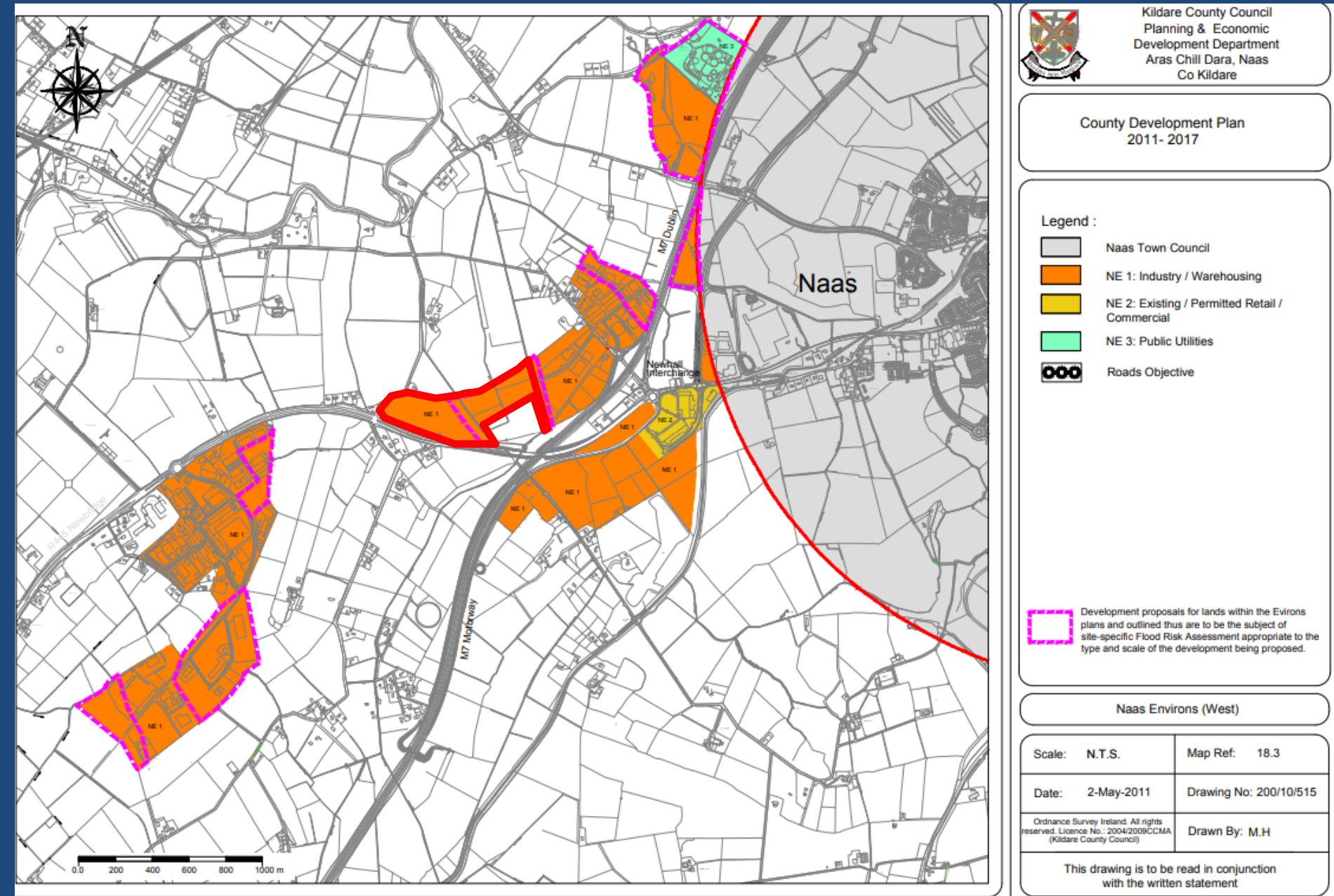


Submission on the Draft Kildare County Development Plan 2023-2029

In Relation to Lands at Newhall, Naas, Co. Kildare



23rd May 2022



John Spain Associates
39 Fitzwilliam Place
Dublin 2

On Behalf of
Crylock Developments Limited

1.0 INTRODUCTION AND SUMMARY

- 1.1 On behalf of our client, Crylock Developments Limited, Newhall, Naas, Co. Kildare, we wish to make a submission on the Draft Kildare County Development Plan 2023-2029.
- 1.2 Our client's lands that are the focus of this submission are located approximately 2 kilometres to the west of Naas Town Centre and adjacent to the Newhall Junction of the M7 (see Figure 1.1 below) and contiguous to existing and permitted employment uses to the east. Our client also owns lands to the north and immediate west of the subject lands.
- 1.3 The subject lands are highly accessible and are well served in terms of water, energy, and transport infrastructure. Our client has entered into an agreement with the adjoining landowner to the east, to provide access to the subject lands via the existing estate road to the east (to be delivered as part of any future development of our client's lands). Thereby utilising the existing access road to the adjoining estate, off the Newbridge Road, which terminates at the boundary of our client's lands and avoiding the necessity for any access to the subject lands in close proximity to the R445 to the south of the lands. Figure 1.1 below illustrates the extent of the subject lands and indicates the potential for future access from the east.

