

Offaly County Council,
Planning Section
Áras an Chontae,
Charleville Road,
Tullamore,
County Offaly.

2nd February 2022

Re: SUBMISSION TO PUBLIC CONSULTATION FOR DRAFT EDENDERRY LOCAL AREA PLAN 2023-2029 REGARDING LANDS ADJOINING “NEWBERRY”, TYRRELL’S LANE, EDENDERRY ON BEHALF OF NEWLYN HOMES LIMITED.

Dear Sir/Madam

We refer to the above Notice of Public Consultation for the proposed Draft Edenderry Local Area Plan issued pursuant to Section 20(3) of the Planning and Development Act 2000 (as amended).

We have been instructed by our client Newlyn Homes Limited, 15 Herbert Street, Dublin 2, to prepare the following submission in respect of their lands adjoining “Newberry”, off Tyrrell’s Lane and Father Paul Murphy Street, Edenderry.

1.0 Site Location Description

The subject lands are located to the south-east of Edenderry Town Centre and lie within the Edenderry Urban District Area.

The lands are located within the “*existing built-up footprint*” of the town as defined by the CSO. It is noted that National Policy Objective 3c of the National Planning Framework (NPF) targets at least 30% of all future housing development to be within and close to the existing “footprint” of built up areas. Policy RO-01 of the Draft LAP reflects that national policy also.

Our client controls an overall landholding which extends from west of Tyrrell’s Lane in the south, to Church View Heights in the northwest, to Greenwood Park in the north and Father Paul Murphy Street to the east.

At the southern end of this landholding, adjacent Tyrrell’s Lane, our client was granted permission in 2020 for 84 dwellings. Our client has been building this scheme since 2022 and completion is expected before end of next year (2024).

Construction access for the current development has been provided via a temporary construction access across the remainder of our client’s landholding to the north and connecting to Father Paul Murphy Street. This has ensured minimum amenity impact to the existing residential estates off Tyrrell’s Lane.



Figure 1: Aerial Photo showing location of Newlyn Homes Ltd. Lands outlined in Blue. Lands in Purple are zoned Residential in the Draft LAP and are subject to extant Permission Ref 19/136 (as amended by Ref 22/86). The lands to the north-east off Father Paul Murphy Street outlined in Yellow are proposed to be zoned New Residential in the Draft LAP. The remainder of the Land is proposed as Strategic Residential Reserve. The current submission seeks to increase the extent of the landholding to be zoned New Residential to the south to include the remainder of the field that adjoins Derrybeg and Newberry Estates – as outlined in Red on the map.

