

**Senior Executive Officer,  
Planning & Strategy,  
Fingal County Hall,  
Swords,  
Co. Dublin  
K67 X8Y2**

**07.02.2020**

**Re: SUBMISSION TO PROPOSED VARIATION NO. 2 TO THE FINGAL DEVELOPMENT  
PLAN 2017 - 2023**

Dear Sir / Madam,

We are making this submission on behalf of our client, Richmond Homes. Richmond Homes is actively engaged in development of housing projects in the Greater Dublin Area. Richmond Homes owns land in Malahide and Baldoyle.

*Variation No. 2 of the Fingal County Development Plan 2017 – 2023* has been prepared in response to the publication of the National Planning Framework (NFP) and the Regional

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Spatial and Economic Strategy (RSES). The proposed variation will result in the following changes:

- Amendments to the Core Strategy and associated tables in the written statement; and
- 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.

The National Planning Framework emphasises the need for sustainable, compact growth and the need for housing to be delivered in the existing built envelop. Fifty percent of all population growth is to take place in the Greater Dublin Area. The approach in the current development of attaching a residential unit capacity of land, and reaffirmed in the proposed variation, is not conducive to facilitating the objectives of the National Planning Framework. We would welcome if the proposed variation departed from this approach, and instead acknowledge that residential development is a national priority. Therefore applications will be treated on their own merits in terms of proper planning and sustainable development and the residential land capacity associated with individual settlements is removed.

We would request that SSO2, that *“all proposals for residential development accord with the County’s Settlement Strategy and are consistent with Fingal’s identified hierarchy of settlement centres”* is deleted from the proposed variation. The purpose of this is to allow settlements maximise the number of residential units which can be achieved in their areas, subject to good planning practice. This is more in keeping with the objectives of the National Planning Framework. Failure to adopt a more flexible approach could result in an exacerbation of the existing housing crisis in Dublin.

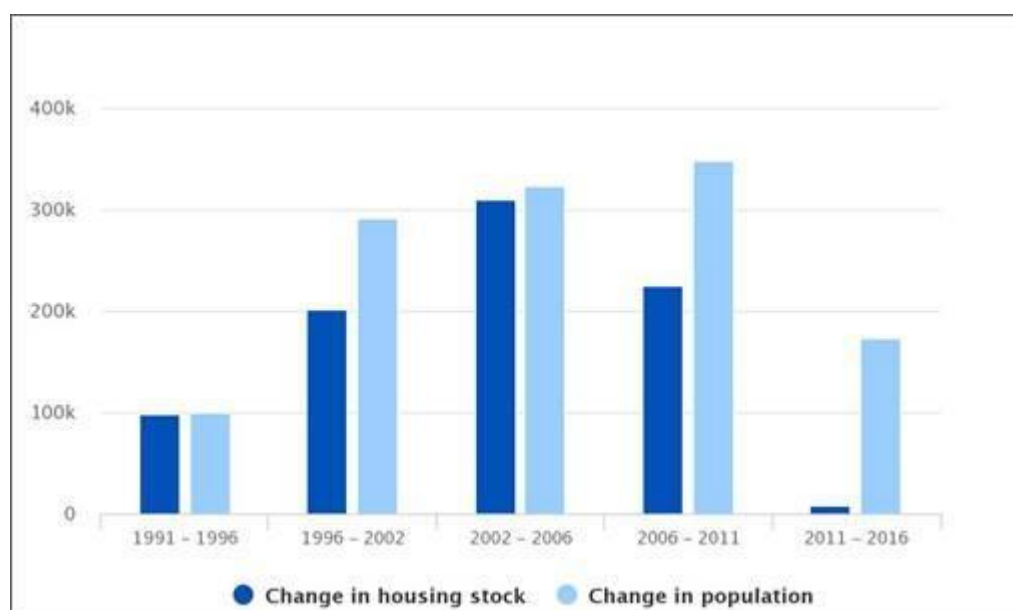
While Richmond Homes are particularly concerned about the Settlement Strategy specifically in relation to Malahide and Baldoyle, the submission highlights the difficulty of attributing specific housing units to specific locations. This approach does not allow for sufficient flexibility and negates against the achievement of compact growth. This submission focuses primarily on population and household projection and the difficulties associated with the same. It is respectfully submitted that the County Development Plan needs to reflect the up to date position in relation to population growth and housing needs in 2020.

It is respectfully submitted that it is particularly important to factor in the actual population growth rates which have occurred since the preparation of the NPF. The NPF predicts that the population nationally will grow by 900,000 from 2016 at an average annual rate of c.

0.9%, however noting the higher level in migration, the framework sets out a target to accommodate a population increase of 1.1m by 2040 with an average growth rate of 0.96% p.a. over the 24 year period.

