

# **Planning Submission**

*In respect of*

## **Proposed Amendments to Draft Regional Spatial & Economic Strategy for the Eastern & Midland Region**

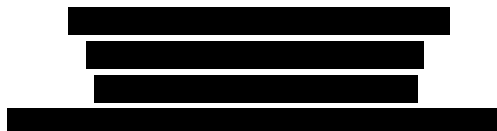
*Prepared by*

**John Spain Associates**

*On behalf of*

**Hibernia REIT plc**

**11<sup>th</sup> April 2019**



## 1.0 INTRODUCTION

- 1.1. On the 1<sup>st</sup> March 2019 the Members of the Eastern & Midland Regional Assembly considered submissions received during the public consultation of the draft Regional Spatial & Economic Strategy (RSES) which closed on the 23<sup>rd</sup> January, and decided to propose amendments to the draft RSES.
- 1.2. These proposed material amendments have now been put out on public display for a four week period from the 15<sup>th</sup> March to the 12<sup>th</sup> April 2019 As prescribed under Section 24(8) of the Planning & Development Acts 2000-2018 only the proposed amendments are on public display (together with associated various updated Environmental and Appropriate Assessment Reports), and we understand that submissions can only be made in respect of these proposed amendments (& updated Assessments Reports).
- 1.3. We therefore have limited our responses to the content of the proposed material amendments as published. However, in considering this written submission we would ask you to read it in the context of our original submission dated the 23<sup>rd</sup> January 2019.
- 1.4. This submission has been prepared without reference to the Director's Report or submissions made by other parties, as these were not made available by the Regional Assembly.
- 1.5. This submission has been prepared on behalf of our client Hibernia REIT plc, who, in addition to a number of major commercial & residential investments in Dublin City centre, have significant landholdings (144 Acres) located at Newlands immediately to the west of the Red Cow Luas Park & Ride on the Naas Road. (See Map 1)

**Map 1 Hibernia REIT plc lands at Newlands, Naas Road**



## 2.0 PROPOSED MATERIAL AMENDMENTS

- 2.1. The proposed material amendments to the Draft Regional Spatial and Economic Strategy for the Eastern and Midland Region are numbered and set out in the published document. These proposed material amendments follow the same sequential order matching the layout and of the Draft RSES and have to be read in conjunction with the draft RSES. We note that the proposed material amendments consist solely of amendments to existing policy, omissions of existing policy or new policy in the draft RSES.
- 2.2. There are a number of common themes running through many of the proposed amendments, and therefore for convenience we have grouped amendments under a number of headings, and provide our responses to same, and this is set out below. However, we do cross-reference all our comments to the relevant amendment reference number.

### Compact Urban Development

- 2.3. The National Planning Framework (NPF) objective of requiring at least 50% of new housing in the five cities to be located within the built-up areas of each of the cities is inconsistently applied across the proposed amendments. These differences are summarised below (emphasis added in bold):
- Section 3.2 Growth Enablers (Amendment 6)  
*“6. Promote compact urban growth by targeting a greater proportion of future housing development, **up to 50%** of housing built in **in Dublin** and up to 30% of housing built in other settlements, to be accommodated within and close to the existing built up footprints.”*
- Amended Growth Enablers for Dublin City & Metropolitan Area (Amendment 7)  
*“2. To realise ambitious compact growth targets **of at least 50%** of all new homes to be built, to be **within or contiguous to the existing built up area of Dublin**”.*
- Chapter 4 Amended Guiding Principles for Core Strategies (Amendment 12)  
*“Compact sustainable growth – Promote compact, sequential and sustainable development of urban areas from large to small to realise targets **of at least 50%** of all new homes to be built, to be **within or contiguous to the existing built up area in Dublin city and suburbs**”.*
- Chapter 5 Dublin MASP – Amended Guiding Principles (Amendment 68)  
*“Compact sustainable growth with accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve **a target to 50%** of all new homes **within or contiguous to the built-up area in Dublin**”.*
- 2.4 From the foregoing it is very evident that that the draft RSES as currently presented (original draft + material amendments) have not consistently applied the appropriate geography or target to this NPF objective. We would respectfully request that the Eastern & Midland Regional Assembly would review all of the above amendments to ensure that a consistent approach would be taken throughout the RSES so as to have the target set as “**at least 50%**” and the geographical scale defined as “**within the built-up area of the city & suburbs**”. It is our considered view that setting the target at up to 50% of new homes to be within the footprint of the built-up area is not enough to be able to provide a significant implementation of the policy of compact growth, and therefore it is critical that this target should be set as a minimum, as it is

done in the NPF, and not as the upper limit of our ambition. Equally when it comes to the expression of the spatial extent of the built-up area, it is important that the RSES should apply the same terminology as used in the NPF, namely “within the built-up area”, not “within or contiguous to the built-up area” as is currently used in the draft RSES. It is important to recall that Hibernia REIT’s 144 acres at Newlands are located within the built-up area of Dublin city & suburbs, but have not, as yet, been identified as being zoned for housing.

