

Planning Policy Unit,

Kerry County Council,

Rathass, Tralee,

Co. Kerry

V92H7BT

18th February 2022

Ref: Draft Kerry County Development Plan Re-zoning of land for Residential Developments

Ref: Michael Quilter at “The Green” Ballinageragh, Lixnaw, Co. Kerry.

Dear Mr. Ginty,

Further to my previous submission by Tom Phillips & Associates (Town Planning Consultants) dated 12th December 2019 which resulted in the settlement boundary not being extended, as noted in minutes of the meeting of the members of Municipal District of Listowel held in the Council Chambers, ÁRAS AN CHONTAE, Tralee on Monday, 21 September 2020, I propose that this should be reviewed again and that the subject lands be prioritized for re-zoning in your present/future Development plan.

The subject lands comprise an important, well located, and serviced site appropriated for residential development. Within the above minutes it states that **“the zoning of these lands seeks to address a legacy issue arising relation to this unfinished development. Some of the roads and services have already been completed.** This is the legacy I am trying to address but by de-zoning the area in question can only be resolved by putting back the de-zoned area which was previously granted on planning 04/1937.

Since Tom Phillips & Associates report The Integrated Constructed Wetland system has been completed for the village and has the capacity to treat the wastewater from a population equivalent of 1,200 people. This system is catering for existing population, as well as the projected future growth of the community, while delivering significant environmental benefit. This is at present operational with the official opening to take place this year. Under the Listowel Municipal District LAP 2020-2026 it also states that **“Lixnaw has been one of the fastest growing settlements in the County”.**

Following a review of the relevant planning policy, the existing *Kerry County Development Plan 2015-2021* states:

“When calculating the amount of proposed zoned residential lands in the Local Area Plans the number of existing vacant dwellings in unfinished estates in each settlement will be taken into consideration as it is the policy of Kerry County Council to seek the completion of these estates.”

Policy HS-7 aims to:

*“Address the issue of unfinished housing estates in the County by implementing the guidance manual *Managing and Resolving Unfinished Housing Developments (DoECLG 2011)*”.*

There is also a target within the Core Strategy & Settlement Strategy to “Reduce number of unfinished housing estates.”

The adopted *Listowel Municipal District Local Area Plan 2019-2025* contains specific objectives for the **village of Lixnaw**. Policy LW-GO-06 seems to be specifically in support of the development of the site.

Policy LW-GO-06 aims to:

“Seek the completion/redevelopment of the existing incomplete residential development.”

Policy LW-GO-02 aims to:

“Retain a compact and sustainable village structure. New development shall contribute towards a compact settlement structure by making effective use of backland and infill sites.”

The adjoining lands to the north of the subject site comprise of residential uses, and this is reflected in the *Listowel Municipal District Local Area Plan 2019-2025*, where the lands are zoned as “Existing Residential”. There is a portion of the subject site (according to the red line boundary included in the submission) to the east which lies outside of the settlement boundary of Lixnaw.

I would like to highlight an anomaly and suggest that a **generic policy** be inserted into the development plan that supports the completion of **ghost estates**, particularly where services are already in-situ due to the partial de-zoning and clipping of the settlement boundary, (see blue line on attached map). Provisions already exist for the fourteen units that have been clipped and services which are owned and operated by ESB are now within this de-zoned area. (See attached as built drawing of ESB live equipment).

The outcome I would like to see from my submission is that consideration will be made to develop outside of the settlement boundary where planning had already been granted previously (KCC Reg. Ref. 04/1937) but was de-zoned leaving two fully built and serviced homes with no access or egress. Also, the carbon cost which already been spent on foundations, partially built roads and utility work within the de-zoned area to be completed. This will provide for sustainable residential development, which would support the enhancement and augmentation of facilities and services available in the wider area and accommodate the increasing population of Lixnaw.

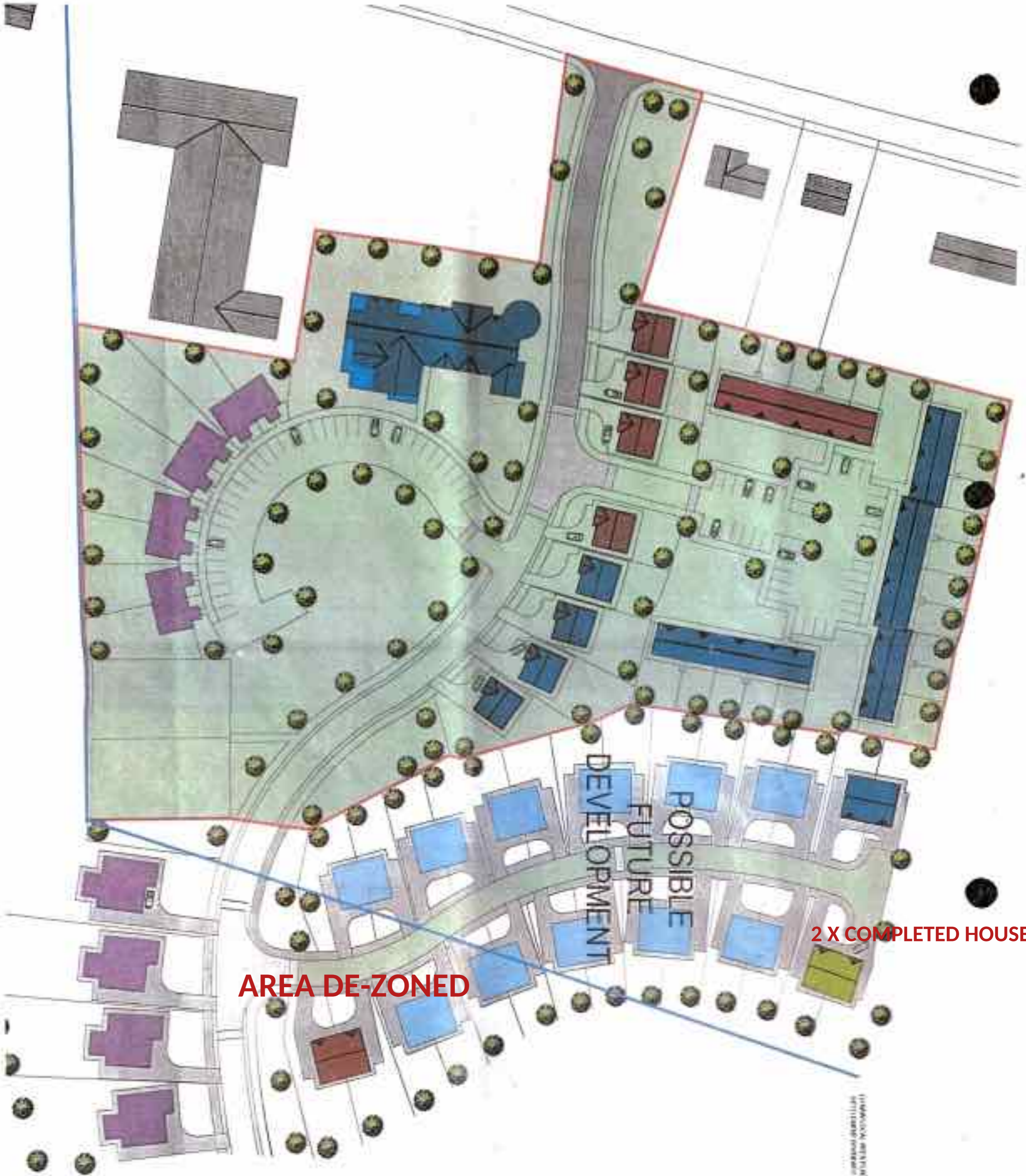
I would gratefully request that you the Senior Planner consider my submission for reasons outlined above and attached.

