



# **To compare the structure of the Dutch and Irish planning systems**

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## **Acronyms and Abbreviations**

<b>DoEHLG</b>	Ireland	Department of Environment, Heritage and Local Government
<b>CSO</b>	Ireland	Central Statistics Office
<b>GDA</b>	Ireland	Greater Dublin Area
<b>PDA</b>	Ireland	Planning and Development Act
<b>NSS</b>	Ireland	National Spatial Strategy
<b>NDP</b>	Ireland	National Development Plan
<b>RPGs</b>	Ireland	Regional Planning Guidelines
<b>DPs</b>	Ireland	Development Plans
<b>LAPs</b>	Ireland	Local Area Plans
<b>SDZs</b>	Ireland	Strategic Development Zones
<b>EPA</b>	Ireland	Environmental Protection Agency
<b>NIRSA</b>	Ireland	National Institute for Regional and Spatial Analysis
<b>VROM</b>	Netherlands	Department of Spatial Planning Housing Environment, Netherlands
<b>NRPB</b>	Netherlands	National and Regional Planning Bureau

<b>RO</b>	Netherlands	General Decree on Spatial Planning
<b>RDP</b>	Netherlands	National Planning Committee
<b>WRO</b>	Netherlands	Spatial Planning Act – Dutch “Wet op de Ruimtelijke Ordening”
<b>NRPB</b>	Netherlands	National and Regional Planning Bureau

**Chapter One:**  
**Introduction to Dissertation**



## **Chapter 1: Introduction to Research Area**

### **1.0 Introduction**

The aim of this dissertation is to identify what Ireland can learn from the Dutch controlled planning system. In the following Chapters of this dissertation past, present and future sections of the planning systems are researched. The main objective of this dissertation is to compare the Dutch planning system ‘plan-led system’ to the Irish planning system ‘development-led system’ and what Ireland has or can still learn from plan-led system.

### **1.1 The origin and the importance of the topic**

This subject matter was chosen because of an interest in planning law in the current economic climate in Ireland. Emerging from the ‘Celtic Tiger era’ – it is clear that the planning system in Ireland failed to work. Therefore planning regulation and policies needed to change. This change has begun with the introduction of the Planning and Development Act 2010, which supersedes the Planning and Development Act 2000. It is clear that Ireland has lessons to learn in regard to its planning system. The author chose The Netherlands as a model of best practice against which to measure Irelands approach. The following Chapters in this dissertation will analyse, evaluate and assess and compare both planning systems to see if they can learn from one other.

## 1.2 Aim and Objectives

The primary aim of this dissertation is to gain a clear understanding of the structure of the Dutch and Irish planning systems and to identify the key criteria that make up a successful planning system and what can be learned from each country's approach. In order for this aim to be achieved, several objectives are addressed:

1. Compare the Irish and Dutch planning system in relation to the planning legislation and structure
2. Identify the weaknesses of the Irish system and how the state is evolving
3. Build a set of criteria to show how Ireland could be influenced by the Dutch plan-led structure
4. To draw a conclusion and recommendations in light of the findings

Both primary and secondary research methods are employed in order to achieve the proposed aims and objectives.

## 1.3 Structure of Study

The content of this dissertation is as follows:

**Chapter One: Introduction-** introduces the reader to the dissertation. It provides an introduction and establishes relevance of the research topic. The primary aim and objectives are also outlined.

**Chapter Two: Literature Review-** summarises the relevant academic literature available on the research topic. The Chapter provides a clear understanding on the structure of the Irish and Dutch planning system.

**Chapter Three: Research Methodology-** discusses the research methodology used in investigating the research topic. It provides a rationale for choosing the methods used and also highlights the research limitations.

**Chapter Four: Evolution of the Core Strategy in Ireland-** discusses Ireland's new planning act and how core strategies in development plans benefit further development for the economy.

**Chapter Five: Case Study: The Comparison of The Netherlands and Ireland's Planning System-** Case Study analysis of Irish and Dutch planning systems on the basis of the criteria developed in the literature review. The analysis will be informed by interviews with planners working in practice and academia. It will incorporate the results and analysis of the interviews undertaken.

**Chapter Six: Conclusions and Recommendations-** outlines the author's conclusions and recommendations drawn from the research undertaken.

## **Chapter Two:**

## **Literature Review**

## **Chapter 2: Literature Review**

### **2.0 Introduction**

The aim of this Chapter is to review the literature relevant to the research statement as stated in Chapter 1. The literature review provides an academic context to the subject matter of the Irish and Dutch planning system. The literature on the Irish planning system deals with legislation from 2000 to 2010 as the Planning and Development 2000 Act was amended in 2010; this is explained in Chapter 4 of the dissertation. This Chapter also explains the key legislation, policies and guidelines at National, Regional and Local level in Ireland.

The literature on The Netherlands planning system will explain the background, key legislation, rules, policies and regulations at National, Provinces and Municipal level.

### **2.1 Ireland's Planning System**

The Irish planning system is described as “hierarchical and centralised” (Oxley et al., 2009). Ireland comprises of two regions Northern Ireland and the Republic of Ireland. The Republic of Ireland's surface area is 70,300km<sup>2</sup> (84%) of the Southern part of the island. The population of the State is approximately 4.58 million for 2011 with an 8.2% increase from the 2006 Census report. Its expected future growth is estimated to be 5 million around 2020; the population amounts to 4,446,000 inhabitants with around 1,300,000 in the capital city Dublin (CSO, 2011).

## 2.2 Background to Ireland's Planning System

According to Gerhard (2006) the Planning and Development Act 1963 was implemented on the 1<sup>st</sup> of October 1964. However, since then various Acts were applied resulting in the Planning and Development Act 2000. The escalating development and construction led to the Celtic Tiger Boom in Ireland.

The rapid economic growth of the 1990s took place in the context of a lack of an appropriate infrastructure, an absence of a national strategic spatial framework and a limited institutional capacity to guide and coordinate the development. The approach of spatial planning in Ireland has evolved from common law and the principle of precedent and is similar to European countries. A key distinction between the Irish and the rest of Europe relates to the powers given to local government: the administrative system in Ireland has a dual purpose in which central government sets legal and functional constraints for local authorities and then plays a supervisory role. The Department of the Environment, Heritage and Local Government (DoEHLG) are the policy makers for planning legislation. Ireland also has an independent planning appeals system known as An Bord Pleanála<sup>1</sup> (the Planning Appeals Board). Since 1993 the Environmental Protection Agency (EPA) has been responsible for decisions on major environmental issues. This means that the planning system is essentially restricted to land use functions (Bartley, 2007).

DoEHLG (2007) implemented the Regional Planning Guidelines (RPGs) for development plans in Ireland; these guidelines were available under Section 28 of the Planning and Development Act. A development plan sets the agenda for any development site and is renewed every six years after which it is then up to members of the City, Borough, Town and Country Councils to revise. It also identifies what needs to be included in a development whether it be residential, industrial, commercial or amenity it must take place in agreement with the development plan. This is a blueprint to ensure the economic and social development of the city, town or county.

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<sup>1</sup> An Bord Pleanála was established by the Local Government 1976 PDA. This Act was to determine appeals, references and other matters under the Planning Acts. In that development and other more specific land-use plans are the blueprints for development in the area of each planning authority (Scannell, 2006).

Meldon et al. (2000: 5) make the point that “compared to other European states, the Irish local government system is relatively weak with a limited range of functions and powers”. Meldon et al. (2000) clearly state that the “Local authorities have no major role in policing, public transport or personal social services”. Any powers in respect of education, health and agriculture are very limited and the only social function is in respect of housing. The regional authorities are responsible for implementing and sketching the Regional Planning Guidelines to support strategies for regional development.

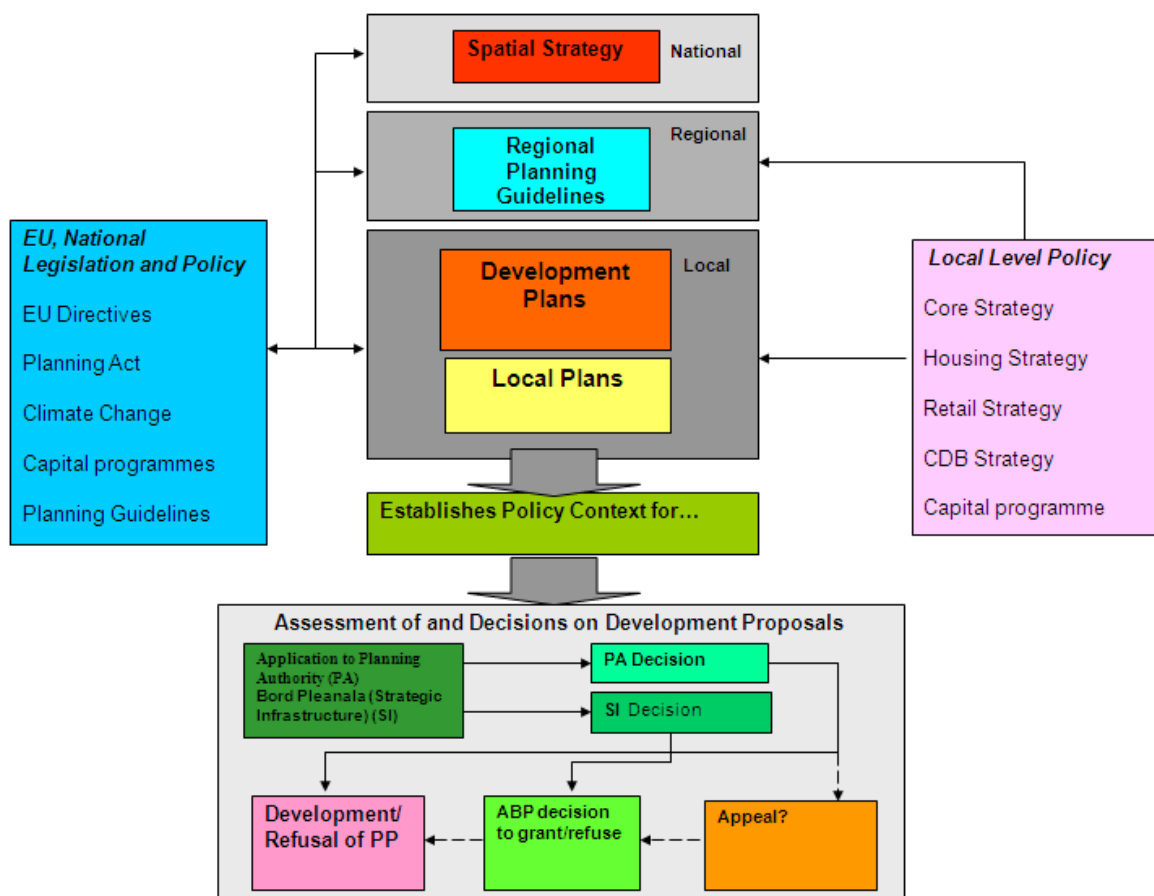


Fig. 1 above shows the Irish Planning System

Source: (DoEHLG, 2011)

## 2.3 Structure of Ireland's Planning System

In Ireland the local authority functions are divided into reserved (political policy) and executive (management) functions. The reserved functions are carried out by the elected representatives and the executive functions are performed by the City or County Manager. The approval of Development Plans is a reserved function and decisions on an individual application are executive functions. The following diagram (fig.2) shows the Irish Planning system and the structure of plans that were employed:



**Fig. 2 Above shows the Irish planning system structure**



## **2.4 Key Legislation, Policies and Guidelines in relation to Spatial Plans Produced – At National, Regional and Local Level (Before the Planning and Development (Amendment) Act 2010)**

Prior to 2010 the Planning and Development Act 2000 was the foundation for planning decisions and policies in the State. The Regional Planning Guidelines 2004 - 2016 were employed to act in accordance with the National Spatial Strategy (NSS), the NSS was published in November 2002. The National Spatial Strategy was implemented to provide a long-term strategic planning framework for the regional authority areas. It is a vision for future development in Ireland over the next twenty years. All regional and local plans must adhere to the National Spatial Strategy. The main objective of the NSS was to deliver a 'more balanced physical, social and economic development between regions' (DoEHLG,2002)(p.3).

According to the Planning and Development Act all Regional Authorities are required to build Regional Planning Guidelines between local planning and national development. Regional Planning Guidelines were adopted as a key policy. The Regional Planning Guidelines main objective was to give regional effect to the NSS and to guide the Development Plans (DPs) for each county. The Development Plan sets out the local authority's policies for land use control and development in the country, the plans also show the expected sole or primary use for particular areas. There is a requirement for public participation in these plans which must be renewed every six years, - (stated under Section 9 of the Planning and Development Act 2000). Local authorities should produce a Development Plan and all Regional Planning Guidelines must follow the provisions of central government's NSS and be in line with national policy and regional guidance. In regards to housing there are no statutory allocations of units or targets given (Oxley et al., 2009).