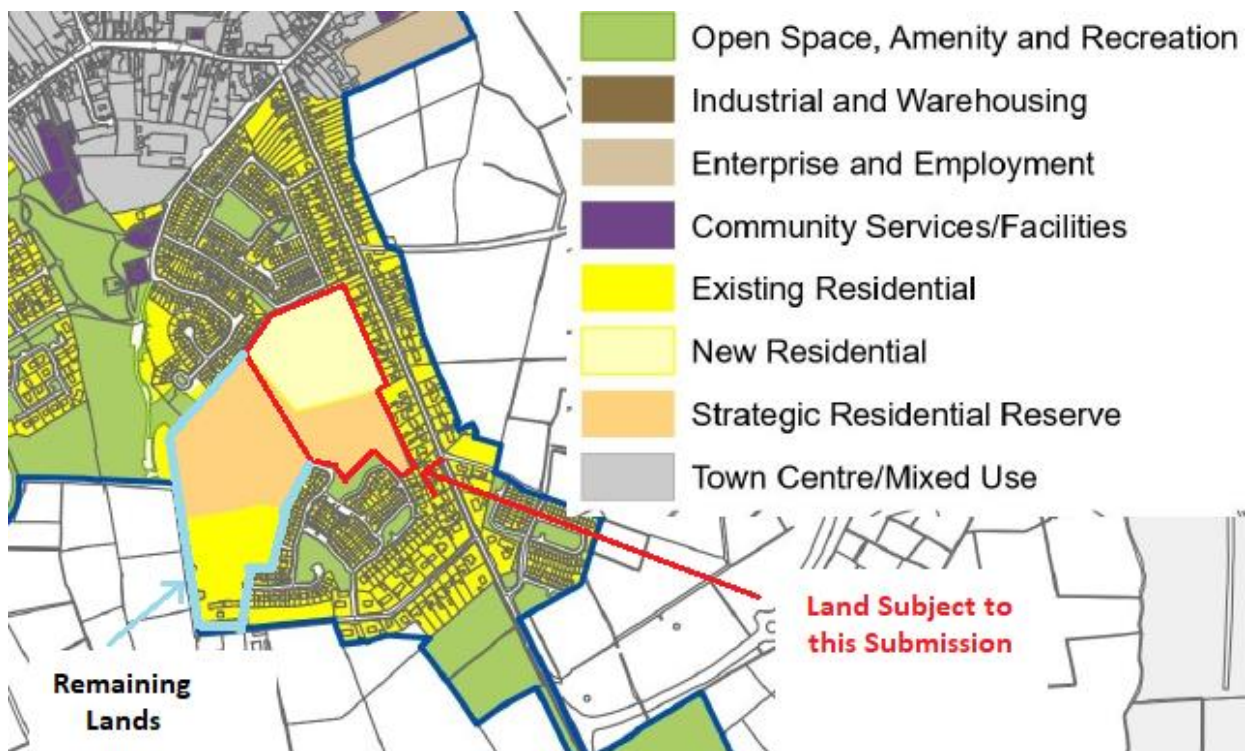


Figure 2: Extract of Draft Edenderry LAP Indicating Client Landholding and Area Subject to this Zoning Submission

At the north-eastern end of the landholding, to the south of Greenwood Park and west of Father Paul Murphy Street, the current Draft LAP is proposing to zone a portion of our client landholding for New Residential as per Figure 2 above.

The remainder of the landholding is proposed as Strategic Residential Reserve for consideration in future LAPs (i.e. 2029+).

As part of this submission the local authority are requested to extend the proposed New Residential zoning to include the remainder of the second field contiguous to the existing Derrybeg and Newberry Estates – as outlined in red on Figure 2 above.

This minor increase in residential zoning will provide our client with a sufficiency of zoned land to continue to deliver residential development at a consistent rate over the 6 year life of the forthcoming LAP.

2.0 Planning History

It is noted that prior to the current LAP the overall lands were all zoned Residential and were subject to a significant permission for 367 houses. The following planning history is noted:

Ref. 06/849

Permission granted for 367 dwellings, with creche and retail centre.

Refs. 08/1013 & 10/380

Permissions granted for modifications to parent permission Ref. 06/849 including change of house types and changes to garden boundaries.



Figure 3: Extract of Site Plan of Ref. 06/849 Parent Permission (as amended by Refs 08/1013 & 10/380) for 367 residential units that was originally granted across the overall landholding. An Extension of Duration Application for this Permission was refused in 2012 and the permission expired.

Ref. EX12030

In June an application to Extend the Duration of Parent Permission Ref 06/849 was refused.

Ref. 19/136

Permission was granted in November 2020 for 84 no. 2 storey dwellings as part of Phase 3 of Newberry Development at the south-western extent of the landholding.

Ref. 22/86

Permission was granted in June 2022 for modifications to Ref. 19/136 comprising changes to permitted house types.

