Review Report

Programme of Reviews of Local Authorities' Systems and Procedures in the Performance of Planning Functions

Review of South Dublin County Council under section 31AS of the Planning & Development Act 2000, as amended

OPR — Oifig an Rialaitheora Pleanála
Office of the Planning Regulator

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Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Lucan, South Co. Dublin

1 Introduction

Background

Chapter IV ('Review of Planning Functions') of Part IIB of the Planning & Development Act 2000, as amended, ('the Act'), in particular section 31AS, gives the OPR the discretion to conduct reviews of the systems and procedures used by local authorities to deliver their planning functions. These provisions give a basis for overseeing the delivery of planning services to the public and to ensure the integrity of the institutional arrangements behind the national planning system.

As committed to in our Strategy Statement, the OPR is conducting local authority planning reviews on the basis of a rolling programme, whereby each authority will, in turn, benefit from having the Office look at how planning services are delivered. While this may result in performance improvement recommendations for the authority being reviewed, this also allows the OPR to monitor the operation of the overall local authority planning sector and to identify areas for shared learning across all 31 local authorities.

An OPR review is improvement-focussed, designed to complement and add value to the local authority's own performance and improvement plans. The programme is designed as a developmental resource for the planning system, with recommendations arising from the process designed to enhance the delivery of services to the public. The overall intention is to embed a culture of continuous improvement in the Irish planning sector.

Scope

Reviews are conducted in accordance with section 31AS of the Act and on this basis, the emphasis is on the systems and procedures being used by a local authority to deliver its planning functions. In this regard, the review process is concerned with current operations rather than focussing on historical matters.

While the findings of this review draw upon knowledge available to the OPR in the delivery of our broad statutory remit, as well as published statistics, this report principally reflects the information presented by South Dublin County Council to the OPR during the review process.

Process

The undertaking of any individual review is a comprehensive process, involving significant information gathering, analysis and engagement with planning officials to fully appraise the systems and procedures used to deliver planning functions.

The review involved extensive engagement with the planning department over a number of months. This included a series of workshop-style meetings during November 2023 in the Council's offices with senior management and staff across the planning department. Following the publication of the review, the OPR engages in a two-year monitoring process with the Council to ensure that recommendations made are implemented.

At the time of the review, the Planning and Development Bill 2023 was being progressed.[1] If necessary, the OPR will discuss the impact of the revised legislation with the Council as part of the implementation and monitoring phase of the OPR's review process.

The OPR wishes to express thanks to South Dublin County Council for facilitating open engagement throughout the review process and to acknowledge the input of the Council's planning department staff, who provided generous access and valuable insights.

Ratings and Recommendations

The reviews programme does not set out to create a league table of local authorities with regard to performance. Nevertheless, it is important that the review process assesses the performance of the planning department in the delivery of their statutory functions, as well as the overall organisation and governance of the planning department and its engagement with the public. In this regard, the OPR will apply a broad rating in respect of the systems and procedures across the key operational processes in planning service delivery.

The ratings are defined as follows:

- **Satisfactory:** where it has been demonstrated that the systems and procedures are adequate to effectively deliver the statutory function on an ongoing basis and to meet key business objectives.
- **Unsatisfactory:** insufficient evidence has been provided that appropriate systems and procedures are in place, thereby creating an unacceptable weakness with regard to the ability to adequately deliver the statutory function and to meet key business objectives.

Regardless of the rating applied, recommendations may be made as part of the review indicating how systems for delivering operational processes could be improved or how current standards may be maintained. A collated list of recommendations made in this report is provided in Appendix 1.

The ratings and recommendations are provided to encourage the ongoing improvement of robust procedures in relation to statutory functions, which collectively evaluate the effectiveness and efficiency of the delivery of the local authorities' planning services. The recommendations are also graded by the level of priority that should be assigned to them by the Council, as follows:

- **Critical:** immediate implementation of the recommendation is required to resolve a critical weakness which may be impacting the delivery of statutory functions.
- **High:** the recommendation should be addressed urgently to ensure that the identified weakness does not lead to a failure to deliver on statutory requirements.
- **Medium:** the recommendation should be considered in the short-term with a view to enhancing the effectiveness of service delivery.
- **Low:** the recommendation relates to an improvement which would address a minor weakness and should be addressed over time.
- **Advisory:** the recommendation does not have a serious impact for internal systems and procedures but could have a moderate impact upon operations. On this basis, the recommendation should be considered for implementation on a self-assessed basis.

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[1] The Planning and Development Bill 2023 is currently progressing through the Oireachtas.

2 Overview of Key Findings

This review of the performance of South Dublin County Council's planning department found that all functions are being delivered on a satisfactory basis. However, as noted in the report, in many areas of operation the planning department is delivering on its responsibilities in a highly effective manner. The approach taken to the organisation of the planning department, the documentation of procedures, and an eagerness to seek new and innovative ways to deliver services, provides an overall example for the wider local authority planning sector.

The Council manages and delivers a significant programme of work across the statutory development management, enforcement and forward planning functions. In addition, the planning department has deployed its considerable project management and delivery skills to assist the Council's wider work to support the activation of key development areas and delivery of major residential, mixed-use development and other infrastructural projects.

With a staffing complement of 78, the planning department has a robust organisational structure in place, progressing recruitment and implementing staff training, mentoring and mobility initiatives to attract and retain staff. Notwithstanding this, the resourcing of the planning department needs to remain an ongoing priority for the Council to ensure challenges identified as part of the Council's workforce planning exercise, such as development plan monitoring and an increasingly complex legal environment for decision-making, can be overcome. Furthermore, with nine vacancies at the time the review was being conducted, the challenge of recruiting and retaining staff - shared right across the local government and planning sector - must be acknowledged.

Plan-Led Development

The systems and procedures in place to deliver the forward planning function were found to be satisfactory. The planning department's commitment to delivering the Council's plan making programme and looking ahead to implementation and monitoring was evident through their development of plan making process manuals, use of digital tools and engagement strategies, and their preparation of a cross-Council implementation and monitoring framework.

The review highlights the importance of allocating appropriate resourcing to implementing the Council's monitoring and evaluation framework. Adequate resourcing is essential to fulfil the potential of this innovative system for monitoring progress on the delivery of development plan policies and objectives, and informing the future development plan reviews.

Managing for Sustainable Development

Managing for sustainable development is primarily about ensuring that all aspects of decision-making advance the overall economic, social and environmental objectives for the local authority's area in line with statutory plans, and with wider national and international obligations.

This review found the Council's systems and procedures in relation to the development management function to be satisfactory. The planning department's comprehensive suite of development management manuals and procedures provides a robust tool for new and existing staff to understand internal processes, and planning legislation and guidance, to inform decision-making and statutory processes.

This review also found the systems and procedures in place for the delivery of the Council's enforcement function to be satisfactory. Recognising the backlog of enforcement cases that arose during the Covid-19 pandemic, the planning department assigned dedicated planners and administrative staff to the enforcement function and has updated enforcement procedures, resulting in decreasing numbers of cases on hand.

Delivering Quality Planning Services

The delivery of quality planning services is relevant to all planning department functions. It involves providing a positive customer experience, provision of clear communication and accessible information, efficiency in handling planning applications and enforcement cases, consistency across planning decisions, and being transparent throughout the process.

South Dublin County Council's website provides a range of planning information, guidance and reference material for the public, in addition to a dedicated County Development Plan website. The Council's work with landowners, developers, adjoining local authorities and government agencies is commendable, the benefits of which are evident in the achievement of significant government funding and successful implementation of infrastructure projects to facilitate land activation and development projects.

Evidence of the planning department's low invalidation rates demonstrates a commitment to working with applicants and agents during the pre-planning and application stages, providing efficiencies in planning application processing and decision-making. The review highlights the importance of the ongoing monitoring of development management statistics to ensure that positive outcomes are maintained and any issues arising in the delivery of quality planning services can be addressed quickly.

Conclusion

The review process demonstrates that although South Dublin County Council's planning department operates in a complex and demanding environment its statutory planning functions are being delivered satisfactorily. The planning department benefits from clear leadership, a structured corporate approach and the commitment and talent of individual staff.

These factors have facilitated the preparation and implementation of robust systems and procedures providing clear guidance for staff on the planning department's operational processes and statutory obligations. In addition, the preparation and implementation of innovative tools to enable land activation and housing delivery as well as development plan monitoring, demonstrate the planning department's commitment to continuous improvement and best practice. The following case studies provide examples of this.

The planning department can reinforce, and enhance, its many strengths by implementing the various recommendations proposed in this report.

Case Study 1

Planning department procedures

Approach

South Dublin County Council's planning department have developed a comprehensive suite of procedures on a variety of topics to support the delivery of their forward planning, development management, enforcement and delivery planning functions. Procedures prepared by the planning department include:

- a **development management manual**, which includes statutory requirements and internal processes related to pre-planning, validations, planning report recommendations, planning conditions and compliance, further information, reasons for refusal and exempted development, in addition to AA and EIA notes, validation checklists, LRD guidance, a new starters' checklist, and sample reports for a range of proposed development types;

- a **county development plan process and procedures manual** which includes details on each stage in the plan review process, website development, chief executives report templates, and proposing motions and directions;

- a **Part 8 procedure guidelines** which provides a guide for Council departments on the legislative process and internal procedures and includes a step-by-step guide, sample chief executive's report, and information requirements for consultation;

- a **CPD committee procedures manual** which includes sample emails to staff and the IPI, IPI membership information and steps to take once a CPD event has been identified; and,

- an **enforcement manual** which includes details on the legislative process, internal APAS processes, planners reports and recommendations, and urgent enforcement action.

South Dublin County Council planning department procedures	
CDP process and procedures manual	CDP monitoring and evaluation framework
CDP review activities tracker	Development management guidelines
CDP webinar procedure	Development management manual
SDZ process document	Enforcement manual
Statutory plan status document	Part 8 procedure
CPD committee procedures manual	Taking-in-charge procedure
Planners internal mobility guide	Planning registry procedure
Record of protected structures procedure	Vacant sites register process
Derelict sites register process	RZLT procedures manual

Impact

The establishment of these procedures provides clear guidance for new starters and all planning department staff and the wider Council on the systems and procedures associated with each part of the Council's planning function. The planning department recognises the value in developing and keeping these procedures up to date, and includes lessons learnt as project implementation evolves, demonstrating a commitment to continuous improvement.

Case Study 2

Data management

Approach

South Dublin County Council are proactive in the management of and use of data to inform delivery and drive efficiencies in plan-making, development management, enforcement and delivery planning processes. Examples of the Council's use and management of data in the delivery of their planning functions are described below.

Land activation – The Council has developed a GIS map viewer containing 26 layers of information on sites, including planning history, enforcement history, lighting, water and drainage, represented spatially. The GIS map viewer is used to generate reports which provide a sustainable planning score, potential housing output and the likelihood of development within the current development plan timeframe. The use of the collated data informs the Council's decision-making on sites that have the potential for development.

County development plan review - the landscape character assessment contained at Appendix 9 of the development plan was informed by GIS mapping, and GIS analysis.

Taking-in-charge – The Council has established a GIS database which details housing estates that have been taken-in-charge. Colour coding shows the status of each housing estate, and estates that are completed and not taken-in-charge are also shown. A complete record of commencement notices going back to 2014 is also maintained, which can be filtered to multi-unit housing developments for any period since 2014. In addition, the Council establishes a Sharefile for each estate when a request for taking-in-charge is received which the developer can upload documents to and progress can be tracked.

Enforcement - All enforcement cases are mapped by GIS, so development management planners can check if there is an enforcement case associated with a particular site as part of the consideration of any planning application.

Monitoring residential delivery - The Council have designed a GIS system to monitor the progression of sites from planning permission, to commencement, to completion.

Monitoring and evaluation framework - The primary objectives for the Council's development plan evaluation and monitoring framework include identifying relevant data sources across all departments, evaluating data sets for key trends to inform future decision making, and using identified data sources to create workflow efficiencies through the use of digital technology to share data across departments.

Impact

The Council's development of bespoke tools to manage and use planning related data to inform policy and decision making and to create efficiencies, provides a useful example to other local authorities of the benefits of using and managing data in the delivery of planning functions, demonstrating the Council's commitment to driving innovation and best practice.

3 Operating Context and Organisation of the Planning Department

Area Profile

The South Dublin County Council administrative area comprises 223km². The area had a population of 301,075 persons in 2022. The area's population has increased by 8% since 2016, which is consistent with the national average increase over this time.[2]

In 2022, South Dublin had a population density of approximately 1,350 persons per km², compared to Dublin City's population density of 5,115 per km², Fingal's population density of 708 per km², and Dún Laoghaire-Rathdown's population density of 1,853 per km². The national average population density was 73 per km² in 2022.

South Dublin is within the Eastern & Midlands Regional Assembly (EMRA) area. The EMRA Regional Spatial & Economic Strategy (RSES) identifies all of South Dublin as being within the Dublin Metropolitan area, with areas to the north and east of the county within the settlement identified as Dublin City and suburbs. Dublin City and suburbs forms the top-level settlement for the region, and for South Dublin is the only regionally identified settlement within the county.

The South Dublin County Development Plan 2022-2028 identifies a need for the delivery of 15,576 new homes during the plan period, to accommodate projected population growth of 45,005 people.

South Dublin is bordered by Dublin City, Dún Laoghaire-Rathdown, Fingal, Kildare and Wicklow. The River Liffey runs along the northern boundary of the county, and the Wicklow Mountains lie to the south. Tallaght is South Dublin's county town, and Newcastle, Rathcoole, Saggart and Brittas are identified settlements in the census outside Dublin City and suburbs.

The Metropolitan Area Strategic Plan (MASP) set out in the RSES, aligns population and employment growth with associated transport and infrastructure investment priorities, identified through strategic residential and employment areas. Within South Dublin, the strategic corridors and areas of relevance are the South West Corridor comprising of the Kildare line, DART expansion and Luas red line, and the city centre within the M50 area.

Along the Kildare line, the MASP identifies residential development at Adamstown Strategic Development Zone (SDZ) and Clonburris SDZ. In addition, a new residential community at Kilcarbery and the development of employment uses at Grange Castle Business Park are identified. Along the Luas Red Line, the MASP identifies residential and mixed-use development through the regeneration of brownfield lands in Tallaght and the re-intensification of older industrial estates at Naas Road / Ballymount. Fortunestown is identified as a new district for residential growth.

As part of the city centre within the M50 area, the MASP identifies brownfield lands at City Edge, Naas Road, within South Dublin and Dublin City, with potential for residential development and employment / mixed uses.

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[2] CSO, 'Census 2022', (2023).

There are three designated European sites, which form part of the Natura 2000 network of European sites, located wholly or partially within the county, namely Glenasmole Valley Special Area of Conservation (SAC), Wicklow Mountains SAC and Wicklow Mountains Special Protection Area (SPA). In addition, the Doffer Valley, Liffey Valley, Grand Canal, Lugmore Glen, Slade of Saggart and Crooksling Glen are proposed to be locally designated as national heritage areas.

