

**Submission to the Draft Kerry County Development
Plan 2022-2028**

Lands at Caherweesheen, Tralee
on behalf of O'Flynn Construction Co.

February 2022



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1. Introduction

This submission has been prepared by McCutcheon Halley Chartered Planning Consultants on behalf of O'Flynn Construction Co. the owners of approx. 26 hectares of lands located at Caherweesheen, Tralee, Co. Kerry, in response to public notices inviting submissions from third parties and interested parties on the Kerry County Development Plan review in accordance with the Planning and Development Act 2000. Our client welcomes the opportunity to participate in the plan making process which will inform the future development of the area within the lifetime of the plan and beyond.

The forthcoming Kerry County Development Plan 2022-2028 should be the first consolidated Plan for the entire functional area of Kerry County Council in that the functional areas of the former Town Council Towns and the settlements contained within the current Municipal District Local Area Plans should also be incorporated into the new County Development Plan. In this regard, the new County Development Plan should replace not just the current County Development Plan (as varied) but also all of the Town Development Plans and the Municipal District Local Area Plans made in 2018.

In the 2007 Tralee Hub Local Area Plan our clients' lands were zoned for a mix of Low and Medium Density Residential development.¹ In the subsequent Tralee Killarney Hub Functional Areas Local Area Plan 2013-2019 our clients' lands were de-zoned in their entirety. Their lands remained de-zoned in the Tralee Municipal District Local Area Plan (MDLAP) 2018-2024. The justification given for the de-zoning was based solely on a quantitative assessment and the premise that sufficient lands were zoned for residential development within the former Tralee Town Council administrative area. We fundamentally disagree with this strategy and believe it is one of the main contributing factors to Tralee's poor performance in relation to house construction/completions, since the adoption of the 2013 LAP. We believe that the previous residential zoning of our clients' lands in Caherweesheen should be re-instated in the forthcoming CDP for the following reasons:

- **Land supply:** To address the failure of existing zoned lands to deliver housing development in Tralee;
- **Housing mix/density:** To provide a more appropriate housing mix and range of residential densities for the town;
- **Suitability:** The previous (2007) LAP identified the suitability of lands in Caherweesheen for high quality and lower density residential development;

¹ 2007 Tralee Hub Local Area Plan, para. 5.2, p.36. The approach taken by Kerry County Council (KCC) in the 2007 LAP was in response to an under-provision of this type of residential development and house types within the Tralee area, which in turn had led to increased pressure for one-off housing in the un-serviced rural environs of the town.

- **Deliverability:** O'Flynn Construction is one of Ireland's largest housing providers and has a proven track record in delivering high quality housing.

Overall, we believe our clients' lands have a very important role in the future development of Tralee and that the previous residential zoning on our clients' lands included in the 2007 LAP, should be re-instated in the forthcoming Tralee MDLAP 2018-2024.

The remainder of this report is set out under the following headings:

- **Site Location and Context**
- **Planning Policy Context**
- **Rationale in support of Residential Zoning in Caherweesheen**
- **Conclusion**

2. Site Location & Context

OFC's overall lands measure 26.0 hectares and are situated within Caherweesheen townland in the Southern Environs of Tralee and adjacent to the N70 Tralee – Killorglin National secondary route. The lands, which are generally low-lying, are currently in agricultural use. A stream runs through the lands along the eastern portion of the site.

The Southern Environs of Tralee and in particular the Caherweesheen / Ballyard area is an attractive and much sought-after location for residential development, particularly for larger house types and sizes, and as a result the existing built up area of the town has already extended to our client's lands and beyond.

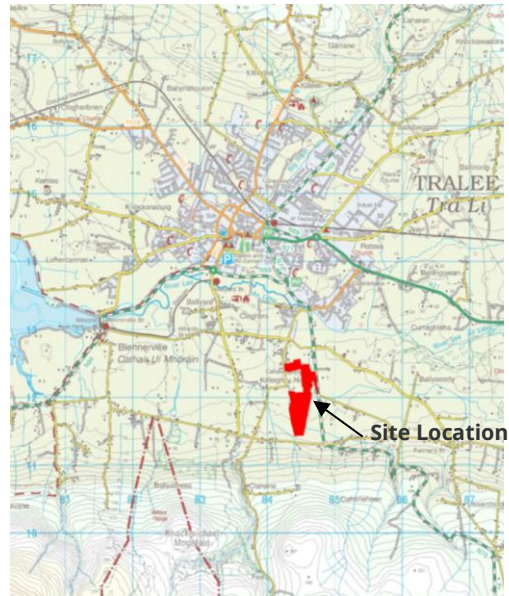


Figure 1: Site Location at Caherweesheen

Residential development completely envelops the northern portion of the site, while a fifty-two-bed nursing home is located to the southeast of the site. Further north there are a number of commercial and retail uses including a Lidl foodstore and garage, while to the east of the site, a holiday home complex has recently been completed at Camp cross.

The site is already served or has access to the required infrastructure and services required to develop the site and ideally positioned to facilitate the development and expansion of Tralee and in particular to provide the type of larger house types and serviced residential sites which have become popular in this part of the Tralee and Environs area.