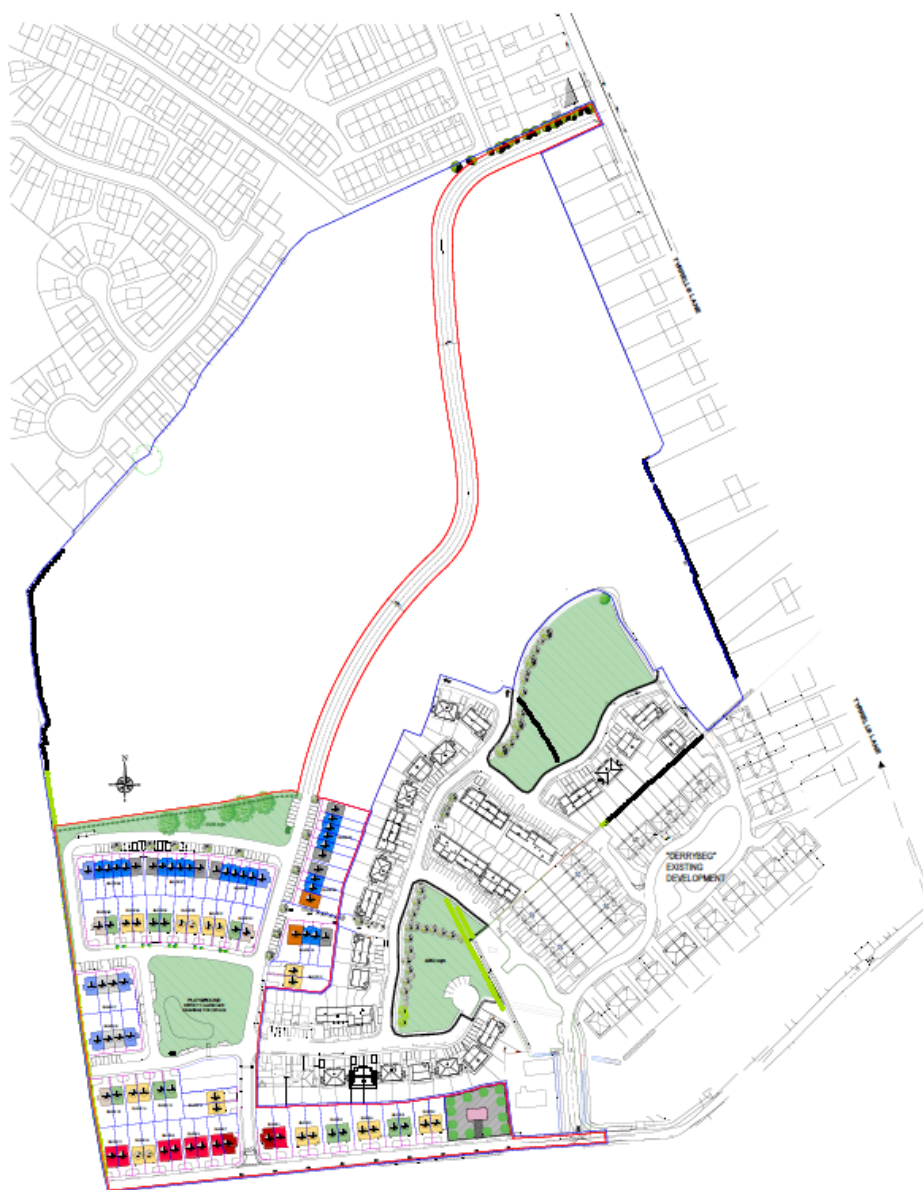


Figure 4: Extract of Site Plan of Ref. 19/136 / 22/86 permission for 84 houses which are under construction and expected to be completed by end of 2024.

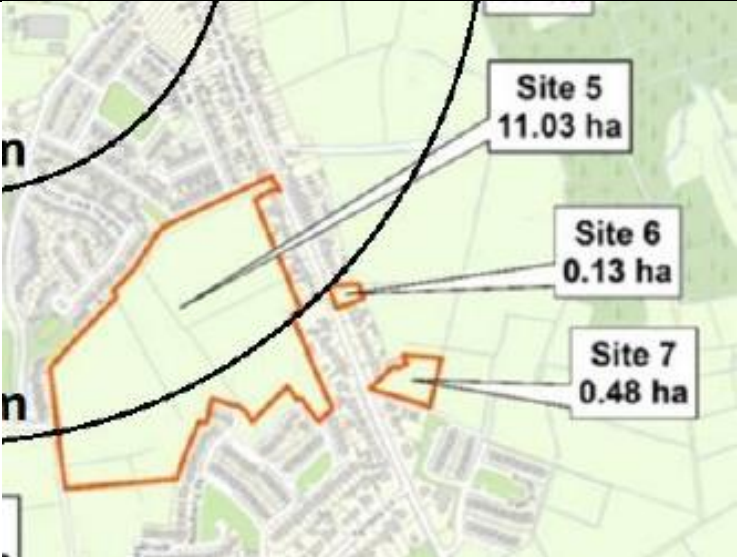
3.0 Purpose of this Submission

The Draft LAP proposes to zone the north-eastern portion of our client's landholding to "New Residential".

The field in question lies south of Greenwood Park and there is an access east onto Father Paul Murphy Street, which currently provides a construction access across the lands to our client's current development of 84 units to the west of Tyrrell's Brook as per Permission Ref. 19/136 (& 22/86).

The remainder of the landholding is proposed to be Zoned "Strategic Residential Reserve" and only to be considered for residential development in subsequent Local Area Plans, i.e. post 2029.

This is despite all of the landholding being appraised positively in Chapter 10 of the Draft LAP in respect of infrastructural requirements and planning assessment criteria including Compact Growth, Sustainable Mobility, the availability of Infrastructure and Services, and Physical Suitability and Accessibility.

				
5	Promotes compact growth	Zone a combination of 'New Residential' and 'Strategic Residential Reserve.'	<p>Having regard to part of this site being located within convenient walking distance of the town centre in addition to the established residential character of the area, it is considered reasonable to zone the field in the north eastern site of the landholding for residential development.</p> <p>The remainder of the landholding can be considered in subsequent Local Area Plans.</p>	
	Promotes sustainable mobility			
	Availability of infrastructure & services			
	Physical suitability and accessibility			

Whilst the proposed zoning of a portion of our client's landholding for New Residential is welcomed, unfortunately the quantum of land to be zoned falls short of our client's requirements for the coming years and would not be sufficient to achieve their planned housing delivery during the life of the new LAP.

The purpose of this submission is therefore to request that an additional portion of our client's landholding to the south as far as the existing estates be also included in the New Residential zoning. The map below indicates the area in question outlined in Black.

