

FINGAL DEVELOPMENT PLAN 2017-2023 VARIATION No.1



**Fingal Development
Plan 2017-2023**

**Comhairle Contae
Fhine Gall**
Fingal County
Council



The members of Fingal County Council resolved to adopt Variation No. 1 of the Fingal Development Plan 2017-2023 at a Council meeting on 09th December 2019

Variation No. 1 of the Fingal Development Plan 2017-2023 is effective from 09th December 2019

This document contains amendments to the Written Statement and should be read in conjunction with the Written Statement and Maps of the Fingal Development Plan 2017-2023

In Chapter 5 'Rural Fingal', Section 5.2 'Fingal's Rural Settlement Strategy' delete existing wording in sub-section 'Housing within the Airport Noise Zones' (page 164) and replace with new wording below:

Housing within the Airport Noise Zones (page 164)

The development of new housing for those who are not involved in farming will be actively resisted within the area delineated by Noise Zone A for Dublin Airport. However, consideration will be given to the development of new housing for those not involved in farming but who have family homes within Noise Zone A, in locations on suitable sites outside Noise Zone A but within five kilometres from that noise zone. To ensure that the need to live as close as possible to the existing family is met and to avoid undue pressure on certain areas of the Greenbelt, the M1 will provide an east-west boundary, with those living to the east being considered for housing on suitable sites to the east, and those living to the west being considered for housing on suitable sites to the west. Site selection should ensure that the rural character of the area is maintained and that multiple sites on single landholdings are avoided.

Objective RF40

Apply the provisions of the Rural Settlement Strategy, only with regard to 'New Housing for Farming Families' as set out within this chapter, within the Airport Noise Zone A, and subject to the following restrictions:

- Under no circumstances shall any dwelling be permitted within the predicted 69dB LAeq 16 hours noise contour.
- Comprehensive noise insulation shall be required for any house permitted under this objective.
- Any planning application shall be accompanied by a noise assessment report produced by a specialist in noise assessment which shall specify all proposed noise mitigation measures together with a declaration of acceptance of the applicant with regard to the result of the noise acceptance report.

Objective RF41

Apply the provisions of the Rural Settlement Strategy as it applies to "New Housing for the Rural Community other than for those who are actively engaged in farming" for rural community members located within Noise Zone A on suitable sites located within five kilometres outside Noise Zone A. For those living to the east of the M1, only suitable sites located to the east of the M1 will be considered, and for those living to the west of the M1, only suitable sites located to the west of the M1 will be considered.

In Chapter 5 'Rural Fingal', Section 5.2 'Fingal's Rural Settlement Strategy' delete existing Objective RF61 (page 171) and replace with new wording below:

Objective RF61

Encourage new dwellings in the rural area to be sited at a location in close proximity to the family home where the drainage conditions can safely accommodate the cumulative impact of such clustering and where such clustering will not have a negative impact on the amenities of the original

house. Where this arrangement is clearly demonstrated not to be available, permit the new dwelling to be located on an alternative site which is within two kilometres from the family home, or, in the case of applications made under Objective RF41 within five kilometres outside Noise Zone A and subject to the East/West of the M1 stipulation.

In Chapter 7 'Movement and Infrastructure', Section 7.1 'Transportation' delete existing wording in sub-section 'Noise' (page 264) and replace with new wording below:

Noise

Noise Zones have been prepared in relation to aircraft noise associated with Dublin Airport as outlined in Table 7.2 below and supported by the following objectives. The approach taken in preparing these noise zones is considered to be supportive of National Policy Objective 65 set out in the Department of Housing Planning and Local Government (DHPLG) National Planning Framework 2040, February 2018, to:

“Promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life and support the aims of the Environmental Noise Regulations through national planning guidance and Noise Action Plans”.

This approach also has regard for land use planning which is a component of the ICAO Balanced Approach to Aircraft Noise Management, as set out under EU Regulation 598/2014. This approach is therefore considered also to align with the key objective set out in the Dublin Airport Noise Action Plan 2019, which is:

“to avoid, prevent and reduce, where necessary, on a prioritised basis the effects due to long term exposure to aircraft noise, including health and quality of life through implementation of the International Civil Aviation Organisation’s ‘Balanced Approach’ to the management of aircraft noise as set out under EU Regulation 598/2014”

There is a need to minimise the adverse impact of noise without placing unreasonable restrictions on development and to avoid future conflicts between the community and the operation of the airport. Three noise zones are shown in the Development Plan maps, Zones B and C within which the Council will continue to restrict inappropriate development, and Zone A within which new provisions for residential development and other noise sensitive uses will be actively resisted. An additional assessment zone, Zone D is also proposed to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.

