

**Statement of Material Contravention of the  
Meath County Development Plan 2013-2019  
and Navan Town Plan 2009-2015**

*In respect of*

**A Proposed Strategic Housing Development**

**at**

**Belmount, Academy Street,  
Navan, Co. Meath**

*Prepared by*

**John Spain Associates**

*On behalf of*  
**Coindale Ltd.**

**November 2019**



39 Fitzwilliam Place, Dublin 2

Telephone: (01) 662 5803

E-mail [info@johnspainassociates.com](mailto:info@johnspainassociates.com)

## DOCUMENT CONTROL SHEET

|                        |  |
|------------------------|--|
| <b>Client:</b>         | <b>Coindale Ltd.</b>                       |
| <b>Project Title:</b>  | <b>Belmount SHD</b>                        |
| <b>Document Title:</b> | <b>Statement of Material Contravention</b> |
| <b>Document No:</b>    | <b>17160SOMCDV1</b>                        |

| <b>Rev.</b> | <b>Status</b> | <b>Author(s)</b> | <b>Reviewed By</b> | <b>Approved By</b> | <b>Issue Date</b> |
|-------------|---------------|------------------|--------------------|--------------------|-------------------|
| <b>DV1</b>  | <b>Draft</b>  | <b>NR</b>        | <b>MN</b>          | <b>RK</b>          | <b>8-11-2019</b>  |
| <b>F01</b>  | <b>Final</b>  | <b>MN</b>        | <b>RK</b>          | <b>JS</b>          | <b>18-11-2019</b> |

# TABLE OF CONTENTS

1.0 INTRODUCTION ..... 1  
2.0 NAVAN DEVELOPMENT PLAN 2009-2015..... 4  
3.0 JUSTIFICATION FOR MATERIAL CONTRAVENTION ..... 7  
4.0 CONCLUSIONS ..... 15

## LIST OF FIGURES

Figure 1.1 – Overall Masterplan ..... 3  
Figure 2.1 – Navan Development Plan 2009-2015 Land Use Zoning Map ..... 4

## 1.0 INTRODUCTION

- 1 On behalf of the applicant, Coindale Ltd., we hereby submit this Material Contravention Statement to accompany this application for a proposed SHD at Belmont, Academy Street, Navan, Co Meath. This statement provides a justification for a potential material contravention of the Meath County Development Plan 2013-2019 and Navan Town Plan 2009-2015 in relation to the development of Phase II lands at this location.
- 2 The proposed development, which is the subject of this planning application proposes 544 no. dwellings in a sustainable mix of houses and apartments, and duplex apartments including 2 no. creches and open space which will comprise a necklace of green spaces and linear parks within an overall site of c. 15.1 hectares.
- 3 We note that the Board's Opinion provided following pre-application consultation stated (within Item 1 of the Opinion) that further consideration and / or justification should be provided within the final application to justify the development of Phase II lands as part of the proposed development, notwithstanding that the development, if permitted, would proceed in 2020 (post 2019). In this context, the Board's Opinion stated that the applicant "*should have regard to, inter alia, the Navan Development Plan 2009 - 2015 as it relates to the phasing of residential development*". It is noted item no. 9 of the Board's Opinion also sought the inclusion of a material contravention statement, as requested.
- 4 Having regard to the foregoing, it is respectfully requested therefore that An Bord Pleanála have regard to the following justification for a potential material contravention of the Navan Town Plan 2009-2015, having regard to the compliance of the proposed development with national planning policy and section 28 Guidelines as outlined herein, including the National Planning Framework (hereinafter referred to as the NPF) - Ireland 2040, and having regard to the significant shortfall in housing provision in Navan over the Development Plan period compared with the core strategy objectives and further the pattern of implemented and permitted development in the vicinity, which counts in favour of the proposed development.

