



**IRISH PLANNING
INSTITUTE**

Institiúid Pleanála Na hÉireann

PLANNING AHEAD

IRISH PLANNING POLICY STATEMENT

ISSUES PAPER FOR CONSULTATION

September 2014

1.0 A NEW POLICY STATEMENT

At the beginning of her term President Mary Hughes discussed her objective of promoting the role of planning and the planner, a key part of which is developing a Planning Policy Statement in consultation with members. This is in keeping with Objective 6 of the Corporate Plan to advance planning and the profession.

Marking fifty years of planning in the Republic of Ireland, a radical shift in Northern Ireland's planning landscape and almost forty years of the Irish Planning Institute (IPI), there has never been a better time to develop a new planning vision for the Institute and effectively communicate a cogent mission and rationale for planning in Ireland. The public appreciation of what purpose planning serves in society is less than clear and it is time to holistically explain and define planning and its profession.

Of course attempting to define or simplify the purpose of planning is fraught with danger particularly having regard to the complex web of planning's community and political environment.

Nonetheless in consultation with our members the Institute is seeking to prepare its own Policy Statement on the role of planning and the planner in advancing key issues affecting the island of Ireland, which is realistic, relevant and serves to build a shared public understanding of its value. This Policy Statement is intended to reinforce the professional value of planners and provide a clear statement on the IPI's direction for planning to promote strong communities, a strong and viable economy, and a clean and healthy environment.

Planners have a responsibility to influence, shape, form, and plan for a new future and it is intended that the IPI Policy Statement will specifically be used to help frame detailed policy guidance on specific planning issues and to guide and inform positions on planning matters as they arise.

2.0 SCOPE OF THE PLANNING POLICY STATEMENT

The Policy Statement will:

1. Explain and define planning and its profession to effectively respond to the growing scope and sophistication of planning and its requirements, This will be useful as the Institute continues its work promoting planning and the professional to the public and others and countering unhelpful myths and criticisms.
2. Provide a framework and an agreed Institute position within which more detailed Position Papers can be prepared on individual topics when and if the need arises.
3. Set out the Institute's recommendations for the betterment of the planning system in certain areas on the basis that there is a presumption in favour of sustainable development and the common good.

The planning system has many roles to play, it transcends many development areas and impacts on the breadth of economic, social and environmental issues. Following a detailed discussion at its July 2014 Council meeting, Council agreed that the Policy Statement should focus on eleven key areas, namely:

1. Planning System
2. Plan-making and Place-making
3. Information, Communication and Public Engagement
4. Development Management
5. Fiscal Policy
6. Economic Development, including retail
7. Assessment of Environmental Impacts

8. Energy and Climate Change, including transport
9. Housing and Settlement
10. Marine Spatial Planning; and
11. Landscape Character and Landscape Management

In this paper the Institute's existing policy priorities and positions regarding each of these eleven areas are stated, followed by some questions. In all cases these existing positions have been developed in recent years by the Institute's members through consultations, committees and working groups and set out in submissions and commentary agreed by Council.

In advance of putting forward the IPI's position and outlining recommendations within the eleven key areas as listed above, it is also proposed that the final Policy Statement will define planning, the role of the planner and the role of the planning system, to effectively respond to the growing scope and sophistication of planning and its requirements. It will conclude with a series of core planning principles which need to be promoted within the profession to underpin planning for the future and to support plan making and decision taking in facilitating sustainable development.

3.0 YOUR INVOLVEMENT

The Policy Statement must be meaningful and relevant and must represent the position of all our members. It is thus important that we hear your views and opinions. The Policy Statement must reflect current realities as well as defining a realistic vision for the future and involvement by all our members is encouraged and will be facilitated. Feedback and opinions from members is welcomed up until **Friday 17th October 2014**. Thereafter all information received will be reviewed and a draft Planning Policy Statement prepared for consideration by Council. Your comments are welcome to submissions@ipi.ie or if you wish to discuss any element of the Issues Paper in further detail feel free to contact Seán O'Leary on +353 (0)1 8788630.

This document has been prepared to facilitate discussion amongst members. It seeks to set out the IPI's existing policy position in certain areas and then asks a number of questions which are intended to guide and further develop IPI policy positions. In certain instances there is no existing policy position, simply because the issue has not been discussed at Council level and an agreed position has not been arrived at. In such instances we need your feedback to shape an agreed position and framework.