Yours Sincerely

Elizabeth Conway **BSc (Hons) QS**

Michael Quilter **Site Owner**

Attachments: Site Layout Plan, ESB Layout, Tom Phillips Report.



AREA DE-ZONED

**POSSIBLE
FUTURE
DEVELOPMENT**

2 X COMPLETED HOUSES

- 2-4 BEDROOMS
- 2-4 BEDROOMS (COMPLETED)
- 2-4 BEDROOMS (COMPLETED)
- 2-4 BEDROOMS (COMPLETED)
- 2-4 BEDROOMS (COMPLETED)
- 2-4 BEDROOMS (COMPLETED)

UNIVERSITY OF CALIFORNIA
PLANNING CENTER

Senior Planner,
Planning Policy Unit,
Planning Department,
Kerry County Council,
County Buildings,
Rathass,
Tralee
Co. Kerry

12th December, 2019
[By Email]

**RE: SUBMISSION TO THE DRAFT LISTOWEL MUNICIPAL DISTRICT LOCAL AREA PLAN
2019-2025**

Dear Sir/Madam,

1.0 INTRODUCTION

Mr Michael Quilter has retained Tom Phillips + Associates (Town Planning Consultants), to make this submission to the *Draft Listowel Municipal District Local Area Plan 2019* in relation to lands in his ownership at St. Michael's Green, Ballinageragh, Lixnaw, Co. Kerry. The *Draft Plan* is currently on public display until 13th December 2019.

The purpose of this submission is twofold;

- (i) The logical and rational extension of the *Lixnaw Village Settlement Boundary* and
- (ii) the rezoning of the subject site to "*Residential R1, R2,*" to provide for the completion of a previously permitted, partially constructed housing estate and enable future residential development.

We submit that the proposed zoning designation of the subject site in the current *Draft Plan*, if adopted, would keep the site in a partially-constructed state in perpetuity, which is counter to the provisions of both the current and *Draft Plan*, as well as the *Kerry County Development Plan 2015 – 2021*.

TOWN PLANNING CONSULTANTS

Directors: Tom Phillips BA MRUP MA (Urb Des) MRTPI FIPI (Managing); Gavin Lawlor BSoc Sc MRUP MIPI; and John Gannon BSc (Surv) MRUP MIPI.

Associates: Stephen Barrett BSc (Spatial Planning) Dip. ERM MIPI; Ian Boyle BSc Spatial Planning, MSc Urban Regeneration, MIPI; Julie Costello BA MRUP MIPI; Sine Kelly BAgrSc (Land Hort) MRUP Adv.Dip.PM MIPI Affiliate Member of ILI; and Aoife McCarthy BA (Hons) MRUP (Hons) MIPI.

Registered: Tom Phillips and Associates Limited. Registered in Ireland No. 353333. Registered Office: 80 Harcourt Street, Dublin 2, D02 F449, Ireland.

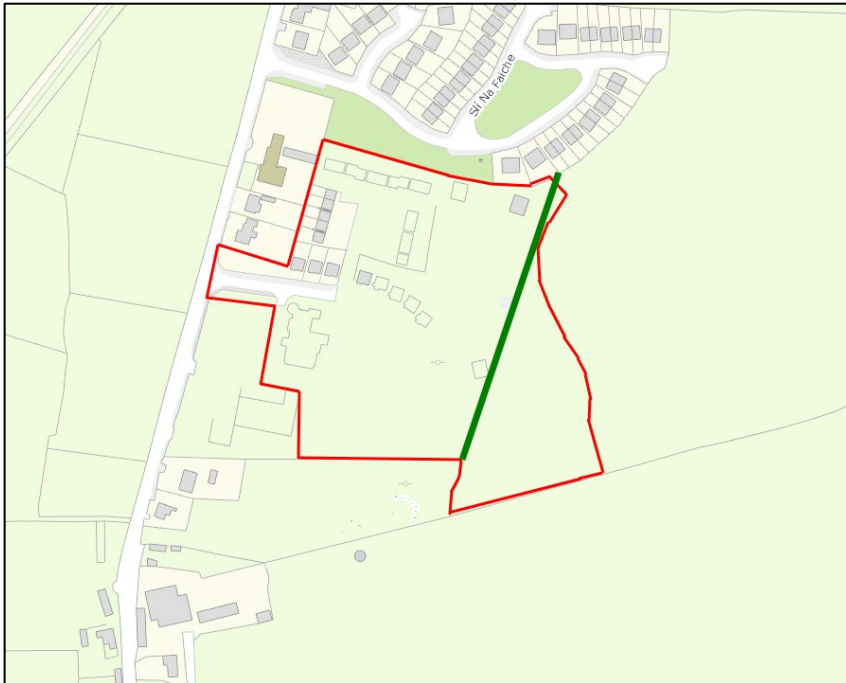


Figure 1.0 - Site context OSI map. Indicative Site Boundary in Red. The Green Line denotes where the Lixnaw Settlement Boundary transects the red line boundary of the previously permitted and partially constructed mixed-use scheme [Source: MyPlan.ie, Annotated by Tom Phillips + Associates, 2019.]