### *Legislative Context*

- 5 The Planning and Development (Housing) and Residential Tenancies Act, 2016, states the way in which An Bord Pleanála may grant permission for a development which is considered to materially contravene a Development Plan or Local Area Plan, other than in relation to the zoning of land, is as follows:

*'(6) (a) Subject to paragraph (b), the Board may decide to grant a permission for a proposed strategic housing development in respect of an application under Section 4 even where the proposed development, or part of it, contravenes materially the development plan or local area plan relating to the area concerned.*

*(b) The Board shall not grant permission under paragraph (a) where the proposed development, or part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of land.*

*(c) Where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if Section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development'.*

6 Section 37(2)(b) of the Planning and Development Act 2000 states:

*'2) (a) Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.*

*(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) where it considers that –*

*(i) the proposed development is of strategic or national importance,*

*(ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or*

*(iii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or*

*(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan'.*

7 This report provides a concise justification for the proposed development under each of the four criteria set out under section 37(2)(b) of the Act. Where relevant, this report refers to other accompanying documentation submitted as part of the planning application, in particular the Planning Report and Statement of Consistency, and the JSA Statement of Response to the Board's Opinion on the pre-application stage.

Figure 1.1 – Overall Masterplan



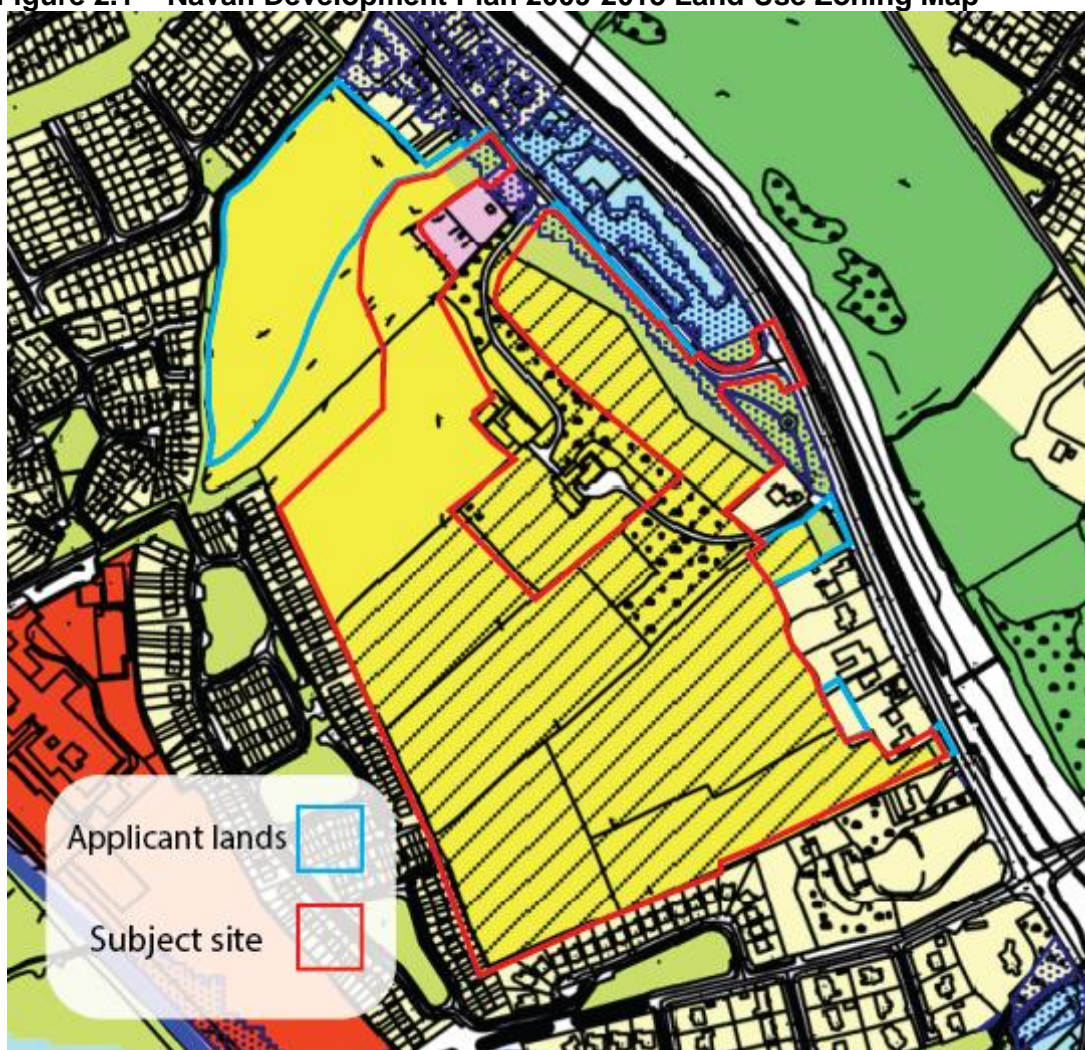
Source: CCK Architects



## 2.0 NAVAN DEVELOPMENT PLAN 2009-2015

- 1 The Navan Development Plan 2009-2015 sets out a phasing policy for the release of residential zoned lands within the Navan town plan area. This is based on a sequential approach to land to provide for a more compact and plan led development of the area.
- 2 The subject site is primarily zoned A2 “New Residential” under the Navan Town Development Plan. All of the residential units proposed are situated on lands zoned A2 for ‘new residential’ development. The proposed development accords with the zoning of the subject site, under which residential development (and the ancillary childcare facilities) are permissible. The development does not contravene the zoning of the lands on which it is situated, as set out within the Statement of Consistency and Planning Report submitted herewith. We refer the reader to the An Bord Pleanála Response Document and Statement of Consistency and Planning Report for further detail.

Figure 2.1 – Navan Development Plan 2009-2015 Land Use Zoning Map



Source: Navan Development Plan 2009-2015 (Additional applicant lands in blue)

- 3 The relevant associated objective that this proposed development could be considered to materially contravene is as follows:

Objective CS OBJ 3

*“To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:*

- i) *The lands identified with an A2 ‘New Residential’ land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume 1 of this County Development Plan and are available for residential development within the life of this Development Plan.*