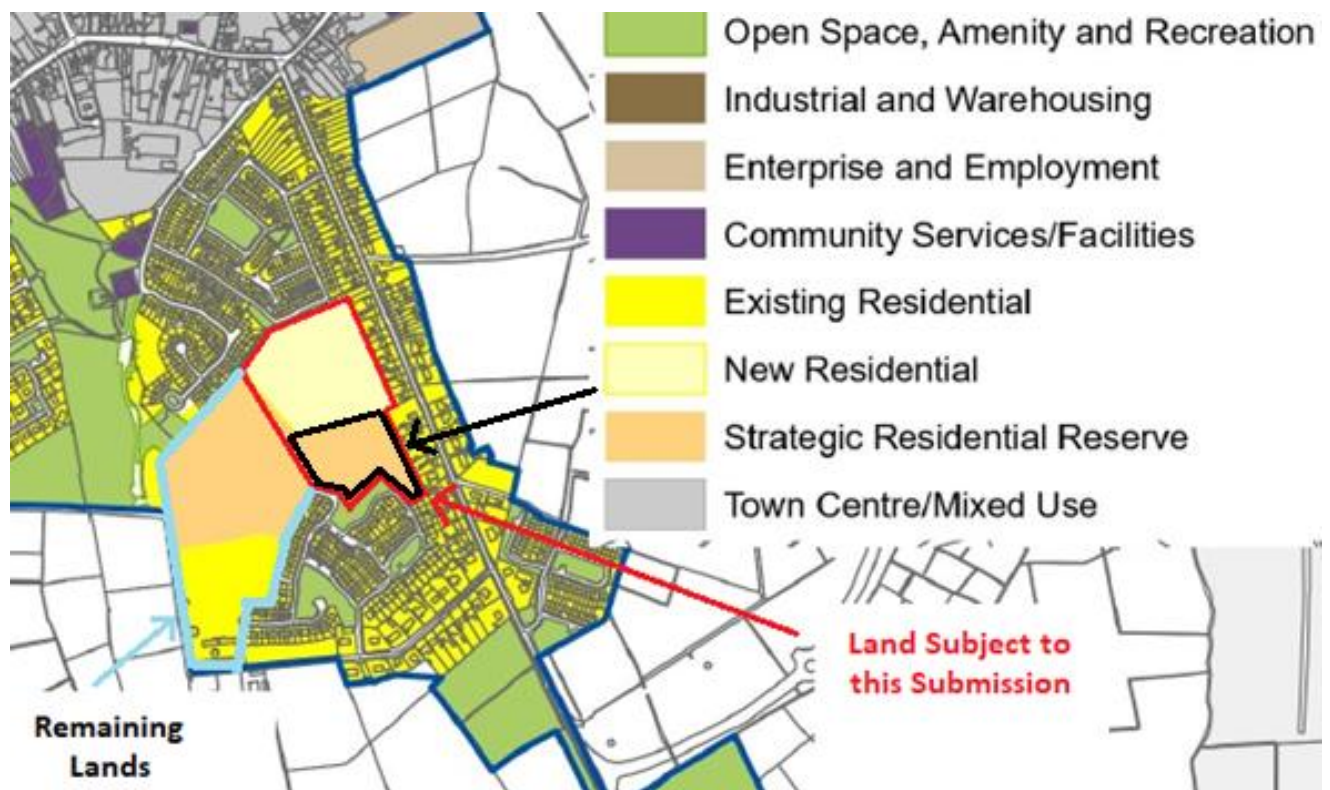


Figure 5: Extract of Draft LAP Zoning Map and Indicating the additional portion of Newlyn Homes Landholding proposed for New Residential (outlined in black)

In making this submission our client acknowledges the limits to providing additional residential zoning, given the prescribed populations targets within the Core Strategy of the County Development Plan.

In this regard, it is important to note that our client is not requesting that all of their landholding to be rezoned to New Residential (i.e. the remainder of the landholding to the northwest of Tyrrell's Brook.). It is accepted that a portion of the landholding to the west will probably need to remain as Strategic Reserve until the next LAP.



Figure 6: Google Street View Shots of Subject Lands north of Newberry Green Proposed for New Residential Zoning

However, it is requested that Offaly CoCo, in the adoption of the LAP, extend the proposed New Residential zoning to include the remainder of the field to the immediate south that adjoins the existing Tyrrell's Brook estates and open space.

This measure will achieve a number of positive outcomes as follows:

1. It will provide a sufficient quantum of residential zoned land for our client (subject to planning) to continue to deliver housing in the area at a consistent annual rate over the next 6 years. The proposed additional New Residential Zoning will likely facilitate only c.60 units. With their extant permission to the west of Tyrrell's Lane under construction and expected to be complete by end of 2024, this additional zoning allocation will not be sufficient for our client to continue developing during the life of the new LAP (to 2029). If construction had to cease due to a lack of zoned land and permission, then our client may be forced to relocate operations to alternative towns in Leinster with potential knock-on implications ultimately for the delivery and completion of the remaining Tyrrell's Brook lands.

