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The Planning Department
Galway County Council
Áras an Chontae
Prospect Hill
Galway

30th July 2021

Re: Submission to Draft Galway County Development Plan 2022-2028
On behalf of: Mr. Martin Corless

Dear Sir/Madam,

This is a submission by KPMG Future Analytics, Stokes Place, St. Stephen's Green, Dublin 2 (Chartered Town Planning and Development Consultants), on behalf of Mr. Martin Corless of Mountscribe, Kinvara, Co. Galway, in relation to the Draft Galway County Development Plan 2022-2028.

Our client welcomes the opportunity to engage with the Planning Authority in the preparation of the upcoming Development Plan and contributing to the sustainable growth and development of the County over the Plan period.

Background

The purpose of this submission is to firstly provide the Planning Authority with a locational context of our client's lands by identifying their strategic position within close proximity to the Kinvara village centre in an established residential setting. The submission will then focus on a review of the relevant sections of the Draft Galway County Development Plan 2022-2028 and demonstrate the merit of **maintaining the current R-Residential (Phase 1) zoning of the subject site under the Kinvara Local Area Plan 2005-2011.**

This submission will aim to establish how the subject site, due to its planning history, location and proximity to existing residential areas, services and amenities coupled with Kinvara's strong accessibility and connections to surrounding settlements, is suitable for future housing provision and has the potential to deliver high quality and sustainable housing to meet projected population growth of the settlement over the lifetime of the plan.

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The Site

Kinvara is located on the National Primary Road (N67) and is approximately a 13-minute drive to the M18 motorway that connects Gort and Tuam. Kinvara is also well-served by a regular bus service between Galway and North Clare throughout each day. The village is accessible with strong links to the surrounding settlements.

The site is greenfield in nature and irregular in shape, with an area of approximately 1.99 ha. The site is bound to the west by a single dwelling house, three existing shed structures, to the east the two existing single dwellings, with Kinvara Clinic just beyond, to the south green field lands and one single dwelling and to the north the N67 with the 'Ard An Mhuilinn' residential development just beyond.



Figure 1: Aerial View of the Subject Site (Subject Site Outlined in Red)

The subject site is located approximately 750m to the west of Kinvara village centre (Figure 2.1). It is in walking distance from Kinvara village centre (including supermarket and other services and facilities) and the local school, while it is less than a 6-minute walk from the Regional Bus Service Route 350: Galway – Kinvara – Doolin – Ennis. The site is also served by the national road N67 to Galway (c. 34-minute drive) to the north and Doolin (c. 43-minute drive) and Lahinch (c. 46 minute drive) to the south.

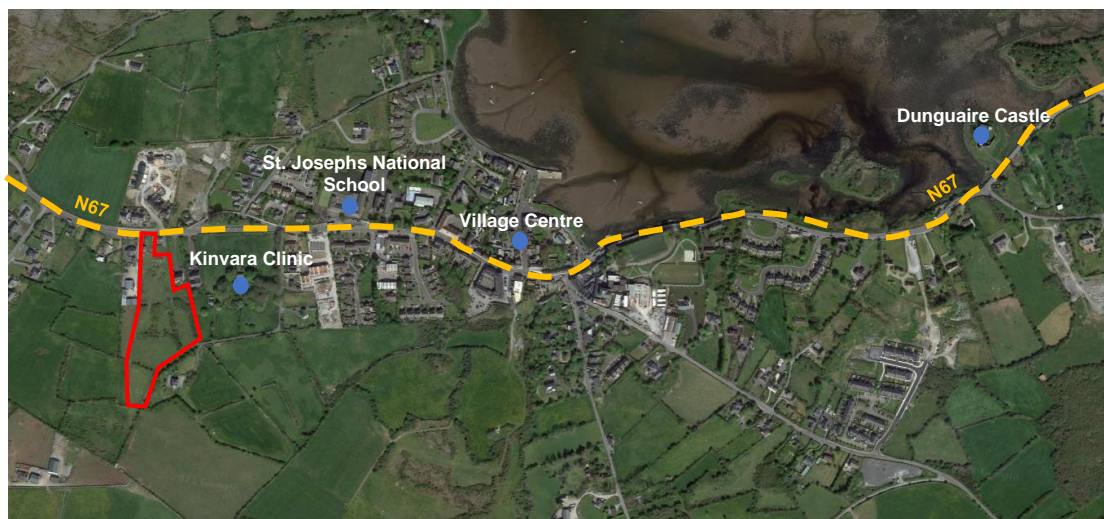


Figure 2: Site Context Aerial View (Subject Site Outlined in Red).