  - ii) *The lands identified with an A2 ‘New Residential’ land use zoning objective but qualified as ‘Residential Phase II (Post 2019)’ are not available for residential development within the life of this Development Plan”.*
- 4 The southern half of the A2 lands within the site are, however, also subject to a separate phasing objective, designating the subject lands as ‘Phase 2’. Phase 2 lands are targeted for development post 2019.
  - 5 A portion of the A2 residential zoned lands are identified as “*Residential Phase II Post 2019*”. These phase II lands are now available for development under current plan. The development of these lands is further supported by proposed provision of school site by the applicant on Phase 1 lands (adjacent to north of site) as required by Department of Education and Skills following consultation with Meath County Council.
  - 6 It should be noted that the site (identified as site K by MCC) was evaluated as part of Variation No. 1 of the extant Navan Development Plan relative to residential lands and ranked first and highest A2 zoned site (out of an overall 19 no. sites) in relation to the exercise undertaken. In this regard, the site is considered to be an appropriate infill development for the town of Navan and is therefore suitable now for residential development within the emerging Meath County Development Plan 2019-2025. The Evaluation of Residentially Zoned Lands is included at Appendix 7 of the Navan Development Plan.
  - 7 The following is an extract confirming the top ranking of the site:

Table 2: Evaluation of Land Parcels

| Site Name                      | Site A | Site B | Site C | Site D | Site E | Site F | Site G | Site H | Site I | Site J | Site K | Site L | Site M | Site N | Site O | Site P | Site Q | Site R | Site S |
|--------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Proximity to Town Centre       | 5      | 6      | 5      | 5      | 4      | 4      | 6      | 5      | 8      | 6      | 2      | 3      | 5      | 3      | 5      | 5      | 4      | 3      | 5      |
| Environmental Constraints      | 5      | 5      | 1      | 3      | 1      | 1      | 3      | 1      | 1      | 1      | 1      | 3      | 3      | 1      | 3      | 1      | 1      | 1      | 1      |
| Sustainable Transport          | 1      | 1      | 5      | 1      | 1      | 5      | 1      | 1      | 3      | 5      | 1      | 1      | 3      | 1      | 1      | 3      | 3      | 3      | 5      |
| New Distributor Roads Required | 5      | 1      | 1      | 5      | 1      | 1      | 5      | 1      | 1      | 1      | 1      | 3      | 4      | 1      | 5      | 1      | 1      | 1      | 1      |
| Infill Opportunity             | 5      | 3      | 4      | 5      | 1      | 1      | 4      | 5      | 3      | 3      | 1      | 2      | 4      | 1      | 4      | 5      | 1      | 2      | 1      |
| Sustainable Community          | 5      | 3      | 5      | 5      | 5      | 5      | 3      | 1      | 2      | 3      | 2      | 1      | 3      | 1      | 3      | 5      | 2      | 1      | 3      |
| Total                          | 26     | 19     | 21     | 24     | 13     | 17     | 22     | 14     | 18     | 19     | 8      | 13     | 22     | 8      | 21     | 20     | 12     | 11     | 16     |
| Rank                           | 19     | 11     | 14     | 18     | 5      | 9      | 16     | 7      | 10     | 11     | 1      | 5      | 16     | 1      | 14     | 13     | 4      | 3      | 8      |

