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3rd February 2023

Re Submission in respect of 'Draft Edenderry Local Area Plan 2023-2029'

Dear Forward Planning Team,

This submission has been prepared by Joe Bonner Town Planning Consultant, The Airport Hub, Unit 1, Furry Park, Old Swords Road Santry, Dublin 9, D09 WY06 and is submitted on behalf of Mr Donal Foran and Mr Kryan Foran, [REDACTED], pursuant to the publication of the Draft Edenderry Local Area Plan 2023-2029, which invited submissions from interested parties on or before 3rd February 2023.

2.0 Foran's Property Location & Description

The Foran's family own a significant area of land, located on the western side of Edenderry Town, which extends to 45.49h and the landholding is shown in images 2.1 and 2.2 below.

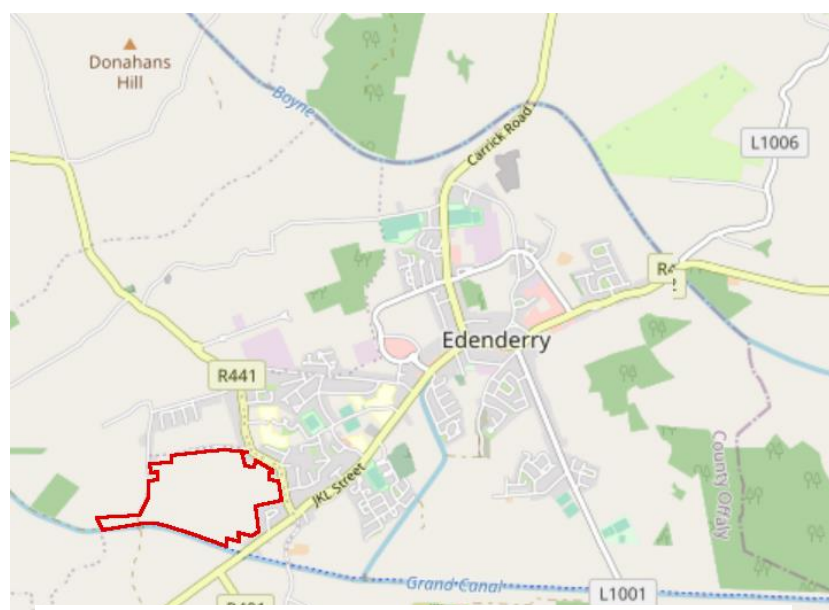


Image 2.1

Mr Foran's Lands from www.openstreetmap.org

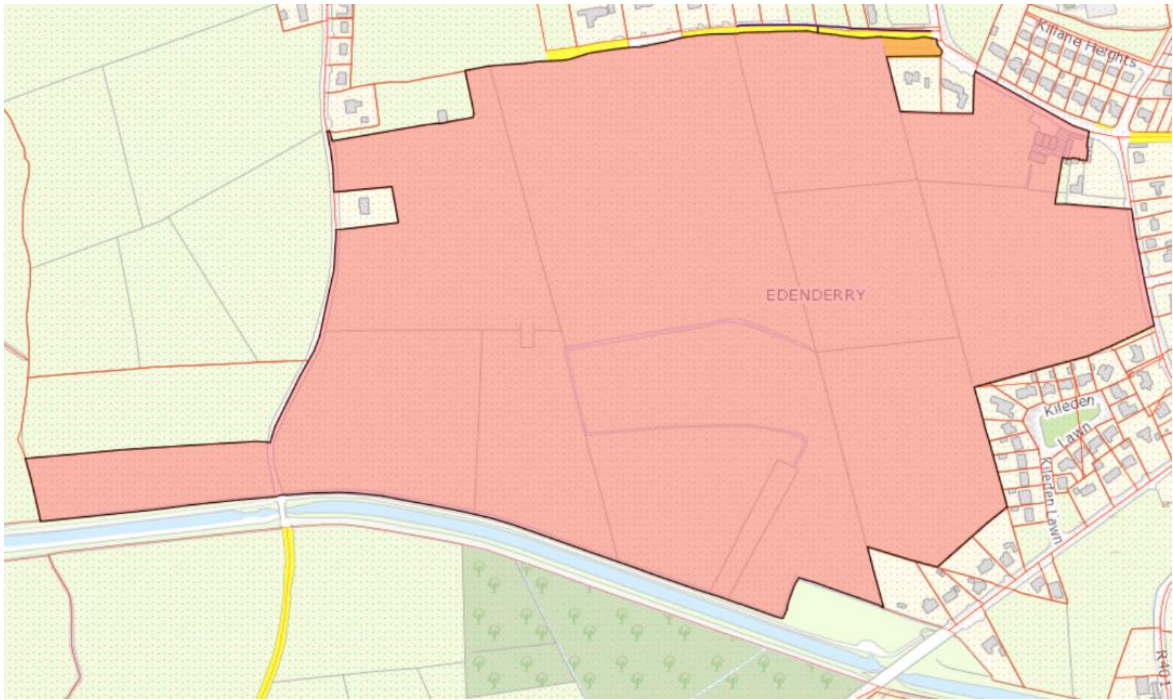


Image 2.2 Foran's family landholding from www.landdirect.ie

The landholding is bordered along its northern, eastern and southern eastern boundaries by existing residential developments including a mix of estate and individual houses, while the southern boundary shares a boundary with c840m of the northern side of the Tullamore Branch of the Grand Canal.

