



28 September 2020

Senior Executive Officer,
Forward Planning Section,
Land Use Planning and Transportation Department,
South Dublin County Council,
County Hall,
Tallaght,
Dublin 24,
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Re: Issues Paper for the South Dublin County Development Plan 2022-2028

A chara

Thank you for your authority's work in preparing the *South Dublin County Development Plan 2022-2028 Issues Paper*. The Office acknowledges and welcomes the publication of this paper and your authority's work more broadly in advancing the review of the South Dublin County Development Plan (the plan).

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the *National Planning Framework* (NPF) and the *Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy* (RSES);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Office has set out some comments for your authority to consider in formulating the draft plan.

These comments are offered without prejudice to any statutory observations and recommendations as may be forthcoming from the Office at future stages of the plan making process, and do not affect the obligation on your planning authority to comply with the relevant legislative requirements.

Consultation strategies

The Office commends the planning authority for the innovative methods used to inform and engage the public about the review of the plan and for format, layout and use of infographics in the booklet.

In particular, the Office welcomes the use of social media, branding, webinars and a short video which draw attention to specific issues within the various neighbourhoods of the county.

The Office further commends the planning authority for the quality of the video and for the creation of a virtual consultation room.

The Office would appreciate feedback on the effectiveness of the planning authority's consultation approach in due course.

Core Strategy & Settlement Strategy

The formulation of the Core Strategy in line with section 10 of the Act is the most significant element in developing the planning authority's draft development plan.

The NPF and the RSES, in addition to relevant specific planning policy requirements (SPPRs) specified in Ministerial guidelines issued under section 28 of the Act, will be key determinants in making the Core Strategy for the planning authority's functional area. The Office understands that forthcoming updates to the *Development Plan Guidelines* by the Department of Housing, Planning and Local Government, in addition to the publication of guidance in relation to Housing Need Demand Assessment (HNDA), will provide enhanced guidance for the preparation of development plans and their core strategies.

One of the National Strategic Outcomes of the NPF is 'compact growth' which, from an urban development perspective means, *'...we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people'¹.*

The NPF has a target population increase for Dublin City and suburbs of between 235,000 - 290,000 people to at least 1.41 million people in total by 2040.

¹ Page 139 of the NPF

To achieve this population target, the NPF places emphasis on the following:

‘Dublin needs to accommodate a greater proportion of the growth it generates within its metropolitan boundaries and to offer improved housing choice, transport mobility and quality of life.’

‘At a metropolitan scale, this will require focus on a number of large regeneration and redevelopment projects, particularly with regard to underutilised land within the canals and the M50 ring and a more compact urban form, facilitated through well designed higher density development.’²

The Metropolitan Area Strategic Plan (MASP) in Chapter 5 of the RSES sets out a strategy to achieve growth of 1.4 million people in Dublin City and suburbs and 1.65 million people in the Dublin Metropolitan Area (DMA) through the delivery of large-scale strategic development areas. The planning authority’s attention is drawn to the specific Growth Enablers³ and guiding principles for the growth of the DMA⁴ contained in the RSES.

In respect of compact growth, the RSES makes a distinction between the targets for the built up area of the city and other areas which is of relevance to South Dublin.

‘To achieve ambitious compact development targets of at least 50% of all new homes within or contiguous to the existing built up area in Dublin and 30% in other settlements, the MASP identifies strategic residential, employment and regeneration development opportunities on the corridors along with the requisite infrastructure investment needed to ensure a steady supply of sites in tandem with the delivery of key public transport projects....’⁵

In this regard, the Core Strategy and Settlement Strategy will need to provide clarity on the anticipated delivery of housing and employment on greenfield and brownfield sites within the city’s footprint and within individual settlements in the rural hinterland.

The Office notes that a number of the existing Local Area Plans (LAPs) e.g. Fortunestown LAP and Ballycullen-Oldcourt LAP were extended for five years and have now expired.

The Office advises the planning authority to translate as much content as practicable and relevant from the expired LAPs to the zoning maps in the forthcoming county development plan, and to

² Page 36 of the NPF

³ Page 34 of the RSES

⁴ Page 101, section 5.3 of the RSES

⁵ Page 102, section 5.4 – Metropolitan Area Strategy of the RSES

ensure that there is transparency in the Core Strategy regarding the remaining development yields from the expired LAPs.

As the planning authority will be aware, Appendix B of the RSES sets out a projection of population for the county, which ranges from 308,000 (low) – 314,000 (high) to 2026 and from 320,500 (low) – 329,000 (high) to 2031. This represents a population increase for the county of 29,000 – 35,000 people by 2026 above its 2016 census figure of 279,000 people.

