

Submission to the 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 draft LAP and in particular, the proposal to zone lands at Confey for development.

1.0 The draft LAP in the context of the EMRA Regional Spatial and Economic Strategy (RSES)

Unlike previous Local Area Plans for Leixlip, the current plan is being prepared in the context of not just the county development plan but also a suite of higher order plans, including the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES). These higher order plans give greater certainty and facilitate longer term planning than was previously the case and set out a blueprint for the sustainable development of the Eastern and Midlands Region. The Leixlip area of Kildare falls within the Metropolitan Area, and is thus within the Metropolitan Area Strategic Plan (MASP) area of the RSES. Future development within the MASP area will be focused on public transport corridors.

The adopted RSES was published on 28th June 2019. Table 5.1 of the EMRA RSES identifies the capacity of the North West Corridor (defined as D15 lands at Hansfield, Leixlip, Maynooth and Dunboyne), to accommodate an additional 37,000 persons, with 24,000 of these to be delivered in the short term (by 2026). Phasing/enabling infrastructure for Leixlip were identified as '*LUAS extension¹ to Maynooth, roads upgrades, link to WWT and community and social infrastructure*'.

The RSES also identified Leixlip as one of four development areas (together with Donabate, Dunboyne and Greystones) that will be the focus of future development as part of an integrated land use and transportation strategy, a key component of the MASP. Specifically, the RSES identifies Leixlip as; *Leixlip – strategic greenfield lands near Confey station with capacity for phased development, improve links to Leixlip and adjoining Dublin/Meath lands.*

These policy statements clearly point to Leixlip absorbing a significant proportion of the 37,000 persons allocated for accommodation in the North West Corridor. While the RSES does not break down how this population target is allocated between settlements, an earlier working draft of the RSES identified the development opportunities along this corridor as being 3,000 units on the Dunboyne branch and 9,000 units on the Leixlip/Maynooth branch of the proposed DART line, of which 3,000 units were targeted for Confey.

We also note that the 2017 draft Leixlip LAP proposed zoning in Confey to accommodate 3,000 units. A Strategic Environmental Assessment was carried out for this draft plan, so clearly the Confey areas has the environmental capacity to accommodate this scale of development.

¹ clearly a typo, intended to be the DART extension

We suggest therefore that good planning practice would allow for significantly greater growth of Confey in future iterations of the Leixlip LAP and that this should be clearly stated in the draft LAP. Such a policy statement would ensure the Leixlip LAP was fully aligned with the RSES and the National Spatial Strategy.

2.0 The draft LAP in the context of the County Development Plan

The draft LAP must also be consistent with the Core Strategy of the County Development Plan, which identified Leixlip as absorbing 10% of the overall growth of the county, equating to 3,315 additional housing units by 2023. However, we believe that this target is inappropriate for the 2020-2026 Leixlip LAP as;

- it doesn't allow for headroom and
- doesn't allow for the fact that the LAP will carry over, 3 years past the period of the 2017-2023 County Development Plan.

2.1 Headroom

With regards headroom, the RSES clarifies the status of headroom in the population targets. It states;

NPF Roadmap population projections already incorporate 25% headroom figures for all parts of the country (Implementation Roadmap for the National Planning Framework, Appendix 2). This may be supplemented by additional 25% headroom, applicable in the 16 local authority areas that are projected to grow at or above the national average growth figure (page 5 of the NPF Roadmap)². This further headroom may be applied regionally and locally, at RSES and city and county development plan stage. Application of headroom is particularly relevant to urban areas, particularly the five cities, where the aim is to target at least half of future housing delivery within existing built-up areas.

Given that Leixlip is within the Metropolitan Area, it would be appropriate therefore for the Leixlip LAP to 'overzone' by a factor of 25%, or for sufficient lands to accommodate 4,143 dwellings in total. Assuming an average density of 40/ha, this would suggest an additional 20 ha should be zoned.

Furthermore, given that Confey has been specifically identified as the main future growth area in the town, it would be appropriate that the bulk of this additional zoning be located in Confey.

