

Submission in Relation to National Planning Framework on behalf of Kilcloon Environmental **Action Association - March 2017**

## **1. Introduction and Executive Summary**

The Kilcloon Environmental Action Association (KEAA) was established in reaction to Meath County Council's decisions over the last number of years to zone approximately 350 acres of rural Meath as development land. This area is located approximately 3km from Maynooth centre and has been named by Meath County Council as "Maynooth Environs" despite the fact that it is remote from the centre of the Kildare town and despite the fact that the zoned area is not serviced by public transport, water, wastewater or other services.

KEAA has made a series of submissions in relation to this zoning, including a current submission in relation to the forthcoming County Development Plan, which also includes this area as a "Growth Town II" in the Issues Paper.

KEAA supports the policies set out in the Regional Planning Guidelines and, now, in the National Planning Framework to

- Facilitate improvements to people's quality of life and well-being;
- Prevent further overdevelopment and sprawl;
- Encourage population growth closer to where employment is located and is likely to be;

## **2. Development Policy based on Community Consultation**

In Section 4.3 of the NFP a number of questions are raised

How can the rural parts of Ireland close to urban areas be protected from development pressures that are likely to arise to accommodate further population growth?

What measures need to be in place to allow those who have a genuine need to live in the countryside to be accommodated?

It is the Position of KEAA that the answer to these important questions must come from within the rural community and must be based on well established principles of sustainable and sequential development.

The Planning Authority must follow the policies set out in the Regional Planning Guidelines and other National policies and not introduce proposals that are primarily driven by and funded by private Developers.

As stated in Section 5 of the NFP "Recent population growth has led to an increase in the extent of dispersed residential and commercial development as well as new infrastructure, which have resulted in pressure on agricultural land, designated nature conservation areas and water quality".

It is KEAA's position that each Planning Authority must avoid excessive and inappropriate zoning of large areas of rural lands that are isolated from existing settlements, particularly if such lands are contiguous with designated conservation areas and waterbodies.

Zoning large areas of isolated rural land for development is not in compliance with any National Planning policies and, furthermore, is not protecting our Green Infrastructure as per Section 5.5 of the NFP.

However, KEAA does recognise and promotes the need for small scale and sustainable development, preferably in small settlements close to existing settlements and services, to provide for the natural housing demands of the local population.

### **3. Section 7 of NFP - Enabling the Vision**

The following questions are asked and we propose the answers as follows:

When it comes to implementation and monitoring of the NPF, are there common goals that can be identified and apply to every place?

Yes the common goal should be that all development and planning policy should serve the needs of the citizens and the greater good and be consistent with environmental protection, sustainability and the need to clearly separate urban and rural areas

How best can sustainable planning outcomes be recognised and rewarded?

By addressing the current funding crisis within Local Authorities that have the effect of rewarding Local Authorities for encouraging large scale development, particularly commercial and urban type estates that bring in rates income as well as Development Levies. Local Authorities, particularly in rural areas close to the large towns and cities, which try to follow good planning practice are, in effect, penalised through reduced income.

What barriers exist to implementation?

- The lack of any enforcement powers evident from previous and existing national and regional planning policies. The NFP is only credible as a "policy" if it can be enforced and Planning Authorities are obliged in law to fully comply with it, not to "have regard to" it.
- The Local Authority funding model as described above.
- The lack of real local engagement and consultation. At present lands can be zoned with a "public consultation" based on placing a small advertisement in a newspaper. There should be a requirement that all significant changes to zoning or planning policies are publicised properly across the local areas using all modern media and public signage in advance of the required statutory consultation
- There should be a clear ethical policy that Planning Authorities cannot enter into any relationship with private developers or private interests in advance of or separate from the public Planning Process

What levers are needed to deliver greater efficiencies in administration and governance, when it comes to implementing and monitoring the NPF?

The proposal in the current Planning & Development Act (Amendment) Bill 2016 to introduce a National Planning Regulator is welcomed by KEAA. While we are reluctant to seek any reduction in the responsibility of the democratically elected Planning Authority, unfortunately, it has been proven that Planning Authorities are unduly influenced by funding and third parties and do not always make decisions in accordance with National Planning Policy, the needs or requirements of the local community.

An independent National Regulator would be of considerable benefit to allow recourse to communities to appeal such decisions and avoid, for example, the need to resort to legal action.

## **Conclusion**

The Executive Summary of the NFP poses the following questions:

- Do we need to reform and strengthen administrative and governance structures so that they are capable of delivering the necessary alliances, collaboration and actions to build up our cities and their regions?
- How might we develop an urban policy that distinguishes between development within the existing built-up area of cities and towns and greenfield development sites?
- How might we distinguish between the role of towns within the wider hinterland of the cities and those located outside the influence of the cities?

As stated above, and using the above bullet pointed questions, it the position of KEAA that

- We need to have a far more collaborative approach engaging all local stakeholders well in advance of any major spatial planning policy decisions affecting them. The current requirement in the Planning & Development Act 2000 to simply advertise such decisions in local newspapers with a limited period of public consultation is simply not adequate, particularly at a time when the readership of "traditional" media is falling. The KEAA notes that there would not appear to be any proposals within the current Bill to change this and would recommend that changes to these provisions for public consultation are introduced, at the same time as the establishment of the Planning Regulator.
- The current Regional Planning Guidelines, and in particular, the RPG Covering the Greater Dublin Region, already address these matters. However, Planning Authorities should be precluded from abusing these Guidelines by establishing or proposing "Large Growth Towns" which are not already included for in the RPG. The concept in the RPG of growth (other than small scale local growth) being concentrated in established and serviced urban centres is well founded and should be enforced.
- The Planning Policy and Legislation must recognise the additional economic pressures being brought to bear on Planning Authorities in those Counties within the hinterland of, in particular, Dublin. There needs to both a regulatory and educational aspect to dealing with the ongoing and unhealthy close relationship between Private Developers and Planning Authorities. Given that the above referenced Bill is stated to be based on the recommendations of the Mahon Tribunal, the Government must break this link with Private Developers for once and for all.

While the new Lobbying Register will help, there must be a programme to alter the mindsets of Local Representatives and to empower Local Communities.

KEAA is aware that, for example, Meath County Council has recently approved a new Roadway serving the zoned lands at "Maynooth Environs" using the "Part 8" Planning procedures while also admitting that the road is to be funded, designed and constructed by the same private developer who is promoting the development of the zoned lands which are to be serviced and facilitated by the roadway.

It is the view of KEAA that such relationships are in clear conflict with the spirit and intention of all existing legislation, policy and guidelines and the NFP and associated regulatory framework must represent a sea change in this area.

Otherwise it is just another paper exercise.

Signed on Behalf of the Kilcloon Environmental Action Association

A handwritten signature in black ink, appearing to read 'Bruce Crehan', written in a cursive style.

Bruce Crehan  
Chairman

15/03/2017