Indeed it may be a case that you do not agree with existing IPI policy positions and if this is the case then we also want to hear from you. Furthermore you may be of the opinion that we are missing a key theme that requires a policy framework. No matter what you have to say we want to hear from you.

4.0 ISSUES TO BE CONSIDERED

4.1 Planning and the Role of the Planner

What is Planning?

Planning is a creative exercise in finding ways to enhance and improve the places in which we live. The purpose of planning¹ is to contribute to the achievement of sustainable development which means facilitating positive growth but doing so in a manner that ensures that the lives of future generations can prosper and flourish and that the environment of future generations is not compromised.

Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. There are three dimensions to sustainable development and 'planning' effectively coordinates and promotes each of these mutually dependent dimensions in guiding development to sustainable solutions. Planning has three key roles:

An economic role – contributing to building a strong and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Planning is about helping to make positive growth and sustainable development happen.

The Role of the Planner

Professional planners are graduates of professionally-accredited third level colleges or universities and usually are members of a professional institute such as the Irish Planning Institute. The planner, either in public or private practice or in research and academia, is the primary professional adviser within the planning system.

As an adviser, the strength of the professional planner is linked to the ability to be balanced and persuasive. A professional planner has three primary roles including focused on strategy, advocacy and management.

As a **'Strategist'**, planners continually look to the future. They identify patterns, interpret data, develop policies and prepare plans and actions all in an attempt to enhance and improve the places in which we live. They promote positive growth and positive plan - led development balancing different social, economic and environmental requirements.

As an **'Advocate'**, planners seek to translate the vision and viably implement a plan or strategy through facilitating positive development. They are skilled at working alongside developers and investors to ensure that high quality development - when based on good planning principles – adds value not only in terms of

¹ The discipline of planning described here has had different names at different times and in different countries: these include 'city planning', 'town and country planning', 'urban and regional planning', 'resource management planning', 'planning and sustainable development', 'urbanism' (mainly in mainland European countries) and more recently (in English-speaking countries), 'spatial planning'. For more see <http://ipi.ie/about/about-planning>

commercial viability but also for meeting environmental standards and community needs. They integrate the expertise of other built environment professions - and the inputs of various stakeholder groups and organisations - in order to achieve workable and enduring solutions to environmental and place-based challenges. Their skills and competencies also allow them to function as effective mediators and facilitators to bring forward alternative solutions for discussion and the building of consensus about preferred ways forward.

As a **'Manager'**, planners work in an evolving system that is subject to continual change. Planning is a uniquely participatory process. The public, planners, councillors, architects, engineers, developers and local authority managers all have roles to play in the planning process. Planners work within a clearly defined legal system and also work within the full system of structures for policy making, in local regional and national government and in the private sector. The growing scope and sophistication of the planning area has seen the workload of many planners moving beyond policy formulation and processing of development proposals to a multitude of tasks, many of which involve management-type skills including engagement with multi-disciplinary teams, sourcing of related professional services, and overseeing of major projects such as plan preparation within defined timescales and budgets.

The Role of the Planning System

Coherent joined-up planning and development minimises costs and enables society to prosper. But such prosperity is impossible without appropriate resourcing. The process of planning requires the skillset and knowledge of professional planners tasked with applying the law and proper planning principles. As noted in the Mahon Report, bad or absent planning is not victimless, rather its victims are too numerous to count.

Within the overarching roles that the planning system ought to play, a set of nine core planning principles should underpin both plan-making and decision-taking. It is the policy of the Irish Planning Institute to pursue strong planning systems for the Republic of Ireland and Northern Ireland and the Institute believes that planning should:

1. Be transparent in how it operates and makes decisions. Transparency is fundamental to ensuring public confidence, credibility and legitimacy in the system;
2. Be genuinely plan-led, empowering local people to shape their surroundings, with succinct development and local area plans setting out a positive vision for the future of the area. Plans should be kept up to date and be based on joint working and co operation providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
3. Be consistent and certain. These two items are directly related as consistency in decision making will enhance certainty for participants in the planning system. Evidence based and plan led decision-making will facilitate consistency in decision-making;
4. Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
5. Pro actively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
6. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
7. Be adequately staffed and resourced with appropriate professional planners who have the skillset and knowledge to apply the law and proper planning principles;
8. Be monitored and regulated to ensure high standards of knowledge, capability and ethical practice are met. Regulation of both the planning system and the planning profession would send a very

clear message to the public that the planning system and profession is robust, accountable, transparent and structured to work for the common good and society as a whole; and

