

Frank McDonald: The ‘Planning Industrial Complex’ is in overdrive in Dublin

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Week after week, trolley-loads of documentation are wheeled into the offices of [An Bord Pleanála](#) on Dublin’s Marlborough Street full of architects’ drawings, planning consultants’ reports, environmental impact statements and all the rest of it, seeking to justify wild high-rise housing schemes that would change the face and feel of the city forever.

The “planning industrial complex”, as architect Alan Mee has dubbed it, is not just at work in [Dublin](#) – it’s in overdrive.

Strategic housing developments (SHDs) are the big game in town these days. Under legislation introduced in 2016 by then minister for housing and planning [Simon Coveney](#), SHDs enable developers to bypass the normal planning process for schemes of 100 housing units or more and take them directly to An Bord Pleanála. The volume of applications required the board to set up a dedicated SHD unit, headed by its deputy chairman Paul Hyde.

Hyde is a qualified architect and planner who previously ran a small practice in Douglas, Cork, before he was appointed to the board in 2014 by then minister for the environment [Phil Hogan](#). Hyde has extensive experience in the corporate and planning sectors and is also a friend of Simon Coveney, who had previously appointed him to the board of the Irish Marine Institute when he was minister for the marine; they once jointly owned a class 1 Dubois 36 sailing yacht that came third in the IRC national championship in 2005.

Tower blocks

A database compiled on a voluntary basis by solicitors FP Logue shows that there have been 250 “fast-track” SHD applications to An Bord Pleanála since 2016, with 71 per cent of them granted – a high proportion of which contravened local authorities’ development plans in some respect: usually height, density, open space or apartment design quality. Of these 28 have been subject to judicial review by the High Court, with the board losing or conceding 85 per cent of the cases.

One of the pending High Court cases involves the Bailey Gibson site off Dublin’s South Circular Road, where two local residents are challenging the board’s decision to approve plans by US developer Hines for a major residential scheme that includes tower blocks ranging from 11 to 16 storeys.

Hines is now seeking permission for another SHD scheme on the adjoining Player Wills site, with two more tower blocks of 16 and 19 storeys – the latter of which is taller than Liberty Hall.

Neither of these schemes complies with the Dublin City Development Plan 2016- 2022, which envisaged developing a “vibrant mixed-use quarter” on these lands, with “potential for one or two mid-rise (up to 50m) buildings”.

Instead senior council officials – led by chief executive Owen Keegan – actively collaborated with Hines in drawing up an alternative “master plan” which has no legal standing whatever and yet is now “guiding” what is planned for the two sites. To have legal standing it would have to have been adopted by the elected members of [Dublin City Council](#), which it was not.

(I was so incensed by this that I lodged an objection, on my own behalf, on Thursday of this week against the appalling Player Wills scheme.)

Or take the case of Eglinton Road in Donnybrook, where An Bord Pleanála approved plans last August for an apartment block of up to 12 storeys to replace six semi-detached houses, in a decision signed by Paul Hyde two

days after planning inspector Rachel Gleave O'Connor said she was "satisfied that the development would not have any significant adverse impacts on the amenities of the surrounding area".

Six months earlier, she had been a senior associate in Future Analytics, a busy firm of planning consultants. Increasingly, board inspectors are being drawn from the private sector consultancy business.

On foot of the Eglinton Road decision, a coalition of residents' associations in the Dublin area is conducting a campaign aimed at repealing the Strategic Housing Act, as they consider the entire SHD process of "developer-led design, ministerial directives and planning decisions solely made by An Bord Pleanála to be anti-social and to have a fundamental democratic deficit. This system does not hear our voices as communities, nor does it take any cognisance of local concerns about the destruction of the quality of the places in which we live."

Much of what is happening now is driven by the Urban Development and Building Heights guidelines imposed on planning authorities in 2018 by then minister for housing and planning [Eoghan Murphy](#).

Even though Dublin City Council had designated several areas for taller buildings in the city plan, its own planners seem to think that they are almost compelled by these guidelines to approve random eruptions of high-rise buildings wherever developers want to build them.

The current chairman of An Bord Pleanála, Dave Walsh - appointed to this pivotal role by Mr Murphy in October 2018 - had previously assistant secretary-general of the Department of Housing, Planning and Local Government, where he oversaw development of the new guidelines as well as the SHD legislation; he has a reputation for "getting things done". Working with him was Niall Cussen, the department's chief planner, who was appointed by Mr Murphy to the newly-created post of Planning Regulator in April 2019 with responsibility to enforce national policies.

Almost every SHD scheme is for "build-to-rent" (BTR) apartments even though it is clear that this model is simply not working in Dublin. Take Kennedy Wilson's 22-storey Capital Dock tower, the city's tallest residential block, where nearly half of its 190 apartments are still vacant two years after it was completed. Why? Because the quoted rents are sky-high, with one-bedroom units costing €2,800 per month and two-bedroom apartments €4,200 per month.

Housing schemes

Bizarrely, however, BTR now accounts for around three-quarters of the output of new housing schemes in the city, encouraged by Eoghan Murphy's 2018 dumbed-down apartment-design standards, allowing more studios and single-bedroom units, lower floor-to-ceiling heights, and less private open space such as balconies, etc.

What makes the model attractive is that developers can "forward-fund" their schemes by selling them to real estate investment trusts.

Back in the 1980s when Dublin was quite literally in bits, with swathes of derelict sites even along the Liffey quays, at least we had hope that things could only get better. And for a while in the 1990s they did, with the development of Temple Bar and the earlier phase of Docklands.

But now, as a result of the effective abandonment of "proper planning and sustainable development" – the cornerstone of the 2000 Planning Act – that hope is gone as the city is shamelessly surrendered to "the market".