



Senior Executive Officer
Planning and Strategic Infrastructure
Development
Fingal County Council
Main Street
Swords
Co. Dublin

Our Ref: 200214
Your Ref:

By Email

7th February 2020

Re: Fingal Development Plan 2017-2023 - Variation No.2 - Consultation Response

Dear Sir/Madam,

MKO have been instructed by Glenveagh Properties PLC to prepare a response to the consultation on the proposed Variation No.2 to the Fingal Development Plan 2017-2023 with specific reference to the Development Management standards in place.

Glenveagh Properties PLC respectfully request that the Planning Authority take cognisance of this submission with regards the development plan standards of the Development Plan.

Our Client takes an innovative approach towards planning, designing and building high-quality homes at appropriate densities throughout the country consistent with the provisions of the National Planning Framework (NPF). Such an approach is key to ensuring that suitable lands are developed in the most efficient and sustainable manner feasible, to meet known housing shortages and the aims and objectives of national policy and guidance to address same.

In order to deliver high quality own door units whilst maintaining residential amenity, a new approach to housing design and the flexible application of development management standards will be required going forward. This Variation to the Development Plan presents an opportunity for the Planning Authority to ensure the correct policy framework is in place to allow this to happen on the ground.

The new and innovative housing model proposed by our Client will cater for the needs of different age profiles from those buying their first home to retirees all within the same development. MKO respectfully submits that Fingal County Council engages with developers delivering high quality innovative design solutions which may necessitate flexibility in development management standards to align with the delivery of compact growth, whilst prioritising residential amenity.

National Strategic Outcome 1 (NSO 1) in the National Planning Framework sets out a clear objective on compact growth targeting a greater proportion of future housing development to be within and close to the existing 'footprint' of built-up areas.

National Policy Objective 3a, 3b and 3c of the NPF sets out the urban development targets for the delivery of new homes within the footprint of existing settlements;

- National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.



- National Policy Objective 3b: Deliver at least (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- National Policy Objective 3c: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

Other relevant objectives of the NPF which relate to delivering high quality compact growth include:

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes.

The Regional Spatial and Economic Strategy ('RSES') for the Eastern and Midlands Region directs the policy response at a regional scale on how best to achieve the shared goals set out in the National Strategic Outcomes ('NSOs') of the NPF.

It is noted that Planning Authorities and An Bord Pleanála are required to apply any specific planning policy requirements ('SPPRs') of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended), in carrying out their functions.

The Urban Development & Building Heights Guidelines for Planning Authorities published in December 2018 includes specific planning policy requirements relating to compact growth, densities and building typologies as follows:

- *SPPR4: 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:*
 1. *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 "Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
 2. *a greater mix of building heights and typologies in planning for the future development of suburban locations.*

Section 7.10 and 7.11 of the Sustainable Residential Development in Urban Areas Guidelines published by the Department in 2009 states:

- *"Qualitative standards should be the real test, and innovative design solutions which achieve good performance standards should be considered on their merits".*
- *"Innovative dwelling design should be encouraged in order to facilitate the potential future provision of adaptable and accessible accommodation".*

Some of the key principles to achieving compact growth of urban settlements are outlined within the RSES. The RSES will be implemented in policy by way of the County Development Plan and therefore requires a focus on efficient use of serviced land and delivery of appropriate densities within urban settlements. In order to deliver the residential targets outlined in the RSES and the principles of compact urban form as expressed in the NPF, it is requested that Fingal County Council consider the following as part of this Variation process:



- Looking beyond the conventional 3/4 bed semi-detached and apartment model Ireland has become accustomed to;
- Consider innovative design principles to own door houses that facilitate higher density, appropriate levels of public and private open space provision, car parking, bike and bin storage while ensuring that residential amenity is maintained;
- The need to provide market and affordable homes that meet the varied needs of our communities, from students to families to older people;
- The need for more homes that are flexible in terms of their accessibility and adaptability;
- How housing design responds to changing lifestyle demands e.g. working from home;
- Building new communities in which people want to live requires considerable master-planning to ensure we have the right mix of homes in terms of sizes, types and tenures.

New ways of developing high quality housing presents an opportunity for local authorities to consider more innovative ways of promoting delivery through their own Development Plan policies and standards. New homes must be flexible to meet the needs of a range of household types and sizes, and to meet individual households' changing needs over time.