We have identified an additional 23.4 ha on Map 2 that had been proposed for zoning in the 2017 draft Leixlip LAP and which we believe could, and should be zoned in the 2020-2026 Leixlip LAP. This would deliver up to an additional 1,000 affordable houses in a short time period.

An added benefit of providing for additional houses and population would be to ensure the delivery and viability of the proposed retail/commercial support facilities in the MU zones and the necessary support population for schools and sports clubs both existing and to be provided in the area.

² Co. Kildare is included in the list of 16 local authority areas.

2.2 Zoning for the entire plan period

Par 4.1 of the draft LAP states;

Taking into consideration the limited level of growth since the Census in 2016 alongside the inbuilt headroom from the County Development Plan it is considered practical that this Local Area Plan would provide for a 6 year timeframe up to 2025 i.e a 9 year horizon since the Census in 2016.

We believe the 2020-2026 Leixlip LAP should in fact zone for the nine-year period ending in 2029, not 2025 as stated above, and not the 2023 target of 3,315 units set in the 2017-2023 County Development Plan. Over zoning by a factor of 25%, as proposed in par 2.1, would ensure sufficient land is zoned for the plan period.

If the planning authority is not minded to zone these lands at this stage, we request that the plan indicates that it envisages additional zoning in Confey in the future, as infrastructure is improved, in accordance with NPF and RSES policy, as outlined in par 1.0.

3.0 The Policies and Objectives of the draft LAP

Notwithstanding the above, we also request the Planning Authority to consider the following observations in relation to the content of the Draft LAP.

3.1 The spatial distribution of proposed zoning in the draft LAP.

The draft LAP correctly identifies the unique spatial constraints restricting the future growth of Leixlip. Par 2.1 states;

The physical constraints of the M4 motorway to the south, the railway and Royal Canal to the north and west and St. Catherine's Park to the east provide limitations for the further development of Leixlip. This plan aims to address such constraints in a manner which facilitates further development in accordance with the provisions of the Kildare County Development Plan Core Strategy 2017-2023 in a sustainable manner. (page 10)

While we have no comment on the proposed zonings of the other KDAs in the draft LAP, we believe the feasibility of all of these KDAs being built out in full in the next six years, in accordance with the draft LAP, is ambitious. In particular we question the realism of expecting 256 no. of units to be provided through small scale infill projects in the town. The zoning of small pockets of public open space throughout the plan area is likely to be highly contentious.

Should the Council decide not to zone some of the lands currently proposed for zoning in the draft LAP, my clients would welcome the reallocation of such zoning to their lands in Confey.

While Confey has been identified as absorbing 1,350 units in the draft LAP, as stated above, my clients believe that these lands have the potential to accommodate a much greater quantum of development.

We draw the Council's attention to the Conclusion of the *Leixlip Strategic Transport Assessment (May 2019)* which states;

Confey UDF is particularly well suited to development, perhaps in preference to other KDAs, due to its proximity to Confey station and ability to increase the level of sustainable travel. The Confey UDF area will be immediately served by high-quality rail services from Confey Station to Dublin, Maynooth and further afield, and may be imminently supported by new bus services and bus facilities as the development of the area progresses. The outcome of the study concludes that there are numerous ways to support the increased residential development in the coming years, most notably at Confey, but undoubtedly across the town as a whole (page 94)

3.2 Urban Design Framework

My clients welcome the publication of the Urban Design Framework (UDF) for the Confey area, appended to the draft Leixlip LAP, and broadly support its aims. However, we wish the following to be taken into consideration;

The UDF has not taken due cognisance of the existence of wayleaves that run through the lands including two in favour of Irish Water and one in favour of Bord Gais. The existence of these wayleaves will complicate the delivery of the proposed mixed use area (MU1) in the heart of Confey. We request that the proposed new streets, footways and cycle routes align with the wayleaves.

This could be achieved by making the following insertion in the text –

‘The final alignment of roads/cycleways/footways and the location of open spaces and public areas shall have regard to the wayleaves for gas and water infrastructure which traverse the area.’