Land Use Zoning

Volume 2 of the Draft Galway County Development Plan 2022-2028 provides the land use zoning maps for the administrative boundary of the County. Under the Draft Plan the subject site is currently zoned R-Residential (Phase 2) with proposed road designation also on site. The Land Use Zoning Objective is described as:

“Residential Phase 2: To protect, provide and improve residential amenity areas: To facilitate the provision of high quality new residential developments at appropriate densities with layout and design well linked to the village centre and community facilities. Phase 2 residential zoning is generally not developable during the lifetime of this plan subject to the provisions below.

*(*Single House developments for family members on family owned lands:
 *Non-residential developments that are appropriate to the site context, any existing residential amenity and the existing pattern of development in the area.
 Where it is apparent that R-Residential (Phase 1) lands cannot or will not be developed within the plan period, residential development maybe considered in a phased manner on some residential (Phase 2 lands).”

As can be seen from the above, Residential Phase 2 lands are generally not developable during the lifetime of the Plan. However, there are provisions identified in which Phase 2 lands can be brought forward for development, but these provisions are not of relevance and unlikely to aid the future development of this site. There is reasonable doubt as to the feasibility of the development of some of the Phase 1 lands, and a willingness of some of the owners of these Phase 1 lands to bring them forward in the timeframe of the Development Plan.

Under the Kinvara Local Area Plan (LAP) 2005-2011, the subject site is zoned R-Residential (Phase 1). The purpose of this submission is to demonstrate to Galway County Council the merit of **maintaining the current R-Residential (Phase 1) zoning of the subject site.**

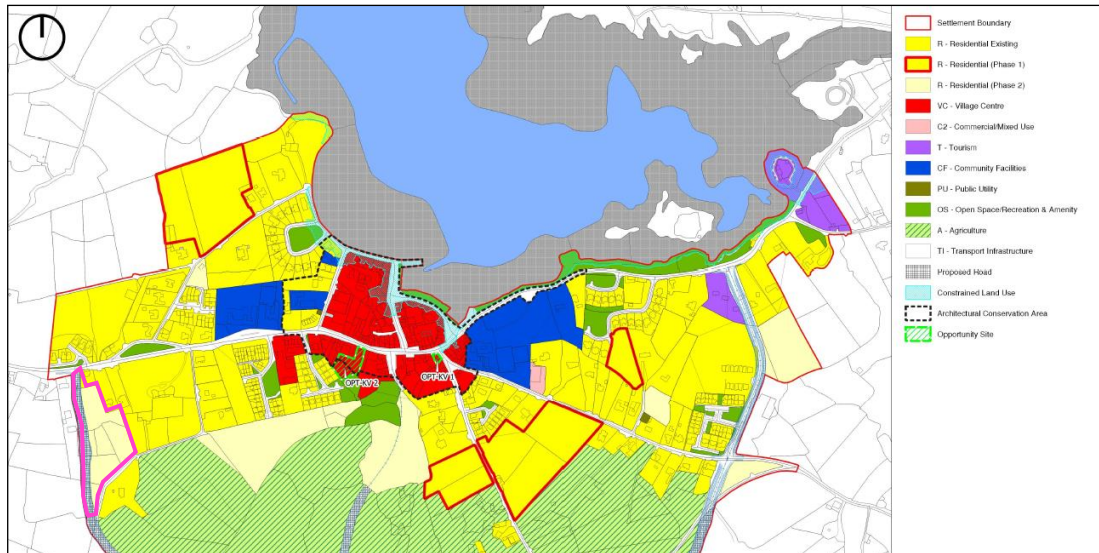


Figure 3: Land Use Zoning Under the Draft Galway County Development Plan 2022-2028 (Subject Site Outlined in Pink)

As can be seen by comparing the Draft Galway County Development Plan 2022-2028 land use and the Kinvara LAP 2005-2011 there has been a substantial rezoning of R-Residential (Phase 1) lands under the Draft Plan.