3.0 Planning Legislation

The current Planning system works within the context of a hierarchy of Plans, starting with the National Planning Framework at the top, while Local Area Plans are on tier 4, and must be consistent with each of the higher order plans including the NPF, RSES and the Offaly County Development Plan 2021-2027. While the recently published Planning and Development Bill proposes to make amendments to the types of plans in tier 4, the LAP that is now being prepared for Edenderry, may have a different title but will largely address the same issues as this proposed Plan. The illustration of the hierarchy below is taken from the website of the Office of the Planning Regulator.



Image 3.1 Plan Hierarchy from www.opr.ie

4.0 Offaly County Development Plan 2021-2027

In the following extracts from the County Development Plan 2021-2027, with which the Edenderry Local Area Plan must be consistent, it is evident that the County Development Plan is being consistent with the provisions of the National Planning Framework and the Regional Spatial and Economic Strategy (RSES).

In Chapter 2 'Core Strategy, Settlement Strategy and Housing Strategy', the Development Plan states under the heading of 'Residential land in Previous County Development Plan': -

The term 'already zoned' is taken to mean the County Development Plan that was in effect (2014-2020 as extended) during the time of the preparation of the new Development Plan (2021-2027). The following table sets out the area of land zoned for residential use in the County Development Plan 2014-2020, together with the number of housing units allocated for these lands.

Table 2.1: Residential Land

Plan	Mixed Use Zoning	Residential Zoning
Offaly County Development Plan 2014-2020 as extended	110.74	468.2
Tullamore Town Plan 2016-2010 as extended	58.77	682.96
Birr Town Plan 2016-2010 as extended	26.81	243.03
Edenderry Local Area Plan 2017-2023	23.25	137.41
Portarlinton Joint Local Area Plan 2018-2024	28.31	143.93
Total hectares	247.88	1675.53

It indicates that 137.41ha of land was zoned residential in the Edenderry Local Area Plan 2017-2023, which is now the subject to a review and follows on to state: -

Where the amount of land that was zoned residential under the 2014-2020 County Development Plan (as extended) is surplus to the amount of land that is required to meet the needs of the current Plan period (2021-2027), the following approaches are available to address the difference:

- designation of lands as 'strategic residential reserve';
- zoning of lands for an alternative use; or
- dezoning of lands.

These measures are to ensure that towns grow at a sustainable level appropriate to their position in the settlement hierarchy, **as required by the NPF and RSES**. (emphasis added)

Other key statements, considered relevant to the preparation of the Edenderry Local Area Plan 2023-2029 are: -

Committed Land

The Core Strategy Table as set out in Table 2.2 does not deduct population that would be catered for in committed land by way of extant planning permissions or Part VIII approval.

Sequential Approach

In order to maximise the utility of existing and future infrastructure provision and promote the achievement of sustainability, a logical sequential approach was taken to the zoning of land for development: (i) **Zoning extends outwards** from the centre of an urban area, with undeveloped lands closest to the core and public transport routes given preference (i.e. 'leapfrogging' to more remote areas has been avoided); (ii) A strong emphasis is placed on **encouraging infill opportunities and better use of under-utilised** lands; and (iii) Areas zoned are **contiguous to existing zoned** development lands.

The core strategy map shows that Edenderry, on the eastern periphery of the county, adjacent to County Kildare and close to the border with South County Meath, is a 'Self-Sustaining Town', behind only Tullamore and Birr in the Settlement hierarchy.