We note that the NPF states that progress towards these targets are subject to review in the course of the plan period. However, no review has been undertaken to date.

It is well established that population growth levels in recent years have not been adequately met by housing supply, leading to a national housing crisis as set out in “Rebuilding Ireland” and other key government documents which seek to address the housing crisis. However there is a significant build-up of housing demand that needs to be met as well as accommodating future growth. Add to this the reduction of household size, which means more housing units need to be provided for the same level of population, means that housing demand is significantly underestimated.



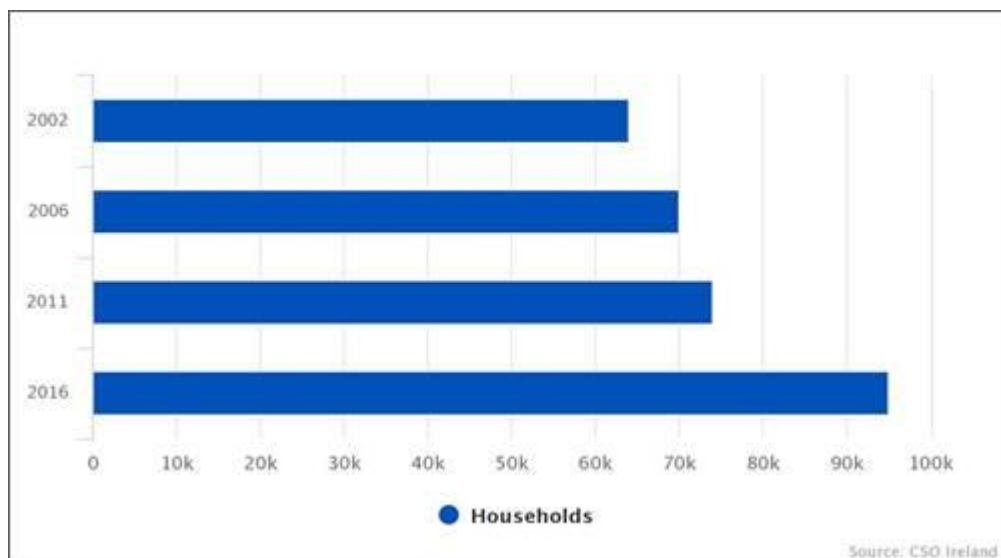
**Figure 1: Changes in population and housing stock for Ireland, 1991-2016 (data from the Central Statistics Office, 2017)**

This is evidenced by the fact that the average household size has risen much more quickly as increase in average household size has occurred in urban areas. Average household size is also higher in counties such as Fingal, Meath, Kildare and South Dublin, with more than 3 persons per household compared with 2.73 nationally.

The CSO states that “*the growth in household size is confined to urban areas*”. This increase in average household size is a result of a shortfall in new housing provision, resulting in

“crowding” in urban areas. This is again set out clearly in the CSO document by initial analysis of homes with more persons than rooms.

There was a 28% rise from 2011 to 2016 in the number of households with more persons than rooms. It states that this is a measure of the level of “crowding” within households.



**Figure 2: Number of households with more persons than rooms (data from the Central Statistics Office, 2017)**

Therefore, all statistical evidence available points to the housing crisis resulting in “crowding” within existing houses in urban areas and an undesirable trend of increased household size forced upon people, arising from the significant shortfall in the provision of new housing.

Clearly there is a need to address this in the first instance and there is a need for a significant amount of “catchup” housing to meet the needs of existing population. This “catchup” housing must be incorporated in the proposed variation, prior to providing for the requirement of future population growth in the County.

The approach taken to date in preparation of the proposed variation is to link housing need over the plan period solely to forecast population growth. This is clearly no longer a valid approach.

The Central Bank of Ireland has published a study entitled ‘Population Change and Housing Demand in Ireland’, which includes the following key points:

- *“Growth in population has significantly exceeded the increase in the housing stock since 2011 and the average household size has risen, reversing a previous long-running trend.*

- *To keep pace with population growth and changes in household formation, our estimates indicate that an average of around 27,000 dwellings would have been required per annum between 2011 and 2019.*
- *Assuming unchanged household formation patterns and net inward migration close to current levels, around 34,000 new dwellings would be required each year until 2030.”*

There is now a need for a two-fold approach, firstly to set out the housing need to meet the deficit of housing for the existing population and then to add to that, the additional housing needs for projected population growth. This results in a significantly increased level of housing need over and above that based on the traditional population growth basis only.

Again, failure to make this provision in the housing need assessment requirement for the County, will result in an exacerbation of the current housing crisis and its continuation for the planned period.