3.2.1 Density and Building Heights

Par 2.14 of the UDF states;

‘building heights within the identified higher density lands shall generally provide for 3 and 4 storey buildings’

My clients have extensive experience of developing high density housing schemes and believe that, while some apartment and duplex type development of 3 and 4 storeys may be necessary to achieve the required minimum densities, the market demand is generally strongest for 2 storey housing and that this can form a large part of the development, even in the high density areas. We therefore request that the sentence be changed to;

‘Building heights within the higher density lands shall be up to 4 storeys’

Similarly, in the sections R1 and R5A where apartment style living in buildings 3-4 storeys high is the stated objective the following should be added.

‘While apartment style living is the suggested model other design approaches which deliver the required density will also be welcomed.’

3.2.2 Phasing/Sequencing of Development for the Confey Urban Design Framework

Par 3.2 sets out a detailed phasing programme for the scheme. While we understand the theory of the proposed phasing of the build out of the Confey area, starting with lands close to the station and

gradually working away from the station sequentially, we question whether this is the optimal phasing strategy in reality.

We propose that the phasing should be less prescriptive, with an emphasis on facilitating the delivery of conventional housing at the outset, followed by the consolidation of the village core as the community evolves and demand for retail, commercial and social services consolidates. We suggest the following;

'Phase 1 shall consist of all land within 500 metres of Confey Station. Within this phase the sequencing of development shall initially concentrate on the R zoned areas.'

We believe this makes more sense for the following reasons;

- The peripheral lands are expected to deliver housing at medium densities. Allowing these lands to develop first will allow the land owners start to deliver affordable family houses at the earliest opportunity. As these houses will be aimed at families, they will most likely be bought by owner occupiers, which will enable a new community to be formed from the outset. Houses can be built and brought to the market much faster than apartments. Later apartment type development in the village centre will more likely be targeted at the transient rental market and the young workers in the expanding Intel plant nearby. A similar phasing pattern has worked well in other large new urban development areas including at Adamstown and Ballymore's development at Pelletstown.
- The Urban Design Framework envisages the commercial heart of the scheme will form around a main street extending from the railway station. While this makes sense in urban design terms, the commercial reality is that shops and other businesses will only become viable once a base local population has been established. Even if it were economically possible, developing these units first in MU1 will lead to boarded up shop units blighting the scheme from the outset. Furthermore, we believe that the Leixlip LAP should be focused on consolidating and strengthening the viability of the existing River Forest neighbourhood centre in the first instance, with significant additional commercial and community facilities, at a scale greater than the local convenience store, only provided in Confey once a need for additional space has been established.
- Four existing private houses and the Confey GAA club are designated as part of the commercial core of the scheme, with a supermarket designated for development on the Confey GAA lands. These lands are all outside my clients' ownership and this submission does not represent these property owners. My clients are only interested in being good neighbours. We do not believe it appropriate that anyone be forced to develop their property, and in particular their family home, against their wishes. Delaying the development of the area designated MU1 and MU3 until a later stage in the process will allow these property owners time and space to decide if, when and how they may wish to develop their properties. It will also ensure that no single property owner will have a veto, or ransom strip, stymying development elsewhere in the scheme.
- The Confey GAA club will be an important part of the heart of the new community. At the moment membership numbers are declining as the neighbouring residential estates mature. Allowing new housing to develop while the existing facility continues to exist will reinvigorate the club in the short term. In the longer term, as the Confey community grows,

new pitches and facilities can be provided in a more peripheral location, as the Urban Design Framework indicates. However, we believe that relocating the club to a remote location prematurely could have a severely negative impact on the viability of the club.