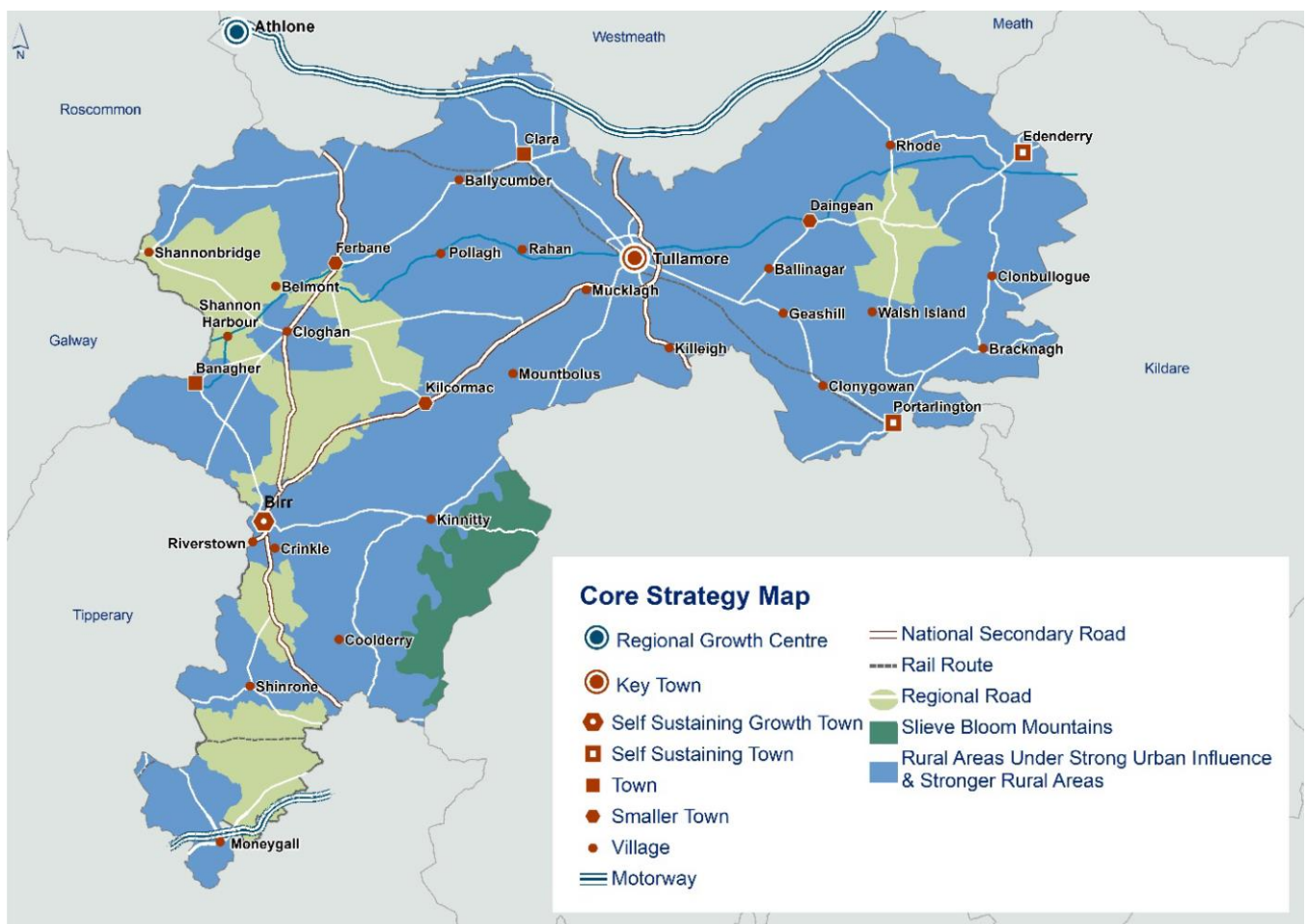


Image 4.1 Core Strategy Map from Chapter 2 of the Offaly County Development Plan

While current at the time the County Development Plan was adopted (2021 and will ensure consistency with the higher order plans, it is now known that the following statement is out of date and not reflective of the significant demographic and housing availability issues that have arisen in the period since the CDP was adopted, for reason we will elaborate upon later in this submission. It states: -

The land use zoning maps in Volume 2 of the Plan and in Local Area Plans (subsequent new LAPs and varied LAPs to reflect the Core Strategy in this plan), illustrate the allocation, extent and location of land zoned to accommodate residential development for each of the settlement areas. It is considered that the lands identified to accommodate residential development **are sufficient to meet the population targets** as set out in the Core Strategy Table and reflect each settlement's role in the Settlement Hierarchy.

The core strategy table is reproduced below, with Edenderry highlighted.

Table 2.2 Core Strategy Table

Typology	Settlement	Population 2016 Census	Projected Population increase	Housing Supply Target 2021-2027 <i>(total based on Dept spreadsheet)</i>	Quantum of land in hectares zoned mixed use and town / village centre including Opportunity Sites that can accommodate an element of	20% of the quantum of land zoned mixed use and town / village centre including Opportunity Sites that can accommodate residential	Potential number of residential units to be delivered on mixed use and town / village centre zoning including Opportunity Sites
Key Town	Tullamore	14607	4,382	1379	12	2.40	84
Self Sustaining Growth Town	Birr & Crinkill	5052	1263	441	3.8	0.76	23
Self Sustaining Town	Edenderry	7359	721	323	4.03	0.81	24
	Portllington	1989	207	140	0.63	0.13	4
Town	Banagher	1760	317	158	1.42	0.28	7
	Clara	3336	534	213	1.9	0.38	10
Rural	Smaller Town	Daingean	1077	172	64	1.3	5
		Ferbane	1191	214	119	3.83	15
		Kilcormac	935	155	57	0.62	2
	Villages		7149	962	425	9.38	28
	Sraids and Open Countryside		33506	312	n/a	n/a	n/a
	Total	77961	9,239	3978	38.91	7.78	202.54

Table 2.2 Core Strategy Table

Typology	Settlement	Residual number of residential units required 2021-2027	Quantum of land required to be zoned 'New Residential' to cater for number of residential units required	Quantum of land zoned 'New Residential' in the Plan *	Number of residential units that can be accommodated on brownfield / infill sites	Residential units that can be accommodated on brownfield / infill sites as a percentage of all proposed residential units in the settlement (in order to strive to satisfy 30% within
Key Town	Tullamore	1295	37.0	43.81	1392	101%
Self Sustaining Growth Town	Birr & Crinkill	418	13.9	14.4	313	71%
Self Sustaining Town	Edenderry	293	10.0	requires new LAP	requires new LAP	requires new LAP
	Portllington	137	4.6	requires new LAP	requires new LAP	requires new LAP
Town	Banagher	151	6.0	6.4	51	32%
	Clara	203	8.1	9.06	114	54%
Rural	Smaller Town	Daingean	53	2.9	64	100%
		Ferbane	104	5.2	77	65%
		Kilcormac	54	2.7	56	98%
	Villages	396	26.4	30.16		n/a
	Sraids and Open Countryside	n/a	n/a	n/a		n/a
	Total	3116	116.9	114.69	2067	n/a

It is noted that the quantum of land zoned is the Plan in generally excess of the minimum requirement.