Organisational Context

The elected council is comprised of 40 elected members representing seven electoral areas, managed through four area committees, namely: Clondalkin, Firhouse - Bohernabreena, Lucan, Palmerstown - Fonthill, Rathfarnham - Templeogue, Tallaght Central and Tallaght South.

Elected members also represent their constituents on six strategic policy committees, which are:
- Economic Enterprise and Tourism Development
- Land Use Planning and Transportation
- Arts, Culture, Heritage, Gaeilge and Libraries
- Housing
- Social community
- Environment Public Ream and Climate Change

The executive of South Dublin County Council is led by a chief executive, supported by five directorates:
- Housing, Social and Community
- Economic Enterprise and Tourism Development
- Land Use, Planning and Transportation
- Corporate Performance and Change Management
- Environmental, Water and Climate Change

The Council has a total staff of over 1,400 people.

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[3] Photographs are copyright of South Dublin County Council; permission for use in the report is courtesy of SDCC.

Strategic Objectives

The Council's Corporate Plan 2020-2024 sets out the Council's mission, core values, high-level objectives and strategies. Three of the Council's high-level objectives are focussed on the Land Use, Planning and Transportation Directorate, these are:

- Objective 1: Strategic planning for resilient and compact growth.
- Objective 2: Connect places through sustainable mobility projects.
- Objective 3: Through the built environment, promote a sense of community in the different places of South Dublin.

The Council adopts an annual service delivery plan with specific targets based on the objectives in the corporate plan. The service objectives and targets then cascade into operational team plans, and to the objectives and actions of individual staff members through the Council's performance management and development system.

The Service Delivery Plan 2023 includes performance indicators and specific targets for the Land Use, Planning and Transportation department to support the delivery of the corporate plan objectives. Progress on the annual service delivery plan is reported on a monthly basis, and is monitored by the chief executive and wider management team.

Tallaght, South County Dublin

Overview of the Planning Department

The planning department's senior management team is comprised of three senior planners and a senior executive officer who report to the Director of Services responsible for Land Use, Planning and Transportation. Both technical and administrative staff support the delivery of each planning function.
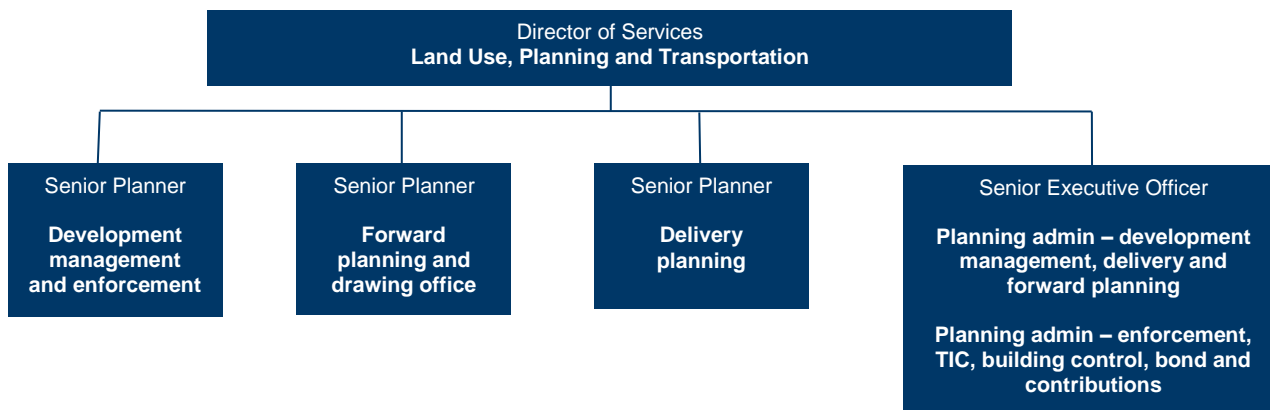
Figure 1 | Planning department structure

The planning department's budget sits within the 'Development Management' heading of the Council's annual budget.[4] The adopted budget for the planning department for 2024 is €10,912,900. Table 1 sets out the budget allocations for the key planning service areas, and the percentage change from 2023.

The annual budget for 2024 estimates planning application fee income for 2024 as €1,288,000, an increase of 2% from the 2023 planning application fee estimate of €1,265,700.

Planning Function	2024 Budget	% of 2024 Budget Allocation	% Change from 2023 Budget
Forward Planning	€4,418,200	40%	+13%
Development Management	€4,315,900	40%	+10%
Enforcement	€1,059,800	10%	+8%
Heritage / Conservation	€374,800	3%	+2%
Building Control	€744,200	7%	+14%
Total	**€10,912,900**	**100%**	**+11%**

Table 1 | Planning department budget allocation

The National Oversight & Audit Commission (NOAC), through its 'cost of planning' analysis, indicates that the Council's expenditure on planning in 2022 was €26.29 per capita.[5] This figure is lower than the national average of €33.54, and the fourth lowest of the 31 local authorities. This can be somewhat explained by the higher population of the Dublin area. In this regard, it compares to the other Dublin authorities as follows: Dublin City Council (€32.63), Fingal County Council (€37.50) and Dún Laoghaire-Rathdown County Council (€54.01).

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[4] SDCC, 'Adopted Statutory Budget 2024', (2023).
[5] NOAC, 'Local Authority Performance Indicator Report 2022', (2023).

Staffing Structures

The planning department is organised into five teams, namely:

- development management and enforcement;
- forward planning and drawing office;
- delivery planning, including architectural heritage, biodiversity and conservation;
- planning administration – development management, delivery and forward planning; and,
- planning administration – enforcement, taking-in-charge, building control, bonds and contributions.

In addition to the planning administration teams, listed above, the central management unit within the Land Use, Planning and Transportation directorate provides additional non-technical support including coordinating special policy committee and area committee meetings, coordinating responses to FOI and AIE requests, and coordinating financial compliance and the revenue budget.

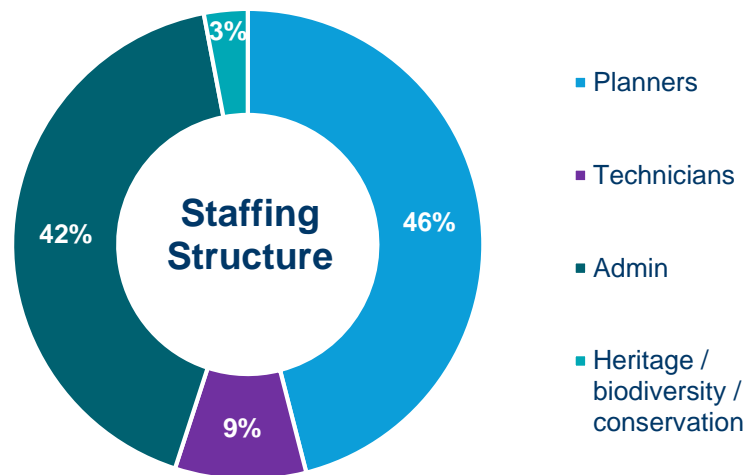| Staffing	Full Time Equivalents
Planners	35
Technicians	7
Admin	32
Heritage / biodiversity / conservation	2
Total	**78**

Table 2 | Staffing structure

Figure 2 | Staffing structure

South Dublin County Council's planning department has a total of 78 posts (excluding the Director of Services), of which nine posts were vacant at the time the review was being conducted. The current team structure has been in place since 2020 / 2021, when the delivery planning team and dedicated planning administration teams were established.

Development management and enforcement is comprised of 15 planners (three senior executive planners, four executive planners, five assistant planners and two graduate planners) led by a senior planner. The staff are divided into four teams of which three are geographically- focussed development management teams covering the north, south and east of the county, and an enforcement team, which covers the whole county.

The development management teams are responsible for assessing and making planning decisions on planning applications, Section 254 licences, large scale residential development (LRD), strategic infrastructure development (SID) and compliances.

The enforcement team are responsible for managing and assessing planning enforcement action, and when required, assess planning applications at busy times.

Forward planning and drawing office is led by a senior planner and comprises ten planners (two senior executive planners, four executive planners, two assistant planners, a graduate planner) and seven technicians (a chief technician, a senior executive technician, two executive technicians, an executive technician (GIS), a technician grade 1 (GIS) and a technician grade 1).

The team is responsible for progressing the Council's statutory plan making responsibilities and active land management. Activities include county development plan monitoring, local area plan preparation, employment land review, Residential Zoned Land Tax (RZLT) progress, managing the Vacant Site Register, coordinating house counts, working with the Department of Education to monitor the school delivery programme, and leading all necessary map making requirements.

Of the seven technicians in the drawing office, two are dedicated GIS roles. GIS capabilities and tools are integrated into the Council's plan making process, and the team have developed tools to integrate GIS and APAS (the software system used by the Council to manage the progress of planning application files) including development plan mapping, environmental designations, planning applications, enforcement cases, house counts and internal planning application assessments.

Delivery planning, architectural heritage / conservation and biodiversity is led by a senior planner and is comprised of 12 planning staff (two senior executive planners, five executive planners, an assistant planner, a graduate project manager, a heritage / biodiversity officer, and an architectural conservation officer). At the time of this review, a dedicated biodiversity officer post had been sanctioned, with recruitment underway.

The team is responsible for progressing delivery of countywide regeneration and the Adamstown and Clonburris SDZs, as well as the delivery of the City Edge project, land activation for strategic projects at Tallaght, Ballycullen / Oldcourt and Newcastle, securing funding and progressing the delivery of associated State funded projects.

Planning administration – development management, delivery and forward planning
The dedicated planning administration teams are led by a senior executive officer, who is also responsible for dedicated transport administration teams. This planning administration team is comprised of 16 administrative staff, namely an administrative officer, two senior staff officers, two staff officers, four assistant staff officers and seven clerical officers.

The team manages the development management process including registration and processing of planning applications and all other planning decisions, and the ePlanning system. The team also provides administrative support to the forward planning and delivery planning teams.

Planning Administration – Enforcement, Taking-in-Charge, Building Control, Bonds and Contributions
The team is comprised of 17 administrative staff, namely an administrative officer, two building control officers, a senior staff officer, two staff officers, four assistant staff officers, and seven clerical officers.

The team manages the administration for the planning enforcement process including logging complaints, and managing progress of statutory enforcement action. The team also manages the administration of the taking-in-charge process, sets bond amounts, works with the planning team in setting planning contributions, and manages the building control process.

Table 3 and Figure 3 illustrate the FTE allocation of staffing between different teams.

Staffing	FTE
Development management and enforcement	15
Forward planning and drawing office	17
Delivery planning and heritage / biodiversity / conservation	12
Planning administration (incl. SEO)	34
Total (includes 9 vacancies)	78
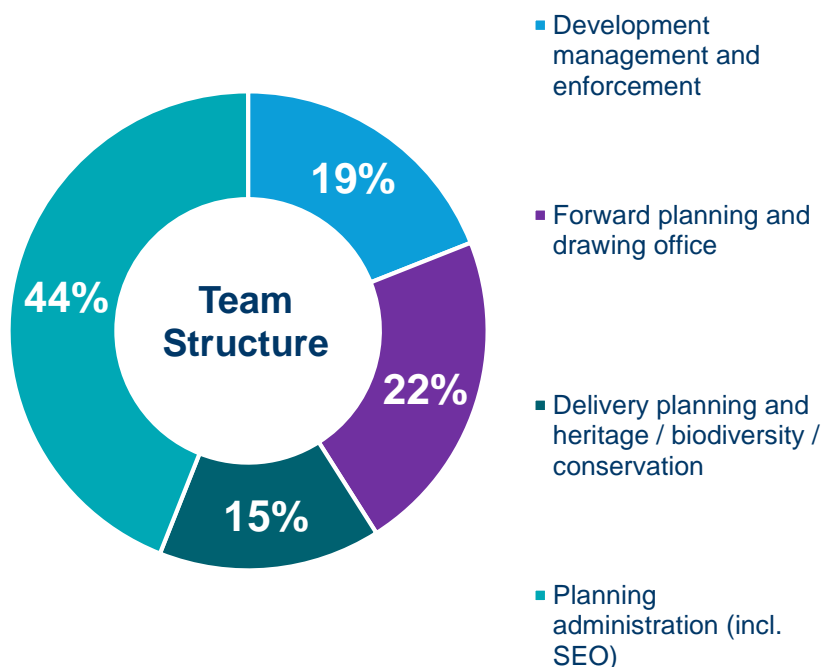
Table 3 | Staffing of teams

Figure 3 | Team structure breakdown

Workforce Planning

South Dublin County Council undertook a strategic review of their workforce in 2022, which included identifying priorities, opportunities and challenges. The planning department identified a need for an additional 12 staff, in addition to the upskilling of existing staff, and highlighted the following challenges and opportunities to be managed and monitored:

- A more proactive approach to be taken to active land management, particularly in brownfield regeneration areas.
- To ensure the plan-led system is followed as legislation changes, the National Planning Framework is reviewed, and new guidance is published at national and regional levels.
- Monitoring the delivery of the development plan and local area plans.
- To ensure robust development management and enforcement decision-making in a complex and changing legislative environment.
- To ensure quality climate change, parks and open space outcomes in the delivery of high quality developments.

Since 2022, approximately 80% of the additional posts identified in the workforce plan have been filled.

Performance Management

The Council requires all staff to complete a yearly performance management review, which involves staff setting their work programme and objectives at the start of the year. These are reviewed with line managers at the middle and end of the year. Individuals' performance management objectives are linked to the team development plan objectives, which in turn support the delivery of directorate and corporate plan objectives.

In 2021 and 2022, 89% of staff in the planning department had completed their end of year performance management reviews. In 2023, all staff had agreed their annual objectives, 91% of staff had completed their mid-year review and at the time of this review, the planning department expected 95% of reviews to be complete by year end.

The planning department recognise the importance of staff training and development in building a resilient team with the skills and capacity to deliver a complex and challenging workload. In addition to working within wider Council processes, in this regard, the planning department have put in place the following measures:

- A learning and development plan, agreed in 2021, to provide a structure for all staff to avail of training opportunities.
- A Continued Professional Development (CPD) committee, comprising of an executive planner and an assistant planner, who: inform and encourage staff to participate in events, webinars and training opportunities; organise and host training events; circulate relevant DHLGH circulars, policies and guidance; and, liaise with planners to confirm IPI / RTPI membership, ensuring 50% of the membership fee is paid by the Council.
- A staff mobility guide, agreed in 2020, to enable planners to move between planning teams and planning roles within the planning department, which a number of staff have availed of since its introduction.