Source: Table 2 Appendix 7 of Navan Development Plan

- 8 Having regard to objective CS OBJ 3, which promotes an order of priority, the release of Phase II residential lands is now appropriate given the following:
  - The quantum of units identified for the site at 460 for Phase 1, is broadly similar to that proposed, which is 544 no. dwellings (which includes the proposed school site),
  - National planning policy including Rebuilding Ireland - Action Plan for Housing and Homelessness and the National Planning Framework,



- The allocation of the northern portion of the subject lands of c. 3.3 hectares, which are zoned A2 to educational use (Primary school),
  - The position of Navan in the Meath settlement hierarchy,
  - The current housing shortage in which residential developments of scale can be considered to be of strategic and national importance,
  - The location of the subject site in close proximity to a number of schools,
  - New development along Academy Street will enhance the overall street and gateway to Navan,
  - The location of the subject lands in relation to the existing services in the town centre located c. 900m and 1,500m to the north.
  - There are numerous bus operators providing a bus service to Navan (NX, 179, 109, 109a, 110, 190) and the lands are proximate to bus services.
- 9 The application lands are identified as being Phase II lands under the Navan Development Plan 2009-2015 and as such are not normally available for residential development within the life of the Plan. It is noted however that the plan is now at the end of its identified life, and the preparation of a new County Development Plan has been delayed due to the need to await the adoption of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA), (which we note has now been adopted).
- 10 Furthermore, the proposed development will be carried out post 2019 if permitted. Therefore, the Board may consider that the development is not a material contravention of the phasing objective of the Development Plan. Notwithstanding this, the following justification is set out.
- 11 Although the proposed development may be considered a material contravention of the phasing objective pertaining to the A2 zoned lands within the subject site, it is noted that the development of the subject lands has been taken into account in the SEAs conducted for the County Development Plan (and subsequent variations) and the Navan Development Plan. In this regard, it is noted that the lands zoned A2 within the subject site were zoned as such in these statutory documents which were subject to SEA.
- 12 The phasing objective pertaining to the subject lands provides for the development of these lands post-2019. The proposed development will be subject to a decision on the current application in early 2020, with the development likely to commence in the event of a grant of permission by c. Q2 2020.

### 3.0 JUSTIFICATION FOR MATERIAL CONTRAVENTION

- 1 A justification for the material contravention of the County Development Plan is set out below, under the relevant parts of section 37(2)(b) of the 2000 Act.

#### **Location of the Proposed Development**

- 2 The subject site is strategically located contiguous with the built-up area of Navan. The proposed development includes a new branch road to the west as well as a new access road to the proposed school site. The subject site also benefits from proximity to several schools, both existing and permitted, and proximity to the town centre. The proposed development represents a logical, considered and sustainable expansion of Navan.

#### **Part (i) - Proposed Development is of Strategic or National Importance**

- 3 The proposed development comprises of 544 no. dwellings in a sustainable mix of houses and apartments, and duplex apartments including 2 no. creches and active open space of c. 2.13 hectares which will comprise a necklace of green spaces and linear parks within an overall site of c. 15.1 hectares.

- 4 The proposed development falls within the definition of a Strategic Housing Development in accordance with the definition of same provided under section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended. On this basis it is submitted that the proposed development is, by definition, strategic in nature and of strategic importance.

- 5 The long title of the Planning and Development (Housing) and Residential Tenancies Act 2016 is as follows:

***“An Act to facilitate the implementation of the document entitled “Rebuilding Ireland - Action Plan for Housing and Homelessness” that was published by the Government on 19 July 2016, and for that and other purposes to amend the Planning and Development Acts 2000 to 2015, the Residential Tenancies Acts 2004 to 2015 and the Housing Finance Agency Act 1981, to amend the Local Government Act 1998 in relation to the Local Government Fund and to provide for connected matters.”***

- 6 The Rebuilding Ireland Action Plan, and consequently the 2016 Act, recognise the strategic importance of larger residential developments (including developments of over 100 residential units) in addressing the ongoing housing and homelessness crisis, in an effort to increase housing supply.