In adopting the CDP in 2021, the Core Strategy Table indicated that it was sufficient to zoned 10 hectares of land for 'New Residential' development in the Edenderry Local Area Plan, in order to cater for the projected housing demand. A review of the draft LAP indicates that it has been proposed to zone c11.65ha has as 'New

Residential, in three separate sites, and while this may be deemed consistent with the higher order plans, it is nowhere near enough to support the housing demand that exists now and is projected right up to 2050.

3,978 new houses over the 6-year life of the County Development Plan equates to an average of 663 units per annum. The table above also informs us that the countywide population growth of 9,239 would mean that every new unit would have an average occupancy level of 2.32 persons, or 1,539 additional person per annum.

The above numbers have been surpassed by events and in making this Local Area Plan the Planning Authority should not be restricted to producing a document that is out of date before it is even prepared, due to constraints set out in higher order planning documents such as the NPF, RSES and the CDP and this has been accepted at the highest levels of government.

With respect to occupancy levels, the Offaly County Development Plan 2021 indicates that the occupancy levels will fall from 2.84 persons per household in 2016 to 2.62 in 2027, with a projection of 2.5 person per unit by 2040: -

Occupancy Rate The occupancy rate applied in the Core Strategy Table is a graduated range of average household sizes falling from 2.84 in 2016 to 2.62 in 2027. This variable rate of occupancy was produced with regard to alignment with the NPF rate of 2.5 by 2040, however, on review of historic rates of change within the County, there was sufficient evidence to support a quicker pace of decline. Occupancy in each settlement typology was then aligned with this County-level trajectory between 2017 and 2027. The number of additional households formed per annum was calculated using the applicable year's average household size.

The average household occupancy at a county level is expected to fall 0.22 persons per unit over the 11 years from 2017 to 2027, meaning that by Census 2022, the average occupancy per unit should have been 2.72 persons, taking into account the projected occupancy for new units at 2.32 persons per unit.

5.0 Census 2022 - Preliminary Results

The preliminary Census results from April 2022 indicate that the population of County Offaly grew by 6.03% over the 6-year intercensal period from 77,961 in 2016 to 82,668 persons in 2022. In the same period, the housing stock increased by only 1,411 or 4.6%, meaning that if all new residents occupied new houses only, that the average household size of each new unit was 3.33 persons per unit 0.61 persons per unit above the 2022 target of 2.72. This is a clear indicator that there has been an under provision of housing in the county relative to population growth and is also contrary to the Development Plan statement that there was 'sufficient evidence to support a quicker pace of decline' (in average household occupancy levels). In order to achieve the projected occupancy levels of 2.62 by 2027 and 2.5 in 2040, the rate of occupancy of new units in

2022 would need to be significantly lower than 2.72 persons per unit (projected 2.32), which would apply to the county as a whole and this can only be achieved by building more homes for people to live in.

In Census 2016, the population of Offaly was 77,961, while the number of houses in the county was stated to be 27,184, and that would equate to an average occupancy of 2.87 persons per unit rather than 2.84 stated in the 2021 County Development Plan. The addition of 1,411 units means that the total number of houses in the County in April 2022 was 28,595 and the average household occupancy level would have increased slightly to be 2.89, based on a population of 82,668 rather than fallen to the projected average of 2.72 persons per unit.

In order to be on target for an average household size of 2.72 in the 2022, it would have been necessary that that 30,392 residential units were built and occupied by April 2022 throughout the County. This means that there was a shortfall of 1,797 units in the county as of April 2022 [30,392 (needed) – 28,595 (built)].

None of the above figures take into account growth in the 9 months since that time (April 2022) including the influx of refugees, particularly from Ukraine.

5.1 Ukraine

According to the CSO¹, the Number of arrivals from Ukraine in Ireland based on PPSN allocations as of 11 December 2022 is 619 for County Offaly, with 62 registered in the Edenderry Electoral Area (in a 9 month period). On an annualised basis, the number could reach c825 new residents in the county, many of whom may remain permanently, and we need to plan for such a scenario.

This increase and new source of population is over and above anything projected for or envisaged in the 2021 County Development Plan and at an on target occupancy rate of 2.72 persons per unit in 2022 would generate an additional housing need of 228 unit in the county, which is approximately the equivalent of the average annual provision of new housing in the county each year between 2016 and 2022 where 1,411 units were built at an average of 235 new units per annum.

A whole year equivalent of 825 new Ukrainian residents would require 303 units at an occupancy rate of 2.72 (2022) CDP countywide target) and 355 new units based on the Core Strategy Table 2.2 projections, where each new unit would have a lower average occupancy at 2.32 persons per unit.

This all means that if housing output remains consistent with the 2016-2022 output, the gap between supply and demand will become even more wide than it is at present and the gap between delivery of housing and unmet need will widen.

¹ <https://www.cso.ie/en/statistics/population/arrivalsfromukraineinireland/>

5.2 New Housing Output in Offaly

According to CSO statistics, the total number of houses completed in Offaly in 2022 was 720, with 574 units completed in the final three quarters of the year. This is a significant improvement on the average output for the previous 6 years as 2022 on its own saw the delivery of 51% of the total housing output for the previous 6 years combined.