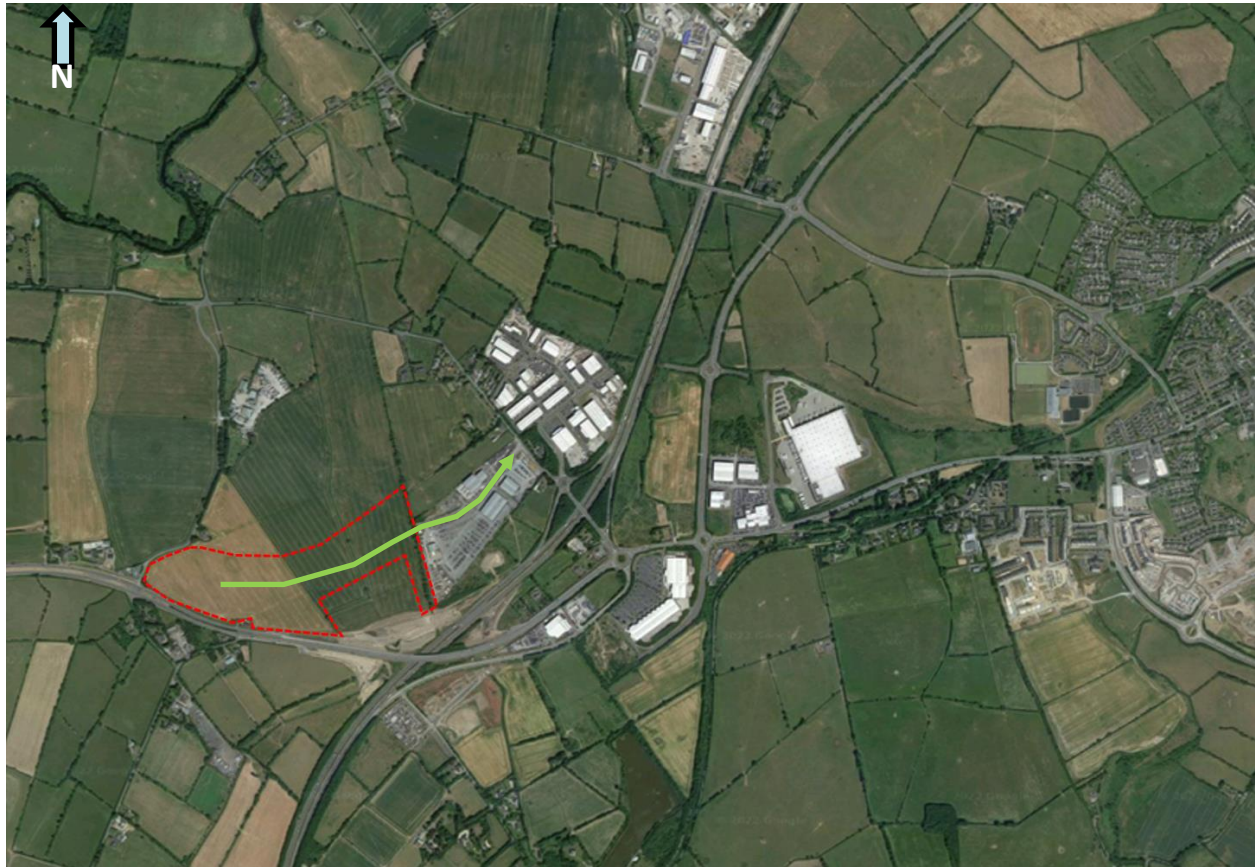


Figure 1.1: Site Location with approximate extent of client landholding the subject of this submission outlined in red, and indicative future access route in green

- 1.4 The subject lands have not been attributed any zoning under the Draft Development Plan published by the Planning Authority, despite the previous zoning of the subject landholding under the previous Development Plans for the area as summarised in Section 2 below.
- 1.5 The subject lands have not been zoned within the adopted Naas Local Area Plan 2021-2027, as the lands are outside the Local Area Plan boundary. Therefore, it is submitted that the most appropriate location for the zoning of the subject lands to be set out, would be within Volume 2 of

the Draft Kildare County Development Plan 2023-2029, which provides zoning maps and objectives in respect of lands in the environs of Naas, falling outside the Naas LAP boundary.

- 1.6 This submission sets out a reasoned basis for the zoning of our client's landholding as **objective 'H3 – Industry / Warehousing'** within Volume 2 (Small Towns and Environs Plans) of the new Kildare County Development Plan. This update could be accommodated via an amendment to Volume 2 of the Draft Development Plan (Small Town and Environs Plans).
- 1.7 As set out in further detail below, it is considered that the subject lands represent an appropriate location for industrial and warehousing uses, due to the location of the lands contiguous to existing and permitted development of a similar nature, and being readily accessible to the national road network, noting the agreement in place for accessing of any development thereon from the existing estate road to the east of the site.
- 1.8 The suggested amendment will require an extension of the Ladytown Environs zoning map (Map V2 2.2) to include the 'H3' zoning on the lands in our client's ownership at Newhall, similar to the previous land use zoning map for Naas Environs under the 2011-2017 Development Plan. An amendment of the zoning map title to read "Ladytown and Newhall" is also suggested.
- 1.9 Section 2 of this document provides details of the previous planning / zoning context of relevance to the subject lands and the Planning Authority's consideration of this submission. Section 3 outlines the relevant planning history pertaining to the subject lands and immediately adjoining lands. Section 4 outlines the requested amendments to the Draft Kildare County Development Plan and provides a supporting rationale for the requests made.