- 7 In relation to the arrangements to be put in place for Strategic Housing Developments, the Rebuilding Ireland Action Plan states:

***“Such arrangements would draw on procedures already in place in respect of strategic infrastructure development projects under the Planning and Development (Strategic Infrastructure) Act 2006 and should speed up the planning decision-making process in respect of such developments, while also providing greater certainty for developers in terms of timeframes within which such developments can be determined in the planning system.”***

- 8 Due to the strategic importance of larger housing developments designated as SHDs, the Government moved to introduce legislation under the 2016 Act, which would see

such developments assessed in a similar manner to Strategic Infrastructure Developments.

- 9 Having regard to this legislative and policy context, it is considered that the proposed significant Strategic Housing Development at Belmont, Navan is, by definition, of strategic importance for the purposes of section 37(2)(b) of the 2000 Act.

**Part (ii) - there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned**

- 10 It is respectfully submitted that the proposed development can be further justified on the basis of certain conflicts within the local planning policy context pertaining to the subject site. In particular, as demonstrated within the John Spain Associates Statement of Response to the Board's Opinion, the phasing strategy for the residentially zoned lands within Navan clearly conflicts with the housing delivery goals set out within the Core Strategy of the Development Plan.
- 11 The proposed development has been designed via an iterative process in order to respond to the comments made by the Board and the local Planning Authority during the course of the pre-application process. The resulting final scheme is considered to accord with the provisions of the Meath County Development Plan and Navan Town Development Plan in relation to the zoning objectives for the subject site and other policies and objectives pertaining to design and development standards. As set out previously, however, it is considered that the proposed development may represent a material contravention of the phasing objective pertaining to the lands.
- 12 The proposed development will help to achieve the household and population targets for the town set out within the Core Strategy of the Development Plan which (as set out within the Statement of Response) the phasing strategy has heretofore curtailed.
- 13 As set out in detail within the accompanying Statement of Response document, the sites identified as Phase 1 have failed to deliver on their housing allocations. This has led to a significant shortfall in residential development to date.
- 14 On the basis of the detailed analysis of housing delivery on Phase 1 lands in the town (set out within the Statement of Response document and the Statement of Consistency) it has been identified that there remains a significant shortfall in housing delivery on the Phase 1 lands and the lands which were identified as having 'committed development'.
- 15 The resulting deficit in housing delivery equates to c. 3,199 units (c. 3,095 when the recently approved SHD proposal on mixed use land is included [Ref. ABP-304840-19]). This is a clear indication that the Phase 1 lands identified within the Development Plan have not delivered the requisite level of housing provision, militating in favour of the delivery of housing on the subject site. Based on this situation, there is presently a clear mismatch between the phasing of residential land within Navan Town Development Plan and the Core Strategy allocations and 'committed development' figures set out in the Plan.
- 16 The delivery of the proposed development will also include the delivery of a new access point to the proposed school site (across Meath County Council lands).

**Part (iii) - permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government**

- 17 It is respectfully submitted that the provisions of the National Planning Framework, the Regional Spatial and Economic Strategy for the EMRA, guidelines published under section 28 of the Act, and other relevant policies of the Minister for Housing, Planning, and Local Government all support the delivery of the proposed development, notwithstanding the phasing objective pertaining to the A2 zoned lands within the subject site.
- 18 The existing shortfall in the delivery of residential development for Navan town (compared with the core strategy allocation and committed development figures) has been summarised above and is set out in detail within the JSA Statement of Response. National policy which has come into force since the publication of the Development Plan places a strong emphasis on ensuring an adequate supply of new housing development to meet existing pent up supply and housing need, and normal housing demand.