3. Planning Policy

The case for additional residential development in Tralee is strongly supported at a strategic level. As part of this submission we have reviewed the relevant strategic planning policy context, including the National Planning Framework Ireland 2040, the Regional Spatial and Economic Strategy (RSES); Kerry County Development Plan 2015-2021; Tralee Town Council Development Plan 2009 – 2015; and previous Local Area Plans (including the 2007 Tralee Hub Local Area Plan and the Draft Tralee/Killarney Hub Functional Area Local Area Plan 2013-2019). The relevant provisions of each document are summarised below.

3.1 National Planning Framework

The National Planning Framework (NPF) Ireland 2040 published in February this year. This Framework sets out the vision for the future development and investment in Ireland for the next twenty years.

In terms of overall population and employment growth and new housing provision, the five cities of Dublin, Cork, Limerick, Galway and Waterford will be targeted to accommodate 50% of overall national growth between them, with Ireland's range of large and smaller towns, villages and rural areas accommodating the other 50%.

To address rural decline, a significant proportion of national population and economic growth will be targeted at building up the fabric of smaller towns, villages and rural areas with emphasis placed on redeveloping derelict and under-utilised lands inside small towns and villages. As part of this major priority will be placed on renewing and developing existing built up areas rather than continual expansion and sprawl of cities and towns out into the countryside, with a target of at least 40% of new housing to be delivered within the existing built up areas of cities/towns and 30% in towns and villages on infill and/or brownfield sites.

The population growth targets for settlements outside the regional cities will be set by the Regional Spatial and Economic Strategies. Given the strategic importance of Tralee as the major administrative/retail centre of the region and the potential of Kerry Technology Park to develop, a target of at least 30% of new housing should be delivered within the built-up area of Tralee.

3.2 Regional Spatial & Economic Strategy

The 3.2 Regional Spatial & Economic Strategy for the Southern Region (RSES) is a strategic document which provides the roadmap for effective regional development. The RSES introduces the concept of a Growth Framework to achieve this integration because regional growth cannot be achieved in linear steps. RSES identifies high-level requirements and policies for the Southern Region, setting out the high-level statutory framework to empower each local authority to develop CCDPs, Local Area Plans (LAPs) and LECPs that are coordinated with regional and national objectives.

3.3 Kerry County Development Plan 2015-2021

The Kerry County Development Plan 2015-2021 (CDP) sets out the overall planning objectives and development framework for the County up to 2021. The key objectives identified for Tralee are as follows:

- Ensure the sustainable development of the Linked Hub towns of Tralee-Killarney to fulfil roles identified in the National Spatial Strategy and South West Regional Planning Guidelines;

- Manage development outside the Linked Hub and larger Towns in a manner which is sustainable and that ensures the viability of rural communities but does not give rise to long-term problems such as climate change and water quality;
- Facilitate the provision of a suitable range of house tenure, type and size having regard to the demographic distribution and structure of the population throughout the County;
- Facilitate the sustainable future development of infrastructure into those settlements where there is demand.

As outlined above, two of the four key criteria identified for Tralee relate to i) the management of one-off housing and ii) providing a more suitable range of housing within the town. It is a mandatory requirement for an LAP to have regard to and be consistent with the County Development Plan and we believe that these criteria must form the cornerstone of the new LAP.

3.4 Tralee Town (Council) Development Plan 2009 – 2015

The Tralee Town Development Plan 2009 – 2015 (as varied) remains the statutory development plan for what was the former Tralee Town Council administrative area and still provides the vast majority development and zoning objectives for the Town (including all residential zonings).

In the Town CDP it is stated that there is approximately 183 hectares of zoned housing land within the town boundary of Tralee yet to be developed up to 2020. It was stated in the plan that 205 units are required per annum to meet demand for housing over the plan period 2009-2015 or an equivalent of 8.2 hectares per year (i.e. total 1,230 units and 49.2 hectares over lifetime of Development Plan). The density ranges assumed in the plan was based on 25-39 units/Ha for Medium Density Housing and 10-25 units/ha for Low Density Housing. The overall density of development of lands zoned for residential development is taken as 30 to 50 units/ha, with an average density of 40 units/ha.

The determination of land supply and housing need in the Town Council Plan is based on significantly higher residential densities (and significantly smaller house types) than that applied by Kerry County Council in the plan and Local Area Plans adopted across the County (including the current and previous 2007 Tralee Hub LAP). The approach taken in the Town Plan is based purely on a quantitative assessment and does not look at housing needs / demands from a qualitative perspective.

3.5 The 2013 and 2007 Local Area Plans

In the Tralee Killarney Hub Functional Areas Local Area Plan 2013-2019 (2013 LAP) our clients' lands were de-zoned in their entirety. The justification given for the de-zoning was based purely on a quantitative assessment that sufficient lands zoned for residential development within the Tralee Town

Development Plan. This approach was radically different to the previous (2007) Tralee Hub Local Area Plan (LAP), when all of our clients lands were included as part of the designated development area identified for Tralee and were zoned primarily for residential development, to provide “***high quality generous boulevard type developments*** laid out in accordance with the orthogonal grid – except where this pattern may meet with existing development patterns and would require to be amended”² with a number of associated and important LAP objectives including:

- A **road connection** to the Ballyard area (LAP objective);
- A hydrological assessment and provision of key surface water infrastructure (LAP Objective SW9);
- Provision of **amenities and recreation areas** (LAP Objective A5).



