



Submission on behalf of Thomas Kelly and Sons Group to the Portlaoise Draft Local Area Plan 2018-2024

May 2018

Date: May 2018

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For and on behalf of GVA Planning and Regeneration Limited

Date: May 2018

1. Introduction and Purpose

This submission has been prepared by GVA, on behalf of our Client, Thomas Kelly and Sons Group, in response to the public consultation period for the Portlaoise Draft Local Area Plan 2018-2024 (hereafter DLAP). The purpose of this submission is to input into the plan-making process in a constructive manner and to set out a clear case for the promotion of and benefits of residential development on our Client's land, which will facilitate the delivery of essential housing units in Portlaoise in a timely manner.

We welcome the publication of this DLAP which will provide for the sustainable development of this area.

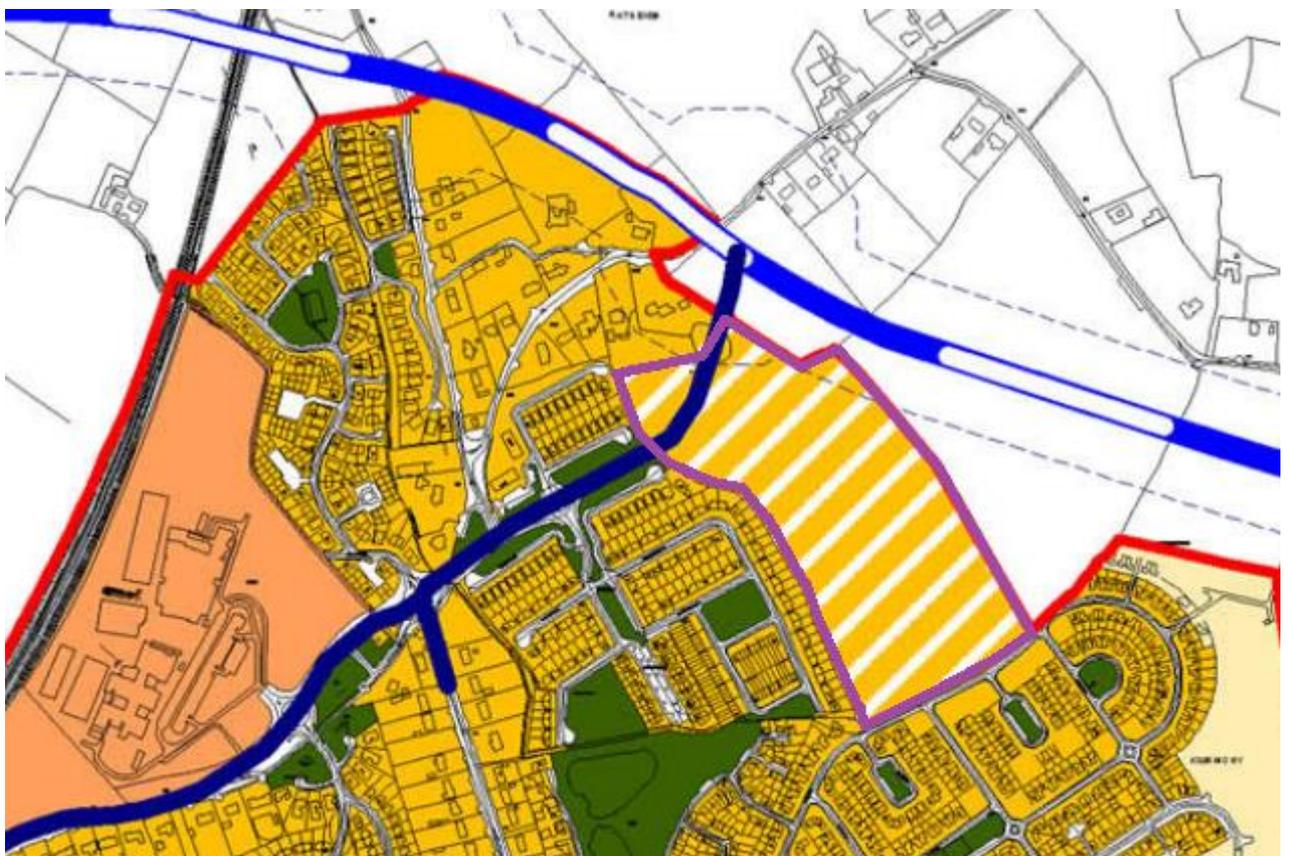


Figure 1: Zoning Map extract showing subject site outlined in purple

This submission relates to lands to the north - east of the Town Centre, as outlined above and seeks to ensure that the DLAP in providing guidance and policies for the future development of this area has regard to the overall strategic growth of the town.

As can be seen in Figure 1 above, the DLAP proposes to zone the subject site 'Residential 2 - New Proposed Residential'. While our client welcomes the zoning of their land for residential use, there remain some outstanding items with regards to the implementation of this zoning that need to be addressed in this regards.

Utilising planned and existing resources would provide for the optimum use of this site and contribute to the proper planning and sustainable development of not only the surrounding area but the wider town of Portlaoise. This submission seeks to highlight the strategic nature of this subject lands and set out how they can be developed to the maximum benefit of the growth of Portlaoise.

2. Executive Summary

As set out above, this submission supports the zoning of our Client's lands for 'Residential 2 - New Proposed Residential' development which can be summarised as follows:

- The national, regional and local planning guidelines set ambitious growth targets for the midlands region, with an emphasis on the existing urban areas such as Portlaoise. As such, there is an onus on the Planning Authority to facilitate this growth as much as possible in a timely manner by providing for the development of lands zoned for new proposed residential to meet the goals set within Rebuilding Ireland which aims to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs.
- Having regard to the options for future residential development, this submission addresses our concerns in respect of the Council's proposed sequential approach to such future development. We review the five opportunity sites listed for Town Centre re-development and highlight that although they may deliver locally needed housing units, the sites will fall short of the required targets set out in the DLAP. The submission shows that accommodating the residential development target for Portlaoise will require the development of a combination of opportunity sites, consolidation of the urban areas and strategically located 'Residential 2 – New Proposed Residential' lands. The submission explains that there is no reason set out why Town Centre consolidation of sites cannot take place in tandem with the promotion and development of sites zoned as 'Residential 2 - New Proposed Residential'. In addition the delivery of a number of the opportunity sites will require master planning which will result in the development of these sites having a longer timeline. We encourage the Council to recognise the importance of our Client's strategically important infill site meeting the projected housing requirements set out in the DLAP.
- With regard to the DLAP Land Use Zoning Map, our Client supports the proposed 'Residential 2 - New Proposed Residential' zoning for their land
- In relation to future residential developments, the development of the subject lands is a logical and considered extension to the existing residential neighbourhoods in the north - east of the town and is available to provide some of the much needed housing units in an area of the Town in support of existing services and the school's campus nearby. The subject land not only have the benefit of being served by existing infrastructure but importantly their development provides for the strategic linking of the existing residential neighbourhood to the proposed Northern Portlaoise Orbital Route and the adjacent neighbourhood facilities which in turn will continue to alleviate traffic issues in the Town Centre.

- The future growth options of Portlaoise as a whole for the duration of the plan period are discussed with the following issues noted:
 - Northern, western and southern lands – the DLAP proposes compressing the development boundary, specifically to the north, from the preceding LAP 2012-2018. There are further identified constraints with providing residential development to the west and south of the Town Centre through the lifespan of DLAP, with zoning restrictions and flood constraints on the periphery of the Town in those directions.
- As a result of the south – eastern constraints and development restrictions, the eastern and north - eastern locations become the strategic locations for future residential development of the Town during this plan period. This is further supported by the following facts:
 - The majority of DLAP zoning for the 'Strategic Residential Reserve' is located to the east and north - east of the Town Centre.
 - Parcels of land located to the north - east periphery of the Town are located adjacent to established residential areas, which have few constraints restricting development enabling a mix of housing unit types to be provided to cater for people of all backgrounds and personal circumstances as is set out in the DLAP.
 - The development of these lands would make best use of existing infrastructure, approach roads and provide routes which would facilitate the integration of the wider area while providing for connection to the proposed Northern Portlaoise Orbital Route and nearby national routes.
- This submission supports the proposed zoning of our Client's lands as 'Residential 2 - New Proposed Residential' and respectfully requests that the Planning Authority secures the future development of Portlaoise in line with the National Planning Framework (hereafter NPF) requirements. The subject lands are unrestricted, adjacent to existing services and infrastructure and are deliverable and available for development.

3. Planning Policy Context

The below sections assess the subject lands against national, regional and local policies highlighting how their development for residential purposes complies from national to local levels.

National:

Project Ireland 2040: The National Planning Framework

The publication of the NPF represents a step-change in the future planning of Ireland and presents a challenge to Planning Authorities in meeting future housing requirements to balance the provision of good quality housing that meets the needs of a diverse population, in a way that makes towns such as Portlaoise good places to live now and in the future. The NPF as one of its high level policy priorities aims to add to the existing housing stock in such a way that ensures integration to deliver vibrant sustainable communities.

- The NPF forecasts that there will be one million additional people in Ireland by 2040, with the Eastern and Midland Region projected to be accommodating approximately 490,000 to 540,000 additional people by 2040.
- Core principles of the NPF are to allow for choice in housing location, type, tenure and accommodation in responding to need, prioritise the location of new housing provision in existing settlements as a means to maximising a better quality of life for people through accessing services, ensuring a more efficient use of land and allowing for greater integration with existing infrastructure and tailoring the scale and nature of future housing provision to the size and type of settlement where it is planned to be located.
- Furthermore National Policy Objective 33 aims to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to the location.

Importantly the NPF places emphasis on consolidating the development of places that grew rapidly in the past decade. Portlaoise, acknowledged as being home to a large commuter community with strong rail and road links to Dublin and Cork has seen a 45% increase in its population base over a ten year period from 2006 to 2016. It is therefore critical, in the context of the NPF requirements, that future homes are located in places that can support sustainable development; and where appropriate supporting services can be delivered more efficiently and effectively at less cost to the State in the long-run. The subject site at Rathevan is strategically located in this regard being an infill site in an established residential area, with access to existing services and presenting the opportunity to deliver access to future road infrastructure.

Regional:**Midland Regional Planning Guidelines, 2010-2022**

As part of the vision of the Midland Regional Planning Guidelines (hereafter RPGs) by 2022 the aim is to seek to enhance the critical mass of the Region by combining the strengths of the linked Gateway of Athlone, Tullamore and Mullingar, as envisaged in the National Spatial Strategy 2002-2020 (hereafter NSS) with those of the principal towns of Longford and Portlaoise. The RPGs notes that Portlaoise is a major urban centre and economic driver at the south of the Midland Region with distinct local economies and strong links to the adjacent regions. The RPGs further state that it is anticipated that principal town Portlaoise will channel social and administrative functions and economic activity upward and downward through the Linked Gateway. In order to fulfil this role, the principal towns are a significant focus for future population growth in the Regional Settlement Strategy.

One of the key strengths of the central position of Portlaoise is the location of The Togher National Enterprise Park which consists of a 121 ha. land bank located south of the Town. This offers significant potential for growth of distribution, logistics and warehouse uses within the Town which links appropriately with its strong transport connectivity. The development of this transport node has the potential to be a major boost to the economy of Portlaoise, a principal town, thus contributing to the growth of the region as a whole and creating further demand for housing and a mix of tenure types. The success of this development will have a major impact on much needed job creation. The development by Iarnród Éireann of a National Traincare Depot in the transport node will also have knock-on effects on service industries and further increase the demand for housing in Portlaoise.