2. The rezoning of the full extent of our client's two fields for New Residential will allow for proper integration with the existing Tyrrell's Brooke estates to the south (and also with Greenwood park to the north) which in turn will create more direct pedestrian and cyclist connectivity north to the town centre. This would significantly reduce journey times to local services in the town for residents and would encourage a greater modal shift away from private car dependency, which at the moment is very high given the significant distance and convoluted route that pedestrians and cyclist must take to get to the town centre.

Given the above it requested that the New Residential zoning on our client's landholding be extended to include the remainder of the second field to the south as highlighted on Figure 5 above.

Justification for Additional New Residential Zoning

In requesting for an additional portion of our client's landholding to be zoned New Residential we note that the lands are serviced and have established safe access. Furthermore, the lands were previously zoned and permitted for residential development, as noted in the planning history review above.

The lands are close to the town centre and services and facilities to serve future residents. The land should be considered foremost for provision of additional zoned land for residential development in the town.

Furthermore, since the adoption of the Offaly County Development Plan in 2021, a growing national consensus has emerged that the population targets assigned to each County via the National Planning Framework Implementation Roadmap and the Regional Spatial and Economic Strategies are based on significantly under-estimated population growth projections for the coming decades.

The NPF 2040 was adopted based on ESRI population projections at the time (early 2010s) of an additional 1m population in the country by 2040. Subsequent projections are now suggesting that the 1m target will be reach by 2030, 10 years earlier. That is a significant variance which means that far greater population growth and housing targets will have to be factored into local and county plans going forward.

As a result, Minister O'Brien has recently announced that the government are now reviewing the NPF to assess how much additional residential zoned land is needed across the county on the basis of more recent CSO data, particularly the forthcoming Census 2022, which preliminary result show more significant population growth than previously projected.

The preliminary Census 2022 results for Offaly indicate that the County, since the 2016 Census has seen strong population growth by 6% to 82,668.

Edenderry Urban ED has seen even higher per capita growth of 7% (501 persons) over the same period.

Figure 4.1 – Percentage change in population and housing stock by county, 2016–2022



At the same time, and worryingly, the housing stock of the county only grew by 4.6% over the same period.

In other words the population growth of the county between 2016 and 2022 was c.30% greater than the increase in housing stock over the same period.

It is anticipated that the mooted review of the National Planning Framework (NPF), post publication of the new Census Data in the Spring, will facilitate a revision upwards of population/housing targets at regional plan level and under the Core Strategies at local plan level.

There is an onus on the planning authority, as part of the new LAP for Edenderry to forensically examine the forthcoming Census information for Offaly and Edenderry and, as recommended by the Minister for Housing and Local Government to actively zone additional land to meet the significant population growth and housing demand that already exists and is manifest in the much publicised “Housing Crisis” that is spoken about in the media on a daily basis.

More Residential Zoning Needed to Ensure Sufficient Provision of Housing Lands/Sites and a Balanced Distribution of Residential Zoned Land

Notwithstanding the forthcoming NPF review, the current guidance from the Department of Housing, Local Government & Heritage also suggests that the local authority, have the discretion to provide for additional zoned residential lands.

The local authority's attention is drawn to Section 4.4.3 of the Section 28 "Development Plans; Guidelines for Planning Authorities" (June 2022):

It states the following:

"In providing housing sites for development within settlements, it may be necessary to zone more serviced land and sites for residential (or a mixture of residential and other uses), than would equate to meeting precisely the projected housing demand for that settlement. This approach recognises that a degree of choice in development sites to be provided locally is desirable to avoid restricting the supply of new housing development through inactivity on a particular landholding or site.

In making provision for housing within settlements in the core strategy of a development plan, in certain instances a planning authority may therefore provide zoned residential sites in addition to those required to meet the settlement housing supply target. This means that a planning authority, after identifying the site/land requirements to meet the housing supply target for that settlement, may also identify additional sites/lands to ensure sufficient choice for development potential is safeguarded.

Accordingly, on a settlement by settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, may be determined by the planning authority. Such proposals will be assessed and evaluated by the Office of the Planning Regulator in accordance with these Guidelines."

The Development Plan Guidelines set out clearly the potential for local authorities to zone additional land for residential development and more than may be precisely required to meet projected housing targets.

Given the significant reduction in zoned residential land in the Draft LAP we would encourage the local authority to examine its options in this regard so as to allow for, in this instance, a slight uplift in residential provision in the new LAP. This will allow our client, one of the few active and residential developers operating in the town to maintain a sustainable quantum of zoned residential land and to continue to develop steadily over the life of the new LAP.

