



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

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



Sustainable and Compact Settlements Guidelines for Planning Authorities Proposed Policy Approach Consultation Paper – March 2023

The Assembly acknowledges the publication of the Proposed Policy Approach Consultation Paper for Sustainable and Compact Settlements Guidelines for Planning Authorities, as part of the preparation of Ministerial Guidelines on Sustainable and Compact Settlements, as prepared by the Department of Housing, Local Government and Heritage (DHLGH). It is intended to replace the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities 2009 with new Sustainable and Compact Settlements Guidelines for Planning Authorities. The Consultation Paper provides a summary of the emerging policy approach in relation to density, housing standards and quality design and placemaking. The policy approach aims to align to NPF priorities for compact growth and to Action 9 of Housing for All priorities to provide a greater range of high-quality housing options.

This submission has been prepared by the executive of the Regional Assembly and approved by the Cathaoirleach of the Eastern and Midland Regional Assembly.

1.0 Regional Spatial & Economic Strategy (RSES) and its relevance to the Consultation Paper

The RSES supports the spatial, economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Eastern and Midland Region. The RSES also sets the context for Local Authorities within the Region to develop their city and county development plans in a manner to ensure national, regional and local plans align.

The Eastern and Midland Region contains some of the fastest growing communities in the Country, with a significant demand for housing to meet the needs of the growing population. At the core of the RSES is the consideration of a settlement hierarchy for the Region, which is informed by a number of key Regional Strategic Outcomes (RSOs) such as the provision of sustainable settlement patterns, compact growth, sustainable rural development, integrated transport & land use, sustainable management of environmental resources, enhanced regional connectivity and enhanced green infrastructure. The Settlement Strategy is concerned with the delivery of sustainable compact growth within the Dublin Metropolitan Area Strategic Plan (MASP) region, targeting growth within Regional Growth Centres and developing a network of Key Towns throughout the Region. The Settlement Strategy includes delivery of compact growth and urban regeneration including measures to achieve the provision of housing and supporting infrastructure to

enable the population growth identified as part of the RSES and NPF urban development targets. Regional Policy Objective (RPO) 3.2 of the RSES outlines that Local Authorities, in their core strategies shall set out measures to achieve compact urban development targets of at least 50% of all new homes within or contiguous to the built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

The overall vision of the RSES is to create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunity. The RSES vision is supported by 16 Regional Strategic Outcomes (RSOs) that are framed around three key principles of Healthy Placemaking, Climate Action and Economic Opportunity. In particular, RSO 1 and RSO 2 are noted as follows;

1. Sustainable Settlement Patterns

Better manage the sustainable and compact growth of Dublin as a city of international scale and develop Athlone, Dundalk, Drogheda and a number of key complementary growth settlements of sufficient scale to be drivers of regional growth. (NSO 1, 7, 10)

2. Compact Growth and Urban Regeneration

Promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens. (NSO 1)

A key focus is the need to achieve ambitious targets for compact growth in urban areas, to improve liveability and quality of life, enabling greater densities to be achieved. Urban regeneration and infill sites can contribute to sustainable compact growth and revitalisation of existing settlements of all scales which will help to address National Policy Objective 3a, 3b and 3c of the NPF, targeting the delivery of new homes within the footprint of existing settlements.

In accordance with the Planning and Development Act 2000 (as amended), the Regional Assembly has reviewed and made submissions to all City and County Development Plans within the Region to ensure consistency with the RSES, and by default the National Planning Framework, to ensure population targets and housing figures contained within each Development Plan are aligned to the RSES. It is noted that the continued roll out of Local Area Plans across the Regions are the next step in achieving the objectives of the RSES and Project Ireland 2040.

2.0 Submission

Having considered the consultation paper, this submission outlines the observations of the Regional Assembly on the three stated components of the proposed policy approach of density, housing standards and quality design and placemaking.