The RPGs projections for future housing and development land requirements set a target of 56 hectares to 2016, however the DLAP proposed to increase the hectares of housing land required to 78 hectares to 2024. Importantly, the population projections set within the RPGs have been exceeded to date (and recalculated as part of the adopted Laois CDP 2017-2023), with the 2016 census showing that the population of Portlaoise rose to 22,050 in 2016, 4,567 people more than envisaged by the RPGs. The population projections for the town were thus recalculated as part of the preparations for the now adopted Laois CDP 2017-2023.

In order to accommodate the significant projected population growth there will be the need to develop housing infill sites, consolidate the urban area and develop strategically located and suitably zoned sites such as our Clients.

The RPGs state a need for a range of densities at different locations in each county with a stated policy approach to make efficient use of existing and proposed infrastructure such as roads and water services. The subject lands are adjacent to such infrastructure and this development will contribute to the existing community by adding further residents to support the local services

located within 500m, delivering a mix of tenure types, and facilitating the completion of and connection to existing local infrastructure. Providing housing adjacent to transport connections and safe routes for walking and cycling also make the developments of these lands a sustainable extension of the Town.

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy

Initial Public & Stakeholder Consultation Issues Paper, November 2017

This issues paper is an informative document designed to prompt the consultation period around the initiation of the statutory process of making a Regional Spatial & Economic Strategy (hereafter RSES) for the Eastern and Midland Region.

The principal statutory purpose of the RSES is to support the implementation of the NPF and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the regions.

The Issues Paper states that the region contains some of the fastest growing communities in the Country, which increases demand for housing, infrastructure and local services. The long term trend for residential development moving further away from Dublin combined with the witnessed increased population in Portlaoise will require further residential developments to be provided within the development boundary of Portlaoise.

The zoning of the subject land as 'Residential 2 - New proposed Residential' in the DLAP provides the opportunity to develop land which is located adjacent to and has access to services such as waste, existing road networks and water infrastructure.

Local:

Laois County Development Plan 2017-2023

The County Development Plan 2017-2023 (hereafter CDP) sets out that Laois was the fastest growing County in Ireland between 2006 and 2011. This strong population growth is a longstanding trend in the County. Portlaoise with 25% of the County population continues to maintain its position of primacy in the settlement hierarchy of the County. This requires the development and delivery of lands outside the Town Centre which are serviced, adjacent to existing infrastructure and are strategically located to provide further housing units to meet the shortfall which is set out in the DLAP.

Laois County Development Plan 2017-2023: Core Strategy

The Core Strategy (hereafter CS) is set out in the adopted Laois CDP 2017-2023 and provides relevant information to demonstrate consistency with both the NSS and MRPGs and sets out core

aims that, in turn, define and shape the preferred growth locations, population distribution and land use zoning.

The aim of the CS is to provide for the growth of Portlaoise as a designated Principal Town for a population of up to 25,832 by 2023. Importantly, in relation to the subject lands, Aim 5 of the CS states the need to facilitate the provision of housing in a range of locations to meet the needs of the County's population, with particular emphasis on facilitating access to housing to suit different household and tenure needs in a sustainable manner and in appropriate locations. Our Client's land is located within the development boundary of Portlaoise, is zoned for 'Residential 2 -New Proposed Residential', benefits from with existing services adjacent the site and is available for development in the short-term thereby complying with the CS.

Laois County Development Plan 2017-2023: Settlement Strategy

The fundamental purpose of The Settlement Strategy is to promote appropriate levels of sustainable development within the existing zoned settlements throughout the County. The Strategy's aim is to help deliver a range of house types, facilities, infrastructure, amenities and an efficient transport system. It is estimated that 28% of the overall projected population of County Laois over the plan period is allocated to Portlaoise. Providing further residential development on our Client's parcel of land at Rathevan in the Principal Town of Portlaoise will contribute to the supply of an appropriate housing-mix, joining the existing sustainable community and help deliver the critical mass of population to support the nearby educational and community services.

Laois County Development Plan 2017-2023: Housing Strategy

Some of the key principles of the Housing Strategy which are set out in the CDP 2017-2023 are to work to deliver units for the projected population; to promote socially balanced and inclusive communities in all housing areas and to provide for varying identified needs in the County with respect to housing typology, size. The subject lands at Rathevan can cater for and comply with the stated principles set out in the adopted Housing Strategy and therefore should be considered for development in the short-term.

Portlaoise Local Area Plan 2012-2018

A strategic aim of the Portlaoise LAP 2012-2018 was to facilitate the provision of housing in a range of locations to meet the needs of the Town's population, with particular emphasis on facilitating access to housing to suit different household and tenure needs, in a sustainable manner. The subject land was zoned as 'Residential 2' in the adopted 2012-2018 LAP. The proposed zoning of 'Residential 2 - New Proposed Residential' set out in the DLAP is welcomed by our Client as the parcel of land is strategically located in the context of the proposed Northern Orbital Route, lies adjacent to existing infrastructure and services and is capable of providing a mixture of tenure types to cater for individuals of all circumstances, as required by the DLAP.

Portlaoise Draft Local Area Plan 2018-2024

This submission responds to the Draft LAP.

Hierarchy of Policies Considered



4. Sequential Approach

The DLAP has identified five Town Centre opportunity sites to accommodate growth during the plan period and a sequential approach is proposed to be taken to the development of the Town, with lands closer to the Town Centre being developed prior to zoned lands on the periphery with the aim being to avoid "leapfrogging".

While the merit of the sequential approach are well established, in the context of the delivery of residential development it is not appropriate to apply it as a concentric measure only, i.e. develop radially from the Town Centre. In this regard the development of land for residential purposes is influenced by multiple factors such as services, accessibility and existing infrastructure. A site may be in relative close proximity to the Town Centre but due to the lack of existing infrastructure or other factors the site may not be developable during this plan period. The subject lands are an example of why the sequential test should examine each site in detail and not just look at its location as they are adjacent to existing services, infrastructure and strategically provide an opportunity to connect the wider community to the proposed Northern Orbital Route which would alleviate current traffic congestion in the direction of the Town Centre.

These attributes make the development of these lands far more important in the overall strategic development of Portlaoise and therefore, sequentially their delivery should be considered suitable to be delivered in advance of many other land parcels, some of which may be physically closer to the Town Centre but which won't deliver such infrastructure connections for existing residents of the area or the Town Centre.

The DLAP acknowledges that new residential development will become a key component of the growth of Portlaoise during this plan period, placing a strong emphasis on providing quality residential developments in the existing built envelope of the Town yet at the same time acknowledges that the proposed redevelopment of the five opportunity sites will be insufficient in size to accommodate the total projected population growth through this plan period. The DLAP in Chapter 13, Housing; states that further to the opportunity sites, greenfield sites have also been identified which are suitable for new high quality residential developments. As above greenfield sites and specifically those that are strategically located have an important role to play in meeting the town's housing requirements.

Unlocking and re-developing some of the five opportunity sites identified within the DLAP may result in a protracted delivery stream. Some of the sites designated for development are constrained options and as a result will struggle to provide high density developments due to the existing on site constraints. For example the opportunity site at Lyster Square consists of concentrated mix of businesses owned by numerous landowners and as a result of the requirement for collaboration of parties residential development may take a longer period of time than the six years within this plan period. In relation to the opportunity site at the Former Bank of

Ireland Site at Church Street and Railway Street, there are two Protected Structures within the site and as a result of the protection on this site we would question the viability of providing even small number of housing units on this site.

The subject lands comply with the proposed requirements set out in the DLAP by being located adjacent to existing residential areas that can support sustainable development and has existing infrastructure adjacent to the site. The site is in a position to be delivered with the available supporting services in place to develop an excellent standard of design, layout and finish in providing an appropriate mix of housing units to compliment the character of Portlaoise.

5. Opportunity Sites

Chapter 10 of the DLAP, Town Centre Revitalisation; presents five potential opportunity sites proposed for re-development. The DLAP proposed the sites would contribute to the renewal, enhancement and regeneration of the particular areas of the Town in which they are located and that these areas have been identified for various reasons such as dereliction, underutilisation of land and lands that would be readily adaptable for new uses. While there is a need to utilise such Town Centre and Edge of Centre sites as acknowledged for the DLAP these alone cannot meet the housing requirements of Portlaoise in the plan period.

Opportunity Site 1: Lyster Square

- The redevelopment of this area requires agreement with multiple land owners within the Town Centre location and would prove difficult to develop coherently within this plan period due to the multiple stakeholders required to collaborate.
- As a result of the existing open space, commercial and retail use in this area there is minimal scope for high density residential during this plan period.
- The site is designated as part of the long term public realm improvements outlined in 2040 And Beyond: A Vision for Portlaoise which may aid residential development of this site over the medium to long term.

Due to the complex assembly of different landowners, the re-development of this site will require master planning and even potentially a specific town centre master plan, in order to ensure a coherent solution is delivered for this key site.

Opportunity Site 2: Fitzmaurice Place including the School Sites

- Both sites contain Protected Structures which will restrict the number of units provided on both sites
- The River Triogue runs through the sites and as result flood risk matters will have to be addressed as well as environmental assessments.
- Both sites are located within the Portlaoise Architectural Conservation Area.

We question the development capacity and ultimately the number of housing units that could be provided on these sites with the Protected Structures acting as particular constraints to development. This site should be subject of a detailed master plan in order to ensure a coherent solution be delivered for these key sites.

Opportunity Site 3: Centre Point, Mountrath Road

- There are no major constraints to this site

This site, along with other strategically zoned residential sites; have the potential to deliver housing in Portlaoise to meet the population projection. However, should a standard housing typology, similar to the existing form and character of adjacent sites be applied to when permitting residential development on this area of land we argue that approximately 140 units would be provided on this site.

Opportunity Site 4: The Maltings Site, Mountmellick Road

- The site was granted planning permission on 31/08/2016, planning reference number 15/544, for 31 units on 0.760 ha. of land
- However, in line with the above permission, should a similar, standard house typology be applied to this site for future residential development we would argue that c. / 100 units would be provided on this site

This site, along with other strategically zoned residential sites; have the potential to deliver housing in Portlaoise to meet the population projection. This site has permission and acknowledges that this site has the potential to deliver housing during the plan period.

Opportunity Site 5: Former Bank of Ireland Branch Office/ Prison Officer's Club, Bank Place

- This site is located within the Portlaoise Architectural Conservation Area and Archaeological Zone
- This site has two Protected Structures located on the site and as a result would restrict to a small a number of units which would be provided on site

Given the constraints of the site the number of units which could realistically be provided on this site would be very limited. Furthermore it is noted that this site has been listed for sale for an extensive period of time has yet to be purchased.

It is clear that the opportunity sites will likely be delivered over a long period of time. While some could be developed in the short term these sites will need to be supplemented to meet housing demand over the period of the plan. The DLAP does not set out the exact site area measurements for the opportunity sites but when reviewing the site areas against the Property Registration Authority we estimate the total combined land area for the five opportunity sites to measure approximately 15.8 hectares. Based on a density of 35 units per hectare, provided in line with the CS projections, this provision residential units on the five opportunity sites falls well short of the requirement to provide 2,128 additional units in Portlaoise for the period up to 2024. Importantly, due to the existing constraints on the sites, this projected figure of units which would

be provided will in fact be much lower than simply applying a density of 35 units per hectare with constraints limiting the scope for high density developments which would be also different to the existing housing typology adjacent to the opportunity sites.

