



Tionól Reigiúnach Oirthir agus Lár-Tíre Eastern and Midland Regional Assembly

3ú Uirlár ó Thuaidh | Ionad Cathartha | An tSráid Mhór | Baile Munna | Baile Átha Cliath 9
3rd Floor North | Ballymun Civic Centre | Main Street | Ballymun | Dublin 9



Proposed Variation No. 2 of the Fingal Development Plan 2017-2023 – Alignment with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES)

This submission on the proposed Variation of the Fingal Development Plan 2017-2023 has been reviewed by the executive and approved by the Cathaoirleach of the Eastern and Midland Regional Assembly.

Regional Spatial and Economic Strategy (RSES)

The Council will be aware of the finalisation of the Regional Spatial and Economic Strategy for the Eastern and Midland Region which was made on 28th June 2019. In line with the provisions of the Planning and Development Act 2000, as amended, the Planning Authority shall ensure, when making the County Development Plan, that it is consistent with the Regional Spatial and Economic Strategy for the Eastern and Midland Region, thus ensuring full alignment between local, regional and national planning policy.

Legislative Context

Under Section 27C of the Planning & Development Act, 2000 (as inserted by Section 18 of the Planning and Development Act, 2010) the Eastern and Midland Regional Assembly, as the successor regional assembly of the dissolved Dublin and Mid East Regional Authorities, is obliged to prepare submissions/ observations to be submitted to the relevant planning authority and copied to the Minister and the Office of the Planning Regulator.

A submission shall contain a report which shall state whether, in the opinion of the Regional Assembly, the draft variation of the Development Plan, and in particular its core strategy are consistent with the Regional Spatial and Economic Strategy. If, in the opinion of the Regional Assembly the proposed variation of the Development Plan, and its core strategy are not consistent with the RSES, the submission / observations and report shall include recommendations as to what amendments, in the opinion of the Regional Assembly, are required to ensure that they are consistent.

This report contains the opinion of the Eastern and Midland Regional Assembly in relation to the above matters along with recommendations as required under Section 27C of the Planning and Development Act 2000 as amended.

Under Section 13 (4) of the Planning and Development Act 2000, as amended, A Chief Executives Report prepared by the Planning Authority shall summarise the issues raised and recommendations made by the Eastern and Midland Regional Assembly in accordance with Section 27C of the Act, and outline the recommendations of the Chief Executive in relation to the manner in which those issues and recommendations should be addressed in the variation to the development plan.

Proposed Variation

Proposed Variation no. 2 of the Fingal County Development Plan (CDP) 2017-2023 seeks to respond to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) in 2018 and the Eastern and Midland Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES) in 2019 and to comply with the provisions of Section 11 (1) of the Planning and Development (Amendment) Act 2018, which require city and county development plans to be consistent with the RSES, either through (a) a variation of the Development Plan or (b) if considered more appropriate, a full review, to commence within a maximum period of 6 months after the making of the relevant RSES. It is stated in the accompanying planning report that following analysis of the RSES and the Development Plan, that a variation is required to the CDP. It should be noted that the Variation is proposed in the context of the upcoming review of the CDP which will commence in March 2021.

The proposed Variation No. 2 will result in the following changes to the CDP:

1. Amendments to the Core Strategy and associated tables in the written statement; and
2. Minor amendments to text and objectives/policies throughout the written statement to refer to the National Planning Framework and the Regional Spatial and Economic Strategy.

Submission

The Regional Assembly welcomes the explicit recognition in the proposed Variation of the policy hierarchy with which the Fingal CDP is required to be consistent with, including reference to the Regional Spatial and Economic Strategy (RSES) and National Planning Framework (NPF). The Assembly also welcomes the recognition given in the amended Core Strategy, to the Metropolitan Area Strategic Plan (MASP), which is a key policy driver for the sustainable growth of the Dublin Metropolitan Area (DMA), and it is considered that the Variation would further benefit from inclusion of the MASP Strategy Map set out in Fig 5.2 of the RSES. It is submitted that further consideration should be given to the following key areas in order to better align with the RSES:

Settlement Hierarchy:

The RSES identifies 'Dublin city and suburbs', which includes part of Fingal, including Blanchardstown as a city of international scale forming the top tier in the regional Settlement Hierarchy, as set out in

Table 4.2 of the RSES. The RSES also identifies a number of Key Towns including Swords, which is located in the wider Dublin Metropolitan Area (DMA), as large economically active towns that have the capacity to act as drivers for growth, forming the third tier in the regional Settlement Hierarchy.