Figure 2: Extract from the 2007 LAP. OFC lands outlined in red.

The approach in the 2007 LAP, was therefore based on a qualitative zoning objective which was to deliver a high-quality lower density residential development. The 2013 LAP replaced this qualitative approach to zoning with a simple quantitative assessment of zoned residential land and resulted in all undeveloped lands within the Environs being de-zoned, including our clients' lands in Caherweesheen – in our opinion this has been to the detriment of the town of Tralee and has been one of the primary contributing factors to Tralee's under-performance in relation to housing development and population growth in recent years.

The entirety of our clients' lands remains un-zoned in the Draft Tralee MDLAP 2018-2024. It is essential that this imbalance is redressed in the forthcoming Tralee MDLAP and that the Council does not simply base its review of zoned residential land on a quantitative assessment of zoned land. Some of the existing zoned lands have been zoned over multiple successive plans without any prospect of development, while on the contrary our client, who is one of the largest house builders in the country, is unable to deliver housing on lands previously deemed suitable for residential development. O'Flynn Construction has a proven track record in delivering high quality housing and our client is ready and willing to development the subject lands. It is essential therefore that the forthcoming LAP takes a more holistic and qualitative approach in relation to the zoning of land.

² 2007 Tralee Hub Local Area Plan, para. 5.2, p.36.

3.6 Current Tralee MDLAP 2018-2024

Section 2.1.4 entitled *Overall Development Strategy* on p14 states that Tralee Municipal District will be an area where:

- *Emphasis will be on the growth of the main settlements of Tralee, Ardferit and Fenit, for the principal location for future investment in housing, employment, infrastructure, social and community facilities. In established settlements such as these where suitable lands exist, these lands have been identified for long-term residential use, R4)*
- *Lands will be identified for future development that will meet the planned requirements for each main town and offer a reasonable choice of location to those intending on carrying out development.*
- *KCC will promote the role of the town/village centre as the preferred location for future residential and retail development. In line with this, priority will be given to the regeneration and renewal of the Municipal District's towns, villages and rural nodes, in order to support vibrant and strengthened communities, and drivers of economic growth.*
- *The provision of housing and zoning of lands is dependent on capital expenditure and infrastructure or plans for same, hence the concentration of zoned lands in Tralee, Ardferit and Fenit."*

Section 2.2.2 states that the MDLAP focuses on:

- Ensuring that the area of zoned residential land use in towns and village settlements in the Municipal District facilitates the population targets as set out in the County Development Plan's Core Strategy and to allow for the long-term proper planning and sustainable development of these settlements, particularly where significant infrastructural investments have been/will be made.
- Ensuring that developments meet the diverse housing needs of the existing and future population in order to sustain vibrant, socially balanced communities – places people will want to live now and into the future.
- Encouraging re-development and renewal of town and village cores through various regeneration and renovation measures rather than continual expansion and sprawl of cities and towns out into the countryside. A target of at least 30% of new housing should be delivered within the existing built up town boundary of Tralee on infill and or brownfield sites. The achievement of the above will necessitate the building of a critical population mass in these settlements relative to their size.

The Draft MDLAP uses population projections for County Kerry as set out in the Core Strategy of the Kerry County Development Plan 2015-2021 which are based on DoECLG estimates and the South West Regional Planning Guidelines 2010-2022. The distribution of projected population growth throughout the County is set out in the Core Strategy and the Settlement hierarchy outlined in section 3.1 of the Kerry County Development Plan 2015-

2021. The Tralee- Killarney hub towns are envisaged to be the focused engines of growth in County Kerry. According to Census 2016, the Tralee Municipal District has the highest potential for growth, but is now second to Killarney Municipal District in terms of overall population.

Our client's lands lie outside of the areas zoned under the MDLAP as shown below in figure 3.