As a result of the above, it is expected in the DLAP that there will be a significant shortfall in the housing units provided on the opportunity sites than what is required to match the population increase and it is clear that infill sites, which are located adjacent to existing services and infrastructure and which contribute to the provision of a strategic aim being achieved in terms of linkages to the proposed Northern orbital Route should be incorporated in line with the opportunity sites to deliver the required housing units for Portlaoise over this plan period.

6. Support for the Proposed Land Zoning

Our Client welcomes the proposed 'Residential 2 - New Proposed Residential' zoning which is a continuation of the 'Residential 2' zoning of the site under the preceding Portlaoise LAP 2012-2018. The proposed 'Residential 2 - New Proposed Residential' zoning includes similar objective to provide for new residential development, residential services and community facilities.

The DLAP aims to deliver new housing and infill developments of sensitive design, which are complimentary to their surroundings and do not adversely impact on the amenity of adjoining residents. The continued zoning of this parcel of land at Rathevan for new residential development is seen as a logical recommendation in an area which lies within the development boundary of the Town and adjacent to and within 500m of the adjacent school campuses for both Scoil Christ Ri and St Mary's CBS. This parcel of land is available to provide a mixture of tenure types in line with the requirements of the DLAP, to provide much needed accommodation for the projected population increase within this plan period and offers the opportunity to deliver key road infrastructure and connectivity to any proposed residents who wish to be located outside a Town Centre location.

The opportunity to improve and connect the existing road network, pedestrian and cycle lanes with any proposed residential development on this site is seen a key advantage to this site. This improved pedestrian and cycle linkages in the area would further support the local schools and services provided within the adjacent residential estates. Furthermore, improving the connectivity in this location could supply further opportunities to explore the possibility of an orbital route in this north - eastern location.

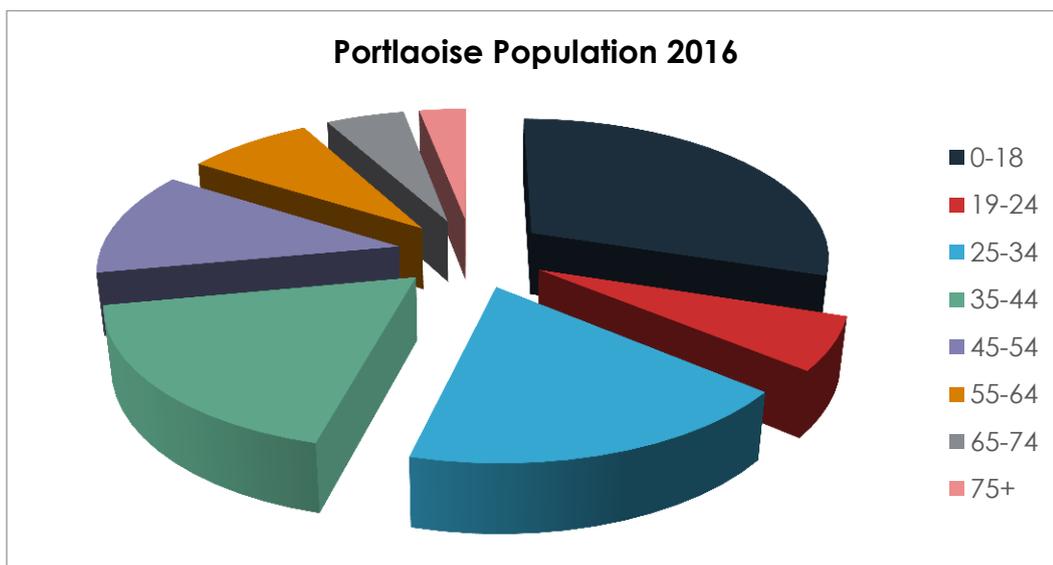
7. Portlaoise: A Demographic Context

Section 8.4 of the DLAP (Function, Population and Scale of Portlaoise) identifies that under the National Spatial Strategy, Midland Regional Planning Guidelines and the CS of the Laois CDP 2017 - 2023 Portlaoise is designated as a Principal Town within the settlement hierarchy. As set out above it is anticipated that Portlaoise will attract a significant focus for future population growth.

The DLAP notes that over the period between 2006 to 2016 there has been a 45% increase in the population of Portlaoise from 14,613 to 22,050. Within that same period the proportion of the County's population living within Portlaoise has grown steadily over this period, rising from 21% in 2006 to 26% in 2016. This trend is likely to continue with projected and planned investment in the Town. The CS set out in the CDP, projects the population of Portlaoise to rise to 25,382 by 2023. In light of the economic recovery of the Country as a whole the CDP 2017-2023 sets out that the levels of pick up in the housing market in Laois reflects a return to trends of positive net in migration to the County and in particular Portlaoise. An assessment of the changing demographic profile of the County indicates that there will be a need for a greater number and mix of housing types in the future.

The CS, which is set within the Laois CDP 2017-2023, states that Portlaoise benefits from a relatively young population, with 54.3% of the population below 35 years of age, compared to 47.1% elsewhere in the State and that Portlaoise has a lower proportion of middle-aged and older residents, with just 16.1% of the population aged 55 or older, compared to 24% elsewhere in the State. With such a young population there is a need to provide for a wide variety of housing unit types to accommodate people from all different backgrounds and personal circumstances.

Table 1: Population by Age Cohort (Source: CSO Census 2016)



The DLAP points out that due to sustained population growth in County Laois the initial population projections which were set out in the Midland Regional Planning Guidelines, 2010-2022, have been exceeded to date and revised targets have been set out and agreed as part of the adopted CDP 2017-2023. The revised targets require an additional 1,824 households over the six year period to 2023. With the DLAP covering a six-year period to 2024 the projected population was extrapolated by a further year to provide a projected population at the end of the lifetime of the DLAP. Applying an average growth of housing construction over the six years, this equates to a further 304 houses in year 7 and a total of 2,128 additional houses for the period up to 2024.

The DLAP identifies approximately 67.81ha. of undeveloped residentially zoned land yet the CS, set out in the CDP 2017-2023, projects a housing land requirement to 2023 of 78ha.

In light of the DLAP stating that the five opportunity sites will fail to provide enough housing units to meet the projected population of the town, the subject lands present multiple important reasons why it can provide housing units to overcome the shortfall predicted and contribute to the meeting the housing need.

8. Available Growth Strategy Options and Existing Development Constraints

This section deals with a number of strategic matters relating to the future growth of Portlaoise, including the overall development boundary and the direction of future growth taking place to the north - easterly and eastern directions as a result of the proposed zoning within the DLAP.

The DLAP Land Use Zoning Map proposes to de-zone various parcels of land, specifically to the north and west; from the preceding Portlaoise LAP 2012-2018. The de-zoning of these lands can be seen when comparing and contrasting the 2012-2018 Land Use Zoning Map with the DLAP Land Use Zoning Map, set out within Figures 3 and 4 below.

The red directional arrows set out below in the DLAP 2018-2024 Land Use Zoning Map illustrates the de-zoning of lands to the north and west of the Portlaoise development boundary. Those lands had been zoned predominantly as Strategic Reserve 2018-2024 and Residential 2 and are proposed to be de-zoned in the DLAP.

As a result of the proposed de-zoning of those lands identified as 'Strategic Reserve' north of the Town the DLAP is effectively creating a growth strategy for the town's residential development to alternative locations for future plans. Further to the reduced development boundary north of the town, the DLAP Land Use Zoning Map illustrates there are zoning restrictions to residential development to the west and south of the town development boundary with lands strategically zoned for Industrial, Enterprise and Employment, Transport and Utilities and Open Space and Amenity respectively. There are also historical flooding issues experienced to southern lands, illustrated in Figure 4, with the 2012-2018 Land Use Zoning Map outlining a similar area, classified as Flood Zone A during the 2012-2018 period.

As a result of the above restrictions and proposed reduced development boundary set out in the DLAP Land Use Zoning Map our Client suggests the growth strategy for future residential development is located north – east and east of the town centre, which is illustrated by the blue arrows on Figure 4 below.

In this direction there are parcels of land which are sited adjacent to existing services, infrastructure and neighbourhoods and it is the view of our Client that the north - easterly direction is a sustainable location for future residential development to occur within the appropriately zoned lands to cater for the shortfall of housing units which will exist following the issues with developing some of the five opportunity Town Centre sites for development which we have expressed earlier in this submission.

The DLAP points out that due to sustained population growth in County Laois the initial population projections which were set out in the Midland Regional Planning Guidelines. 2010-2022, have

been exceeded to date and revised targets have been set out and agreed as part of the adopted CDP 2017-2023. The revised targets require an additional 1,824 households over six year period to 2023. With the DLAP covering a six-year period to 2024 the projected population was extrapolated by a further year to provide a projected population at the end of the lifetimes of the DLAP. Applying an average growth of housing construction over the six years, this equates to a further 304 houses in year 7 and a total of 2,128 additional houses for the period up to 2024.

The DLAP identifies approximately 37.81ha. of undeveloped residentially zoned land yet the CS, set out in the CDP 2017-2023, projects a housing land requirement to 2023 of 78ha. The subject lands are available to be developed in his plan period and should be included in conjunction with the opportunity sites to in the DLAP for residential development.