**National Planning Framework (NPF) – Project Ireland 2040**

- 19 The proposed development accords with the provisions of the National Planning Framework, which prioritises the delivery of new housing on lands which are within or continuous to existing urban areas, and which have access to the relevant services.
- 20 The NPF seeks to influence the location of new housing development and future population growth and targets the location of 40% of new housing development within and close to the existing ‘footprint’ of built up areas over the lifetime of the framework.
- 21 The NPF plans and provides for growth of 490,000 to 500,000 people in the Eastern and Midlands region.
- 22 The NPF, under National Policy Objective 9, recognises that there is potential in each Regional Assembly Area for significant growth in some settlements (i.e. 30% or more above 2016 population levels). Subject to criteria including the provision of adequate infrastructure and amenities to support such growth, and concurrent employment provision.
- 23 It is considered that the subject site within the boundaries of Navan town and contiguous with the built up area of the town constitutes an opportunity for planned, compact and sustainable growth, via the expansion of the Navan in a planned manner, on an appropriately zoned site, which has strong physical and social infrastructure and potential for significant employment growth in the vicinity.
- 24 The proposed development accords with the National Planning Framework (2018) (NPF), in particular with its principles of compact growth and the reinforcement of the country’s existing urban structure at all levels. Where housing policy is concerned, the proposed development accords with the NPF’s core principles for housing delivery – in particular that the location of new housing be prioritised in existing settlements.
- 25 In accordance with the NPF’s strategy of compact growth, it is proposed to develop new homes within Navan’s existing development envelope, within an infill site.



26 In accordance with National Policy Objective 33, new homes will be provided at a sustainable location, with access to existing services and facilities, located to the north in the town centre. In accordance with National Policy Objective 35, the proposal will increase residential density within the existing settlement of Navan.

27 Furthermore, the proposed development also accords with and supports the delivery of several key objectives of the NPF, including the following:

*“National Policy Objective 2c: Accessibility from the north-west of Ireland and between centres of scale separate from Dublin will be significantly improved, focused on cities and larger regionally distributed centres and on key east-west and north-south routes”.*

*“National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.”*

*“National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.”*

*“National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”*

28 The NPF actively seeks to foster stronger regions via the utilisation of existing residential zoned and serviced or serviceable lands such as the subject site, which will help support the continued economic growth of the area. The NPF focusses on compact, sequential and sustainable development of the larger urban areas.

29 It is considered that the proposed development provides for planned, compact and sustainable growth, via the expansion of an urban area which has strong physical and social infrastructure and potential for significant employment growth. The proposed development will provide for the phased delivery of housing, which will occur concurrently with employment growth in the town.

30 In summary, the NPF supports the provision for planned growth at locations which are equipped to sustain such development. The NPF favours compact development within urban areas and provides that where the expansion of settlements takes place it should be delivered in a sustainable, compact manner. The proposed development constitutes an efficient use of lands which are zoned for residential development at Navan town which accommodates strong physical and social infrastructure to support growth and is designated a key town.

### **Implementation Roadmap for the NPF**

31 The Implementation Roadmap for the NPF sets out in detail the transitional arrangements for the implementation of the NPF at regional and local level.

32 The Roadmap document sets out ‘Transitional Population Projections’, and notes that City and County Development Plans will undergo a process of review and updating by 2020 / 2021.

- 33 The transitional population projections plot a growth trajectory set approximately mid-way between what is currently being planned for in statutory Development Plans if projected forward to 2031, and the more likely evidence based and nationally coherent projected scenario to 2031 and 2040. These 'adjusted' transitional figures will apply to 2026 and will also inform the period to 2031.
- 34 The Roadmap document states that in all individual counties where population growth is projected to be at or above the NPF/ NDP national average baseline, provision shall be made to enable planning for aggregate growth within that county up to that figure for each Census year and related intercensal period i.e. to 2026 and, subject to review, 2031.
- 35 The Roadmap further notes that the published NPF population projections account for a 25% 'headroom' allowance for additional population growth in every County pro-rata, for each Census year and related intercensal period. For the purposes of the transitional population projections for the roadmap, a further 25%, over and above the population projected to 2026 in the NPF has been added.
- 36 Cumulatively, this means provision for 50% more growth than is required to 2026 has effectively been accounted for at a national level. It also means that there is limited further requirement for 'headroom' for population growth to be incorporated into statutory Development Plans in most cases. However, the roadmap acknowledges that provision for headroom, not exceeding 25%, can be considered to 2026 in those counties where projected population growth is projected to be at or above the national average baseline (i.e. Cork (City and County), Dublin (all four local authorities), Galway (City and County), Kildare, Limerick, Louth, **Meath**, Sligo, Waterford, Westmeath, and Wicklow).
- 37 The transitional population projections for Co. Meath set out within the Roadmap document are as follows:
- 2016 (census population figure) – 195,000
  - 2026 – 216,000 – 221,000
  - 2031 – 225,000 – 231,000
- 38 The Implementation Roadmap thereby acknowledges the need for a transitional period to implement the objectives of the National Planning Framework, which should provide for the Planning Authority's intended bringing forward of the residential zoning of the 'Phase 2' lands within the subject site for residential development under the forthcoming new County Development Plan. Consequently, the allocations provided for within the implementation roadmap support the current development proposal, particularly when viewed in the context of the failure of the Phase 1 lands in Navan to deliver on the housing allocation for the town.