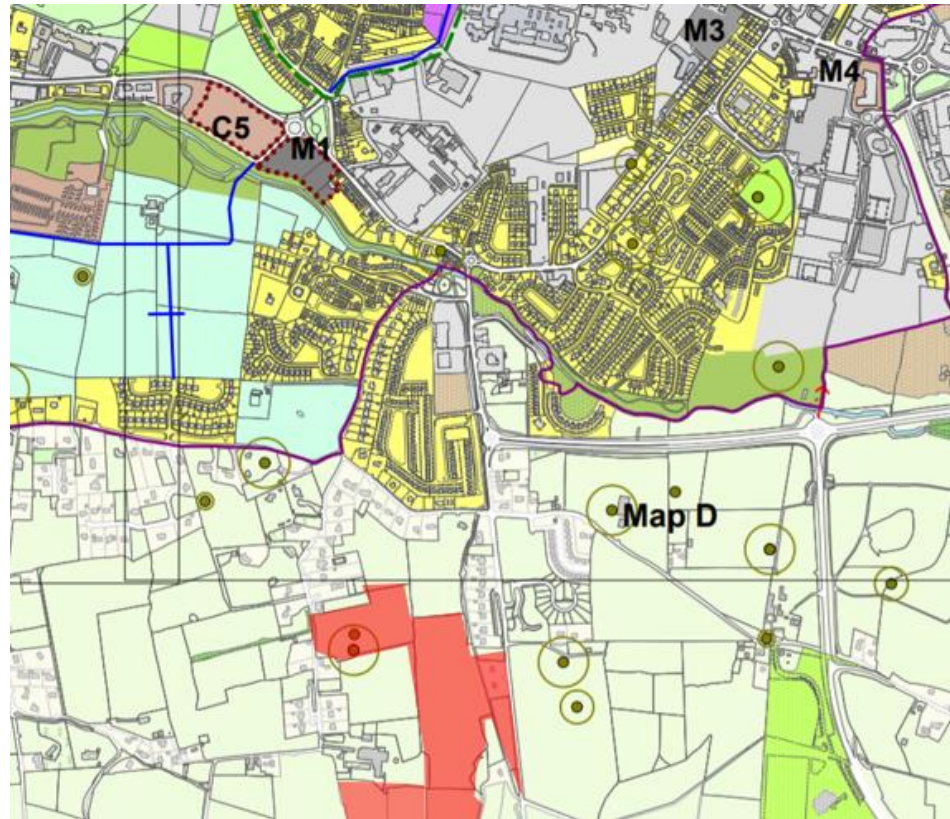


Figure 3: Extract of zoning map from current Tralee MDLAP 2018-2024 – subject lands highlighted in red to south of development boundary.

3.7 Draft Kerry County Development Plan 2022-2028

Section 3.11 of the Draft Plan entitled 'The Zoning of Land for Residential Development' states that:

"The zoning of lands in the current Municipal District / Electoral Area Local Area Plans (LAP's) is consistent with the existing and proposed core strategy.

These LAP's will be updated/replaced over the lifetime of this plan (in line with the core strategy) in a logical and informed manner which will provide for the long-term sustainable development of the settlements and of the County as a whole.

This Plan does not set out a quantum of lands to be zoned residential in order to meet the proposed population growth. The

zoning of residential land will occur as part of the relevant settlement Local Area Plan (LAP) taking into consideration the level of housing demand indicated in the core strategy (see also Section 3.10).

The zoning of residential land (outside of the settlements of Tralee, Killarney, and Listowel) will occur as part of the relevant settlement Local Area Plan (LAP) taking into consideration the level of housing demand indicated in Table 3.7. This quantum will be calculated taking cognisance of the Ministerial guidelines; Sustainable Residential Development in Urban Areas and Urban Development and Building Heights in relation to densities. In general housing densities will be higher closer to the town and village centre and lower towards the edge of settlement. In the majority of settlements infill and vacant sites are available within close proximity to the town/village centre. It is proposed to prioritise the development of residential units on these vacant and infill sites.”

Our client’s lands are zoned outside of the development boundary of Tralee under the Draft Plan zoning map, an extract of which is shown below in figure 4.

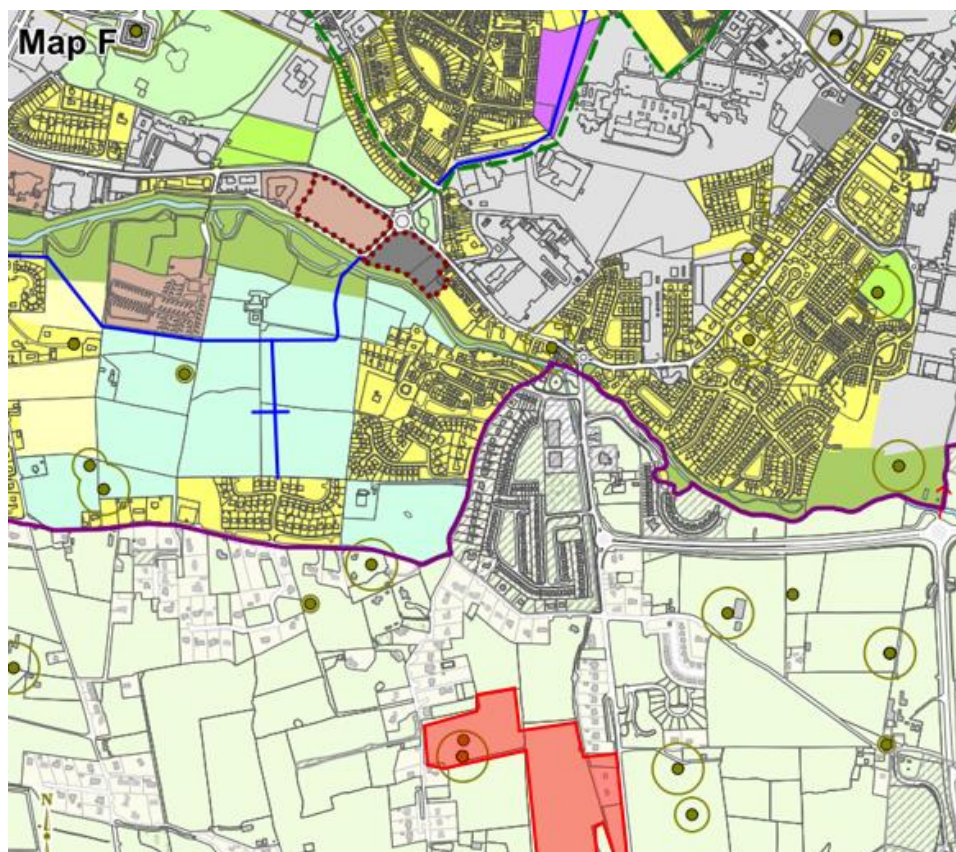


Figure 4: Extract of zoning map from Draft Kerry County Development Plan – subject lands highlighted in red to south of development boundary

4. Rationale

The main rationale to re-instate the residential zoning on our lands at Caherweesheen, Tralee is based on the following points:

- **Land supply:** To address the failure of existing zoned lands to deliver housing development in Tralee;
- **Housing mix/density:** To provide a more appropriate housing mix and range of residential densities for the town;
- **Suitability:** Previous LAP's identified the suitability of lands in Caherweesheen for high quality and lower density residential development – we believe that this premise still applies today;
- **Deliverability:** O'Flynn Construction is one of Ireland's largest housing providers nationally and has a proven track record in delivering high quality residential developments.