2.0 PREVIOUS PLANNING CONTEXT

- 2.1 Our client owns a strategically located landholding at Newhall, adjacent to the existing built-up area of Naas, County Kildare.
- 2.2 The subject lands at Newhall were previously zoned under the following plans (extracts of the relevant zoning maps are provided below):
- **Kildare County Development Plan 2011-2017**
Zoned Objective NE1 to provide for industrial and employment development
Reg. Ref.: 12/106- Extension of duration for the previously permitted industrial / warehouse development granted under this zoning objective (see Section 2).
 - **Kildare County Development Plan 2005-2011**
Zoned Objective NE1 to provide for industrial and employment development
Reg. Ref.: 06/707- Planning permission granted for an industrial / warehouse development under this zoning objective (see Section 2).

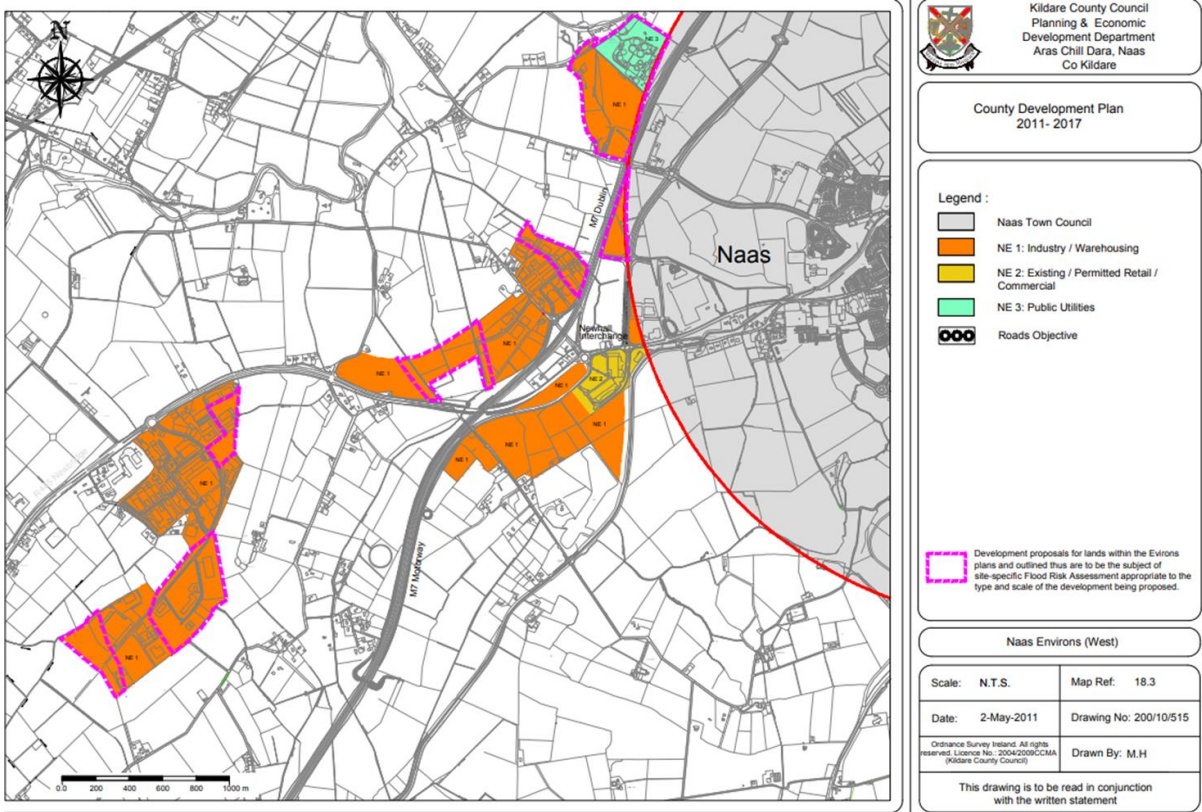


Figure 2.1: Extract from the Naas Environs (West) zoning map of the Kildare County Development Plan 2011-2017 (subject lands in red)