While the number of completions in 2022 is the highest it has been in many years, the BCMS records indicate that the improved delivery rate of 2022 may not be repeated, as the number of commencement notices dropped from 484 units in 2021 to 299 in 2022, a drop of 38% in a single year and this would be reflective of reports in the national media that housing output has slowed significantly due to reasons including high inflation combined with the cost of building material and land.

The total number of units commenced in County Offaly from 2015-2022 is shown in table 5.1 below.

Table 5.1 House commencements 2015-2022 in County Offaly

Year	Houses Commenced	Year	Houses Commenced
2015	75	2019	256
2016	115	2020	323
2017	122	2021	484
2018	176	2022	299
	488		1362

Over 8 years the total number of units commenced in county Offaly has been 1,850 with an annual average of 231.25. The County Development Plan projected that 663 units would be built per annum from 2021 to 2027 and while that number was exceeded in 2022 at 720 completions, it is likely based on commencement notices that, the number will fall well short of the target in 2023 as 2021 and 2022 has a combined 783 commencements or 391.5 units per annum or 59% of the Development Plan target). A major contributing factor to the under provision of new housing is an insufficient number of grants of permission being issued for shovel ready developments and this is further exacerbated by the de-zoning of land, such as has occurred in respect of the Foran's landholding in the Draft Edenderry Local Area Plan.

At a projected occupancy level of 2.32 persons per unit as per the County Development Plan, the population growth over the 9 months from April to December 2022 would be 1,332.

Ukrainian refugees account for 46.5% of the total projected population growth in the final 9 months of the year, but is in fact in addition to the projected growth from the Plan. Under provision of housing coupled with significantly larger population increase must be addressed as a matter of urgency through the planning system and Offaly County Council must use this plan making process to address this matter.

5.3 National Population Projections v Actual Population

The preliminary Census results for 2022 state that the population of the country was 5,123,536 on Census night 3rd April 2022, which is an increase of 7.6% since 2016.

‘Some Key Facts and Figures from the National Planning Framework include that: -

The ESRI projects that the population of Ireland will increase by around one million or by 20% over 2016 levels, to almost 5,7m people by 2040.

THE NPF goes on to state that: -

Unlike previous projections, based entirely on demographics, the ESRI work undertaken for this Framework also factored in econometric data, including employment, jobs and house prices and modelled the spatial distribution of the projected population.

Initially, the ESRI modelled a continuation of current population and economic trends to 2040, as a ‘business as usual’ scenario. The ESRI Report indicates that under this scenario, Ireland’s population will grow by just under 900,000 people, to almost 5.7 million people by 2040. This is the baseline from which potential alternative strategies were developed.

The projections did not and could not be expected to factor in the arrival of Ukrainian refugees or other international protection applicants, the number of which have significantly increased in the last 18 months, with over 83,000 persons seeking refuge in the country in 2022 alone.

In September 2022 ‘Property Industry Ireland Planning Reform Policy Paper’ set out a number of facts from the Census v the NPF: -

The Census 2022 Preliminary Results show the population growing at a faster rate than provided for under Project Ireland 2040. Our population already stands at over 5.1 million people and the average increase of 60,000 people per year since the last census in 2016 is at a faster rate than the 50,000 per annum provided for in the NPF. This growth rate also exceeds the ‘headroom’ provided for in the NPF. This has serious implications for our housing need assessments and consequently how much land is zoned for residential development. An urgent review and update of the NPF population projections to reflect the census, along with a review of Regional Spatial and Economic Strategies (RSES), Development Plans and Local Area Plan (LAP) population and housing land capacity data is needed.

The September 2022 projections from above are now too out of date. The average rate of population increase of 50,000 persons per annum would equate to the NPF’s maximum population increase of 1,100,000 to 2040. The CSO website confirms that the natural increase for the first 6 months of 2022 was 11,719 persons and if that rate holds up and has been replicated in the second half of the year and then 83,319 migrants are added,

the total population increase for 2022 would be 106,757 (83,319 + 23,438), which is 213% of the highest annual projection set out in the County Development Plan 2021.

With the national population growth for 2022 at c2.13 times above the highest NPF projection, the Minister for Housing Darragh O'Brien has indicated that more land needs to be zoned and that that Government is going to commence a review of the National Planning Framework in light of Census 2022 data to determine how much zoned residential zoned land is needed across the country, including in county Offaly and Edenderry.

In the interim, Minister O'Brien also instructed all local authorities that any land zoned residential should not be de-zoned given the country is in the midst of a housing crisis. The Minister states that: -

'I believe that we need more land zoned'.

6.0 Foran's landholding in existing Edenderry Local Area Plan 2017-2023

Having established the context within which the Edenderry Local Area Plan 2023 -2029 is being prepared, we will now examine the current status of the Foran's landholding, which is partially located within the settlement boundary of the existing Edenderry Local Area Plan and is outlined in red in the bottom left of image 6.1 below.