Staff in the planning department have attended a range of Council coordinated training events in recent years, including climate action awareness, manual handling, first aid and advanced skills in investigation and enforcement. In 2022, the CPD committee promoted 17 training and learning events including hosting visits from Waterford City & County Council and DHLGH, and arranged visits to Sandyford with Dún Laoghaire-Rathdown County Council and Westmeath County Council to see ePlanning in action. This training and site visit work continued in 2023 with 19 events promoted, including IPI CPD events, a City Edge strategic framework presentation and a Clondalkin Local Area Plan (LAP) workshop.

Management Arrangements

All staff within the planning department are invited to a monthly meeting when each planning and administrative team provides an update on their activities, progress and any challenges faced, with opportunities for discussion as required. Standing agenda items on the monthly meeting include updates and briefings on circulars, legislation and guidance, finances, procurement, and health and safety matters.

In addition to the monthly meeting, teams have their own informal weekly or bi-weekly meetings to discuss the details of their own areas of responsibility.

Governance and Ethics

National legislation (sections 147 and 148 of the Act, as well as Part 15 of the Local Government Act 2001) requires that systems are in place for making annual declarations of any interests that elected members and relevant employees may have.

The Council's Ethics Registrar co-ordinates the return of, and holds, the annual declarations that are signed by all relevant employees. A Chief Executive's order sets out which employees within the Council must complete the ethics register form.

There is an informal system in place in the planning department in relation to circumstances whereby any potential and / or perceived conflict of interest might arise with regard to a case file. In such instances, the individual declares this to their line-manager and the file is allocated to another officer. A record is not kept in relation to such declarations.

Guidelines and Directives

The Act requires that all local authorities have regard to Section 28 guidelines and comply with any Section 29 policy directives (issued by the Minister for Housing, Local Government & Heritage) in the performance of their functions. In addition to the guidelines and directives, there are regular circulars from the DHLGH providing policy updates, advice and guidance on various aspects of the operation of the planning system.[6]

As described above, the planning department's CPD committee circulates relevant updates and briefings on circulars, legislation and guidance to staff and the monthly department meeting provides an opportunity for staff to update on these, as required. An example was provided by the Council in relation to Circular PL 01/2022 (which introduced a statutory timeframe for determining compliance condition submissions from developers) as follows:

1. The senior planner with responsibility for the development management function communicated the content of the circular to the development management and planning registry teams at the department's monthly meeting.

2. A procedure was developed to include a process for recording and allocating compliances through the APAS system, ensuring compliance decisions are tracked, and are issued within the eight-week statutory timeframe.

3. Training and information sessions were held over Microsoft Teams to communicate the new procedures to all relevant planning and administrative staff within the planning department, and to all consultees from relevant council departments.

In addition to sharing information within the planning department and across the wider Council, elected members are also regularly informed and briefed on legislation, regulations, guidance and DHLGH, EMRA and OPR training opportunities when they arise through updates at the quarterly SPC meetings.

Considerations and Recommendations

The planning department has a robust organisational structure, with clear reporting and communication lines between management and teams. The ability for all staff to participate in monthly meetings provides opportunities to update on key projects and a forum for discussion on priority matters. In establishing a new delivery planning team to sit alongside the more traditional forward planning and development management and enforcement functions, the Council recognises the capability of the planning department to lead the delivery of projects, giving the team the opportunity to develop and implement skills traditionally outside the Council planner's remit, such as financial management, procurement and project management. In addition, by establishing dedicated planning administration teams to support the various planning functions, clear areas of responsibility, administrative practices and efficiencies in delivering the Council's planning functions have been enhanced.

The 2022 Council wide strategic workforce planning exercise provided an opportunity for the planning department to assess its current operations, identify challenges and prepare a plan to meet those challenges, including the identification of additional resources required. It is recognised that significant progress has been made by the Council in recruiting additional staff for the planning department and that a further five posts were sanctioned by DHLGH in 2023.

The planning department highlighted the difficulty in filling graduate and assistant planner posts in addition to recruiting GIS resources. These difficulties are not specific to South Dublin, as this is an issue across the planning sector, which the LGMA are seeking to address with DHLGH, the OPR, local authorities and educational institutions. Notwithstanding the robust department structure and progress in recruiting new staff, with ever-increasing complexities to face, including new legislation and the urgencies of environmental protection and climate action, like other local authorities, South Dublin County Council must remain focussed on adequately resourcing its planning department.

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[6] These are accessible at: https://www.opr.ie/library/

The Council's approach to training and development, mentoring, performance management, staff mobility and their graduate programme is commended, which in addition to supporting staff in their development, contributes to successfully attracting and retaining staff.

While the informal arrangements currently in place are in line with those in other local authorities, the Council could strengthen procedures for dealing with potential, or perceived, conflicts of interests in relation to planning cases. The implementation of formal procedures in this regard is a recommendation that the OPR is making to all local authority planning departments. The implementation of a procedure for making formal declarations and for the monitoring of such declarations would increase public confidence in the impartiality and fairness of the planning process, as well as increasing awareness for staff in relation to their obligations.

Recommendation 1 – Conflict of Interest Procedure

The planning department should consider developing a procedure to comprehensively identify and manage potential conflicts of interest in relation to its staff. Such a procedure should include sufficient guidance to allow all individuals to consider, and be aware of, any matters that could influence their impartiality, or the perception thereof, in respect of the duties they perform. The procedure should also ensure that a record is kept in relation to each conflict of interest matter that is addressed in the planning department.

No.	Recommendation	Grading	Responsibility
1	Conflict of interest procedures	High	Director of Services

4 Forward Planning

The National Planning Framework (NPF) recognises that within Dublin's metropolitan area a greater proportion of growth needs to be accommodated offering improved housing choice, transport mobility, and quality of life, in addition to becoming a more environmentally sustainable city. The NPF identifies an increase of some 220,000 people to 2031 within Dublin City and suburbs, requiring a focus on a number of large-scale regeneration and redevelopment projects. South Dublin County Council has a fundamental role in this regard with the potential to deliver compact urban growth, facilitated by well-designed higher density development, through key projects such as City Edge and Tallaght as well as through the sustainable development of new greenfield areas for housing along strategic development corridors such as Adamstown and Clonburris.

With a population of 279,000 in 2016, the MASP identifies South Dublin's population increasing by between 29,000 to 35,000 by 2026, and by 41,500 to 50,000 by 2031. To provide for this level of growth, the South Dublin County Development Plan 2022-2028 identifies a need for the delivery of 15,576 new homes during the plan period, taking account of the 14,708 completed units between 2016 and 2022. This equates to the delivery of 2,596 new homes per year between 2022 and 2028. During 2022, 1,747 new homes were completed and 3,240 new homes were completed in 2023.

The county development plan identifies strategic planning principles to promote the consolidation and sustainable intensification of development within South Dublin's urban settlements, in accordance with national and regional policy, including:

- Promoting compact growth and to support high quality infill development in existing urban areas by achieving a target of at least 50% of all new homes to be located within or contiguous to the built-up area of Dublin City and suburbs.
- Promoting compact growth and to support high quality infill development in existing urban built-up areas, outside Dublin City and suburbs, by achieving a target of at least 30% of all new homes to be located within or contiguous to the CSO defined settlement boundaries.
- Promoting higher densities, subject to meeting qualitative standards at appropriate locations, in urban built-up areas, where it can be demonstrated that the necessary infrastructure is in place, or can be provided to facilitate the development.

Forward Planning Staffing

The forward planning and drawing office team is led by a senior planner and is comprised of 17 planning and technical staff, namely:

- ten planning staff - two senior executive planners, four executive planners, two assistant planners, a graduate planner; and,
- seven technical staff - a chief technician, a senior executive technician, two executive technicians, an executive technician (GIS), a technician grade 1 (GIS) and a technician grade 1.

At the time of this review, there were two vacancies within the forward planning team, which are included in the above list of staff posts. The team is responsible for progressing the Council's statutory plan making responsibilities including the county development plan review, as well as its monitoring, and the preparation of local area plans. Additional responsibilities include the employment land review, progressing the Council's framework for the RZLT, managing the vacant site register, coordinating house counts, working with the Department of Education to monitor the school delivery programme and leading all necessary map-making requirements.

Preparation of the County Development Plan

South Dublin County Council have a comprehensive county development plan review process and procedures manual in place, which describes the statutory requirements and internal Council processes involved in reviewing the plan. The manual sets out each stage in the process from initiation and pre-draft to material amendments, adopted plan / ministerial direction, and final adoption stages. The manual includes details on the content and structure of a chief executive's report, a four stage process for dealing with elected member motions and a step-by-step guide to the preparation and publication of the draft plan. Preparation of the development plan process manual is ongoing as resources allow and the forward planning team recognise the importance of documenting lessons learnt from the 2016 and 2022   plan review process to inform implementation, monitoring and the next county development plan review.

The Council has also prepared a detailed development plan review activities spreadsheet, setting out the statutory stages of the process and the requirements against each, broken down by statutory, technical and administrative tasks, which is used during the plan review.

At the time of this review, there are two judicial reviews in progress on specific development plan objectives, namely the zoning of lands for a school at Ballycullen, and zoning of additional employment lands at Greenogue Business Park.

Variations of the Development Plan

The Council intends to progress a variation to the county development plan, in accordance with section 13(1) of the Act, to set the statutory planning basis to support regeneration of City Edge lands, a joint regeneration project with Dublin City Council to regenerate lands at the western edge of Dublin City. The variation process will be progressed by the delivery planning team, working collaboratively with the forward planning team.

No resolutions to vary the development plan have been submitted by elected members under section 13(1A)(a) of the Act. The Council follows the statutory process in progressing any such variations if they arise.

Public Participation and Engagement

Measures used to encourage public participation in the making of the most recent development plan and local area plans include public meetings, online events, leaflets and social media. The Council established a dedicated website for the review of the county development plan, which now hosts the adopted development plan and documentation associated with each stage of the plan preparation process.[7]

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[7] SDCC, 'SDCC development plan 2022 - 2028', (2018)

Prior to the pre-draft stage of the plan review process, the Council undertook market research to inform the design and content of the county development plan website and issues booklet. As pre-draft consultation was undertaken during the Covid-19 pandemic, measures to engage with stakeholders included consultation videos, webinars, a children's art competition and social media updates.

The planning department prepared a detailed internal procedure for how the webinars would run, including a webinar introduction slide pack. The virtual consultation room was developed in-house by the forward planning team and drawing office, working closely with the Council's IT department. The virtual consultation room enabled the public to view content and engage with the forward planning team directly, at specified times, via Microsoft Teams and received 160,000 hits during the plan review process.

To ensure people who were not comfortable with technical solutions could access information, dedicated phone lines to planners were established and appointments could be made to meet with planners during the public consultation period.

Responses to the consultation could be made via a dedicated submissions / consultation portal. The Council's public engagement resulted in a 100% increase in submissions made (114 in 2015 to 227 in 2020) on the draft plan.

The Council has commenced preparation of the Clondalkin LAP, with a communication and engagement strategy in place. The strategy sets out the aims and objectives for the public consultation and includes a comprehensive range of methods of engaging non-statutory stakeholders at the pre-draft stage including youth workshops, disability workshops, webinars and local advertising. A dedicated website has been established which hosts information about the LAP process and public consultation stages.[8] Non-statutory public consultation was undertaken between March and May 2023 including surveys and public workshops, with further pre-draft public consultation to be undertaken during 2024. A report on the first round of pre-draft public consultation was published in August 2023

Mandatory Objectives under Section 10 of the Act

Mandatory objectives are set out as part of the plan preparation process and pre-plan, draft and adopted plan documents include an illustration of the mandatory objectives and an explanation of each. The forward planning team maintain a development plan mandatory objectives checklist which signposts to each section of the plan relevant to each mandatory objective. In addition, regular briefings to elected members during the plan preparation process include information on mandatory objectives, an explanation of each, and the requirement for their inclusion.

Monitoring and Reporting Progress on Development Plan Objectives

The two-year progress report for the South Dublin County Development Plan 2016-2022 was published in 2018 and provided an update on the status of securing development plan policies and objectives.

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[8] SDCC, 'Clondalkin Local Area Plan'.

One year core strategy monitoring has commenced on the current 2022-2028 plan, in line with Development Plans Guidelines for Planning Authorities[9], and at the time of this review was due to be presented to elected members in 2024. As the development plan has approximately 1,060 policies / objectives, the focus of the Council's one-year monitoring is on the key planning objectives measured against appropriate indicators. As part of this review, the planning team highlighted the resource intensive nature of this work, for example, manual counts of bed space numbers for each new house completion. Although the planning department are leading the delivery of the one-year monitoring report, a cross Council effort is required to bring all of the information together and make it publicly accessible.

In considering a cross Council approach, the planning department have prepared a monitoring and evaluation framework. The framework identifies five high-level themes under which the monitoring process sits, which in combination, will monitor the implementation of the development plan policies and objectives. The purpose of the framework is to deliver a fully automated monitoring system, capable of producing reports and informing staff, elected members and the general public of progress being made over the lifetime of the plan, while also acting as a key evidence base for future policy development. The framework sets out a 13-step process to streamline the approximately 1,060 policies / objectives into an effective and efficient monitoring process, and identifies individual action owners and involvement required across departments. Part of the tool would include a bespoke development plan monitoring platform so reports can be run at various intervals. Public access is also being considered.

The framework also recognises Strategic Environmental Assessment (SEA) monitoring requirements, and identifies an action to ensure no doubling up of monitoring and reporting is undertaken.

South County Dublin

Amenity Objectives

Part XIII (sections 202 - 208) of the Act relates to amenities and specifically areas of special amenity, landscape conservation areas, tree protection orders, the creation of public rights of way, compulsory purchase order (CPO) for rights of way and the repair and tidying of advertisement structures.

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[9] DHLGH, 'Development Plans – Guidelines for Planning Authorities', (2022)

Section 202 - 203 Area of special amenity – the Liffey Valley area of special amenity is within both South Dublin and Fingal local authority areas. The special amenity area order (SAAO) in place since 1990 sets out a number of objectives for the area. The Council was a member of the steering group during the preparation of a management plan 'Towards a Liffey Valley Park' (2006). The plan provides a strategy for a process intended to lead to the delivery of a Liffey Valley Park, to help inform the local authorities responsible for the valley. The South Dublin County Development Plan 2022-2028 includes a range of objectives for the achievement of an expanded Liffey Valley Park and for greater public access to the lands. The implementation of SAAO objectives for the prevention and limitation of development are mainly achieved through the restrictive high amenity zoning in the county development plan.

Section 204 Landscape conservation areas – although there are no landscape conservation areas within South Dublin, Appendix 9 of the county development plan includes a landscape character assessment of the county. The landscape character assessment was informed by GIS mapping, GIS analysis and fieldwork with a broad strategic review of the historical landscape character of the county. Chapter 3 of the development plan summarises the landscape types and the landscape character types, sensitivities and capacity. Chapter 12 sets out the sensitivity of each landscape character type and the principles for development within each, which are reinforced by policy GI7 'Landscape, Natural, Cultural and Built Heritage', Objective 2 in Chapter 4.