Local Area Plans (LAPs) have been a legal requirement since 2000 and set out detailed policies which must be consistent with the Development Plan for exact localities. All development proposals require planning permission which means they will be vetted to ensure they are consistent with the Development Plan. This development control function is exercised by local authorities who also have a duty of enforcement. They therefore have to

police development to ensure that building is compiling with permissions and they have to take actions against those who do not observe planning requirements; it has been argued that local authorities can be active entrepreneurial agents with a strong emphasis on development. Most local authorities in Ireland now have separate development departments which operate alongside and often in conflict with the planning department (Bartley, 2007).

After the 1<sup>st</sup> of November 2000, any new Development Plan prepared by a Local Authority should incorporate a housing strategy under the Planning and Development Act 2000 – Section 94. (1) (a) “for the purpose of ensuring that the proper planning and sustainable development of the area of the Development Plan provides the housing of the existing and future population of the area in the manner set out in the strategy” (Office of the Attorney General, 2000).

The Planning and Development Act 2000, Section 18 and 20 outlines the preparation of the Local Area Plans. Before preparing, amending or revoking the Local Area Plan the Planning Authority should consult the public, local residents, public sector agencies and business communities in the region. Under Section 19 (1) (b) Local Area Plans shall be made in respect of an area where a population is in excess of 2,000, the Development Plan does not have to cover the whole of the authority’s functional area; only in areas the authority deems to be important for the purpose of the plan (Office of the Attorney General, 2000).

After 2004, Ireland has the full hierarchy of plans and strategies envisaged in the Planning and Development Act 2000, ranging from the National Spatial Strategy at national level to Regional Planning Guidelines at regional level and city, town and county Development Plans as well as Local Area Plans (DoEHLG, 2005).

### **2.4.1 Strategic Development Zones (SDZ)**

SDZs were introduced in the Planning and Development Act 2000, under Section. 166 (1); an SDZ is a specific area of land proposed and the Government deem of economic or social importance to the State. The design of the site of a SDZ is decided by the Government and must be followed by a proposal by the Minister for the Environment, Heritage and Local Government. Examples of SDZs in the State are Adamstown, Grangegorman and Clonburris. Any SDZs close to the Greater Dublin Area (GDA) in which there is large scale residential development, with mixes of densities and tenures, must be carried out on a phased basis and timed to the delivery of services such as a rail station, schools and other services (DIT, 2011).

## **2.5 Why the Irish Planning system needed to be modified**

The word zoning was to guarantee that when a development took place it would address the overall proper planning and sustainable development in any region. However the word zoning in Ireland was greatly ignored over the Celtic Tiger period. Many rural regions have and still are affected.

An Taisce (2012) published an article in April 2012 on “the nine worst councils in Ireland’s planning system” (Appendix 4) the councils given the lowest grade, F, are Donegal, Roscommon, Leitrim, Kerry, Mayo, Galway, Cavan, Carlow and Waterford. In the State numerous rural regions have major residential developments in locations where demand is not present and without sufficient infrastructure and social amenities. In these instances the planning system clearly failed in regards to the zoning or rezoning of land in the above regions. In terms of the country achieving a sustainable strategy for future developments time needs to be devoted to modernising the planning system.

The Irish Government modified the Planning and Development Act 2000 and amended this Act in 2010. The new planning legislations objective is to provide a more sustainable land-use policy for zoning. Kitchin et al. (2010) clearly stated that there has been a “catastrophic failure of the planning system” in Ireland and that the Irish system needs to be changed. The Planning and Development Act 2000 was to ensure the future planning in Ireland for new generations and to follow the three main principles:

- 1) Be strategic in approach;
- 2) create an ethos of sustainable development;
- 3) Performance delivery of the highest quality

However these were not taken into consideration in Ireland as the land has been over-zoned due to flexibility of the planning system and policies that were in place (Meldon et al., 2000).

## **2.6 Introduction to The Netherlands**

The Netherlands is defined as a “decentralised<sup>2</sup> unitary state with a system of constitutional parliamentary monarchy” (Needham et al., 1993). The Kingdom of The Netherlands surface area is about 41,526km<sup>2</sup>. The population of the State is approximately 16.66 million for 2011 and expected future population growth is estimated to be 18 million around 2030; the number of inhabitants will subsequently stabilise (Netherlands, Statistics 2011), currently 14% of the surface area of the country is occupied by housing, business and infrastructure. More than 70% of the country is agricultural land and nature conservancy areas occupy more than 13% of The Netherlands (RPD, 2000).

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<sup>2</sup> Decentralised – that there are Governmental bodies (bodies with the public authority to govern) for not only the whole nation but also every province and every municipality.

## 2.7 Background to The Netherlands Planning System

The Department of Spatial Planning Housing Environment (VROM) clearly stated that The Netherlands is a densely populated country with a strong international direction and an open economy. Since the Second War World (1940- 1945) it has experienced rapid economic expansion, interspersed with a few periods of recession during the 1970 - 1990. Economic growth and a growing population keep the country in a permanent state of reconstruction and alteration (RDP, 2000).

The Netherlands comprises of one National Authority, 12 provincial<sup>3</sup> authorities and 489 municipalities<sup>4</sup>. The four main municipalities' in The Netherlands are Amsterdam, The Hague, Utrecht and Rotterdam. At the National level the Governmental powers are divided between various bodies which are the government (the Queen, Minister-President and the different ministers). There are main ministries: the Ministry of Spatial Planning Housing Environment (VROM), the Ministry of Transport, Public Works and Water Management (Ministerie van V&W), the Ministry of Agriculture, Nature and Food Quality (Ministerie van LNV)) and the Dutch Upper Chamber (Eerste Kamer) and the Lower Chamber (Tweede Kamer); the rights, duties and autonomies of which are specified in the Grondwet (Constitution) and additional legislation. The Netherlands has a public administration which is made up of the government bodies at the national, provincial and municipal levels, as well as some smaller governmental bodies with functional responsibilities, for example: the Water Boards etc. Therefore for the formal regulations and informal practice the plans and legislation at all levels complement each other rather than conflict (Needham et al., 1993).

In relation to the provinces and municipalities they are organised by the constitution and are responsible for looking after the welfare of the citizens and community within the limits of the law. The provinces play an important part in regards to spatial planning. They are responsible for translating national policies and regulations to the provincial level and set out

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<sup>3</sup> Provincial refers to the Regional Level in The Netherlands

<sup>4</sup> Municipalities/ Municipal refers to the Local Authorities or Local level (National, Regional and Local level) in The Netherlands

the framework for spatial planning policy at the local level. The municipalities also implement national spatial planning policy but these policies always have to fit in the framework set out at the provincial level. The local authorities (municipalities) have control of all building works in the area (VROM, 2001).

The Spatial Planning Act, known in Dutch as the *Wet op de Ruimtelijke Ordening* (WRO) was introduced in 1965. The WRO is being adjusted at the moment; new rules are deemed necessary to make spatial policy more targeted, effective and simplified and in order to achieve a sustainable spatial quality new rules are modified to help strengthen both the role of the land-use plan and the position of the National government in spatial planning ensuring that all objectives of the act are carried out in the lower levels. The *Besluit op de Ruimtelijke Ordening* or BRO (Decree on Spatial Planning) 1985 was created to ensure that the objectives of the WRO were implemented and the rules and regulations are followed in the act. The BRO 2003 is the last revised document. In 1901 the first legislation in relation to spatial planning was employed the *Woningwet* (Housing Act). In 2003 a new *Woningwet* policy was introduced which controls the whole national area and provides a key legislative basis for spatial planning. At the local level there is an act of Parliament. The Parliament controls the duties and rights in the Provinces and Municipalities (RPD, 2006).

In the past the State was the majority land developer relating to small-scale development typically infill and rural areas due to the high costs of infrastructure provision and widespread acceptance. The political ideologies that the public sector should be able to recoup the betterment gains of converting land to urban uses and also steer local building markets has enabled the public sector to be highly prescriptive about the nature and content of house building. Then in the 1990s the State changed from sole land developer and large-scale private developers began purchasing development land and the State began to lose land ownership. The large-scale developers relied on information provided in land-use policies to identify where a development could be permitted before a transaction was accepted. However these developers could not afford the high costs of infrastructure provisions, so these firms transferred ownership to the Local Authorities in return for receiving the right to building permits. This ensured the Local Authorities and Planners had the power to intervene on the

details of the development. Large developers through their pre-emptive purchases of development land have greatly increased their market share in house building. An official investigation in 2001 concluded that they did not have dominant local market positions (Needham et al., 1993).

## **2.8 The Netherlands Key Legislation, Policies and Guidelines in Relation to Spatial Plans Produced -At National, Regional and Local Level**

The structure and function of the Dutch planning system is a somewhat perfect international example of land-use. In The Netherlands the VROM has created a well integrated land-use policy taking into account environmental considerations and land conservation. The Dutch spatial planning approach is strict with development control, in particular with infrastructure provisions. These infrastructure provisions are subsidised and provided by the State. Co-operation between the different arms of government is enshrined in the planning system. The constitution ensures the autonomy of 647 municipalities where detailed control of development is undertaken. In the 1960s the National Government prepared the national plans on spatial planning; these plans have incorporated all spatial aspects and outline the framework for the development in the State as a whole and for the spatial plans at the provincial and local level. The objective for the plans was to accommodate the rapid and continuous economic growth in the country (ODPM, 2006).

In the provinces, some municipalities can develop a Regional Structuurvisie or a Regional Structuurplan, these vision/ structure plans can be used to focus on the future development of the municipalities involved. The WRO do have regulations and policies on the procedure of these plans, in addition the plans are not compulsory and it is not essential to guide the Bestemmingsplan (land-use plan). The Bestemmingsplan is the core plan of development control in the State. The WRO sets the rules and regulations of the Bestemmingsplan(s) and also approves the plan(s) if all the criteria is fulfilled by the municipalities. These local land-use plan(s) are legally binding thus providing the State with legal certainty. These plan(s) are

recommended to be renewed every ten years; each municipality is required to develop a plan. The plan must include a plan for regions outside any built up area and the municipalities can prepare a plan for already built up areas. The Bestemmingsplan does not have a required area to cover. Some municipalities can make one large plan or numerous plans for an area. For example the municipality of Nijmegen in The Netherlands has up to six hundred plans for 150,000 inhabitants. In these Bestemmingsplan(s) it must identify and show the use(s) of the proposed site including the density, height and structure of buildings (Needham, 2004).

Bouwvergunning (building permit) is a combination of planning permission and technical building permit: energy efficient, health, utility and safety are all factors. This permit is the main tool for controlling development and is only granted if the proposed development applies with the Bestemmingsplan(s). A decision must be decided by the municipalities within twelve weeks or if no response is given the permit is deemed approved. A third party or the applicant can appeal against the municipalities on the grant or refusal of the plan. Permit(s) cannot be given for buildings on the basis of a contribution towards any infrastructure or betterment in the area. If granting a building permit the municipality must inform all the neighbouring properties in writing. However if a Bestemmingsplan is not developed in the area then the local Bouwverordening (building regulations) must be applied, every municipality must provide national regulations incorporated with the local level and include an assessment of issues such as visual appearance. The Welstandscommissie (aesthetics committee) is a recognised committee by the municipality and comprises of independent experts. The advice from the committee is not legally binding (Gerhard, 2006) (p.208-209).



## **2.9 The New Dutch Spatial Planning Act (WRO)**

The Spatial Planning Act (WRO) was introduced in 1965 and revised in 1985. However the core structure of the act remained the same. In 2001 the first draft of the new Spatial Planning Act was released followed in 2003 by the final draft. After some amendments of the final draft by Parliament, the act was passed by the first and second chambers at the end of 2006. The act came into effect on the 1<sup>st</sup> of July 2008 (WRO, Wet op de Ruimtelijke Ordening). However the Spatial Planning Act (WRO) and the General decree on spatial planning (BRO, Besluit Ruimtelijke Ordening) creates the spatial planning legislation of the State. This makes the planning legislation easier to amend if any improvements are needed. The main objective behind the amendment of the Spatial Planning Act (WRO) is as follows:

- 1) The higher levels of government, national and provincial, can indeed take up their responsibility for guarding spatial developments which are of national or provincial importance;
- 2) The preparation procedures for spatial plans are simplified and shortened to improve the efficiency of spatial planning;
- 3) the WRO makes a clear distinction between the strategic, visionary plans and legally binding implementation plans.