2.1 Density

The Regional Assembly notes the content of Section 3.1 of the Consultation Paper which focuses on Density. The Consultation Paper outlines that considerations of The Sustainable Residential Development Guidelines 2009 remain relevant including that there is a trend towards smaller average household size, the need to encourage the provision of affordable housing, and the need to reduce CO2 emissions by reducing energy consumption and to support a more efficient use of energy in the residential and transport sectors. It is

stated that these considerations are supplemented by the need for accelerated supply of more diverse and affordable housing which is now critical, and greater urgency also in relation to the need for settlement and travel patterns that support the more efficient use of energy and contribute to the achievement of net zero carbon emissions and other climate action targets by 2050. This is in keeping with the general approach of the RSES, including RPOs 3.3 and 4.3, which focus on providing densities in line with Government Guidelines and providing high density and people intensive uses within the existing built-up area of Dublin City and suburbs.

The policy approach on density set out in the Consultation Paper is to expand on the density ranges contained in the 2009 Guidelines. It is indicated that the approach will recommend density ranges for Cities, Metropolitan Towns, Large Towns (10,000+ population), Small and Medium Sized Towns (>1,500 to 10,000 population) and Rural Towns and Villages (>1,500 population). Furthermore, in each settlement, recommended density ranges would be set for (i) central areas that comprise the city or town centre and surrounding neighbourhoods; (ii) urban areas that comprise the early stages of residential and mixed-use development around the central area; and (iii) suburban or edge areas.

The Assembly notes that the proposed policy approach is set out as follows:

- Cities: Densities of 100-300 dwellings per hectare (dph) in central areas, densities of 40-200 dph in urban areas and densities of 40-80 dph in suburban and edge areas.
- Metropolitan Towns: Densities of 40-150 dph in town centres and urban areas and densities of 35-80 dph in suburban and edge areas.
- Large Towns (10,000+ population): Densities of 40-150 dph in town centres and urban areas and densities of 30-80 dph in suburban and edge areas.
- Small and Medium Sized Towns (>1,500 to 10,000 population): Densities that respond to existing context in town centres and urban areas, and densities of 25-30 dph in edge areas.
- Rural Towns and Villages (>1,500 population): Densities that respond to existing context.

It is noted that this is an increase from the current density parameters as stated in the 2009 Guidelines that allow for minimum net densities of 50 dph in Cities and Towns on public transport corridors, average net densities at least in the range of 35-50 dph with potential for up to 70 dph in selected areas on institutional lands, and densities in the range of 35-50 dph on outer suburban and greenfield sites. For smaller towns and villages, the 2009 Guidelines allow for 30-40+ dph on centrally located sites, 20-35 dph on edge of centre sites, and 15-20 dph along or inside the edge of small towns and villages.

In line with the statutory provisions of Section 27 of the Planning and Development Act 2000, as amended, the Regional Assembly has reviewed the development plans of all twelve local authorities within the Eastern and Midland Region to ensure that their development plans are consistent, and in particular the core strategy, with the RSES. As part of this, the Regional Assembly sought to ensure that the Core Strategy contained within a Draft County/ City Development Plan take account of the population targets outlined within the RSES and the Housing Supply Targets calculated in accordance with the Housing Supply Target Methodology for Development Planning Guidelines, issued in December 2020 under Section 28 of the Planning and Development Act, 2000 (as amended). In doing so the Regional Assembly ensured that each local authority has sufficient lands zoned for residential purposes to meet any population targets and housing supply targets, whilst emphasising key principles such as compact growth. The Regional Assembly recognises that dwellings per hectare is a central measure for estimating development land requirements and making housing land allocations.

In light of the aforementioned paragraph, and having regard to the increase in proposed density standards, the Regional Assembly notes that many local authorities may now find themselves in the scenario whereby the local authority has excess zoned land capacity to accommodate the required number of residential units needed for its administrative area, and subsequent rezoning, change of zoning and/or phasing may be required to ensure consistency with the NPF and RSES, as per the Development Plans Guidelines published in June 2022. In order to ensure consistency with the RSES and maintain a robust planning policy hierarchy within the planning system, this issue should be addressed as part of any finalised Guidelines.

