

**SUSTAINABLE RURAL HOUSING –
CONSULTATION DRAFT GUIDELINES FOR PLANNING
AUTHORITIES**

**SUBMISSION BY
THE IRISH PLANNING INSTITUTE**

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Introduction

The Irish Planning Institute welcomes the principle of guidelines for rural housing. The Institute has been calling for publication of the guidelines on this issue for some time to address serious concerns which have arisen in relation to recent development trends in rural housing throughout the Country.

However, the Draft Guidelines as published run directly counter to principles of proper planning and sustainable development.

The title of the Draft Guidelines "*Sustainable Rural Housing*" is a misnomer. It is quite clear from the Minister's Forward that the purpose of the Guidelines is to set out a much more liberal approach to the development of one of housing in rural areas.

This is in spite of the fact that there already exists a very liberal approach to one of housing in Ireland, one of the most liberal in Europe. This is borne out by the departments own statistics which show that in the region of one third of new housing development, which is at an unprecedented rate of construction, is in the form of one-off rural housing.

Furthermore, an average of 75% of applications for single rural houses were granted prior to the publication of the Draft Guidelines. In the western most authorities the grant rate was even higher with 80% of applications been granted. In these areas, if permission is refused it is generally on the grounds related to land use issues, such as traffic, safety of public health or protection of the natural cultural heritage including landscape. These considerations are again repeated in the Draft Guidelines, although, the clear implication is that they can be set aside when they are inconvenient.

The Guidelines run directly counter to the fundamental purpose to the Planning and Development Act 2000 which is to "*to provide in the interests of common good for proper planning and sustainable development*".

The Guidelines set out to override the interests of the common good and the principles of sustainable development where these conflict with the desire of individuals to build housing where they wish in rural areas.

The approach amounts to an attempt to dismantle the planning system and to override the fundamental purpose of the Planning and Development Act 2000 in rural areas.

The Institute is particularly concerned about the emphasis throughout the Guidelines on the needs of individual persons or types of persons. It would appear that planning in rural areas is now about who you are and what your

connections are rather than a proper planning and sustainable land use in the interests of the common good.

It is extremely dangerous to issue Guidelines which require planning authorities to make decisions on planning applications based on the background or connections or “roots” of individuals rather than on proper land use planning considerations. The question arises as to how far this new approach to planning will be taken. Will it in future also apply to urban developments and zoning of land in urban areas?

The Guidelines are full of significant contradictions which will lead to great difficulty in their implementation. e.g. in the forward it states “*people who are part of or contribute to the rural community will get planning permission in all rural areas, including those under strong urban based pressures, subject to normal rules and relation to good planning*”. This gives the clear impression that this is in fact a free for all, for “*people who are or part of and who contribute to the rural community*”. This is a very wide definition and is open to much interpretation. The words “*will get planning permission in all rural areas*” will lead to unrealistic expectations and subsequent political pressure to grant permission for developments which fail to comply with proper planning principles in relations to matters such as siting design impact on water quality and traffic hazards.

The Draft Guidelines will undermine settlement strategies intended to support services and protect investment in infrastructure in existing towns and villages leading in some cases to dereliction and over concentration of social housing in these areas. The critical mass necessary to underpin the vitality of these centres will now be lost through the dissipation of housing development throughout the Countryside.

There is little acknowledgement of the real social and economic costs associated with one-off housing. These have been demonstrated elsewhere to be substantial and may in time be transferred on to rural residents.

It is likely that the Guidelines will lead to a significant acceleration in an already highly sustainable pattern of urban based housing development in rural areas.

Notwithstanding statements in the guidelines concerning the need to adhere to “*good planning*” including conservation of landscape character, traffic safety, groundwater protection, design and siting, development will be drawn to visually vulnerable areas and cumulative impacts, will inevitably lead to degradation and loss of rural character.

Specific Concerns

More specific shortcomings of the Draft Guidelines include the following:

1. Definition of rural generated and local need. The definition of rural generated housing, includes people who work in nearby urban areas. This is clearly a contradictory definition.

The Draft Guidelines have accorded widespread development rights to virtually all persons and their families residing in rural areas including the offspring of the owners of houses which may not have been originally located/developed on sound sustainability criteria. (e.g. flexible control; S.4's, S.104's, material contraventions and Schedule 3 decisions).

The statement in the Draft Guidelines that "rural generated housing will be accommodated in the locality in which they arise" (P.19) points to consideration of the definition in the document of 'rural generated housing needs'. The term "persons with roots or links in rural areas" or "people who have roots in or links to rural areas, and or part of an interlink to the rural community" (MS Page 1) is open ended and in the context of the reference on Page 35 to a local area such as "parish, townland or the catchment of local schools and sporting clubs" will be open to abuse.

2. Failure to recognise the difficulties proposed by urban generated houses nearest smaller towns including towns in structurally weak areas and areas with cluster settlement patterns.

There should be a clear presumption against urban generated housing in all rural areas, and in particular a presumption against urban generated one off housing sprawl and haphazard ribbon development in and around villages towns and cities of all sizes.

3. Weakness of Guidelines in respect of ribbon development and an inappropriate definition of ribbon development which fails to encompass many situations where ribbon development is occurring.

The definition of ribbon development, at the foot of page 3 is too definitive. Ribbon development may occur in a more stung out manner, particularly in rural areas away from the edge of towns. It would be more appropriate to give a definition, which indicates the circumstances which amount to ribbon development.

4. Insufficient emphasis on the need for the protection of landscape character and outstanding landscapes and the need to incorporate landscape policies into development plans.
5. The need to incorporate more specific policies requiring positive planning for rural areas, including the preparation of rural local area plans.
6. The failure to adequately recognise the need for positive intervention to achieve the revitalisation of smaller towns villages and cross roads settlements ,especially in structural weak areas.

It is acknowledged on the basis of empirical study and research that the most appropriate means of arresting rural decline is by way of underpinning the existing network of towns and villages and creating attractive living environments in which community services, shopping and enterprise can be supported and sustained.

It is common place in structurally weak areas to find a declining population with increasing dereliction and abandonment of buildings within smaller settlements, together with significant levels of new housing on the outskirts and approach roads to these declining settlements. Structurally weak areas should seek to redress this through positive planning to provide for the need for one off housing in a more sustainable fashion within smaller settlements, in accordance with the approach set out in our original submission.

7. In relation to Area 4, areas with clustered settlement patterns, there is need to clearly recognise the fundamental importance of the tourism to the economy of these areas and the link between this key economy activity and the protection of landscape and policy on rural housing.
8. The indicative occupancy condition is of little value. The purpose of these conditions will be severely undermined if they remain in place for a period of seven years only. This short timescale will enable the continuous development of housing in the first place to meet rural housing need which is then passed on to meet other types, including urban generated, in areas under urban expansion pressure. The condition should apply indefinitely. It does not prevent the applicant from selling on the property to other persons belonging to the same category of housing needs as the applicant.
8. Failure to require every local authority to produce rural housing design guidelines within a reasonable period.
9. The resource implications of the Guidelines have not been addressed.

Legislation

There is an urgent need to amend Section 140 of the Local Government Act 2001 to specifically preclude section 140 motions which direct a Manager to grant permission one-off houses, either individually or in clusters.

This is necessary to overcome the significant abuse which is occurring in some parts of the Country in this respect, where political pressures are resulting in Section 140 motions to permit developments which contravene government policy in the Sustainable Rural Housing Guidelines and Development Plan policies.

This is an abuse of the planning process and brings the planning system into disrepute. This abuse needs to be tackled by legislation.