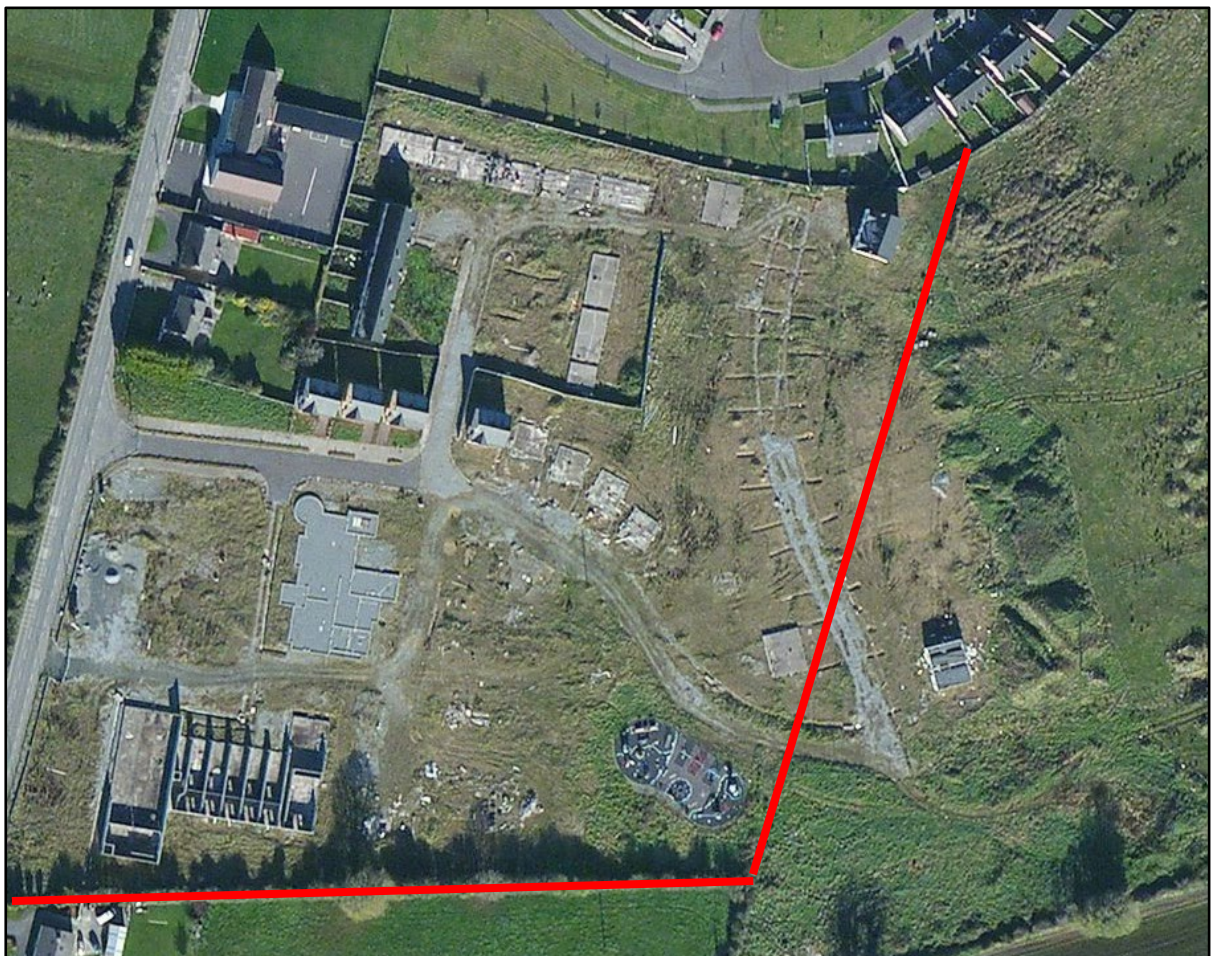


Figure 1.1 - Aerial view of the subject site, with existing/proposed settlement development boundary denoted with a red line (Source: Bing Maps, annotated by Tom Phillips + Associates, 2019.)

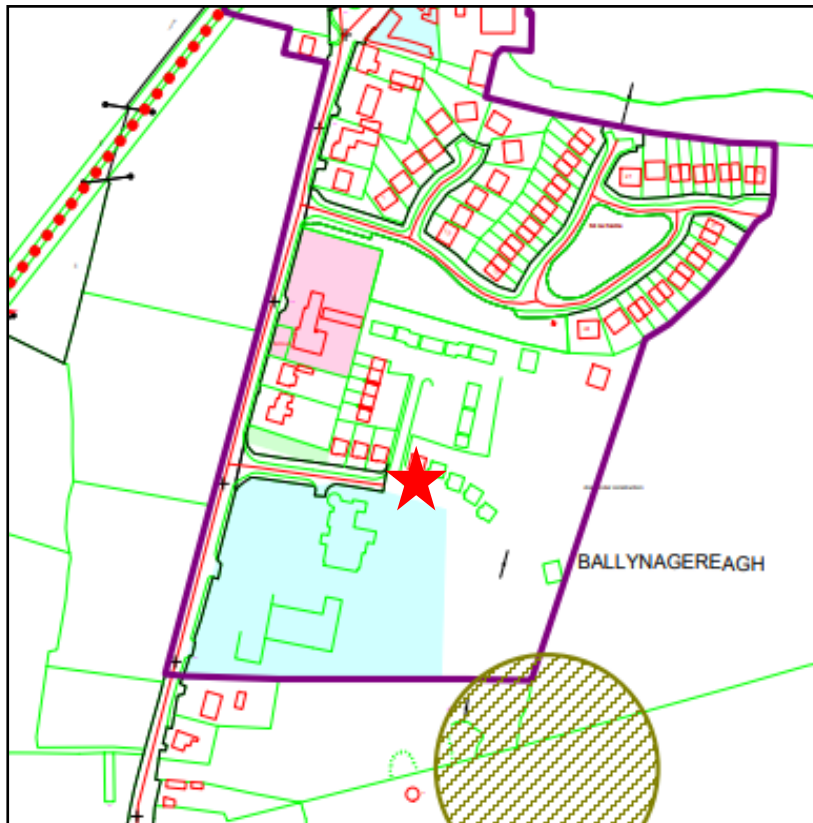


Figure 1.2 – Extract of *Tralee/Killarney HUB Functional Area Local Area Plan 2013 – 2019 Zoning Map for Lixnaw*, with the general location of the site indicated with a red star. The legend for the map has also been included [Cropped and annotated by Tom Phillips + Associates, 2019.]

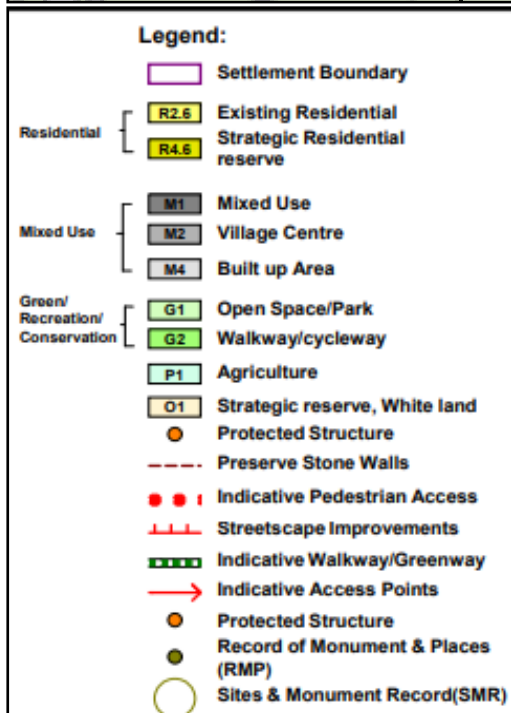


Figure 1.3 – Extract of *Draft Listowel Municipal District Local Area Plan 2019-2025*, Lixnaw Zoning Map and Legend [Cropped and Annotated by Tom Phillips + Associates, 2019.]