Figure 3: Portlaoise LAP 2012-2018 Land Use Zoning Map

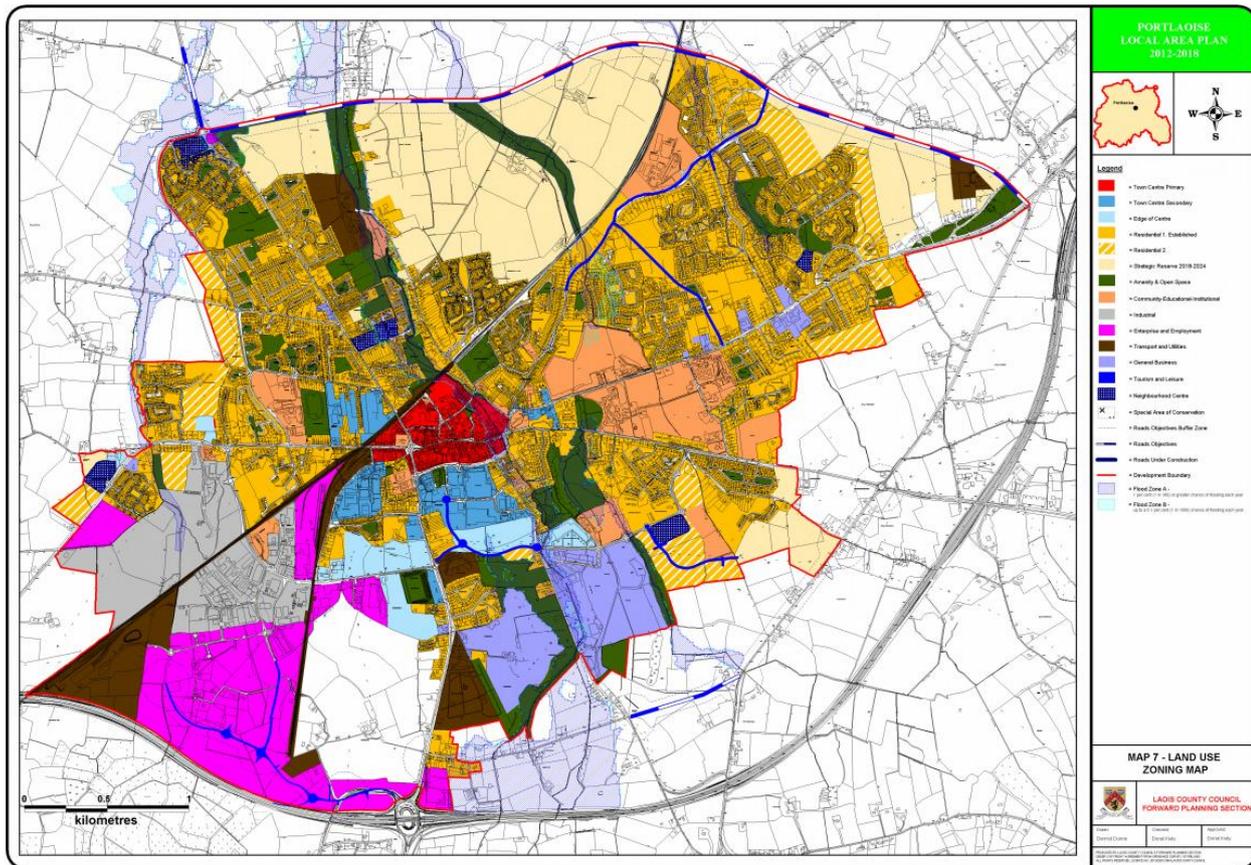
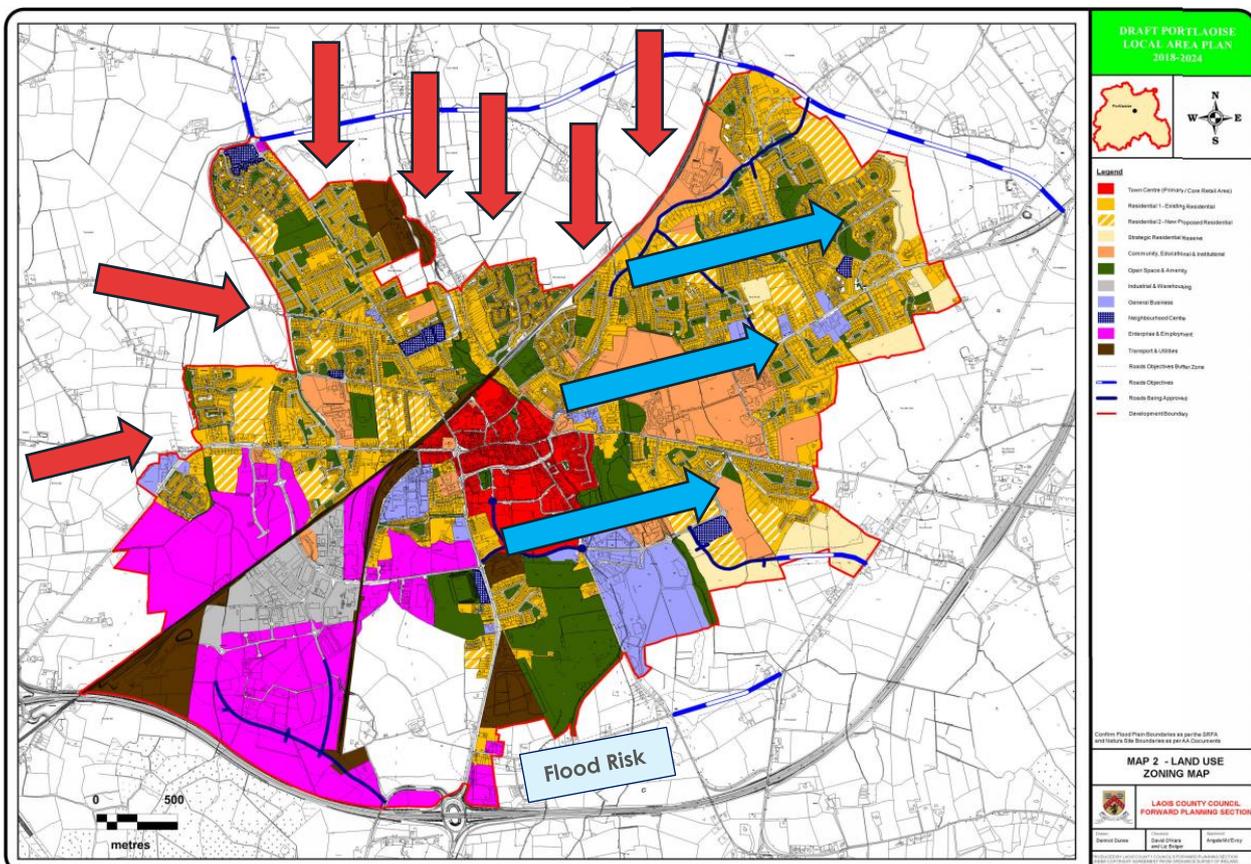


Figure 4: Portlaoise Draft LAP 2012-2018 Land Use Zoning Map



9. Housing Demand

Current development trends and work undertaken by the Economic and Social Research Institute (ESRI) for the NPF in projecting likely future development scenarios to 2040 suggested that there will be an on-going shift in population and jobs towards the Eastern and Midlands region. The ESRI projects that the population of Ireland will increase by around one million people or by 20% over 2016 levels, to almost 5.7 million people by 2040 with the Eastern and Midland Region predicted to have between 490,000-540,000 additional people by 2040.

Importantly Portlaoise, with its designation as a National Transport Node in the Midland Regional Planning Guidelines, is anticipated to attract social, administrative functions and economic activity and will as a result act as a significant focus for future population growth. In order to accommodate the demand there is a stated requirement through national, regional and local policy to ensure the delivery of high quality housing in a sustainable manner.

One of the key principles of the Housing Strategy, which is set within the CDP 2017-2023, is to provide for varying identified needs in the County with respect to housing typology, size and mix. The DLAP has in Chapter 13, Housing; stated the requirement for residential development to:

- Be located in places that can support sustainable development, places which support growth, innovation and the efficient provision of infrastructure, are accessible to a range of local services, can encourage the use of public transport, walking and cycling, and help tackle climate change;
- Increase residential density through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights;
- Be delivered where homes and the appropriate supporting services can be delivered more efficiently and effectively at least cost to the State in the long-run;
- Have an excellent standard of design, layout and finish;
- Provide an appropriate mix of tenure types;
- Compliment the character of Portlaoise.

The subject lands are located in a strategically important area, creating the opportunity to link the existing community with the proposed Northern Orbital Route which in turn supports the growth and provision of this key strategic infrastructure. Increased connectivity through the provision of footpaths and cycle lanes can be delivered by developing this land. Infill of this site is seen as a logical extension of the area. Furthermore providing a mixture of housing units on the

subject site complies with the aims and requirements set out in the DLAP and the development of this site would complement and improve the character of Portlaoise.

10. Opportunities for Improved Connectivity

Further positive opportunities may arise should development be permitted in north - eastern direction of the town within the plan period with the Council invited to explore opportunities in creating improved connectivity within this community and the wider Portlaoise town region. Key to the development of the subject lands and one that sets them apart strategically from other sites is the ability to deliver significant road infrastructure.

A strategic transport objective within the DLAP is to support for the cooperating and facilitating with Bus Eireann and private operatives in the provision and frequency of public transport services, operation of services and facilities is listed in the DLAP. The provision of a low carbon public transport system should be encouraged and be set as an objective to facilitate a hopper bus service through the north – eastern communities to provide a public transport link for the local residents to the town centre.

Importantly the lands in this region of the town are located adjacent to the proposed Northern Orbital Route. A key advantage to developing the subject land is to provide a strategic linkage to connect the existing area and locality with the proposed Northern Orbital Route. This improved connectivity would reduce the traffic on the existing Dublin Road (R445), reduce traffic to the five opportunity sites, town centre and provide alternative routes for all road users throughout the town in general.

11. Conclusion

This submission makes the case for supporting the zoning of our Client's lands for 'Residential 2 - New Proposed Residential' development and including the subject site for development in the short term as part of the plans objectives. The support for the development of the subject site can be summarised in the following manner:

- The national, regional and local planning guidelines set ambitious growth targets for the midlands region, with an emphasis on the existing urban areas such as Portlaoise. As such, there is an onus on the Planning Authority to facilitate this growth as much as possible in a timely manner by providing for the development of lands zoned for new proposed residential.
- Having regard to the options for future residential development, this submission addresses the Council's proposed sequential approach to such future development. We review the five opportunity sites listed for Town Centre re-development and highlight that although they may deliver locally needed housing units, the sites will fall short of the required targets set out in the DLAP. The submission shows that accommodating the residential development target for Portlaoise will require the development of a combination of opportunity sites, consolidation of the urban areas and strategically located 'Residential 2 - New Proposed Residential' lands. The submission explains that there is no reason set out why Town Centre consolidation of sites cannot take place in tandem with the promotion and development of sites zoned as 'Residential 2 - New Proposed Residential' and the delivery of a number of the opportunity sites will require master planning which will require development of these sites having a longer timeline. We encourage the Council to allocate our Client's strategically important infill site to assist in meeting the projected housing requirements set out in the DLAP.
- With regard to the DLAP Land Use Zoning Map, our Client's supports the proposed 'Residential 2 - New Proposed Residential' zoning for their land
- In relation to future residential developments, the development of the subject lands is a logical and considerate extension to the existing residential neighbourhoods in the north - east of the town of Portlaoise and is available to provide some of the much needed housing units in an area of the Town in support of existing services and the school's campus nearby. The subject land not only have the benefit of being served by existing infrastructure but importantly there development provides for the strategic linking of the existing residential neighbourhood to the proposed Northern Portlaoise Orbital Route and the adjacent neighbourhood facilities which in turn alleviates traffic issues in the Town Centre.

- The future growth options of Portlaoise as a whole for the duration of the plan period are discussed with the following issues noted:
 - Northern, western and southern lands – the DLAP proposes compressing the development boundary, specifically to the north, from the preceding LAP 2012-2018. There are further identified constraints with providing residential development to the west and south of the Town Centre through the lifespan of DLAP, with zoning restrictions and flood constraints on the periphery of the Town in those directions.
- As a result of the south – eastern constraints and development restrictions, the eastern and north - eastern locations become the strategic locations for future residential development of the Town during this plan period. This is further supported by the following facts:
 - The majority of DLAP zoning for the 'Strategic Residential Reserve' is located to the east and north - east of the Town Centre.
 - Parcels of land located to the north - east periphery of the Town are located adjacent to established residential areas, which have few constraints restricting development enabling a mix of housing unit types to be provided to cater for people of all backgrounds and personal circumstances as is set out in the DLAP.
 - The development of these lands would make best use of existing infrastructure, approach roads and provide routes which would facilitate the integration of the wider area while providing for connection to the proposed Northern Portlaoise Orbital Route and nearby national routes. The development of the subject site would create a required link to the proposed Northern Orbital Route and as a result would deliver key infrastructure which ultimately would reduce traffic travelling through the Town Centre.
- This submission supports the proposed zoning of our Client's lands as 'Residential 2 - New Proposed Residential' and respectfully requests that the Planning Authority secures the future development of Portlaoise in line with the National Planning Framework (hereafter NPF) requirements. The subject lands are unrestricted, adjacent to existing services and infrastructure and are deliverable and available for development.