The Kinvara LAP designated approximately 33.5 ha of land for Residential Phase 1. This has been reduced to 7.27ha under the Draft Plan. It is our client's respectful submission by reducing the quantum of Phase 1 lands to such an extent the Authority are effectively only providing limited opportunity for residential development on a small number of lands. As mentioned previously there is reasonable doubt as to the feasibility of the development of some of these proposed Phase 1 lands, and a willingness of some of the owners of these Phase 1 lands to bring them forward in the timeframe of the Development Plan. It is our client's respectful submission that the Plan would benefit from a degree of optionality and flexibility through the allowance of sufficient headroom when identifying lands suitable for housing. This will ensure that the appropriate quantum of local housing can be delivered over the Plan period and subsequent years. It is also our client's belief that, if there is not a suitable quantum of Phase 1 development land available, the price of housing in the area could increase and this could effectively prevent affordable housing from being achievable. It is imperative that lands bounding proposed Phase 1 lands, such as the subject site, are considered in this context.

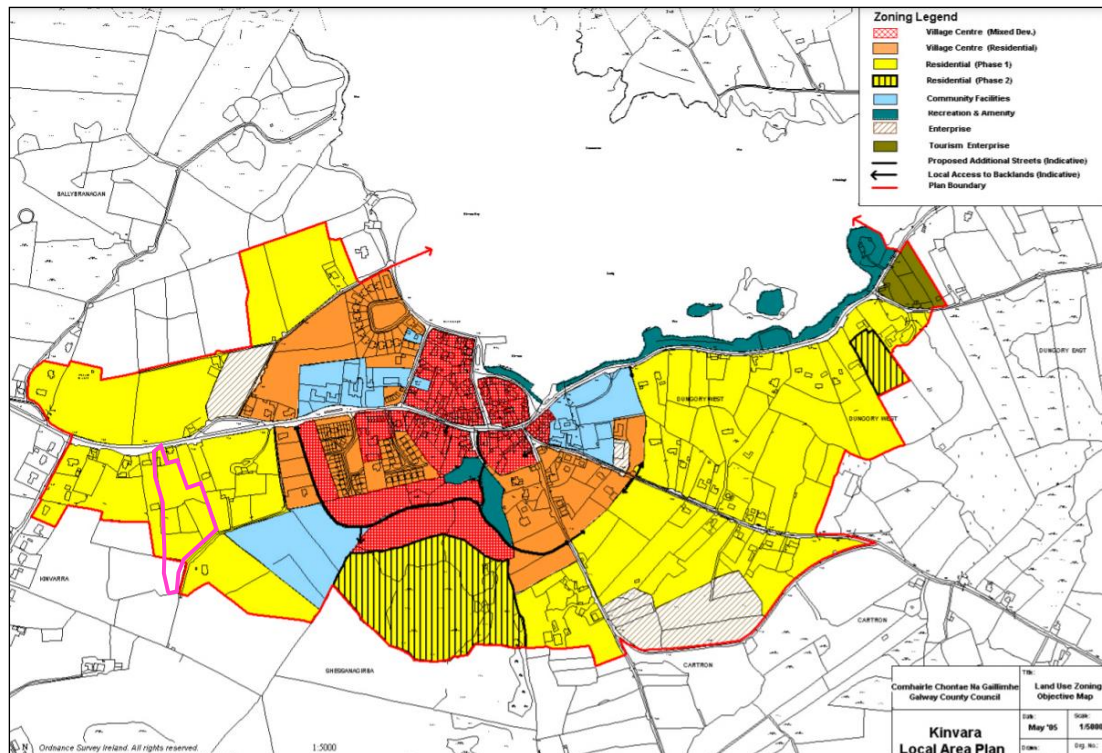


Figure 4: Land Use Zoning Under Kinvara LAP 2005-2011 (Subject Site Outlined in Pink)

The Draft Plan has identified a population growth of just 200 persons for the Kinvara settlement over the lifetime of the new Plan. In light of current trends resulting from the Covid-19 pandemic that has seen the prospect of remote working come to fruition, hybrid working models have reduced commuting requirements for work purposes. Due to the impact of this, there is a justification for an appropriate return on investment in local infrastructure and the creation of sustainable communities. The Housing Strategy and Housing Need Demand Assessment set out in Appendix 2 recognises that future revisions may be required due to the Covid-19 pandemic.

