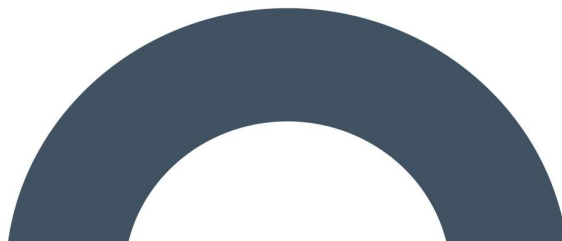


# Strategic Housing Development - Statement of Material Contravention

Rosshill, Galway





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# 1. INTRODUCTION

This Statement of Material Contravention (“SoMC”) has been prepared by MKO on behalf of Kegata Limited (“the prospective applicant”) in support of an application for permission made to An Bord Pleanála (“the Board”) for a Strategic Housing Development [SHD] at land at Rosshill, Galway. The application is made under the provisions of section 4 of the Planning and Development (Housing) and Residential Tenancies Act, 2016.

Galway City Council (“the planning authority”) has, in its opinion on the considerations related to proper planning and sustainable development bearing on the Board’s decision, submitted to the Board at the pre-application consultation stage of the SHD process, stated that the plot ratio of the proposed development – 0.37:1 – is a material contravention of the Galway City Development Plan 2017-2023 (“the Development Plan”).

The Applicant accepts that there is a contravention of the plot ratio of the Development Plan and, as such, pursuant to the provisions of subsection 5(6) of the 2016 Act, this statement is submitted to the Board setting out the reasons why, in the prospective applicant’s opinion, permission should nonetheless be granted, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000.

Section 37(2)(b) of the Planning and Development Act, 2000 (as amended) states:

*“(2)(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 h(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.”*

This Statement is submitted to the Board pursuant to the provisions of subsection 5(6) of the 2016 Act, expressly referencing the provisions of section 37(2)(b) of the 2000 Act and responds directly to Question 13 of the Board’s SHD Application Form which addresses a proposed Material Contravention of Development Plan/Local Area Plan, in the following terms:

*“Where the proposed strategic housing development materially contravenes the relevant development plan or local area plan other than in relation to the zoning of land, is a statement included with the application indicating the plan objective concerned and why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000?”*

It is submitted on behalf of the prospective applicant, that there is a material contravention of the Galway City Council Development Plan 2017-2023 as regards the proposed plot ratio of the site of the proposed development. However, it is also submitted that “*relevant policy of the Government, the Minister or any Minister of the Government*” and “*guidelines under section 28*” provide a robust justification for the increased plot ratio. It is therefore respectfully requested that An Bord Pleanála should grant planning permission for the proposed development on this residentially zoned land, notwithstanding the Planning Authority’s concerns in respect of the proposal contravening a stated objective of the development of the subject site. Whilst not yet adopted, it should also be noted that the draft Regional Spatial and Economic Strategy for the Northern and Western Region, published in 2019, targets significant growth in the Galway Metropolitan Area Strategic Plan area.

## 2. SITE CONTEXT

### 2.1 Site Location

The site area is comprised of 9.5ha (or thereby) of land located at Rosshill, to the east of Galway City and within the functional area of Galway City Council. The application site is located approximately 400m south of the Old Dublin Road which connects Galway City to the N67 and beyond. The site is 5km from Eyre Square, the perceived centre of Galway City and 4.1km from Main Street, Oranmore. The development site is accessed from the Rosshill Road just south of the existing railway bridge. Rosshill Road itself is accessed from the Old Dublin Road (R338) to the north.

In terms of neighbouring housing development in the immediate area surrounding the site, there are several one-off residential dwellings scattered to the east and to the south of the site of the proposed development. The dwellings vary in type, form, design and size with the majority being single dwellings located on large plots.

