategy as “Primary Development Centres” such as Naas, Newbridge and Kilcullen have not provided appropriate development impetus due to shortcomings in available infrastructure;
- ✦ Opportunity for comprehensive residential development supply; and
- ✦ Facilitate development in line with the Planning Authority’s vision for the area as outlined in South Green Area Action Plan and Kildare Local Area Plan.

4.3 Point of Submission – Developer Credentials

Another crucial element to this development equation is a developer that can and will build, and will not retain development land in the hopes of increasing land values.

Property speculation where land is bought, rezoned and sold on to a developer can add as much as €30,000 per unit to property values, which adds further to the issue of housing affordability. Tamaric Investments are a proven development entity that have remained generally unaffected by the most recent economic downturn and these types of developers, with suitable development sites and financial backing, should be stimulated rather than delayed unnecessarily through the planning process.

4.4 Point of Submission - Funding, Return on Investment and Developer Contributions

Any public investment requires an economic or social return on that investment. Lower usage levels in the early years on any infrastructure investment can undermine the economic return on which the project was justified originally. Overall economic activity and prosperity is the key driver of increased demand for transport and other infrastructure. This logic can be applied to the services infrastructure put in place at the subject site.

Roads and infrastructure have specific design lives. In the case of roads it would be wrong therefore to apply requirements that the development impact would be assessed on the basis of maintaining a 15 year design life, if the road had already been constructed ten years earlier as is the case with the M7. This argument needs to be weighed appropriately within the national planning context and the national road network with the upgrade of certain road links needing to be identified within National Planning Policy documents rather than being left to be addressed at the individual development level.

While developer contributions may be appropriate in some instances it would be wholly wrong to require only those developments, which are located close to the National Routes (such as the subject site at South Green) to pay for upgrades, which are required to accommodate general growth on the network.

Concentrating developer levies on those lands proximate to national routes is inequitable and may deter major international investment from investing in Ireland at key Gateway locations.

The NPF should include in their planning process for national routes, the future needs of the economy and also have regard to other National Plans, Development Plans, LAPs, and land use zoning that the planned roads network is intended to serve.

4.5 Point of Submission – Local Infrastructure Housing Activation Fund (LIHAF)

On the 28th March 2017 the Government announced the approval for 34 public infrastructure projects across 15 Local Authority areas. This represents a commitment by Government to provide €200 million in funding to instigate the provision of enabling infrastructure that was previously hindering the development of housing. Despite the announcement of over €20 million for projects in County Kildare in Naas, Maynooth and Sallins there has been no funding provided for Kildare town, where the subject site at South Green could potentially provide between 2,000-3,000 new homes in combination with a range of other services and amenities.

The failure to build on the €17.5 million investment in the Kildare Town Waste Water Treatment plant, opened in 2013, represents a failure to secure a short term return on investment, which should have been further developed through the provision of funding for further infrastructure at Kildare Town and specifically at the South Green site. Investment in roads and adequate vehicular crossings of the rail line would undoubtedly have further enhanced the timeframe for the development of these lands and subsequently the provision of a strategic housing land bank. The National Planning Framework should prioritise partnerships with Local Authorities to ensure essential infrastructure is provided in a timely manner to the right locations to ensure a full return on investment in other infrastructure and ensure there is no time lag on the provision of necessary housing.

5 Conclusion

Developed correctly, a National Planning Framework should be the catalyst for economic growth and regeneration. It is ironic therefore that due to lack of appropriate implementation the precursor to the NPF, the National Spatial Strategy, which was intended to put a structure on growth and development, failed in a number of its goals and objectives over an 18 year period. This is mainly down to appropriate implementation and is also attributable to the economic downturn.

There have been instances in the past where a plan led development was seen as the appropriate response to the provision of necessary land uses at particularly locations. In many cases however this has not taken place on an acceptable level of consistency.

Critically, the opportunity exists with this new National Planning Framework to identify suitably serviced and zoned lands - that are supported by developers who are now ready and in a position to develop – to provide the impetus for growth objectives to be met through a development led solution. This can be achieved through the identification of Kildare Town as a “Primary Development Centre” or equivalent in NPF mapping and/or through the provision of appropriate policies and objectives promoting areas that are zoned and serviced effectively.

This would provide a greater degree of control over where and how future development will take place in the short term leading to a more reliable long-term strategy in terms of the location for employment and other population based land uses. The five main points of this submission are:

- Strategic issues such as population and crucially supporting infrastructure should be considered when identifying appropriate development centres;
- Towns that are appropriately zoned and serviced, such as Kildare Town with significant land banks like South Green – should be promoted as suitable locations for strategic development;
- Sites that are owned by developers with a proven track record in delivery of projects and the resources to do so should be also promoted;
- Early return on investment in infrastructure should be a priority in the short term and this can be achieved through appropriate development strategies for serviced towns and areas; and
- The National Planning Framework should inform the next round of the Local Infrastructure Housing Activation Fund to avoid missed opportunities with regard to development ready lands.

For all of the above reasons and considerations, Kildare Town, with the subject site at South Green used as an example of development lands is appropriate as a serviced and zoned area that has suitable financial backing and should be prioritized as the type of land bank to be developed in the short term. This would represent an effective use of serviced land, while assisting in the resolution of the current housing shortage and the Draft National Planning Framework should therefore include appropriate measures to prioritise Kildare Town accordingly.

We confirm that we act for Makros Limited and request that all future correspondence in relation to this matter be directed to this office.

Brock McClure Planning and Development Consultants

March 2017