9. Embrace new and innovative approaches and technologies to advance the profession.

4.1.1 Key Questions on Planning and the Role of the Planner

1. Does the definition of planning and the role of the planner adequately describe and respond to the growing scope and sophistication of planning and its requirements?
2. Does the role of the planner have more than the three roles as defined above?
3. Are the nine core planning principles promoted adequate?

4.2 Planning Systems

Existing IPI Policy Priorities

- A National Planning Policy Framework for the Republic of Ireland is required
- Regulation of the planning system can only occur if two key elements are concurrently addressed including (i) professional recognition of planning professionals; and (ii) the establishment of an independent planning regulator (with powers for the investigation of systemic problems in the planning system).
- The status of the profession within the planning system needs to be clarified along with the roles of other personnel working in the planning system.
- In the interest of the common good and protecting society the term ‘planner’ needs to be defined to ensure that appropriately qualified people are working in both the public and private system.
- Councillor training on basic planning principles and issues is a key requirement within the planning systems.
- To facilitate confidence in the system the public need to be educated on how the planning systems function and operate and this could be best delivered through a schools programme.

Key Questions on the Future of the Planning System

- How can professional membership be promoted as a hallmark of quality and excellence within the planning profession?
- How can the findings of academic research on spatial and environmental planning be brought into mainstream planning forums and integrate them into planning practice?
- How can we promote and share best planning practices within the planning profession, to colleagues of other relevant disciplines and to the general public?
- How should the public be educated on planning and through what forum?

4.3 Plan-Making and Place-Making

Existing IPI Policy Priorities

- The process of making development plans at any level or scale must be open, transparent and, most crucially, inclusive, as the issues that affect communities are many and may vary from place to place. This means that their involvement in defining issues and opportunities and shaping the vision, principles and strategies is essential.
- Plans must be clear and concise, written in easy to understand non-technical language and presented with diagrams and maps that are clear and legible with a glossary of terms, if necessary, to explain technical phrases.
- Given the practical and procedural complexities of preparing a statutory plan, planning authorities should nominate a professional planner at a senior level to take charge of the project management aspects of the survey and analysis, drafting and completion stages.
- Planning authorities should encourage existing staff to avail of continuing professional development by training in urban design and all disciplines of planning in order to expand its skill base relevant to plan-making.
- In order to engage with children and students in a meaningful way, there should be an obligation to consult with the latter during school hours and possibly through national curriculum.
- Local area plans must play a key role in achieving the objectives contained in higher level plans and strategies at the local level as this is where “place” becomes a physical, community and economic reality.
- Plans must be deliverable and accompanied by a firm commitment to implementation. A realistic and feasible means of delivery together with a framework for monitoring progress should be the foundation of any local area plan.
- The delivery of sustainable places requires a proactive approach to delivery of essential supporting social (schools, community facilities) and physical (transport, water services, communications) infrastructure. Flexibility and adaptability of phasing and infrastructure provision should be built in to any plan so that it can respond to circumstances as they are encountered whilst maintaining the core principle of tying development into necessary infrastructure delivery.
- The existing procedure for granting permission in material contravention of the development plan in the Republic needs to be amended so as to require greater consultation between the Planning Authority and the Minister for the Environment and relevant Regional Authority.

Key Questions on Future Place Making & Plan Making

- What role, if any, should non-statutory plans have in the planning process?
- What role should design codes have in statutory plan-making? What should or should not be included in design codes, having regard to concerns that specificity could stifle the creative process?