### 2.2 Site Description

The proposed development site is greenfield in nature, comprising agricultural land in rough grazing. The site was previously in use as a par 3 golf course, which ceased operation in the early 2000's and the old greens and fairways are now fallow and overgrown. A mixture of hedgerows and stone walls enclose the site creating a hard boundary and hedgerows are present on site along with several mature and semi-mature trees and tree groupings. The site is undulating, falling to the west.

There are no watercourses on site. There are no ecological or environmental designations on site.

The site boundaries are comprised, in the main, by agricultural hedgerows and stone walls. To the north, the site is bound by the Old Dublin Road and the railway line. To the south lies private residences and associated operations including a stud farm. The boundary in this location comprises a mix of hedgerows, trees and wire fencing with some remnants of stone walls in place. The western boundary is formed by a robust tree. To the east, Rosshill Road runs in a north-south fashion. The eastern site boundary has extensive broadleaf trees as does some of the south boundary and part of the eastern boundary. A triangular copse of trees are located to the northeast but are of a lower quality.

The typology is generally flat except for where the site falls in level forming a ridge generally running north to south, located to the west of the ruined farmstead.

The south of the site is bounded mainly by undeveloped but zoned low-density residential land. These lands are backed onto by ribbon development of one off houses. To the southeast of the site is a stone walled folly. Adjacent is a large dwelling which had been converted to a number of apartments.

A single point of access currently exists into the site from Rosshill Road to the east.

There are no archaeological records or protected structures located on the site however the folly mentioned above is a Recorded Monument and protected structure (RMP No. GA094-070/RPS 8803). The Rosshill Railway Bridge (RPS 8806, NIAH 30409423) is located to the north of the site.

### 3. **PROPOSED DEVELOPMENT**

The application is for a residential development consisting of 342no. units comprising a mixture of houses and apartments, as follows:

*The application is for a residential development consisting of 342no. units comprising 185no. houses and 157no. apartments, including a ground-floor community space, office, cafe and retail unit. A two-storey childcare facility. The provision of public realm landscaping including shared public open space and play areas, public art, public lighting, resident and visitor parking including car rental bays, electric vehicle charging points and bike rental spaces. Pedestrian, cyclist and vehicular links throughout the development. Access road and junction improvements at Rosshill Road/Old Dublin Road. Provision of all associated surface water and foul drainage services and connections including pumping station. All associated site works and ancillary services. A Natura Impact Statement ('NIS') and Environmental Impact Assessment Report ('EIAR') have been prepared and accompany the application. The application is also accompanied by a Statement of Material Contravention of the Development Plan.*

## 4. PLANNING POLICY CONTEXT

### 4.1 National Planning Policy and Section 28 Guidelines

A number of national planning policy documents and Section 28 Guidelines are supportive of efficient use of land, driven by the requirement to address a housing need across the country and especially in main and growing cities and towns. These include:

*Project Ireland: National Planning Framework 2040* (2018) includes ten National Strategic Outcomes implemented through the Strategic Investment Priorities, and includes:

- > Compact growth
- > Enhanced regional accessibility
- > Strengthened rural economics and communities
- > Sustainable mobility
- > A strong economy supported by enterprise, innovation and skills
- > Sustainable management of water and other environmental resources

In terms of Ireland's future population, circa one million additional people are expected to be living in Ireland by 2040, and National Objective 1b seeks to ensure this growth is felt across all the regions. Under table 4.1 of the NPF Targeted Pattern of City Population Growth a population growth range of 50-60% is noted leading to a minimal target population of 120,000 people for Galway City and Suburbs by 2040. This leads to an estimated growth of between 40,000 to 48,000 additional people when measured against the 2016 levels.

The northern and western region are to experience population growth in the region of 160,000 – 180,000 (national policy objective 1b). National Policy Objective 3a calls for the delivery of at least 40% of all of these new homes nationally, to be within the built-up footprint of existing settlements.