2.0 SITE LOCATION AND DESCRIPTION

The subject site comprises a partially completed housing development, known as “*St. Michael’s Green*”, at Ballinageragh, Lixnaw, Co. Kerry. Lixnaw is located, on the Regional Route R557 approximately 16 km north of Tralee, 10 km south-west of Listowel and to the west of the N69 national secondary road linking these settlements.

The subject site is approximately 1.5 km south of the village centre of Lixnaw and is accessed via a c. 180 m access road to the west of the site, which connects to the R557. The subject site contains several existing concrete slabs and housing unit foundations, as well as partially constructed site access roads and a playground facility. three detached houses are substantially completed to the west of the subject site, as well as an additional 6 No. completed housing units, which are not currently occupied. These 9 No. units are to be refurbished for occupation shortly.

The surrounding area is generally characterised by farmland and associated agricultural buildings, with a small housing development, Slí Na Faiche, to the immediate north of the subject site. As well as servicing its rural hinterland, Lixnaw functions largely as a dormitory/commuter settlement for Tralee and Listowel and the No. 272 Bus Route connects the three settlements. Lixnaw has typical services that would be normally associated with a settlement of its size, including national schools, a church, post office, neighbourhood retail and childcare facilities.



Figure 2.0 - Aerial view of the subject site and surrounding context with indicative site location denoted with a red star. [Source: Bing Maps, annotated by Tom Phillips + Associates, 2019.]

3.0 PLANNING HISTORY

A number of previous planning applications for mixed-use development have been considered favourably by the Local Authority for the subject site, as well as in recent Pre-Application Consultation (PAC) discussions. This is demonstrated by the Parent Permission pertaining to the subject site dating from 2004 (KCC Reg. Ref. 04/1937), as amended by subsequent applications in 2005 (KCC Reg. Ref. 05/1745) and 2008 (KCC Reg. Ref. 08/1872).

The parent permission constituted the following development;

“Permission for a mixed development of 68 no. residential units and service centre to include petrol filling station with convenience store, retail units and licensed Bar with Restaurant with Apartment and Lettable Accommodation within the Roofspace. The development comprises of 28 no. two-storey semi-detached dwellings, 28 no. two storey townhouses, 12 no. detached two storey houses, petrol filling station with underground petrol storage tanks and associated services, a single storey convenience store with integral storage and 1 no. single storey licensed bar with restaurant with associated sanitary facilities, kitchens, storage, staff facilities and 1 no. apartment and 9 no. lettable bedrooms with en-suite bathrooms together with ancillary roads, drainage infrastructure, parking areas, fencing, walls, general siteworks, temporary signage and landscaping.”

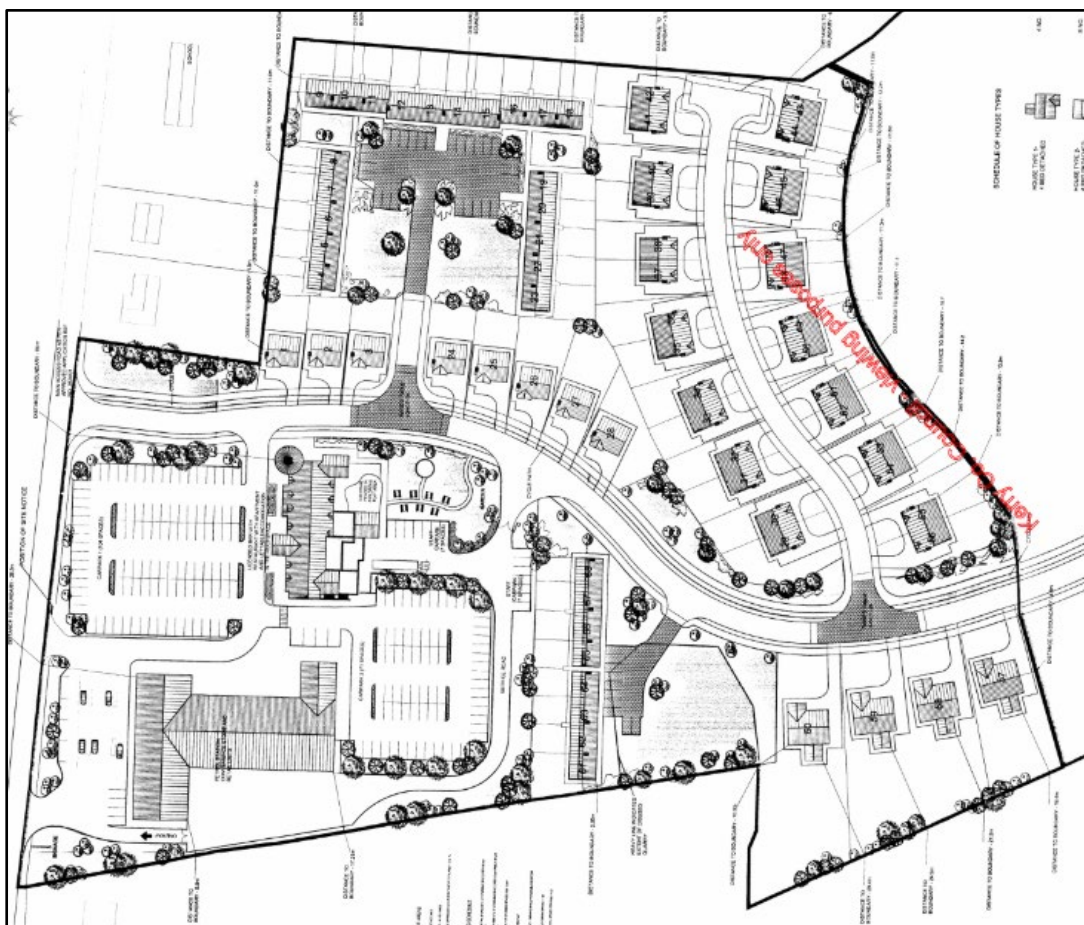


Figure 3.0 - Extract of *Site Layout Plan* drawing, prepared by Milligan Reside Larkin Ltd, project architects, 2004 (KCC Reg. Ref. 04/1937), [Cropped and annotated by Tom Phillips + Associates, 2019]

The subsequent amendments allowed for the expansion and reorganisation of the commercial elements of the proposed scheme in an eastward direction. This provided additional retail units and the repositioning the permitted crèche and playground.

4.0 POLICY CONTEXT

National Planning Framework (Ireland 2040 – Our Plan)

The National Planning Framework (NPF), published in February 2018, sets out a strategic development framework for Ireland over the period to 2040. *The National Planning Framework* is the Government’s plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

The Framework focuses on:

- Growing regions, their cities, towns and villages and rural fabric.
- Building more accessible urban centres of scale.
- Better outcomes for communities and the environment, through more effective and coordinated planning, investment and delivery.

As a strategic development framework, the Plan sets the long-term context for Ireland’s physical development and associated progress in economic, social and environmental terms and in an island, European and global context. Ireland 2040 will be followed and underpinned by supporting policies and actions at sectoral, regional and local levels.