The table below shows the relationships between the powers and responsibilities of the various tiers of government with reference to the WRO 1965 Act and amended WRO 2008 Act:

<b>Spatial Planning Act 1965 (WRO)</b>	<b>Spatial Planning Act 2008 (WRO)</b>
The land-use plan(s) (Bestemmingsplan(s)) were approved by Provinces	<b>Provinces cannot approve land-use plans (Bestemmingsplan(s)) but national government and provinces can give directions to municipalities if the national and provincial interests are at risk</b>
Municipalities produced the land use plans	<b>If the national government and provinces consider a development to be of strong importance. The two levels can produce a land use plan(s)</b>
Policy document strategic(s) (non-binding) at different levels of government- national government (PKB's, Planologische KernBeslissing), province (Streekplan) and municipality (Structuurplan)	<b>These policy document strategic(s) (non-binding) was replaced by the Structuurvisie and is the basis for the land use plans</b>

Table 1: Above Shows The Comparision of the old Spatail Planning Act (WRO) 1965 and the Amended Spatial Planning Act (WRO) 2008

Source: (Oxley et al., 2009)

The structure vision (Structuurvisie) has replaced PKBs (Planologische KernBeslissing) at national government level, Streekplan at province level and Structuurplan at municipality level. The structure vision is the basis for the land-use plan(s) but is not obligatory. There are however rules and regulations set by the Spatial Planning Act 2008 (WRO) that must be

adhered to. The structure vision is a simplified version compared to the structure of the old Spatial Planning Act 1965 (WRO). The structure vision strategy objective is to focus on the future development(s) of the municipality or parts thereof. The structure vision is a binding plan only on the government that has made the plan. It has no direct influence on spatial planning decisions to be taken by other governments or third parties. If the government decides to make decisions not in line with its own structure there are no legal consequences. The document is a political instrument. However the national structure vision must be debated in Parliament and every structure vision must incorporate an explanation on how the public has been involved in the plan making (Needham, 2004).

The land allocation plan was the only spatial plan that was binding on individual citizens, this remains the same. In the Spatial Planning Act (WRO) the land allocation plans are the only legally binding plans for both the public and the government. In the old act only the municipality had the authority to make a binding plan. However, in the new act the national and provincial governments can decide to develop a land allocation plan which overrules the ones made by a lower government. Only the national government and the provinces can draw up their own land allocation plan(s) where national and provincial interests may be at stake such as recreation, nature or agricultural farming land-use. What these provincial or national interests are however is not specified in the new act nor is it specified in the Draft Decree on Spatial Planning (BRO, Besluit op de Ruimtelijke Ordening) therefore it is up to the national government and provinces to decide (Needham, 2004).



Fig.3 Above shows the Local Governments and Spatial Planning System of The Netherlands

Source: (National and Regional Planning Bureau (NRPB), 2006)

## **Chapter Three:**

### **Research Methodology**

## **Chapter 3: Research Methodology**

### **3.0 Introduction and Procedure of Research**

The purpose of this Chapter is to outline the two research methodology used and why they were employed for the dissertation. Qualitative<sup>5</sup> and quantitative<sup>6</sup> methodology approaches were used by the author. In any dissertation the authors usually come across issues, problems and limitations when writing and researching their dissertation. In this Chapter the author also explains and outlines the main barriers and issues that occurred in this dissertation.

Preparation is the key to success for the future;  
Fail to Prepare? Prepare to Fail (Murphy, 2010).

The research of this dissertation started back in September 2011 at the start of semester one in fourth year. The main purpose of the initial research was to guarantee that both primary and secondary sources of information were available on the selected subject area for the author of the dissertation.

Once approval was obtained on the dissertation topic, the author set about compiling and analysing relevant information in relation to the two planning systems in Ireland and The Netherlands. This was to gain a better understanding of the subject area. This gathering of information was time consuming and the secondary information was outdated in relation to new Planning Acts in Ireland and The Netherlands.

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<sup>5</sup> Qualitative data give researchers background knowledge and information on topics, examples are in the form of words and pictures. (books, journals, the internet)

<sup>6</sup> Quantitative data gives researchers emphasise precisely measuring variables and testing hypotheses that are linked to general causal explanations, examples are interviews, surveys, questionnaires there are many types and methods for the three examples given.

### **3.1 Sources Used for this Dissertation**

Alford (1998) makes the comment that;

Substantive problems must thus be translated into the vocabulary of social inquiry....Working out a way of thinking through the choices and some appropriate sequence of tasks will allow you to answer a research question (p.25).

Quantitative and qualitative data has been employed by the author this can be defined as primary and secondary research. When all the relevant information was obtained from both sources, it was analysed, assessed, referenced and entered in the relevant sections of the dissertation.

#### **3.1.1 Data Collection**

It is the intention of the author to provide a research body that is defensible and rigorous in nature. Brannick and Roche (1997) insist that worthwhile research is

Purposeful...goals are clearly defined, the methodological procedures are defensible, evidence is systematically analysed, statistical techniques are correctly followed and the objectivity of the researcher is clearly evident (p.xii).

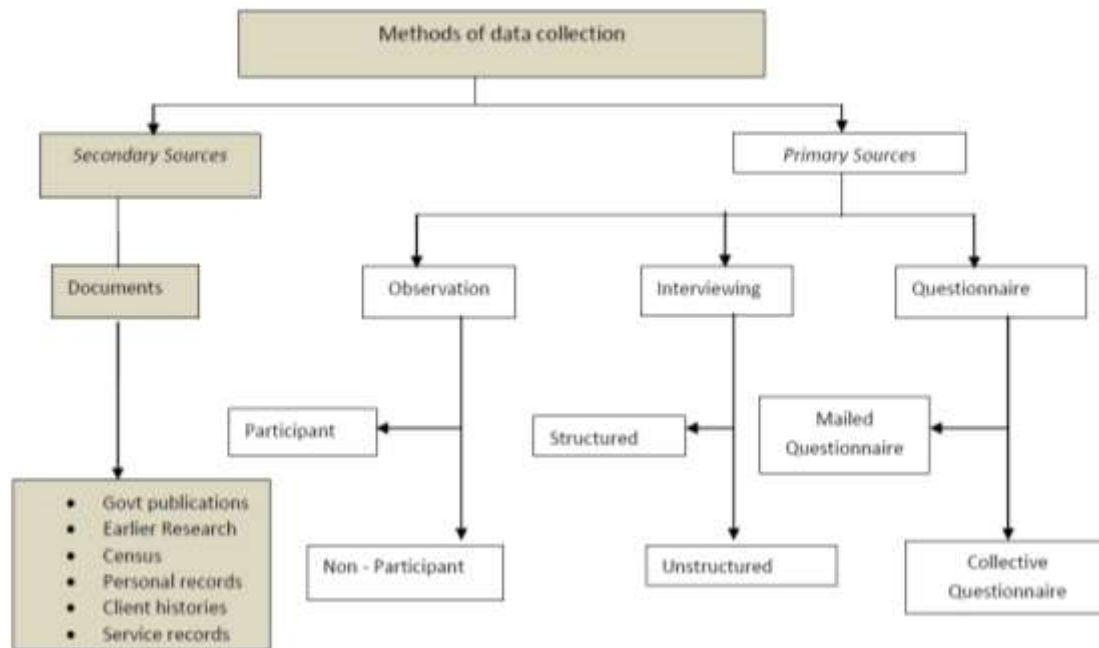


Fig.4 Above shows the various methods of data collection

Source: Research methodology; (Kumar, 2005, p.118)

## 3.2 Research Strategy

In order for the author's aims and objectives to be achieved both primary and secondary research techniques were employed by the author. The methodologies selected for this investigation included literature, case study, structured and unstructured interviews.

### 3.2.1 Primary Research Methodology

The main primary research methodology used by the author for this dissertation was unstructured and structured interviews. Face-to-face interviews were conducted as the most appropriate method for the following reasons;



- 1) A face-to-face interview gives more open responses and questions can be explained to the interviewee;
- 2) An unstructured interview approach is useful for more in-depth information on certain questions. It is also much more flexible, for example, if the interviewee was unsure what to answer on the topic, it allowed them to return to certain questions;
- 3) A one-to-one interview is easier to control and the interviewer has just one person to focus on and guide through the interview;

### **3.2.2 Preparing for face-to-face Interviews**

The author chooses three appropriate interviewees within the planning profession, emails were sent five weeks in advance of conducting the interviews. The author also contacted a number of stakeholders such as developers and landowners but no response was received. The interviewees that accepted were contacted by telephone a week before the interview to confirm a time and place for the interview for the dissertation. The author asked the interviewees if the interview could be recorded<sup>7</sup>. The interviewees were also given the option to remain anonymous or confidential for the purpose of the dissertation. The author carefully structured the layout of the interview questions ensuring that questions were clear, concise and to eliminate repetition and ambiguity. After the interviews the author gave the interviewees a gift and a note of appreciation for their effort and time given for the dissertation.

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<sup>7</sup>Interviews can be recorded if the interviewees give permission to do so; this enables the interviewer to focus attention solely on the answers provided. Prompts could then be used to stimulate conversation. The interview was also recorded for ease of transcribing at a later date.

### **3.3.1 Secondary Research Methodology**

Van Manen (2006) makes the comment that;

It is in the act of reading and writing that insights emerge. The (work of writing) involves textual material that possesses hermeneutic and interpretive significance. It is precisely in the process of writing that the data of the research are gained as well as interpreted and that the fundamental nature of the research questions is perceived (p.715).

Secondary sources of information were employed by the author to gain early research information for this dissertation. The following secondary sources were used in this dissertation:

- 1) Publications from the Government and Professional Institutions
- 2) Scholarly books
- 3) Relevant newspaper articles
- 4) The Internet

Previous dissertations were also beneficial to the author, as they provided an insight into the content of work required, the standard expected, the methodology adopted and the structure and style necessary for writing up the dissertation. Other dissertations provided lists of references and bibliographies which were useful and helpful to the author on the subject area.

### **3.3.2 Publications: Government and Professional Institutions**

This source has provided the author with current up-to-date data and was realistic, reliable and correct information on the Irish and Dutch planning systems. The following is the list of Government and professional institution publications used in this dissertation: the Irish Auctioneers and Valuers Institute (IAVI), the Department of the Environment, Heritage and Local Government (DoEHLG), Ministry of Spatial Planning Housing Environment, Netherlands (VROM), Rijksplanologische Dienst (RDP) - National Planning Department.

### **3.3.3 Relevant Newspaper**

The Irish Independent and the Irish Times newspapers provided articles with up-to-date information and addressing current topics on development issues in Ireland.

### **3.3.4 Books**

Textbooks had advantages and disadvantages for the author. The main advantage of using textbooks is that they provided good quality material and formed a coherent body of knowledge for this dissertation. However they lacked material which was completely up-to-date in relation to certain planning regulations, guidelines and planning acts for both countries.

### **3.3.5 The Internet**

The author used Internet websites during the initial research stage for the literature review. It provided knowledge and an understanding of the Dutch planning system, as there was no recent material in books and some publications were in Dutch. The internet was helpful in translating the material for this dissertation.

### **3.3.6 Design of the Study**

The author of the dissertation felt that to gain further knowledge of both planning systems a case study must be done, this case study is the comparison of the Dutch and Irish planning system on the ‘plan-led system’ and ‘development-led system’. A case study will also incorporate a criteria analysis table of the Irish and Dutch planning systems in light of the finding in the literature review Chapter one and the results of the interviewees.

### **3.4 Limitations that were Encountered**

One of the main limitations affecting the research was the time available to produce the dissertation by the author. Time was a limiting factor, with more time additional Planning Institutes could have been interviewed to give a variety and wider overview on the Irish and Dutch planning system. Another difficulty the author had was contacting stakeholders, for example developers and landowners for interviews, as there was no response given to the author. If the author had additional time more stakeholders would have been contacted for a wider and varied opinion on certain questions in the interview. This hampered the analysis and conclusions of the dissertation. However the author by-passed this limitation, as the questions for the interviews were constructed in a way that the selected interviewees give their own opinions from a professional view.

### **3.5 Reflections on Research**

The author completed this dissertation after reviewing the evidence and based the findings on the topic addressed. The author having taken all the relevant information and opinions of the interviewees into account is conscious that differing opinions and perceptions by other readers of this dissertation may be reached.

## **Chapter Four:**

# **Evolution of Core Strategy in Ireland**

## **Chapter 4: The Evolution of the Core Strategy in Ireland**

### **4.0 Chapter Introduction**

This Chapter outlines why Ireland needed to change the Irish planning system and assess past legacy of planning in the state. The Chapter also explains the current adoption of core strategies as new City/Country Development Plans become a key focus on driving and developing a more evidence based planning structure in Ireland.

### **4.1 Ireland's Prior Planning Errors and Issues**

During the property Celtic Tiger era boom and bust Ireland has encountered many problems in the planning, development and construction sector in recent times. This was caused by reckless banking practices; over the past ten years our banks have fuelled a credit boom in the property sector. There are other factors that have contributed to the Celtic Tiger period and the bust crises in regards to our planning system the flexibility of our planning regulations and policies and irresponsible and uncontrolled zoning practices played vital roles in the planning system.

Given the above factors it is important for all sectors of the economy to address reform and to try to become more efficient and effective. To achieve a more efficient and effective planning system in Ireland Core Strategies were introduced in the Planning and Development Act 2010 and is incorporated into the City/Country Development Plans. It is essential that Country Councils reflect on the successes and failures for a better planning system in the state.