The Council worked in collaboration with Kildare County Council, to include an objective in the development plan to work together to identify green spaces / greenbelt at the interface of the county boundaries. In addition, the Council liaised with the surrounding counties in the development of the green infrastructure strategy incorporated in Chapter 4 and Appendix 4.

Section 205 Tree preservation orders – the development plan includes a policy to review tree protection orders (TPOs), to protect specific trees and to recognise the value of trees and hedgerows which are not under a TPO. There are four TPOs registered within the county, which are identified on the land use zoning maps. A draft standard operating procedure is in place to deal with requests for new TPOs and protections during the development process.

Section 206 - 208 Public rights of way – one public right of way is identified in the county development plan in accordance with the mandatory objectives of section 10(2)(o) of the Act. The Council highlighted the difficulty in identifying public rights of way as there can be significant legal issues associated with land ownership. Development plan objective EDE 23 Objective 2 sets out a methodology to identify more public rights of way within two years of the adoption of the plan.

Preparation of Local Area Plans

The majority of South Dublin lies within the urban area defined as Dublin City and suburbs. Prior to the 2022 Census there were no settlements with a population in excess of 5,000 and therefore no mandatory requirement to prepare local area plans. However, the Council has prepared and adopted the following local area plans:

- Fortunestown LAP was adopted in April 2012 and extended in 2017 before expiring in September 2022. The current county development plan includes policies and objectives addressing phasing and social and community infrastructure for the area.
- Newcastle LAP was adopted in November 2012 and was extended in 2017 before expiring in April 2023. As above, objectives are included in the current county plan addressing phasing, community and social infrastructure and site specific delivery objectives.
- Ballycullen-Oldcourt LAP was adopted in May 2014, was extended in 2019, and has an expiry date in September 2024.
- Tallaght LAP was adopted in June 2020 and has an expiry date in September 2026.

As some local area plans lapsed during the lifetime of the current county development plan, more detailed objectives for these were included in the county plan. This recognised that they were largely progressed and a full review was not required, but the Council considered it was important to retain objectives around phasing in particular.

The 2022 Census data indicates that Rathcoole has a population of 5,792 persons, an increase from 4,351 in 2016. The current county development plan includes a number of phasing and infrastructure objectives for development lands in Rathcoole, and the Council is preparing a masterplan for a large area of zoned lands within the settlement. The Council is currently preparing the Clondalkin LAP, with a draft anticipated to be published in September 2024.

The Council is working with Dublin City Council in anticipation of the preparation of a joint local area plan for the City Edge development lands. In advance of the preparation of the joint LAP, a variation to the current county development plan will be progressed to provide a stronger statutory basis for the strategic framework for the lands that was published in May 2022.

The forward planning team maintains a status document for South Dublin's statutory plans with details on the county development plan, local area plans and strategic development zones (SDZs).

Strategic Development Zones

There are two designated SDZs in South Dublin, namely Adamstown and Clonburris. The Adamstown Planning Scheme was approved by An Bord Pleanála in 2003, and has since been reviewed, amended and approved by An Bord Pleanála (2014, 2017, 2020) to provide for updated statutory guidance and minor clarifications. The most recent non-material amendments were approved by An Bord Pleanála in April 2024.

The Council outlined that the experience of progressing the Adamstown Planning Scheme has benefited the team on how they approached and progressed the Clonburris Planning Scheme which was first approved by An Bord Pleanála in 2008 and replaced by a new planning scheme in 2019. In particular, it was acknowledged that the delivery of planned infrastructure being on site at Clonburris prior to the construction of any projects should ensure a more timely delivery of the scheme.

The Council has a process document in place for making a planning scheme, which outlines each stage in the scheme preparation process and includes the statutory requirements on publication of the draft plan and the appeal stage.

Environmental Assessment

The Council has engaged consultants to prepare SEA, Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) as part of the development plan and local area plan review and plan making process. The forward planning team develops the brief for each assessment and works closely with the consultant team during the plan making process.

Meetings / workshops are specifically scheduled to enable all consultants to attend, which the forward planning team have highlighted is beneficial to the process, ensuring close alignment of the statutory plan and supporting environmental assessments.

With regard to SEA, the forward planning team works closely with the consultants engaged, and alternatives are workshopped. In terms of monitoring the significant environmental effects of the implementation of the plan in accordance with the SEA Directive and Development Plans Guidelines for Planning Authorities, a monitoring system is being developed in parallel with the Monitoring and Evaluation Framework, described earlier in this report.

With regard to AA, working closely with the consultants engaged, the forward planning team has access to the Council's heritage officer and conservation officer's skills, and a range of other staff in the public realm and environment departments of the Council.

With regard to SFRA, the forward planning team work closely with the consultants engaged and, as described above, work with the other consultant teams to ensure the assessment informs and is integrated into the plan making process.

Generally, the Council's systems for performing SEA's, AA's and SFRA's are appropriate, having regard to the provisions of relevant legislation and regulations. The team's procedures demonstrate a good understanding of requirements ensuring close alignment between plan making and supporting environmental assessments.

Performance Rating and Recommendations

While the planning department's ongoing delivery of on its statutory plan-making obligations is **satisfactory**, overall the Council demonstrates a strong commitment to forward planning and the strategic role it plays in shaping sustainable development and informing local policy initiatives.

In particular, the Council's dedication to the preparation of a strong evidence base must be recognised, e.g. land capacity analysis, infrastructural assessment and the integration of climate action into the development plan. In addition, the team demonstrates a commitment to delivering the Council's immediate plan making programme while ensuring the efficient, timely and accurate delivery of future plans by recognising the importance of documenting lessons learnt and the implementation of a suite of process manuals. Furthermore, the accessible nature of documents including online engagement, dedicated websites and use of graphics demonstrates a willingness to explore new ways of working, with positive outcomes.

The ongoing work in relation to the preparation of the development plan monitoring and evaluation framework offers the potential of a tool that could become an example to the wider local authority planning sector. It is recognised that the development stage of any pioneering project is resource intensive, however given the potential value, and wider applicability, the Council is strongly encouraged to continue its commitment to the implementation of this initiative.

The availability of a procedures manual for the development plan ensures additional organisational resilience, given the likelihood of staff turnover between review processes. The manual could be further strengthened by including procedures for the process to be followed in progressing a variation, the Council should consider including this within the manual, particularly as a variation to the development plan is planned to progress the delivery of the City Edge development lands.

Recommendation 2 – Monitoring and implementation
The Council should continue to commit resources to implementing the development plan monitoring and evaluation framework to fulfil the potential of this innovative system for monitoring progress on the delivery of policies and objectives. This will not only require appropriate resourcing within the planning department but also a multidisciplinary and collaborative approach to monitoring, continued data collection and analysis across the Council.

Recommendation 3 – County development plan variation process
The Council should include details of the variation process within the county development plan procedures manual.

No.	Recommendation	Grading	Responsibility
2	Monitoring and implementation	Medium	Director of Services
3	County development plan variation process	Low	Senior Planner

5 Architectural Heritage

The Council's architectural heritage function sits within the delivery planning team, which includes both the architectural conservation officer and heritage officer. The conservation officer is supported by an assistant planner (0.5 FTE). At the time of this review, recruitment for a biodiversity officer, who will report directly to the senior planner, had been approved.

The conservation officer is responsible for delivering the Council's statutory function in accordance with Part IV of the Act, in addition to providing advice and support to protect and promote necessary architectural repairs, restoration, adaptive reuse, promotion of energy efficiency and delivering projects and plans as part of the wider planning department. The heritage officer is responsible for the preparation and delivery of the Heritage Plan, and for providing advice to the development management team on appropriate assessment matters.

Bohernabreena, aerial view

General Systems and Procedures

A review of the Record of Protected Structures is undertaken as part of the county development plan review. Chapter 3 *Natural, Cultural and Built Heritage* of the development plan contains the relevant built heritage policies and objectives, Appendix 3a contains the Record of Protected Structures and Appendix 3b the Record of Monuments and Places. The Council has prepared a procedure manual, which sets out the procedure for adding and removing structures to and from the Record, including relevant legislation. South Dublin's Record of Protected Structures contains 542 protected structures of which 105 are publicly owned.

There are 18 architectural conservation areas listed in Chapter 3 *Natural, Cultural and Built Heritage* of the county development plan. All planning applications and section 5 declaration requests for works within a conservation area are referred to the conservation officer for their assessment and recommendations, which may include suggested conditions.

No Section 57 requests were received by the Council between 2021 and 2023. However, as part of this review, the Council highlighted that there has been an increase in Section 5 declaration requests for specific works to protected structures, as owners are seeking more general advice on what requires planning permission (rather than requesting a Section 57 declaration).

As part of the Record of Protected Structures review, protected structures which may be in danger, are highlighted and an assessment by the conservation officer is undertaken. They may recommend that a warning letter is issued to request full access to the site as an initial step in reminding property owners of their obligation of care, as set out under the Act. The Council highlighted that this has been an effective mechanism to engage with occupiers / owners and to provide advice on financial supports, such as under the National Architectural Conservation Grant Scheme, which has led to positive outcomes with works being undertaken and in some cases, the reuse of a protected structure.

If endangerment to the structure is clear, then a Section 59 notice is issued. The planning department highlighted that in their experience, once a Section 59 notice is served, owners respond within the timeframe and seek advice from the conservation officer to address the concerns raised and seek grant funding, if applicable.

Although drafted by the conservation officer, warning letters and Section 59 notices are issued by the planning enforcement team. If a property owner fails to comply with a Section 59 notice the Council initiates legal action, resulting in court proceedings.

As part of this review, the Council confirmed that no Section 59 notices have been issued between 2021 and 2023. Four warning letters were issued since 2021, to owners of protected structures highlighting concerns and requesting action by the owner under their duty of care. No Section 60 notices have been issued between 2021 and 2023.

All planning applications, Section 5 declaration requests, compliance submissions, and Part 8 applications that relate to protected structures, or other historic structures, and / or are within a conservation area are referred to the conservation officer for assessment and comment. They provide comment, recommendations and conditions as part of any grant of planning permission. The conservation officer also attends pre-planning meetings and provides pre-planning advice, as required, and is a key member within design teams and working groups in relation to Council projects i.e. Lucan Village enhancement project, Clondalkin LAP, 12th Lock / Grange Castle masterplan, and Housing for All schemes.

The conservation officer also provides advice and recommendations to the planning enforcement team with regard to unauthorised development relating to protected structures and within architectural conservation areas. In addition, they provide advice to the planning department in the area of promotion of best conservation practice and good design in supporting sustainable development and promotion of placemaking within the county's historic towns / villages.

Grant Schemes and Funding

The conservation officer manages and administers grant funding to owners / occupiers of protected structures and within conservation areas under the Built Heritage Investment Scheme (BHIS) and Historic Structures Fund (HSF), on behalf of DHLGH, supporting necessary conservation repairs, upgrade works and energy upgrades. To date, the Council has delivered approximately 189 architectural conservation grant projects.

In addition, the conservation officer manages the capital fund for architectural conservation projects, established by the Council in 2015 for Council owned properties / sites. The Council has delivered 17 capital projects since the fund was established including conservation works, remedial repairs, restoration and public enhancement works to a number of Council owned protected structures. The Council considers that the capital projects fund promotes the protection of historic structures, best conservation practice, adaptive reuse and sustainable development in line with the corporate plan objectives and national policy.

Public Engagement

The Council has a range of information on architectural conservation and on the protection of the historic built environment on its website including national advice notes on energy efficiency in traditional buildings, a guide to the repair of historic roofs, and a guide to the repair of historic windows. The Council's website also includes details of grant schemes including application forms and guidance.

Performance Rating and Recommendations

With documented procedures and a dedicated conservation officer in place, and planning support also assigned to the function, South Dublin County Council demonstrates **satisfactory** commitment to delivering on its architectural heritage responsibilities. Accordingly, there are no recommendations arising from the review in relation to architectural heritage.

The commitment of additional resources, beyond the conservation officer role, builds wider expertise within the department, increasing organisational resilience. Furthermore, it also allows for a greater level of integration between architectural heritage and the other work of the department, witnessed through the strong engagement with development management and planning enforcement.

6 Land Activation and Projects

Current Government policy, as detailed in the National Planning Framework and other initiatives, is to actively intervene to facilitate and bring forward urban regeneration and housing delivery and to secure 30% of all new housing within existing urban footprints.

A range of policy tools are required to achieve this objective and require significant coordination between central and local government. Such policy tools include State initiatives such as the Urban Regeneration & Development Fund (URDF). The Government's approach seeks to deliver the best outcomes for activating brownfield land by aligning policies and targeting available resources.

In this regard, the Council is implementing a range of land activation initiatives across the county, with the planning department's delivery and forward planning teams playing key roles in the Council's ambition to drive active land management. The establishment of the delivery team within the planning department demonstrates the Council's commitment to focus planners on the delivery and implementation of key projects, alongside the more traditional forward planning and development management and enforcement functions.

The Council is utilising legislative tools such as strategic development zone designation, local area plans and State funding to implement land activation initiatives. These are described below.

The county development plan includes a "REGEN" zoning to facilitate enterprise and / or residential led regeneration, subject to a development framework or plan for the area incorporating phasing and infrastructure delivery. This zoning is applied to City Edge and Cookstown. The core strategy aims to maximise the county's potential to deliver a compact settlement form in line with national and regional policy and population targets, focussing on regeneration and redevelopment of brownfield rather than greenfield lands. In addition, the county development plan includes specific policies and objectives in relation to active land management, monitoring population and housing growth and consolidation within Dublin City and suburbs.

General Systems and Procedures

The Council has a number of procedures manuals setting out the statutory and associated internal processes relating to land activation such as the vacant sites and derelict sites registers and RZLT mapping. Further detail is provided below.

Vacant Sites Register

The vacant site levy was introduced as an activation measure to encourage vacant or underutilised land in urban areas to be brought into beneficial use, while also ensuring a more efficient return on State investment in enabling infrastructure and helping to counter unsustainable urban sprawl. The county development plan includes an objective (CS4 Objective 1) to implement the vacant site levy for vacant development sites and to continue to make available a register of vacant sites in accordance with the Urban Regeneration & Housing Act 2015.

The 2015 legislation requires authorities to establish vacant sites registers. The Council has a vacant sites register process document, which covers adding new sites, maintaining the register and removing a site from the register.

The vacant sites register is available on the Council's website. The number of sites on the register has reduced from 12 sites in 2020 to three in 2024. Of these, two were entered on the register in 2018 and one in 2019. Based on a March 2023 submission to DHLGH, the Council had levied €2,189,300, with €784,400 collected, under the initiative.