The overall population target for the county in the Core Strategy is required to be consistent with the population projections contained in the RSES with the distribution of population required to be consistent with the MASP.

In this regard, the Office advises that a significant proportion of the county's future population growth will need to be directed to:

1. Naas Road / Ballymount Strategic Development Area, which has potential for residential development and more intensive employment / mixed use
2. South western corridor (western suburbs) – SDZ lands and Kilcarbery
3. South western corridor (LUAS red line) – Tallaght Town Centre / Cookstown and Fortunestown / Saggart / Citywest

The Office welcomes the acknowledgement of the need for '*a plan led approach to identifying housing needs and supporting the sustainable growth of urban and rural communities*' and the approach used to provide population and housing information at the neighbourhood level.

The Office advises the planning authority to prepare a HNDA which responds to the specific socio-economic trends identified at the neighbourhood level and is consistent with National Policy Objective (NPO) 37 of the NPF and any guidance on HNDA issued by the Department of Housing, Planning and Local Government.

As a significant part of the county forms part of the city and the strategic importance of the Naas Road corridor, the Office is reminded of the provisions of section 9(4) of the Act, which states:

'In making a development plan in accordance with this Chapter, a planning authority shall have regard to the development plans of adjoining planning authorities and shall co-ordinate the objectives in the development plan with the objectives in the plans of those authorities except where the planning authority considers it to be inappropriate or not feasible to do so.'

The Office will provide further practical advice and technical support, insofar as is possible within our statutory remit, in the working out of the Core Strategy parameters above as the planning authority may require.

Development standards and Building Height

The NPF recognises that the regeneration and rejuvenation of cities, towns and villages of all types and scale can play a role in making stronger urban places and contributing to compact growth.

The promotion of higher residential densities in key designated areas / corridors is a core principle of the NPF and is supported by the following:

- NPO 6, which supports the regeneration and rejuvenation of cities, towns and villages of all types and scale as environmental assets;
- NPO 33, which prioritises the provision of new homes at locations that can support sustainable development; and
- NPO 35, which promotes increased residential density through reductions in vacancy, re-use / infill and increased building heights.

The Office notes the standards for apartment development in Chapter 2 – Housing and Chapter 11 – Implementation of the current development plan and advises that some of the standards and requirements are not consistent with the updated section 28 '*Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*' (2018).

In this regard, Specific Planning Policy Requirements 1-6 (inclusive) of these guidelines should inform the development management standards for apartment development in the forthcoming development plan including requirements for, inter alia, mix of unit types, minimum floor areas, building height and building separation distances.

The guidelines also state that '*general blanket restrictions on building height or building separation distance that may be specified in development plans, should be replaced by performance criteria, appropriate to location*'.

The NPF also supports the use of performance based standards⁶ for infill and brownfield development stating

'In particular, general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be

⁶ Page 67 of the NPF

replaced by performance-based criteria appropriate to general location, e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc.'

In this regard, there is an opportunity to review the current development management standards and requirements in the current development plan that apply to residential development more broadly. The Office notes that the current plan contains numerical standards for building separation for directly opposing above ground floor windows and new residential development adjoining established housing.

The planning authority is advised that policies on building height in the forthcoming development plan should be cognisant of the section 28 '*Urban Development and Building Height Guidelines for Planning Authorities*' (2018), and in particular Specific Planning Policy Requirement 1 which states:

'In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.'

The Office notes that the current plan contains height restrictions in relation to lands zoned RES-N and other limitations on building height.

Economic Development & Employment

Table 5.2 of the RSES outlines the strategic employment locations on the South West Strategic Corridor and employment potential of each area.

The Offices notes the quantum of land zoned for *Enterprise and Employment* including remaining undeveloped land and welcomes the proposed review of employment lands as part of the process of making a new plan.

In this regard, the Office draws the planning authority's attention to the guiding principles for the location of strategic employment and investment prioritisation, and the guiding principles for the location of trip intensive developments in sections 6.3 and 8.3 of the RSES respectively.

The review should also have regard to relevant Regional Policy Objectives (RPOs) in the RSES including RPO 5.6 (MASP Employment) which states:

‘The development of future employment lands in the Dublin Metropolitan Area shall follow a sequential approach, with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas and provision of appropriate employment densities in tandem with the provision of high quality public transport corridors.’⁷

The Office advises that the review should also consider the requirements for lower density employment uses to inform a clear direction in the plan for such uses.

The Office notes that EMRA will support and drive the preparation of a new retail strategy for the region under the requirements of the *Retail Planning Guidelines for Planning Authorities (2012)*, and that RPO 6.11 requires the future provision of significant retail development to be consistent with the aforementioned guidelines, and retail hierarchy at table 6.1 of the RSES until such time as this hierarchy is updated.