To reflect this, it is considered that the terminology used in the Fingal Settlement Hierarchy should seek to ensure consistency with the RSES Settlement Hierarchy set out in Table 4.2 of the RSES, for example referring to settlements such as Blanchardstown as a 'Consolidation Area within Dublin city and suburbs', and to other settlements, including Portmarnock, Howth, Baldoyle and Sutton as 'Consolidation Areas within the Metropolitan Area'.

It is noted that there are inconsistencies in terminology between Table 2.8 'Total Residential Capacity', Table 2.9 'Fingal Settlement Strategy' and Figure 2.3 'Updated Core Strategy map' and it is recommended that these be updated and presented consistently throughout the proposed Variation.

It is acknowledged that the identification of consolidation areas within existing urban footprints will support compact growth objectives including RPO 3.2 in the RSES.

The RSES allows for further identification of lower tier settlements to be defined as part of an asset-based approach in the CDP, with further guidance set out in Table 4.3 of the RSES. The proposed revised settlement strategy for Fingal defines Donabate and Malahide as 'Self-sustaining growth towns' and Balbriggan, Lusk, Rush and Skerries as 'Self-sustaining towns', as set out in Tables 2.8 and 2.9 of the proposed Variation. However, it is noted that Figure 2.3 'Updated Core Strategy map' in the proposed Variation defines Donabate and Malahide as 'Self-sustaining towns' and furthermore that Table 2.8 in the current CDP defines Malahide as a 'Consolidation Area within the Gateway'.

Having regard to the above, to ensure consistency of approach and in the absence of any evidence-based justification for the designation of Malahide as a 'Self-sustaining growth town', it is recommended that the definitions for Malahide be revised to either a 'Consolidation Area within the Metropolitan Area' or as a 'Self-sustaining town'.

As before, it is recommended that the lower tier settlements should be presented consistently throughout the proposed Variation. It is suggested that the inclusion for reference, of Table 4.2 RSES Regional Settlement Hierarchy, which replaces the previous Settlement Hierarchy for the Regional Planning Guidelines (RPGs) may provide further clarity.

Furthermore, it is noted that the upcoming review of the Fingal CDP, which will commence in March 2021 will allow for a holistic re-assessment of the Fingal settlement hierarchy using an evidence-based approach, as set out in Table 3.1 and the Asset Test for New Residential Development set out in Section 9.3 of the RSES. It is anticipated that the new CDP will demonstrate full consistency with the RSES, and be further informed by new national policy in the upcoming draft Departmental Guidelines for Development Plans.

Compact Growth

It is recommended that the Core Strategy include reference to the policies set out in the NPF and RSES on the need to ensure compact growth and accelerated delivery of residential sites in the metropolitan area, to achieve a target of 50% of all new homes within or contiguous to the built up area of Dublin City and Suburbs and at least 30% in other settlements. To support achievement of compact growth targets, the RSES sets out Guiding Principles for infill and brownfield development in Chapter 3 – Growth Strategy, which includes the creation of a strategic brownfields database at the local level. RPO 3.3 seeks that regeneration lands are identified in Core Strategies and that specific objectives are set out to develop the lands. It is anticipated that further guidance on the delivery and monitoring of compact growth will be available with the publication of the draft Departmental Guidelines for Development Plans.

The attention of the Council is also brought to Chapter 5 – MASP including RPOs 5.4 and 5.5 to support the sequential development of strategic residential development areas within the Dublin metropolitan area. It is recommended that the Core Strategy should contain more explicit reference to the strategic development areas set out in Table 5.1 of the MASP, which were identified on the basis of their potential to deliver sustainable compact growth, and to ensure consistency in this regard between the MASP and the Fingal CDP.

Core Strategy Population Targets

The Assembly welcomes the stated alignment that is required between policies of the NPF and RSES with the Core Strategy of the County Development Plan and the inclusion of Table 6.2 ‘NPF/RSES Population Targets for the Dublin Region and FCC’, in line with Appendix B of the RSES (SPA and County Population Tables). The proposed Variation sets out a revised population forecast of 319,864 persons for 2023, which is below the range of population targets for 2026 set out in the NPF and RSES (327,000-333,000 persons) and should support achievement of NPF/RSES population targets.