2.2 Housing Standards

The Assembly acknowledges Section 3.2 of the Consultation Paper that focuses on Housing Standards. The Regional Assembly supports the opening statement which indicates that the quality of new housing plays a significant role in improving health and wellbeing and contributes to sustainable development and quality placemaking, and that one of the core principles of the proposed policy approach is to support, alongside national building standards, new homes that provide a high standard of safety and amenity while also supporting sustainable forms of development. This is keeping with the overarching 'Healthy Placemaking' Key Principle of the RSES and Chapter 9 of the RSES that focuses on improving quality of life through housing, regeneration, recreation and open spaces, and access to services.

The Assembly notes the inclusion of the statement that "Research and stakeholder engagement undertaken in support of the proposed guidelines indicates that the continued application of suburban housing standards dating from the early 1900's is hampering innovation in the housing sector in Ireland." The Assembly considers that this research and stakeholder engagement should be publicised to allow for transparency in the policy making process and provide a greater understanding around the policy proposals contained in the Consultation Paper.

The Assembly notes the statement as part of the Consultation Paper that the proposed policy approach is to support and facilitate medium density housing models in Ireland, alongside traditional housing and apartment developments. The Consultation Paper also refers to low-rise medium density housing models of approximately 2-4 storey, and that it can deliver residential densities of 40 to 100 dph (approx.) with a high proportion of own-door units. Accordingly, and in light of the density parameters set out under Section 3.1 of the Consultation Paper, it is unclear if the proposals contained at Section 3.2 of the Consultation Paper will apply, or have given due consideration to, densities outside of the stated 40-100 dph. In line with Section 3.1 of the Consultation Paper this includes Cities and areas of Metropolitan Towns and Large Towns. Furthermore, the inclusion of a definition of low, medium and high residential density may be a beneficial inclusion to the finalised Guidelines.

It is noted that the proposed policy approach includes the following recommended standards which are different to current standards:

- Separation: A minimum separation distance of 16 metres between opposing upper floor windows that serve habitable rooms at the rear of houses and duplex units. Provision for further reductions where there are no opposing windows serving habitable rooms, and where suitable privacy measures are designed into the scheme to prevent overlooking of habitable rooms and private amenity spaces.
- Private Open Space: A minimum private open space provision of 10 sq. metres per bedspace, with provision for further reduction where an equivalent amount of semi-private open space is provided

in lieu of private open space, subject to an absolute minimum provision of 5 sq. metres private open space per bedspace. The recommended standard also includes greater flexibility in relation to the design and location of private open space, to allow for terraces, patios and balconies at ground or upper levels.

- Public Open Space: A minimum public open space requirement of 10% of the total site area (net) for new residential development in statutory development plans.
- Car Parking: In order to meet the targets set out in the National Sustainable Mobility Policy 2022 and in CAP23 for reduced private car travel it will be necessary to apply a graduated approach to the management of car parking within new residential development. In 'Cities', 'Metropolitan Towns' and 'Large Towns (10,000+ population)' car parking should be graduated based on location and access to services by public transport, walking and cycling. In areas of high accessibility, car-parking provision should be minimised, substantially reduced or wholly eliminated, while in areas of medium accessibility, car-parking provision should be substantially reduced.