Residential Zoned Land Tax

The RZLT will be managed by the Revenue Commissioners. The objective of the tax is to activate zoned and serviced residential development land and land zoned for mixed use for development, to increase housing supply and to promote the regeneration of vacant and idle lands in urban locations. These locations have been identified within statutory land use plans as being locations appropriate for housing and they have benefitted from investment in the key services to support the delivery of housing. Given the ongoing and urgent need to increase housing supply, the activation of these lands in a timely manner is vital.

The forward planning team have prepared a procedures manual for the implementation of the RZLT process, which includes site assessment, digitisation, draft map, and public consultation stages. The Council's website includes detail on the RZLT process including a link to the annual draft map for 2025 and details on how to make a submission to include / exclude sites on the draft map and to request a variation to the zoning of sites. The annual draft map for 2025 includes residential zoned land at Adamstown, Brownsbarn and Newcastle, demonstrating the Council's application of the RZLT measure as a land activation tool.[10]

Derelict Sites Register

There are 11 sites identified on the derelict sites register (dated 2024), which is available on the Council's website. Two properties have been on the register since 2014, one since 2015, one since 2016, one since 2018, two since 2021 and three were added in 2023. Levies have been applied to those properties entered on the register between 2014 and 2018.

The environment department is responsible for day-to-day operations in relation to derelict sites. There is scope to enhance coordination between the management of the derelict sites register and the other land activation mechanisms being implemented by the planning department. Enhanced coordination arrangements would also appropriately include the housing department. The planning department recognises the opportunity, with a recently sanctioned senior executive planner post earmarked to be active in this regard, once appointed.

Strategic Development Zones

Section 166 of the Act provides that, where specified development is of economic or social importance to the State, the Government may designate one or more sites for the establishment of a strategic development zone to facilitate such development. Both Adamstown and Clonburris in South Dublin are designated as strategic development zones and the Council is specified as the development agency for both.

The current planning scheme for Adamstown was approved by An Bord Pleanála in 2014, providing a legal framework for the phased development of 10,000 residential units, with associated transport and community infrastructure. The Council successfully secured funding via the Local Infrastructure Housing Activation Fund (LIHAF) and URDF for elements of the scheme.

LIHAF funding of €20 million (€15 million from DHLGH and €5 million from the Council) has supported the delivery of 2,000 new homes and three large infrastructure projects, namely: Tandy's Lane Park, the Celbridge Link Road and Airlie Park. URDF funding of €10 million will support the delivery of Adamstown town centre plaza, Adamstown Boulevard Park, and Adamstown civic centre / library, a requirement of which is for housing providers in Adamstown to provide 526 new homes, of which 59 will be affordable housing units.

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[10] DHLGH, 'Annual draft RZLT map', (2025)

The current planning scheme for Clonburris was approved by An Bord Pleanála in 2019, providing the legal framework for the delivery of 11,000 residential units, in addition to employment, retail, leisure, community and education uses. As the Council is a significant landowner within the planning scheme area, it has established a collaborative working partnership with the other main landowners, which is led by the delivery planning team. The Council attributes this collaborative working to a successful URDF preliminary business case for €186.3 million and a €18.8 million NTA funding contribution.

The URDF and NTA funding will support the delivery of a strategic infrastructure programme comprising of 10 infrastructure projects, the first of which involves the construction of the Clonburris South Link Street (approximately 4km in length) and associated infrastructure and amenities, including upgrading existing junctions, water supply and 10 hectares of parks and open spaces. Other projects include an Irish Water pumping station, four schools and works to facilitate the opening of Kishogue railway station. The preliminary URDF business case provides a commitment to deliver 8,714 residential units, including 606 affordable homes, in tandem with strategic infrastructure.
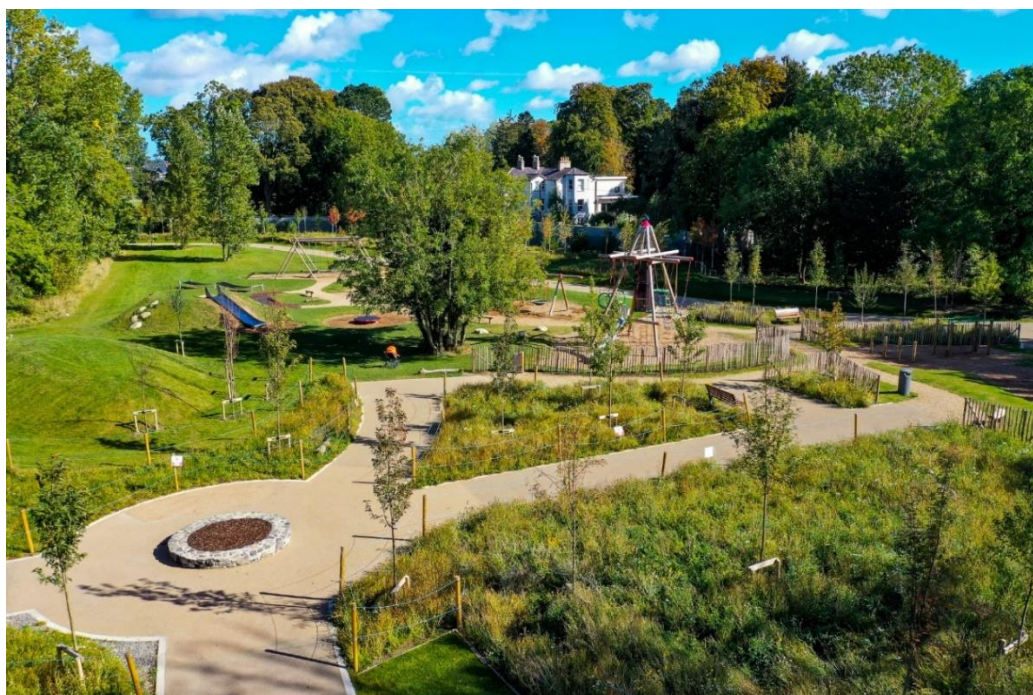
Tandy's Lane Park

Other Development / Regeneration Projects

The Tallaght LAP was adopted in 2020 and, although has a six-year statutory timeframe, the proposals for the regeneration of brownfield lands are envisaged to be delivered over a period of 20 years. The Council successfully secured €32.2 million URDF funding and committed a further €10 million to support the delivery of various projects identified in the LAP including two new link roads, a Luas stop, a BusConnects interchange, two new civic squares and astro-pitches. The LAP has also kick-started the Tallaght Innovation Quarter work programme.

City Edge is a joint initiative between the Council and Dublin City Council to create an urban extension of the city with the potential for 40,000 new residential units and 75,000 jobs. The Council has prepared a strategic framework document that will provide the basis for progressing a variation to incorporate a statutory policy framework for the City Edge project into to the county development plan. As a joint initiative, there is a memorandum of understanding between the Council and Dublin City Council and the joint team steering group is co-chaired by both chief executives, with costs split 50:50. The delivery planning team engage with Dublin City Council's project team on an ongoing basis with regard to managing the process, setting out structures and agreeing how to progress the project through the various stages.

The Council is progressing the delivery of approximately 1,000 new residential units at Kilcarbery on Council owned lands. A masterplan for the lands was prepared by a multi-disciplinary in-house team comprised of architects, landscape architects, planners and engineers. The Council successfully secured €4.39 million of LIHAF funding to provide key supporting infrastructure within the area. A public private partnership model is being utilised to deliver a number of housing units on a variety of sites within the area, resulting in a more efficient process to build 109 units than may otherwise have occurred. For the remainder of the lands, the Council has entered into a joint development venture with a contractor to deliver 1,034 residential units.

Airlie Park

Active Land Management Tools

Data management

In implementing the RZLT process, the planning department has developed a GIS map viewer which goes beyond the information required as a minimum for the RZLT process, to include 26 layers of information on sites, represented spatially. Each land parcel has a unique identifier with layers of information gathered for each, including planning history, enforcement history, lighting, water and drainage.

Recognising the value of collating land parcel data in the GIS map viewer, the planning department uses the collated data to inform decision-making on potential development sites. An analysis of each site produces reports, available via the viewer, which focus on site conditions, access to public and active travel options and proximity to education and employment opportunities. Each report provides a sustainable planning score, potential housing output and the likelihood of development within the current development plan timeframe.

The planning department is piloting the use of this information on each land parcel to develop projects where development potential has been demonstrated. For a number of small sites 3D schematic block plans have been prepared with valuation reports for each, which illustrate development potential and value for money. In addition, a score for each site has been developed based on sustainable planning, value for money, services / infrastructure, demand analysis based on demographics, and ease of acquisition commentary. The pilot project is developed as a proof of concept and is focussed on six of the 90 RZLT sites, which are recognised as priority sites for the Council to progress development on.

Monitoring residential delivery – count system and housing task force

The planning department has designed a GIS system to monitor the progression of sites from planning permission, to commencement, to completion. Quarterly site inspections are undertaken on active sites to provide accurate data, which is inputted to the house count system. The Council is also part of the Dublin housing supply pipeline task force which is focussed on monitoring and reporting on the progress of residential units in the planning system, and provides a quarterly return to DHLGH.

Engagement with landowners

The planning department places a focus on engagement with landowners as a key active land management measure to understand barriers to development in circumstances where live planning permissions are in place but construction activity has not materialised. In addition, the Council engages with landowners to ensure the delivery of key social infrastructure under local area plans, which has proved successful in Fortunestown, Newcastle and Ballycullen-Oldcourt.

Compulsory Purchase Order (CPO) Powers

County development plan CS4 Objective 3 aims to deliver development through the compulsory purchase of land as part of active land management where the context requires for compact growth and for the benefit of the common good.

As part of this review, the Council noted that as the CPO process is very lengthy, landowner negotiation often occurs without triggering the CPO process to reach successful outcomes and that the Council has a proactive approach to buying land where it is needed. For example, in Clonburris the Council purchased land from private landowners for the delivery of infrastructure.

Reduced / Waiver of Redevelopment Contributions

The Development Contribution Scheme 2021-2025 provides for a 50% reduction in the non-residential rate for developments in village centres, and a contribution in lieu of public open space for lands within the Tallaght Local Area Plan. In addition, although the current scheme does not provide a waiver for affordable housing units delivered by the Council, a waiver may be considered on a case-by-case basis.

Performance Rating and Recommendations

South Dublin County Council demonstrates an impressive commitment to land activation with its delivery programme being spearheaded by the planning department under the management of a dedicated senior planner. The review's grading for the delivery of this function is **satisfactory,** however it is clear that the Council's focus on land activation provides an example that other local authorities could adapt.

The establishment of the delivery planning team has focussed the Council's land activation function on the delivery of significant regeneration projects including those that the Council has an active role in, in terms of land, infrastructure delivery and / or funding. The preparation of planning frameworks for these key regeneration projects is providing a robust basis for their delivery and, with landowner and infrastructure provider engagement, has contributed to securing significant State funding to support their implementation.

The Council is commended for driving the implementation of these projects, which is often considered outside the remit of local authority planning departments. The delivery planning team are successfully demonstrating that, with appropriate resources in place, the practical delivery of significant urban development projects is an undertaking that can be delivered most effectively when sitting alongside the traditional forward planning and development management / enforcement functions.

The Council is also utilising the vacant sites and derelict sites legislation, with documented procedures in place. The planning department recognises that a more co-ordinated approach to addressing derelict sites could be facilitated between the planning, housing and environment departments. An increased emphasis from the planning department on the integration of the derelict sites provisions could maximise overall efforts to deliver urban regeneration and housing in the county.

The Council's innovative approach to the use of data to inform active land management of priority development sites and the monitoring of housing development in the county demonstrates the Council's commitment to developing best practice. The Council recognises that the use of GIS data to inform decision-making based on key metrics, which is delivered through a collaborative, coordinated and a proactive approach to active land management, will ensure better decision-making, resource management, and value for money.

Recommendation 4 – Derelict sites co-ordination

Working with the environment and housing departments, the planning department should proactively seek to coordinate action to address derelict sites with other land activation measures.

No.	Recommendation	Grading	Responsibility
4	Derelict sites co-ordination	Advisory	Director of Services

7 Development Management

Development Management Team

The development management team is comprised of 15 planning technical staff divided between three area based planning teams - north, south and east – all under the management of the senior planner who is responsible for both development management and enforcement. At the time of this review, there were two assistant planner vacancies within the team. The planning administration team responsible for development management, delivery and forward planning manage the development management process including planning application validation and processing, and the implementation of the ePlanning system. The administration team has 16 staff who also support the delivery and forward planning teams.

The development management team's responsibilities include:
- Pre-planning consultations
- Assessment and decision-making on:
  - planning applications,
  - Section 254 licences,
  - Section 97 certificates of exemption,
  - Section 5 declarations,
  - Large Scale Residential Developments (LRDs),
  - compliance submissions
- Preparing consultee reports to An Bord Pleanála on Strategic Infrastructure Development (SID) projects and other applications affecting the Council e.g. BusConnects.

Within the planning department, the development management team relies on the:
- drawing office, whose assistance includes planning application validations, site notice inspections and mapping planning applications;
- architectural conservation officer who advises on built heritage; and,
- heritage officer who advises on ecological matters, in the absence of a biodiversity officer, for which recruitment was commencing at the time of this review.

Development Management Procedures

The team have developed a suite of development management procedures, which is comprised of guidance documents on legislative and internal processes for technical and administrative staff, including a development management manual. The manual is a comprehensive reference guide for planners, to increase consistency in report writing and in implementing Council work practices. It is saved as part of a tool kit for case officers and includes a new starter checklist, AA and EIA notes, sample reports and planning conditions. At the time of this review, the manual was in the process of being updated to reflect ePlanning implementation. Other procedures include:
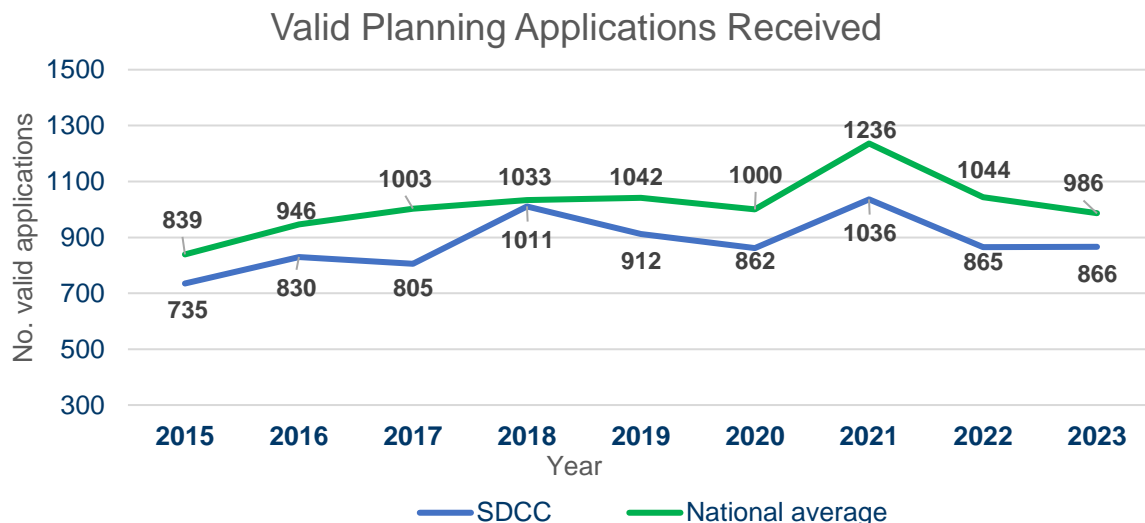
- processes for entering information on APAS
- APAS system administrator user guide
- fee checks
- planning counter processes
- third party submissions
- LRD Stage 1 and 2 procedures manual
- validations checklist
- planning information for staff
- development contribution assessment training for planners
- workflow and ePlanning procedures
- quality assurance checklist for small applications

The planning department uses the APAS system to manage the processing of planning applications, Section 5 declaration requests, Section 97 exemption certificate applications, Section 254 licence applications and compliance submissions. The system also provides workflow management for planners.