### **Regional Spatial and Economic Strategy for the EMRA**

- 39 Navan is identified as a 'key town' which are noted in table 4.1 of the RSES as "*Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres.*"
- 40 It is also noted that the RSES supports the reappraisal of the extension of the Dunboyne/M3 Parkway line to Navan during the Mid Term Review of the GDA Transport Strategy.

41 The following Regional Policy Objectives for key towns are:-

*“RPO 4.22: Core strategies in Local Authority development plans shall support objectives to achieve a minimum of 30% of housing in key towns by way of compact growth through the identification of key sites for regeneration.*

*RPO 4.23: Key Towns shall act as economic drivers and provide for strategic employment locations to improve their economic base by increasing the ratio of jobs to workers.*

*RPO 4.30: Support the implementation of the Public Realm Plan ‘Navan 2030’ to make the town a more attractive place to live, shop, visit, and do business.*

*RPO 4.29: Support the delivery of a network of distributor roads and bridges to release strategic residential and employment lands for development and improve connectivity and the efficient movement of people and services in the town.”*

42 According to the RSES, Local authorities, in the preparation of their Core Strategies should have due regard to the settlement typology of towns in the Region and carefully consider the phasing of development lands to ensure that towns grow at a sustainable level appropriate to their position in the hierarchy. In this regard, the RSES states that *“higher densities in core strategies should be applied to higher order settlements such as Dublin City, Regional Growth Centres and Key Towns.”*

43 The subject development seeks to provide for medium density residential development on zoned lands within the Navan town boundaries. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.

44 On the basis of the foregoing, it is respectfully submitted that the RSES for the EMRA supports the delivery of the proposed development.

45 The RSES furthermore recognises that *“the zoning of land and planning permission alone, do not necessarily guarantee delivery and population growth in accordance with projected, targeted timeframes.”* This fact is evident in Navan, where the consideration of ‘committed units’ for the purposes of the Core Strategy, and the phasing of development land has failed to deliver upon the housing and population targets envisaged for the southern environs of the town within the County Development Plan 2013-2019.

46 In this context, the RSES states the following:

*“Therefore, in planning for future growth, it will be important for planning authorities to set out and monitor the service capacity and likely rate of completion of development on zoned lands, both brownfield and greenfield as well as elsewhere, having regard to local conditions and trends.*

*Much closer attention will need to be paid to actual delivery, taking the steps that may be necessary to implement strategic planning aims, housing delivery in the immediate term and above all, avoiding the hoarding of land and/or planning permissions.*

*Effective ways to tackle any tendencies towards land and/ or planning permission hoarding or excessively slow delivery include measures such as the Vacant Site Levy and the release of alternate lands where permitted development, without any wider delivery constraints, is not being brought forward.*

*Accordingly, sites with long-term development potential at priority locations should not be 'reserved' at the land allocation stages of the plan-making and implementation processes, in such a way as would create an unreasonable dependency on such sites being brought forward or that would impede the bringing forward of other suitable lands with better prospects for delivery in the short term, if the strategic sites are not being brought forward by their owners."*

- 47 The subject site represents a landholding with immediate development potential and benefitting from the requisite supporting physical and social infrastructure. The delivery of residential development on the subject site is considered justified in the context of Phase 1 sites, and development which was previously considered as 'committed development' for the purposes of the Core Strategy not being brought forward and delivered upon.