The Councils attention is also drawn to the transitional population projections methodology, implications and safeguards in the Implementation Roadmap for the NPF July 2018 issued under Circular FPS04/2018, and National Policy Objective (NPO) 68 of the NPF which allows for up to 20% of the phased population growth targeted in Dublin city and suburbs, to be accommodated in the wider metropolitan area i.e. outside the city and suburbs or contiguous zoned area, in addition to growth identified for the Metropolitan area. The RSES limits any population transfer to the Metropolitan Key Towns of Bray, Maynooth and Swords and states that the determination of population targets for the local authorities in the metropolitan area will be agreed in consultation with the MASP Implementation Group, within 6 months of the adoption of the RSES.

Having regard to the above, it is noted that the proposed Variation includes additional transitional population projections as part of an allocation to Swords as a Key Town under NPO 68. In this regard, it is recommended that the figures for ‘RSES Adjusted Transitional Population Projections for MASP’ be omitted from Table 6.2 of the proposed Variation, and that the Table and accompanying narrative

be amended to reflect existing population targets set out in in Appendix B of the RSES (SPA and County Population Tables), unless and until the overall transitional population targets for the MASP are agreed.

Housing

Section 2.5 of the proposed Variation sets out revised housing targets of c.119,000 or 14,500 additional units over the remaining lifetime of the CDP to 2023 based on an extrapolation of RSES population targets and a projected declining household size over the plan period. The proposed Variation cites planning permissions granted for c.5,600 units housing units to September 2019 leaving a requirement for c.8,900 units over the remaining lifetime of the plan and states that it considers there is sufficient capacity for further housing growth over the remaining life cycle.

In this regard it should be noted that the planning permissions do not necessarily guarantee delivery and it is anticipated that the upcoming review of the CDP will need to set out and monitor the service capacity and likely delivery on zoned lands, both brownfield and greenfield. It is further suggested that the official statistics produced by CSO, including number of people per household and housing completions, by county may also be of beneficial use in preparing the new Core Strategy.

Furthermore, it is recommended that the proposed Variation should include reference to the need to prepare an evidence-based Housing Need Demand Assessment (HNDA), in line with NPO 37 of the NPF. In this regard the council's attention is also drawn to the policies of the RSES including RPO 9.5, in that EMRA will support local authorities, either individually or combined, in preparing a HNDA and considers a sub-regional HNDA is appropriate for the four Dublin Authorities of Dublin city, Fingal, South Dublin and Dún Laoghaire-Rathdown. It is acknowledged that the upcoming review of the Development Plan will be in the position to take into account the results of an evidence-based Housing Needs Demand Assessment (HNDA) including detailed consideration of housing targets, and the monitoring of housing delivery and supply.

It is also noted that draft Departmental Guidelines on HNDA are currently being prepared that will inform an approach to the preparation of HNDA and how it will inform local authority Housing Strategies and Development Plans.

Housing Land Capacity

The proposed Variation updates the figures for 'Remaining capacity (hectares)' and 'Remaining Residential Units' in Table 2.8 'Total Residential Capacity provided under the Fingal Development Plan 2017-2019', to reflect the reduced remaining capacity as of September 2019. While it is stated in the proposed Variation that there is sufficient capacity for further growth in Fingal over the remaining lifetime of the plan, it is also acknowledged that the level of development is unlikely to be developed during this time period.

The attention of the Council is brought in this regard, to Chapter 4 of the RSES, including Settlement Strategy RPO 4.1, and to the methodology for transitional projections in the NPF Roadmap, requiring the council to set out a rationale for the provision of zoned land to meet the required NPF/RSES population targets, to ensure the CDP provides adequate capacity for sufficient housing over the lifetime of the plan, and to accommodate future development beyond the plan. This includes the need for a focus on the accelerated delivery of residential development areas within the MASP and to ensure alignment with the Transitional Population Projections in the NPF Implementation Roadmap.

In particular, the Variation would benefit from an acknowledgement of NPF Appendix 3 and NPOs 72 (a), (b) and (c), which requires a tiered approach for land zoning in the preparation of the core strategy of development plans. It is also suggested that Chapter 5 – MASP including Table 5.1 in the RSES may provide further guidance on the phasing and infrastructure requirements of identified strategic development areas within the MASP.