4.4 Information, Communication and Public Engagement

Existing IPI Policy Priorities

- A single body needs to be established to oversee implementation and/or advise the Department of the Environment, Community and Local Government on issues associated with the implementation of the Aarhus Convention in Ireland.
- A very significant number of bodies and organisations participate in the dissemination of environment information including the Citizens Information Board, the Environmental Protection Agency, An Bord Pleanála (e.g., SIDs) and various sections of the Department of the Environment, Community and Local Government. The sheer volume of information available and the fragmented way in which it can be accessed can cause confusion particularly to members of the public and the centralisation of all sources of environmental information is strongly recommended.
- A National EIA/EIS Portal should be established in order to share information, surveys and data in relation to environmental matters.
- Training and education in planning and environmental matters for children, adults and elected representatives is of critical importance in ensuring active and meaningful engagement in the planning process and environmental decision-making. The establishment of a system of a Free Planning and Environmental Advice Service should be considered in this regard.
- There are significant opportunities for using Information and Communication Technologies in order to improve development management, including the establishment of an Annual Enforcement E-Forum, Local Authority Enforcement Helplines and an online National Enforcement Portal.
- There is a clear need for a database to be kept in relation to declarations and referrals. This will aid decision-makers in ensuring consistency and will ensure certainty and transparency for developers and members of the public.
- In the Republic of Ireland, subject to the need to ensure privacy and data protection (i.e., as set out in section 38 of the principal Act), it should be mandatory for all planning files to be made available to the public online within one week of receipt. Similarly, all planning authorities should maintain hard copy application files in an orderly manner for inspection by members of the public.

Key Questions on Future Information, Communication and Public Engagement

- What steps can be taken to ensure more meaningful public engagement in the planning process in the Republic of Ireland and Northern Ireland?
- What existing elements of the planning system act as barriers to meaningful public engagement in the planning process?
- What actions should be taken to remove or mitigate the actions of those barriers? For example, should fees associated with the making of third party appeals or observations on appeals be removed or amended?

4.5 Development Management

Existing IPI Policy Priorities

Further Information

- Further information requests should only be issued when absolutely necessary and planning authorities should seek ways to condition certain elements (where the issues concerned are minor and would not affect third party rights) rather than delaying the process and seeking further information.

Exempted Development & Amendments

- A streamlined application process should be created whereby the applicant could submit revised drawings for very minor amendments to the planning authority for consideration and agreement.
- Exempted development provisions should be available during the construction period, subject to compliance with development plan policy and standards.
- The exemption allowing for change of use from sale/display or leasing of motor vehicles to a retail shop under Schedule 2 Part 1 Class 14 of the Planning and Development Regulations should be removed or the size of unit to which it applies restricted.
- The availability of exempted development under section 4(1)(h) of the Principal Act should be limited to buildings only rather than all types of structures.

Application Fees

- Consideration should be given to reducing fees for certain kinds of development. For example, the appeal fee for retention of a commercial development (€4500) is excessive for some very minor development (e.g., signage).

Third Party Submissions

- Clarification is required as to whether third parties may make submissions / observations on further information submitted to the planning authority in circumstances where the further information does not contain “significant additional data” and was not re-advertised.
- Guidelines should clarify whether prescribed bodies can submit formal observations on planning applications after the statutory five-week consultation period. At the moment, this varies from local authority to local authority (i.e., some local authorities accept observations up to the 5 week period, but not beyond (only) whilst others accept submissions after the 5 week period).

Enforcement

- The importance of not only initiating enforcement proceedings in a timely fashion, but also to keeping to the statutory time limits, is critical to ensuring public confidence in the system, particularly where complainants are concerned. Prompt enforcement during construction of unauthorised development will also limit the need for costly remedial works on the part of the developer.

Section 5 Referrals

- Presently, the outcome of a Section 5 Declaration is dependent on the nature of wording put forward by the applicant such that the phrasing of a particular question could influence the ultimate decision of the consent authority. This can lead to uncertainty and confusion. Consideration therefore should be given to the provision of Certificates Lawful Use and / or Development – this will grant landowners and developers greater certainty in carrying out exempted development.
- Existing section 5 provisions should be changed to allow individuals to seek a Section 5 declaration directly from An Bord Pleanála without first seeking a declaration from the relevant Planning Authority.

- Amendments should be made to the existing Section 5 to facilitate landowners / occupiers to participate / make comment in a Section 5 Declaration application submitted by a third party.

Timing

- The timeframe for Section 5 referrals to An Bord Pleanála must be considerably reduced.
- Statutory provisions should be put in place requiring planning authorities to resolve compliance submissions within a specific time frame (e.g., four weeks).