## **4.2 Why the 2002 Planning and Development Act was Modified**

Local Area Plans were incorporated into the 2002 Act. This related to housing strategies and settlement as well as land-use zoning. These factors must be included in Development Plans. However the 2002 Act has failed to achieve this by the lack of the planning regulations and policies, because of this; the National Spatial Strategy (NSS) is core to the Planning and Development Act 2010 and the planning authority has removed and amended policies and land-use zoning which conflicted with the national and regional policies. This means the Local Area Plans (LAPs) must now be coherent with government policies on housing. In addition our Local authorities must ensure in the Development Plans that permitted residential development incorporates existing and prospective social and economic infrastructure. To improve the vision of sustainable development in Ireland the relationship of the regional and local authorities must work together with the private sector ensuring that the local planning and development policies and private investment match and complement public investment policies in turn maximising the economic impact (DoEHLG, 2010).

## **4.3 Up-dated and Amended: Planning and Development Act 2010**

The planning and Development (Amendment) Act 2010 was signed into Irish law in July 2010. Many sections came into force on 19 August 2010 and the rest of the Act came into force on the 28 September 2010. There were major key changes to the existing planning legislation. The Planning Act 2010 was to strengthen local democracy and accountability (also in the context of White Paper on Local Government) and by maintaining the central role of local government in the planning process (Cussen, 2010).

The Irish Times Newspaper published an article in October, the author Gleeson, (2010) clearly states that the future of the States' planning must be "practical not political". This amendment is important to achieve a more strategically and plan-led forced planning system

for the State and will be addressed by policies and requirements by Regional Planning Guidelines.

#### **4.3.1 The Purpose of the Amended 2010 Act**

The Planning Act 2010 amends the Planning and Development Acts 2000 to 2007 the principle aim is;

To ensure a closer alignment between the National Spatial Strategy (NSS), Regional Planning Guidelines, Development Plans (DP) and Local Area Plan's. It requires local authorities to develop a core strategy to ensure adherence to the National Spatial Strategy and Regional Planning Guidelines and to vary development plans where this is not shown. Previously local authorities were only obliged to have regard to them. This will restrict the autonomy of local authorities to grant permissions which are at variance with the National Spatial Strategy and Regional Planning Guidelines in order to ensure greater consistency countrywide (Reynolds, 2010).

#### **4.4 Development and Background to Core Strategies**

From the above evidence Ireland clearly needed change in the planning system under Section 10 of the Planning and Development (Amendment) Act 2010. Core Strategies were introduced at local level in the City/Country Development Plan.

These Core Strategies sets out how the City/County Development Plan ties in with the Regional Planning Guidelines. The Core Strategies must align with population projections and housing targets from Regional level. The Plans must provide a clear and appropriate quantum of zoned land, having regard to other considerations such as appropriate densities, sequential development, existing and planned infrastructural provision and defined settlement hierarchies (National, Regional and Local level must comply and interlink with one another).The Core Strategies will provide the vision for the State to implement a more balanced, sustainable policy framework for the preparation of-urban design guided local area plans in a City/County. Alignment of planning policy between the Regional and County/City levels has resulted in a major revision of the volume of land zoned. The potential number of housing units to be made available for future residential housing under the 'plan-led' approach to development has also been aligned. Regional Authorities now interacts with the



process of preparing local authority Development Plans. The Regional Authorities must ensure that the proper alignment of Plans at national, regional and local levels incorporate new Core Strategies and relevant objectives from the Regional Planning Guidelines 2010 into the local Development Plans (DoEHLG, 2011).

#### **4.5 The Content/ Relevant Information of the Core Strategies**

The content for Core Strategies is outlined under Section 7 of the Planning and Development Act, the content can vary in different Cities and Counties and these local circumstances must be taken into consideration in the City/County Development Plan before the plan is proposed. The Core Strategy must consist of the following elements:

1. A written statement by the City/ County Council is mandatory. This written statement analysis the aims and the origin of the strategy that is in place in the area. Population projection targets and allocation for the plan period is included in the statement document:

The written statement referred to in subsection (1) shall include a core strategy which shows that the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and regional planning guidelines (DoEHLG, 2010);

2. A visual Core Strategy Map for the proposed City/County (mandatory): the map must illustrate what the development should look like in the future. The map must incorporate amenities, infrastructure and services;
3. Core Strategy Table (recommended element) this table shows the key statistics in the Core Strategy in relation to the distribution of future population projections, housing target units and its alignment with Regional Planning Guidelines (Table.2) (DoEHLG, 2011).

	Core Strategy Population Allocation	Housing Requirement <sup>[1]</sup>	Existing Zoning <sup>[2]</sup>	Proposed Zoning <sup>[2]</sup>	Housing Yield (Residential Lands <sup>[4]</sup> )	Housing Yield (Other Lands <sup>[5]</sup> )	Excess <sup>[6]</sup> 1
County <sup>[7]</sup>							
Gateway							
Hub Town							
County Town <sup>[8]</sup>							
Other Towns <sup>[9]</sup> Town (a) Town (b) Town (c) etc							
Other Villages <sup>[10]</sup>							
Countryside							
Total <sup>[11]</sup>							

<sup>[1]</sup> To be expressed in dwellings and hectares, from RPG's (except in the case of the four Dublin planning authorities in which case dwelling numbers only will suffice)

<sup>[2]</sup> As per column 3

<sup>[3]</sup> As per column 3

<sup>[4]</sup> As per column 3 and density assumptions to be stated and in line with Planning Guidelines for Sustainable Residential Development in Urban Areas

<sup>[5]</sup> To be based on stated assumptions including densities in line with Planning Guidelines for Sustainable Residential Development in Urban Areas

<sup>[6]</sup> As per column 3

<sup>[7]</sup> From the relevant Regional Planning Guidelines

<sup>[8]</sup> If different from the above

<sup>[9]</sup> With a population of 1500 persons or more at the last census

<sup>[10]</sup> An aggregate population will suffice, lands identified for development in subsidiary local area plans or other planning frameworks must in total be in line with this figure

<sup>[11]</sup> County and total figures will be the same

Table 2: Above shows the Core Strategy Table Context of a City/County Development Plan

Source: (DoEHLG, 2011)

## 4.6 National Spatial Strategy (NSS)

The National Spatial Strategy (NSS) is the basis of the long-term vision and framework for the State at national level. The strategy plan focuses on the Greater Dublin Area as it is the capital city of the State and can achieve the desired economic and population growth in the future. The NSS recognises Dublin needs to become the engine of the economy to avoid planning errors and failures from happening again. This needs to place an emphasis on employment and innovation whilst not compromising the amenity or environmental qualities. To ensure competitiveness in the Greater Dublin Area the following factors should be addressed: sustainable effective land-use zoning and infrastructure policies. Therefore the National Spatial Strategy has been reviewed by the DoEHLG and updated in 2010 'Implementing the National Spatial Strategy 2010 update and outlook'.

#### **4.6.1 National Spatial Strategy 2010: Up-Date and Outlook**

The DoEHLG (2010) produced the ‘Implementing the National Spatial Strategy: 2010 Update and Outlook’ this recent report objective is to re-affirm the Government’s commitment to the “national spatial and forward planning framework”.

This NSS Update and Outlook Report is not a replacement for the original NSS policy document rather, it is a re-affirmation of the Government’s commitment to the NSS as the national spatial and forward planning framework to guide more balanced regional development and inform capital investment priorities (DoEHLG, 2010).

Although the NSS focused on GDA all Cities and Towns must incorporate the strategy. However, many rural areas in Ireland have worked against the implementation of NSS principles. This was because the Local plan did not have to correspond with the Regional plan in the planning hierarchy, the NSS update and outlook report allows for restrictive land-use zoning thus reducing disproportionate land-use.

#### **4.7 Regional Planning Guidelines for the Greater Dublin Area 2011-2022**

The Regional Planning Guidelines for the Greater Dublin Area 2010-2022 transfers the national strategy to regional level, emphasising Dublin as the driver of national development and the need to physically consolidate the growth of the Metropolitan Area. It has clear direction for greater integration of land-use and transport planning. The guidelines prioritise growth and investment focusing on infrastructure and housing provisions (DoEHLG, 2010).

#### **4.8 Dublin City Development Plan 2011 -2017**

The Dublin City Development Plan 2011 to 2017 includes planning policies and the main objectives must be consistent with these higher-level national and regional policies. All the policies and objectives must flow from and be consistent with these higher-level national and regional policies in order to strengthen the planning legislation and enhance Foreign Direct Investment (FDI) in the Greater Dublin metropolitan area.

This will be achieved by way of in-fill and brownfield development; regeneration and renewal of the inner city; redevelopment of strategic regeneration areas; and the use of higher densities especially in public transport catchments. These measures support an effective public transport system and the emergence of a critical mass for the city to compete at an international level and fulfil its role as the national gateway and driver of the national economy (DoEHLG, 2011)(p.17).

The development plan policies also underpin the creation of a compact city with mixed-use environments, sustainable neighbourhoods and green infrastructure, to reduce the city's reliance of fossil fuels and provide for carbon soakage, all in accordance with the National Climate Change Strategy. In line with policies for a competitive and compact city, the plan addresses amenity and quality of life issues with a strategic and strong policy emphasis on the delivery of quality homes, sustainable neighbourhoods to support successful communities, timely social infrastructure provision and a city-wide green network with links to the city-region. The below diagram shows the content of the Dublin City Development Plan for 2011 to 2017:

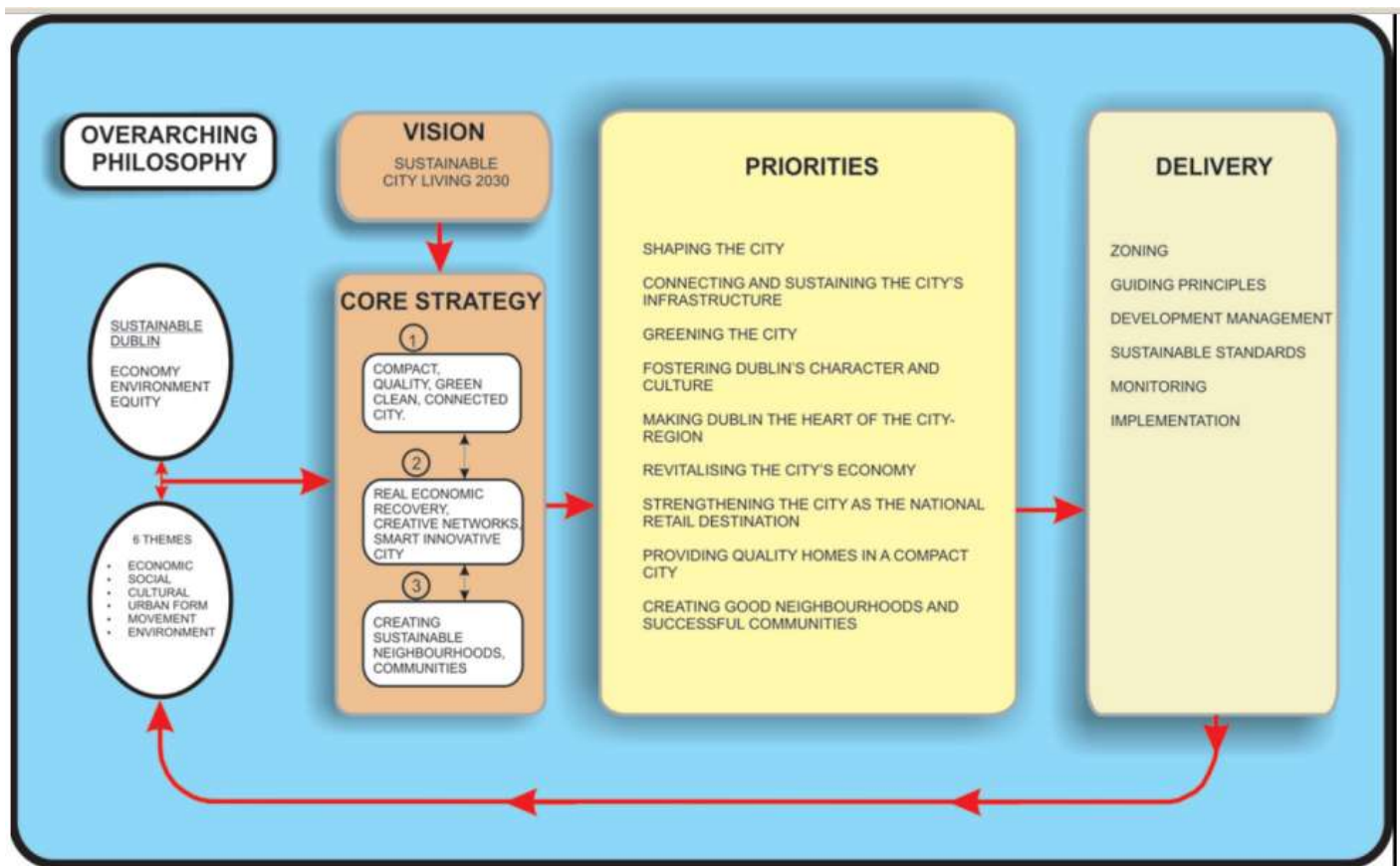


Fig. 5 Above diagram shows the Content for Development Plan 2011- 2017

Source: (Dublin City Council, 2010)(p12)