To assist with staff workload, files are allocated to planners using a weighting system based on the complexity of the application and the time it takes to complete the file. This facilitates statutory deadlines to be met and an equitable distribution of files among the team.

Development Management Output

Planning data published by DHLGH provides details on all local authorities' outputs and allows comparison between authorities and national trends.[11] As part of this review, the Council noted that they monitor development management statistics on a monthly basis to identify trends and / or highlight any issues.

Valid Planning Applications Received

SDCC values: 735 (2015), 830 (2016), 805 (2017), 1011 (2018), 912 (2019), 862 (2020), 1036 (2021), 865 (2022), 866 (2023)

National average values: 839 (2015), 946 (2016), 1003 (2017), 1033 (2018), 1042 (2019), 1000 (2020), 1236 (2021), 1044 (2022), 986 (2023)

Figure 4 | Valid applications received[12]

The total number of valid planning applications received by the Council increased by 18% between 2015 and 2023, with a high of 1,036 valid applications received in 2021. This is consistent with national trends which show increasing numbers of applications since 2015, with a high in 2021, and returning to pre-Covid numbers in 2022.

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[11] DHLGH, 'Annual Planning Statistics 2017-2023', (June 2024).
[12] ibid

Invalidation of Planning Applications

The Council's invalidation rate is below the national average, varying between 5% and 10% during the period between 2015 and 2023, compared to a national average varying between 14% and 20% over the same period. The Council attributes the relatively low number of invalidations to:

- Enabling minor issues with submission documentation and / or application fees to be rectified by contacting the applicants / agents.
- Having a number of guidance notes on how to submit a valid application accompanying the planning application form.
- A same day validation service at the Council's public counter, by appointment between 10am and 12pm one day a week, which enables a faster validation process and minor queries to be dealt with on the spot.

These measures are consistent with best practice highlighted in the OPR's case study paper on validation processes[13], which provides an analysis of processes and best practice examples.

The drawing office are responsible for the validation of smaller files and the planners within the development management team are responsible for the validation of larger planning applications. Both teams complete a validation checklist, and the drawing office carries out all site notice inspections, for which a site inspection checklist is completed.

The Council does not anticipate the number of invalidations will increase with the introduction of ePlanning, given the safeguards built into the system.
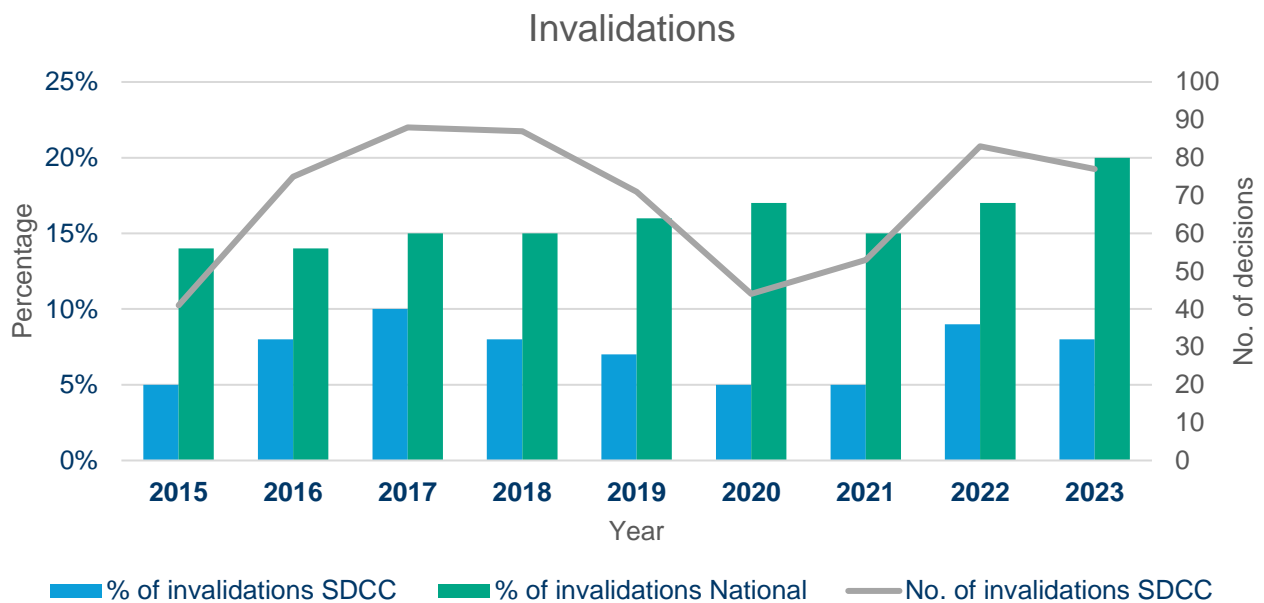

Figure 5 | Invalidation rates[14]

Decisions Granted and Refused

The percentage of valid planning applications resulting in a grant of permission between 2017 and 2023 has remained generally consistent with the national average. The percentage of decisions to grant permission increased from 83% in 2019 to 91% in 2023.
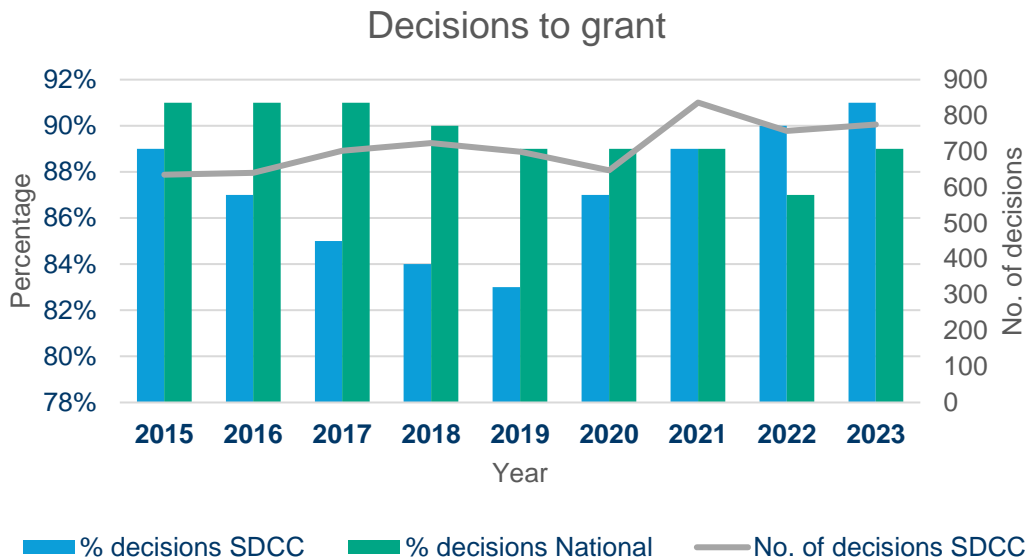
Decisions to grant

Figure 6 | Decisions to Grant[15]

Decisions Made within Eight Weeks

Figure 7 illustrates the percentage of decisions made by the Council within eight weeks. The Council's decision rate for making a decision within eight weeks has remained above the national average between 2015-2023.
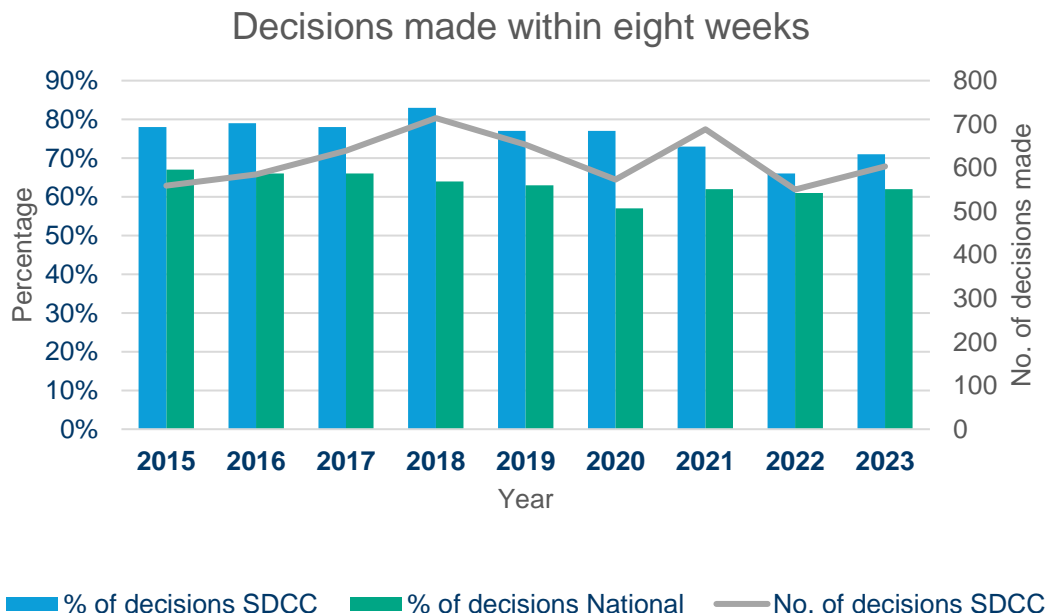
Decisions made within eight weeks

Figure 7 | Decisions made within eight weeks[16]

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[15] DHLGH, 'Annual Planning Statistics 2017-2023', (June 2024).
[16] DHLGH, 'Annual Planning Statistics 2017-2023', (June 2024).

Appeals to An Bord Pleanála

Since 2016, the average rate of planning applications appealed nationally has been approximately 7%. As illustrated in Figure 9, between 2015 and 2022 the percentage of planning decisions appealed within South Dublin has been above the national average, ranging between 9% and 11%, while the national average has ranged between 6% and 7% over this time.
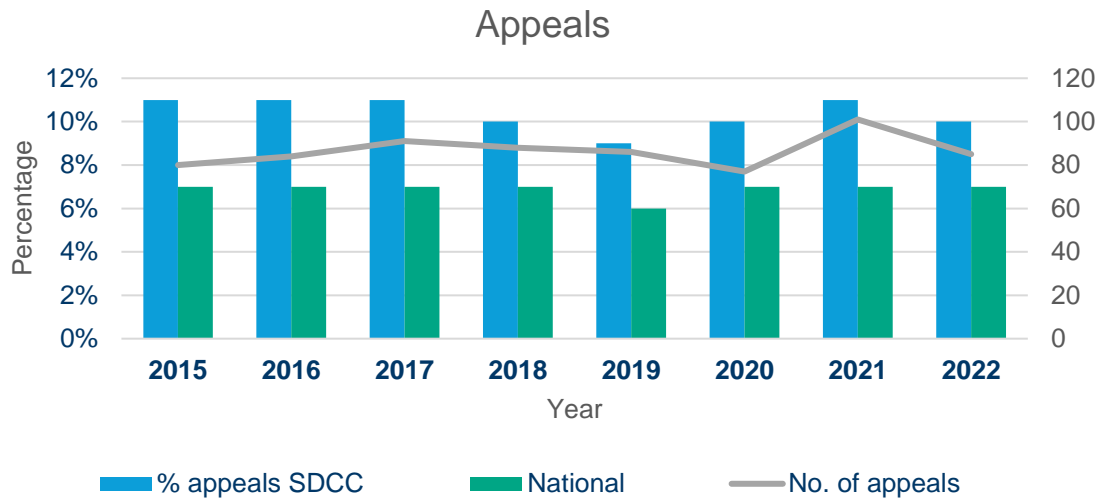
Appeals

Figure 8 | Appeals to An Bord Pleanála[17]

Reversal Rates on Appeal
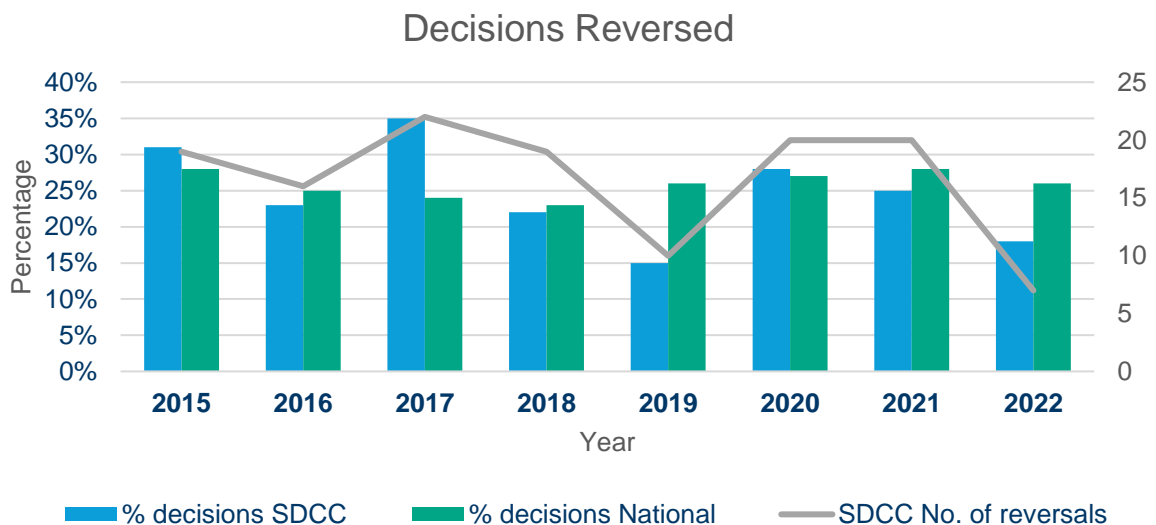
Decisions Reversed

Figure 9 | Reversal rates[18]

The percentage of decisions reversed by An Bord Pleanála between 2015 and 2022 has varied, being both above and below the national average during this time. The percentage of decisions reversed in 2022 was approximately 18%, which is lower than the national average of 26%.

