Comhairle Contae Fhine Gall Fingal County Council







# Review of the Fingal Development Plan 2017-2023 and Preparation of a New Fingal Development Plan 2023-2029

# **Chief Executive's Report Draft Consultation Process**

Report to Council under Section 12 (4) of the Planning and Development Act 2000, (as amended).

# Chief Executive's Report Draft Fingal Development Plan 2023-2029

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#### PART 1: Legislative Requirements and Consultation Process

CHIEF EXECUTIVE'S REPORT ON DRAFT PLAN PUBLIC CONSULTATION 28TH JULY 2022

FINGAL DEVELOPMENT PLAN 2023-2029

# PART 1: Legislative Requirements and Consultation Process

#### Introduction

Fingal County Council is currently in the process of preparing a new Development Plan for 2023-2029.

The preparation of the Development Plan is one of the most important functions of the Council acting as a blueprint for the development of Fingal from a physical, economic, social and environmental viewpoint over the lifetime of the Plan. The Fingal Development Plan 2023-2029 will set the longer-term vision for the County's future. The preparation of a new Development Plan involves three key stages, scheduled to finish in late March 2023.

The Development Plan review has come at a challenging and unprecedented time arising from the impacts of the Covid-19 pandemic, climate change, Brexit and political instability in Eastern Europe. However, these challenges also present opportunities to build on our mission to make Fingal 'the place to live, work, visit and do business'.

The process of making a Development Plan must be open, transparent and inclusive. All interested individuals and organisations, at Local, Regional and National level, must be given adequate opportunity to comment or make submissions for consideration by the Elected Members before the policies, objectives and measures to be included in the Plan are decided upon.

Consultation provides a key opportunity for citizens, stakeholders, community groups, businesses and the general public, including children, to ensure that their views are considered in shaping the future of their community and their County.

This Chief Executive's Report on submissions to the Draft Fingal Development Plan 2023 – 2029 has been prepared in accordance with Section 12(4) of the Planning and Development Act 2000 (as amended). This report forms part of the statutory procedure for the preparation of the County Fingal Development Plan. The process of reviewing the 2017- 2023 Development Plan and the preparation of the new Plan formally commenced in March 2021 with an eight-week Pre-Draft public consultation phase.

A Draft Plan was prepared and circulated to the elected members in December 2021. This was considered and agreed by the elected members in January and February 2022. The Draft Plan was put on public display on 24th February 2022 for a period of 12 weeks until 12th May 2022. Further details on the consultation process are set out below.

#### Purpose and Content of the Chief Executive's Report

The purpose of the Chief Executive's Report is to report on the outcome of the consultation process on the new Draft Fingal Development Plan, set out the Chief Executive's response to the issues raised in the submissions received, and to make recommendations on changes to the Draft Plan.

This report forms part of the statutory procedure for the preparation of a new Development Plan. Under Section 12 (4)(a) of the Planning and Development Act 2000 (as amended) the Chief Executive is required to prepare a report on any submissions and observations received and submit the report to the Members of the authority for their consideration. The report is required to do the following:

- list the persons or bodies who made the submissions or observations,
- summarise the issues raised by the persons or bodies who made submissions or observations, and
- give the response by the Chief Executive to the issues raised taking account of any direction of the Members of the authority, the proper planning and sustainable development of the area, the statutory obligations of the authority and any relevant policies or objectives of the Government or of any Minister of the Government.

#### **Format of Report**

The legislation requires that a full summary of all submissions is provided as well as the Chief Executive's Response to the issues raised in submissions. Therefore, this Chief Executive's Report comprises 5 Parts:

Part 1- Includes an explanation of the legislative requirements for the making of the new Development Plan, the Chief Executive's Report and outlines the Consultation Process to date.

Part 2- Includes a summary of the observations, submissions and recommendations made by the Office of the Planning Regulator (OPR), the Eastern and Midland Regional Assembly (EMRA) and the National Transport Authority (NTA). It also includes the response of the Chief Executive to the issues raised, taking account of any directions of the members of the Authority, the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

Part 3 - Summarises all submissions received and includes responses to the issues raised (excluding those from the OPR, EMRA and NTA, which are addressed in Part 2). There is an analysis of the submissions received relevant to each chapter, followed by the Chief Executive's opinion on these issues and recommendations.

Part 4 - Summarises all submissions received and includes responses to the issues raised (excluding those from the OPR, EMRA and NTA, which are addressed in Part 2). There is an analysis of the submissions received relevant to each Map Sheet, followed by the Chief Executive's opinion on these issues and recommendations.

Part 5 - Summarises all submissions received and includes responses to the issues raised (excluding those from the OPR, EMRA and NTA, which are addressed in Part 2). There is an analysis of the submissions received relevant to SEA, AA and SFRA and followed by the Chief Executive's opinion on these issues and recommendations.

Editorial changes and updating of the Draft Plan will also be carried out.

