

Our Reference: FPL/184/02716

Your Reference:

5 January 2021

By email

Mr Niall Cussen
Chief Executive and Planning Regulator
Office of the Planning Regulator
info@opr.ie

My Client Protect East Meath Limited

Re: Review of the Meath County Development Plan

Dear Mr Cussen

I am writing to you on behalf of my client, Protect East Meath Limited, in relation to the current review of the Meath County Development Plan (**CDP**) in particular in relation to the proposed objectives and strategy for the Southern Environs of Drogheda.

Protect East Meath Limited is non-profit environmental non-governmental organisation whose aim is to ensure that development in East Meath takes place with strong environmental protections. A full description of its activities can be consulted on its website www.eastmeath.org

In my client's view the proposal by Meath County Council (**MCC**) in its draft CDP relating to the Southern Environs of Drogheda is not consistent with the Regional Spatial and Economic Strategy for the Eastern and Midlands Region (**RSES**). Unless the draft is modified there is a real and significant risk that the objectives of the RSES and National Planning Framework (**NPF**) will be undermined in relation to Drogheda.

Relevant Planning Policies

National Planning Framework

The NPF (page 34) requires the preparation of co-ordinated strategies for Dundalk and Drogheda at both regional and town level to ensure they have the capacity to grow sustainably and secure investment as

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key centers on the Drogheda-Dundalk-Newry cross-border network. This is reflected in NPO 2b which requires this cross-border network to be identified and supported in the RSES; NPO 7 and NPO 44 are also relevant.

According to Appendix 2 of the NPF, the population of Drogheda was 40,956 in 2016.

Regional Spatial and Economic Strategy

Alongside Athlone and Dundalk in the Gateway Region, Drogheda is a Regional Growth Centre in the Core Region. Drogheda is targeted for significant compact and focused growth to enable it to act as a regional driver¹. In particular Drogheda is “to realise its potential to grow to city scale and secure investment to become a self-sustaining Regional Growth Centre on the Dublin-Belfast Economic Corridor”²

The RSES envisages the population of Drogheda to grow to 50,000 by 2031 with the following stated in relation to residential development in the town³:

Key to the success of Drogheda as a self-sustaining Regional Growth Centre is targeted compact growth through the renewal and regeneration of underused, vacant and/or derelict town centre lands for residential and commercial development facilitated through the joint UAP. The availability of vacant and derelict serviced sites for residential development within the town centre also allows for an opportunity to contribute towards place making. In this regard the regeneration of the Westgate Area, will attract more people to live in the town core.

It is acknowledged that rapid phases of housing delivery in recent years requires the need to promote self-sustaining economic and employment-based development opportunities in the town to provide for employment growth for the existing population and to reverse commuting patterns. Job opportunities in the town will also help to combat social exclusion. The development of existing town centre brownfield and infill sites and the sustainable and co-ordinated development of zoned lands in the northern environs and southern environs of the town will be supported. The objective is to create compact mixed use employment and residential communities in key locations and in proximity to established residential areas and transport hubs while balancing growth north and south of the town centre.

The RSES envisages at Joint Urban Area Plan (UAP) to be developed by Meath and Louth County Councils as a priority:

A cross boundary statutory Joint Urban Area Plan (UAP) for the Regional Growth Centre of Drogheda shall be jointly prepared by Louth and Meath County Councils in collaboration with EMRA. The UAP will support, the development of Drogheda as an attractive, vibrant and highly

¹ Pages 33 and 35

² Page 36

³ Page 62

accessible Regional Centre and economic driver. The joint UAP will provide a coordinated planning framework to identify and deliver strategic sites and regeneration areas for the future physical, economic and social development of Drogheda to ensure it achieves targeted compact brownfield /infill growth of a minimum of 30% and ensure a coordinated approach is taken to the future growth and development of the town to ensure that it has the capacity to grow sustainably and secure investment as a Regional Growth Centre on the Dublin – Belfast Economic Corridor. The joint UAP will identify a functional urban area and plan boundary for the plan area and strategic housing and employment development areas and infrastructure investment requirements to promote greater coordination and sequential delivery of serviced lands for development.