The rate of overturn of local authority decisions by An Bord Pleanála is important for the planning department to consider. The team outlined that An Bord Pleanála decisions which reverse South Dublin County Council decisions are reviewed and discussed at the development management team's review of monthly statistics.

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[17] An Bord Pleanála, 'Annual reports 2016-2022', (December 2023). 2023 statistics not available at the time of this review.
[18] ibid

Large Scale Residential Developments

The Council has LRD procedures in place, which set out the process from submission of a request for a Section 247 pre-planning meeting, to a request for a section 32(B) LRD meeting, to submission and consideration of the LRD planning application. The development management manual also includes a LRD validations checklist.

The planning pages of the Council's website outline the LRD process and provide links to forms to request a pre-planning and LRD meeting. The Council received two LRD planning applications in 2022 and 14 applications in 2023.

Planning Conditions

The Council has a suite of standard conditions and notes pre-loaded on the APAS system, which can be applied to each planning decision, as relevant. At the time of this review, the development management team were reviewing the standard conditions based on the planning conditions compendium contained in the OPR practice note on planning conditions.[19]

The Council has a dedicated email address for applicants to submit compliance conditions for agreement. Since December 2021, on receipt of a compliance submission, the team record the submission on the APAS system and track timeframes through APAS to ensure the eight-week statutory deadline to agree compliance is met. The planning department noted that where compliance submissions made prior to December 2021 have not been dealt with, if a developer contacts the Council they are encouraged to resubmit the compliance submission, which is then dealt with under the process in place since December 2021.

Historically, the Council has uploaded and published any Strategic Housing Development applications submitted to An Bord Pleanála for schemes within South Dublin on APAS. This has ensured that the general public have access to the scanned documents, planning application and decision details, including any compliance conditions applied by An Bord Pleanála.

Section 5 Declarations

Declarations made under section 5 of the Act provide statutory advice to the public about whether particular works carried out, or proposed development, may or may not be exempted development. The planning pages of the Council's website include a Section 5 declaration request form.

The development management manual includes a technical process note as guidance for planners in their consideration of whether the works constitute exempted development or not. A sample Section 5 declaration report is to be prepared as part of the development management manual review, underway at the time of this review.

All Section 5 declarations issued since 2006 are available on the Council's website, meeting the requirements of section 5(7B) of the Act (that Section 5 declarations and associated documents should be available on an authority's website for inspection for a minimum period of eight weeks).

Section 247 Procedures

The develoment management team coordinate approximately 180 pre-planning consutlations per year, and have a corporate objective to deal with a pre-planning consultation request within eight weeks of receipt. The planning department is applying the principles of a good quality, pre-application consultation system, as identified in the OPR's case study paper on pre-planning consultation services[20], the guiding principles of which are outlined in the table below.

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[19] OPR, 'Practice Note PN03 – Planning Conditions', (2022).
[20] OPR, OPR Case Study Paper CSP04: 'Pre-Application (S247) Consultation Services', (2021).

No.	Guiding principles	South Dublin County Council's systems and procedures
1	Promote the service	The Council's pre-planning guidance and consultation page on its website, which includes pre-planning guidance documents on common planning application issues, is highlighted in the OPR's practice note as an example of a clear range of services for the prospective applicant to consider. The Council recently launched an online application system for pre-planning meeting requests, which allows meeting requests and all associated documentation to be submitted online.
2	Set out the range of services	The Council's website clearly sets out the range of services as described above.
3	Establish clear ground rules	The Council's website includes a pre-planning protocol which sets out what a customer can expect from the service. In addition, the planner's report prepared as a record of the meeting includes a note to the effect that the advice provided in the meeting was on a 'without prejudice' basis.
4	Identify who should attend	The Council have a standard list of attendees for statutory pre-planning enquiries. Non-statutory planning enquiries which are usually planning applications for small scale development, are dealt with by email.
5	What good pre-application consultation engagement should address	The Council applies the requirements of section 247 of the Act and Development Management Guidelines for Planning Authorities (2007) to their pre-planning engagement procedures which are included within the development management manual.
6	Keep a record of what was discussed	The case planner prepares a written record of the meeting whether this is a written pre-planning advice note, telephone note or meeting minute. Records are inputted to the APAS system, and the written record reference number is identified in the planner's report.
7	A robust system of monitoring and feedback from prospective applicants	The Council monitors the number of pre-planning meetings held in eight weeks and per month. Any negative feedback received is dealt with on a case by case basis.

Table 4 | OPR's pre-application consultation services guiding principles

Section 254 Licences

The Council grants licences in respect of applications under section 254 of the Act for temporary signage, scaffolding and hoarding, tables and chairs, CCTV systems, and broadband poles to a height of 20m. Section 254 licence applications for telecommunications infrastructure are considered by the planning department. All other Section 254 licence applications are assessed by the roads department.

The Council has a procedures manual in place which provides a step-by-step guide to registering Section 254 licence applications including entering the application on APAS and a dedicated Section 254 tracking list to enable the progress of the application to be tracked through to decision.

The planning pages of the Council's website include details of how to apply for a Section 254 licence, with a link to the Council's Section 254 licence application form and sample site notice provided. Section 254 licence applications and decisions are published on the Council's weekly planning lists and all are available to view online. The Council received 28 Section 254 licence applications in both 2022 and 2023.

Section 48 Development Contribution Scheme

The current development contribution scheme (2021-2025) is available on the planning pages of the Council's website. The scheme was prepared in line with relevant statutory requirements and associated departmental guidelines. The planning department highlighted that the process of reviewing the scheme involves taking account of the latest county development plan and local area plan objectives, as well as national strategies, and identifying appropriate adjustments to support key objectives. For example, the current scheme provides for a financial contribution in lieu of public open space with specific reference to Tallaght LAP lands.

The planning department have recently commenced a full review of the current development contribution scheme to embed the requirements of the current county development plan. A statutory public consultation on the draft scheme is scheduled for 2024.

The planning department have a development contributions training webinar and slide pack available for planning department staff and a template development contributions spreadsheet to complete for each planning application, as required. Both are contained within the development management manual, along with two supplementary development contribution maps associated with Irish Rail's Kildare Route Project.

Online Planning Services

The Council's website is the principal means by which members of the public, agents, applicants and other stakeholders can engage with the development management process. The Council's website has a dedicated planning page, which provides access to planning services provided by the Council, by theme.

All planning applications submitted since 2000 are available to view online via the Council's planning portal. Digitised records from 1964-1999 are available on the website at the decisions archive.[21] Planning applications can also be found via the planning maps online function. In May 2023, the Council introduced a new online pre-planning application system, which allows applicants and agents to submit pre-planning meeting requests and associated documentation, online. Members of the public may also submit observations and associated payments online

The Council is progressing the introduction of ePlanning, to enable planning applications to be submitted online and has been working with the four Dublin local authorities to develop a workflow tool to streamline internal processes for the processing of planning applications submitted online. At the time of this review, the Council was trialling the introduction of the system, with the expectation that once it is fully tested it will go live for all planning applications made.

The OPR published a case study paper entitled 'Online Planning Services', informed by a survey of online availability of local authority planning application documentation.[22] As part of this survey, South Dublin County Council got an overall rating of 'very good' with relatively minor suggestions to improve document indexing and legibility of documents. From reviewing a random sample of online planning applications and associated documentation on the website, the Council has addressed these points.

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[21] SDCC, 'Decisions Archive', (December 2023).
[22] OPR 'Online Planning Services – A survey of the online availability of local authority planning documentation, (2023).

Under Regulations introduced in 2020, authorities are expected, except in exceptional circumstances, to upload planning application documents onto their websites within five working days after receipt. The planning department keep track of the time taken to upload documentation. Based on figures for September 2023, uploading took an average of six days, however this is a considerable reduction on the average for September 2021, which was 19 days. The Council attribute the introduction of a new procedure in January 2023 for the timeframes reducing, which involved an external service provider scanning the planning application documentation. The planning department expect the timeframes to reduce further with the introduction of ePlanning.

Event Licencing

No applications for event licences were received by the Council between 2020 and 2023. The planning pages of the Council's website include an application form for a licence to hold an outdoor event, in accordance with the Act. The application form includes guidance on the supporting documentation required and the content of the required newspaper notice. When received, events licence applications are recorded on the APAS system, and their progress is tracked through to decision.

Between 2020 and 2023, the Council received nine notification of funfairs. The Council checks that all safety certificates are up to date, and if so, acknowledge receipt and record the notifications on the APAS system.

Environmental Assessment

EIA screening must be undertaken by local authorities in carrying out their statutory functions under the Act. An OPR practice note is available to provide step-by-step guidance for authorities in relation to the screening process.[23]

Although the Council relies on national guidance, a specific EIAR note for planners and an EIAR note for other Council departments forms part of the development management manual. Relevant national guidance is also included in the manual. The development management team use the OPR's template screening form to undertake EIA preliminary examination and screening for proposed developments. The planning report templates contained within the development management manual include a preliminary examination / screening section and a SEA sensitivity screening section. Analysis of a sample of decided planning applications showed an EIA preliminary examination being carried out in relation to all planning applications, Section 5 declarations and Section 254 licence applications, with EIA screening carried out for all sub-threshold developments.

Screening for AA is intended to be an initial examination carried out by the Council, as the designated competent authority. If significant effects cannot be excluded based on objective information, without extensive investigation or the application of mitigation, a project should be considered to have a likely significant effect and AA should be carried out. An OPR practice note is also available to assist authorities in relation to AA screening.[24]

The Council undertakes AA screening and AA of all decisions on planning applications in accordance with DHLGH 'Appropriate Assessment of Plans and Projects, Guidelines for Planning Authorities'.[25] All planning applications are screened for AA using a standard template, which is aligned to the OPR's screening template, and populated as required for each application. The populated template is included as an appendix to the planning report for every planning application. In addition, the Council's development management report templates, contained within the development management manual, include an AA screening section. The Council's development management manual includes an AA training slide pack for staff, screening templates, NPWS guidance and the OPR's practice note.

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[23] OPR, 'OPR Practice Note PN02 Environmental Impact Assessment Screening', (2021).
[24] OPR 'Appropriate Assessment Screening for Development Management', (2021).
[25] DHLGH, 'Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities', (2010).

Flood risk policies and objectives within statutory development plans are the basis for considering planning applications in principle and in detail, in accordance with the 'Planning System and Flood Risk Management Guidelines'. The development management team refer all planning applications submitted to the Council's drainage team who report and make recommendations in relation to flood risk and any other potential drainage issues. The Council's development management report templates, contained within the development management manual, include green infrastructure and drainage assessment sections.

The increasing multi-disciplinary nature of planning is noted, as well as the reliance of the development management function on the expertise of in-house departments to make quality planning decisions.

The Council confirmed that staff have attended training on environmental assessment matters. Given the complex and evolving nature of this area of planning practice, it is important that staff continue to be supported to undertake training on an ongoing basis to ensure the planning department continues to have appropriate levels of technical expertise to manage complex planning applications.

Performance Rating and Recommendations

The Council has demonstrated that the delivery of its development management function is considered to be **satisfactory.**

This review found that the Council has a comprehensive suite of development management procedures, guidance notes, checklists and report templates which drive efficiencies and consistency in the delivery of the development management function. While included in the procedure, in preparing the Section 5 declaration template, the Council should consider including a section on AA / EIA preliminary examination / screening to ensure consistency of approach and accurate decision-making.

The weighting of planning application files depending on their scale and complexity ensures an equitable and transparent allocation of files amongst the development management team. The availability of a wide range of online information for applicants and members of the public is notable including SHD planning applications and decisions, and digitised planning application records from 1964-1999.

The low percentage of invalidations compared to the national average reflects the procedures the Council has in place. It will be important for the Council to continue monitoring trends such as validations, with the introduction of ePlanning, to ensure that any issues arising can be addressed in a timely manner.

Recommendation 5 – Development management trends

The Council should continue to strategically review development management trends on a monthly basis, particularly An Bord Pleanála reversal rates, to ensure decisions are understood. It will also be important to review: invalidations, to ensure the introduction of ePlanning does not negatively affect the Council's low rate; pre-planning meeting timeframes, to ensure the Council's eight-week objective is achieved; and, time taken to upload planning application documentation, to ensure that the targets expected by the Regulations are achieved.

No.	Recommendation	Grading	Responsibility
5	Development management trends	Medium	Senior Planner

8 Enforcement

Part VIII of the Act mandates local authorities to take action against unauthorised development. Nationally, the number of enforcement cases being referred to local authorities annually is increasing, with the figure rising by 12% between 2015 and 2022.

The planning enforcement function is delivered via the development management and enforcement team, which is led by a senior planner. The team comprises of technical and administrative staff, with 2.5 FTE planners and a bonds / conditions and enforcement administration team.

There is an enforcement procedures manual in place, which provides guidance for staff on the steps in the process including statutory requirements, inspections, warning letters, enforcement notices, planner's recommendations, non-compliance and urgent enforcement.

The team uses the APAS system to track enforcement complaints and investigations. Microsoft Teams is also used as a case management tool, which staff find effective as it allows case officers note each action on every file, making it accessible to the full team. All enforcement cases are mapped by GIS so development management planners can check if there is an enforcement case associated with a particular site as part of the consideration of any planning application. The administration team hold weekly meetings to determine how to proceed with a complaint.

Information for the public regarding how to make an enforcement complaint is on the Council's website including a complaint form, which can be emailed to a dedicated email address, an enforcement checklist, frequently asked questions, and the OPR planning leaflet 'A Guide to Planning Enforcement in Ireland'.

Enforcement Action and Output

Figure 10 illustrates the Council's enforcement output between 2015 and 2022. Like other authorities, the volume of cases has been rising in recent years, with a 42% increase in the number of cases on hand at year-end between 2019 and 2020, rising a further 10% between 2020 and 2021. The number of cases on hand at year end decreased by 7% between 2021 and 2022. Furthermore, the Council confirmed that there were 501 cases on hand at the end of 2023, a further 28% reduction, which is a significant decrease.

The Council confirmed that the enforcement team are focussing on reducing case numbers to a manageable level, as the number of cases received increased significantly during the period of the Covid-19 pandemic. Complaints continued to be received during this time but site visits could not be undertaken, consequently cases remained open. Since April 2022, new resources have been dedicated to delivering the enforcement function, and new practices have been put in place.