"It is important to note that the figures presented in the HNDA might require a future revision given the unprecedented circumstances for housing and employment brought forward by the COVID-19 pandemic, which continues to have a significant impact on individuals, society, businesses and the wider economy across the globe. Particular notice should be given to the COVID-19 related impacts, however as the broader economy recovers and responds to the pandemic, the overall economic and demographic climate will face a number of challenges but also see many new opportunities in the medium to long term."

The lands north of the N67 within our client's ownership are currently under construction by a local house builder with whom the owner of the subject lands has collaborated on site development in the past and will deliver 27 no. dwellings ('Rinn na Mara'). Based on the unit mix of this development, this new residential scheme has the capacity to generate c. 145 no. residents. It is understood and appreciated that some of these new residents will be currently residing in the Kinvara settlement, but it is anticipated that this residential scheme will also attract new residents from other settlements, therefore growing the population.

This development will potentially account for over half of the projected population increase in the area which demonstrates that the projected growth figure of 200 persons is modest at best and should be recalibrated having regard to current trends and demand for housing in the area. If it is Council's case that extant permissions and pipeline developments have been accounted for and that the 200 person population uplift is for future housing delivery not yet consented, it appears particularly limiting to enable Kinvara to grow sustainably and to have the population needed to make village centre investment, business viability (local services, local employment) and infrastructure maintenance more justifiable.

In this regard, additional reserve of Phase 1 lands will be required to accommodate a projected population growth that is more aligned to the current situation. It is therefore our client's respectful submission that the subject site, which is serviced, development ready and situated in an established residential setting is capable of delivering housing to meet demand. The rezoning of our client's lands will allow for more compact growth in line with National and Regional Policy Objectives.

Planning History

There have been three planning applications submitted previously seeking the development of the subject site. **The previous applications, namely P.A. Ref. 065784, 065780 and 083453 were all granted by the Planning Authority** but ultimately refused by An Bord Pleanála. All three of these refusals were refused primarily on the same basis **at that point in time:**

1. Development would be premature pending upgrade of the Kinvara Sewerage Scheme, including the provision of public wastewater treatment facility and the sewer connection runs across the road from the site boundary.
2. No provisions in the current Kinvara Local Area Plan to provide a relief road for the village at this location.
3. Proposed development would access the N67 at a point where the maximum speed limit of 100km/h applies.

A future residential proposal is now in a better position to be developed, as these three historic refusal reasons have been resolved, or are readily capable of being resolved in the intervening years:

- The wastewater infrastructure for Kinvara has been upgraded and therefore this reason for refusal should no longer be an issue.
- The proposed entrance of the subject site is now within the speed limit 60 kmph and is no longer 100km/h, therefore this issue should be seen as resolved.
- Lastly, there is a consented Part 8 Kinvara Relief Road whose alignment commences at the entrance to the subject lands and continues around the settlement. Galway County Council in their own Part 8 planning application in 2020 for a 10-unit housing scheme at Carton in Kinvara make reference to this Relief Road corridor (as that site straddles the consented corridor). It is also submitted that the inclusion of a proposed road (broadly the Kinvara outer orbital ring road) would include and bound part of the subject site, and so the development of the subject lands could serve to facilitate delivery of this important piece of road infrastructure by unlocking the entry point to this road corridor.