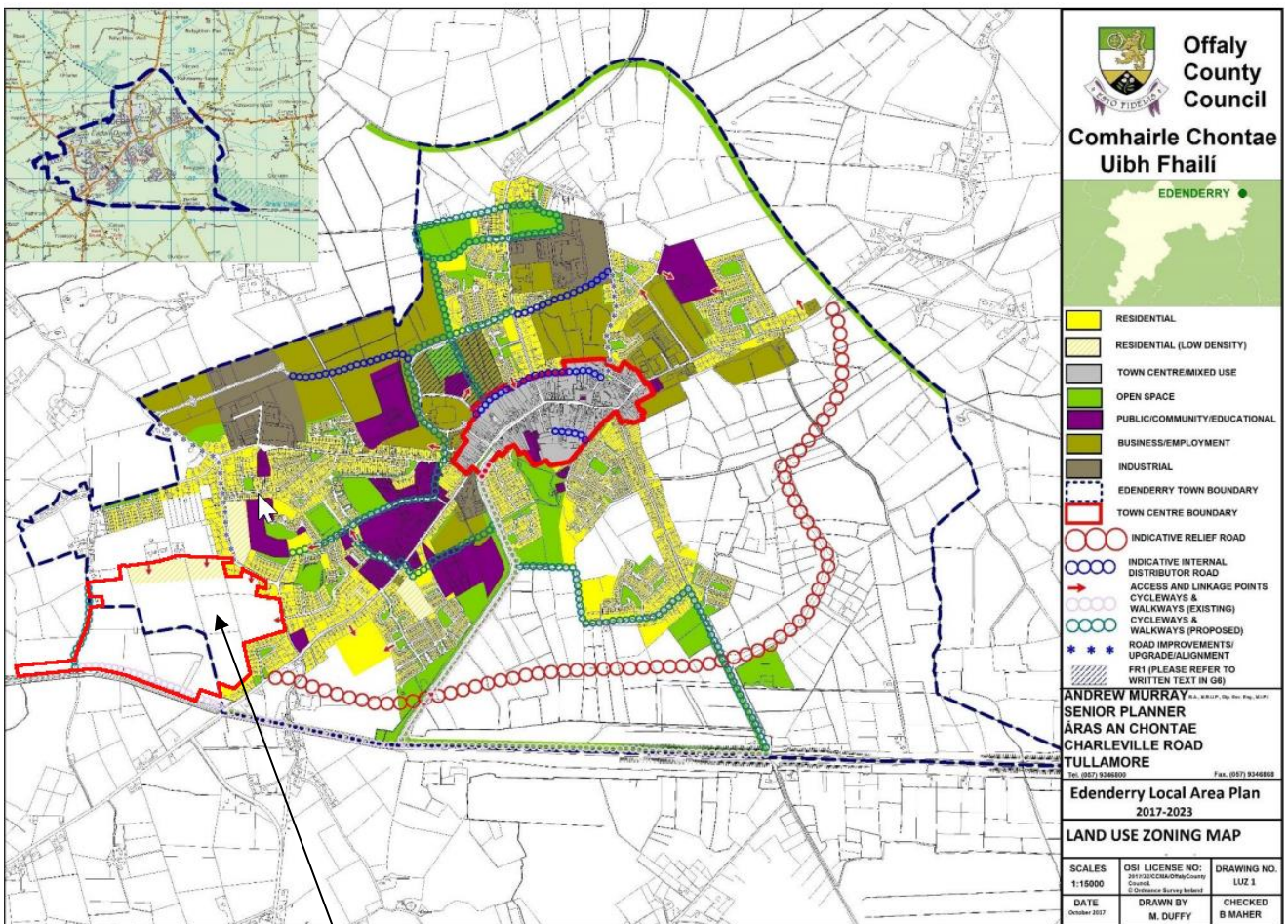


Image 6.1 Foran's landholding in south west Edenderry Local Area Plan 2017-2023



C4.15ha of Foran's landholding is currently zoned 'Low Density Residential'. The current LAP shows 4 different potential access points to the landholding.

Image 6.1

Foran landholding in south west of Edenderry Local Area Plan 2017-2023

7.0 Draft Edenderry Local Area Plan 2017-2023

The land use zoning map in respect of the Draft Edenderry Local Area Plan 2017-2023 is reproduced in image 7.1 and it also indicates that the only area of residential zoned land from the existing Edenderry Local Area Plan that is proposed to be de-zoned in the Draft Local Area Plan is that owned by the Foran family, while the zoning of another area of land has been removed from land previously zoned 'Public/Community/Educational' at the north east of the town. The Foran family landholding is outlined in red in image 7.1.