The RSES envisages a population target of 50,000 is (sic) for the entire settlement of Drogheda up to 2031. This includes lands within the combined functional area of the two local authorities of Louth and Meath. The preparation and adoption of a statutory Joint Urban Area Plan (UAP) by Louth and Meath County Councils is to be a priority.

The importance of the UAP is reflected in RPO 4.11:

RPO 4.11: A cross boundary statutory Joint Urban Area Plan (UAP) for the Regional Growth Centre of Drogheda shall be jointly prepared by Louth and Meath County Councils in collaboration with EMRA. The UAP will support, the development of Drogheda as an attractive, vibrant and highly accessible Regional Centre and economic driver. The Joint UAP will identify a functional urban area and plan boundary for the plan area and strategic housing and employment development areas and infrastructure investment requirements to promote greater coordination and sequential delivery of serviced lands for development

RSES Section 4.3 “Taking Account of Existing Plans” deals with excess zoning and recommends that core strategies may apply prioritisation measures and/or de-zoning where a surplus of land is identified in plans with regard to the NPF Implementation Roadmap up to 2031.

RPO 4.1 states as follows:

In preparing core strategies for development plans, local authorities shall determine the hierarchy of settlements in accordance with the hierarchy, guiding principles and typology of settlements in the RSES, within the population projections set out in the National Planning Framework to ensure that towns grow at a sustainable and appropriate level, by setting out a rationale for land proposed to be zoned for residential, employment and mixed-use development across the Region. Core strategies shall also be developed having regard to the infill/brownfield targets set out in the National Planning Framework, National Policy Objectives 3a-3c.

Finally, it is noted that the RSES, in section 4.3, read with the NPF Implementation Roadmap allows for a 25% headroom in Meath up to 2026.

Meath County Development Plan 2013 to 2019 – Variation No 2

The current Meath CDP (2013 to 2019) was adopted on 17 December 2012 and came into effect on 22 January 2013. It was the first Meath CDP to include a Core Strategy following the 2010 reform of the planning code. The CDP included the following objectives to ensure that the CDP and Local Area Plans were consistent with the Core Strategy:

CS OBJ 2 *To publish a variation to the Meath County Development Plan 2013 – 2019 within one year of the adoption of the Development Plan to introduce land use zoning objectives and an order of priority for the release of lands for Ashbourne, Drogheda Environs, Dunboyne/Clonee/Pace, Dunshaughlin and Ratoath. Following the making of this variation, the Planning Authority shall publish amendments to the Local Area Plans of Ashbourne, Drogheda Environs, Dunboyne/Clonee/Pace, Dunshaughlin and Ratoath to ensure that they are consistent with the Development Plan, as varied, and particularly the settlement strategy, core strategy and household allocations outlined in Table 2.4.*

CS OBJ 5 *To ensure that the review of Town Plans and Local Area Plans achieve consistency with the core strategy of the Meath County Development Plan 2013–2019 by only identifying for release during the lifetime of the Meath County Development Plan 2013–2019 the quantity of land required to meet household projections as set out in Table 2.4.*

Based on these and other objectives Variation No 2 to the CDP⁴ was adopted on 19 May 2014 which identified household allocation targets to be delivered during the lifetime of the CDP including a 50% headroom; set out the available zoned land to achieve these allocations; and quantified the excess/shortfall of appropriately zone land required to meet the stated household allocation.

The Variation indicated that there was an excess of zoned land in most towns and villages in Meath for which LAPs had been prepared. As an alternative to de-zoning land, the Variation introduced an “*order of priority*” whereby objective criteria were used to identify zoned land available for development during the lifetime of the CDP (so-called Phase I lands) and Phase II lands which are indicated as being required beyond the life of the present CDP (although the Variation states that this did not infer a prior commitment on the part of Meath County Council regarding their future zoning for residential or employment purposes.)

In terms of the Southern Environs of Drogheda (i.e. the part of Drogheda within the Meath County Council functional area) an excess of 139.1 ha of zoned land was identified. In other words, there were 159.1 ha of zoned land but only 19.9 ha required taking into account extant permissions and a 50% headroom. The variation identified 23.87 ha to be zoned Phase I with the remaining 136.29 ha zoned as Phase II⁵.