In looking at the proposed provision of zoned land for new residential development in the Draft LAP, it is considered that the distribution is weighted towards one single landholding, north of the town centre. This is a precarious strategy and one that could completely stymie residential development and growth of the town should the lands in question not come forward for development in the short term.

It is noted that only 2 other landholdings in the town along with our client's site off Father Paul Murphy Street have been proposed the New Residential zoning to make up the c.10ha prescribed in the Core Strategy of the 2021 County Development Plan.

Of these the largest by far is a landholding of c.8ha north of the town centre at Clonmullen – marked 1 on the Figure 7 below.

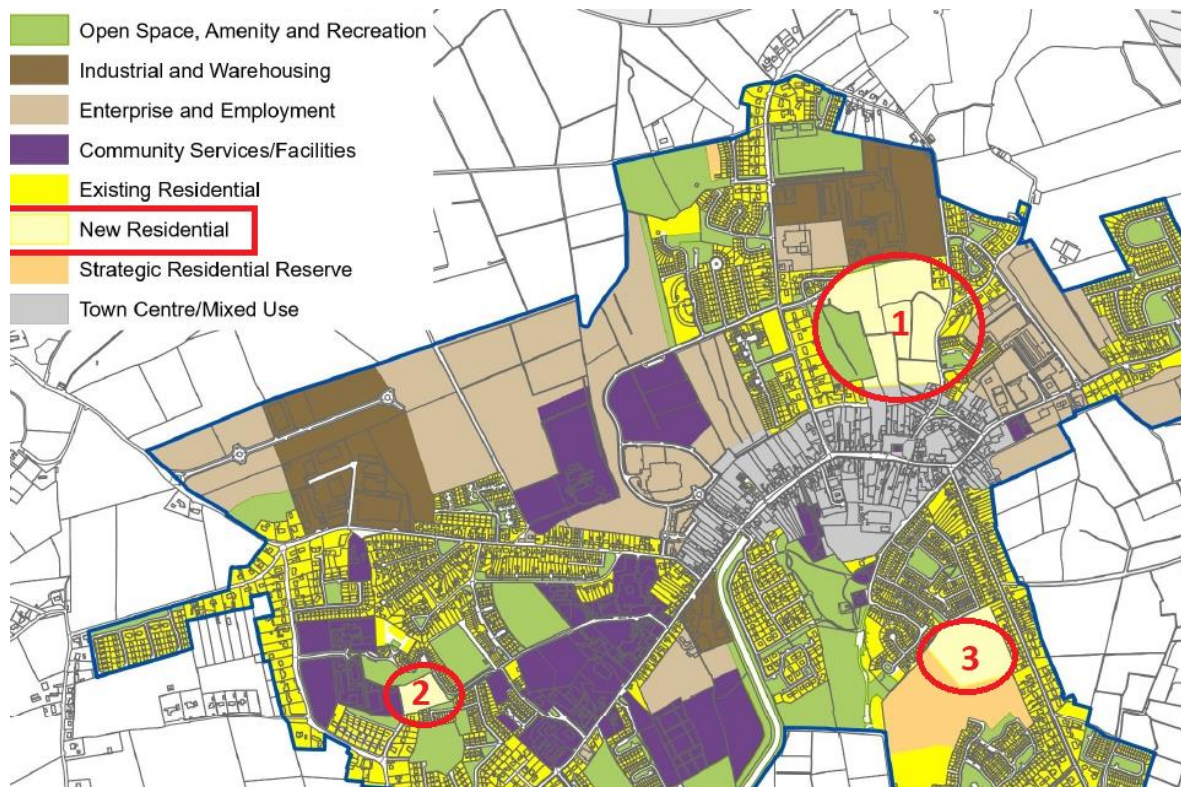


Figure 7: Extract of Draft LAP Zoning Map indicating the 3 New Residential zonings. Part of our client's landholding proposed is No. 3. The largest landholding is No. 2 at Clonmullen.

That landholding is vacant and has no extant planning permission(s). In 2005 permission was granted on a portion of the lands for 266 houses – Ref. 04/1558 refers. However, this permission was never commenced nor extended, and has expired. A subsequent application in 2008 (08/311) for 163 units was withdrawn.

Since then, there has been no residential development or planning activity on the lands. Under the current LAP the lands are zoned for employment, not residential.

Permission was granted under Part 8 for the Inner Relief Road to the north. It is also understood that funding has been secured to complete the Inner Relief Road works, which will undoubtedly encourage development of the subject lands.

Nevertheless, it is considered unreasonable and unsustainable that all of that landholding would be prescribed 80% of the residential zoning quotient in the new LAP.