Table 7.2 presents the four aircraft noise zones and the associated objective of each zone along with an indication of the potential noise exposure from operations at Dublin Airport. The zones are based on potential noise exposure levels due to the airport using either the new northern or existing southern runway for arrivals or departures.

The noise zoning system has been developed with the overarching objective to balance the potential impact of aircraft noise from the Airport on both external and internal noise amenity. This allows larger development which may be brought forward in the vicinity of the Airport’s flight paths to be

identified and considered as part of the planning process. The focus of the noise zones is to ensure compatibility of residential development and ensuring compatibility with pertinent standards and guidance in relation to planning and noise, namely:

- National Planning Framework 2040, DHPLG, February 2018;
- ProPG: Planning & Noise – New Residential Development, May 2017;
- British Standard BS8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’; and
- ICAO guidance on Land-use Planning and Management in Annex 16, Volume I, Part IV and in the ICAO Doc 9184, Airport Planning Manual, Part 2 — Land Use and Environmental Control.

Where development includes other non-residential noise sensitive receptors, alternative design guidance will need to be considered by the developer. Non-residential buildings and uses which are viewed as being noise sensitive within the functional area of FCC include hospitals, residential care facilities and schools.

Table 7.2 Aircraft Noise Zones		
Zone	Indication of Potential Noise Exposure during Airport Operations	Objective
D	<p>≥ 50 and < 54 dB $L_{Aeq, 16hr}$</p> <p>and</p> <p>≥ 40 and < 48 dB L_{night}</p>	<p>To identify noise sensitive developments which could potentially be affected by aircraft noise and to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.</p> <p><i>All noise sensitive development within this zone is likely to be acceptable from a noise perspective. An associated application would not normally be refused on noise grounds, however where the development is residential-led and comprises non-residential noise sensitive uses, or comprises 50 residential units or more, it may be necessary for the applicant to demonstrate that a good acoustic design has been followed.</i></p> <p><i>Applicants are advised to seek expert advice.</i></p>
C	<p>≥ 54 and < 63 dB $L_{Aeq, 16hr}$</p> <p>and</p> <p>≥ 48 and < 55</p>	<p>To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development</p> <p><i>Noise sensitive development in this zone is less suitable from a noise perspective than in Zone D. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed.</i></p>

	dB L _{night}	<p>The noise assessment must demonstrate that relevant internal noise guidelines will be met. This may require noise insulation measures.</p> <p>An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the development's design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels.</p> <p>Applicants are strongly advised to seek expert advice.</p>
B	<p>≥ 54 and < 63 dB L_{Aeq, 16hr} and ≥ 55 dB L_{night}</p>	<p>To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure noise insulation is incorporated within the development.</p> <p>Noise sensitive development in this zone is less suitable from a noise perspective than in Zone C. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed.</p> <p>Appropriate well-designed noise insulation measures must be incorporated into the development in order to meet relevant internal noise guidelines.</p> <p>An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the developments design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels.</p> <p>Applicants must seek expert advice.</p>
A	<p>≥ 63 dB L_{Aeq, 16hr} and/or ≥ 55 dB L_{night}</p>	<p>To resist new provision for residential development and other noise sensitive uses.</p> <p>All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted.</p>
<p>Notes:</p> <ul style="list-style-type: none"> • 'Good Acoustic Design' means following the principles of assessment and design as described in ProPG: Planning & Noise – New Residential Development, May 2017; • Internal and External Amenity and the design of noise insulation measures should follow the guidance provided in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' 		

List of Townlands to which Assessment Zone D applies:

Allenswood, Annfield, Astagob ,Balcultry, Balcurris, Baldoyle, Baldurgan, Balheary Demesne, Ballyboghil, Ballycoolen, Ballyhack, Ballymun, Baleskin, Barberstown, Barnanstown, Barnhill, Barrysparks, Belinstown, Blakestown, Boggyheary, Brackenstown, Brazil, Broomfield, Browns Cross, Burrow, Burrow, Buzzardstown, Cabragh, Cappoge, Castaheany, Castlefarm, Castlefarm, Charlestown, Cloghran, Clonmethan, Clonsilla, Coldblow, Coldwinters, Commons East, Commons West, Cookstown, Coolatrath East, Coolmine, Coolquoy Common, Corballis, Corduff, Cornstown, Corrstown, Cottrelstown, Cremona, Crowscastle, Cruiserath, Damastown, Deanestown, Dooroge, Drinan, Drishoge, Drishoge, Dubber, Dunmucky, Fieldstown, Folly, Forestfields, Forrest Great, Glebe, Glebe, Glebe, Grange, Grange, Grange, Greenfields, Hansfield Or Phibblestown, Hartstown, Hilltown, Howth, Howth Demesne, Huntstown, Jamestown Little, Jordanstown, Kellystown, Kilbarrack Lower, Kilbarrack Upper, Kilcoskan, Kilcrea, Kildonan, Killeek, Killeen, Killossery, Kilmore Big, Kilsallaghan, Knockaneek, Knocksedan, Laraghcon, Laurestown, Leas, Leastown, Lispopple, Littlepace, Macetown Middle, Macetown South, Malahide, Malahide Demesne, Mantua, Meakstown, Miltonsfields, Mitchelstown, Mooretown, Moortown, Mountambrose Great, Mountambrose Little, Mountgorry, Murragh, Newbarn, Newtown, Oldtown, Outlands, Palmerstown, Parslickstown, Part Of Balcurris, Part Of Clonmethan, Part Of Clonmethan, Part Of Grange, Part Of Grange, Part Of Huntstown, Part Of Huntstown, Part Of Newtown, Part Of Oldtown, Part Of Oldtown, Part Of Swords Glebe, Part Of Westereave, Part Of Westereave, Passifyoucan, Poppintree, Porterstown, Quarry, Rath, Rathbeal, Rathingle, Rowlestown East, Rowlestown West, Santry, Santry Demesne, Scatternagh, Seatown East, Seatown West, Silloge, Skephubble, Skidoo, Snugborough, St. Catherine's Park, Stapolin, Surgalstown North, Surgalstown South, Swords Demesne, Swords Glebe, Thorntown, Toberburr, Townparks, Tyrrelstown, Warblestown, Westereave, Westmanstown, Westpalstown, Whitestown, Windmill Lands, Wolganstown, Woodlands, Wyanstown, Yellow Walls

Objective DA07:

Strictly control inappropriate development and require noise insulation where appropriate in accordance with table 7.2 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.

In Chapter 7 ‘Movement and Infrastructure’, Section 7.1 ‘Transportation’ in sub-section ‘Safety’ (page 265) delete objective DA16 and insert new Objective DA16 as outlined below:

Objective DA16

Continue to take account of the advice of the Irish Aviation Authority with regard to the effects of any development proposals on the safety of aircraft or the safe and efficient navigation thereof. To refer planning applications for any proposals that may be developed in the environs of the airport to the Irish Aviation Authority and daa in accordance with the Obstacle Limitation Requirements of Regulation (EU) No 139 / 2014 (EASA Certification Specifications), previously required under ICAO Annex 14, and which are depicted on the aerodrome operator’s map.

In Chapter 7 ‘Movement and Infrastructure’, Section 7.6 ‘Air, Light and Noise’ delete existing wording in first paragraph in sub-section ‘Noise Pollution’ (page 300) and replace with new wording below:

Noise Pollution

There are now two Noise Action Plans for Fingal in accordance with the requirements of the *Environmental Noise Regulations 2006*, S.I. 140 of 2006 which give effect to the *EU Directive 2002/49/EC* relating to the assessment of noise. Fingal County Council together with the other Dublin Local Authorities prepared the *Dublin Agglomeration Environmental Noise Action Plan 2018-2023*. Fingal County Council also prepared the Noise Action Plan for Dublin Airport 2019-2023. The key objective of the *Noise Action Plans* is to avoid, prevent and reduce where necessary on a prioritised basis the harmful effects including annoyance due to long term exposure to environmental noise.