According to a recent SHD application to An Bord Pleanála the Phase I lands have not been fully developed leaving a current shortfall of 693 units in relation to the Housing Allocation and committed units envisaged for the Phase I lands in the current CDP⁶.

⁴ <https://countydevelopmentplan.meath.ie/variations/variation-no-2/>

⁵ Volume 5 of the CDP (as varied) pp 636-638

⁶ Colp West SHD No 2 (An Bord Pleanála Reference 308116) – Statement of Material Contravention, para 3.14
<http://www.colpwestshd2.ie/data/files/Application%20Documents/Planning/Statement%20of%20Material%20Contravention.pdf>

Draft Meath County Development Plan 2021 to 2026

Section 2.4.3 of the draft CDP states that it will be aligned, in so far as is practicable, with the national and regional policy objectives of the NPF and RSES⁷.

Section 2.8.1 states that consideration will be given to both prioritization and de-zoning in terms of identification of excess zoning.

Section 2.8.1.1 deals with the UAP for Drogheda referring to RPO 4.11. The draft notes that a timeframe has not been agreed and states as follows:

“... it is important that land use availability is reflective of its position in the settlement hierarchy and its anticipated role in the future growth and development of the Region, which is to act as a regional driver of economic growth. The ‘Residential Phase II’ designation on the A2 ‘New Residential’ lands in the Southern Environs of Drogheda has therefore been removed with these A2 ‘New Residential’ land retained and being made available for development. This ‘transitional arrangement’ will ensure there is sufficient land available to facilitate population growth and economic development based on its designation as a Regional Growth Centre. As part of the Joint Urban Area Plan process a more detailed examination of the quantum of residential and employment zoned lands, in addition to open space and community infrastructure, will be carried out. Pending the completion of this process the Council will closely monitor development activity in the area.”

Section 2.10.4 deals with the distribution of the population and households in the County which includes a table setting out the population increase envisaged for each settlement up to 2026 together with details of the number of housing units required and the quantum of zoned residential land in each settlement. In relation to Drogheda (i.e. the Southern of Environs of Drogheda) The following is presented⁸:

Settlement	Population 2016	Projected population increase to 2026	Projected population 2026	Approximate households completed 2016-2019	Extant units not yet built	Household allocation 2020-2026 ⁹	Potential units to be delivered on infill/brown-field lands ⁹	Quantum of land zoned for residential use (ha)
Regional Growth Centre								
Drogheda	6,527	3,300	9,827	113	572	1,631		178.73

The following objectives in the draft CDP are relevant:

CS OBJ 10 *To prepare a Joint Vision and Urban Area Plan for Drogheda in partnership with Louth County Council within the lifetime of this Plan in accordance with the requirements of Regional Policy Objective 4.8⁹ of the RSES for the Eastern and*

⁷ In fact the review of the plan was suspended for this purpose to allow for the adoption of the RSES

⁸ It is not entirely clear from the draft whether the Household Allocation includes the extant permissions, for the purpose of this letter, it is assumed that extant permissions are included.

⁹ RPO 4.8 applies to Athlone, the reference here appears to be an error

Midland Region and the recommendations set out in the Report of the Drogheda Boundary Review Committee published in February 2017.

SH OBJ 7

To prepare a Joint Vision and Urban Area Plan for Drogheda in partnership with Louth County Council within the lifetime of this Plan in accordance with the requirements of Regional Policy Objective 4.11 of the RSES for the Eastern and Midland Region.

Section 3.8.10 envisages densities between 35 and 45 units/ha in Regional Growth Centers depending on the site location.