#### 4.9 Core Strategy into Development Plan of Regional Importance- The GDA

The Dublin City Council has published the written statement for the 'Core Strategy' of the Dublin City Development Plan 2011-2017. Table 3 below comprise two columns (strands and priority): the table shows the guiding of the core strategy (the three strands), and the long-term vision for Dublin (nine priorities), these strands will guide development in both policy and spatial terms and the nine priorities represent an integrated and holistic approach to the delivery of essential infrastructure and services within an over-arching sustainable framework:

STRAND	PRIORITY
A compact, quality, green, well- connected city which generates a dynamic, mixed use environment for living, working and cultural interaction	<ol style="list-style-type: none"> <li>1. Shaping the City Structure, including the Inner City</li> <li>2. Connecting and sustaining the city's infrastructure</li> <li>3. Greening the City</li> <li>4. Foresting Dublin's character and culture</li> </ol>
A smart city- creating real long term economic recovery	<ol style="list-style-type: none"> <li>5. Making Dublin the of the region</li> <li>6. Revitalising the City's economy</li> <li>7. Strengthening the city as the national retail destination</li> </ol>
A city of sustainable neighbourhoods and socially inclusive communities	<ol style="list-style-type: none"> <li>8. Providing quality homes in compact city</li> <li>9. Creating good neighbourhoods and successful communities</li> </ol>

Table 3: Above shows three strand and nine priorities to Achieve Dublin's Core Strategy  
Source: (Dublin City Council Publications, 2010)

(See Appendix 3 for Greater Dublin Area Core Strategy maps on the below nine priorities)



Map 1: A visual Core Strategy Map of the Greater Dublin Area

Source: (Dublin City Council Publications, 2010)

## **Chapter Five:**

### **Case Study: The Comparison of The Netherlands and Ireland's Planning Systems**



## **Chapter 5: Case Study: The Comparison of The Netherlands and Irelands Planning System**

### **5.0 Introduction**

In this Chapter the case study compares the Irish and Dutch planning system in light of the findings in the literature review in Chapter 1. The Chapter will also amalgamate the results of the interviews by leading planning professions and former educators. These findings will be incorporated into the criteria analysis on the Irish and Dutch planning system, shown in table 4 and 5.

### **5.3 Plan-Led Versus Development-Led Systems**

In relation to this dissertation the main comparison of the Irish and Dutch planning system, is the legally binding and non-binding of plans. There are essential differences between plan-led systems and development- led systems.

In The Netherlands the ‘plan-led system’ is employed. This means they are legally binding plan(s). The permit is assessed strictly against the criteria in the plan and prevailing building regulations. If the proposal meets these requirements the permit is approved and if not, a refusal is forthcoming. In the State there are two levels of local land use plans:

1. A city Master Plan this is known as the Bestemmingsplan(s), which includes land-use zoning;
2. And a number of detailed area or local plans (blueprints) are referred to as ‘binding plans’ as they are legally binding on both the public and private sectors (Fallon, 2012).

In The Netherlands the city-wide Master Plans are used to assess applications for infill development where no binding plan exists. Where large scale development or redevelopment is proposed, a detailed, local plan is prepared which is binding on the public and private sectors. These binding plans do not generally allow for flexible development or planners discretion. The development is planned and therefore foreseen. Table 4 identifies the advantages and disadvantages of a Dutch plan-led system (Frehill, 2012).

Advantages of the Plan-Led System in The Netherlands	Disadvantages of the Plan-Led System in The Netherlands
<b>Greater Certainty given to Developers and Investors on what is and is Not Permitted</b>	Plans tend to be Inflexible and difficult to change
<b>Investment Certainty</b>	Can stifle Innovation in regards to Design and Creative buildings
<b>Even Controlled Development in the State (Bestemmingsplan) , if the area is not covered by a Bestemmingsplan then the local Bouwvergunning applies</b>	Time Consuming – Can take at a minimum 6 months, but usually 18 months to 2 years to prepare a binding plan

Table 4: Above shows the advantages and disadvantages of Plan-Led System in The Netherlands

Source: (Fallon, 2012) <sup>8</sup>

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<sup>8</sup>Paraic Fallon (2012) Interviewee on the 5<sup>th</sup> of March 2012 - Unstructured Interview: the past and current planning system in Ireland and The Netherlands, held at Dublin City Council Planning Department - Civic Offices, Wood Quay, Dublin 8.

In Ireland Development Plans at local level are a more general land use zoning and objective type and are generally indicative. They are legally binding on the Planning Authority but are not legally binding on individuals or on the Appeals Board. Development control allows individual planning applications to be assessed on their merits. The rule of Precedent may be applied. Other material considerations (not contained in the Development Plan) may be taken into account. This is particularly the case where a proposal was not envisaged in the plan. Table 5 shows the advantages and disadvantages of the Irish development-led system:

<b>Advantages of the Development-Led System in Ireland</b>	<b>Disadvantages of the Development-Led System in Ireland</b>
<b>Increase in Foreign Direct Investment (FDI)</b>	<b>Corrupted Property Sector – “Flexible” Planning Decisions</b>
<b>Expansion in Urban Regions</b>	<b>Unsustainable Transportation Corridors and Oversupply of Residential Estates</b>
<b>Innovation of Design and Structure of Building</b>	<b>Decrease in Employment Levels</b>
<b>Response to Quick Market Demands</b>	<b>Short term Capital for the State – (Not Long term)</b>
<b>-</b>	<b>Land-use Zoning was not Strict – “Non Binding Plans”</b>
<b>-</b>	<b>Future Sustainable Development was not Planned</b>

Table 5: Above shows the Advantages and Disadvantages of the Development-Led System in Ireland

Source: (Fallon, 2012)

## 5.4 Criteria for Ireland and The Netherlands

The following table compares Irelands Planning and Development act 2000 with the Dutch plan-led system. It clearly identifies how certain criteria has been adapted and integrated into the new Irish Planning and Development (Amendment) Act 2010

Criteria	Irelands Prior Planning System	The Netherlands Planning System	Irelands New Planning System
Long-term Sustainable Development Framework	x	✓	✓
Communication between Councillors and Planners	x	✓	✓
Sustainable Land-use Zoning	x	✓	✓
Plan-led System: Inflexible Plan(s)	x	✓	✓
Development-led System: Flexible Plan(s)	✓	x	x
Greater Certainty to Developers, Citizens and Investors	x	✓	✓
Innovation of Design, Creative, Height	✓	x	x
Response to Market Changes and Demand	✓	x	x
Urban Sprawl	✓	x	✓
Environmental Impact	x	✓	✓
Oversupply of Agriculture Lands	x	✓	x
Re-zoning of Land	x	x	✓

<b>Connected Infrastructure System</b>	<b>x</b>	<b>✓</b>	<b>✓</b>
<b>Planning Hierarchy</b>	<b>x</b>	<b>✓</b>	<b>✓</b>
<b>Strategy Development Zones (SDZ)</b>	<b>✓</b>	<b>x</b>	<b>✓</b>
<b>Core Strategies: City/ County Development Plans</b>	<b>x</b>	<b>x</b>	<b>✓</b>
<b>Compact Cities</b>	<b>x</b>	<b>✓</b>	<b>✓</b>

Table 6: Above shows the Criteria Comparison of the Irish and Dutch Planning System

van der Kamp (2012) stated at that the Irish and Dutch Planning systems are quite different from a technical and legislative perspective. In addition to this, the receiving environments are quite different in terms of infrastructure, scale, topography and density of development. A plan-led approach to the future development of Ireland is of critical importance and the increasing level of influence of Local Authorities and specifically Planning Authorities on a development area can only help benefit the potential of that area to grow and positively develop in the longer-term.

Frehill (2012) make to point that unlike many other European Cities many of the Local Authorities in this Country are not key stakeholders in terms of property ownership. In this regard, there can be a dependence on individual developers to initiate development. Notwithstanding this, Local Authorities can promote and support appropriate development through the preparation of Development Plans and Local Area Plans. This will aid the development of a plan-led approach which is in accordance with National and Local Authority policy. Any future policies at a regional level should be integrative and based on the integration of land-use and transportation. This will support continued investment in services and infrastructure provision whilst simultaneously maximising the potential of zoned and serviced land. Such policies should be based on increased residential density in urban areas. By providing for a critical mass in urban areas it will lessen the reliance on private car

usage and help create a platform for increased service/infrastructure investment in focused and appropriate areas based on demand and necessity.

## **Chapter Six:**

# **Conclusions and Recommendations**

## **Chapter 6: Conclusions and Recommendations**

### **6.0 Introduction**

The following conclusions has considered all the relevant information gathered and opinions of the professional interviewees before arriving at the below contents and recommendations.

### **6.1 Aims and Objectives**

The primary aim of this dissertation is to gain a clear understanding of the structure of the Dutch and Irish planning systems and to identity the key criteria that make up a successful planning system and what can be learned from each country's approach. In order for this aim to be achieved, several objectives are addressed:

There were four main objectives in this dissertation as follows:

1. Compare the Irish and Dutch planning system in relation to the planning legislation and structure
2. Identify the weaknesses of the Irish system and how the state is evolving
3. Build a set of criteria to show how Ireland could be influenced by the Dutch plan-led structure
4. To draw a conclusion and recommendations in light of the findings



### **6.1.1 Objectives**

Objective (1) was achieved in Chapter 2 of the relevant literature review. Chapter 2 provides a clear understanding on the structure of the Irish and Dutch planning system.

Objective (2) addressed in Chapter 4 where Ireland's prior weaknesses are outlined and planning improvements through legalisation are highlighted.

Objective (3) accomplished in Chapter 5 case study analysis of Irish and Dutch planning systems on the basis of the criteria developed in the literature review. The analysis explains how Ireland is implementing changes to reflect the Dutch plan-led model. It will incorporate the results and analysis of the interviews undertaken.

Objective (5) is found in Chapter 6 and outlines the author's conclusions and recommendations drawn from the research undertaken.

## **6.2 Conclusion**

From the critical analysis table it can be seen how Ireland has evolved over the period 1965 to 2010, implementing planning structures and regulation tools which have been successful in other European countries in particular The Netherlands.

In the 1963 Planning and Development Act there was no existence of the planning hierarchy (no national, regional or local level) so every County developed and created their own plan. The act was renewed in 2000 and created the structured planning hierarchy. The 2000 Act outlined the National plan, Regional plan and Local plan. However the Local plan did not correspond with the Regional plan which led to the amended Planning and Development Act 2010 where the planning hierarchy was reviewed. Presently the Local plan must stay within the framework of the Regional plan and this corresponds with the planning hierarchy structure in The Netherlands.

In the past Ireland has ignored planning guidelines and regional and national objectives through the ‘development-led system’, especially during the Celtic Tiger era. In order to fix these past planning errors, a stricter approach needs to be adopted a plan-led system. The Planning and Development (amendment) Act 2010 introduced Core Strategies linking the planning hierarchy. The Development Plan Core Strategies has provided an integrated approach to national, regional and local planning issues which should:

- Provide a more rational, evidence-based approach to future development land requirements;
- Give greater co-ordination and cost effectiveness in delivering essential physical and social infrastructure; and
- Improve conditions for investment and economic recovery.

It is important to ensure that weaker rural areas retain sustainable and viable communities. It is the intention of the Planning and Development (Amendment) Act 2010 to strengthen the strategic role of Regional Planning Guidelines by requiring city and county development plans to incorporate a succinct statement of “core strategy” reflecting relevant Regional Planning Guidelines objectives for the particular planning authority’s area.

According to Gerhard, (2006) in The Netherlands the community is essentially responsible for all types of physical planning without any separate formal treatment. One reason for the community to lead the development is to prevent possible high speculative land prices for housing. This was not the case in Ireland during the property boom as the zoning of land ignored good planning guidelines and regional and national objectives. As stated by van der Kamp (2012) over-zoning was ‘the product of market demand’. Van der Kamp also felt, Ireland should have done a calculation of the actual need which was recommended by the population projection zoning by the Economic and Social Research Institute (ESRI). This recommendation has been included in the content of core strategies in City/County Development Plan and is a mandatory requirement as stated in the written statement.

Another objective has been to limit urban sprawl and build new urban areas systematically with good connections to existing infrastructure and in this way get lower urbanisation costs.