It is a national policy objective of the Plan (Objective 32) to deliver 550,000 additional households to 2040. Central to meeting Objective 32 is guiding the delivery of future housing.

The role of the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (2009) is to ensure the sustainable delivery of new development throughout the country. The Guidelines seek to inform the core principles of urban design when designing places of high quality and distinct identity.

*Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* (2018) promote apartments as “a key and growing part of the way in which we live in various parts of our country and particularly out cities and towns.”

The *Urban Development and Building Heights Guidelines for Planning Authorities December* (2018) detail that developments should include an effective mix of 2,3 and 4 storey developments which integrate well into the existing historical neighbourhoods. It notes that 4 storeys or more can be accommodated alongside existing larger buildings, trees, parkland, river/sea frontage or along wider streets.

Specific Planning Policy Requirement 4 of the Building Height Guidelines requires the following:

*“It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:*

1. *the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;*

2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.”

## 4.2 Regional Planning Policy Context

### 4.2.1 Regional Planning Guidelines for the West 2010 – 2022

The Regional Planning Guidelines (RPGs) for the West Region 2010 – 2022 provide a framework for long-term strategic development in the West Region, consistent with the National Spatial Strategy (NSS) 2002 – 2020 and which ensures implementation of the NSS at regional, county and local level.

It states that “*The development of the region will be measured against targets for population, housing, infrastructure, economic and social trends, large scale development, National Spatial Strategy (NSS) designations and the preservation of the environment.*”

A range of objectives are set out within the RPG’s including:

- *“SPG1: Building on the dynamic role of Galway as a gateway and expanding its influence in promoting economic activity in the West Region achieving a critical mass of 98,700 over the next 12 years. Support the Gateway through investment in critical infrastructure of road, rail, water, waste water, electricity and gas investment. This will be achieved through proper planning and sustainable development, ensuring minimal environmental impact, and taking full account of the presence of Natura 2000 sites in the Galway area and the requirement to protect these by subjecting all plans and projects to Habitats Directive Assessment and/or other relevant environmental assessment, where necessary.*
- *SPG6: Support an emphasis on quality of life through sustainable urban design, diversity and quality of housing stock, employment and recreational facilities. “*

### 4.2.2 Draft Regional Spatial and Economic Strategy (Northern & Western Regional Assembly) 2018

The Draft Regional Spatial and Economic Strategy [dRSES] was published in November 2018. Following a period of consultation, proposed Material Amendments to the dRSES have now been published. The dRSES estimates that the four cities of the region – including Galway – are expected to grow “*by at least 50% to 2040*” and to become “*cities of scale.*”

The dRSES outlines arrangements for a co-ordinated Metropolitan Area Strategic Pplan (MASP) for the Galway Metropolitan Area. The MASP is an opportunity for Galway to address recent growth legacy issues and build on key strengths, including a vibrant arts and cultural scene, year-round tourism and an attractive natural setting.

The dRSES notes that, for half a century, Galway has been Ireland’s most rapidly developing area and is a “*key driver for the West of Ireland*”. The Galway Metropolitan area (detailed in Table 7) shares many of the challenges arising from growth and economic success with much larger cities.

The dRSES highlights that the Galway Metropolitan area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out. Under section 3.6(a) the following targets are listed for population and city homes:



- Population of Galway MASP to grow by 25,000 to 2026 and by 38,300 to 2031 with the population of the City and Suburbs accommodating 19,200 to 2026 and 28,000 to 2031.
- Deliver at least half (50%) of all new homes that are targeted within the MASP to be within the existing built-up footprint.

The dRSES highlights that *“Anecdotal evidence from consultations with IDA representatives suggest that housing provision in the short to medium term could be a significant barrier to winning new investment into the region.”* In that vein the Material Amendments to the dRSES included that in relation to Galway MASP area, *“...areas of high density will target minimum rates for residential of 50 units/ha. The default rate in other areas will generally be 35 units/ha.”*

Indeed, each planning authority in the dRSES region will review their existing development plans once the RSES has been completed; it is the case then that the Galway City Council Development Plan 2017-2023 will require to be varied to take account of the significant growth targets being promoted at regional level.