The enforcement team clarified that many complaints are dealt with via an initial desktop investigation, without a file being opened, and consequently are not included in the enforcement statistics collated by NOAC. The team also highlighted the volume of unseen work that does not make it into statistics, e.g. ongoing engagement with complainants, landowners and councillors.
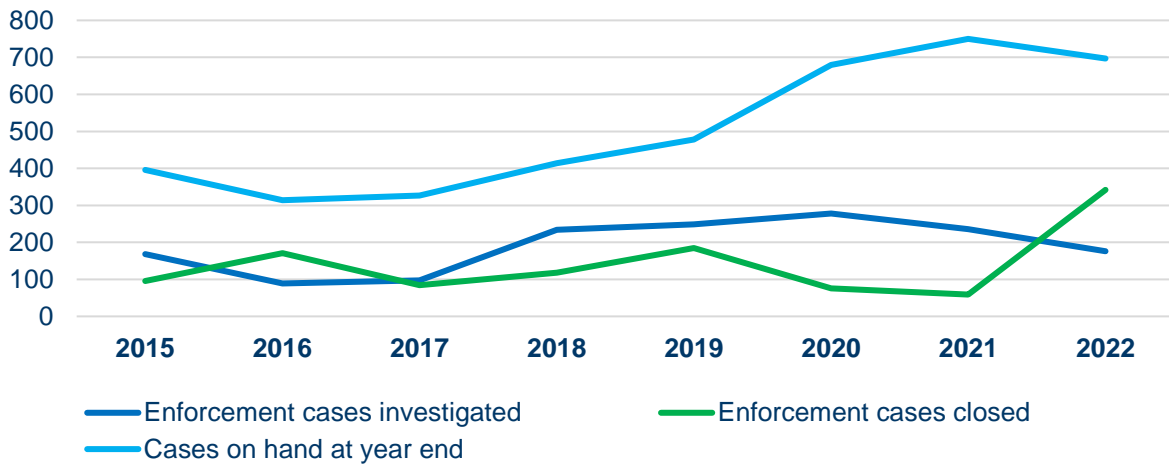
Planning Enforcement Output

Figure 10 | Planning enforcement output[26]

Figure 11 illustrates the percentage of cases closed[27] by dismissing the case, by enforcement proceedings or by negotiation. The graph shows that the majority of cases in 2022 were dismissed, which the team confirmed was as a result of reviewing older cases, many of which could be closed as the issues had been regularised. The team confirmed that many cases are closed following retention permission being granted, or following compliance actions being taken following the issuing of a warning letter or enforcement notice. The initiation of legal proceedings is not a regular occurrence. Where this is necessary, the process is often lengthy.
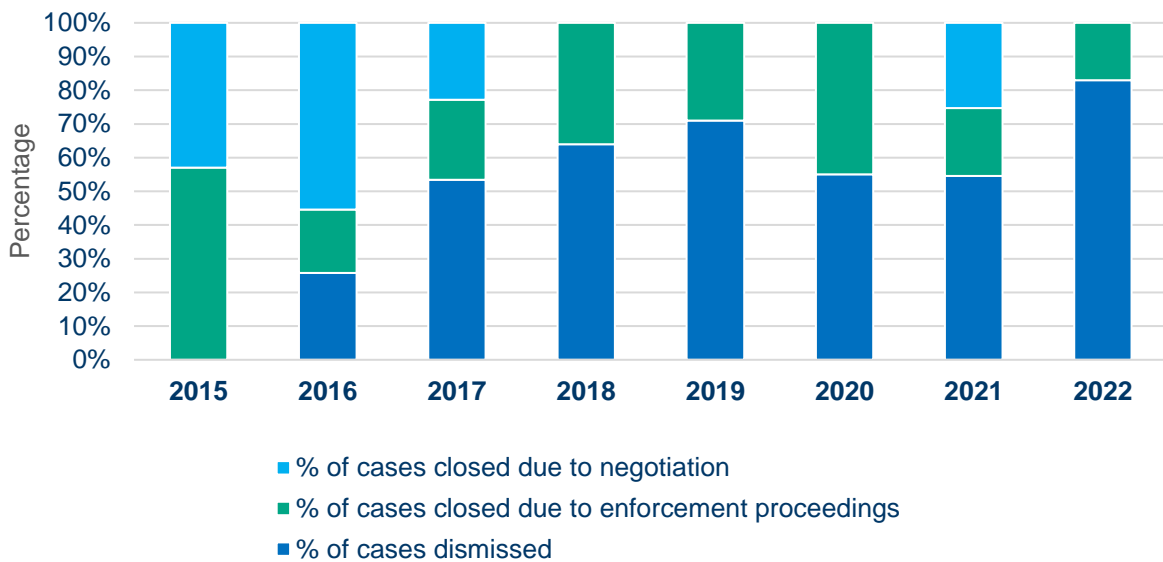
Enforcement cases closed

Figure 11 | Enforcement cases closed[28]

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[26] NOAC, 'Local Authority Performance Indicator Report 2016-2022', (2023) 2023 data not available at the time of this review.
[27] Dismissed as trivial, minor or without foundation or closed because statute barred or an exempted development.
[28] NOAC, 'Local Authority Performance Indicator Report 2016-2022'. (2023) 2023 data not available at the time of this review.

Quarries

The provisions of section 261 of the Act introduced a requirement that all quarries, other than those for which planning permission had been granted in the previous five years, had to register with the local authority. The Council registered six quarries through that process, of which three are active, two are dormant and one is closed. In 2012, the Council issued three notices under section 261A of the Act.

In accordance with the conditions of planning permissions, quarry operators submit noise, dust and blasting monitoring reports to the Council. The Council's environmental health officers lead quarry monitoring, with scientific officers monitoring trade effluent / liquid rainwater annually, while a water pollution officer collects water samples.

Short-Term Lettings

South Dublin is identified as a rent pressure zone, under the Residential Tenancies Act 2004, amended, and as such, provisions to regulate short term letting apply. The Council's website includes detail on the legislative provisions for short-term letting, frequently asked questions, notification forms and a dedicated email address.

The enforcement team noted that the short-term letting of accommodation is not a significant source of complaints.

Housing estate

Performance Rating and Recommendations

As is the case for all local authorities, delivering on planning enforcement can be challenging in the face of competing priorities that have immovable statutory timeframes for delivery. Regardless, recently South Dublin County Council has managed to increase the number of cases closed each year, driving down the overall volume of cases on-hand, demonstrating **satisfactory** delivery of its enforcement function. There are no process improvement recommendations arising from the review.

The planning department is committed to delivering an effective planning enforcement service with dedicated resources in place, including planning, technical and administrative staff. Furthermore, service delivery is well organised with established documented procedures in place and a fit-for-purpose case management system as well as GIS functionality, which allows the integration of enforcement responses with development management responsibilities.

9 Other Planning Related Functions

9.1 Part 8 / Local Authority Own Development

Departments across the Council prepare Part 8 applications for local authority own development. The Council has a comprehensive procedures manual in place for the preparation of Part 8 applications by the various departments. The manual includes a description of each stage in the process including the first pre-draft stage of engaging with the planning department, undertaking AA and EIA screening, and submission of compliances to each relevant technical department at the implementation stage.

As part of this review, the planning department highlighted that although the responsibility for ensuring the project complies with any conditions attached sits with the proposing department at the implementation stage, the planning enforcement team would get involved if there were any potential breaches of the planning approval raised.

The Council approved thirteen Part 8 applications in 2021, three applications in 2022, while eight applications were progressed in 2023. A variety of projects have been approved including park upgrades, Traveller accommodation, a heritage centre, car parks and social housing schemes. The applications are available to view online via the Council's planning portal, however there is not a consistent approach to the documents that are available. At the time of this review, the Council was updating the planning portal to provide a comprehensive list of all Part 8 developments and an update on their current status. The portal should also include the Part 8 documents that have been approved by the Council, so it is clear what scheme is being implemented.

Article 120 of the Regulations requires the Council to undertake an EIA screening of sub-threshold development as part of any Part 8 procedure. Article 250 requires the undertaking of an AA screening for any local authority own-development. Based on the analysis of Part 8 projects on the Council's planning portal, AA screenings are undertaken in accordance with the legislation.

Public consultation is a core element of the Part 8 process. In this regard, public notices must be in a prescribed format to comply with the requirements of the Regulations. Article 81 of the Regulations requires a local authority to indicate its conclusion in relation to EIA screening. Article 120(3)(b) provides that any person may apply to An Bord Pleanála for a screening determination as to whether the local authority development would be likely to have significant effects on the environment. Circular Letter PL 10/2018 indicates that Part 8 public notices should indicate that any person may refer the matter to An Bord Pleanála for a screening determination as to whether the development would be likely to have such effects.

From an analysis of randomly selected Part 8 projects on the Council's planning portal, this requirement is included in the published site notices.

Performance Rating and Recommendations

The Council's Part 8 procedures document provides clear legislative and internal process guidance for Council departments in the preparation and implementation of Part 8 planning projects. Having regard to the documentation submitted, the Council's procedures for the delivery of this function are **satisfactory**.

It is recognised that the Council is updating the planning portal to include details of Part 8 projects, and as part of this, the Council should ensure that there is a consistent approach to the availability of documentation online, including planning application material, chief executive's reports, decision notices and condition compliances.

Recommendation 9 – Part 8 documentation online availability: The Council should ensure that there is a consistent approach to the availability of documentation online, including planning application material, chief executive's reports, decision notices and condition compliances.

No.	Recommendation	Grading	Responsibility
6	Part 8 documentation online availability	Medium	Director of Services

9.2 Taking-In-Charge

The Council's taking-in-charge function sits within planning administration, as part of the bonds, contributions, and taking-in-charge team. Four members of staff are responsible for undertaking the process, who share their time with supporting the development management function. An additional clerk of works post has recently been sanctioned to support the team.

Under the DHLGH 'National Taking-in-Charge Initiative', a survey was carried out in 2015 to collate data regarding the taking-in-charge of estates across the country.[29] The survey identified 20 estates in South Dublin to be taken in charge. At the time of this review, there were 112 housing estates to be taken in charge by the Council. Since 2015, the average length of time from when the Council receives the request, to conduct the taking-in-charge process, is 33 months.

The national survey of unfinished housing estates completed in 2011 identified 49 unfinished housing estates in South Dublin, which has since reduced to 18 in 2023. The Council are continuing to work with receivers and developers, and other relevant agencies to secure completion of public areas within the developments.

As part of this review, the Council highlighted a significant legacy issue with the taking-in-charge process, which will increase as new estates are completed and taking-in-charge is requested. The planning department is concerned that resourcing will be an issue, which will lead to delays in the process and risks that bonds may not be sufficient the longer the process takes. As such, the Council should ensure that sufficient staff are assigned to deliver the taking-in-charge function to ensure that the established procedure can continue to streamline the process, improve the length of time the process takes, and drive efficiencies for the Council and developers.

Since 2021, the team have developed a new taking-in-charge process, which is triggered by the commencement notice for a new development. Requests are progressed in the order that they are received by the Council, and a Sharefile is set up with a subfolder for each piece of information that is required to progress the estate through the taking-in-charge process. The applicant / developer has access to these folders, where they can upload the required information, as it is available. The taking-in-charge team undertake a site inspection, verify the documentation received including obtaining the required sign off from internal departments and any Irish Water Memorandum of Understanding. As the process advances, the Council may repay part or all of the bond to the developer in line with a bond apportionment table, which the team prepare. The table sets out what portion of the bond may be repaid at each stage of the taking-in-charge process. If the developer provides all of the information on time, the average length of time to complete the process can be considerably reduced.

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[29] DHLGH, National Taking in Charge Initiative Report, (2018)

Bonds and securities are required to ensure the satisfactory completion of necessary services (including roads, footpaths, lighting and open space) in the event of a default by the developer.

The total value of live securities held by the Council for the satisfactory completion of residential estates at the end of 2022 was €28,089,910, held in 'cash', and €29,938,349, held in surety bonds. The Council maintains a financial contribution and internal bond tracker system, which is updated once the bond is submitted, and receipted. If a developer is not complying, reminders are issued and enforcement action is taken under debt management. In addition, developers are notified that financial compliance certificates will not be issued until the bond condition is met.

The Council's website includes detail on the taking-in-charge process including a dedicated email address, a taking-in-charge policy, an application form and a suite of guidance documents.

Palmerstown, South Co. Dublin

Performance Rating and Recommendations

The establishment of a dedicated team with clear procedures in place ensures that the delivery of the Council's taking-in-charge function is **satisfactory**. The use of data management tools to track and progress activities benefits all parties involved, providing efficiencies, clear timeframes and progress updates as the taking-in-charge process progresses. There are no specific recommendations arising from the review process.

Appendix 1:

List of Recommendations

Recommendations are graded as follows, based on the level of priority that the Council should assign them:

- **Critical:** immediate implementation of the recommendation is required to resolve a critical weakness which may be impacting the delivery of statutory functions.
- **High:** the recommendation should be addressed urgently to ensure that the identified weakness does not lead to a failure to deliver on statutory requirements.
- **Medium:** the recommendation should be considered in the short-term with a view to enhancing the effectiveness of service delivery.
- **Low:** the recommendation relates to an improvement which would address a minor weakness and should be addressed over time.
- **Advisory:** the recommendation does not have a serious impact for internal systems and procedures but could have a moderate impact on operational performance. On this basis, the recommendation should be considered for implementation on a self-assessed basis.

No.	Recommendation	Description	Grading	Responsibility
Organisation of Planning Department				
1	Conflict of Interest procedure	The planning department should consider developing a procedure to comprehensively identify and manage potential conflicts of interest in relation to its staff. Such a procedure should include sufficient guidance to allow all individuals to consider, and be aware of, any matters that could influence their impartiality, or the perception thereof, independence in respect of the duties they perform. The procedure should also ensure that a record is kept in relation to each conflict of interest matter that is addressed in the planning department.	High	Director of Services
Forward Planning				
2	Monitoring and implementation	The Council should continue to commit resources to implementing the development plan monitoring and evaluation framework to fulfil the potential of this innovative system for monitoring progress on the delivery of policies and objectives. This will not only require appropriate resourcing within the planning department but also a multidisciplinary and collaborative approach to monitoring, continued data collection and analysis across the Council.	Medium	Director of Services

No.	Recommendation	Description	Grading	Responsibility
3	County development plan variation process	The Council should include details of the variation process within the county development plan procedures manual.	Low	Senior Planner
	Land Activation and Projects			
4	Derelict sites – co-ordination	Working with the environment and housing departments, the planning department should proactively seek to coordinate action to address derelict sites with other land activation measures.	Advisory	Director of Services
	Development management			
5	Development management trends	The Council should continue strategically review development management trends on a monthly basis, particularly An Bord Pleanála reversal rates, to ensure decisions are understood. It will also be important to review: invalidations, to ensure the introduction of ePlanning does not negatively affect the Council's low rate; pre-planning meeting timeframes, to ensure the Council's eight-week objective is achieved; and, time taken to upload planning application documentation, to ensure that the targets expected by the Regulations are achieved.	Medium	Senior Planner
	Part 8 / Local authority own development			
6	Part 8 online documentation availability	The Council should ensure that there is a consistent approach to the availability of documentation online including planning application material, chief executive's reports, decision notices and condition compliances.	Medium	Director of Services

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