If planning is not progressed on those lands – or if planning is withheld (due to legal challenges, environmental concerns, etc) – that efficiently means that only 20% of the housing target for the town on residential zoned land will be achievable over the next 6 years.

At a time when the zoning provision for the town is so limited, allocating four fifths of that provision to a single landholding with no recent planning precedent or development activity, is precarious and contrary to the principles of sustainable urban planning.

Given the above, it is suggested that the planning authority could consider zoning a portion of that landholding as Strategic Residential Reserve, similar to what has been proposed on our client's landholding. That would then allow residential development to be progressed on those lands during the life of the new LAP, but would also allow for a redistribution of New Residential zoning to other landholdings in the town.

In this regard, we note again that our client is one of the few developers in the town who has been actively seeking permission and building houses in the town over the past decade.

Whilst a portion of their landholding proposed for New Residential in the Draft LAP is acknowledged and welcomed, unfortunately it is not enough for them to meet their planned housing delivery targets over the next 6 years.

The existing scheme of 84 units off Tyrrells Lane will be complete by end of 2024. Subject to planning the additional zoned land proposed in the Draft LAP could deliver an additional c.80 houses. However, building at a consistent annual rate, this quantum would likely be complete by mid-2027 (if commenced in early 2025 following completion of the current scheme). With the LAP expected to run for a further 2 years beyond that, to 2029, our client would need additional zoned land in the LAP for an additional 40-50 units. The proposed extended zoning outlined in this submission would allow for this.

Given the above, the local authority is requested to revise the New Residential/Strategic Reserve allocation in the Draft Plan and increase the amount of New Residential zoned land at our client's landholding.

Increased Permeability/Connectivity

The proposed extension of the New Residential zoning proposed would create the opportunity to significantly increase connectivity and permeability between existing isolated residential estates at the southern extent of the town and the town centre and services.

The Draft LAP acknowledges and is clearly informed by the planning principles of "Healthy Placemaking" whereby future developments are required to provide more compact development and with connectivity and permeability throughout the town by sustainable transport means, particularly walking and cycling, optimised.

The Draft LAP states:

“The vision for Edenderry is that growth planned for the town over the life of the Plan occurs in a sustainable and sequential manner, characterised by a compact, consolidated and permeable pattern of development linked by sustainable modes of transport including a robust network of pedestrian and cycle routes.”

We also note the following policies:

- **TCP-06:** *Ensure that growth planned for Edenderry town over the life of the Plan occurs in a sustainable and sequential manner, characterised by a compact, consolidated and permeable pattern of development linked by sustainable modes of transport including a robust network of pedestrian and cycle routes.*
- **CAP-06:** *Ensure that all development within Edenderry allows for connectivity (pedestrian, cyclist and vehicular) to adjacent lands in accordance with the National Transport Authority’s Permeability Best Practice Guide (2015), or any updated version of same.*
- **CIP-01:** *Promote enhanced connectivity for pedestrians and cyclists within Edenderry in order to improve access to the town centre, local schools, residential areas, recreational facilities, public transport services and other amenities.*
- **CIP-02:** *Improve accessibility and movement within Edenderry, reduce dependency on private car transport, increase permeability in the town, and encourage the use of energy efficient forms of transport through the promotion of walking, cycling and public transport.*

Currently the Tyrrell’s Brook Estates at the very south-eastern edge of the town, adjacent our client’s lands are isolated from the town centre and various services and facilities.

According to the Census 2016 figures there are over 160 properties located in this area housing over 500 residents. With the current development of 90 houses by our client this number will increase further c.40% in the coming years.

At present residents on foot or by bicycle have to travel along Tyrrell’s Lane and then north along Father Paul Murphy Road to reach the eastern end of the town centre – an average distance of 1.5km.

However, many of the day to day services required by residents are located further west in the town and at greater distance. Edenderry Shopping Centre, St. Mary’s Secondary & primary Schools, Oaklands Community College, St. Mary’s Catholic Church & Cemetery, Scoil Bhride Primary School, and the Gaelscoil are all between 2km and 3km walk from Tyrrell’s Brook.

This equates to a 30 – 45 mins walk each way trip for those on foot. Clearly this is too great a distance for most residents to travel by foot (and cycle in many instances), far exceeds the “10 minute” settlement concept that Section 8.3 of the Draft LAP supports, and as advocated

in the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly 2019-2031.

Unsurprisingly the 2016 Census recorded that only 12% of the Tyrrell's Brook population who travel to work or school do so by foot or bicycle. This is half the average recorded for Edenderry overall as noted in Section 2.3 of the Local Transport Plan submitted with the Draft LAP.

Achieving a more sustainable modal split within Tyrrell's Brook requires improved pedestrian/cyclist connectivity to where people need to go on a daily basis.

The indicative orbital walking route suggested in the LTP is noted, however this will require agreements across multiple landownerships and ultimately a new footbridge over the Canal to get to many of the social infrastructure in the town.