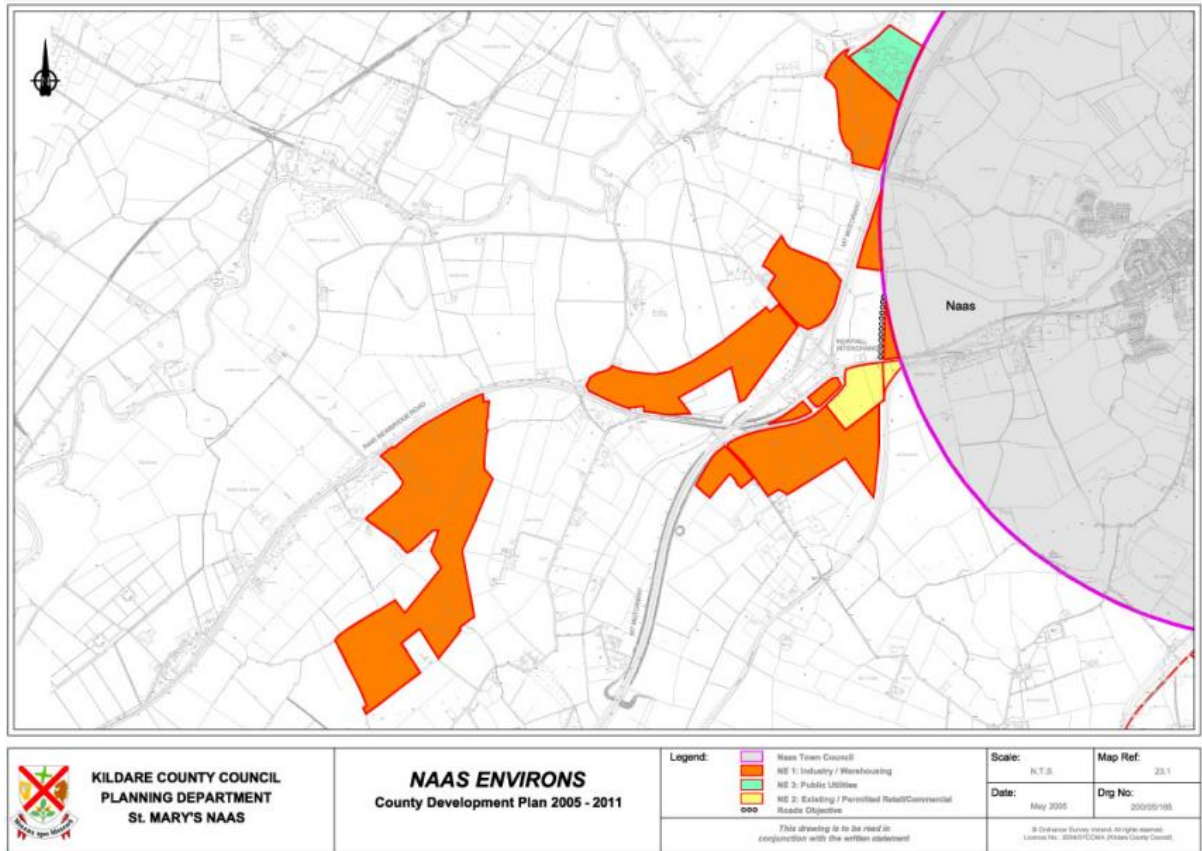


Figure 2.2: Extract from the Naas Environs zoning map of the Kildare County Development Plan 2005-2011 (subject lands in red)

2.3 The previous land use zoning context of relevance to the subject lands is illustrated in the map extracts (Figures 2.1 and 2.2) above. As set out below, it is submitted that the zoning of the subject lands should be reinstated as part of the policies and zoning objectives provided for the environs of Naas in Volume 2 of the Draft County Development Plan.

3.0 RELEVANT PLANNING HISTORY

Planning History of the Subject Lands

Kildare County Council Reg. Ref.: 06/707, as extended under Reg. Ref.: 12/106

3.1 The subject lands, which were subject to the NE1 zoning under the 2011-2017 CDP and 2005-2011 CDP, were previously subject to planning permission for the development of a “business park / industrial estate consisting of approximately 11 no. sites for further industrial development, construction of 1 manufacturing unit on one of these sites”, under Reg. Ref.: 06/707, as extended under Reg. Ref.: 12/106 (see Figure 3.1 for an extract from the permitted site layout plan). This permission has since expired. The viability of the development of the site was impacted by the economic environment in Ireland as well as the costs of the significant infrastructure that needed to be installed. Much of that infrastructure has now been installed or is in the process of being installed, which has led to renewed and recent interest in the lands.

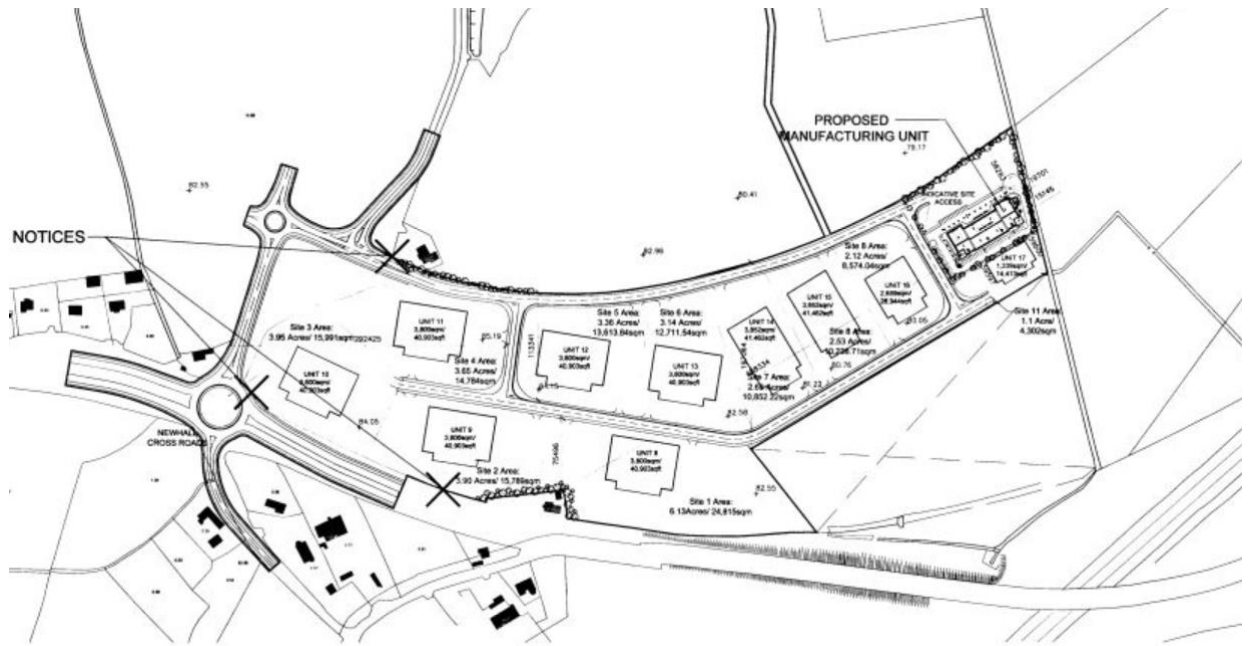


Figure 3.1: Extract of Site Layout Plan- Including Future Potential Development from Reg. Ref.: 06/707