Key Questions on Future Development Management

- Should the legislation specify a time limit within which pre-planning consultation meetings must be scheduled after the date of formal request (e.g. within one week)?
- Is the requirement to publish planning notices in a newspaper outdated and should it be abolished? If so, what, if anything, should replace this requirement?
- Should a right of response be built into the development management process to allow applicants to respond to third party submissions (e.g. within one week of the conclusion of the statutory consultation period)? Should the practice of accepting unsolicited additional information from applicants be abolished?
- Should third parties be entitled to comment on further information in circumstances where the further information does not contain “significant additional data” and was not re-advertised? If so, within what time frame?
- Should there be a standardised format for Planner’s Reports? If so, what should be included in that standardised format (e.g. photographs from site visit)?
- Should there be restrictions on the availability of temporary permissions? For example, should temporary permission be available in historic areas?

4.6 Fiscal Policy

Existing IPI Policy Priorities

Development Contributions

- Development contribution schemes should be of a common standard in order to preclude the possibility of disparities between jurisdictions
- Development contributions should be levied on rural housing units in order to discourage construction of 'one offs' in rural areas
- No variations or discretionary policy should apply in respect of development contributions and local authority Chief Executives should not be in a position to waive development contribution fees. Permitting this is contrary to the planning system's transparency.

Viability and Planning

- While the concept of 'viability' and 'economic viability' is referenced a number of times in the current *National Spatial Strategy 2002-2020*, references to considerations of viability in other statutory planning policy and guidance documents tend to be more indirect. This has led to confusion regarding whether and to what extent considerations of viability and financial viability should form part of the planning process. This confusion is further compounded by selective interchangeable use of the terms 'sustainability' and 'viability' and the fact that neither term is defined in existing legislation or guidance. This has, in turn, led to uncertainty and inconsistent application of policy and guidance, with some consent authorities considering 'viability' only in relation to retail development and other authorities excluding considerations of economic viability from consideration entirely or in all but exceptional cases.
- The term 'viability' should be defined and confirmed as a material consideration in the drafting of statutory policy.
- The Department of the Environment, Heritage and Local Government should consider issuing guidelines to planning authorities in relation to viability in planning.
- Better practice must be developed in relation to the how viability is applied to development plans, local area plans, SDZ planning schemes and contributions schemes.
- Consideration should be given to how the effect that the language used in planning conditions could have on the viability of a development (i.e. new financial realities mean that major new development of significant scale must be constructed in phases – is the language used in planning conditions inadvertently restricting the ability of developers to do that).

Property Tax and Levies

- Successful targeted tax incentives can deliver investment quickly and have a role in preventing 'doughnut' cities and encouraging residential and vibrant commercial activities. However, while such incentives may be successful initially in achieving physical development objectives, if those incentives are not terminated once the property market has matured, there may not be sufficient capacity within the planning system to ensure quality control in all resulting development.
- Policies can no longer be ad hoc and instead there is a need to focus on the long term management of our built environment if we are to provide the conditions for investment and also achieve sustainable communities. The issue of incentives highlights the need for a coherent Government statement on its priorities for planning and the built environment as any schemes should fit into an overarching vision for the development of our towns, cities and rural areas over the medium term.

Key Questions on Future Fiscal Policy

- Should development contribution schemes be prepared on a regional basis in support of regional economic development and to avoid disparities between jurisdictions?
- How can a common standard be introduced nationwide particularly given the different infrastructural deficits which exists across a local authority's functional area?
- Should a standard index (construction price index) be used by all local authorities for consistency?
- To what extent should considerations of financial viability form part of the planning process? Part of the forward planning process? Part of the development management process?
- Should development plans (and any other relevant statutory plans) be subject to viability testing? If so, how detailed should this testing be? Who should be responsible for carrying out this testing?
- Should planning applications be subject to viability testing? If so, how detailed should this testing be? Who should be responsible for carrying out this testing?
- Is a targeted vacant site levy the appropriate mechanism to secure the development of vacant and under-used sites in urban areas?