Ireland 2040 targets a significant proportion of future development on infill/brownfield development sites within the built envelope of existing settlements. Under the heading of ‘*Compact Growth*’, the NPF is:

‘Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including ‘infill’ and ‘brownfield’ and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport’.

Our proposed rezoning of the subject site to “*Residential R1, R2*” inherently accords with the policies outlined in the NPF, as the proposed scheme relates to an existing, partially developed housing estate in close proximity to the centre of Lixnaw Village.

Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)

Rebuilding Ireland was launched in 2016 with the aim of addressing ongoing supply issues for residential accommodation in Ireland. The overarching aim of the Action Plan is to increase the delivery of housing from its current undersupply across all tenures and to help individuals and families meet their housing needs.



The Action Plan provides a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The importance of land supply and location is a central consideration of the Action Plan which states that:

“Locating housing in the right place provides the opportunity for wider family and social networks to thrive, maximises access to employment opportunities and to services such as education, public transport, health and amenities, while also delivering on sustainability objectives related to efficiency in service delivery and investment provision.”

The subject site is located on serviced lands, within walking distance of a range of amenities and services in Lixnaw Village and will deliver residential units in the coming years. The development is proximate to existing residential areas and employment opportunities, which is in line with the provisions of the Action Plan. The completion of this residential development would constitute a viable alternative to rural housing provision.

Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) – Guidelines for Planning Authorities (2009)

The Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, 2009 and its associated document *Urban Design Manual – A Best Practice Guide, 2009* illustrate essential criteria for sustainable residential development and describes how a scheme can integrate seamlessly into a site, having regard to its surroundings and thus presenting the best possible residential design scheme.

Smaller towns and villages are a very important part of Ireland’s identity and the distinctiveness and economy of its regions. Smaller towns and villages are defined in the *Guidelines* as those with a population ranging from 400 to 5,000 persons.

The subject site inherently accords with these *Guidelines*, as subject site has the benefit of a previously permitted scheme which is plan led and contributes to the compact growth of Lixnaw. The scale of subject site and the number of potential residential units to be delivered is in proportion with the pattern and grain of the existing settlement.

Draft Regional Spatial and Economic Strategy (RSES) for The Southern Region (2018)

Arising under the *Local Government Reform Act 2014*, the Southern Regional Assembly is responsible for preparing a *Regional Spatial and Economic Strategy (RSES)* for the Southern Region. Each of the three Regional Assemblies have prepared their own RSES which will provide a long-term regional level strategic planning and economic framework in support of the implementation of the *National Planning Framework*.

The Southern Regional Assembly has prepared a *Draft RSES* for the Southern Region covering 2019-2031. The *Draft RSES* provides a long-term regional level strategic planning and economic framework, to support the implementation of the *National Planning Framework*, for the future physical, economic and social developments for the Southern Region.

The Southern Regional Assembly published the *Draft Regional Spatial and Economic Strategy for The Southern Region* in December 2018. This followed formal *Pre-Draft RSES* consultation and engagement with the public, stakeholders, government departments and local authorities that informed the formulation of the *Draft RSES*. The *Draft RSES* itself was the subject of public consultation from December 2018 until March 2019 and during this time, the Regional Assembly engaged in extensive consultation, including online, local media, public meetings and events. The submissions received were considered by the Assembly at its May 2019 meeting and it was agreed to adopt the *RSES* subject to amendments. It was deemed that a number of amendments were material and as such, would require further public display in accordance with the requirements of Section 24(8) of the *Planning and Development Acts 2000-2018* and it was determined that SEA and AA were required in relation to these amendments. Consultation on this process recently closed in mid-October 2019.

The Strategy highlights the role of employment in the Region. Towns with a critical population mass (for example Ennis, Tralee) are important generators of economic activity, have a large sphere of influence and have been thus been identified as *Key Towns* in the Strategy. Lixnaw is within this '*sphere of influence*' as it is within close commuting distance of Tralee. The proposed rezoning and appropriate settlement boundary extension would assist in the wider aim for reinforcement of nearby Tralee as a *Key Town* and economic driver in the west of the Assembly area. In addition, Listowel is also within close commuting distance of Lixnaw, which is also noted as an important town for economic enhancement in the west.

Kerry County Development Plan 2015 – 2021

The Development Plan is an important framework document assisting in the economic recovery and sustainable growth of the County, enhancing the attractiveness of the County as a place in which to live, work, invest and enjoy; and supporting national policy and legislation in an integrated manner. The *Plan* has seven main goals for the future development of the County and the policies and objectives in the Plan. Goal No. 4 states that it is an objective of Kerry County Council to;

“To promote the creation of attractive vibrant settlements that provide a high quality of life for our citizens.”

The Housing Strategy within the *Plan* has been partly informed by the *Unfinished Housing Estates Survey 2011*. A survey of unfinished housing developments in Ireland was conducted over the summer of 2011, updating previous survey material from 2010. In order to get a more accurate picture of what the situation in County Kerry was, the survey was further analysed by organising each estate into one of the housing market areas. The survey recorded the fundamental characteristics of the estate, as it appeared at the time of the survey, i.e. how many units are complete, vacant, at some level of construction and also the number of units that have not commenced.

The units of most relevance to this strategy are those which are fully constructed but vacant as these units can reasonably be expected to contribute to the overall housing supply in a settlement. The subject site appears on this list (Listed as “*St. Michaels Green, Lixnaw,*” Department Ref. 1,309.00)