It is further considered that the following paragraph under the heading ‘Total Capacity – Fingal Development Plan 2017 – 2023, is not consistent with the RSES and should be omitted and /or amended to fully align with the Transitional Population Projections in the NPF Implementation Roadmap and with the RSES;

‘The RSES considers the concept of headroom based solely on zoned land provision and does not account for housing yield arising from the re-use of existing housing stock, mixed-use development, urban intensification or infill or brownfield development. The NPF Roadmap population projections already incorporate 25% headroom figures for all parts of the country (Implementation Roadmap for the National Planning Framework, Appendix 2). In Fingal this may be supplemented by additional 25% headroom, (page 5 of the NPF Roadmap). As noted in the RSES, the application of headroom is particularly relevant to urban areas, where the aim is to target at least half of future housing delivery within existing built-up areas. The reservation of lands at Lissenhall, situated within the Metropolitan Area, continues to account for the majority of this headroom allocation’

Having regard to the above, the Council’s attention is drawn to Section 4.3 ‘Taking Account of Existing Plans’ and ‘Headroom’ in of the RSES and to the NPF Implementation Roadmap, which sets out that national and regional policy does not provide for the application of ‘headroom’ in terms of zoned land provision, but allows limited scope for ‘headroom’ allowance for additional population growth in line with the Transitional Population Projections methodology set out in the NPF Roadmap, and where the introduction of significant infill/brownfield targets within existing settlement footprints must also be factored in. It is recommended that the proposed Variation be amended accordingly to reflect this.

Rural settlement strategy

The inclusion of a rural settlement strategy in the CDP is welcome and it is suggested that proposed Variation would further benefit from inclusion of policy support for the provision of serviced sites in rural villages as an alternative to one-off housing, in line with RPO 4.78 of the RSES.

Retail

The proposed Variation states that *“as part of any further review of the Retail Planning Guidelines for the GDA the Council will reconsider the retail designation of Donabate, Rush and Lusk to reflect the status of these towns as self-sustaining growth towns and self-sustaining towns’* as defined by the RSES’ In this regard it should be noted that the RSES does not define the designation of Donabate, Rush or Lusk and that the definition of lower tier settlements is a matter for the Planning Authority. Furthermore, there is no direct correlation between the Regional Settlement Hierarchy set out in Table 4.2 of the RSES and the Retail Hierarchy for the Region as presented in Table 6.1 of the RSES.

While the need for the preparation of a new retail strategy for the Region is recognised in the RSES (RPO 6.10 refers), it should be noted that RPO 6.11 of the RSES requires that future provision of significant retail development shall be consistent with the Retail Planning Guidelines for Planning Authorities 2012, or any subsequent update, and the retail hierarchy for the Region, expressed in Table 6.1 of the RSES, until such time as this hierarchy is updated.

Climate Action:

Given the enhanced focus on climate action as one of the three key Principles in the RSES which is supported by RSOs 6-11 and having regard also to the adoption of the National Mitigation Plan 2017 and the National Adaptation Framework 2018 as well as the Fingal County Council Climate Change Action Plan 2019-2024 it is recommended that the proposed Variation should set out additional measures to accelerate climate action and energy transition in the county.

The Councils’ attention is drawn to RPO 3.6 and the preceding paragraphs of the RSES which outline the requirement of Development Plans to assess their impact on carbon reduction targets. To this end, it should be noted that EMRA is leading an ESPON EU research programme (QGasSP) to identify a robust method for quantifying the relative GHG impacts of alternative spatial planning policies, the outputs of which may inform the upcoming review of the development plan. The Dublin Metropolitan Climate Action Regional Office (CARO) will also play a key role in supporting local authorities in achieving a transition to a low carbon society through the implementation of the Dublin Climate Change Action Plan.

Green Infrastructure

The inclusion in the proposed Variation of narrative which supports the cross-boundary co-ordination of regional Green Infrastructure as well as the recognition given to the importance of landscape character assessment is welcome.

Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA)

The proposed variation underwent a Screening for Strategic Environmental Assessment (SEA) and the SEA determination concluded that the proposed Variation will not result in any significant adverse environmental effects and therefore it was determined that a SEA is not required. A Screening for

Appropriate Assessment (AA) was also carried out and concluded that the proposed Variation will not result in likely significant effects to European sites and therefore does not require an AA or the preparation of a Natura Impact Report NIR).

Conclusion

It is considered that this proposed variation to the Fingal Dublin Development Plan 2017-2023, and in particular the Core Strategy, can achieve consistency with the Regional Spatial and Economic Strategy (RSES) 2019-2031 by addressing the recommendations and observations set out above.

The Regional Assembly welcomes the proposed Variation, which marks the beginning of the alignment of planning policy at county and local levels with Regional and National Policy. The Assembly also look forward to corresponding with the Council on the upcoming stages of the County Development Plan review process and are available to discuss any of the above issues and recommendations with Council staff.

Regards,



Jim Conway
Director
Eastern and Midland Regional Assembly
7th February, 2020.