A common trend in later years has therefore been to restrict building of new suburbs and instead try to use the existing urban areas better- partially by reclaiming derelict/ vacant urban land from old industries. This spares agriculture or recreational areas around the cities. In The Netherlands there are more outspoken goals to develop hierarchical systems of urban centres with rather strict localisation of different types of services according to the rank of the centre in the wider system.

Frehill (2012) believes that Ireland is making a noticeable shift towards a plan-led system structure. Not only has the planning hierarchy framework changed the development plans are more strict and detailed with connected infrastructure adjacent to residential units combining with the population growth in a region. It is envisaged in the Greater Dublin Area the population growth, immigration and investment in the City will become the engine for the process. This will be implemented in the Core Strategy Dublin City Development Plan 2011 - 2017. It is clear from the evidence above that Ireland is continuing to improve their planning legalisation. The focus on one urban area (Greater Dublin Region) has been emulated from the Dutch planning model. However the planning system will continue to evolve based on future projections and new technological advances. Therefore it is essential for Countries to meet the challenges for the benefit of their citizens and future generations. Preparation is the key to success for the future: Fail to Prepare; Prepare to Fail (Murphy, 2010).

### **6.3 Recommendations**

- Stronger Local Government and a more responsible attitude of Councillors decision making in relation to land-use zoning. A stricter approach to individual planning applications should be that adhered to.
- Local authorities should ensure infrastructure is in place prior to granting planning permissions on a proposed development.
- Continuous reviewing of planning legislation.

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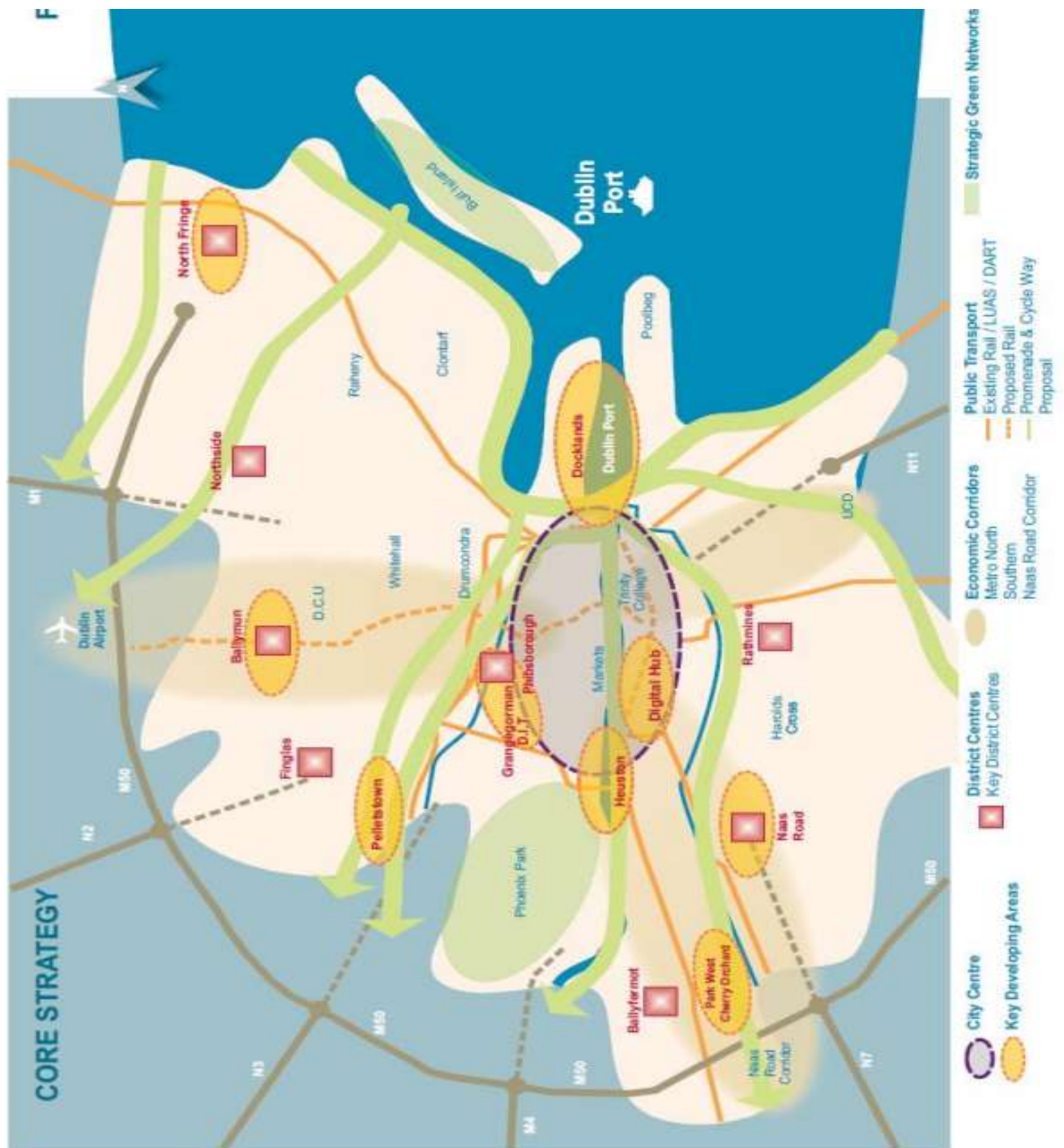
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## **Appendices**

**Appendix 1:**  
**Core Strategies: Diagrams, Maps and Tables**



## The Greater Dublin Area: The City Development Plan 2011 - 2017

Map 1: A Visual Core Strategy of Dublin

Source: (Dublin City Council Publications, 2010)

## Strand One - Four Priorities:

**Strand One - “A compact, quality, green, well- connected city which generates a dynamic, mixed use environment for living, working and cultural interaction”.**



Map 2: Core Strategy Priority 1 - Shaping the City: Urban Form and Structure



Map 3: Core Strategy Priority 1 - Building Height in Dublin



## Core Strategy Priority 2: “Connecting and Sustaining the City’s Infrastructure”



Map 4: Core Strategy Priority 2 - Movement and Transport



Map 5: Core Strategy Priority 2 – Environmental Impacted: Green Cycling

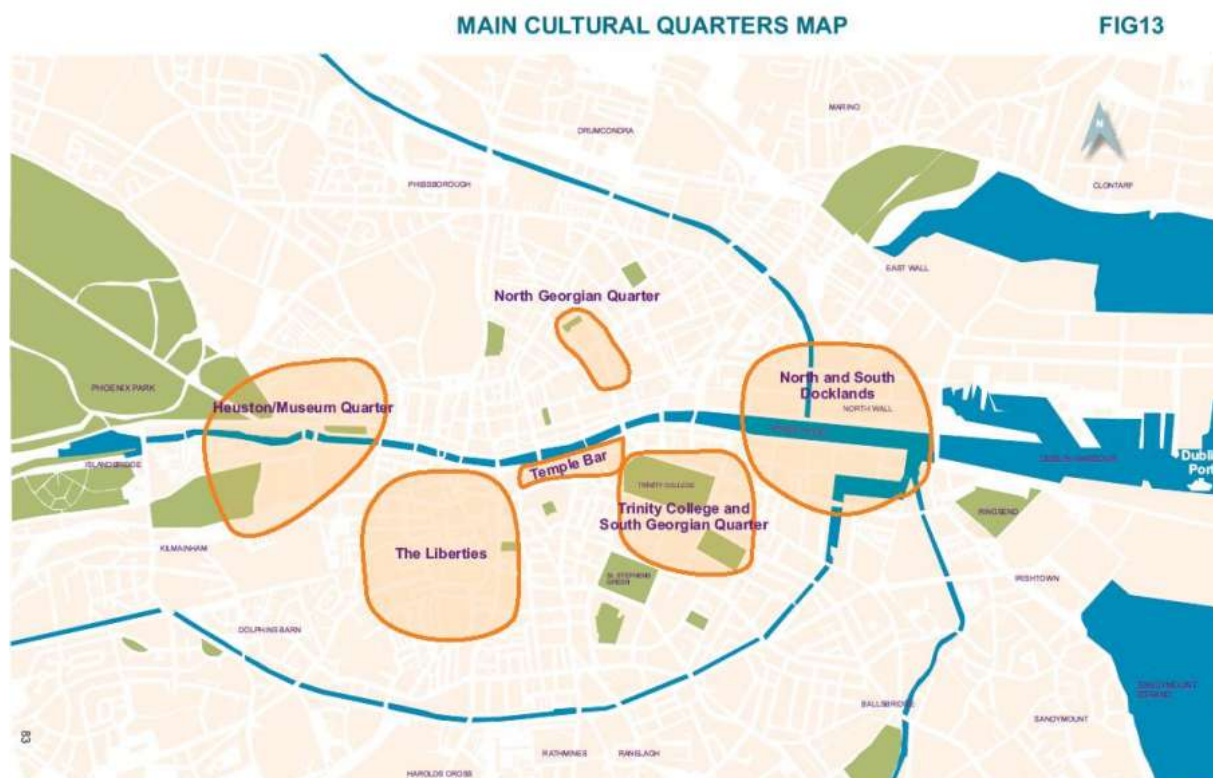


Map 6: Core Strategy Priority 2 - Services Infrastructure



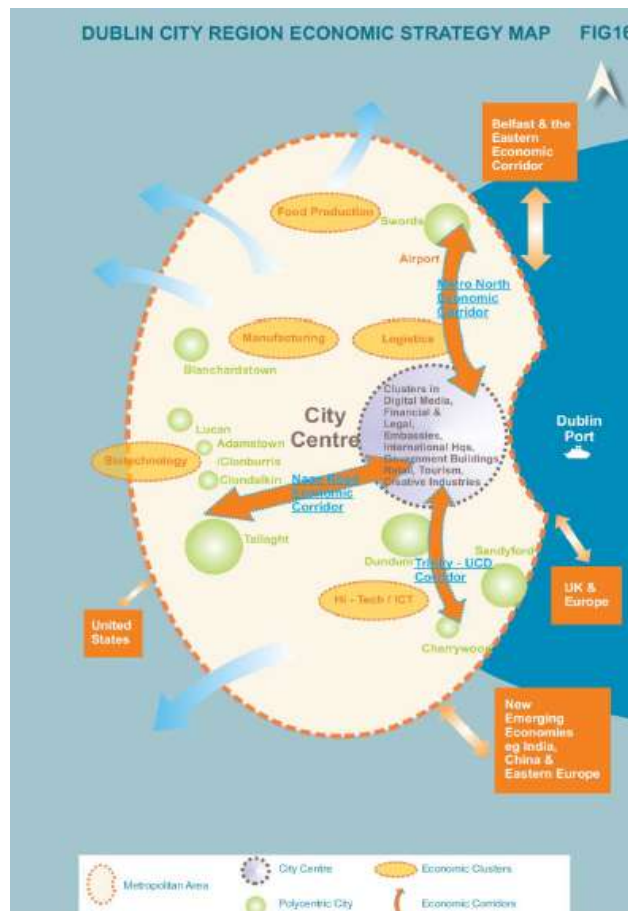


Map 7: Core Strategy Priority 3 - Greening the City- Landscape, Biodiversity, Open Space and Recreation

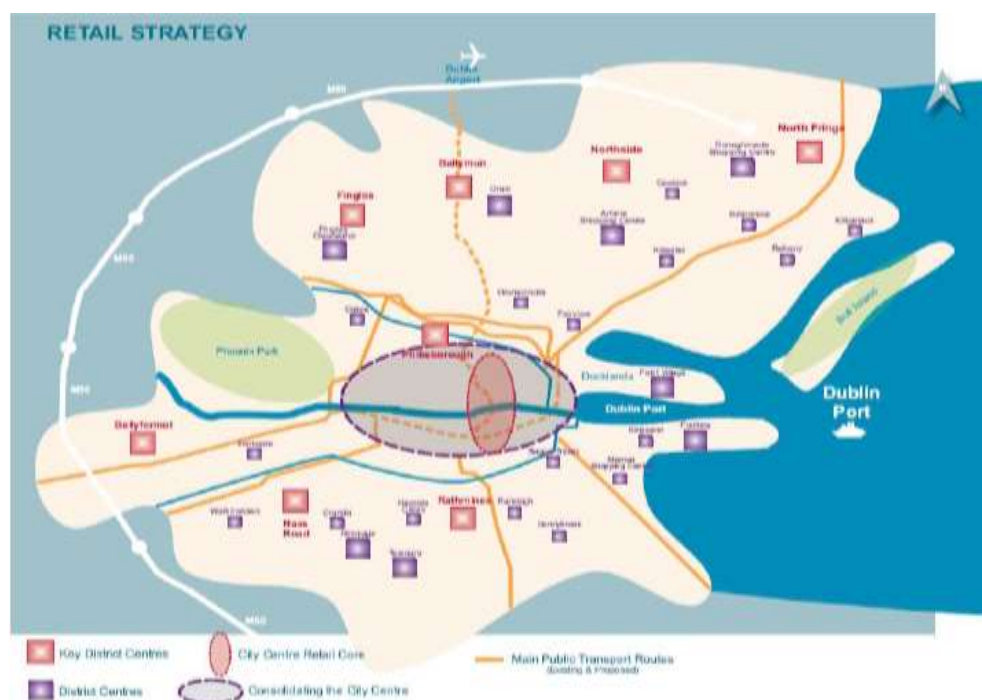


Map 8: Core Strategy Priority 4 - Fostering the City's Character and Culture

**Strand Two - “A smart city, creating real long term economic recovery”**



Map 9: Core Strategy Priority 5: Making Dublin the Heart of the City Region



Map 10: Core Strategy Priority 6: Revitalising the City's Economy



Map 11: Core Strategy Priority 7- Strengthening the City as the National Retail Destination