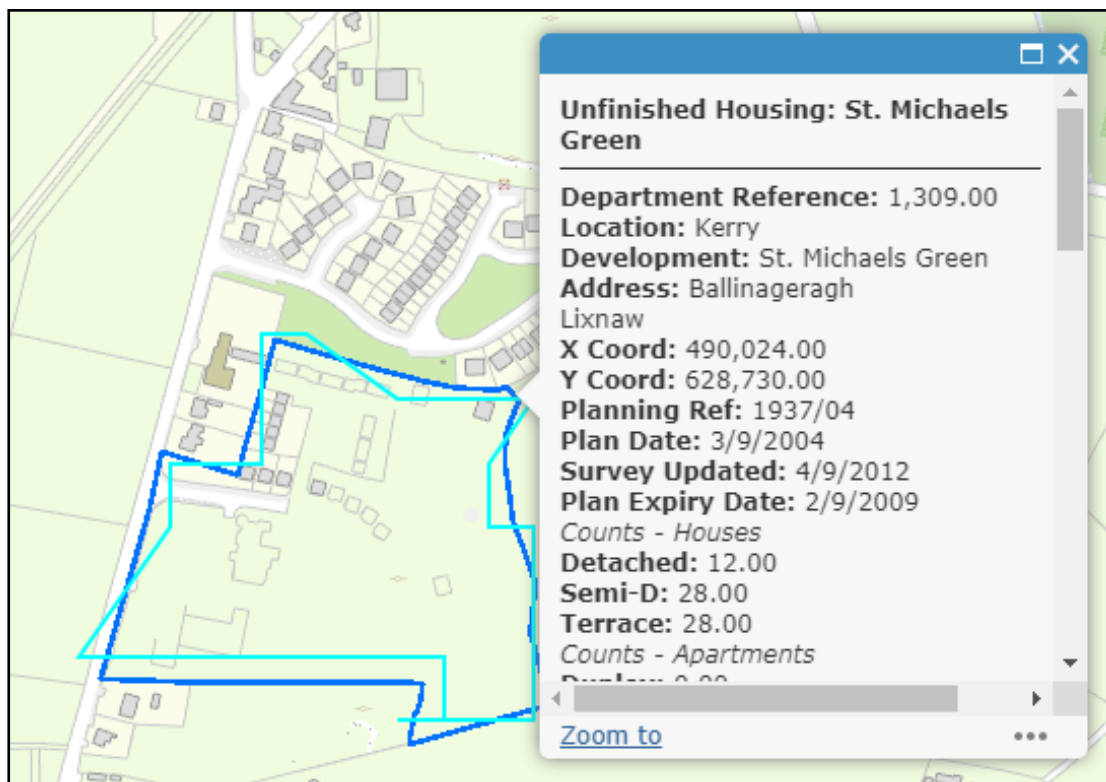


Figure 4.0 – Extract of *Unfinished Housing Estates Survey 2011*, Source: www.myplan.ie [Cropped and annotated by Tom Phillips + Associates, 2019]

Chapter No. 13 of the *Development Plan* sets out the development management standards and guidelines for the County. The proposed rezoning of this subject site to Residential and the appropriate extension of the settlement boundary would inherently comply with these guidelines and standards (for example car parking, services, drainage, environmental standards, children’s playground, apartment design, landscaping standards and guidelines.)

Current Local Area Plan - Tralee/Killarney HUB Functional Area Local Area Plan 2013 – 2019

The *Kerry County Development Plan 2009-2015* contained the strategy for the preparation of Local Area Plans, which divides the County into functional areas based on their strategic role and service provision for their hinterlands. The *Tralee/Killarney Hub* was designated under the former *National Spatial Strategy (2002)*. The Local Area Plan is consistent with the Core Strategy and objectives of the now expired *Kerry County Development Plan 2009 - 2015*.

The *Local Area Plan* for Lixnaw outlines the recent growth of the village and recent residential development;

“The village experienced significant residential growth during recent years. While there is already level of service provision within the village, other services and facilities will be required if the character of the village is to be maintained. It is an objective of the plan to encourage the development of a compact and sustainable village structure by ensuring that new development is contiguous with existing development and makes effective use of backland and infill sites.” [Our Emphasis]



In addition, the Plan explicitly references the subject site, and its unfinished status;

“The National survey of ongoing housing developments conducted by the DoECLG concluded that there are two unfinished/derelict estates in the town. These estates contain a number of dwellings that are complete/vacant, or at various levels of completion. It is the policy of Kerry County Council to seek a resolution plan for the estates which may result in the demolition of some of the existing partially constructed buildings.” [Our Emphasis]

The Development Strategy for Lixnaw states that

“The overall vision for Lixnaw is to ensure that it develops sustainably as an attractive location for residents and that future development preserves the village’s character and reinforces it where necessary. The overall development strategy is to revitalise the village as an attractive settlement which will support a range of services and amenities and make the village an attractive location in which to settle, and to enhance its urban form, while preserving its character and heritage.” [Our Emphasis]

The completion of this partially constructed housing estate will directly assist in the realisation of this Development Strategy, which explicitly states the following as an objective

“Seek the completion of all existing residential and mixed-use developments in a sustainable manner.”

As previously outlined, the majority of the subject site is not explicitly zoned under this iteration of the Plan, however a portion of the site is zoned as “Mixed-Use” (denoted in light blue in Figure 1.2.) Section 1.5.2 of the Plan defines this zoning use as;

“Mixed use zoning is intended to cater for a mix of uses outside of the town centre including local shops, petrol stations, offices, visitor accommodation and other commercial uses that are acceptable outside the town centre. Development on such sites shall not detract from the vitality and viability of the town centre. Small scale retail uses are acceptable on these sites in the form of local neighbourhood shops with a gross floor area of not more than 100 sq m. Any residential development on these sites shall be secondary to the primary commercial/retail use.” [Our Emphasis]

Proposed Local Area Plan - Draft Listowel Municipal District Local Area Plan 2019-2025

The Draft Local Area Plan has been prepared for the Listowel Municipal District in accordance with the requirements and provisions of the Planning and Development Act 2000, as amended. The purpose of the Draft Plan is to set out a comprehensive local planning framework with clear policies and objectives including land use zoning in the interests of the common good for the towns and villages of the Municipal District, with the exception of Listowel town.

The Draft Plan has been prepared while being cognisant of Project Ireland 2040, National Planning Framework, Regional Planning Guidelines for the South West 2010-2022, the Draft Regional Spatial and Economic Strategy for the Southern Region, the Kerry County Development Plan 2015-2021 and Listowel Town Development Plan 2009-2015 (as extended), which are outlined in greater detail above.



The Municipal District Local Area Plan will complete the planning framework for the area and complement the implementation of the policies and objectives contained in these higher level plans.

The vision for Lixnaw in the *Draft Plan* is the retention and improvement of local services and facilities to serve the village and surrounding rural areas, to encourage consolidation of the village settlement and to ensure that it fulfils its role as the primary focus for the development of the surrounding rural areas.

The *Draft Plan* notes that it is important that Lixnaw increases its population and continues to provide for the services needs of its residents and those in its rural catchment area. To secure this and to position the village for sustainable growth, the objectives of this *Draft Plan* seek to maintain existing service levels and preserve opportunities to create a compact and attractive village form, into which future development can integrate in a coherent and sustainable manner.

The *Draft Plan* outlines that Lixnaw has been one of the fastest growing settlements in the County;

“The population of the village increased by 61.5% from 431 in 2006 to 696 in 2016. The pace of growth has slowed recently with the population increase from 634 in 2011 to 696 in 2016, measuring 9.8%. The settlement is also located within the ED of Lixnaw which recorded a population of 1,016 in 2011 and 1,050 in 2016, an increase of 3.3%.

The large number of dwellings constructed over the last decade in the village is reflected in the increase in population. The village has adequate lands (including backlands) within its boundary to accommodate additional residential development should it be required in the future.

Suitable located lands have been as strategic residential reserve, R4 and village centre M2 to ensure that the longer-term residential needs of the village can be met.

*The development of these lands is dependent on the availability of adequate waste water infrastructure. Infill development that helps to consolidate the village form, and provide for a more sustainable living model will be encouraged. **A mix of dwelling types and sizes will be required in any future residential development to cater for various household sizes, differing housing needs and life stages.**” [Our Emphasis]*

Policy Objective LW-GO-06 of the *Draft Plan* states that it is an objective of the Council to;

“Seek the completion/redevelopment of the existing incomplete residential development.”