- The draft LAP is vague about the details of the upgrade of Cope Bridge over the Royal Canal and Maynooth railway line. There is uncertainty over the exact location and design of this key piece of infrastructure as well as the timing of its delivery. The optimal sequence for the delivery of housing as soon as possible would be for the first phases of housing to be constructed before the new bridge is complete and the Leixlip Strategic Transportation Assessment has indicated that this would be possible, if other measures promoting active transportation options (walking and cycling) are put in place³. This could best be facilitated if the building sites were at a distance from each other.
- While the UDF is predicated on the upgrade of the rail service to DART standard, this level of service will not be delivered until 2027. The proposed apartments in the MU areas are unlikely to be attractive to new residents with the present level of train services. Their delivery in tandem with the improved rail service would greatly enhance their viability.

3.3 Delivery of Infrastructure

My clients accept the need for the delivery of key pieces of infrastructure if the development potential of their lands is to be realised in full. We are disappointed to note that, in contrast to the other KDAs identified, there is no indication in the draft LAP, or elsewhere, as to when this infrastructure is to be delivered, who the lead agency will be and how it is to be funded. In particular we would like to know if the Council anticipates introducing a Section 49 Supplementary Development Contribution Scheme to fund the required infrastructure, including the upgrade of the rail service.

We note the cost estimates for the delivery of Route Option 1, the upgrade of the L1015 to the west of Confey, including a new bridge over the Rye at a cost of €10m and of the DoMin-Town centre via Captain's Hill and Lucan option to the east at a cost of €15m in the *Leixlip Strategic Transport Assessment (Page 65)*. Thus, it would appear road improvements alone will cost more than €25m, not including the cost of active transport facilities. Overall, infrastructure costs to support the development of Confey may be €30m. The new community at Confey cannot be expected to bear this cost through special levies as it would equate to over €20k per unit in levies, over and above standard S48 levies. This would make the whole development uneconomic.

In the context that the new community cannot bear the cost of this infrastructure and that much of it will be required in any event, even without the development of Confey, we respectfully request that some indication is given, either in the LAP or elsewhere, as to the timing and delivery methodology for the required major items of infrastructure.

³ *Active modes will deliver well for the emerging Confey development, such that it remains connected and an integral part of the town (i.e. not being interpreted or treated as its own isolated township). Active modes will provide some alleviation of congestion for Confey, and will give some longevity to Cope Bridge before requiring replacement. Importantly, Cope Bridge (in its single-lane form) will anecdotally act as a throttle or barrier to excessive vehicular growth and may promote more sustainable travel. (page 92 of the LSTA)*

We also note that the UDF calls for the drawing up of a masterplan to guide development. While we agree a masterplan is necessary, we request greater clarity on the status and timeframe for the drawing up of this masterplan.

4.0 Summary and Conclusion

My clients very much welcome the publication of the draft Leixlip LAP 2020-2026. However we believe that it is not sufficiently ambitious in its proposal to develop lands at Confey.

We believe the zoning of additional lands in this area, or at least an indication that this community will continue to grow beyond the initial 1,350 units indicated in the plan, would be justified and in accordance with the proper planning and sustainable development of the town, the county and the wider Dublin region.