Discussion

There are a number of areas where the draft CDP is inconsistent with and/or risks undermining the RSES:

1. The draft CDP does not accord with the RSES requirement to prioritise the adoption of a UAP for Drogheda since it only envisages that the UAP will be adopted during the lifetime of the CDP. In principle, therefore the UAP, could be delayed until 2026, i.e. half way through the period covered by the RSES. Given that the timeline for adoption of the UAP is completely within the gift of the two local authorities, there is simply no justification for allowing six years to complete this plan which is crucial for the development of Drogheda.
2. In the absence of a UAP, the draft CDP proposes a population increase over 6 years of 3,300 in the Southern Environs of Drogheda¹⁰. This part of Drogheda represents only 16% of the town's population. The projected increase seems to be entirely disproportionate when the overall increase in the population of Drogheda (including the part in Louth) during the 10-year lifetime of the RSES is 9,000. It is hard to see how this is consistent with the RSES given that in Meath alone, 30% of the projected increase in housing envisaged in the RSES could potentially take place before the UAP is adopted.
3. The draft CDP also represents a return to the excess zoning that prompted Variation No 2 to the current CDP which imposed an order of priority. Whereas the same degree of excess zoning persists relative to the housing allocation, the draft CDP does not propose prioritisation or de-zoning to deal with excess zoning. In fact the existing order of priority is being abandoned without another measure being put in place to deal with excess zoning. There is absolutely no justification for releasing enough zoned land to accommodate between 6,230 and 8,000 units (a population increase between 15,000 and 20,000) when the household allocation excluding extant units is 1,059 (for a population increase of 3,300). There is no real urgency in relation to prioritization since there are currently 693 units in unmet allocation in Phase I of the current CDD. The existing order of priority could simply be maintained pending the UAP and the situation monitored and adjusted, if necessary, as the Phase I lands are developed. The current unmet allocation on Phase I lands is more than one third of the proposed housing allocation under the draft CDP indicating there is no real need for the current order of priority to be modified at least in the short term. It is clear therefore

¹⁰ Although the real figure could be significantly higher (see point 5 below).

that the proposal to abandon the order for priority has no justification whatsoever and in particular cannot be justified on the basis of the RSES as suggested in the draft CDP.

4. The combination of the immediate release of excess zoned land and the failure to prioritise the UAP risks undermining the RSES and UAP entirely. With all residential zoned lands in the Southern Environs of Drogheda available for development in principle, developers can strategically apply for planning permission in order to secure sites in advance of the identification of the plan boundary and strategic sites in the statutory UAP. There is nothing to prevent a developer applying for and securing planning permission on a marginal site that may in fact fall outside the UAP boundary or not be considered strategic. The draft CDP therefore encourages land banking and the making of strategic applications aimed at circumventing the UAP. It is clear that this is diametrically opposed to both the letter and spirit of the RSES.
5. There is a risk that the RSES population targets will be exceeded due to an unrealistically low occupancy rate used to calculate household allocation. It appears that an occupancy rate of less than 2 persons/unit was used to arrive at a household allocation of 1,631 based on a projected population increase between 2016 and 2026 of 3,300 bearing in mind that 113 additional units were completed between 2016 and 2019. There is no evidence to suggest that the average occupancy of units in the Southern Environs of Drogheda are or ever will be less than 2 per unit when the current occupancy rates in Meath are in excess of 2.5. Based on a more realistic occupancy rate of 2.5 persons/unit and including the 113 completed units between 2016 and 2019 only 1,200 units are in fact needed for the housing allocation to achieve the expected population growth. In fact, a household allocation of 1,631 plus 113 completed units would accommodate a population increase of 4,360 between 2016 and 2026. Given that the RSES and NPF are based on population projections rather than housing units, it is important that housing allocations in development plans are based on realistic occupancy numbers which is not the case here.

Conclusion

My client is gravely concerned that the draft CDP represents a huge retrograde step by abandoning the order of priority without justification thereby releasing a large amount of zoned land in advance of the adoption of the statutory UAP. This will ultimately lead to uncoordinated and incoherent development which is contrary to both the letter and spirit of the NPF and RSES.

My client asks that your office intervenes to ensure that Meath County Council adopts a CDP that is consistent with and supports the delivery of NPF and RSES objectives.

I would be grateful if you could let me know as soon as possible what steps your office intends taking in relation to the issues raised in this letter.

Yours faithfully



FP LOGUE

Cc:

Mr Jim Conway, Director, Eastern and Midland Regional Assembly (jconway@emra.ie)

**Councilor Tom Behan, Cathaoirleach of the Laytown-Bettystown Municipal District
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Ms Jackie Maguire, Chief Executive of Meath County Council (customerservice@meathcoco.ie)

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