4.7 Economic Development

Existing IPI Policy Priorities

- There still remains a disconnect between planning and economic development at local authority level and it is a matter of grave concern.
- Development Plans and Local Area Plans should be promoted and prepared to be attractive business plans for the community and should be as much about promoting the Local Authority area as a place for investment and development as it is about development control.
- A strong national policy for sustainable economic development should facilitate better coordination of economic policy at local level and direct investment appropriately at regional level. In order to ensure that funding and resources are properly directed, it is essential that national policy planning policy (e.g. the National Spatial Strategy) be reviewed.
- Given that major investment and job creation schemes are likely to serve regions, it is only logical that these should be planned in a regional context. Strong regional government with decision-making powers will be essential to ensuring economic growth and certainty for investment.
- That it is not sufficient to simply preserve existing town centres. Positive action promoting change including the requirement to undertake effective management and promotion of the town centre, should be strongly reflected in the Retail Planning Guidelines and enshrined in retail strategies.

Key Questions on the Future of Economic Development

- To what extent should economic considerations form part of the planning process?
- Should a standardised methodology apply to retail impact assessment? If so, what methodology should be preferred?
- What measures can be taken to remove barriers to town centre retail development (e.g. site assembly)?

4.8 Assessment of Environmental Impacts

Existing IPI Policy Priorities

- A National EIA/EIS Portal should be established in order to share information, surveys and data in relation to environmental matters.
- In order to ensure consistency and certainty, consideration should be given to setting a specified timescale within which scoping requests to planning authorities relating to the EIA process should be returned to the (prospective) applicant. It is recommended that this timescale should be a period of 6 weeks from the date of submission.
- It is recommended that the time frame for public consultation on projects requiring EIA be extended to 60 days. In instances where the nature, size and scope necessitates an extension, provision should be afforded to take account of this in the assessment process.
- Information contained within an EIS should be up to date and relevant. If information is three years or older at the time of submission and has not been subsequently re-verified by site visits or further assessment then the EIS information should be deemed out of date.
- Given the recent introduction of the term ‘biodiversity’ into the Directive, in the interests of clarity, careful and strict definition of the term is required, together with guidance as to what information would be included in a biodiversity impact assessment that would not traditionally be included in an assessment of impacts on flora and fauna.
- Guidance on Appropriate Assessment and the assessment of cumulative impacts is urgently required.

Key Questions on Future Assessment of Environmental Impacts

- How can procedures relating to Appropriate Assessment under the Habitats Directive be better integrated into the planning process (including assessment of cumulative impacts)?
- How can procedures relating to screening of AA be streamlined to ensure clarity? Should there be a minimum threshold below which there is a presumption that AA will not be required?
- Should the environmental impact assessment process be expanded to include other topics such as health impact assessment?

4.9 Energy and Climate Change, including Transport

Existing IPI Policy Priorities

- A revised National Spatial Strategy is imperative in order to give a spatial planning context to the site specific factors such as topography, ground cover and wind direction and speed.

Key Questions on the Future of Energy, Climate Change and Transport

- Should windfarms continue to be permitted without a National Energy Strategy?
- Should a National Energy Strategy comprise part of the revised National Spatial Strategy or should it be a separate document?
- Do planners need to be educated on different energy technologies and is guidance required on this?
- Should Energy Renewable Strategies be prepared at local authority level or should it be a function of the new Regional Assemblies to prepare Regional Energy Strategies, as energy transcends boundaries?

4.10 Housing & Settlement

Existing IPI Policy Priorities

- Low density housing produced at minimal cost contributed to the economic crash and in the longer term will lead to higher service costs in terms of infrastructure. Serviced urban land is scarce and needs to be managed effectively.
- The Institute supports the principle of Part V of the Planning and Development Act 2000, as amended, because it is conducive to fostering social inclusion and facilitates proper planning and sustainable development. However, if it is to be retained, certain amendments to the existing process would allow it to operate more efficiently (e.g. the imposition of statutory timeframes; involvement of housing agencies; expansion to provide community and social infrastructure). It is recognised that Part V is a mechanism for primarily satisfying urban social housing demand and is largely ineffective in providing units to sate rural demand.
- With our aging population, planning authorities could consider an objective to provide specifically for residential development for independent step-down dwellings for elderly people that benefit from communal and caretaking facilities.
- Possible measures intended to reduce or avoid the problems associated with unfinished housing estates in the future must be identified.

Key Questions on Future Housing & Settlement

- Does the planning process create obstructions to acquiring finance for housing development? Subject to considerations of proper planning and sustainable development, what steps can be taken to remove these obstructions?
- To what extent should economic viability be a consideration in applications for housing development?
- How can we achieve higher density if the market does not demand it?
- Should housing policy be influenced by market demands?