3.2 Following, the expiry of the previous permission relating to the lands in 2017 and the omission of the Naas Environs zoning from the 2017-2023 County Development Plan, the landowner engaged with the Planning Authority in respect to a new warehousing / logistics development on the subject lands, including the submission of a formal S. 247 request. However, the application was not pursued as a new Naas LAP was under preparation at that time and it was anticipated that the zoning of the subject lands would be addressed under the new LAP as the Naas Environs zoning was not included in the 2017 CDP (as set out below a similar situation arose for the adjacent lands to the north east, and which were subsequently zoned in the LAP). However, the subject lands (and the client’s wider landholding at this location) were ultimately not included within the boundary of the Naas Local Area Plan.

Relevant Adjacent Planning History

Kildare County Council Reg. Ref.: 20714

3.3 On the 8th of April 2021, a final grant of permission was issued in respect of the following development, on lands immediately adjoining the lands subject of this submission:

“The construction of a Freezer Warehouse, Marshalling Area, Loading Docks, Administration Office, Staff Facilities, Access Road and all ancillary site development works”

3.4 This development will be accessed off the same road (to the east of the client’s landholding) from which our client has an agreement to provide access to the subject lands.

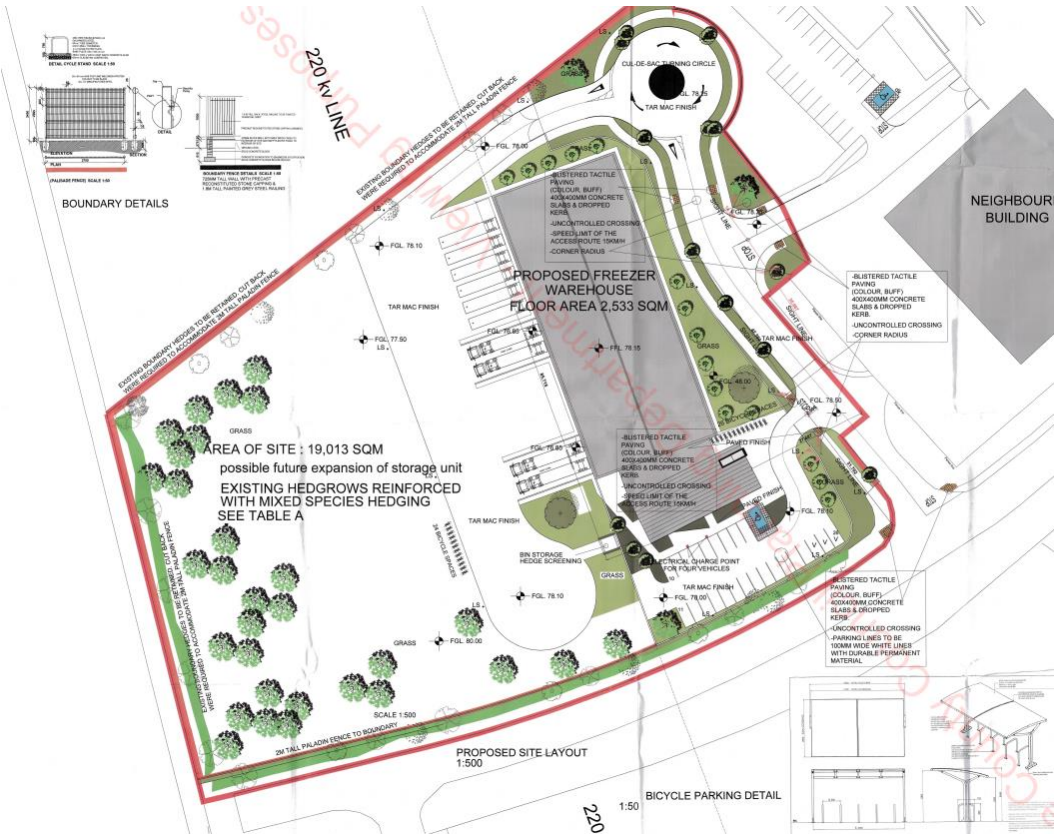


Figure 3.2: Further Information site layout for Reg. Ref.: 20714

Kildare County Council Reg. Ref.: 20715

3.5 On the 8th of April 2021, a final grant of permission was issued by the Planning Authority on lands to the east of our client’s landholding for the following development:

“The construction of a Freezer Warehouse, Marshalling Area, Loading Docks, Administration Office, Staff Facilities and all ancillary site development works”

3.6 This development will be accessed off the same road (to the east of the client’s landholding) from which our client has an agreement to provide access to the subject lands.