**Strand Three – “A City of sustainable neighbourhoods and socially inclusive”.**



Map 12: Core Strategy Priority 8 - Providing Quality Homes in a Compact City



Map 13: Core Strategy Priority 9 – Creating Good Neighbourhoods and Successful Communities

## **Appendix 2:**

### **Interview Transcripts**

## **Appendix 2: Interview and Unstructured Transcripts**

### **Interview Questions**

1. What did the 2000 Planning and Development Act set out to achieve?  
Did it meet all its objectives?
2. In your view do you think our planning legislation still needs to be further modified under the 2010 Planning and Development (Amendment) Act?
3. What were the main planning issues that led to the oversupply of residential units across the Country?
4. In your opinion, do you think Councillors and Planners should work more closely together to build a better relationship in terms of a more sustainable and balanced framework? Should plans be more detailed and be easier to read and to be understood by Councillors?
5. The zoning of land over the past number of years has ignored good planning guidelines and regional and national objectives. What do you believe caused this huge quantity of over-zoned residential land?
6. Do you think developing a core strategy within a new Country Development Plan is beneficial for the long-term framework of a Town and what are the objectives?
7. Was Ireland too flexible in regards to regulations set out in our planning system? What advantages and disadvantages did this flexibility bring to the country?
8. If Ireland becomes stricter in planning legislation how do you think it will affect stakeholders (Councillors, Developers, Planners, Taxpayers, Landowners and its Citizens)?

- 9.** Do you feel Ireland needs to move towards a 'plan-led system' if so, why and what could Ireland emulate from the Dutch?
- 10.** Do you feel The Netherlands should move towards a 'development-led system' if so, why and what could The Netherlands emulate from Ireland?
- 11.** Can The Netherlands learn from Irelands approach to planning which may benefit its Citizens and reduce its oversupply of agriculture lands?
- 12.** Has infrastructure been successful in Ireland? What major issues have been created for the State in regards to the infrastructure?
- 13.** In your option, has The Netherlands a better connected infrastructure system then Ireland?

## **Interview Transcript**

**Title :** **The Irish and Dutch Planning System: What lessons could be learned by both countries for a more balanced and sustainable development**

**Interviewer:** **Henk van der Kamp**

**Date of Interview:** **2<sup>nd</sup> of April 2012**

**Profession of Interviewer:** **Head of the school of Spatial planning at Dublin Institute of Technology, a past former President of Irish Planning Institute (IPI) and the Chairman of Urban Forum**

**Format of Interview:** **In Person and Recorded**

**Location of Interview:** **School of Spatial Planning at the Dublin Institute of Technology**

- 1. What did the 2000 Planning and Development Act set out to achieve? Did it meet all its objectives?**

Yes the 2000 Planning and Development Act I think mainly tried to integrate all of the planning legislation that had piece meal become established since the 1963 act but that was just to bring it all together but the main thing it did it created a planning hierarchy so it had clear levels of planning regional planning, the county development plan city development plan and the local area plan for the first time, the statutory level for the local plan. It did not refer to the National Spatial Strategy but I think that was because it was just announced at the time had it been announced earlier it might even have referred to the National Spatial Strategy. That is what I



think it set out to do. It also had a very strong element on heritage in its protected structures.

I think it has really achieved its objectives in the sense that it has a very clear understanding of the different levels of planning. In regards to agricultural land the 2000 Planning and Development Act didn't really change the idea of zoning from the previous Planning Act it just adapted that again so I don't think it really introduced any new principals there.

**2. In your view do you think our planning legislation still needs to be further modified under the 2010 Planning and Development (Amendment) Act?**

I think the 2010 Planning and Development Act introduced a tightening of the relationship between the different levels. The core strategy requirement in particular but I think if you say has it worked recent reports on de zoning conclude that Local Authorities haven't de zoned as much as they might have and I think if your ask the question would it still need to be further modified my suggestion would be that the Development Plan is adapted by the Local Authorities but nothing happens afterwards doesn't have to be approved or nobody can appeal it or it doesn't need any checks and the Minister really has to intervene if he is not happy with the Plan so I think a provision where the Development Plan has to be approved or could be subject to appeal is something that might be considered, because that would mean if a Local Authority did zone too much land somebody could appeal it or the Government could say look you are clearly not compliant with the Act. The rules in the Planning Act are very clear on public consultation there are usually two periods one before the draft is produced so people can literally say anything and then the stage afterwards but again the 2010 Planning and Development Act makes interesting changes that are a little bit technical it precise where it is specialised but it did reduce the scope for landowners to make submissions after the draft Development Plan is produced.

**3. What were the main planning issues that led to the oversupply of residential units across the Country?**

The main planning issue is that land was zoned where there was demand for zoning for other words if people wanted land zoned the Local Authority allowed it to be

zoned and planning applications were granted permission for housing whereas maybe the housing wasn't need to much housing was provide. If there had been a strict restriction on the amount of land zoned your might argue some of the houses that were built too many of them might not have being built not because developers wouldn't have confidence that they had but because they would not be able to get planning permission. It is very much a benefit of hindsight because if you have a situation where you don't zone land even though the market wants to build houses it is very difficult because prices get driven up even more. It very easy to say people made a mistake in building too many houses because of a property bubble but that is not the planning powers that is a market powers that if the planning system had prevented the bubble forming by restricting the number of houses to be built I am not sure the existing houses would be even more crazy expensive. It's a tricky one the traditional theory of economics is that if you restrict a supply the price would go up. So if you restrict the amount of land that you zone you restrict the amount of houses that can be built and then you increase the prices. On the other hand there is a lot of zoned land that is not going to be built on and that should be de zoned and you could argue that is shouldn't be zoned and does it really matter if it was zoned and is not necessary we can de zone it.

4. **In your opinion, do you think Councillors and Planners should work more closely together to build a better relationship in terms of a more sustainable and balanced framework? Should plans be more detailed and be easier to read and to be understood by Councillors?**

I think the answer is yes Councillors and Planners have distinctive roles that are different but to work together a good plan had good technical expertise and good political decision making and the two have different roles so the first thing if you work together is to understand each other so good language clear plans clear understanding as to why certain things are put into a plan is essential. There is a degree where Planners said we should not zone this land and councillors said lets zone it anyway there is a degree of that. That should not really happen its one think for councillor to say we should zone that land instead of the land because they have a different philosophy of development but to simply say I will zone this because a constituent wants if that should not happen. More communication would have being

better and sometimes there is an adversary approach where the planners say the councillors make the wrong decision and vice versa.

In The Netherlands is the local government structure in the municipality is a much small body so there might be closer interaction between the Councillors and Planners. In Ireland it tends to be done in the Council Chamber for a County Council which is a larger geographical area so stronger local government but also a more responsible attitude of councillors because there is a problem is a vicious circle as councillors tend to make decisions without realising the financial consequences as the money comes from central government and if you make bad decisions you don't suffer It you have to pay for things from your own resources it is more likely you will think of the consequences of your decisions.

- 5. The zoning of land over the past number of years has ignored good planning guidelines and regional and national objectives. What do you believe caused this huge quantity of over-zoned residential land?**

The market wanted houses not just developers but the purchasers. The market wanted land zoned in order to build the houses and to some extent the tax incentive schemes also contributed particularly in the Shannon zone. Generally Overzoning is a product of market demand. We should have done a calculation of the actual need which was recommended by the population projection zoning by either CSO or ESRI.

- 6. Do you think developing a core strategy within the County Development Plan is beneficial for the long-term framework of a Town and what are the objectives?**

It sets out how the County Development Plan ties in with the regional planning guidelines as such the core strategy is a legally described instrument in the Planning Act so yes it is beneficial

- 7. Was Ireland too flexible in regards to regulations set out in our planning system? What advantages and disadvantages did this flexibility bring to the country?**

The advantages are that a flexible planning system can respond quickly to market changes or to market demand like inward investment changes and migration when we need houses really quickly. The disadvantage is that flexibility brings uncertainty for land owners. The legal certainty is the predictability that what you can get on your land for development is very important so if there is a kind of vagueness it makes it very difficult. There are two sides of the coin really and if Ireland is too flexible it would be good if there was more detail in plans.

- 8. If Ireland becomes stricter in planning legislation how do you think it will affect stakeholders (Councillors, Developers, Planners, Taxpayers, Landowners and its Citizens)?**

If the planning legislation was stricter in terms of councillors it would give them a little less freedom in making decisions. For Developers the greater the predictability this will result in legal certainty. For the Planners also greater clarity and for tax payers and the citizens a better environment and for the landowners the better predictability.

- 9. Do you feel Ireland needs to move towards a ‘plan-led system’ if so, why and what could Ireland emulate from the Dutch?**

Yes for predictable it would be desirable for Ireland to move towards a plan-led system

- 10. Did you feel The Netherlands should move towards a more ‘development-led system’ if so, why and what could The Netherlands emulate from Ireland?**

No I think the plan-led system works very well in The Netherlands I don’t think they would want to move to a development-led system

**11. Can The Netherlands learn from Irelands approach to planning which may benefit its Citizens and reduce its oversupply of agriculture lands?**

Ireland has more urban sprawl where The Netherlands kept it more compact as a general comparison .The preference is for the compact approach. We sometimes regret how we allowed development growth into the agricultural area. That ties together with the plan led system if you are very precise and say these agricultural areas are never going to get your housing estates here. Generally Ireland is not a good example in dealing with agricultural lands because of not only dealing with the spread of the towns and the bungalow proliferation it is difficult to find any part of Ireland where there is nothing. I don't think The Netherlands would like to have an urban sprawl as they like to keep it stricter and compact. The economic growth is primarily in cities so the more you concentrate development the more economic growth you actually get the more you spread out development the more difficult it is to attract new companies.

**12. Has infrastructure been successful in Ireland? What major issues have been created for the State in regards to the infrastructure?**

We have developed a lot in the last twenty years with the economic boom maybe it could have being more successful but I think given the fact that we had to do it so fast we did a lot so I wouldn't have major criticism there. There were problems with delays caused by people objecting to things happening in their areas and again it relates to the development-led system where it is not very clear what is proposed for the area.

It is more difficult in urban sprawl areas as it is so spread out so to connect places is much more difficult.

**13. In your option, has The Netherlands a better connected infrastructure system then Ireland?**

I think so it is a much more high density country so it is easier to prepare the infrastructure so it is better connected.

## **Unstructured Interview Transcript**

**Title :** **The Past / Current Planning System in Ireland and The Netherlands**

**Interviewer:** **Paraic Fallon**

**Date of Interview:** **5<sup>th</sup> of March 2012**

**Profession of Interviewer:** **Senior Planner, Central area (Dublin North Inner City and Environments) of the Planning Department Dublin City Council and former Lecturer in Spatial Planning at Dublin Institute of Technology**

**Format of Interview:** **In Person and Record**

**Location of Interview:** **Dublin City Council Planning Department**

## **Unstructured Interview Transcript**

**Title :** **Plan-led Verses Development-led in regards to Ireland's Future Approach to their Planning System**

**Interviewer:** **Jason Frehill**

**Date of Interview:** **19<sup>th</sup> of April 2012**

**Profession of Interviewer:** **Planning Lecturer at Dublin Institute of Technology and Planner at Dublin City Council**

**Format of Interview:** **In Person**

**Location of Interview:** **Dublin City Council Planning Department**

**Appendix 3:**  
**Approved Proposal and Meeting Progress Log**



### **Appendix 3: Meeting Progress Log with Supervisor: Anne Russell**

The following key dates: Meeting were held every Monday at half ten to eleven and if meetings did not take place telephone meetings were held on the progress of this dissertation.

Appendix 3: Dissertation Log Sheet

Page 1 of 1

Course: Property Economics

Student: Yolande Mc Cormack

Tutor: Anne Russell

Date: 5<sup>th</sup> of March 2012

Meeting no. 1

Length of meeting: 25 minutes

Discussion:

Before this meeting the author had gathered relevant information in regards to the Dutch and Irish planning system; books, newspapers were checked regularly, government publications from both countries were printed and highlighted the relevant information the author wanted to use in this dissertation. This meeting discussed the relevant information that would be used and was not relevant of the subject matter chosen.