An additional option (and one that could be delivered by our client during the life of the LAP) would be facilitating additional pedestrian links north to the town centre via new residential development on the lands proposed for zoning in this submission, comprising the lands immediately north of Tyrrell's Brook and to the west of Father Paul Murphy Street.

Development of new pedestrian links from Tyrrell's Brook through these lands and connecting to Father Paul Murphy Street to the northeast and also Greenwood Park to the northwest would significantly reduce the distance needed to travel on foot to the town centre and local services.

Connection through to Father Paul Murphy Street would reduce the travel by at least 0.5km. Additional connection via Greenwood Park would, via a development on our client's lands, provide further direct access to the heart of the town via Blundell Park. In that instance, the walking distance to the schools, and other social infrastructure in the west of the town would be reduced by approximately 1km for Tyrrell's Brook residents, which is significantly reduction in distance.

Conclusion

Given the above, and for the various reasons outlined, we would respectfully request that the Planning Authority rezone an additional portion of our client's landholding to New Residential as per Figure 8 below.

This is in order to provide our client with a sufficient quantum of residential zoned land to continue to develop progressively over the coming years during the life of the new LAP, and in the interest of the proper planning and sustainable development of the area.

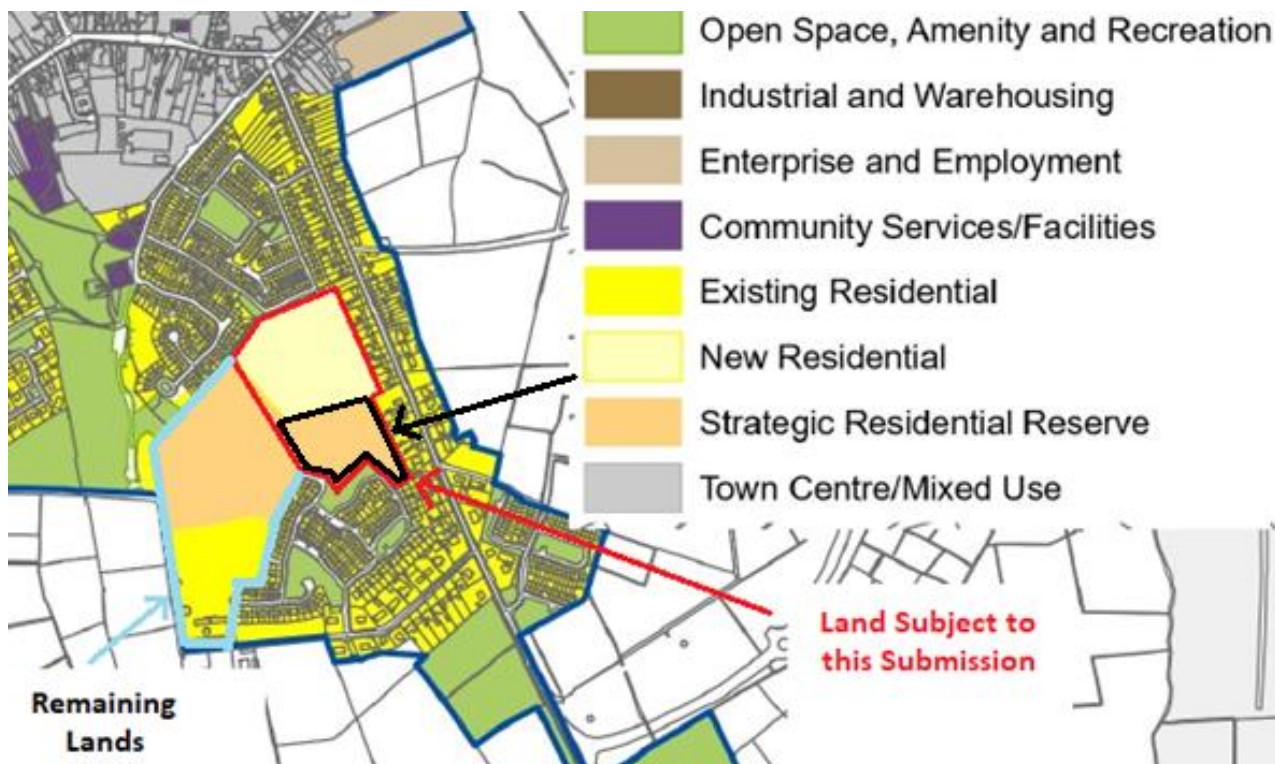


Figure 8: Extract of Draft LAP Zoning Map and Indicating the additional portion of Newlyn Homes Landholding proposed for New Residential (outlined in black)

Yours sincerely,

Trevor Sadler
McGill Planning Ltd.