### **The National Planning Framework**

The NPF targets a significant proportion of future urban development on infill / brownfield development sites within the built footprint of existing urban areas. Objective 11 of the NPF states:

*“In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth”.*

The NPF also states that *“to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”*. Objective 35 states that it is an objective to:

*“increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.*

For this reason, Fingal’s Settlement Strategy is in contravention of the NPF as it limits the number of units that can be achieved in particular areas. This numerical limitation has the effect of preventing housing rather than supporting the policies of the National Planning Framework, the aim of which is to promote densification of urban areas. Individual planning

permissions may be regarded as exhausting the capacity for housing in an area. It is quite possible for a major development having obtained planning permission and not be under construction. A grant of planning permission should not rule out other permissions being granted. However, there is an interpretation that there is a limit on the scale of development to be permitted by a planning authority arising from its core strategy without a material contravention process been undertaken. In *Heather Hill Management Company clg v. An Bord Pleanala*, J. Simmons found that the scale of proposed development would involve a material contravention of the Galway County Development Plan, “as it would breach the population allocation for Bearna set out in the core strategy and settlement hierarchy, and as recently affirmed by a variation made to the County Development Plan on July 2028.” By retaining this allocation policy, Fingal County Council may have to undertake a material contravention process to grant planning permission for housing development because they exceed the residential unit target figures for an area.

### **Baldoyle Sutton and Malahide**

The Proposed Variation states that it will provide an evidence based rationale for the land proposed to be zoned for residential and mixed use development having regard to the capacity of existing zoned land and the phasing of development taking account of the location of public transport and services.

The lands in question come within the Metropolitan Area Strategic Plan area, where it is policy to provide for compact sustainable growth and accelerated housing delivery.

The NPF indicates that the average household size in 2016 of 2.75 persons per household is expected to decline to 2.5 persons by 2040. This average household size is much higher than apartment occupancy, which is 2.1 persons in Census 2016. The result is that significantly more housing units have to be provided for if more smaller housing units (apartments) are going to be built. Three houses would accommodate 9 people. In comparison, it would take five apartments for the same population – an increase of 66% in terms of housing stock. Therefore, in the case of Baldoyle / Sutton, where 1,498 units are the estimated housing requirement, this could equate to a figure as high as 2,487 apartment units for the same population. The remaining land supply is 29 hectares. This is only an average of circa 50 units a hectare. Given the presence of Clongriffin Station, and the planned improvements to the Dart and Intercity rail services, this housing units figure of 2,487 units is significantly more appropriate. At 86 units per hectare, this is a medium density level of development. Much higher densities are required to be provided within walking distance of train stations.

The figure of 1,498 units has not increased from the previous figure in the development plan. This is inappropriate given the planned level of transport services for the area and shows that it would be far better to avoid a figure targeted to an area.

Malahide has a remaining land supply of 88 hectares and a housing capacity of 1,114 units – this equates to circa 13 units per hectare. This is contrary to national guidance, the Urban Development and Building Height Guidelines 2018, that require a minimum of 30 units per hectare under **Special Planning Policy Requirement 4** –

*“It is a specific planning policy requirement that in planning the future development of greenfield or edge of city / town locations for housing purposes, planning authorities must secure:*

*the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines”.*

In the proposed Variation, the land supply figure is reduced to 75.5 hectares and 956 residential units - yet the same 13 units per hectare density is retained. Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Planning Authorities and An Bord Pleanála are required to have regard to the guidelines and apply any specific planning policy requirements (SPPRs) of the guidelines in carrying out their function. SPPRs take precedence over any conflicting policies and objectives of development plans, local area plans, and strategic development zone planning schemes. Where such conflicts arise, these plans / schemes need to be amended by the relevant planning authority to reflect the content and requirement of these guidelines and properly inform the public of the relevant SPPR requirements. The proposed Variation does not comply in parts with SPPR 4 and therefore needs to be revisited to ensure compliance with SPPR 4. The minimum housing figure for Malahide should therefore be 2,265 units. However, parts of Malahide are suited to more lower density and others at much higher density. The removal a specific number to a settlement would allow for greater flexibility.

## **Conclusion**

The overall reduction in housing supply numbers for Fingal from 49,541 to 43,104 units is disappointing given that the Census of Population shows that population increased by circa 30,000 persons from 2011 to 2016, but in the three years from 2016 to 2019, the rate of population increase doubled. This does not include the existing pent up demand.

Objective SS02 requires that all proposals accord with the County's Settlement Strategy and are consistent with the hierarchy of settlement centres. This will make the development plan overly rigid, and unable to respond to a rapidly changing situation, as the dramatic and dynamic population increases show.

Enabling sustainable compact growth, as set out in the National Planning Framework, without arbitrary allocations to settlements, should be the key consideration in this proposed variation.

We would be happy to elaborate further on these issues if that would be of assistance.



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**John Spain Associates**