Agreed work programme for next meeting:

Chapter One - Introduction to this dissertation to be completed and Chapter Two a large body of sourced information written up for the literature review section

Date of next meeting: 26<sup>th</sup> of March 2012

Signed:

\_\_\_\_\_  
Student

\_\_\_\_\_  
Tutor

Course: Property Economics

Student: Yolande Mc Cormack

Tutor: Anne Russell

Date: 26<sup>th</sup> of March 2012

Meeting no. 2

Length of meeting: 35 minutes

Discussion:

We discussed all the work that was done to this date and corrections were made for the literature review Chapter 2 after this the research methodology was discussed on what was necessary to add in and what to remove.

Agreed work programme for next meeting:

The research methodology to be completed and to prepare all relevant information for Chapter 4 and Chapter 5 for the next meeting

Date of next meeting: 9<sup>th</sup> of April 2012

Signed: \_\_\_\_\_

Student

\_\_\_\_\_

Tutor

Course: Property Economics

Student: Yolande Mc Cormack

Tutor: Anne Russell

Date: 9<sup>th</sup> of April 2012

Meeting no. 3

Length of meeting: 40 minutes

Discussion:

This meeting was in relation to Chapter 4: Evolution of Core Strategy in Ireland and how the Core Strategy is of major importance for this dissertation as the Planning and Development (Amendment) Act 2010 has introduced a more stricter approach to planning development. We also discussed Chapter 5: The comparison of the Dutch and Irish planning system: the relationship between plan-led and development-led system.

Agreed work programme for next meeting:

Chapters four and five to be fully completed and corrected by the next meeting

Date of next meeting: 23<sup>th</sup> of April 2012

Signed: \_\_\_\_\_

Student

\_\_\_\_\_

Tutor

Course: Property Economics

Student: Yolande Mc Cormack

Tutor: Anne Russell

Date: 23th of April 2012

Meeting no. 4

Length of meeting: 55 minutes

Discussion:

Final meeting with supervisor, this meeting discussed: corrected spellings, grammar, correct use of referencing of the contents.

Agreed work programme for next meeting:

Final Meeting for this dissertation

Date of next meeting: Meetings Adjourned

Signed: \_\_\_\_\_

Student

\_\_\_\_\_

Tutor

**Appendix 4:**  
**Relevant Newspaper Articles**

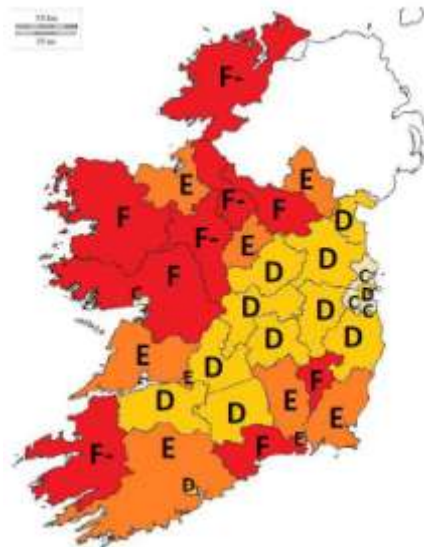
# planning system

**17<sup>TH</sup> of April 2012**

An Taisce has published a roundly critical precis this morning of the planning system in local councils over the past decade and beyond.

Donegal was rated the worst for its planning decisions – but only 3 out of a total of 34 councils were given over 70 per cent out of 100.

To make it easy for you, this map from An Taisce gives an idea of how dismal the report card for local authority planning department is. Not one council scored either an 'A' or a 'B' grade:



THE NATIONAL HERITAGE organisation An Taisce has rated 34 city and county councils on their planning systems – and given NINE of them an ‘F’ grade, branding them the “worst councils in Ireland’s planning system”.

The councils given the lowest grade are Donegal, Roscommon, Leitrim, Kerry, Mayo, Galway county, Cavan, Carlow and Waterford county.

The body used eight criteria to come up with the grading. They were:

1. Overzoning: Amount of zoned land as a percentage of population in 2011
2. Decisions reversed by An Bord Pleanála 2005-2010
3. Decisions confirmed by An Bord Pleanála 2005-2010
4. Percentage of vacant housing stock in 2011
5. Change in vacant housing stock 2006-2011
6. Water quality: Urban areas with secondary treatment failing to meet GPA standards 2011

7. Percentage of one-off houses permitted as a percentage of all residential planning permissions 2001-2011
8. Legal proceedings commenced following non-compliance with enforcement notice 2005-2010

**DONEGAL** was found to be the worst overall. An Taisce – which says it is concerned with “conserving the best of Ireland’s heritage, both built and natural” – had strong words for the local authorities in the north western county:

By way of illustration of its poor performance, Donegal had approximately 2,250 hectares of residential zoned land in 2010, sufficient for an additional population of 180,000 people. Despite this, approximately 50 per cent of all residential planning permissions in Donegal over the past decade were granted on unzoned land. These trends are symptomatic of a wider systems failure in which counties Donegal, **Roscommon**, **Leitrim** and **Kerry** perform worst.

The report from An Taisce mentions the Mahon Tribunal’s final report which recommended that there be an independent planning regulator “free from political pressure”. An Taisce said it agreed with this recommendation and with one that said the National Spatial Strategy and future National Development Plans must be given proper legislation.

An Taise also said that enforcement of planning laws must be “urgently improved” (and overseen by the aforementioned independent planning regulator”, that there be a regional governance structure for planning and that there be “serious reform of local authority structures” to bring back trust and accountability.

This was the strong statement from An Taisce about the wide-ranging effects of bad planning decisions:

Bad planning is not victim free. The analysis shows that there is a very strong correlation between councils that have scored poorly and a range of negative socio-economic and environmental outcomes. For example, councils which scored poorly generally had the highest rate of residential vacancy, the highest rate of population decline and out-migration, the highest levels of unfinished ‘Ghost Estates’, lower residential property prices and significant instances of ground and surface water pollution.

These legacy costs of bad planning will affect people living in these areas, and Irish society as a whole, for many generations.

This table shows the scores of all 34 councils for planning decisions. Only three of them scored over 70 per cent. No council achieved an A or B grade. Only four got a C grade – South Dublin, Dun Laoghaire-Rathdown, Galway City and Fingal.

Thirteen councils got a D grade, 8 got an E grade, five got an F grade while four, as mentioned above – Donegal, Roscommon, Leitrim and Kerry – got an F- grade.

Table 4: Ranking Performance of Councils (Maximum Score: 272)				
Council	Score	%	Rank	Grade
South Dublin	200	74%	1	C
Dun Laoghaire RD	199	73%	2	C
Galway City	190	70%	3	C
Fingal	185	68%	4	C
Meath	167	61%	5	D
Wicklow	167	61%	6	D
Kildare	163	60%	7	D
Cork City	157	58%	8	D
Dublin City	153	56%	9	D
Limerick County	152	56%	10	D
Offaly	150	55%	11	D
Limerick City	144	53%	12	D
South Tipperary	139	51%	13	D
Westmeath	134	49%	14	D
Leois	131	48%	15	D
Louth	123	45%	16	D
North Tipperary	122	45%	17	D
Waterford City	120	44%	18	E
Cork County	118	43%	19	E
Kilkenny	115	42%	20	E
Longford	106	39%	21	E
Sligo	102	38%	22	E

Clare	100	37%	23	E
Monaghan	94	35%	24	E
Wexford	94	35%	24	E
Waterford County	88	32%	26	F
Carlow	85	31%	27	F
Cavan	83	31%	28	F
Galway County	83	31%	28	F
Mayo	82	30%	30	F
Kerry	70	26%	31	F-
Leitrim	60	22%	32	F-
Roscommon	44	16%	33	F-
Donegal	32	12%	34	F-



# Haunted by past mistakes

NIRSA Op Ed in *Sunday Business Post*

1<sup>st</sup> of August 2010

Housing in Ireland is in crisis. House prices have fallen on average 35%. Development land has plummeted in value by 75-90%. Farmland is down 50% or more. A quarter of a million households are in negative equity and over 32,000 households are more than 90 days in mortgage arrears. Housing oversupply is in excess of 120,000 units and there are 620 ghost estates where over half the properties are empty or under-construction. The National Assets Management Agency (NAMA) has been created to supposedly save the banks and Irish taxpayers by transferring €88 billion worth of 'toxic' and poorly performing property assets and rolled-up interest to the state.

These disastrous facts demand two questions. What went wrong? What needs to change to make sure it never happens again?

In our report, *A Haunted Landscape*, we deal extensively with the former. Our principal argument is that both levers used to control development – fiscal and planning policy – failed. Banks were poorly regulated and lent too much money, and tax incentives fuelled the boom. Planning did not act as the counter-balance to the excesses of the building frenzy, zoning too much land and giving out too many planning permissions. The result was oversupply of houses across the whole country, with some counties particularly badly hit.

What needs to be done? First, we urgently need an independent inquiry that provides a systemic review of the planning system. This does not need to be a tribunal-style blame game that will last for years. Rather it should take the form of the recent Honohan, and Regling and Watson reports on banking and financial regulation that were completed in a matter of months. The final report would provide a synoptic overview of the entire system of planning and development, focusing on how planning policy is produced and implemented, and the organisation, operation and regulation of planning within Ireland.

The government has said that such an inquiry is not needed because it is already undertaking reviews of planning decisions in six local authorities and that the new Planning and Development (Amendment) Act addresses the major problems that led to poor planning decisions. These reviews are focused on specific cases and are not designed to provide a broad analysis of how the entire system worked, or failed to work. And whilst we welcome the new Act it should be seen as the first step to reform, but it should not be the only step. An inquiry would provide strong evidence for the next steps.

On a practical note we need to get to grips with ghost estates. There are thousands of families who are living with the stress of negative equity and few neighbours, in many cases in estates that are unfinished and abandoned. Estates may be lacking in basic infrastructure and public facilities and amenities, and residents may have to negotiate serious issues of health and safety.

We need an action plan to address the hardships of those people trapped on such estates – to finish out the development, demolishing units if needed. At the moment, residents are unsure who to turn to for help – developers, banks, local authorities, government departments or NAMA – and nobody seems prepared to take responsibility. Our view would be that local authorities be given the task, along with sufficient resources to do so.

We also need a plan to cover the maintenance of properties while they lie idle. Once damp and cold enter a house the infrastructure starts to decay and very soon it becomes unliveable. Failing to look after stock will mean the loss of perfectly good houses that might be needed in the future.

The government has established the Social Housing Leasing Initiative, which will use some ghost estates for social housing. However, we need to consider alternative uses for other estates. Those in remote rural locations are simply not suitable for social housing given the lack of public transport, social amenities or access to employment, but perhaps they might be useful for small businesses or cultural activities.

There are a number of specific issues that should be addressed in the short term with regards to the planning system. Planning permissions and regulations need to be rigorously overseen and enforced. The evidence base used in the planning system needs to be radically improved. There needs to be a proper house price register and all housing data to be generated and released at a local level.

The process of land zoning should be evidence-based and zonings time delimited. Housing and patterns of development should be based on local need, not greed, and guided by the National Spatial Strategy and not localism and zero-sum comparisons. Future tax incentive schemes should be evidence-informed, fully debated and have set targets. They should have defined end goals and points, and annual evaluations. All those involved in the planning process should receive mandatory training in planning issues and policy, and the principles of local and regional development.

There should be a commitment that all future local planning be community and plan-led, not developer and speculator-led.

With respect to NAMA, the public need to be reassured that the agency will succeed in its aims. NAMA is soon to be the largest controller of property in the state. It is purchasing assets, supposedly on behalf of tax payers, yet there is a worrying lack of transparency about the organization.

We would be concerned as to whether NAMA can succeed given the sums being paid by the state to the banks for their assets, and the make-up and geography of the portfolio. Irish developers and

speculators seemingly forgot the well worn mantra of 'location, location, location', and much of the land and property heading into NAMA is in marginal locations with weak and falling demand.

Unless valuations are taking into account existing levels of oversupply and evidence-informed, long-term projections of an area's demography and labour market then NAMA is potentially overpaying for assets. Further, if land is purchased by the state on the basis of existing zoning then any future dezoning, as proposed by government, will deflate its value and lead to a loss on the investment.

Ultimately, to recover the state investment, NAMA requires the property market to be re-inflated back to higher levels, which have already proved unsustainable. The uncertainties concerning NAMA will only be dispelled through full transparency in the agency's workings and the assets it is managing.

As a nation we need to learn the lessons of the Celtic Tiger years. We have to go back and review what went wrong, fix the system that created the mess we are in, and make sure that it does not happen again. NAMA and the Planning and Development (Amendment) Act are not the only answers. And we have to make sure they do not make the situation worse.

We are three years into the housing slump and yet we still haven't got to grips with addressing the various problems we face. We need a plan of action and we need to implement this plan. And we need to do it sooner rather than later.

***Rob Kitchen***