### Active Land Management

- 2.5 A number of new paragraphs have been added to the text dealing with active land management as follows:

New Growth Enablers for Region (Amendment 6)

*“3. Deliver development areas identified in the Dublin Metropolitan Area Strategic Plan (MASP) to ensure a steady supply of serviced development lands to support Dublin’s sustainable growth.”*

Amended Growth Enablers for Dublin City & Metropolitan Area (Amendment 7

*“5. Enhance co-ordination across Local Authorities and relevant agencies to promote more active land management and achieve compact growth targets through the development of infill, brownfield and public lands”.*

Amended Guiding Principles for Core Strategies (Amendment 12)

*“3. Support co-ordination across Local Authorities and agencies to promote active land management and better use of under-utilised, brownfield and public lands.”*

- 2.6 This additional material supporting/promoting active land management is constructive and is to be welcomed, as it places a requirement on Local Authorities to work together to achieve compact growth targets. However, this does require individual targets to be set for each Local Authority, and this is missing at present from the draft RSES or Metropolitan Area Strategic Plan. Furthermore, for effective collaboration between local authorities the proposed MASP Implementation Group must be given the authority to ensure targets set are met by each constituent local authority.

### Core Strategies

- 2.7 A number of new sections have been included in the posed amendments relating to Core Strategies, and places new obligations on Local Authorities in reviewing/preparing their Development Plans. These include:

Amending Section 4.3 Taking Account of Existing Plans (Amendment 13)

*“Core Strategies should apply prioritisation measures rather than de-zoning of land where a surplus of lands is identified in existing plans with regard to the NPF Implementation Roadmap up to 2031. In preparing Core Strategies account should also be given to the consideration of sequential lands which are suitable for the delivery of housing but may not be forthcoming in the Plan period having regard to 2031 Roadmap targets, subject to proper planning and sustainable development.”*

Amend RPO 4.1 Settlement Strategy (Amendment 14)

*“Core Strategies shall also be developed having regard to the infill/brownfield targets set out in National Planning Framework National Policy Objectives 3a-3c.*

Amend Core Strategy – additional guidance to read (Amendment 73

*“The determination of population targets for local authorities within the MASP including the population targets for the city and the Metropolitan Key towns is a matter for the agreement in consultation with the MASP Implementation Group*

*after the adoption of the RSES to inform the preparation of core strategies of the relevant city and county development plans.”*

- 2.8 While it is generally positive the added emphasis being given to core strategies in the proposed amendments, and in particular the need identify specific targets for infill/brownfield sites, we would be concerned that the determination of population targets for individual Local Authorities within the Metropolitan areas, including the targets for the cities and key towns, is not being dealt within the MASP itself, but is being left to be agreed between the Regional Assembly and Local Authorities post adoption of the RSES. This is unacceptable as it has the effect of excluding the public from being able to give their views on such important matters, which is not compatible with the Aarhus Convention or the principles of public participation provided for in the Planning & Development Acts 2000-2018. Given that the legal purpose of the Regional Strategies is to provide a planning framework for local Planning Authorities, it is imperative that the RSES/MASP should inform local authority targets to enable them to formulate realistic and consistent core strategies. Accordingly, we would recommend that the final version of the Regional Economic Strategy, as adopted by the Regional Assembly, would set out precise targets for each constituent Local Authority within the Metropolitan area, as has, for instance been done for Cork. This will then provide a basis for monitoring of progress in implementation of the strategy.

### **Urban Regeneration**

- 2.9 Hibernia REIT welcome the fact that the proposed amendments incorporate additional wording in the “*Guiding Principles for Urban Infill and Brownfield Regeneration*” (Amendment 120) as follows:  
*“Local authorities, in the preparation of the Core Strategies of their Development Plans, shall consider the following Guiding Principles to deal with the complexities of brownfield and infill sites:*
1. *part of the active land management process that identifies the development capacity and any constraints on sites that are zoned for development including potential contamination and incorporating other relevant databases*  
...
  2. *Proposals for strategic brownfield and infill sites should be accompanied by a site brief and / or a masterplan that sets out a phased programme of regeneration of the site and demonstrates how the proposal will comply with national guidelines that seek to achieve sustainable compact development and integrate principles of good urban design and placemaking.”*
- 2.10 Hibernia REIT would request that the Regional Assembly would play a proactive role in making sure that these requirements are implemented in a timely manner by the local authorities in reviewing their Development Plans, or interim plans.

