

Submission to the Proposed Material Alterations to the Draft

Leixlip LAP 2020-2026

This submission is being made by Kieran Rush Consult Ltd on behalf of the Ballymore Group, Brian O'Farrell, the Bruton family, the Newbridge Leixlip SPV and the Rowan family who, between them own or control most of the privately-owned lands proposed for zoning at Confey in the draft Leixlip LAP (see attached map, Map 1). My clients welcome the publication of the Proposed Material Alterations to the draft LAP and in particular, the proposal to zone additional lands at Confey for development.

Proposed Material Alteration Nos. 1, 2 & 3.

We note the proposed material alteration to amend the draft Leixlip Local Area Plan to limit the life of the plan to 3 years (to expire in 2023), and the reasons behind this proposed amendment.

While we understand that the Planning Authority is legally obliged to amend the Local Area Plan to accord with the Core Strategy of the County Development Plan, which in turn must accord with the settlement strategy set out in the Regional Spatial and Economic Strategy, we suggest that this can be done in any case, without the need to specifically limit the life of this Local Area Plan. We bring the Planning Authority's attention to Section 18(5) of the Planning and Development Act 2000 (as amended) which states;

A Planning Authority may at any time amend or revoke a local area plan.

This clearly allows the planning authority to revoke or amend the local area plan to accord with any revision of the Core Strategy, or for any other reason, at any time before 2026. Moreover, Section 19 (2B) of the Act requires a review of a local area plan where a plan is no longer consistent with a development plan, within one year following the making of the development plan.

However, we believe that by bringing forward the date of the termination of the life of the Leixlip Local Area Plan to 2023 there is a danger that there may be no plan at all for the town after 2023, in the event that the Council fails to adopt the County Development Plan on time, or in the event that the planning authority fails to adopt a new Leixlip Local Area Plan in 2023.

We note that the planning authority will be required to revise all of the local area plans within its functional area, and the County Development Plan, on or before 2023. This is a hugely ambitious programme of work for the limited resources available to the planning authority.

If the planning authority, for whatever reason, fails to make a new local area plan before this plan expires, there is a real danger that Leixlip, a key growth centre in Kildare and the wider Dublin Metropolitan Area, will be left adrift with no development plan to guide it. A similar situation currently exists in Naas, stymying development in the county town for the last 2 years.

Proposed Material Alteration Nos. 8.

While we acknowledge concerns that the development of Confey may be premature pending clarity on the delivery of infrastructure to serve the development, we see no logic to the proposed linking of the development of these lands to the other Key Development Areas. We remind the planning authority that the country is suffering from an acute housing crisis, with homelessness now one of the most pressing social and economic problems the country faces. We therefore suggest that it is incumbent on the planning authority to facilitate the development of housing on all zoned lands as expeditiously as possible.

Furthermore, we propose that the Urban Design Framework appended to the draft Local Area Plan is a sufficiently robust document to guide the future development of these lands and that an additional masterplan is not required. Given the enormous workload with which the planning authority will be burdened in reviewing the County Development Plan and all of the local area plans over the next three years, we believe that it is unrealistic to expect an additional review of the Leixlip Local Area Plan in the same period. We therefore propose the following wording for the Proposed Material Alteration No. 8;

*Phasing shall be in accordance with Table 4.1. Development will be permitted in principle on Phase 1 lands during the initial stages of the LAP and only when these lands are 'substantially developed' will permission be granted for the **immediately and the planning authority shall do its utmost to secure investment in the necessary infrastructure to enable the** development of lands identified as Phase 2, **working with the local land owners, Irish Water, the NTA and other state agencies and stakeholders, in accordance with the Urban Design Framework appended to this plan, as expeditiously as possible.** Should the lands identified as Phase 1 not come forward for development in the short term, consideration will be given to Phase 2 lands subject to the preparation of the Masterplan which is to be prepared and integrated into the Leixlip Local Area Plan by way of a statutory amendment to the Local Area Plan,*

Proposed Material Alteration No. 56

This Proposed Material Alteration proposes a new objective requiring an amendment to the local area plan to incorporate a masterplan for the Confey lands. It is clearly nonsensical to adopt a local area plan subject to a future amendment to that plan. The existing Urban Design Framework is itself a masterplan that sets out the phasing, location and scale of development for that area. We submit that no further masterplan is required and therefore request that this proposed material alteration is deleted. As a consequence, we also request that all references to a masterplan for the lands at Confey be deleted from the plan.

While we note that this proposed material alteration requires the coordination of land use planning with the design and delivery of infrastructure, we submit that this should be done at this stage and incorporated into the local area plan now, in accordance with the Local Area Plans; Guidelines for Planning Authorities (2013) which state;

it is strongly advised that local area plans should include an Implementation and Infrastructure Delivery Schedule, which would require a planning authority to work closely with all relevant departments, agencies and stakeholders involved in securing the delivery of the formulation, adoption, implementation, and monitoring of the policies and objectives of the local area plan (page 45).

Proposed Material Alteration No. 57

We welcome the proposed additions to the zonings in Confey.