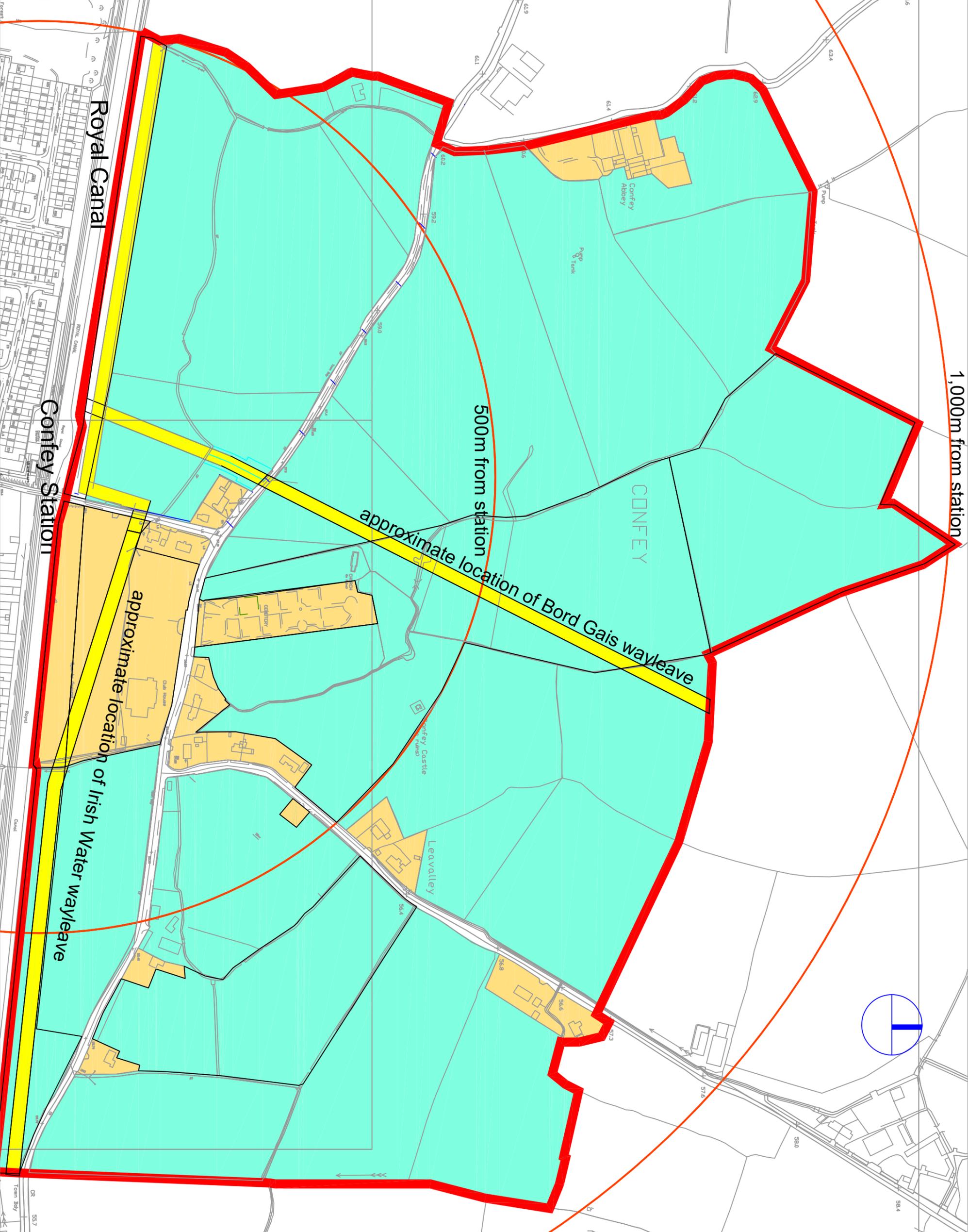
We further request that the UDF be a little less prescriptive in the form development should take. This can be better addressed in the masterplan required for the area before the area can be developed.

Finally, we ask that the phasing of the build out of the Confey lands take greater cognisance of market demand, allowing the housing elements to be delivered up front, and avoiding the potential of one land owner stymying the development of other neighbouring lands.

We trust that these comments will be taken into consideration by the Planning Authority in the preparation of the final LAP. We would be happy to supply any additional information, to meet with the Council and to assist the Planning Authority in any way we can.

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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:

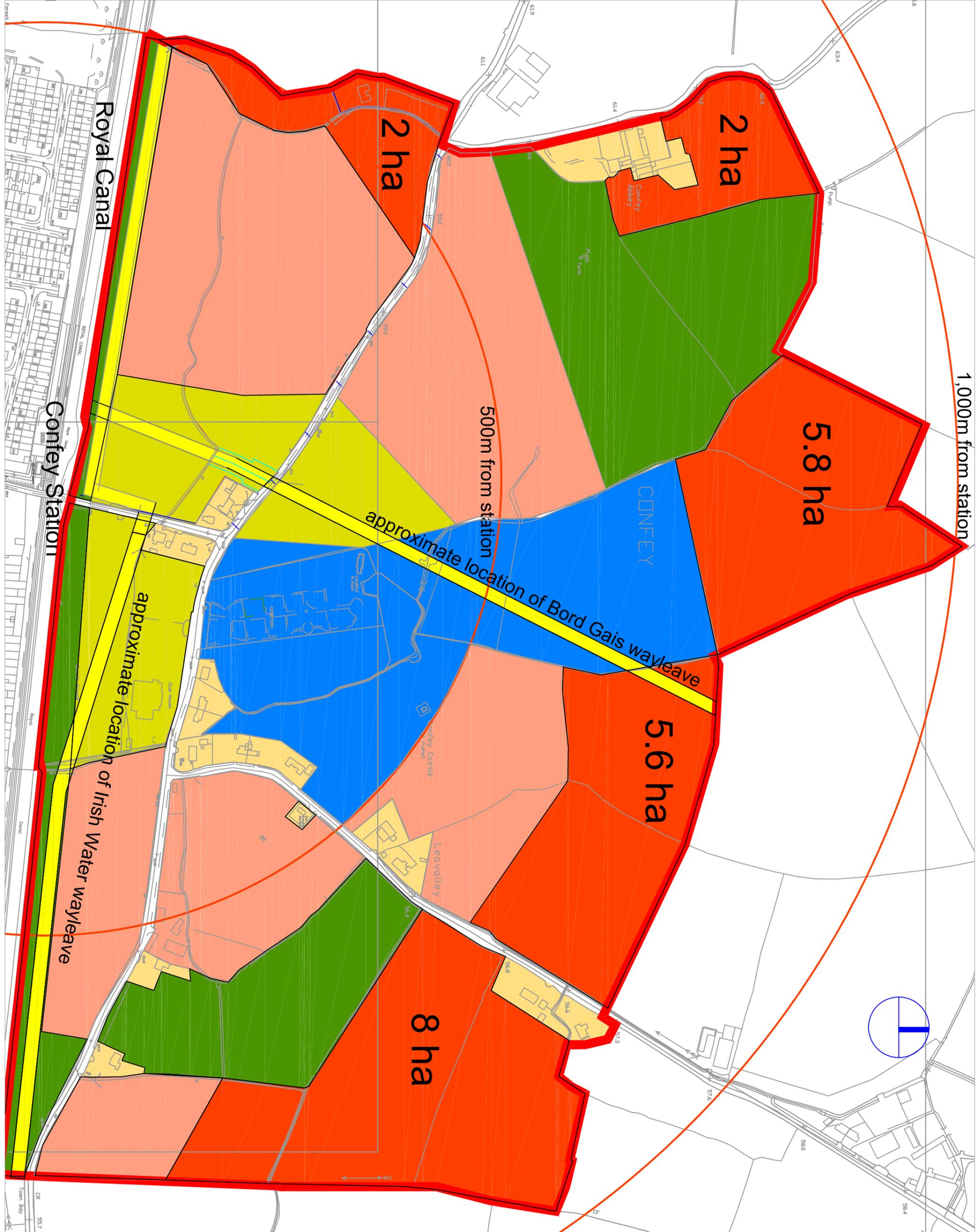
REV	DATE	DESCRIPTION

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

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

DATE: JULY 19 SCALE: NTS

DWG NO. REVISION:



1,000m from station

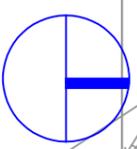
500m from station

approximate location of Bord Gais wayleave

approximate location of Irish Water wayleave

Royal Canal

Confeiy Station



LEGEND

- proposed residential zoning**
these proposed zonings correspond to the areas previously proposed for zoning in the 2017 draft LAP
- existing wayleaves**
the exact location and extent of these wayleaves needs to be confirmed. Other wayleaves may also exist
- draft residential zoning**
- draft mixed use zoning**
- draft community zoning**
- draft open space zoning**
- draft existing residential zoning**

REVISIONS:

REV	DATE	DESCRIPTION

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

TITLE:
Map 2: Proposed Additional Zoning

DATE: JULY 19 **SCALE:** NTS

DWGNO.: **REVISION:**

CR 55.7
Town Bay