We respectfully request that the Planning Authority take these views into consideration in the adoption of the DLAP. We are happy to discuss the matter orally if required, please refer to the contact details below.

Contact Details

Enquiries

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Senior Planner,
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JFL Avenue,
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Co. Laois.

8th May 2018

Dear Sir / Madam,

**RE: SUBMISSION ON THE DRAFT PORTLAOISE LOCAL AREA PLAN 2018-2024
IN RESPECT OF LANDS AT MOUNTRATH ROAD, PORTLAOISE, CO. LAOIS**

Introduction

We hereby make a submission on the draft Portlaoise Local Area Plan 2018-2024 ('the draft Plan') on behalf of our client, Kellyville Limited, Ballyroan, Portlaoise, Co. Laois. This submission (a) identifies a shortfall in the quantum of land proposed to be zoned for new residential development ('Residential 2' zoning) in the draft Plan, resulting from the application of a residential density figure of 35 dwellings per hectare to gross rather than net development site areas; and (b) requests the current (2012-2018) Residential 2 zoning of lands in our Client's ownership at Mountrath Road to be reinstated in the draft Plan to help address the identified shortfall in Residential 2 zoned land. This land has a current planning permission for a mixed-use development including 142 no. dwellings and a nursing home, and our Client has serious concerns about the proposed downzoning of the lands.

Fig. 1: Lands in our Client's ownership at Mountrath Road, Portlaoise



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Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPI

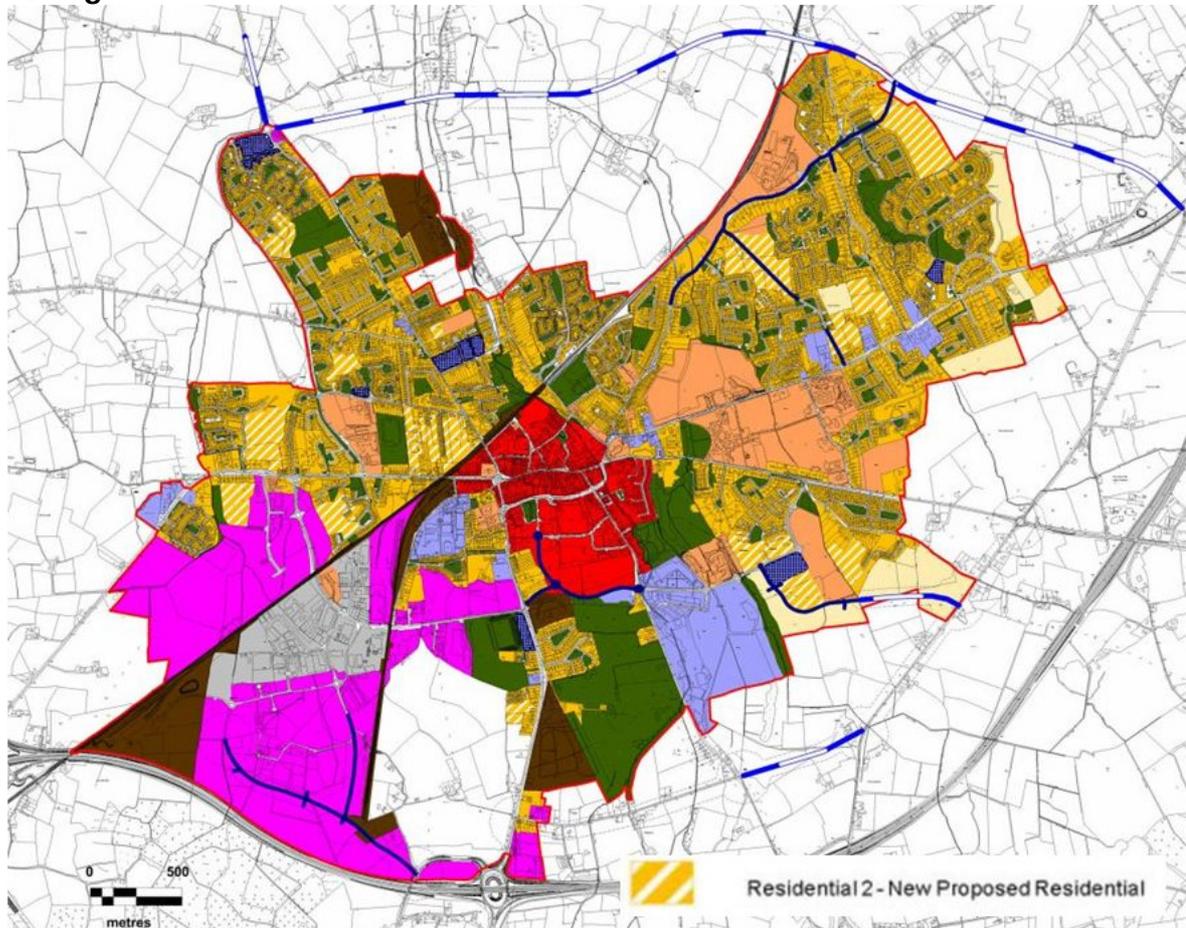
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Draft Plan Method for Identifying the Quantum and Location of Lands Proposed for Residential 2 Zoning

The method set out in the draft Plan for identifying the quantum and location of lands proposed for Residential 2 zoning is as follows, in summary:

1. The Laois County Development Plan 2017-2023 Core Strategy ('the Core Strategy') identifies a requirement for an additional 1,824 dwellings in Portlaoise over the 6-year period up to 2023, equating to a zoned land supply requirement of 78 hectares at an average density of 35 dwellings per hectare (dph).
2. The draft Plan proposes approximately 67.8 hectares of Residential 2 zoned land to accommodate most¹ of the growth projected between 2018 and 2024 ('the Plan period').
3. The proposed Residential 2 zoned lands comprise existing residentially-zoned infill lands within the Portlaoise built-up-area (see Figure 2).

Fig. 2: Extract from draft LAP zoning map showing lands proposed for Residential 2 zoning



¹The remainder is presumably to be accommodated within an expanded mixed-use zoned town centre core, although the draft LAP is not clear on this point

Residential Land Requirements – Gross and Net Densities

The Core Strategy's gross residential density figure of 35 dph has been used in the draft Plan to determine the amount of land proposed for Residential 2 zoning. This approach does not accord with Government guidance, and is particularly inappropriate where the majority of lands proposed for Residential 2 zoning are infill sites within the Portlaoise built-up area. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) state:

'...net density is the most commonly used approach in allocating housing land within Local Area Plans and is appropriate for development on infill sites where the boundaries of the site are clearly defined and where only residential uses are proposed.' (Guidelines Page 68)

The Guidelines state (Guidelines Page 68) that the calculation of net density excludes (a) major and local distributor roads, (b) primary schools, churches, local shopping facilities etc., (c) open spaces serving a wider area and (d) significant landscape buffer strips. Of the lands currently proposed in the draft Plan for Residential 2 zoning, it is reasonable to assume that 10% would be dedicated to public open space and 5% to local distributor roads, in addition to local services and facilities and landscaping to protect the amenities of established residential areas. This implies that, if new residential developments in Portlaoise are to achieve average net densities of 35 dph, a margin of at least 15% more land may need to be identified for Residential 2 zoning than is currently proposed to be zoned for that purpose, as set out in Table 1.

Table 1: Residential Land Requirements Taking Gross-to-Net Density Ratios into Account

Area currently proposed for Residential 2 zoning (based on Core Strategy gross residential density figure of 35 dph)	67.8 hectares
Area required if new residential developments are to achieve net densities of 35 dph	78 hectares (approximate)
Additional Residential 2 zoned land required to avoid a shortfall	10.2 hectares (approximate)

Tiered Land Zoning

The National Planning Framework (NPF) sets out a methodology for a tiered approach to land zoning (Enclosure A) in order to differentiate between zoned land that is available for development and zoned land that requires significant further investment in development services infrastructure before development can be realised. NPF National Policy Objective 72a requires planning authorities to apply this methodology when preparing development plans and local area plans, and National Policy Objective 72c states that lands that cannot be serviced within the life of the relevant plan should not be zoned for development.

When considering zoning lands that require investment in services infrastructure, National Policy Objective 72b requires planning authorities to make a reasonable estimate of the full delivery costs of the required services and to prepare and publish a report detailing the relevant costs at draft and final plan stages.

Whilst it is acknowledged that preparation of the draft Plan began before the NPF was adopted, the NPF has been in force since February 2018 and should be taken into account in the draft Plan by means of amendments to the Plan. There is currently little basis set out within the draft Plan documents for including or excluding lands in Residential 2 zoning with respect to development services infrastructure. Having regard to the publication of the NPF in February 2018, a tiered approach to land zoning as required

by the NPF should now be applied, and a report detailing the estimated costs of delivering the required services infrastructure required under National Policy Objective 72b should be published. This is necessary for an 'evidence based' approach to zoning to ensure that lands proposed for Residential 2 zoning are suitably located with respect to the delivery of development services infrastructure and are in fact capable of delivering the requisite number of dwellings during the Plan period.

Site-Specific Analysis

The draft Plan documents contain no information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard for example to the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities (2007), which include:

- Supporting infrastructure and facilities – the availability or capacity to provide supporting infrastructure such as community facilities, health-care, schools, public open space, retail and other services and public transport;
- Physical suitability – the estimated development capacities of sites, taking site-specific constraints on development into account;
- The sequential approach – how sites performed in terms of the sequential approach to land zoning; and
- Heritage policy – the likely impact of development on heritage assets.

Furthermore, the published draft Plan documents contain no information in respect of the availability of sites (e.g. whether respective landowners have recently confirmed their lands to be available for development and free from legal impediments to development) or any information in relation to the commercial viability of development on the respective sites, having regard to the outcomes of site suitability analysis, above.

Without such site-specific analysis there is no basis to conclude that the lands currently proposed for Residential 2 zoning are the most suitable available, or in fact capable of delivering the requisite number of dwellings during the Plan period.

Conclusions and Recommendations

The draft Plan aims to provide sufficient and suitable zoned land to meet Core Strategy housing delivery objectives during the Plan period. However, on the basis of the published Plan documents, the draft Plan in its current form is considered to be fundamentally flawed for the following reasons:

- Insufficient land is proposed for Residential 2 zoning: a gross density figure of 35 dph has been used in the relevant calculations, and consequently up to 15% more Residential 2 zoned land (approximately 10.2 hectares) will be needed if new residential developments are to achieve average net densities of 35 dph. If sufficient land is not zoned the Plan will not be compliant with Government guidance on the zoning of residential land.
- Having regard to the publication of the NPF in February 2018, a tiered approach to land zoning as required by the NPF should now be applied, and a report detailing the estimated costs of delivering the required services infrastructure required under National Policy Objective 72b should be published. This is necessary for an 'evidence

based' approach to zoning to ensure that lands proposed for Residential 2 zoning are suitably located with respect to the delivery of development services infrastructure and are in fact capable of delivering the requisite number of dwellings during the Plan period; and

- The draft Plan documents contain no information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard for example to the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities. Furthermore, the draft Plan documents contain no information in respect of the availability of sites or any information in relation to the commercial viability of development on the respective sites. Without such site-specific analysis there is no basis to conclude that the lands proposed for Residential 2 zoning are the most suitable available, or in fact capable of delivering the requisite number of dwellings during the Plan period.

