Development Plan Team,
Planning Secretariat,
Dublin City Council,
Civic Offices
Wood Quay
Dublin 8

14 September 2010

Re: Proposed amendments to the Dublin City Draft Development Plan 2011 – 2017

Dear Sir / Madam,

The National Transport Authority (NTA) submits the following report on the proposed amendments to Draft Dublin City Development Plan 2011-2017. These have been considered with regard to the points made in the NTA’s previous submission (letter dated 11 March 2010) and the Manager’s response to the points made by the NTA, and focus in particular on the following:

- Density Standards
- Building Heights (Including Local Area Plans)
- Schematic Master Plans
- Retail Centres & Retail Hierarchy

Under each policy area, observations are presented in the following order:
- Comments
- Recommendations

Summary of Recommendations
The NTA recommends that the policy to promote sustainable residential densities is refined to include a basic minimum net residential density, up to 1km from a rail-based public transport node and that the amended policy would also provide for progressive increased densities with proximity to the public transport node, with the highest density at the rail-based public transport node.

It is recommended that the definition of public transport catchments include 1km from Luas stops, as specified in the Guidelines on Sustainable Residential Developments in Urban Areas.

The NTA supports the proposed amendment that a Local Area Plan shall be prepared for areas identified as either mid-rise or high-rise.

It is recommended that the building heights, as defined in the Draft Development Plan, are not reduced

The NTA recommends against the inclusion of non-statutory plans in the Development Plan.
It is recommended that an explanation is included in the Draft Development Plan, setting out the basis for the functions, scale and locations of retail centres, in particular, those designated below Key District Centre level. The relationship between all district centres and the Retail Strategy also needs further clarification, particularly with regard to scale and catchments.

**Context**
Section 31C(1) of the Dublin Transport Authority Act 2008 assigns the NTA\(^1\) a role in the making of a development plan. Where a notice is received by the DTA under section 12(1) it shall, as part of any written submission on the draft development plan, state whether, in its view, the draft development plan is:

(a) consistent with its transport strategy, or  
(b) not consistent with its transport strategy and in such case what amendments to the draft plan it considers necessary to achieve such consistency.

As the NTA is currently preparing a transport strategy, this submission is based on existing national land use and transport policy that may have a bearing on the completed transport strategy. In this, the NTA places a critical emphasis on the need for a coherent approach to be taken in the prioritisation of investment in transport infrastructure in relation to the RPG’s transport policies and objectives, as well as other policy areas such as settlement and economic development. The comments are based on the general objectives of the NTA as set out in section 10 of the Dublin Transport Authority Act 2008 as amended, where The Authority is required to seek the following objectives -

(a) the development of an integrated transport system which contributes to environmental sustainability and social cohesion and promotes economic progress,  
(b) the provision of a well-functioning, attractive, integrated and safe public transport system for all users,  
(c) improved access to the transport system and, in particular, to public passenger transport services by persons with disabilities,  
(d) increased use of the public transport system,  
(e) regulated competition in the provision of licensed public bus passenger services in the public interest,  
(f) the objectives as set out in Section 9 of the Act of 2003,  
(g) increased recourse to cycling and walking as means of transport, and  
(h) value for money.

**Density & Building Height**

**Comment**
With regard to the proposed amendment to paragraph 17.3 (Density Standards) the NTA notes that it is proposed to amend the paragraph 17.3 of the Draft Plan by excluding specific minimum density standards and replacing them with a statement “Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the Department of the Environment, Heritage and Local

\(^{1}\) As amended by section 30(C) of the Public Transport Regulation Act 2008
Government Guidelines on Sustainable Residential Development in Urban Areas and having regard to the policies and targets in the Regional Planning Guidelines 2010 – 2011.”.

Firstly, the NTA would support the recommendation in the Manager’s Report to include “...800 metres from Luas Stations” in the definition of public transport catchments. It should be noted that the Guidelines on Sustainable Residential Developments in Urban Areas recommend that increased densities should be promoted within 1km of a light rail stop (section 5.8 p.43).

On the issue of density, the NTA’s previous submission recommended that

“... in order to support and not to compromise the planned investment in transport infrastructure, it will be necessary to retain as a minimum, the Draft Development Plan’s density criteria.”

The NTA would not agree with the proposed amendment, for the following reasons:

1. The aim of the Department of the Environment, Heritage and Local Government Guidelines (the Guidelines) is,

“... to set out the key planning principles which should be reflected in development plans and local area plans” (Section 1.1 p. 1).

The guidelines therefore set out a framework for local authorities to determine their density standards. They specify a minimum (high) density standard at national level and do not take specific cognisance of the urban environment pertaining to the Dublin City Council area. The Dublin City Council area is the most central element of the Dublin Metropolitan Area and the hub for all existing and most of the planned rail-based public transport networks. This is in addition to the dense network of bus services with operation within the area. The implication from this is that whilst the Guidelines allow for higher densities than 50 units per hectare, a higher minimum density would nonetheless be appropriate in the case of the City Council area, the inclusion of such being consistent with the preservation of Dublin City as the focal point for future population growth and as the economic driver for the city region.

Furthermore, the Guidelines state that,

“The development plan is at the heart of the system, transposing national and regional policies and setting the strategic context for local area plans...Fundamental questions to be addressed at the outset of the planning process include...The setting of appropriate density levels within the area” (section 2.2, p.7)

The Guidelines therefore should not be considered a substitute for the specification of density standards in a Development Plan.

2. The Regional Planning Guidelines 2010 - 2022 (RPG) set out a strategic framework for planning and development for the region. The RPG state that,
“It is critical ... that those areas of land adjacent or close to high quality public transport services are cognisant of the Government policy and plan for densities at medium or high levels, with regard to the site, location, surrounding lands and environmental impact” (section 8.3, p.170).