Figure 3.3: Further Information site layout for Reg. Ref.: 20715

3.7 Both of these applications were assessed and granted prior to the Naas LAP 2021-2027 coming into effect, with the applicant and Planning Authority noting the NE1 land use zoning under the previous 2011-2017 County Development Plan. The Planning Authority took the opportunity when finalising the 2021-2027 Naas LAP to regularise the land use zoning on these two sites, and it is respectfully that the same opportunity should now be taken for our client’s landholding to the east, i.e. reinstate a similar zoning to the previous County Development Plan for the previously zoned lands at Naas Environs but outside the development boundary of the LAP, as discussed in greater detail in Section 4 below.

Part 8 Permission- Ref. Ref.: P82021.05

3.8 Kildare County Council granted permission, through the Part 8 application process, for the R445 Newhall Junction Improvement Scheme, which includes a roundabout to replace an existing cross-roads junction known as Newhall Crossroads on the R445 Regional Road between Naas and Newbridge. The site is located approximately 700m west of the newly constructed Newhall junction 10 on the M7, and includes a portion of our client’s landholding to the south west.

3.9 The approved development comprises:

- Replacement of the existing junction with a 70m diameter roundabout centred approximately at the location of the existing junction
- Realignment of the approach roads as required to facilitate the connection of these roads to the proposed roundabout in accordance with the relevant Design Standards (Design Manual for Road and Bridges)
- The provision of a cycleway and footway on both sides of the R445 with appropriate crossings of the local road approaches to the proposed roundabout
- Extinguishment of three public rights of way; the first between the R445 and Lady’s Cross Road; the second between the R445 and a service road serving a number of private residences immediately northwest of the existing junction and the third between that service road and Local Road L2031.

- Closing the existing left in / left out access directly onto the R445 from Lady's Cross Road
- Closing the existing left in / left out access directly onto the R445 from the service road mentioned above; and
- Provision of a new access from the service road onto the L2031.



Figure 3.4: Extract demonstrating road improvements and our client's lands

3.10 The requested zoning and future development of our client's lands would be complementary to these much needed road improvements, and our client is supportive of the delivery of the road safety improvements.

4.0 REQUESTED AMENDMENTS TO THE DRAFT COUNTY DEVELOPMENT PLAN AND RATIONALE FOR SAME

Requested Amendment to the Draft Kildare County Development Plan

- 4.1 It is respectfully submitted that our client's lands as identified above should be zoned **objective 'H3 – Industry / Warehousing'** within Volume 2 (Small Towns and Environs Plans) of the new Kildare County Development Plan. This update could be accommodated via an amendment to Volume 2 of the Draft Development Plan (Small Town and Environs Plans). This approach would be similar to the 2011-2017 Development Plan and land use zonings for Naas Environs, as illustrated in Figure 2.1 above.
- 4.2 Volume 2 currently includes land use zoning objectives and a land use zoning map (at Section 2.7) for Ladytown Environs, a nearby area to the southwest of the subject lands in the environs of Naas.

4.3 It is submitted that Section 2.7 of the Draft Plan should be amended to refer to “*Ladytown and Newhall Environs*” (additional text in green).

4.4 The first paragraph of Section 2.7 of Volume 2 should also be amended as follows (additional text in green):

“The Council has zoned lands at Ladytown and Newhall as indicated on Map V2 - 2.2 for the uses as outlined in Table 2.6 below.

4.5 Table 2.6 sets out the relevant zoning objectives illustrated on Map V2 2.2 of the Draft Plan, and it is submitted that the H3 – Industry / Warehousing zoning objective should also be applied to the lands in our client's ownership at Newhall. The vision for this zoning objective is as follows:

“The purpose of this zone is to provide sites for industrial, and in particular warehousing uses, at locations which are outside the built-up areas of Naas and Newbridge, and which are, or could be made available with appropriate road improvements, readily accessible to the national road network.”

4.6 It is submitted that the subject lands represent an appropriate location for industrial and warehousing uses, due to the location of the lands contiguous to existing and permitted development of a similar nature, and readily accessible to the national road network, noting the agreement in place for accessing of any development thereon from the existing road to the east of the site.

4.7 The suggested amendment will require an extension of the Ladytown Environs zoning map (Map V2 2.2) to take in the lands in our client's ownership at Newhall. An amendment of the zoning map title to read “Ladytown and Newhall” will also be required. An extract of the relevant map is provided below for ease of reference:

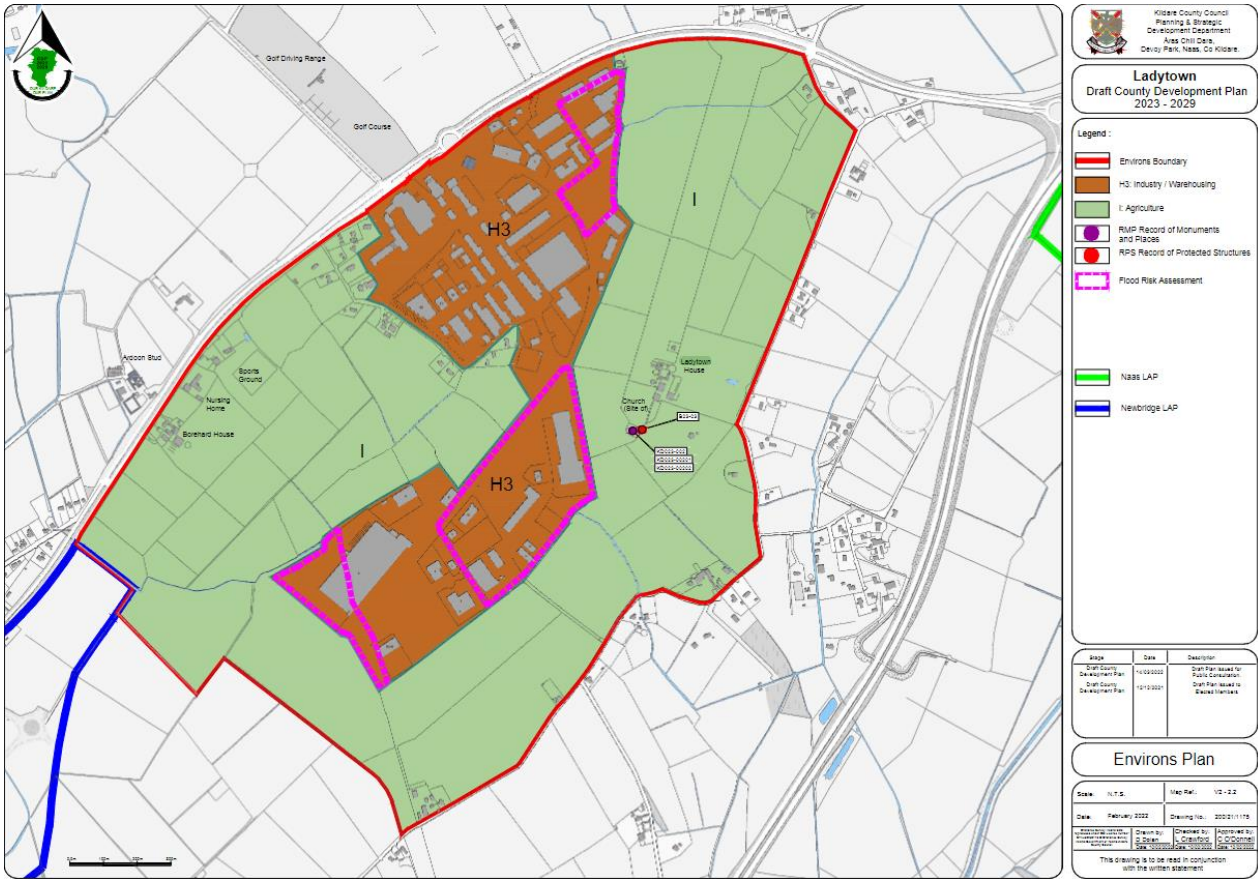


Figure 4.1: Extract of the Ladytown Environs zoning map, to which amendments are suggested

Rationale for the Requested Amendment

Previous Zoning Precedents and Planning History

- 4.8 As set out above, the subject lands in our client's ownership were zoned NE1 (with an objective to provide for industrial and employment development) under two successive County Development Plans (2005-2011 and 2011-2017) as part of the zoning policy provided for the environs of Naas.
- 4.9 The lands were not zoned in the 2017-2023 County Development Plan (as it did not include environs zoning objectives for Naas). At that time the Planning Authority indicated to landowners, as illustrated in the planning history section above, that this decision related to the objective for the preparation of a new Local Area Plan for Naas. However (notwithstanding that our client's wider landholding at this location was zoned in the draft of the subsequently abandoned Naas Local Area Plan 2019-2023), the subject lands were not included within the boundary of the new 2021-2027 Naas Local Area Plan, which is now operational.
- 4.10 This situation had resulted in an apparent lacuna in terms of the zoning of lands in the environs of Naas, as demonstrated by the referral by the Planning Authority in their decisions on applications under Reg. Ref.: 20714 and 20715 to the previous zonings under the 2011 – 2017 Development Plan, even after the more recent 2017-2023 Development Plan had come into effect.
- 4.11 Some of the lands previously zoned in the environs of Naas under the 2005-2011 and 2011-2017 Development Plans has subsequently been zoned within the new LAP for Naas, however, the subject lands in our clients ownership, and other lands at Ladytown Business Park were not, being

situated outside the development boundary of the LAP.

- 4.12 The new Draft 2023-2029 County Development Plan has partially rectified this omission (by providing zoning objectives for lands at Ladytown as set out previously), however the Draft Plan has not provided for the zoning of the previously zoned lands in our client's ownership at Newhall.
- 4.13 It is respectfully submitted that the Draft Plan should therefore be amended as set out above, to provide for the zoning of the subject lands.
- 4.14 This request is further supported by the previous planning history of the subject lands and adjoining lands as set out above, and by the significant improvements in infrastructure serving the area (even since permission was previously granted and subsequently extended in duration on the subject lands), and noting the subject lands can be accessed through the business estate to the east, thereby ensuring future development will not adversely impact on the operation of the new Motorway Junction to the south east.