### **Dublin Metropolitan Area Strategic Plan**

- 2.11 The following additional text has been proposed in respect of Chapter 5 on the MASP Guiding Principles (Amendment 68)  
Under Principle 2 words “at least” dropped in relation to 50% target, but extra sentence added “*to support a steady supply of sites to accelerate housing*

*supply and to achieve higher densities in urban built up areas, supported by improved services and public transport.”*

*Under Principle 3. “To focus growth along existing and proposed high quality public transport corridors and nodes **on the expanding public transport network** and to support the delivery and integration of ‘BusConnects’, DART expansion and LUAS extension programmes, and Metro Link, **while maintaining the capacity and safety of strategic transport networks.**” (new text in bold).*

Under Principle 7. “Identify Future Development Areas – To identify future development area that may be delivered beyond the lifetime of the draft RSES, but within the longer-term 2040 horizon set out by the NPF.”

2.12 This Guiding Principle No.7 is an entirely new guiding principle, and while it is welcomed, it should be expanded to include additional development areas needed in short-term not just post 2031. In this regard it is respectfully requested that it should be made explicit (rather than implicit), that the list of strategic sites in the strategic development corridors contained in Table 5.1 of the MASP should not be taken as being exhaustive.

2.13 Under amended rail projects (amendment 69), it has added *“In principle there is a need to carry out an evaluation of underground metro routes within the M50”* and under an amended Table 5.1 on enabling infrastructure it has identified an additional Luas stop as being required for the Naas Road/Ballymount area. While this requirement for an additional Luas stop is welcomed, it is not at all clear where this stop is intended, and whether it is within or adjacent to these REGEN lands? This needs to be clarified by a transport area assessment to determine the optimum location or locations for additional stops on the Luas red line.

2.14 Under an amended RPO 5.5 on Housing & Regeneration (Amendment 74) it has added the development of Key Metropolitan Towns to the consolidation of Dublin as the primary focus for sequential residential development. In our view this is incorrect as the Key Towns should not be given same status as the consolidation of Dublin.

### **3.0 DIRECTOR’S REPORT ON SUBMISSIONS**

3.1 We note with regret that neither the Director’s Report on the submissions, nor the submissions themselves, have been published on the Regional Assembly’s website, despite it stating in the Amendments document that they would be published on the website. The absence of this Director’s Report has made it more difficult to interpret the rationale for the proposed amendments, which in turn has contributed negatively to the ability of the public to engage with this public consultation phase of the strategy making process. Given that this may well be the last such opportunity for such engagement, this absence of stated documentation is unacceptable.

## 4.0 CONCLUSIONS

- 4.1 In general Hibernia REIT welcome the proposed Amendments to the draft Regional Spatial & Economic Strategy for the Eastern & Midland Region. However we remain concerned that in a number of instances the proposed amendments may have not gone far enough or have incorrectly interpreted or misrepresented the policies and objectives of the National Planning Framework (NPF).
- 4.2 In particular Hibernia REIT are concerned that the proposed amendments dealing with compact urban growth have inconsistently transposed the NPF target of at least 50% of future housing in Dublin to be located within the built-up area of the city & suburbs. As has been illustrated above, different amendments use different targets and different spatial definitions which is very confusing. Therefore we would respectfully request that such inconsistencies would be eliminated and that the target would be set as per the wording used in the NPF which is at least 50% of future housing in Dublin would be located within the built-up area of the city and suburbs.
- 4.3 The second area of concern to Hibernia REIT is in relation to the proposed amendments dealing with Core Strategies. While it is generally positive the added emphasis being given to core strategies in the proposed amendments, and in particular the need identify specific targets for infill/brownfield sites, we would be concerned that the determination of population targets for individual Local Authorities within the Metropolitan areas, including the targets for the cities and key towns, is not proposed to be dealt within the MASP itself, but is being left to be agreed between the Regional Assembly and Local Authorities post adoption of the RSES. This failure to establish population targets for the sub-components of the metropolitan area, as for instance has been done for Cork, will leave the public excluded from having any input into the how future growth across the Dublin metropolitan area is to be distributed. In Hibernia REIT's view such population projection disaggregation should be a fundamental task for the MASP, and is essential for the regional strategy to provide appropriate guidance to the constituent planning authorities in the formulation of their core strategies.
- 4.4 Finally, while the amended Guiding Principles for the Dublin MASP do recognise the need to identify further strategic development areas, this has been framed in the context of a longer time horizon beyond the lifetime of the RSES. It is Hibernia REIT's strongly held view that, not alone is it necessary to identify further development areas for delivery post 2031, as is proposed in the amendment, but that there is an urgent need to identify further sites for the delivery of badly needed housing in the short term. Accordingly, we would respectfully request that such a requirement for additional development areas would be widened to include new housing areas which could be delivered in the short term. The MASP would also benefit from making it more explicit that the lists of strategic sites included in Table 5.1 are not considered to be exhaustive.
- 4.5 In conclusion, we trust that you will give consideration to the points raised in this submission.