Much of the subject site is proposed to be zoned as “R2.6 Existing Residential” (denoted in Figure 1.3 in yellow.) We note that there is a proposed change to the zoning designations pertaining to the southern portion of the subject site in the *Draft Plan* from “Mixed-Use” to “O1 – Strategic Reserve.”



The “Strategic Reserve” zoning designation is explained in the Draft Plan as;

“In a number of settlements some land has been zoned under the category of O1, Strategic reserve, White land. This is to cater for those cases where land is zoned for development at some time in the future but no objectives or specific controls are indicated at present...

This is the final category which is only used if a zone did not fit comfortably into any of the other categories, sub-categories or sub-sub categories. This category includes Strategic Reserve, white land (O1)...

Any plans or proposals for the development of O1 Strategic Reserve White land to be compatible with Nature Conservation designations and Flood Risk Management plans for the area.”

Due to the nature of this proposed zoning designation, it does not appear in the zoning matrix in the *Draft Plan*, so the status of permissible uses on this portion of the site is not certain, in spite of its partially constructed nature. The principle of completing this unfinished housing estate however, is well established elsewhere in the *Draft Plan*, and the principle of completing residential development at this location has been discussed in Pre-Application Consultation Meetings with Kerry County Council.

5.0 RATIONALE FOR REZONING OF LANDS

The Department of the Environment, Heritage and Local Government’s *Development Plan Guidelines* (DoEHLG, 2007) outline the criteria for assessment of lands suitable for development within the zoning process. These include the following:

- 1) Need;
- 2) Policy Context;
- 3) Capacity of Water, Drainage and Roads Infrastructure;
- 4) Supporting Infrastructure and Facilities;
- 5) Physical Suitability;
- 6) Sequential Approach and
- 7) Environmental and Heritage Policy, including conservation of habitats and other sensitive areas.

ASSESSMENT

1) Need for Additional Residential Units

It is noted in the *Draft Local Area Plan* that commercial development is to be focused on the Lixnaw Village Centre, which might explain why the lands at the subject site have been rezoned for “*Strategic Reserve*.”

However, it is also noted that the Draft Plan makes allowances for the promotion of completion of existing, unfinished housing estates (*Objective LW-GO-06*, as outlined above.) It is submitted that the rezoning of the subject lands for residential development will positively contribute to addressing the housing needs of the area, while also completing a partially constructed housing estate.

2) Positive Policy Context

The rezoning of the subject lands for residential development and the appropriate extension of the *Lixnaw Settlement Boundary* are consistent with policies at national, regional and local level, regarding the provision of residential accommodation in existing built up areas, as outlined above, and are in keeping with the proper planning and sustainable development of the area.

3) Upgraded Capacity of Water, Drainage and Roads Infrastructure

Lixnaw is currently served by a wastewater treatment plant, which only provides primary treatment of wastewater and is not large enough to treat all the wastewater from the village. Construction work has however recently begun on an Integrated Constructed Wetland system for the Village, which was granted planning permission in February 2018. This system will have the capacity to treat the wastewater from a population equivalent of 1,200 people. This would cater for the existing population, as well as the projected future growth of the community, while also delivering significant environmental benefits.

The subject site is accessed via an existing c. 180 m access road to the west of the site, which connects to the R557. It is envisaged that road infrastructure upgrade is not required to enable development at this location, rather just completion of the partially constructed internal access road.

4) Presence of Sufficient Supporting Infrastructure and Facilities

As outlined above, the subject site is approximately 1.5 km south of the village centre of Lixnaw. As well as servicing its rural hinterland, Lixnaw functions largely as a dormitory/commuter settlement for Tralee and Listowel and the No. 272 Bus Route connects the three settlements. Lixnaw has typical services that would be normally associated with a settlement of its size, including national schools, a church, a post office, neighbourhood retail and childcare facilities. Scoil Mhuire De Lourdes Boys National School immediately adjoins the subject site to the north-west.

Rezoning and subsequent completion of development of the subject lands can provide the critical mass of population that may be required to support and justify the development of additional, important support infrastructure and facilities such as playing fields and retail units.

5) *Physical Suitability of Subject Lands*

The subject lands do not suffer from any physical limitations that may prevent their development for residential accommodation, subject to the usual development management provisions. No fluvial or pluvial food risk areas are identified within or immediately adjacent the subject site by the Office of Public Works, as shown in Figure 5.0 below.

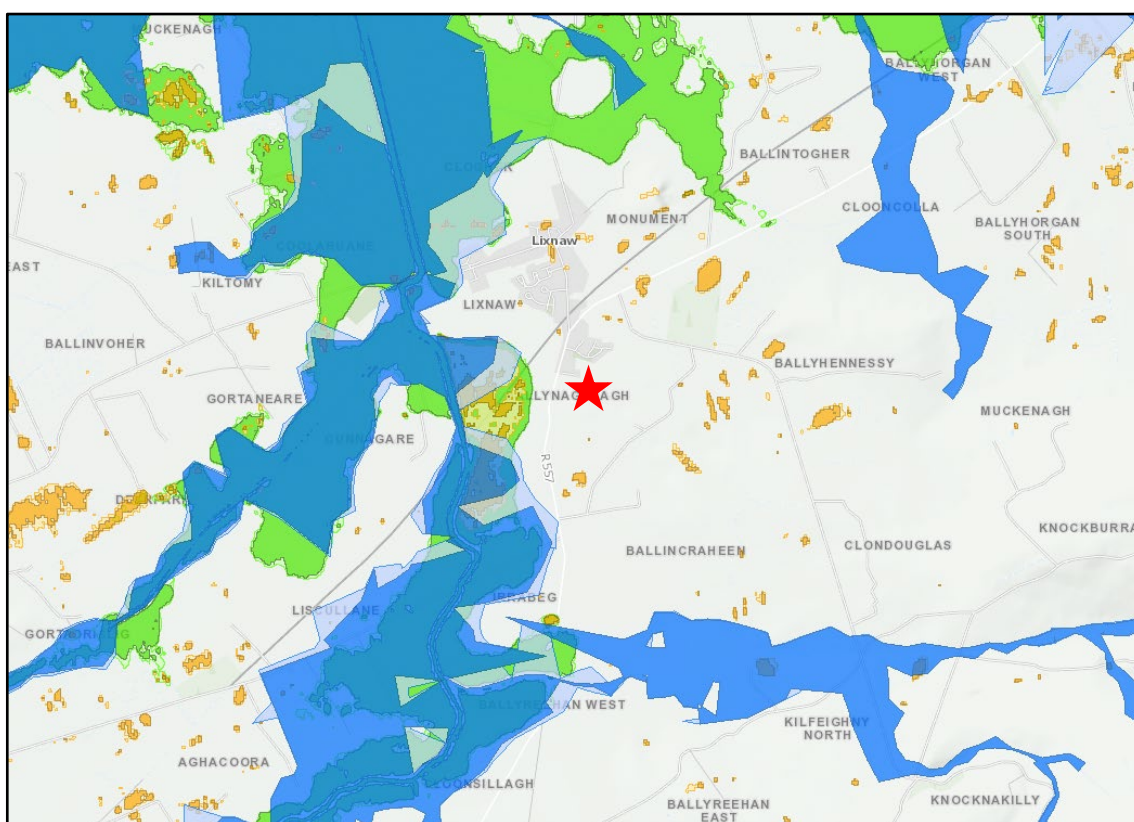


Figure 5.0 - Flood zones mapping, with indicative site location denoted with a red star. (Source: Myplan.ie, as annotated by Tom Phillips + Associates, 2019).