4.11 Marine Spatial Planning

Existing IPI Policy Priorities

- The principle of aligning the foreshore consent system with the planning system is supported. Many projects with strategic significance in spatial terms, have had to be considered separately through both systems whereas a more coordinated system of consent procedures would be beneficial to all parties.
- Legislation for a consent architecture for the marine area should be clear in defining two separate consent architectures for the marine area: one related to issues of conveyancing (the licencing system) and one related to issues of development (the planning system). Requiring developers to obtain several different consents for development of the marine area (e.g. consents under the Planning and Development Acts and consents from the DECLG) will cause confusion and uncertainty for both investors and the public.
- Planning applications for development in the nearshore area, even those requiring EIA or AA, should, in the first instance, be considered by the relevant planning authority.
- The examination of strategic infrastructure projects in the marine area directly by An Bord Pleanála continues to combine the role of the Board as a consenting and appeals body. This is of concern and may have implications for Ireland's ability to properly implement the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (known as the Aarhus Convention), particularly in relation to the third pillar: access to justice in environmental matters.
- Care must be exercised in exempting certain developments (e.g. exploration or prospecting for petroleum) from planning control as such projects, although seemingly minor in scale, may have the potential to result in significant environmental impacts.
- Legislation should be changed to allow development plan policies be made in respect of the area beyond the nearshore. This will be necessary to ensure that there is a policy framework under which planning authorities and An Bord Pleanála can make decisions on planning applications for development in the marine area.
- Strong provisions for enforcement in relation to development of the marine area should be included in legislation.

Key Questions on Future Marine Spatial Planning

- What body should act as Consent Authority for development of the foreshore? e.g. Local Authority / Regional Authority / An Bord Pleanála / new single body / DECLG?
- What body should act as Consent Authority for offshore development?
- What body should act as Consent Authority for proprietary licensing?
- Should planning consent and proprietary licence consent be dealt with concurrently?
- What body should act as Consent Authority for development spanning two or more jurisdictions? e.g. Local Authority / Regional Authority / An Bord Pleanála / new single body / DECLG?
- What body should be responsible for the preparation of development policy for the marine area?

4.12 Landscape Character and Landscape Management

Existing IPI Policy Priorities

- The Institute has long called for the drafting of a National Landscape Strategy for the Republic of Ireland and welcomes the draft Strategy published by the Department of Arts, Heritage and the Gaeltacht in July 2014.
- The National Landscape Strategy should not be prepared in isolation but rather should be part of a suite of strategic plans that are supported by a revised National Spatial Strategy setting out a clear vision for development for the short, medium and long term.
- There is an overwhelming need to prepare an All-island Landscape Strategy. Without prejudice to the decision-making authority of the respective jurisdictions, it is considered that this overarching landscape strategy would allow the public, private, and voluntary sector bodies, both north and south, to develop a consistent and robust assessment approach to all major infrastructure plans and projects.
- Whilst supporting the view that the landscape should be managed in a way that is in the interests of proper planning and sustainable development, the National Landscape Strategy should not be seen or construed as a mechanism for stifling change or development on the landscape. However, it is also necessary that the landscape strategy be realistic about the level to which development at or near sensitive landscapes is already constrained.
- Where the protection of landscapes of national and international cultural and heritage value is at issue, it is of paramount importance that these landscapes be identified, and the particulars of what is necessary for their protection of their integrity (e.g., extent of the area, features, etc.) be established, in national, rather than local, statutory policy.
- Key actions included in a National Landscape Strategy could be implemented at regional or local level and incorporated into existing plans and policies in line with the principle of subsidiarity, which is embedded in the European Landscape Convention.

Key Questions on the Future of Landscape and Heritage

- Do planners require training in landscape visual impact assessment (LVIA)?
- Should planners prepare LVIA?

Feedback and opinions from members is welcomed up until **Friday 17th October 2014**. Thereafter all information received will be reviewed and a draft Planning Policy Statement prepared for consideration by Council. Your comments are welcome to submissions@ipi.ie or if you wish to discuss any element of the Issues Paper in further detail feel free to contact Seán O’Leary on +353 (0)1 8788630.