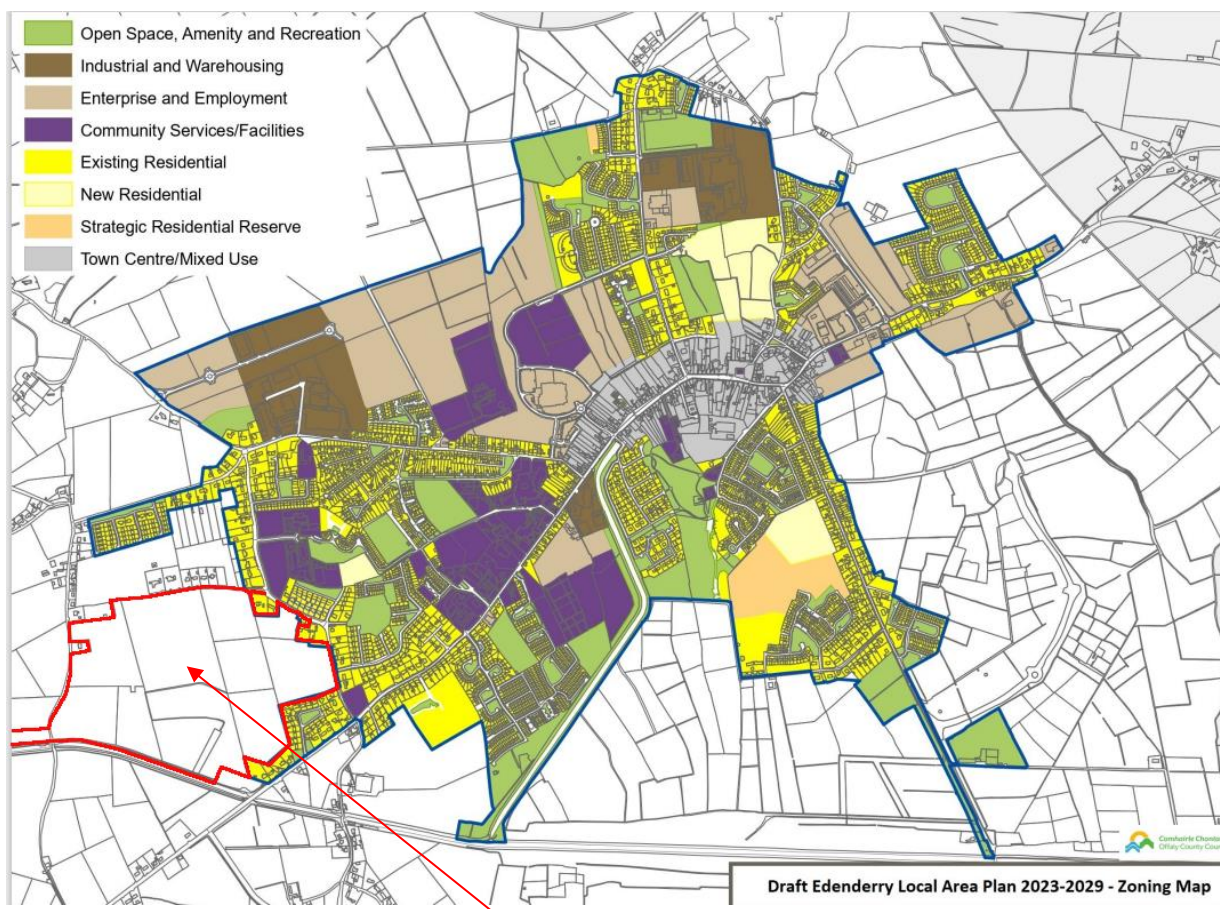


Image 7.1

Zoning map from draft Edenderry Local Area Plan 2023-2029

The Foran's landholding is now proposed to be entirely located outside of the settlement boundary, notwithstanding what the Minister for Housing stated in response to a Dail Question² on 26th July 2022, part of which is reproduced below: -

Housing Policy

Dáil Éireann Debate, Tuesday - 26 July 2022

Question:

791. **Deputy Eoin Ó Broin** asked the Minister for Housing, Local Government and Heritage if he intends to review the housing need and demand assessment targets set for local authority development plans and the Government's Housing Plan given the new data on population contained in Census 2022; and if so, the timeline for this review and its impacts on development plans the Housing Plan targets [41626/22]

Written answers (Question to Housing)

Minister for Housing, Local Government and Heritage

In addition to the HST guidance, recently issued Section 28 ministerial guidelines for Development Plan preparation, provide clear advice that planning authorities may provide zoned land in excess of that required to meet identified six-year targeted housing need and that **land that is zoned and serviced should not be dezoned**, to ensure that there is an adequate supply of zoned housing land to meet housing demand.

The proposal to de-zone the Foran's landholding in the Draft Local Area Plan is contrary to the clear instructions of the Minister for Housing, Local Government and Heritage.

8.0 Submission

As a minimum, the 'Low Density Residential' zoning of 4.15ha of the Foran's landholding should be reinstated in accordance with the directions of the Minister of Housing, Local Government and Heritage.

The three areas of land that are proposed to be zoned 'New Residential' in the draft Edenderry LAP equate to c11.65ha, only 1.65ha over and above 10ha set out in the Core Strategy Table in the County Development Plan 2021-2027. In light of the fact that the national population had increased in 2022 by 2.13 times the highest modelled figure of 50,000 set out in the National Planning Framework, the quantity of land zoned 'New Residential' in the new Edenderry Local Area Plan should be c21ha, meaning that an additional 10ha of land should be zoned in the Edenderry by way of an amendment to the current Draft Local Area Plan and this can be partially facilitated by the zoning of the Foran's lands that are outlined and highlighted in images 8.1, 8.2 and 8.3 below.

² <https://www.oireachtas.ie/en/debates/question/2022-07-26/791/>

The quantity of land proposed to be zoned in the Draft Local Area Plan also needs to be increased to provide choice, as not all zoned land gets developed.

The previous proposal to develop low density housing at the northern end of the Foran's landholding is not considered sustainable and that is a key reason why the land has not yet been subject to a planning application.

Rather than retaining the 4.15ha of zoned land at the northern end of the Foran's landholding as per the Ministers instruction, it is considered that it would be more appropriate and sequential that lands further south on the Foran's landholding would be zoned as a substitute for the existing zoned area at the northern end of the landholding. The land proposed to be zoned is shown in Images 8.1, 8.2 and 8.3 below.