Each of the above points is outlined in greater detail below.

4.1 Land Supply Management

In undertaking this LAP review, addressing land management and in particular the failure of existing zoned lands to deliver housing development in Tralee is one of the key issues for the town. Under the current LAP and zoning regime for the Town, Tralee has completely underperformed in terms of housing delivery. Based on figures released by the CSO, between 2002 and 2016 Kerry County Council granted planning permission for 17,220 residential units. Over half of these units comprised 'one-off dwellings' in un-serviced rural areas³ has actually grown to 65% of the total units granted planning in the County. Of the total houses granted permission in the County, less than 2% of these units were granted on zoned lands within Tralee town. This is totally disproportionate to the housing projections for Tralee and totally undermines the Council's core strategy and the hub status of the town.

If the above trend is to be addressed and if the NPF/CPD growth projections for Tralee are to be realised, it is critical that the forthcoming Tralee Municipal District LAP provides a credible alternative to the significant demand for one-off housing by zoning residential lands to accommodate larger house types and serviced residential sites in locations such as Caherweesheen. Based on the current zoning provisions for the town, no such zonings exist, as the focus in the Town Development Plan is on achieving higher residential densities on existing zoned land.

³ The quantum of one-off housing granted permission in Kerry is significantly above the national average and is also significantly above the two neighbouring Counties of Limerick and Cork. For example and by comparison, in the two bordering Counties of Cork and Limerick, one-off houses accounted for just 33% and 32% respectively, of the total number of dwellings developed over the same period.

In the Town Development Plan and 2013 LAP, it is stated that the Core Strategy population allocation for the Hub town of Tralee can be contained "entirely within the Town Council boundary" and it is concluded that there is currently c. 180ha of undeveloped residential zoned land within Tralee Town Development Plan in 26 no. separate parcels of land (see Figure 5). In 2013, this was deemed to be adequate to cater for Tralee's projected population growth and housing needs over the lifetime of the current plan and was identified as the primary justification to de-zone all residential lands that were previously identified in the environs area in the 2007 LAP, including our clients' lands in Caherweesheen. We believe that this decision was not the correct approach and has been one of the primary contributors to Tralee's poor performance and lack of housing delivery in recent years.

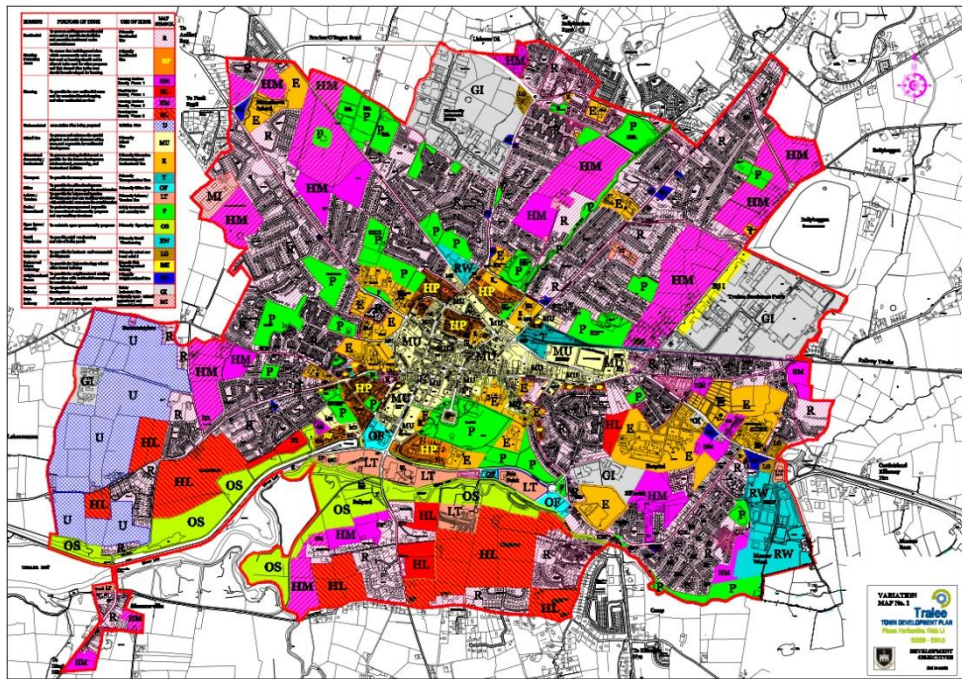


Figure 5: Zoning map taken from the 2009 Tralee Town Development Plan

The fact that the vast majority of the 26 no. residential zonings have not been subject to a planning application(s) is also evidence of the failure of existing zoned lands to deliver any meaningful residential development in the town. This was one of the key issues raised in the Government's *Rebuilding Ireland: Action Plan for Housing and Homelessness*:

"Land Supply Management: As this Plan has been developed, a consistent message that has come through from many local authorities, housing providers and funders is that one of the best ways to ensure availability of reasonably priced housing is ensuring that there is a good supply of "ready-to-go" development land that is available at a cost that reflects the realistic value of what can be developed on those lands, taking account of all the usual input costs. Despite a large reserve of zoned land

across all our planning authorities, not all of that land would appear to be readily available to the broad range of housing providers. It is often reported that landowners may not sell their lands to housing providers until prices match their expectations, regardless of what may be a realistic land price in terms.”⁴

It is evident from the lack of activity on many of the existing zonings, that there is an issue with the delivery of many of these sites for residential development. In the case of our clients' lands in Caherweesheen, permission was sought for 98 residential sites/units and a creche in 2013 under Kerry County Council Ref. 13/454 / An Bord Pleanála Ref. PL08 .242627, however at the time of the planning authority's decision, our clients residential zoning had expired and the decision was made under the Tralee/Killarney Hub Functional Area Plan, 2013 – 2019 (which came into effect on the 7th day of October, 2013). The fact that our client had sought permission is testament to their intention to develop their lands in Caherweesheen for housing development in the town.

Under the current MDLAP, the total area of lands zoned for residential use for Tralee is 89.5ha. The majority of lands are centrally located, within walking distance to the town centre. It is stated that the provision of the required housing units shall occur within the town boundary in accordance with the Core Strategy. However, it should be highlighted that the settlement boundary shown on the Tralee zoning map shown on the following page bares no relation to the actual existing built up area of the town and simply appears to replicate the old Tralee Town Council boundary. In fact, a large amount of zoned land (including residential) is located outside of this boundary. This would appear to be at odds with the stated objectives and principle of the NPF. The settlement boundary should be amended in accordance with the exiting built up area.

⁴ *Rebuilding Ireland: Action Plan for Housing and Homelessness*, 2016, p.60.

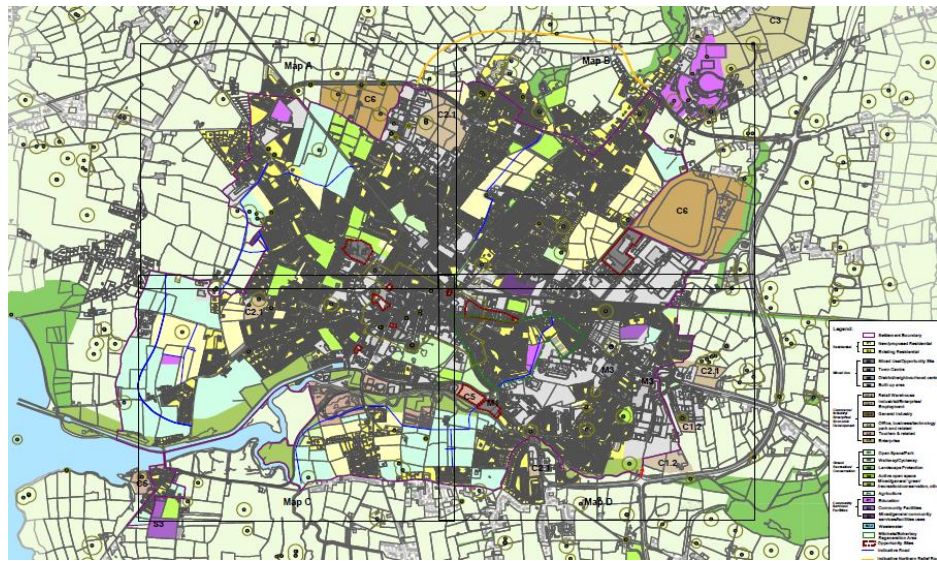


Figure 6: Zoning map taken from Tralee MDLAP

As outlined in section 4.3 later in this document our client's lands are wholly suitable for development and it is considered that the settlement boundary should be extended to include the northern portion of our client's lands.

Taking a narrow quantitative approach to the zoning of residential land is not an appropriate basis to the zoning of land in Tralee. Based solely on a quantitative assessment of zoned residential land supply, it may be concluded that there are sufficient lands zoned for residential development in the town, however when these zonings are subject to further scrutiny, particularly in relation to appropriateness of density, flood risk etc, the quantum of zoned land which can be developed is reduced significantly.

In the interest of orderly development, our client is happy for the reinstatement of the 2007 zoning to be incorporated into the forthcoming Tralee MDLAP 2018-2024 on a phased basis i.e. the lands to the north of the previously proposed link road to comprise 'Phase 1', with the remaining lands to the south forming a 'Phase 2' development as indicatively shown in figure 7 below.