4.3

## Galway City Council Development Plan 2017-2023

Pursuant to the Development Plan, the majority of the application site is zoned for Low Density Residential [LDR], with a small area on the western edge zoned for Agriculture and Amenity (G) uses.

The Development Plan applies specific controls to LDR-zoned lands, setting out objectives for each site. The following specific development objectives for the application site (and additional land to the south) are noted in the Plan:

*“The following lands zoned LDR have the following specific development objectives, subject to design, environmental assets, water and wastewater services and traffic safety. Communal open space and recreational facilities may be a requirement in certain circumstances:*

- *“The maximum plot ratio density of 0.2:1 shall only be considered following agreement on an overall layout of the area.*
- *This layout will have regard to the sylvan character of the site and where appropriate the protection of existing trees and the Roscam Folly.*
- *Development will only be considered where it accords with strategic main drainage proposals.”*

The GCDP includes a Core Strategy and Settlement Strategy that notes the need to accommodate continued population growth, in line with the City’s designation as a ‘Gateway’, in a sustainable manner.

Policy 2.2: Housing Strategy of the Development Plan is to be implemented *“by ensuring that sufficient suitable lands are zoned to meet the extent of housing needs identified in the strategy in accordance with the NSS and RPGs targeted population for Galway City.”*

The policy is also to: (inter alia)

- *“Have regard to all Government policies on housing...”*
- *“support a diverse range of housing types, size and tenures within housing developments in the interests of countering undue segregation and to allow for choice of community, for all persons irrespective of age, culture, social background and ability.”*
- *“Support the development of sustainable communities and ensure that all new housing developments – private, public and voluntary are carried out in accordance with the DECLG guidelines Sustainable Residential Developments in Urban Areas (2008) and Section 28 Ministerial guidelines – Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (2015).”*

## 5. MATERIAL CONTRAVENTION JUSTIFICATION

The prospective applicant submits that An Bord Pleanála should consider that the proposed development is a material contravention of the required plot ratio of 0.2:1 of the Development Plan but that the Board should grant permission, pursuant to its jurisdiction under section 5 of the 2016 Act, having had regard to the criteria set out under Section 37(2)(B) of the 2000 Act. The following illustrates how the proposed development complies with these certain of these criteria, taking each in turn.

### (i) The Proposed Development is of Strategic and National Importance

There is an evident housing crisis in Ireland which is experienced most acutely in the main cities, including Galway. In response, the Government has taken a number of policy actions in the planning and development sector, set out in a range of publications including:

- Rebuilding Ireland - The Government's Action Plan on Housing and Homelessness
- Extension of the Strategic Housing Development legislation timeframe to continue to "fast-track" large-scale housing schemes
- National Planning Framework: Project Ireland 2040

The Housing Agency, in its National Statement on Housing Supply and Demand 2016 and Outlook for 2017-2018 stated that in the short term to 2020, the Housing Agency had identified a need for at least 45,000 new homes in Ireland's five cities of Dublin, Cork, Limerick, Galway and Waterford.

In the longer term to 2040, the National Planning Framework (NPF) projects a need for a minimum of 550,000 new homes, at least half of the demand for which will arise in Ireland's five cities. It is clear that the NPF lays considerable weight on the densification of existing urban areas and settlements, where zoned serviced/serviceable land is available and can meet the current housing demand in a sustainable manner. The failure to deliver 342 no. units in this suitably zoned area of Galway City would be contrary to the objectives of policy at national level. In summary, the NPF shows broad policy support for development in an existing settlement area which is appropriately zoned and which avoids further sprawl and ensures sustainable and efficient use of zoned land. As the primary policy document in the national planning hierarchy, the NPF should be accorded significant weight in the decision-making process.