### **Other Government and Ministerial Policies in Support of the Proposed Development**

- 48 Rebuilding Ireland – The Government's Action Plan on Housing and Homelessness recognises the need for step-change in housing delivery in order to meet burgeoning demand (which is currently going unmet) and urgent housing need;

- 49 It is noted that in the short term to 2020, the Housing Agency has identified a need for pent-up demand arising from undersupply of new housing in recent years. The subject lands are zoned, located within Navan town (which is targeted for significant growth under National and Regional planning policy) and in the ownership of a housebuilding company who can provide a small element of this provision over the short to medium term on the subject site;

- 50 Circular PL 8/2016; APH 2/2016 – Identifying Planning Measures to Enhance Housing Supply (July 2016) was issued by the Minister in support of the Rebuilding Ireland Action Plan. In relation to instances where the phasing of zoned land is not actually delivering housing, it stated the following:

*"The development plan is, therefore, an important mechanism to signal to landowners that zoning of land for housing is a mechanism for the production of that housing and, where that mechanism is not producing housing, the planning process will seek out either (a) options to secure output off key sites or (b) appropriately located alternatives in the context of addressing pressing housing needs".*

*"Local authorities are, therefore, reminded that, where these pressures exist, the development plan variation process provides a means of expediting amendments to zoning decisions to ensure that development plans flexibly take account of changing circumstances or issues unforeseen at the time of the original making of the development plan"*

- 51 It is respectfully submitted that 'changing circumstances and issues unforeseen at the time of the original making of the Development Plan', as referenced in the foregoing extract, have indeed arisen in Navan, as exemplified by the shortfall of housing delivery on Phase 1 lands, and the failure in delivery of units which were considered as 'committed development' for the purposes of the Core Strategy. In this context, it is considered that the proposed development will be a positive step towards acknowledging and addressing these changing circumstances, while delivering the increased housing provision sought in the Government and the Minister's policies and circular as set out above.



**Part (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.**

- 52 The pattern of development and permissions granted in the area of the subject site are key considerations in the rationale for the current Strategic Housing Development proposal. The pattern of development in the immediately surrounding area are of relevance to the current development proposal.

**Surrounding Area**

- 53 The pattern of development surrounding the subject site, and the level and pattern of permitted development in the area have changed considerably since the making of the County Development Plan in 2013, as set out in detail within the Statement of Response.
- 54 The immediate surrounding context now includes two schools, a proposed new school site, retail and commercial shops and social amenities such as the Navan Rugby Football Club.
- 55 On the basis of the surrounding pattern of implemented and permitted development, it is respectfully submitted that the proposed development is wholly appropriate.

**Wider Context**

- 56 The pattern of implemented and permitted development in the wider area also militates in favour of the proposed development. In particular, the conspicuous absence of any development on many of the sites to the west of the river which are subject to a Phase 1 phasing objective is considered to be of relevance.
- 57 As set out in detail within the appendices to the Statement of Response report prepared by John Spain Associates, and as summarised previously within this report, the sites identified as Phase 1 have failed to deliver on their housing allocations.
- 58 On the basis of the detailed analysis of housing delivery on Phase 1 lands in the town (set out within the Statement of Consistency) it has been identified that there remains a significant shortfall in housing delivery on the Phase 1 lands and the lands which were identified as having 'committed development'.
- 59 The rationale provided included *inter alia* the failure of the Phase 1 zoned lands in the area to deliver on housing allocations, the strategic nature of the development.

#### 4.0 CONCLUSIONS

- 1 It is respectfully submitted that should An Bord Pleanála consider the proposed development a material contravention of the Meath County Development Plan 2013-2019 and Navan Town Plan 2009-2015, an appropriate justification is set out within this statement demonstrating that the proposed development should be considered, having regard to the consistency of the proposed development with national planning policy, the zoning objective of the subject site and the site's location contiguous to the built up area of Navan, which is identified as a key town, and proximate to public transport.
- 2 It is considered that there is ample justification for An Bord Pleanála to permit a material contravention (if considered such) of the Local Area Plan having regard to the policies outlined in the NFP, the Implementation Framework for the NPF, the RSES for the EMRA, and other Ministerial and Government policies, and having regard to Section 37(2)(b)(i) and (iii) of the Planning and Development Act, 2000 (as amended).
- 3 It is respectfully requested that An Bord Pleanála have regard to the justification set out within this statement for a potential material contravention of the Meath County Development Plan and permit the proposed development, notwithstanding the potential that the proposal is a material contravention of the Development Plan.