Proposed Material Alteration Nos. 61-64

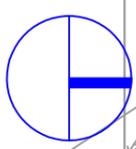
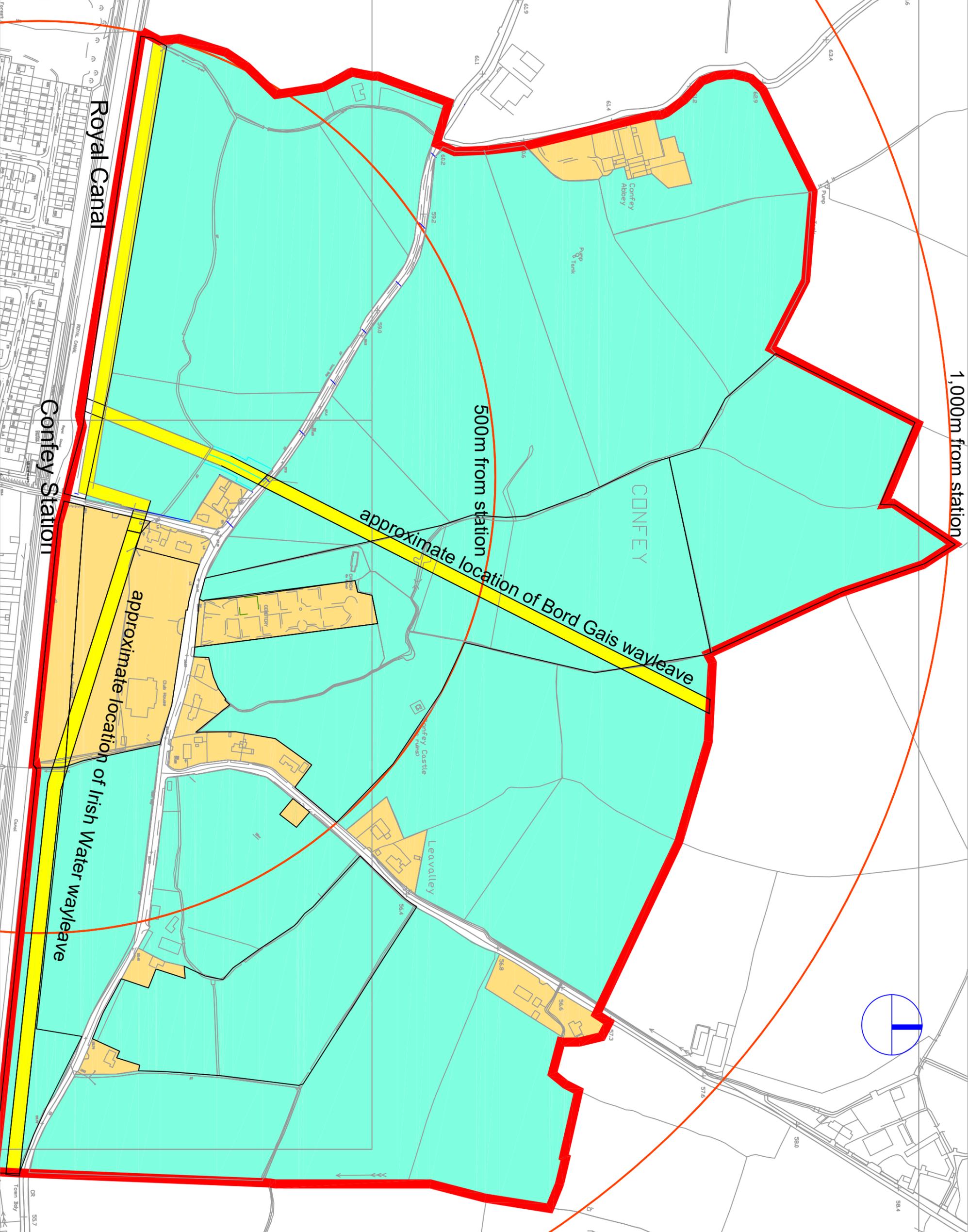
We welcome the proposed material alteration nos. 61-64 relating to the Confey Urban Design Framework and reiterate our request that the phasing should prioritise the delivery of conventional housing over apartments and other innovative housing typologies in the first instance.

Summary and Conclusion

My clients welcome the publication of the proposed Material Alterations to the draft Leixlip Local Area Plan and look forward to working with the planning authority and other stakeholders in bringing forward their lands at Confey for a new, planned community that will assist in alleviating the housing crisis and provide much needed new housing in a sustainable manner for the citizens of Leixlip and the wider Kildare area.

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NOTES:

LEGEND

- lands in relation to which this submission is made
- existing wayleaves the exact location and extent of these wayleaves to be confirmed. Other wayleaves may also exist
- Lands owned by third parties

REVISIONS:

REV	DATE	DESCRIPTION

PROJECT:
Submission to draft Leixlip LAP
Lands at Confeiy, Leixlip

TITLE:
Map 1: Lands in relation to which this submission is made

DATE: JULY 19 **SCALE:** NTS

DWG NO: **REVISION:**