However the RPG do not provide detailed minimum density standards and therefore do not obviate the need for density standards in a Development Plan.

3. As stated above, there are numerous planned investments in rail infrastructure in the Dublin City Council area, (including Metro North, Dart Underground, various Luas lines), which are currently being considered in the emerging NTA Transport Strategy for the GDA. There is a high level of interdependence between the NTA Strategy (2030 Vision) objectives and the achievement of complementary densities and land use patterns. For example, at scheme-specific level, the business cases for all of the major public transport proposals currently being considered are directly related to inter alia a certain level and spatial distribution of population. The absence of specific minimum density standards, especially in the City Centre and within the local catchment of rail/luas stops, could undermine the basis for these schemes.

The absence of clearly defined density standards could undermine the ability to achieve both the Draft Development Plan’s Core Strategy objectives/priorities of a “compact, ... connected city”, “making Dublin the heart of the city region” and “providing quality homes in a compact city” as well as the NTA Strategy’s (complementary) objectives. This is therefore seen as presenting a high risk to the achievement of both the Core Strategy’s objectives and the NTA Strategy’s objectives and associated transport infrastructural measures.

**Recommendation**

The NTA recommends that a basic minimum net density standard is set, which would apply up to 1km from all rail-based public transport nodes. The existing national guidelines require a minimum density of 50 units per hectare (uph) to be applied. Whilst 50 uph in a national context may be defined as a higher density, in the context of Dublin City and the existing and planned rail-based public transport, the NTA believes that a higher minimum density would be appropriate for Dublin City.

The NTA also recommends that there would be a progressive increase in density from this minimum density at the 1km boundary to the public transport node, with the highest density at the rail-based public transport node itself. The density would be determined on a site-by-site basis. This would help support the planned transport infrastructure as well as meet the objectives of the Core Strategy.

It is further recommended that the definition of public transport catchments include 1km from Luas stops, as specified in the Guidelines on Sustainable Residential Developments in Urban Areas.
Building Height & Local Area Plans

Comment
Having regard to the proposed amendment to paragraph 17.6.2—Definition of a High Building and in the context of the NTA’s recommendation on density standards, the NTA is concerned that the amended low rise building height definitions, in tandem with the absence of minimum density standards, could restrict the physical consolidation of population and employment growth within the city and undermine the planned investment in transport infrastructure.

The amendment to restrict residential building height in the “outer city” to 4 storeys could weaken the ability of the Council to achieve greater consolidation within the city. Given that there are many existing buildings in these areas higher than 4 storeys this amendment appears to be unnecessarily restrictive and takes no account of the local context.

The NTA supports the commitment that a Local Area Plan shall be prepared for areas identified as either mid-rise or high-rise and the consequent 2-year statutory time frame (Planning and Development Act 2000 S.19(c)) within which they will be made. The LAP’s will be of great importance for new place making, the design of the public realm and the appropriate allocation of space to reflect the prioritisation of walking, cycling and public transport.

The proposed Local Area Plans will provide an opportunity to reassess the allocation of space in the context of new public transport nodes provided as part of the delivery of rail-based public transport infrastructure e.g. Metro North, Dart Underground etc.

Recommendation
Whilst higher densities do not necessarily mean taller buildings, building height has an inherent relationship with the achievable development densities and therefore could impact on the provision of public transport infrastructure. It is therefore recommended that the building heights, as defined in the Draft Development Plan, are not reduced.

The NTA supports the proposed amendment that a Local Area Plan shall be prepared for areas identified as either mid-rise or high-rise.

Schematic Master Plans

Comment
With regard to the Amendment Section 5.1.4.1—Integrated Land Use and Transportation to:

“...seek to prepare LAP’s or Schematic Master Plans at key transport nodes where deemed appropriate in order to guide future development and to safeguard investment in public transport infrastructure.”

Whilst reference to LAP’s as a basis for future development around transport nodes is to be welcomed, the NTA would not support the inclusion of non-statutory planning instruments in the Development Plan. Their inclusion would present an unacceptably high degree of risk in relation to how such non-statutory plans would be prepared, or complied with over time and, by association, the safeguarding of investment in public
complied with over time and, by association, the safeguarding of investment in public transport infrastructure.

**Recommendation**
The NTA would not support the inclusion of non-statutory planning instruments in the Development Plan.

**Retail Centres**

**Comment**
Having regard to the proposed amendment to Appendix 4 — Retail Strategy and the comments made in the NTA’s previous submission on the retail hierarchy and district centres, the NTA notes the Manager’s Report response that “the NTA’s concerns are addressed in the Draft Plan”.

This is not evident to the NTA and the Authority therefore reiterates the statement made in the previous submission that:

>“Given the large number of district centres identified in the Draft Development Plan it is unclear on what basis these centres are designated as Key District Centres. Accessibility by public transport, walking and cycling should be key considerations in determining the scale and location of the higher order centres outside of the City Centre. The locations of each of the 8 Key District Centres demonstrate different levels of public transport accessibility therefore the relationship between accessibility and scale needs to be more clearly defined in the Draft Plan”.

**Recommendation**
It is recommended that an explanation is included in the Draft Development Plan, setting out the basis for the functions, scale and locations of retail centres, in particular, those designated below Key District Centre level. The relationship between all district centres and the Retail Strategy also needs further clarification, particularly with regard to scale and catchments.

I trust that the views of the NTA will be taken into consideration.

Yours Sincerely

[Signature]

Gerry Murphy
Chief Executive Officer