In regard to the above, we respectfully submit that:

- Laois County Council (LCC) should identify and propose sufficient Residential 2 zoned land such that new residential developments within the Portlaoise built-up area can achieve average net densities of 35dph. This may involve identifying up to 15% more land (approximately 10.2 hectares) than is currently proposed for Residential 2 zoning.
- In accordance with NPF National Policy Objective 72b, LCC should publish a report detailing the estimated costs of delivering the services infrastructure required to provide for development on lands considered for Residential 2 zoning.
- The draft Plan documents should now set out how the prescribed methodology for a tiered approach to land zoning required by National Policy Objective 72a of the NPF has been applied.
- The draft Plan documents should include detailed site-specific information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard to the guidance contained within the Development Plans Guidelines for Planning Authorities. The starting point should be information in respect of the availability of sites for development (i.e. whether respective landowners have recently confirmed their lands to be available for development and free from legal impediments to development).

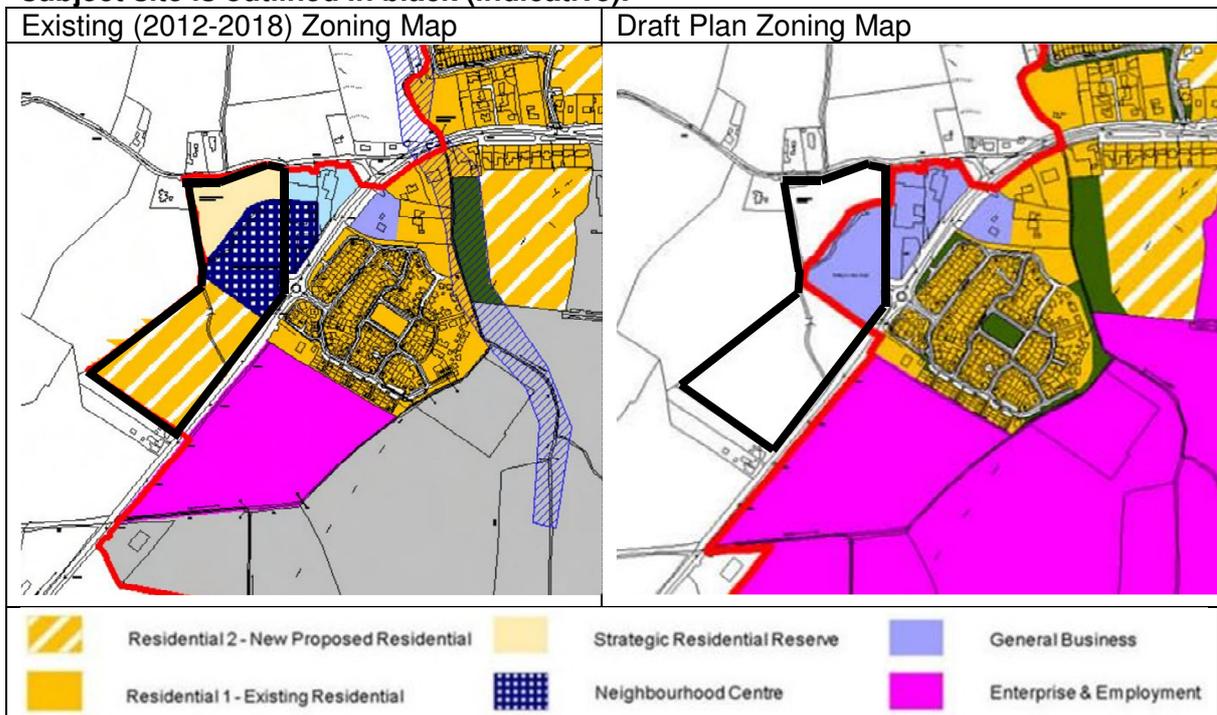
Lands at Mountrath Road, Portlaoise

We enclose information with this letter (Enclosure B) in respect of lands in our Client's ownership at Mountrath Road, Portlaoise. The site benefits from an extant (but unimplemented) permission for a mixed-use development including 142 no. residential units (Reg. Ref.: 072272), which indicates its suitability for new residential development. As summarised below, the site performs well when evaluated against the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities:

- Water, drainage and roads infrastructure – the site benefits from an extant permission for an extensive mixed-use development, indicating its suitability in respect of development services infrastructure. Mountrath Road is a good-quality road with capacity to service new development. The site has excellent access to Junction 18 of the M7 Motorway.

- Supporting infrastructure and facilities – the site is a good location to provide neighbourhood services and facilities, open space and recreational facilities to serve established and recently permitted residential developments east of Mountrath Road. The site is served by the Martley’s Portlaoise town primary school bus service.
- Physical suitability – the site is generally unconstrained and capable of delivering approximately 187 dwellings (estimate based on a gross density of 35 dph and gross-to-net ratio of 85%). The site is not at risk of flooding.
- The sequential approach – the site is approximately 1.9km from Portlaoise town centre and adjacent to the existing ‘Bellingham’ residential development to the east. (The site therefore performs better in sequential terms than lands currently proposed for Residential 2 zoning on the eastern fringe of Kilminchy, approximately 2.9km from Portlaoise town centre).
- Heritage policy – the site does not contain any designated heritage assets. There is a graveyard adjacent to the site’s northwestern boundary. A development-free buffer zone could be provided to protect the setting of the graveyard.

Fig. 3: Lands at Mountrath, Portlaoise – current and proposed land use zoning. The subject site is outlined in black (indicative).



The site is not currently proposed for Residential 2 zoning in the draft Plan (although it is partly zoned Residential 2 under the current (2012-2018) Plan). However, the site is available, serviced, suitable and capable of delivering approximately 187 dwellings during the Plan period, and for these reasons we therefore respectfully request that it be included in any site assessment process undertaken in accordance with the recommendations in this letter and NPF National Policy Objectives 72a and 72b and that the current Residential 2 zoning of the subject lands be reinstated in the draft Plan. This would help address the shortfall in Residential 2 zoned land in the draft Plan identified above.

As a minimum, in the event that our Client’s site at Mountrath Road is not selected for Residential 2 zoning, we respectfully request that it be considered for inclusion within a

strategic residential reserve for development during a future plan cycle, or in the event that Residential 2 zoned lands fail to deliver the required number of dwellings during the Plan period.

We would be grateful if this submission could be given careful consideration. If you require any further information please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

ENCLOSURE A: APPENDIX 3 TO THE NATIONAL PLANNING FRAMEWORK

Appendix 3

A Methodology for a Tiered Approach to Land Zoning

The National Planning Framework sets out a two-tier approach to land zoning as follows:

Tier 1: Serviced Zoned Land

This zoning comprises lands that are able to connect to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development.

These lands will generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands. The location and geographical extent of such lands shall be determined by the planning authority at a settlement scale as an integral part of the plan-making process and shall include assessment of available development services.

Inclusion in Tier 1 will generally require the lands to be within the footprint of or spatially sequential within the identified settlement.

Tier 2: Serviceable Zoned Land

This zoning comprises lands that are not currently sufficiently serviced to support new development but have potential to become fully serviced within the life of the plan i.e. the lands are currently constrained due to the need to deliver some or all development services required to support new development, i.e. road or footpath access including lighting, foul sewer drainage, surface water drainage, water supply and/or additional service capacity.

These lands may be positioned within the existing built-up footprint of a settlement, or contiguous to existing developed lands or to tier 1 zoned lands, where required to fulfil the spatially sequential approach to the location of the new development within the identified settlement.

The potential for delivery of the required services and/or capacity to support new development must be identified and specific details provided by the planning authority at the time of publication of both the draft and final development or area plan.

This infrastructural assessment must be aligned with the approved infrastructural investment programme(s) of the relevant delivery agency(ies), for example, Irish Water, or be based on a written commitment by the relevant delivery agency to provide the identified infrastructure within a specified timescale (i.e. within the lifetime of the plan). The planning authority may also commit to the delivery of the required and identified infrastructure in its own infrastructural investment programme (i.e. Budgeted Capital Programme) in order to support certain lands for zoning.

The written infrastructural assessment of the planning authority must:

- a) include a reasonable estimate of the full cost of delivery of the required infrastructure to the identified zoned lands;
- b) Set out (a) above at both the draft plan and final plan stages of the plan making process.

Current development or area plans may include zoned lands that cannot be serviced during the life of a development or area plan by reference to the infrastructural assessment of the planning authority. This means that they cannot be categorised as either Tier 1 lands or Tier 2 lands per the above and therefore are not developable within the plan period. Such lands should not be zoned for development or included within a development plan core strategy for calculation purposes.

Further guidance will be provided in updated Statutory Guidelines that will be issued under s.28 of the Planning & Development Act, 2000 (as amended).

**ENCLOSURE B: INFORMATION IN RESPECT OF A SUITABLE AND AVAILABLE
SITE FOR RESIDENTIAL DEVELOPMENT IN THE OWNERSHIP OF KELLYVILLE
LIMITED**

Lands at Mountrath Road, Portlaoise



Site Size	Approx. 6.3 ha
Estimated Capacity	187 dwellings (estimate based on a gross density of 35 dph and gross-to-net ratio of 85%)
Availability	Available
Current (2012-2018) Zoning	Approximately 60% Residential 2 (new residential), 30% Neighbourhood Centre and 10% Strategic Residential Reserve
Planning History	<p>Reg. Ref.: 072272 – Permission granted in February 2008 for a mixed use development including 142 no. residential units, office space and a nursing home on part of the site.</p> <p>Reg. Ref.: 0969 – Permission granted in May 2009 for a mixed use development including a supermarket, restaurants and a medical centre on part of the site.</p> <p>Reg. Ref.: 1391 – Permission granted in May 2013 to extend the duration of permission Reg. Ref.: 072272 by 5 years.</p>
Accessibility	Site has good access to Mountrath Road via purpose-engineered roundabout. Site has good access to nearby enterprise and employment-zoned lands.
Infrastructure	Mountrath is a good-quality road with capacity to service new development. The site has excellent access to Junction 18 of the M7 Motorway. The site is a good location to provide neighbourhood services and facilities, open space and recreational facilities to serve established and recently

	permitted residential developments east of Mountrath Road. The site is served by the Martley's Portlaoise town primary school bus service.
Current Use	Agricultural / grazing
Flood Risk	The site is located within Flood Zone C (low risk)
Location and Scale of Development	The site is approximately 1.9km from Portlaoise town centre and adjacent to the existing 'Bellingham' residential development to the east. The site is a suitable location to provide new medium density residential development and neighbourhood services and facilities, open space and recreational facilities to serve established residential developments east of Mountrath Road.
Heritage	The site does not contain any designated heritage assets. There is a graveyard adjacent to the site's northwestern boundary. A development-free buffer zone could be provided to protect the setting of the graveyard, subject to future assessment.
Environmental Constraints	None identified.
Conclusions	This is a generally unconstrained site likely to be capable of delivering approximately 187 dwellings during the Plan period

Senior Planner,
Planning Section,
Áras an Chontae,
JFL Avenue,
Portlaoise,
Co. Laois.