Infrastructure and Services

- 4.15 As set out previously, our client has entered into an agreement with an adjacent landowner to provide access for any future development on the subject lands from the existing roadway running up to the eastern site boundary, which serves existing and permitted business and warehousing.
- 4.16 The lands are located to the north of the R445 which links Naas to Newbridge. It is a high-quality dual carriageway for a significant portion of its length including as far as Naas to the east and approximately 3.4km west of the site entrance towards Newbridge. The junction providing access to the lands currently operates as a priority crossroads; however, Kildare County Council have recently undertaken a Part 8 application to upgrade this junction to a roundabout which will address existing safety concerns and provide increased capacity at this location (Reg. Ref.: P82021.05). It is submitted that the zoning and delivery of development on the subject lands will support and enable the delivery of this new roundabout which is an important piece of infrastructure for the area.
- 4.17 We also note the proximity of the lands to the recently upgraded Newhall Interchange which has been relocated south of its previous location and has included the construction of 2 large, c. 74m diameter multiple lane roundabouts with dedicated slip lanes on either side of the M7, facilitating access to/from the motorway and Naas. One of the primary objectives of this upgrade was to address the historical traffic issues experienced at the previous iteration of the Newhall Interchange and it was carried out as part of a larger project which has seen the upgrade of the M7 motorway to 3 lanes and the construction of a new M7 interchange at Osberstown. By accessing the subject lands through the adjacent business park, the capacity and operation of the new interchange will not be impacted upon by the proposed zoning / future development of our client's lands.
- 4.18 It is noted that the identified route corridor for the Leinster Orbital Route Protection Study does not cross any portion of the subject lands. In relation to this corridor, the NTA Transport Strategy 2016-2035 indicates that the LOR is not intended for implementation during the period of the Strategy.
- 4.19 The lands are traversed from north to south by a 380 KVA power transmission line and from east to west by a 110 KVA power transmission line providing for direct access to high voltage electricity. The lands are serviced by the natural Gas Main which runs along the R445 Naas / Newbridge dual carriageway which borders these lands along their southern boundary.
- 4.20 These lands are also serviced with unrivalled connectivity to the telecommunication network. A

choice of service providers namely, Eir, BT Broadband, SIRO, EU networks, Inland Fibre Telecom, SSE, Viatel, Colt and ENET, as well links to other providers such as Vodafone, Verizon, Aquacomms, Telia Company, GTT and AT&T.

- 4.21 The lands are located in close proximity to the Waste Water Treatment Facility at Osberstown and are served by the newly developed Waste Water Sewer Main from Newbridge to the Osberstown facility.

National and Regional Policy Support

- 4.22 To achieve a model of more compact, sustainable growth, the NPF aims to “make better use of underutilised land including ‘infill and brownfield’ sites. An important development put forward within the NPF to achieve this is the relocation of less intense uses to greenfield sites outside the built-up urban areas, in order to provide space for the location of more intensive uses within the city limits (in the case of Dublin within the M50).
- 4.23 It is a stated aim of the NPF (Page 31) to ensure that Dublin’s growth is managed so as to avoid further unsustainable residential sprawl. Part of the NPF strategy to achieve this is by freeing up currently underutilised lands in the city via the location of space extensive, low intensity employment uses outside of the urban area. This objective is now being brought forward as part of the City Edge project being pursued by DCC and SDCC and will require the relocation of extensive warehouse, industrial and lower order employment uses from the Naas Road and Ballymount area, requiring replacement land in other areas for these lower intensity employment uses, such as the edge of Naas.
- 4.24 The NPF, at page 64 also sets out a series of criteria for the selection of locations of employment growth at Regional and Local levels. These include consideration of the relationship between the intensity of the employment use, how space extensive such uses are, and what infrastructure requirements such employment uses have.
- 4.25 The NPF identifies key future growth enablers for Dublin, among which is the following:
- “Relocating less-intensive uses outside the M50 ring in particular and from the existing built-up area generally”. (Page 37 of the NPF)*
- 4.26 The subject lands represent an appropriate opportunity to deliver space extensive Industry / Warehousing type uses (which represent space extensive use classes) on lands which are exceptionally well located and serviced to accommodate such uses, and thereby accommodating demand arising from the redevelopment of underutilised urban lands inside the M50.
- 4.27 The vision for the RSES is to ‘*create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all*’. Naas is identified as a Key Town within the Core Region in the RSES, which are described 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.*’
- 4.28 Naas remains one of the two Key Towns within the county identified in the Regional Spatial and Economic Strategy for the EMRA.
- 4.29 The RSES includes growth enablers for such settlements which seeks ‘*to promote continued growth at more sustainable rates, while providing for **increased employment and improved local economies**, services and functions to allow towns become more self-sustaining and to create the quality of life to attract investment*’ (emphasis added). It is submitted that the delivery of Industry / Warehousing type development on the subject lands under the new County

Development Plan offers a land use strategy which will deliver on the above objective.

5.0 CONCLUSIONS

- 5.1 This submission is made on behalf of our client, Crylock Developments Limited, in respect to the Draft Kildare County Development Plan 2023-2029.
- 5.2 This submission sets out a reasoned basis for the zoning of our client’s landholding as **objective ‘H3 – Industry / Warehousing’** within Volume 2 (Small Towns and Environs Plans) of the new Kildare County Development Plan. This update could be accommodated via an amendment to Volume 2 of the Draft Development Plan (Small Town and Environs Plans) and the associated zoning map.
- 5.3 As set out within this submission, it is considered that the subject lands represent an appropriate location for industrial and warehousing uses, due to the location of the lands contiguous to existing and permitted development of a similar nature, and readily accessible to the local national road network, noting the agreement in place for accessing of any development thereon from the existing road to the east of the site.
- 5.4 We trust that the contents of this submission will be given due consideration by the Planning Authority during the preparation of the proposed amendments to the Draft County Development Plan. Please do not hesitate to contact us if you have any queries regarding this submission.

Yours faithfully,



John Spain Associates

John Spain Associates

39 Fitzwilliam Place

Dublin 2

(01) 662 5803

www.jsaplanning.ie