6) *Logical Extension of Residential Development through Sequential Approach*

It is submitted to the Planning Authority that the subject lands are appropriate to provide for residential development, as a logical extension of recent pattern of development in the area. The principle of residential development at this location has already been assessed and established through the granting of previous planning permissions and their partial implementation.

7) Absence of Physical, Heritage or Environmental Constraints

It is noted that the subject site is neither zoned specifically as ‘Open Space/Amenity’, nor does it contain any designated areas as indicated in the *Draft Plan*. One heritage feature has been identified (RMP Reg. Ref. KE016-034) on lands adjoining the subject site and its associated *Zone of Notification* extends slightly within the boundary of the subject site. This feature is described as;

“This site is marked on the 1841-42 OS map as a circular enclosure, and is marked on the 1914-15 map, though not as clearly. Today it has been much levelled and is barely perceptible above the ground. It survives as a raised area, c .4m above the surrounding land. The internal diameter is 20m E-W.”

This significance of this feature would have been assessed under the parent permission and subsequent amending permissions. Should a new planning application be lodged for the site to enable completion of the partially constructed housing estate, the significance of this would again be assessed and monitored, if required. As such, this does not represent a constraint to any future development of the lands. Therefore, it can be inferred that the subject site is not of specific amenity, visual or environmental value, *per se*, that would mitigate against its development for residential purposes.

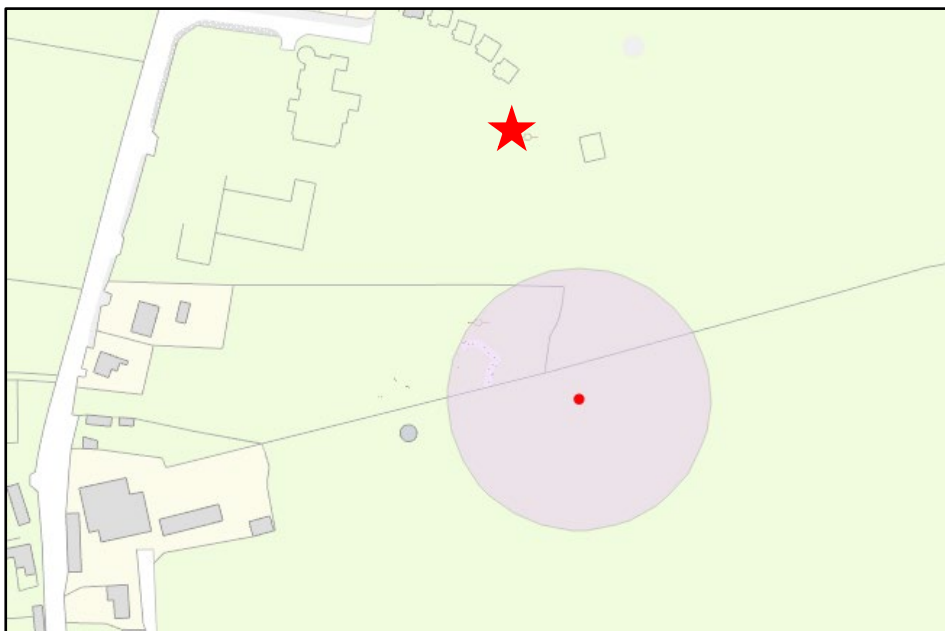


Figure 5.1 - RMP Mapping, including zone of protection, with indicative site location denoted with a red star. (Source: Myplan.ie, as annotated by Tom Phillips + Associates, 2019).

6.0 CONCLUSION

Tom Phillips + Associates have reviewed the *Draft Plan* and, having regard to the existing development in the local area propose the appropriate rezoning of the subject lands and the suitable extension of the Lixnaw Settlement Boundary, as outlined above, in the interest of the proper planning and sustainable development of the area. The subject lands comprise an important, well-located and serviced site, appropriate for residential development. The proposed zoning designation and settlement boundary are neither a suitable nor logical parcelling of the lands and does not reflect the well-serviced nature of the site. This may frustrate any future applications to complete development at this location, as it would be outside of the formal settlement boundary.

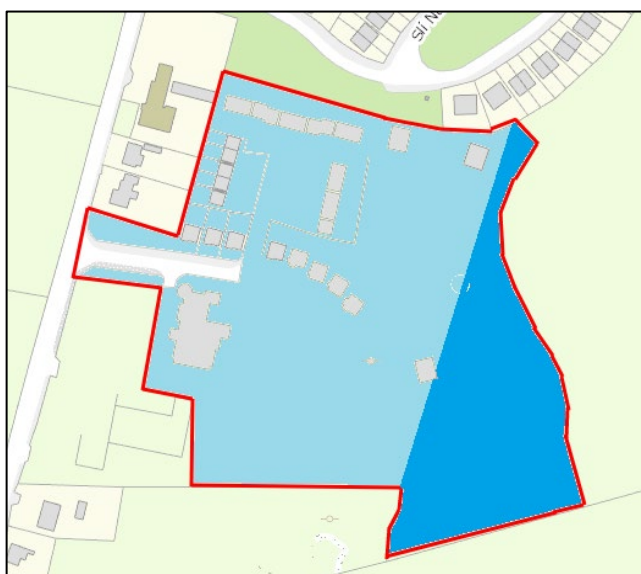
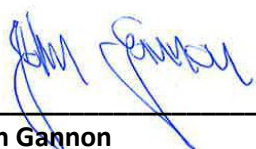


Figure 6.0 – Indicative summary of proposed rezoning submission. The area in light blue is to be rezoned to 'Residential' to enable completion of residential development at this location. The settlement boundary and residential zoning is proposed to be extended to include the area denoted above in dark blue for the completion of residential development. Indicative Site Boundary in Red, which is the red line boundary of the previously permitted and partially constructed mixed-use scheme [Source: MyPlan.ie, Annotated by Tom Phillips + Associates, 2019.]

We submit that the rezoning of the subject lands to a combination of “R1 - New/Proposed Residential” and “R2 - Existing Residential,” would facilitate the balanced future growth of Lixnaw. It is submitted that the subject lands are suitable to provide for sustainable residential development, which would support the enhancement and augmentation of facilities and services available in the wider area and accommodate the increasing population of Lixnaw.

In closing, it is respectfully requested that the Planning Authority consider this submission for the reasons outlined above.

Kind regards,



John Gannon
Director
Tom Phillips + Associates