Acknowledging the challenges facing the retail sector, the policies in the forthcoming plan will need to ensure that new retail businesses are directed to town and district centre locations rather than industrial areas which may compromise the future redevelopment of the latter.

Further, the Office encourages the planning authority to continue its engagement with Dublin City Council, the National Transport Authority and other key stakeholders such as the IDA in developing its economic and employment strategy for the forthcoming plan. This is of particular relevance to the Naas Road corridor which straddles the boundary of the South Dublin County Council and Dublin City Council administrative areas.

Transport & Infrastructure

The Issues Paper acknowledges the importance of an integrated approach to land use and transportation and the Office welcomes the proposal to examine the current movement patterns around the county as part of the review of the plan.

The Office commends the planning authority for its achievements to promote sustainable travel such as the Grand Canal and Dodder Valley Greenways since the adoption of the current plan.

In view of greenhouse gas (GHG) emissions from transport (which are second only to agricultural emissions in terms of national emissions⁸) and the energy use for transport (highest energy use by sector, accounting for 43% total final consumption in 2017), it will be essential for the planning authority to continue to promote alternatives to the private car in the county in order to meet the requirements under section 10(2)(n) of the Act.

⁷ Page 115 of the RSES

⁸ EPA: www.epa.ie/ghg/currentsituation/

The Guiding Principles for Integration of Land Use and Transport under the RSES should inform the plan, as required by RPO 8.1 and RPO 8.4. Compliance with this approach may assist the planning authority in meeting mandatory objective section 10(2)(n) under the development plan.

In view of the above, the Office would encourage the planning authority to include modal shift targets to be achieved over the plan period, aligned to relevant implementation measures, in order to achieve meaningful improvements in GHG emissions and energy use in line with section 10(2)(n) of the Act.

A key issue for the next development plan is to ensure that policies protect the strategic function of national roads, maximise the benefits of existing and planned public transport investment and that local policies and development management standards regarding access to national roads including exceptional circumstances are consistent with the *Spatial Planning and National Road Guidelines (2012)*.

Commitment to the proactive implementation of the *Design Manual for Urban Roads and Streets* (as revised in 2019) in the required locations, consistent with RPO 9.10, will also assist sustainable and active transport modes, in addition to improvement in the street environment and overall quality of life of urban areas and settlements of all sizes.

The NPF sets out a two-tier approach to land zoning referred to as the tiered approach to land zoning. In this regard, the planning authority's attention is drawn to the requirement of NPO 72a which states:

'Planning authorities will be required to apply a standardised, tiered approach to differentiate between i) zoned land that is serviced and ii) zoned land that is serviceable within the life of the plan.'

Further information regarding the above is provided in Appendix 3 of the NPF: *A Methodology for a Tiered Approach to Land Zoning*.

The Office notes the identified phasing / enabling infrastructure to support the Strategic Development Areas referred to above. In this respect, the Office advises the planning authority to continue to work proactively with transport agencies and Irish Water to progress projects that deliver infrastructure to support development in strategic development areas consistent with the RSES.

Rural Development

The Office acknowledges that a significant part of the county is predominantly rural and that these rural areas present different issues and opportunities in terms of supporting viable businesses, protecting rural amenity values and managing pressure for further rural one-off housing.

The Office supports the statements in Issues Paper regarding the Rural Uplands neighbourhood:

‘The new Plan will support sensitive rural diversification responsive to the surrounding environment....’

‘The Development Plan will be required to include policy and objectives to ensure that this area capitalises on its potential while protecting the environmental assets that define its character and value.’

The Office notes that the current plan includes Policy 21 – Rural Housing Policies and Local Need Criteria, which states:

‘It is the policy of the Council that in accordance with the Sustainable Rural Housing Guidelines DEHLG (2005) and Circular SP 5/08 Rural Housing Policies and Local Need Criteria in Development Plans: Conformity with Articles 43 and 56 (Freedom of Establishment and Free Movement of Capital) of the European Community Treaty, “persons who are an intrinsic part of the rural community” or “persons working full-time or part-time in rural areas” as described under Section 3.2.3 (Rural generated housing) of the Sustainable Rural Housing Guidelines (2005) shall be favourably considered in relation to rural housing.’

The Office advises that the plan’s policies will need to demonstrate consistency with NPO 19 and NPO 20 and consider the practical implementation of appropriate policy objectives through suitable land activation approaches and proactive facilitation of the building of homes within the footprint of rural settlements through measures such as site acquisition and serviced sites consistent with NPO 18a and NPO 18b.