8th May 2018

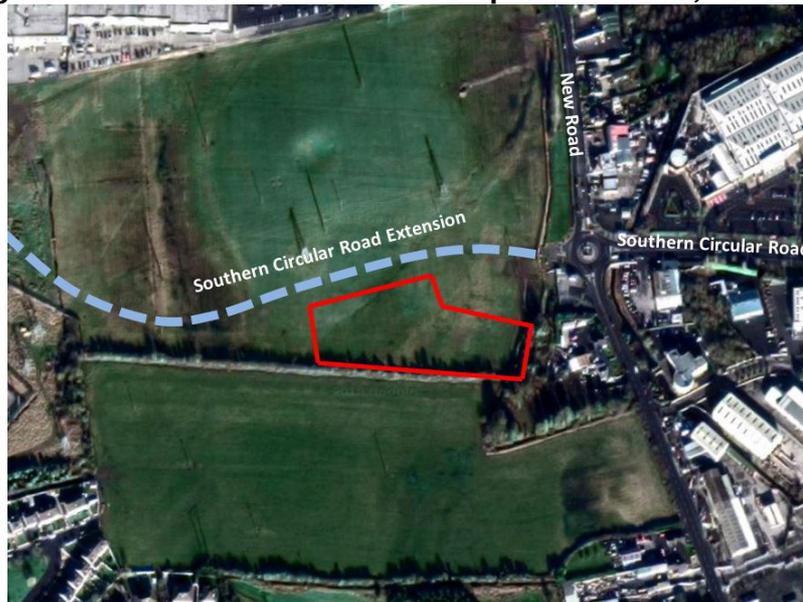
Dear Sir / Madam,

**RE: SUBMISSION ON THE DRAFT PORTLAOISE LOCAL AREA PLAN 2018-2024
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Fig. 1: Lands in our Client's ownership at New Road, Portlaoise



Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPI

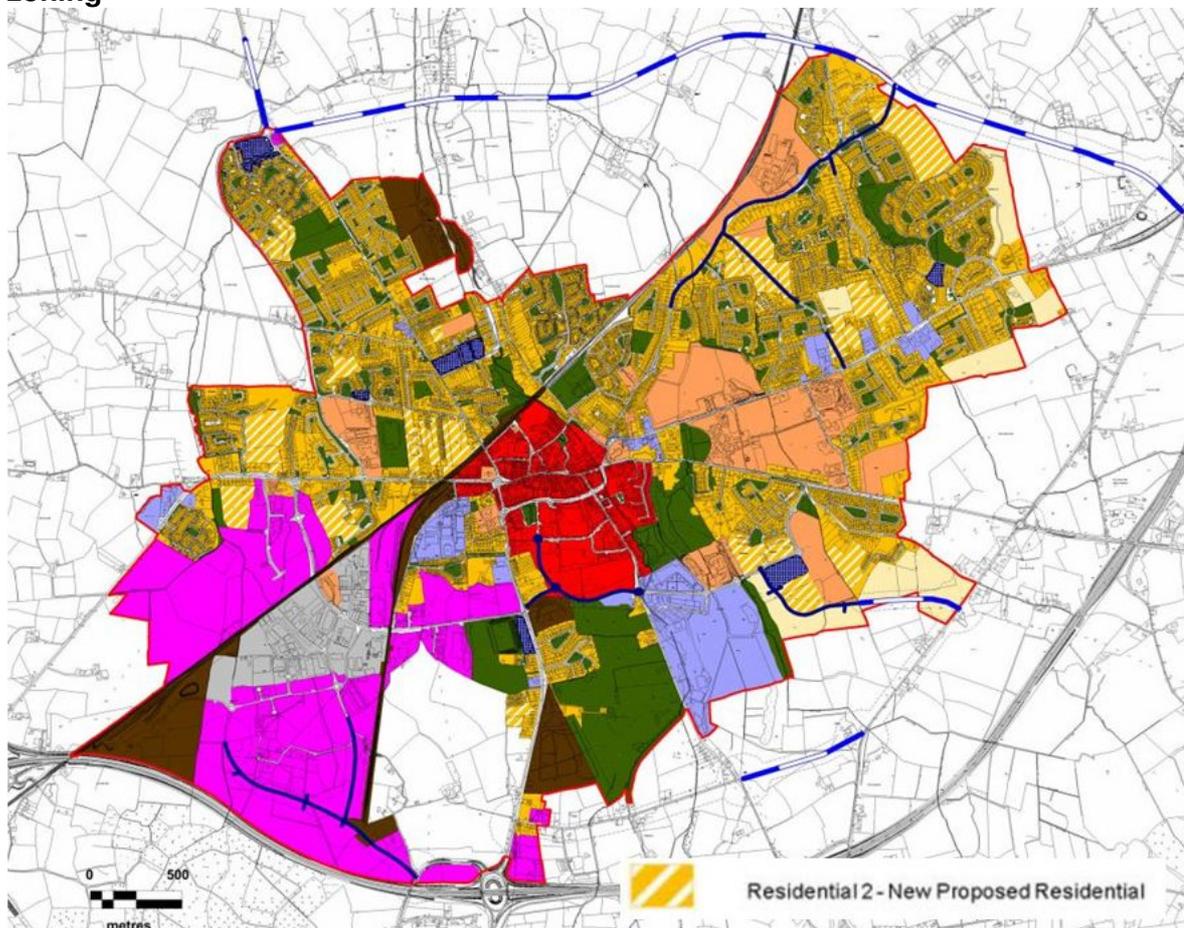
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¹The remainder is presumably to be accommodated within an expanded mixed-use zoned town centre core, although the draft LAP is not clear on this point

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Table 1: Residential Land Requirements Taking Gross-to-Net Density Ratios into Account

Area currently proposed for Residential 2 zoning (based on Core Strategy gross residential density figure of 35 dph)	67.8 hectares
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When considering zoning lands that require investment in services infrastructure, National Policy Objective 72b requires planning authorities to make a reasonable estimate of the full delivery costs of the required services and to prepare and publish a report detailing the relevant costs at draft and final plan stages.

Whilst it is acknowledged that preparation of the draft Plan began before the NPF was adopted, the NPF has been in force since February 2018 and should be taken into account in the draft Plan by means of amendments to the Plan. There is currently little basis set out within the draft Plan documents for including or excluding lands in Residential 2 zoning with respect to development services infrastructure. Having regard to the publication of the NPF in February 2018, a tiered approach to land zoning as required

by the NPF should now be applied, and a report detailing the estimated costs of delivering the required services infrastructure required under National Policy Objective 72b should be published. This is necessary for an 'evidence based' approach to zoning to ensure that lands proposed for Residential 2 zoning are suitably located with respect to the delivery of development services infrastructure and are in fact capable of delivering the requisite number of dwellings during the Plan period.

Site-Specific Analysis

The draft Plan documents contain no information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard for example to the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities (2007), which include:

- Supporting infrastructure and facilities – the availability or capacity to provide supporting infrastructure such as community facilities, health-care, schools, public open space, retail and other services and public transport;
- Physical suitability – the estimated development capacities of sites, taking site-specific constraints on development into account;
- The sequential approach – how sites performed in terms of the sequential approach to land zoning; and
- Heritage policy – the likely impact of development on heritage assets.

Furthermore, the published draft Plan documents contain no information in respect of the availability of sites (e.g. whether respective landowners have recently confirmed their lands to be available for development and free from legal impediments to development) or any information in relation to the commercial viability of development on the respective sites, having regard to the outcomes of site suitability analysis, above.

Without such site-specific analysis there is no basis to conclude that the lands currently proposed for Residential 2 zoning are the most suitable available, or in fact capable of delivering the requisite number of dwellings during the Plan period.

Conclusions and Recommendations

The draft Plan aims to provide sufficient and suitable zoned land to meet Core Strategy housing delivery objectives during the Plan period. However, on the basis of the published Plan documents, the draft Plan in its current form is considered to be fundamentally flawed for the following reasons:

- Insufficient land is proposed for Residential 2 zoning: a gross density figure of 35 dph has been used in the relevant calculations, and consequently up to 15% more Residential 2 zoned land (approximately 10.2 hectares) will be needed if new residential developments are to achieve average net densities of 35 dph. If sufficient land is not zoned the Plan will not be compliant with Government guidance on zoning of residential land.
- Having regard to the publication of the NPF in February 2018, a tiered approach to land zoning as required by the NPF should now be applied, and a report detailing the estimated costs of delivering the required services infrastructure required under National Policy Objective 72b should be published. This is necessary for an 'evidence

based' approach to zoning to ensure that lands proposed for Residential 2 zoning are suitably located with respect to the delivery of development services infrastructure and are in fact capable of delivering the requisite number of dwellings during the Plan period; and

- The draft Plan documents contain no information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard for example to the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities. Furthermore, the draft Plan documents contain no information in respect of the availability of sites or any information in relation to the commercial viability of development on the respective sites. Without such site-specific analysis there is no basis to conclude that the lands proposed for Residential 2 zoning are the most suitable available, or in fact capable of delivering the requisite number of dwellings during the Plan period.

In regard to the above, we respectfully submit that:

- Laois County Council (LCC) should identify and propose sufficient Residential 2 zoned land such that new residential developments within the Portlaoise built-up area can achieve average net densities of 35dph. This may involve identifying up to 15% more land (approximately 10.2 hectares) than is currently proposed for Residential 2 zoning.
- In accordance with NPF National Policy Objective 72b, LCC should publish a report detailing the estimated costs of delivering the services infrastructure required to provide for development on lands considered for Residential 2 zoning.
- The draft Plan documents should now set out how the prescribed methodology for a tiered approach to land zoning required by National Policy Objective 72a of the NPF has been applied.
- The draft Plan documents should include detailed site-specific information as to how specific sites considered for Residential 2 zoning were identified, selected or rejected, having regard to the guidance contained within the Development Plans Guidelines for Planning Authorities. The starting point should be information in respect of the availability of sites for development (i.e. whether respective landowners have recently confirmed their lands to be available for development and free from legal impediments to development).