Therefore, it should be highlighted that residential development has been deemed acceptable on this site, and there is precedence of Galway County Council granting permission on the subject site. The Board refused planning permission due to technical concerns which were "of their time". Indeed, these technical issues have all since been resolved or are capable of being readily resolved through the consenting process. Our client remains keen to actively develop upon these lands which will unlock much needed housing for the settlement and has been seeking a s.247 pre-planning consultation in this respect for some time now. For this reason, the subject site **should retain its previous R-Residential (Phase 1) zoning.**

Draft Galway County Development Plan 2022-2028

Core Strategy, Settlement Strategy & Housing Strategy

As part of the Draft Galway County Development Plan, the Core Strategy, Settlement Strategy and Housing Strategy have been prepared and informed by the National Planning Framework (NPF), the Implementation Roadmap for the NPF, the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region and Section 28 Ministerial Guidelines. Galway County Council as part of the Core Strategy have developed a vision for the County in terms of the Core Strategy:

“The promotion of a balanced urban and rural county that ensures future growth is based on the principles of sustainable development, delivering a high quality living and working environment meeting the needs of all residents”

The Draft Plan aims to achieve compact growth through the delivery of new homes in urban areas within the existing built up footprint of settlements. As can be seen in Policy Objective CS 2 Compact Growth below.

“CS 2 Compact Growth: *To achieve compact growth through the delivery of new homes in urban areas within the existing built up footprint of settlements, by developing infill, brownfield and regeneration sites and prioritising underutilised land in preference to greenfield sites.”*

Under the Draft Plan Kinvara is identified as a Level 6 Settlement- Small Growth Village. These settlements are small villages with local services and employment potential. Section 2.4.10 ‘Small Growth Village’ describes these settlements as having an important function in supporting the development of local areas. The residential development in these settlements will be proportioned to the growth of the villages. The growth strategy of these settlements will focus on the localised sustainable growth that meets the needs of the local population and the wider rural hinterland.

“SS 6 Small Growth Villages (Level 6): *Protect the consolidation of Small Growth Villages in order to improve local employment, services, rural housing and sustainable transport options.”*

We are of the opinion the subject site is located within a built-up area of Kinvara. This is due to the existing residential areas of ‘Ard An Mhuillin’ and ‘Nuns Orchard’ and ‘Rinn na Mara’ which is currently under construction to the north of the site. For this reason, we believe that this area has become a built-up area and therefore the subject site should be zoned R-Residential (Phase 1) as this would contribute to a more compact and sustainable development of Kinvara.

Rural Living & Development

Chapter 4 of the Draft Galway County Development Plan 2022-2028 sets out the policies and objectives for the County in relation to Rural Living and Development. Galway County Council recognises the important role that the rural area plays in the county from a housing, economic and social perspective. For this reason, Galway County Council has developed a vision for the County relating to Rural Living and Development.

“Support the role of rural areas in maintaining a stable population base through a strong network of villages and small towns and strengthening rural communities by supporting a resilient rural economy and the sustainable management of land and resources”.

Section 4.5.2.1 'Serviced Villages' states it is considered that there is potential for multi-unit development and are considered appropriate with a site-specific design strategy required to guide the development of each plot. Several design elements are required to be considered for the development to fit within the individual village.

"RC 6 Residential Development Potential of Villages: Within the footprint of villages, development will be considered where it involves multi-house developments, subject to services, siting, design, protection of residential amenities and normal Development Management criteria as outlined in Chapter 3 Place Making, Regeneration and Urban Living and Chapter 15 Development Management Standards."

It is believed that retaining the current R-Residential (Phase 1) as per the Kinvara LAP 2005-2011, the site could facilitate a modest yet high quality, multi-unit, sustainable and compact residential development. A future residential development would be accessible via the N67 and the consented Part 8 Kinvara Relief Road. A residential development here, combined with the new Part 8 Kinvara Relief Road and existing residential developments just north of the N67, will lead to a more built-up, sustainable compact residential area in Kinvara and would therefore align with national and local policy.