Strategic Flood Risk Assessment

The planning authority will be aware of the need to prepare a Strategic Flood Risk Assessment (SFRA) as part of the forthcoming draft development plan, consistent with *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*.

In this regard, the Office advises against the use of information from the Office of Public Work’s (OPW) Preliminary Flood Risk Assessment (PFRA) and arterial drainage benefitting land maps to inform the SFRA. The planning authority will need to take account of OPW Flood Relief Schemes

and undertake adequate flood risk assessment to determine if there is sufficient information to inform zoning decisions or if further more detailed analysis is required.

Climate Action and Energy

The planning authority will be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act.

Having regard to the *Climate Action Plan 2019* and to the objectives of the NPF and the RSES, the transition to a low carbon economy and the overall reduction in carbon emissions will become a central issue for planning policies during the preparation of the plan.

The Office commends the planning authority for its renewable energy initiatives, such as the Tallaght District Heating Project, and welcomes the proposals to establish similar in other areas.

The Office acknowledges that climate change adaptation is one of the six overarching considerations underpinning the current development plan and endorses the statement on page 8 of the Issues Paper:

'The Plan will examine how we create greener ways of living and doing business so that we can improve our resilience to climate change and the risk from natural and man-made hazards.'

Regarding climate change mitigation measures pertinent to section 10(2)(n), section 8.3 of the RSES provides guidance and regional policies regarding the integration of transport and spatial planning.

The promotion of renewable energy sources within the county in accordance with the section 28 *Wind Energy Development Guidelines* (2006), Circular Letter PL 5/2017: *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change and Wind Energy Development Guidelines 2006 – Update on Review (July 2017)*, or any replacement guidelines issued by the Minister for Housing, Planning and Local Government, will also be critical to ensure Ireland meets its national targets and commitments to increase renewable energy supply and reduce greenhouse gas emissions.

In this regard, the attention of the planning authority is drawn, in particular, to the SPPR under the aforementioned interim guidelines. This requires, inter alia, that the planning authority indicate how the implementation of its development plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts). This will also need to reflect the

specific characteristics and constraints of the area noting the conclusion in the current development plan regarding large scale wind energy infrastructure⁹.

Summary

In summary, the Office commends your authority for the preparation of this Issues Paper and for the innovative approaches to engage and inform the local community.

The Office advises your authority to pay particular attention to the following issues in the formulation of the county development plan:

- National and regional objectives for population growth, compact growth and regeneration in determining the Core Strategy, including the settlement hierarchy for your functional area. In this regard, the Office advises that a significant proportion of the county's future population growth should be directed to the Naas / Ballymount Strategic Development Area and South west Corridor (western suburbs and LUAS Red Line).
- The potential to re-intensify older industrial estates such as Naas Road/Ballymount, brownfield lands in Tallaght/Cookstown and to provide for high tech and research and development employment at Grangecastle which are identified as strategic employment locations in the RSES. A coordinated and joint approach with Dublin City Council will be required in respect of the redevelopment of the Naas Road corridor to ensure an appropriate balance between residential development, the re-intensification of employment lands and mixed uses.
- The coordination of economic development and employment with population growth and transport to ensure trip intensive uses are directed to appropriate locations, lands with strategic employment potential are retained for that purpose and lower intensity employment is encouraged to relocate from areas with strategic redevelopment potential for employment / mixed use.
- The inclusion of specific policies and implementation measures that encourage infill / brownfield development in the county's designation strategic development areas. These policies and implementation measures should be specific, targeted, and measurable (i.e. include monitoring measures).
- The promotion of sustainable settlement and transport strategies for urban and rural areas with measures to reduce GHG emissions, reduce energy usage and to adapt to climate

⁹ Section 10.2.7, page 182 of the South Dublin County Development Plan 2016-2022

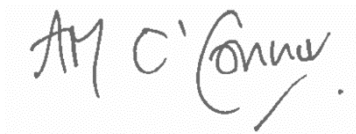
change. The plan should include targets for modal shift over the plan period aligned to specific implementation and monitoring measures.

- The need for consultation with transport agencies including the NTA and TII, and neighbouring planning authorities, during the preparation of land use and transport plans, and to ensure that policies and development management standards regarding access to national roads including exceptional circumstances are consistent with the *Spatial Planning and National Roads Guidelines (2012)*.
- The promotion of renewable energy sources within the county in accordance with the relevant section 28 guidelines.

The Office looks forward to reviewing the plan and is committed to continued positive engagement with your authority in the implementation of national and regional policies at county and local level.

Please feel free to contact staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated by emailing plans@opr.ie.

Yours sincerely,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

Anne Marie O'Connor
Deputy Planning Regulator