The proposed development falls within the definition of a Strategic Housing Development in accordance section 3 of the 2016 Act. On this basis alone, it is submitted that the proposed development is, by definition, strategic in nature and of strategic importance, delivering 342 no. residential units to the city of Galway.

The Rebuilding Ireland Action Plan recognises 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. Pillar 3 of the Action Plan is to simply, 'Build More Homes'. The Action Plan discusses the Strategic Housing Development process, noting the implementation of the SHD procedures "*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.*"

Having regard to this national policy context, it is considered that the proposed Strategic Housing Development at lands at Rosshill, Galway is one of the largest available residentially zoned development areas within the settlement envelope of the Galway Metropolitan Area, per the dRSES. As noted earlier, the Metropolitan Area Strategic Plan ('MASP') is an opportunity for Galway to address recent growth legacy issues and build on key strengths, including a vibrant arts and cultural scene, year-round tourism and an attractive natural setting.

The dRSES notes that for half a century Galway has been Ireland's most rapidly developing area and is a 'key driver for the West of Ireland'. Common with Dublin, the dRSES states that Galway needs to "*accommodate a greater proportion of the growth it generates within its metropolitan boundaries*" and in

this regard the MASP area boundary and is, undoubtedly, of strategic importance for the purposes of Section 37(2)(b) of the 2000 Act.

The delivery of high-quality residential development, and associated infrastructure including a childcare facility, on the site of the proposed development should not be constrained by a plot ratio which is in conflict with the objectives of sustainable use of land, delivering housing on suitably zoned lands in one of the five key cities in the country.

## (ii) There are Conflicting Objectives in the Development Plan or the Objectives are Not Clearly Stated, insofar as the Proposed Development as Concerned

The Galway City Development Plan 2017-2023 calls for growth and development to support Galway's role as a key city, and yet the land in question has been zoned for residential development with a plot ratio of 0.2:1 for over three Development Plan cycles with no development having taken place.

The Development Plan has, amongst its strategic goals, an objective to enable the city to fulfil its role as a National Gateway and a regional centre. The Plan cannot achieve this objective if other policies within the Development Plan rigidly apply constraints to otherwise deliverable development on suitably zoned lands. The overly rigid application of a uniform plot ratio should not consistently preclude the development of suitably zoned lands, which is required to allow the City to grow and perform at regional level and cannot be considered to be in accordance with an overall aim for growth and development.

Several other strategic goals set out in the Galway City Development Plan 2017-2023 are noted as:

- Implement the recommended settlement strategy for the city ensuring that sufficient land is zoned to meet future demands
- Accommodate through land use zoning the requirements of the Housing Strategy
- Encourage sustainable neighbourhoods of high-quality residential development, delivering a mix of house types and tenures and creating a strong sense of identity and place
- Promote sustainable neighbourhoods where community facilities and services of an appropriate nature are easily accessible

Policy 2.2: Housing Strategy of the Development Plan is to be implemented “*by ensuring that sufficient suitable lands are zoned to meet the extent of housing needs identified in the strategy in accordance with the NSS and RPGs targeted population for Galway City.*” The Policy is also however to “*have regard to all Government policies on housing*” and (inter alia):

- “*Have regard to all Government policies on housing...*”
- “*support a diverse range of housing types, size and tenures within housing developments in the interests of countering undue segregation and to allow for choice of community, for all persons irrespective of age, culture, social background and ability.*”
- “*Support the development of sustainable communities and ensure that all new housing developments - private, public and voluntary are carried out in accordance with the DECLG guidelines Sustainable Residential Developments in Urban Areas (2008) and Section 28 Ministerial guidelines - Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (2015).*”

The application of a plot ratio of 0.2:1 on the residentially zoned proposed development lands will not facilitate the sustainable use of this site. It is a stated objective of the National Planning Framework to ensure a more efficient use of land in the delivery of future housing (National Objective 32). To develop out these zoned lands at a plot ratio of 0.2:1 would achieve in the region of 200 no. units at a density of circa 20 units/ha. It is the case that the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas advocates a net density in the range of 35-50 units per hectare and moreover, these national Guidelines have been applied across numerous strategic housing development applications where to develop lands a lower density has been cautioned against and found to result in an inefficient use of zoned serviced lands within a given metropolitan area. It is the case that to pursue a lower density range on the site would not represent an efficient use of zoned land in a focused growth area of one of the country's main cities.