The provision of appropriate densities and urban design can facilitate the framing of streets, enable the creation of a sense of place and community through the inclusion of shared surfaces and can serve to give priority to the pedestrian. The design and layout of individual dwellings should provide a high-quality living environment for residents.

A new approach to innovative design standards will result in a high-quality residential area while at the same time facilitating higher densities with own door housing providing for better consumer choice and a more viable product. The use of contemporary and innovative design solutions should be encouraged with a flexibility in the application of development management standards.

A provision within the Development Plan is requested that facilitates this innovative design and that meet the following suggested performance criteria:

- Privacy/Protection of Residential Amenity;
- Acceptable level of quality private and public amenity space;
- Appropriate management of shared spaces within a residential development;
- Removal of cars off the streets while maintaining Local Authority quantitative standards;
- Appropriate bin storage and cycle parking locations within the curtilage of the unit.

When reviewing the Proposed Variation No.2 to the Fingal Development Plan 2017-2023 this submission requests that Fingal County Council gives further consideration to the development management standards applicable to residential schemes in the context of layout, separation distances and private open space requirements, in order to achieve the policy objectives set out in the statutory RSES.

In order to facilitate Fingal County Council on delivering the requirements of compact growth, appropriate densities and in particular innovative design principles, MKO propose the inclusion of the following text within their Development Plan at the stated 'Main Aims of the Development Plan' (section 1.5), as a continuation of Main Aim no.11:

"Facilitate and encourage innovation in order to drive sustainable development, protecting against potential negative impacts. The planning authority welcomes contemporary designs and innovation. In order to facilitate and encourage innovative design solutions the Council will exercise flexibility in the application of the development management standards in instances where high quality design and layout has been demonstrated and subject to the maintenance of privacy and protection of residential amenities."



It is further suggested this section is repeated at page 17 of the Plan in relation to High Quality Design. This is an approach consistent with the Development Plans of other Local Authorities within the Greater Dublin Area.

Chapter 12 Development Management Standards has not been subject to review under this Variation, and while it is acknowledged that the standards for residential density set out do include some flexibility, it is held that this should be furthered as part of this Variation taking account of the justification for same set out earlier in this submission. It is specifically requested that the following amendment is made to the Development Plan:

“Residential Density

*In general, the number of dwellings to be provided on a site should be determined with reference to the Departmental Guidelines document Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) **while also taking cognisance of emerging guidelines and the specific merits of the case. The planning authority welcomes contemporary designs and innovation. In order to facilitate and encourage innovative residential design solutions, the planning authority will exercise flexibility in the application of the development management standards subject to the maintenance of residential amenity.** As a general principle and to promote sustainable forms of development, higher residential densities will be promoted within walking distance of town and district centres and high capacity public transport facilities.”*

Within the Development Plan Chapter 12, Objective DMS28 seeks to maintain a minimum separation distance of 22 metres between directly opposing rear first floor windows, which is to be “generally observed”. We would seek to amend the Objective wording as follows:

➤ *Objective DMS28*

*A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed **unless alternative provision has been designed to ensure privacy or a suitable design response can be arrived at which ensure the quality of living and privacy is maintained.** In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs. A separation distance of at least 2.3 metres should be provided between the side walls of each house, pair of semi-detached houses or each terrace of houses in order to allow for adequate maintenance and access, however, where a suitable design response has been achieved, this may be reduced – subject to the protection of residential amenity.*

➤ *Objective DMS29*

*Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units, **however, where a suitable design response has been achieved, this may be reduced - subject to the protection of adjoining residential amenities.***

In conclusion therefore, we respectfully request Fingal Council to include in the proposed Variation No.2 of the Fingal Development Plan, the above recommendations with respect to the development management standards.

If you require any further detail or discussion relating to the enclosed submission, please do not hesitate to get in touch.

Yours sincerely,



Meabhann P. Crowe
Meabhann Crowe, MRTPI
MKO Planning

c.c. Glenveagh Properties PLC



MKO, Tuam Road, Galway, Ireland. H91 VW84

+353 (0)91 735611 | info@mkoireland.ie | www.mkoireland.ie | [@mkoireland](https://twitter.com/mkoireland)

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