Justification for Retaining Current Residential Phase 1 Zoning

Planning History

It is the belief of our client that the subject lands are suitable for Phase 1 Residential development for a number of reasons. **It is submitted that the subject site is currently zoned for Phase 1 Residential Development and have been zoned as such since for the last 16 years.** Efforts to secure planning permission on this site resulted in a grant of permission from Galway County Council on three separate occasions. However, these proposed developments were appealed to An Bord Pleanála and ultimately refused for the same three reasons, which were all "point in time" issues:

1. Development would be premature pending upgrade of the Kinvara Sewerage Scheme, including the provision of public wastewater treatment facility.
2. No provisions in the current Kinvara Local Area Plan to provide a relief road for the village at this location.
3. Proposed development would access the N67 at a point where the maximum speed limit of 100km/h applies.

As stated previously, all three of these reasons for refusal are now resolved or capable of being readily resolved through the consenting process. For this reason, the subject site is now in a prime position to be developed upon. Our client has shown in the past a real interest in contributing to Kinvara by developing these lands (much like he has achieved on other local sites) and remains in a position to realise this ambition on the subject site. Therefore, it is the belief of our client that these lands should retain their Phase 1 Residential zoning, as the previous reasons for refusal on this site have all been resolved.

Compact Growth

The surrounding sites to the north have been developed upon with 'Ard An Mhuillin' and 'Nuns Orchard' being constructed and the applicant's own 'Rinn na Mara' currently under construction. Therefore, it is the case that this area of Kinvara has become a built-up area immediately accessible on foot to the village core.

The Sustainable Rural Housing Guidelines states, urban generated housing should take place within built up areas. Therefore, it is believed that this site would be suitable for residential development and should not be precluded from development under the new Galway County Development Plan 2022-2028. Any future residential development on this site would therefore occur in a built-up area and will link and connect to the existing residential developments and

will be directly and fully integrated with our client's lands currently under construction ('Rinn na Mara') to the north.

Furthermore, there is a consented Part 8 Kinvara Relief Road whose alignment commences at the entrance to the subject lands and continues around the settlement. Galway County Council in their own Part 8 planning application in 2020 for a 10-unit housing scheme at Carton in Kinvara make reference to this Relief Road corridor (as that site straddles the consented corridor). This Part 8 Relief Road is broadly identified on the Draft Plan zoning map and will provide direct access to the subject site.

When considering the above, it is argued a residential development on the subject site will achieve a sustainable and high-quality development while contributing to national and local policy of consolidating compact growth.

Additional Residential Phase 1 Lands and Sequential Development

As previously mentioned, there has been a significant reduction of Phase 1 residential lands from the Kinvara LAP 2005-2011. The LAP had designated 33.5 ha of lands for Residential Phase 1 development which has been reduced to 7.27 ha under the Draft Plan. It is submitted that such an extreme reduction in serviced residential land risks the ability of the Plan to deliver much needed housing for the locality. The housing market by its very nature needs adequate head-room, near-term and longer-term certainty on sites for delivery, including zoning to facilitate the same. The inclusion of our client's lands within the quantum of reserved Phase 1 Residential lands will not prejudice the delivery of housing on the proposed Phase 1 lands but will rather complement their standing and contribute to creating a critical mass needed to support existing and planned services.

The sequential approach to development must be adopted in Development Plan preparation, as required by *Development Plans: Guidelines for Planning Authorities* and *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)*. The principles of the sequential approach involve the designation and development of more central and accessible lands first, generally working on the basis of prioritising lands in the centre of a settlement first and then radiating out. The subject site whole at the edge of the settlement boundary has been deemed acceptable for residential development in the past, the three historic refusal reasons have been resolved, or are readily capable of being resolved in the intervening years. The lands are within walking distance of the village and rank more preferably for development than other zoned lands such as those to the far east of the settlement.

Evidence of the adoption of the principles of sequential development is noticeable in the Draft Plan. Section 2.3.11 discusses compact growth for the County and how at least 30 % of housing within settlements is to be within the existing built up footprint area in conjunction with sequential development of settlements. However, it is our client's opinion that the subject lands are suited for Phase 1 Residential in accordance with sequential development. The subject site currently has a designation for the Part 8 Kinvara Relief Road which aligns with the entrance to the subject lands, is situated in built-up area due to the localised residential development to the north, the subject site is also 750m west of the Village Centre and is closer to the Village Centre than those Phase 2 Residential lands along the Settlement's eastern border.