Indeed, the application of the plot ratio in this instance would have the effect of running counter to Government policy on housing and the creation of sustainable communities; this cannot be debated. As such and in the context of subsection 9(3) of the 2016 Act and page 45 of the Guidelines quoted above, the provision of a residential density in the range of 35 - 50 dwellings per hectare is a specific planning policy requirement of the Guidelines and where such Guidelines differ from Development Plan provisions, the requirements shall apply - i.e. a density range of between 35 - 50 units per ha on the subject site should be supported.

*There is a clear conflict therefore in the objective of the Development Plan, to allow and facilitate the City to grow and respond to needs, demands and changing environments, while also uniformly applying controls to development sites with no flexibility in the application of those controls to any particular proposed development.*

(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

These residentially zoned lands are wholly suitable for the proposed strategic housing development given the location in relation to the City, local centres and public transport. The proposed development would make a sustainable and appropriate use of zoned lands. However, if the plot ratio as prescribed the Development Plan (0.2:1) was to be applied, the site would not be developed efficiently in the context of the SHD process, national policy or ministerial guidelines. It would in fact result in a development of circa 200 units which in this location would constitute inefficient use of zoned lands. This would directly contravene the applicable Ministerial Guidelines in the form of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas which call for densities in the range of 30-50 units/ha in outer suburb sites, and would fail to take full account of emerging policy in the form of the dRSES. To develop lands at a lower density than that called for in the Guidelines would represent an inefficient use of zoned serviced lands within the metropolitan area of Galway City. Indeed, the Guidelines clearly discourage developments at net densities less than 30 dwellings per hectare, “in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.” The proposed density on the subject site of 35.85 units/ha achieves a strong mix of units types, represents an efficient use of the site, while also incorporating a strong landscape character and setting for the development proposed.

The proposed development has been designed to reflect the current housing market and therefore directly supports regional and national policy guidance. As per the draft Regional Spatial and Economic Strategy the population of the Galway Metropolitan Area Strategic Plan is to grow by 25,000 by 2026 and is expected to further increase by 38,000 leading up to 2031, it was noted that the population of the City and Suburbs will accommodate 19,200 to 2026 and 28,000 to 2031. This compounds the figures cited earlier and casts further light on the significant housing supply issued facing the City in the near future.

It is noted that in recent decisions, An Bord Pleanála has applied higher densities to suitable sites, where this would provide for an acceptable level of efficiency in the use of zoned and serviced lands. This approach has been taken in light of national policy and guidelines, and the need to build more homes of varying types and tenures to accommodate a growing population.

It is considered that the plot ratio of 0.2:1 stipulated in the Development Plan is not economically feasible in the context of this proposed strategic housing development nor does it represent best planning practice in this instance, due to a range of factors and in the context of what is a housing crisis.

An increase in residential densities at suitable locations has been emphasised at national level in the NPF and at regional level in the emerging RSES with an increase sought in residential densities across the country along with more efficient use of land. Galway is no exception.