For comparative purposes, the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 state that a 22 metre separation distance between opposing above ground floor windows is normally recommended for privacy reasons. With regard to the proposed change to the quantum of public open space the 2009 Guidelines note that it will be necessary for planning authorities to take a more flexible approach to quantitative open space standards, put greater emphasis on qualitative standards and outlined the following;

- *'In green-field sites or those sites for which a local area plan is appropriate, public open space should be provided at a minimum rate of 15% of the total site area...*
- *In other cases, such as large infill sites or brown field sites public open space should generally be provided at a minimum rate of 10% of the total site area; and...*
- *In institutional lands and 'windfall' sites which are often characterised by a large private or institutional building set in substantial open lands... a minimum requirement of 20% of site area should be specified; however, this should be assessed in the context of the quality and provision of existing or proposed open space in the wider area.'*

The RSES emphasises Healthy Placemaking as a Key Principle in order to promote people's quality of life through the creation of healthy and attractive places, to drive the delivery of quality housing (RSO 2) and enhance the quality of our built and natural environment to support active lifestyles (RSO 4). Furthermore, the Guiding Principles for the creation of Healthy and Attractive Place as set out in the RSES, emphasise that provision of open space should consider types of recreation and amenity uses required, public open spaces are to have good connectivity and be accessible by safe, secure walking and cycling routes, and finally open space is to be planned for on a multi-functional basis incorporating ecosystem services, climate change measures, Green Infrastructure and key landscape features in their design. In light of this, and notwithstanding the indication as part of the Consultation Paper that to enable greater innovation in housing design a more graduated and flexible approach to the application of residential design standards will be required, the Regional Assembly considers that the rationale and evidence base to support and justify the change to current standards, should be clearly stated as part of any finalised Guidelines.

With regard to the separation distance, a further point is that it is unclear if consideration has been given to the exempted development provisions under Class 1 and Class 3, Schedule 2, Article 6, Part 1 Exempted Development – General, of the Planning & Development Regulations 2001 (as amended) that facilitates extensions and sheds. This is important in the context of the aforementioned proposed changes as set out

in the Consultation Paper, in order to ensure that over-development does not arise resulting in substandard housing standards.

2.3 Quality Design and Placemaking

The Regional Assembly welcomes Section 3.3 of the Consultation Paper that indicates that the preferred policy approach will include guidance in relation to quality design and placemaking.

As noted in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 (Cities, Towns & Villages) high standards of design should be encouraged and developments which barely meet minimum standards should not be accepted. It is stated that the proposed policy approach is based on the interaction between residential density, housing standards and quality design and placemaking, however as previously outlined no clear rationale or evidence-based justification for the proposed reduction of current standards, as outlined within the Sustainable & Compact Settlements Guidelines for Planning Authorities Proposed Policy Approach Consultation Paper, has been provided. Reduced plot sizes, a tighter arrangement of houses and narrower streets should be avoided where it would negatively impact on the residential and visual amenity of the area. A key priority of the RSES is to promote the integration of Guiding Principles for Healthy Placemaking (Section 9.4 of the RSES) in the design and layout of all new developments, to promote good urban design, enhanced public realm, and opportunities for walking, cycling and active lifestyles, in order to create healthy and attractive places.

In this regard Healthy Placemaking RPO 9.10 states that in planning for the creation of healthy and attractive places, there is a need to provide alternatives to the car and to prioritise and promote cycling and walking in the design of streets and public spaces. Local authorities shall have regard to the Guiding Principles for 'Healthy Placemaking' and 'Integration of Land Use and Transport' as set out in the RSES and to national policy as set out in 'Sustainable Residential Development in Urban Areas' and the 'Design Manual for Urban Roads and Streets (DMURS)'.

As indicated in the Consultation Paper, the Regional Assembly welcomes the indication that proposed guidance in relation to quality design and placemaking, including indicators of quality design and placemaking, in order to ensure the delivery of high-quality sustainable development will be included as part of the preferred policy approach

3.0 Conclusion

The Regional Assembly welcomes the opportunity to engage in the process of preparing the new Sustainable and Compact Settlements Guidelines for Planning Authorities and looks forward to continuing engagement with the Department of Housing, Local Government and Heritage on the matter.

Regards,



Jim Conway

Director,
Eastern and Midland Regional Assembly
26th April 2023