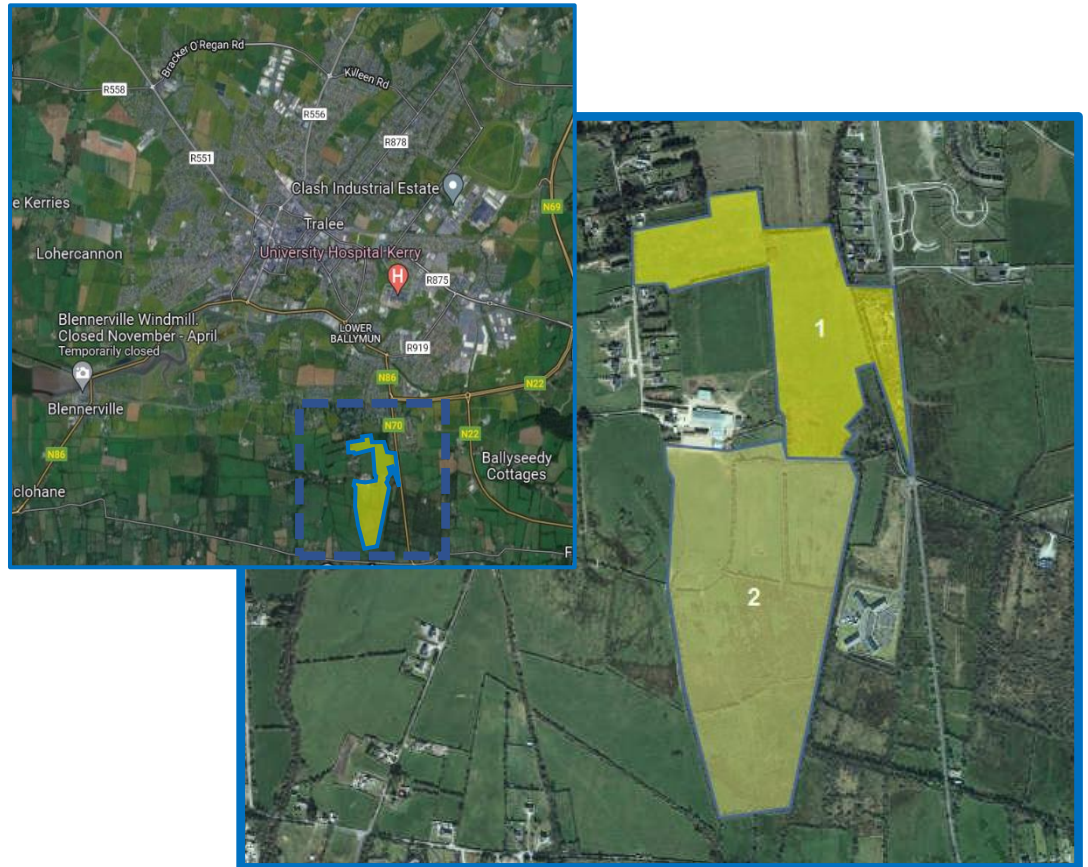


Figure 7: Proposed re-zoning on our client's land on a phased basis - site location/context shown on LHS.

4.2 Provide an Appropriate Mix of Residential Densities

As outlined in Section 4.1, Tralee's under-performance in terms of housing and population growth is in our opinion, directly attributable to the lack of choice and housing mix/densities in the town. The range and house types required to meet Tralee's housing needs, particularly in relation to larger house types, is clearly not being met in the current (2009) Tralee Town Development Plan and the aforementioned 'doughnut' pattern of development that has blighted the town, will continue unless a more holistic and qualitative approach is taken in relation to the zoning of land in the forthcoming CDP.

As outlined in Section 3.3 of this submission, two of the four key objectives in the 2015 Kerry County Development Plan (CDP) for Tralee relate to the restriction of one-off housing in un-serviced rural locations within the commuter belt of the town and providing a suitable range of house tenure, type and sizes, including the provision of larger house types on zoned land within the town (i.e. as a credible alternative to one-off housing in the countryside). The 2015 CDP, acknowledges that heretofore, KCC has not managed to provide larger residential units in Tralee that can realistically compete with the demand for one-off sites in un-serviced rural areas and it

is acknowledged that as a result, much of the demand for one-off rural housing actually stems from deficiencies in the supply of sites and larger house types within the Tralee urban area.

As the 2015 CDP clearly states that the Council will endeavour to accommodate larger house types on residential zoned lands within settlements such as Tralee, it is essential therefore that the forthcoming CDP, includes lands which will ensure that future growth is planned in a more sustainable manner where relationships between homes, workplaces, schools and other regularly used services and facilities are properly integrated and that the current imbalanced pattern of development and proliferation of one-off housing in un-serviced rural areas must be addressed:

*"Having regard to the population and housing targets outlined above a core settlement strategy for the South West Region has been set out in which priority is given to growth in the Gateway and Hubs. **This core strategy will reverse the past and current patterns of growth and development that have hitherto resulted in an imbalance of development between urban and rural areas.**"*

If the imbalance of development between urban and rural areas is to be addressed in the forthcoming CDP, then providing a more balanced mix and appropriate range of residential densities is one of the critical issues that needs to be addressed. Re-instating our clients' lands in Caherweesheen, for lower density housing as envisaged in the previous 2007 LAP, will help to provide a broader and more appropriate range of residential densities and help to achieve the Council's core strategy and objectives for Tralee.

4.3 Suitability of lands for residential development

The considerations and criteria which resulted in our clients' lands being zoned in the 2007 LAP remain relevant today. Sequentially, the built-up area of the town has already extended to and beyond our clients' lands in Caherweesheen. Immediately to the north there are a number of commercial and retail uses including a Lidl food-store and garage, while to the east of the site, a holiday home complex and residential serviced sites development have recently been completed. Residential development completely envelops the northern portion of the site, where it is proposed to provide the first phase of housing on our clients' land, while a fifty-two bed nursing home is located to the south of our clients' lands.