Delete existing Objective NP01 (page 300) and replace with new Objective NP01 as outlined below:

Objective NP01

Implement the relevant spatial planning recommendations and actions of the *Dublin Agglomeration Environmental Noise Action Plan 2018-2023* and the *Noise Action Plan for Dublin Airport 2019-2023* (or any subsequent plan), working in conjunction with relevant statutory agencies.

Insert new text as follows on page 301 after Objective NP05:

Noise from road and rail

The National Planning Framework includes National Policy Objective 65 which seeks to “*Promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life and support the aims of the Environmental Noise Regulations through national planning guidance and Noise Action Plans*”.

The Noise Action Plan for Fingal County 2018-2023, is aimed at managing Environmental Noise from Road, Rail and Industrial sources within the Fingal County Council administrative area.

The key objective of the Noise Action Plan is to-

“avoid, prevent and reduce, where necessary, on a prioritised basis the harmful effects, including annoyance, due to long term exposure to environmental noise. This will be achieved by taking a strategic approach to managing environmental noise and following a balanced approach within the context of sustainable development.”

Strategic Noise Maps identifying the most significant sources of noise exposure from road and rail have been identified under the Environmental Noise Regulations and are presented in the Noise Action Plan for Fingal County 2018-2023. These maps can be used to identify the main areas where noise may be considered relevant to planning applications associated with noise-sensitive development. The Fingal Development Plan supports the objective of the NAP to identify noise sources and supports the integration of the Noise Action Plan into the Fingal Development Plan.

In order to give effect to National Policy Objective 65 in respect of the management of noise and to prevent members of the community being exposed to undesirable noise levels in new developments, the Council will take a strategic approach to managing environmental noise within its functional area.

This will be undertaken through ensuring that appropriate noise assessments are carried out in respect of planning applications for residential and other noise sensitive developments within the relevant noise contours presented by the Strategic Noise Maps in the Noise Action Plan or any other noise contour maps prepared by Fingal County Council. Noise assessments should follow the principles of good acoustic design in line with “Professional Practice Guidance on Planning & Noise: New Residential Developments” (2017) (ProPG)¹ so that development is designed to achieve acceptable internal noise levels. Predicted internal and external noise levels should be in keeping with BSI Standards Publication BS 8233:2014 *Guidance on sound insulation and noise reduction for buildings*, table 4: Indoor ambient noise levels for dwellings while external noise should be in accordance with section 7.7.3.2 Design Criteria for external noise.

Where there is the likelihood of an adverse noise impact planning applications should be supplemented by an Acoustic Design Statement carried out by appropriately qualified competent persons demonstrating that the general principles of good acoustic design have been followed (refer to footnote 1 below).

Objective NP06: Developments for noise sensitive uses shall have regard to any future national planning guidance, or in the interim any local planning guidance developed under the Noise Action Plan.

Objective NP07: Developments for noise sensitive uses shall have regard to the noise exposure maps contained within the Fingal Noise Action Plan 2018 – 2023 or any supplementary mapping prepared by Fingal County Council, and developers shall be required to produce a noise impact assessment and mitigation plans, where necessary, for any new noise sensitive development within these areas.

¹ ProPG: Planning & Noise for New Residential Development Supplementary Document 2 Good Acoustic Design in section 3 outlines general principles of Good Acoustic Design which should be followed in this regard <https://www.ioa.org.uk/sites/default/files/14720%20ProPG%20Supplementary%202.pdf>

In Chapter 12 'Development Management Standards', Section 12.6 'Design Criteria for Housing in the Countryside' delete existing Objective DMS51 (page 429) and replace with new wording below:

Objective DMS51

Encourage new dwellings in the rural area to be sited at a location in close proximity to the family home where the drainage conditions can safely accommodate the cumulative impact of such clustering and where such clustering will not have a negative visual and amenity impact on the original house. Where such an arrangement is clearly demonstrated not to be available, permit the new dwelling to be located on an alternative site which is within two kilometres from the family home, or, in the case of applications made under Objective RF40 and RF41, within five kilometres outside Noise Zone A.

Amend Development Plan Maps as follows:

Remove Inner Noise Zone and Outer Noise Zone and replace with Noise Zones A, B and C.

Remove Red Approach Areas

Delete Local Objective 54 from Sheet No. 8 Swords

Amend Appendix 6 as follows:

'Map Based Local Objectives', delete Local Objective 54