The entire LDR zoned lands within the Plan are expected to deliver 815 units over the Plan period (2017-2023). The analysis underpinning the zoning of the Plan is based on the finding that “there is sufficient land zoned that can satisfy the housing needs of the NSS targeted population for 2022.” Under

the RSES, it is noted that all counties in Ireland have experienced population growth over the past 30 years with this trend is anticipated to continue into the future. It was assessed that this growth will place new pressure on existing settlement patterns and in particular on housing supplies. Under the National Planning Framework, it is detailed that by the year 2040 it is expected that the population of circa one million people will require ‘*hundreds of thousands of new jobs and new homes*’. The NPF consequently sets a minimal target of 120,000 people in Galway City and Suburbs which is an increase of 40,000+ people compared to the 2016 levels. Given this unprecedented expected increase in demand and the continued pressure on Galway to be a regional growth location which provides a live/work balance, the City must look to its immediate suburbs to address growth demand. In that vein, it is strongly suggested that development sites which can be serviced and create a sustainable development should not be subject to the constraint of a low-density zoning. To do so is at odds with national and regional policy and guidance and serves only to place further burden on supply of housing across the country.

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.

The National Planning Framework prioritises the Galway city region as an area for continued growth given its location and attractiveness for employers. As noted, the draft RSES Galway needs to “*accommodate a greater proportion of the growth it generates within its metropolitan boundaries.*” Under section 3.6(a) of the dRSES the following targets are listed for population and city homes:

1. Population of Galway Metropolitan Area Strategic Plan (‘MASP’) to grow by 25,000 to 2026 and by 38,300 to 2031 with the population of the City and Suburbs accommodating 19,200 to 2026 and 28,000 to 2031.
2. Deliver at least half (50%) of all new homes that are targeted within the MASP to be within the existing built-up footprint.

It is clear from the Central Statistics Office [CSO] data that the population growth in Galway City in the 25 years to 2016 has been substantial; increasing by 54.7% to 78,668 people. Galway is the country’s fourth largest city and, as such, growth would be expected but this level of growth far exceeds the national level of change for that period which stands at 35.1%.

Galway City is set to grow significantly over the period to 2026 and beyond, if the targets of the NPF and RSES are to be achieved. There is a pent-up demand or unmet requirement for housing in the Galway City area. The CSO indicates that only 500 units were completed in Galway City in the years from 2014 up to 2018<sup>1</sup>. For the first three quarters of 2019, the number of new dwelling completions stands at 162 units<sup>2</sup>. It is expected that the provision of housing in the area will need to significantly increase to keep pace with demographics.

Furthermore the dRSES considers the MASP as an opportunity for Galway to address recent growth legacy issues and build on key strengths, including a vibrant arts and cultural scene, year-round tourism and an attractive natural setting.

The plot ratio provided for in the Development Plan in relation to the LDR zoned lands – 0.2:1 – is exceeded by this proposed strategic housing development, with the proposal achieving a plot ratio of 0.37:1. This exceedance is a direct consequence of the national requirement to make efficient use of land and to increase overall residential densities in light a housing crises, and the expectant population growth trajectory for the region.

The implementation of such a strict plot ratio in the Development Plan is inconsistent with the Government’s policies and objectives to tackle the national housing crisis as set out in Rebuilding Ireland Action Plan for Housing and Homelessness, and as implemented inter alia through the NPF.

<sup>1</sup> *New dwelling completions 2018, Q4 CSO 2019*

<sup>2</sup> *New dwellings completions Q1-Q3 2019 inclusive, CSO, 2019*

## 6. CONCLUSION

It is considered that the proposed development is compliant with national and regional policy and guidance, and that the deviation from a restrictive plot ratio as stipulated in the Development Plan is permissible. The siting and design of the proposed development been carefully considered as demonstrated elsewhere in the application pack. The resultant community will ensure a high-quality development with access varied and quality public spaces and facilities.

In accordance with section 37(2)(b) of the Planning and Development Act, 2000, and notwithstanding the material contravention of the Development Plan, it is submitted that the Board should grant permission, having considered the proper planning and, in particular, the sustainable development of the area, in circumstances where the proposed development is of strategic and national importance, having had regard guidelines under section 28 and the relevant policy of the Government.