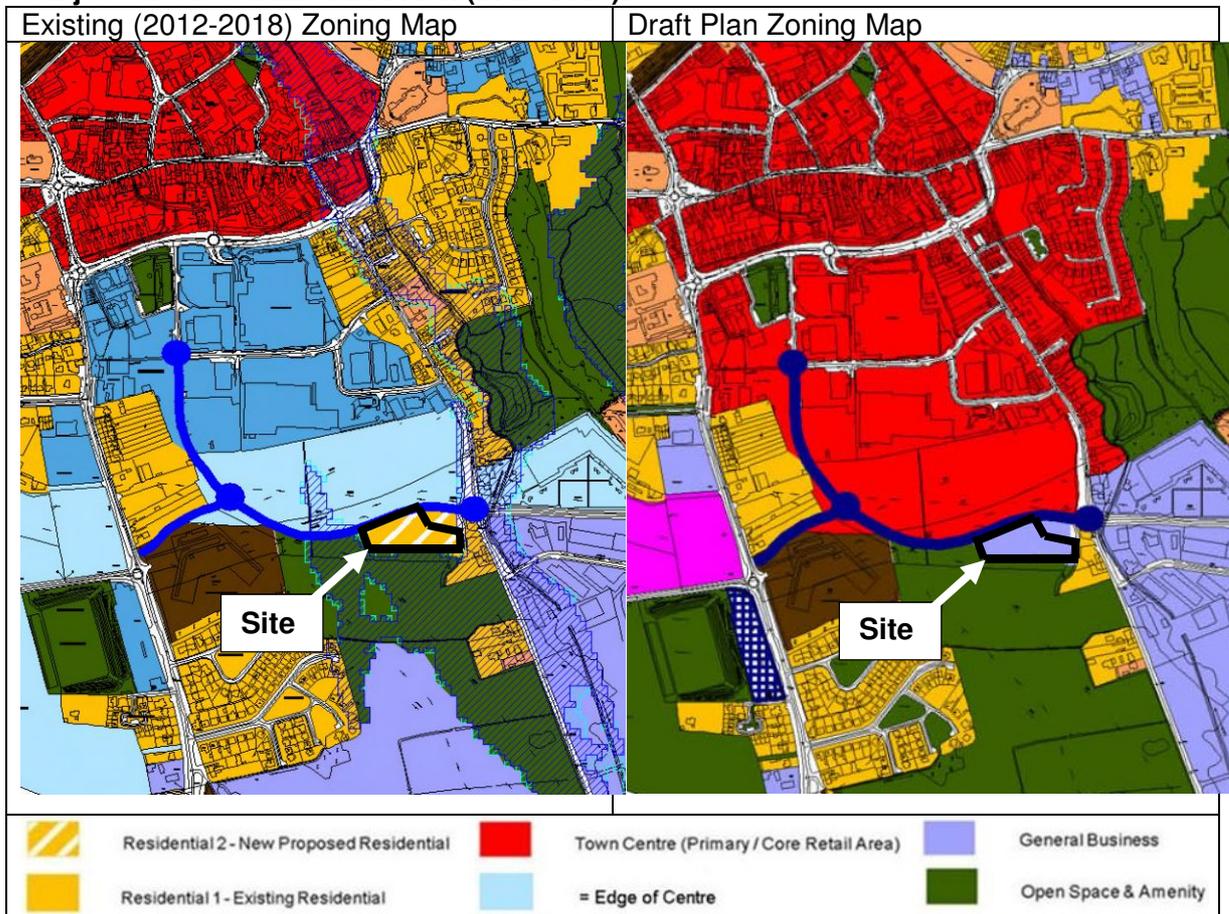
Lands at New Road, Portlaoise

We enclose information with this letter (Enclosure B) in respect of lands in our Client's ownership at New Road, Portlaoise. As summarised below, the site performs well when evaluated against the factors to be considered in determining zoning set out within the Development Plans Guidelines for Planning Authorities:

- Water, drainage and roads infrastructure – permission was previously granted for a 100 unit residential development on lands including the subject site (Reg. Ref.: 072159), indicating its suitability in respect of development services infrastructure. The adjacent Southern Circular Road Extension will be a good-quality road with capacity to service new development.
- Supporting infrastructure and facilities – the site has excellent access to the wide range of services and facilities in Portlaoise town centre. The site is within walking distance of Portlaoise Gaelscoil and Portlaoise Educate Together National School.

- Physical suitability – the site is centrally located, generally unconstrained and capable of delivering at least 24 dwellings (estimate based on a gross density of 35 dph and gross-to-net ratio of 85%) although higher densities may be appropriate. The site is not at risk of flooding.
- The sequential approach – the site is centrally located (less than 1 km from Portlaoise town centre) and adjacent to existing residential development to the east and proposed Town Centre (Primary Core) zoned lands to the north. (The site therefore performs better in sequential terms than many sites currently proposed for Residential 2 zoning). The site is a suitable location to provide a new medium density residential development or scheme of apartments designed to consolidate the existing residential development to the east of the site and integrate with the open space and amenity-zoned lands to the south.
- Heritage policy – the site does not contain any designated heritage assets or impact upon the setting of any designated heritage assets.

Fig. 3: Lands at New Road, Portlaoise – current and proposed land use zoning. The subject site is outlined in black (indicative).



The site is not currently proposed for Residential 2 zoning in the draft Plan (although it is zoned Residential 2 under the current (2012-2018) Plan). However, the site is available, serviced, suitable and capable of delivering at least 24 dwellings during the Plan period, and for these reasons we therefore respectfully request that it be included in any site assessment process undertaken in accordance with the recommendations in this letter and NPF National Policy Objectives 72a and 72b and that the current Residential 2 zoning

of the subject lands be reinstated in the draft Plan. This would help address the shortfall in Residential 2 zoned land in the draft Plan identified above.

We would be grateful if this submission could be given careful consideration. If you require any further information please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

ENCLOSURE A: APPENDIX 3 TO THE NATIONAL PLANNING FRAMEWORK

Appendix 3

A Methodology for a Tiered Approach to Land Zoning

The National Planning Framework sets out a two-tier approach to land zoning as follows:

Tier 1: Serviced Zoned Land

This zoning comprises lands that are able to connect to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development.

These lands will generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands. The location and geographical extent of such lands shall be determined by the planning authority at a settlement scale as an integral part of the plan-making process and shall include assessment of available development services.

Inclusion in Tier 1 will generally require the lands to be within the footprint of or spatially sequential within the identified settlement.

Tier 2: Serviceable Zoned Land

This zoning comprises lands that are not currently sufficiently serviced to support new development but have potential to become fully serviced within the life of the plan i.e. the lands are currently constrained due to the need to deliver some or all development services required to support new development, i.e. road or footpath access including lighting, foul sewer drainage, surface water drainage, water supply and/or additional service capacity.

These lands may be positioned within the existing built-up footprint of a settlement, or contiguous to existing developed lands or to tier 1 zoned lands, where required to fulfil the spatially sequential approach to the location of the new development within the identified settlement.

The potential for delivery of the required services and/or capacity to support new development must be identified and specific details provided by the planning authority at the time of publication of both the draft and final development or area plan.

This infrastructural assessment must be aligned with the approved infrastructural investment programme(s) of the relevant delivery agency(ies), for example, Irish Water, or be based on a written commitment by the relevant delivery agency to provide the identified infrastructure within a specified timescale (i.e. within the lifetime of the plan). The planning authority may also commit to the delivery of the required and identified infrastructure in its own infrastructural investment programme (i.e. Budgeted Capital Programme) in order to support certain lands for zoning.

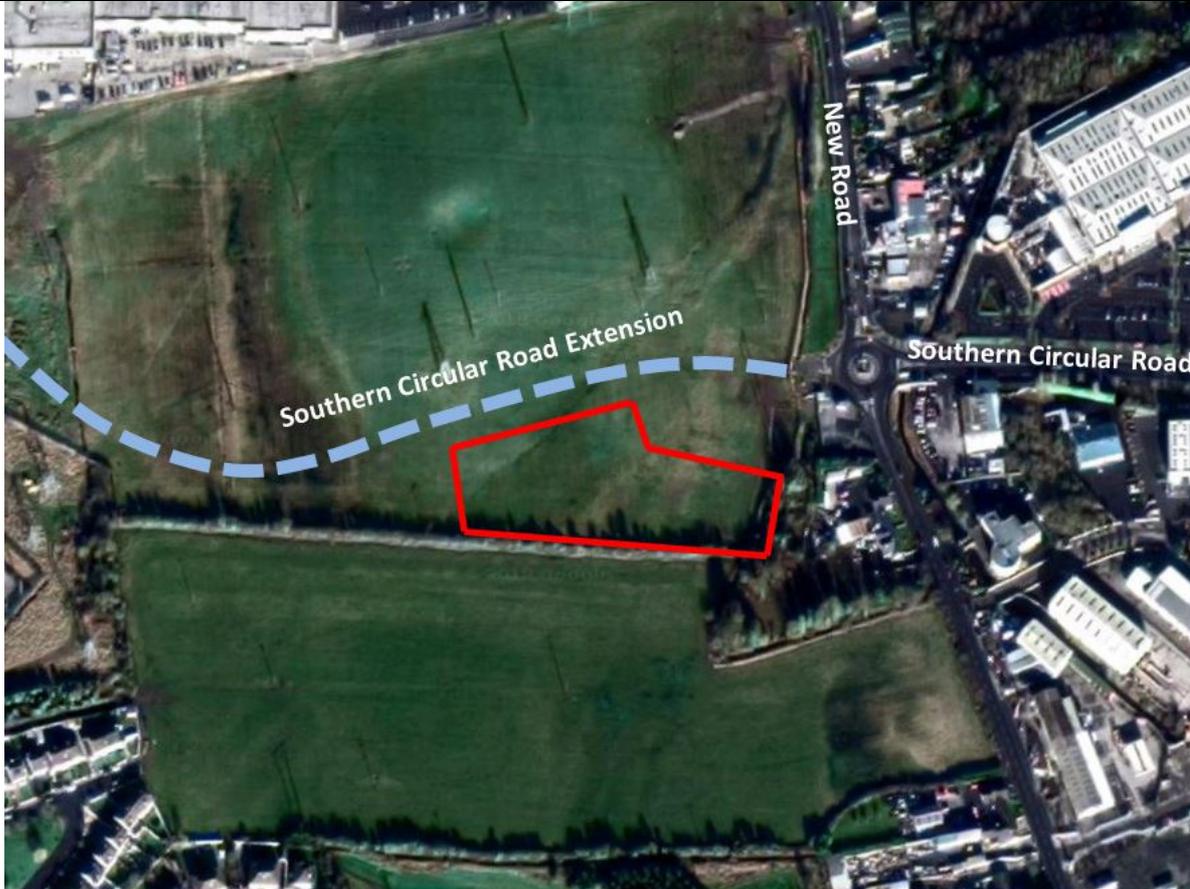
The written infrastructural assessment of the planning authority must:

- a) include a reasonable estimate of the full cost of delivery of the required infrastructure to the identified zoned lands;
- b) Set out (a) above at both the draft plan and final plan stages of the plan making process.

Current development or area plans may include zoned lands that cannot be serviced during the life of a development or area plan by reference to the infrastructural assessment of the planning authority. This means that they cannot be categorised as either Tier 1 lands or Tier 2 lands per the above and therefore are not developable within the plan period. Such lands should not be zoned for development or included within a development plan core strategy for calculation purposes.

Further guidance will be provided in updated Statutory Guidelines that will be issued under s.28 of the Planning & Development Act, 2000 (as amended).

**ENCLOSURE B: INFORMATION IN RESPECT OF A SUITABLE AND AVAILABLE
SITE FOR RESIDENTIAL DEVELOPMENT IN THE OWNERSHIP OF KELLYVILLE
LIMITED**

Lands at New Road, Portlaoise	
	
Site Size	Approx. 0.8 ha
Estimated Capacity	24 dwellings (conservative estimate based on a gross density of 35 dph and gross-to-net ratio of 85%)
Availability	Available
Current (2012-2018) Zoning	Residential 2 (new residential)
Planning History	Reg. Ref.: 072159 – Permission granted in February 2008 for a 100 unit residential development on lands including the subject site.
Accessibility	Site has good potential access to the proposed Southern Circular Road Extension. Site has good access to the services and facilities in Portlaoise town centre. Site has good access to nearby business-zoned lands. Site is within walking distance of Portlaoise Gaelscoil and Portlaoise Educate Together National School. Site has good potential access to nearby open space and amenity zoned lands.
Infrastructure	The proposed Southern Circular Road Extension will be a good-quality road with capacity to service new development. Site has good access to the services and facilities in Portlaoise town centre. Site is within walking distance of Portlaoise Gaelscoil and Portlaoise Educate Together National School.

Current Use	Agricultural / grazing
Flood Risk	The site is located within Flood Zone C (low risk)
Location and Scale of Development	This centrally located site is a suitable location to provide a new medium density residential development or scheme of apartments designed to consolidate the existing residential development to the east of the site and integrate with the open space and amenity-zoned lands to the south.
Heritage	The site does not contain any designated heritage assets or impact upon the setting of any designated heritage assets.
Environmental Constraints	None identified.
Conclusions	This is a generally unconstrained site likely to be capable of delivering approximately 24 dwellings during the Plan period