The main access to the site is from the N70 route to the east and the site is served by footpaths and public lighting which provide a safe pedestrian connection to the town centre as well as to the commercial area directly to the north of the site. A public water supply has recently been extended along the N70 as far as Camp Cross and there is an existing waste water pumping station situated adjacent to the nearby Dennehy's Shell Garage on the Tralee/Castlemaine N70 road. A relatively minor extension of this foul sewer will be required to be laid from this pumping station to serve the proposed

development via Camp Cross along the N70. Surface water generated by developments on these lands themselves could be dealt with in a sustainable manner by a combination of use of existing water courses which could be improved and maintained, and on-site attenuation if necessary.

In the 2007 LAP, our clients' lands in Caherweesheen were specifically zoned to provide larger house types and serviced residential sites and were deemed most suitable for this type of residential development. Given the increase in the proportion of one-off housing within the Environs of Tralee, we believe that our clients lands now more than ever, have an important role to play in relation to the type and range of housing in Tralee, and that this objective which was included in the 2007 LAP, is more relevant today than it was when the 2007 LAP was adopted.

During the preparation of the 2007 Tralee Environs Local Area Plan, we engaged in detailed consultation, including a number of meetings with Kerry County Council's planning officials and The National Building Agency who were at that time appointed to prepare the LAP. During this consultation and meetings, it was accepted by the Council that OFC's vision for Caherweesheen would provide a greater housing mix and a greater mix of residential densities, particularly in relation to larger house type and sizes, and would in turn meet the demands for housing development in the area and would help deal with the pressure for dispersed one-off housing in the un-serviced rural hinterland of the town.

The approach adopted by OFC was consistent with the long held objective of Kerry County Council to provide larger serviced residential sites and house types in the Ballyard-Cloghers area of the town and in the 2007 LAP the Council sought to continue this objective by identifying the Caherweesheen area for high quality residential development, which would in turn to reduce the pressure for "one off" housing. In the 2007 LAP the Caherweesheen area is described as being:

"typically level and flat. This lends itself for high quality generous boulevard type developments laid out in accordance with the orthogonal grid – except where this pattern may meet with existing development patterns and would require to be amended."

In response to the 2007 LAP provisions, a planning application was submitted for 98 residential sites/units and a creche in 2013 (Ref. 13/454 / An Bord Pleanála Ref. PL08 .242627) to realise the Council's objective to provide larger serviced residential sites and house types in the area, however and as already pointed out at the time of the decision, the 2007 LAP had expired. Despite this fact, the site did benefit from a number of detailed assessments including a comprehensive Flood Risk Assessment (FRA) which demonstrated the following:

- Very few of the existing residential zonings within the Town Council Area or Environs of the Town have either been subject to a strategic or site-specific FRA to determine their suitability for development taking flood risk in to account;

- None of the existing zonings in Tralee are as extensive as our clients' lands in Caherweesheen and therefore the potential to mitigate flood risk is not as significant as it is on the OFC lands;
- Many of the sites within the former Town Council area are constrained by existing urban development and therefore have significantly less, and in some cases no potential for mitigating works e.g. re-profiling existing topography, proving attenuation areas etc.;
- The OFC lands at Caherweesheen have the added advantage of having extensive frontage / access to a tributary of the River Lee and therefore have the potential to deliver improvement works (e.g. reinforcing/providing new embankments, improvements to the existing river channel etc) which would have a positive impact in relation to flood management at a macro level.

Despite the expiration of the 2007 zoning, the detailed assessment of the Caherweesheen site undertaken as part of the 13/454 planning application demonstrated the suitability and residential potential of our clients' lands and supports the case to re-instate the 2007 zoning in the forthcoming CDP.

5. Conclusion

It is contended that the new Kerry County Development Plan 2022 should be the first consolidated Plan for the entire functional area of Kerry County Council in that the functional areas of the former Town Council Towns and the settlements contained within the current Municipal District Local Area Plans should also be incorporated into the new County Development Plan. In this regard, the new County Development Plan should replace not just the current County Development Plan (as varied) but also the Town Development Plans and the Municipal District Local Area Plans made in 2018.

We firmly believe that our clients' lands in Caherweesheen have the potential to play a significant and positive role in the development of Tralee over the coming years, particularly in relation to providing a range a house types and sizes, including in particular serviced residential sites and larger house types, and therefore we would urge the Council to re-instate the previous residential zoning in forthcoming Kerry County Development Plan 2022, for the following reasons:

- To address the failure of existing zoned lands to deliver housing development in Tralee;
- To provide a more appropriate housing mix and range of residential densities and serviced residential sites for the town;
- Previous LAP's identified the suitability of lands in Caherweesheen for high quality and lower density residential development – this still applies today;
- O'Flynn Construction is one of Irelands largest housing providers and has a proven track record in delivering high quality housing.

In the interest of orderly development, our client is happy for the reinstatement of the 2007 zoning to be incorporated in to the forthcoming CDP on a phased basis i.e. the lands to the north of the previously proposed link road to comprise Phase 1 and the lands to the south to comprise Phase 2.