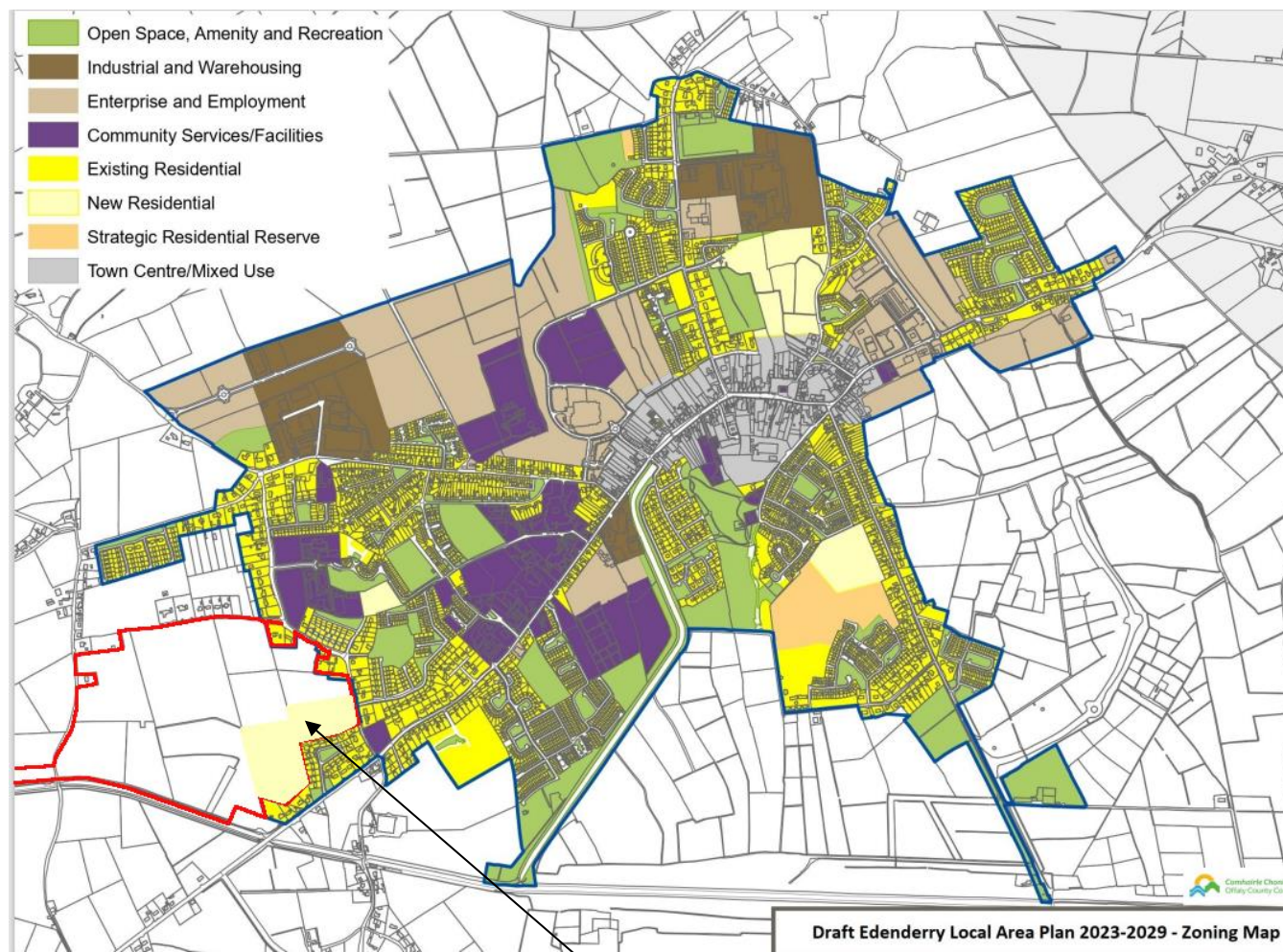
Image 8.1 c5.85ha of Foran landholding to be swapped with existing zoning at northern end of landholding

Images 8.2 and 8.3 are an adapted version of the Draft Zoning Map that is also shown in image 7.1 above.

This proposal is considered reasonable and is consistent with the instructions of the Minister for Housing that land should not be de-zoned but involves a relocation of the zoned land to a more connected point with road frontage and adjacent to existing housing developments to the north, south and east.

The lands proposed to be zoned as per images 8.1, 8.2 and 8.3 are located in close proximity to schools, and all amenities and are adjacent to existing road, sewage and storm water piped services, making the delivery of housing at a sustainable level much more achievable than at the northern end of the landholding.

It is requested that the Planning Authority take this submission into consideration and zone the lands outlined in image 8.1 and highlighted in images 8.2 and 8.3 as 'New Residential' by way of an amendment to the draft Local Area Plan. This will reinstate the quantity of the Foran's landholding that is currently zoned residential but is proposed to be removed in the making of the new Local Area Plan and include a small additional area of 'New Residential' zoned land.



Images 8.2 Proposed zoning map showing c5.8ha of Foran landholding zoned 'New Residential'



Images 8.2 **Proposed zoning map showing c5.85ha of Foran landholding zoned 'New Residential'**