Proximity to Services

The subject site as previously mentioned, is in a built-up area. The site has strong connections with the residential developments to the north. With these strong connections, the lands are within walking distance from the village centre. Within close proximity to the subject site is a range of amenities, services and facilities such as St. Joseph's National School, Kinvara Community Centre, Costcutter, the Pier Head Bar and Restaurant. This can be seen in Figure 5 below.

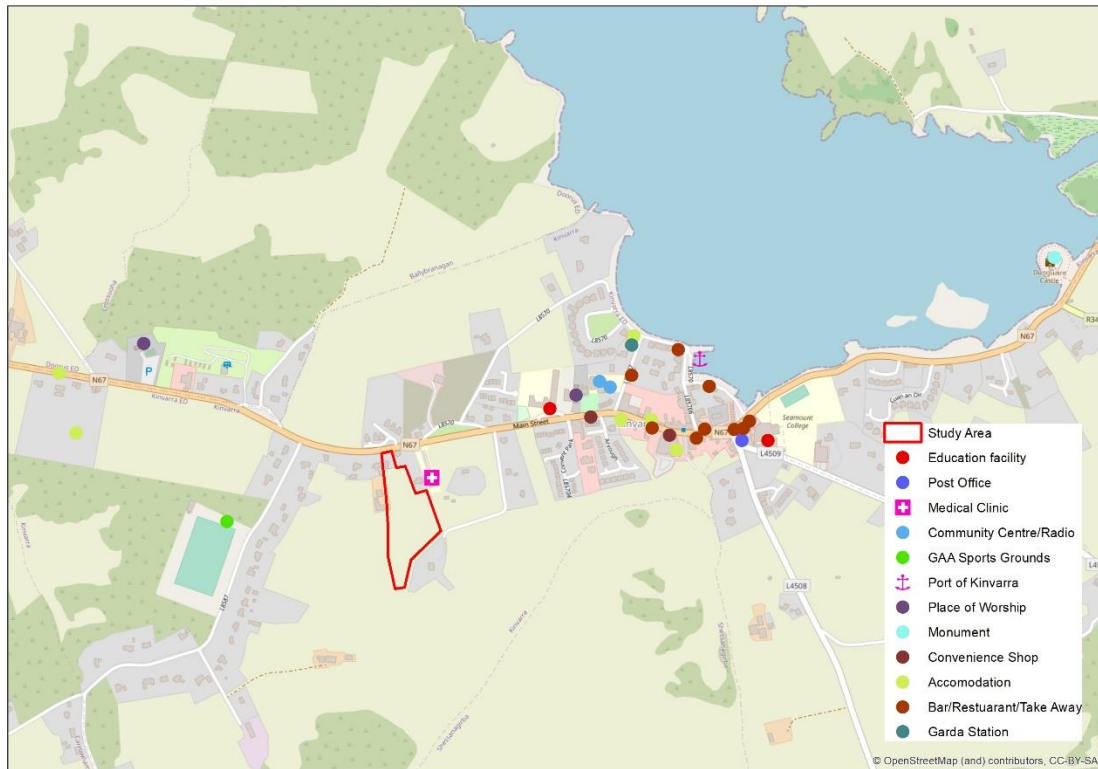


Figure 5: Subject Site and Proximity to Services

Conclusion

In conclusion, our client has welcomed the opportunity to engage with the Planning Authority in the preparation of the upcoming Development Plan and contributing to the sustainable growth and the development of the County over the Plan period.

It is submitted that this correspondence provides the planning rationale as to why the subject site should retain its current R-Residential (Phase 1) zoning as per the lapsed Kinvara Local Area Plan 2005-2011. It is considered that the resultant rezoning will allow for a more compact and sustainable growth of Kinvara over the Development Plan period, allow for the sequential development of residential land whilst also preserving the integrity of existing zoned residential land.

We trust that the above is in order and look forward to receiving an acknowledgement of this submission in due course.

Please do not hesitate to contact us if we can be of further assistance in relation to the above.

Yours faithfully,

Stephen M. Purcell
 MIPI FCSI FRICS
 Director and Co-Head
 KPMG Future Analytics
 Chartered Planning and Development Consultants