Four Appendices are presented in a separate document and include mapping of the Chief Executive's Recommendations (Appendix A), the Development Plan Timeline (Appendix B), a List of the Prescribed Bodies (Appendix C) and all submissions received (Appendix D).

#### Legislative Background for the Fingal Development Plan 2023-2029

The prescribed process and timetable for the preparation of the Fingal Development Plan 2023-2029 is outlined in Appendix B of this report. The process set out in the Planning and Development Act, 2000 (as amended) gives a ninety-nine-week period for the adoption of the Plan and involves public consultation at three separate stages. The first stage of public consultation ran from 12th March 2021 to the 12th May 2021 and the second stage of public consultation ran from 24th February 2022 to 12th May 2022.

The Planning and Development Act 2000 (as amended) sets out mandatory objectives which must be included in a Development Plan. These include, inter alia, objectives for the zoning of land, the provision of infrastructure, the conservation and protection of the environment, and the integration of the planning and sustainable development of the area with the social, community and cultural requirements of the area and its population. Other non-mandatory objectives are also referred to in the Planning Act. There is also a requirement for a Strategic Environmental Assessment and Appropriate Assessment and Climate Change assessment of the new Development Plan.

In accordance with Article 13A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 of 2004), the Council must carry out a Strategic Environmental Assessment (SEA) before the Plan may be adopted. The SEA is an integral part in the development of the Plan. A Strategic Flood Risk Assessment (SFRA) was undertaken for the Plan area having regard to the Ministerial Planning Guidelines on The Planning System and Flood Risk Management. Flood Risk Assessment has been integrated into the SEA process.

The Strategic Flood Risk Assessment has been published as a separate document in conjunction with the Draft Plan. In accordance with European and National legislation, the Council carried out a Strategic Environmental Assessment (SEA) and an Appropriate Assessment (AA) under the Habitats Directive, which informed the preparation of this Draft Plan.

These assessments are undertaken so the impact of the proposed Draft Plan objectives on the environment can be evaluated and used to inform the direction of the Draft Plan to ensure that our built environment responds to the sensitivities and requirements of the wider national environment.

Ministerial Guidelines issued to Planning Authorities regarding their functions under the Planning Acts have been considered in the making of this Plan and have been implemented in the various chapters, in accordance with Section 28 of the Planning and Development Act 2000 (as amended).

The form and content of the Draft Plan has been informed by the 'Guidelines to Planning Authorities on the Preparation of Development Plans' (2007) and the recently published 'Development Plans – Guidelines for Planning Authorities' (June 2022). These revised Guidelines set out a framework within which Development Plans will achieve high standards in relation to setting out their aims and objectives; how they are produced and presented and their implementation and monitoring.

#### **Pre-Draft Consultation Process**

The first consultation phase (Pre-Draft phase) formally commenced on the 12th March 2021 and concluded on the 12th May 2021, with the publication of a 'Section 11 notice' indicating Fingal County Council's intention to review the existing Fingal Development Plan 2017–2023 and to prepare a new Fingal Development Plan for the period 2023 – 2029.

A Strategic Issues Paper and Information Booklet (circulated to all households in the County) was published, which asked 'How do you see Fingal in 2029?'. The Strategic Issues Paper provided the context for the preparation of the proposed Development Plan and identified how the proposed Plan fits into the hierarchy of legislation, including the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES). The Strategic Issues Papers addressed seven key themes:

- Theme 1: People and Place
- Theme 2: Climate Action
- Theme 3: Connectivity & Movement
- Theme 4: Employment, Economy & Dublin Airport
- Theme 5: Cultural Heritage
- Theme 6: Green Infrastructure & Natural Heritage
- Theme 7: Infrastructure & Utilities

The Covid-19 public health crisis and the related restrictions on public gatherings provided a significant and unprecedented challenge to this stage of the consultation process. We had to look for new ways to consult with the public at a time when the 'traditional' drop in consultation evenings, workshops and information sessions were not possible.

A communications strategy was therefore adopted to ensure that awareness of the plan process spread through the County and beyond. Central to this was the social media campaign. Traditional advertising avenues such as billboards, bus stops, local media and radio were also used. Engagement in the process was therefore actively encouraged through various measures.

Notwithstanding the restrictions placed on holding public events and meetings due to Covid-19, the level of engagement at this stage of the process was very high. There were 551 no. written submissions received and considered in the Chief Executive's Report issued to Elected Members on the 2nd July 2021.

Preparation of the Chief Executive's Draft Plan has been informed by the Chief Executive's Report on written submissions, consultations with members of the public, stakeholders, service providers, Elected Members, Strategic Policy Committees, Statutory Bodies, Government Departments and with the various Directorates of Fingal County Council.

Current Consultation Process – Draft Plan and Next Stages Councillors met 11 times between 18th January 2022 and 10th February 2022 to review the Chief Executive's Draft Development Plan and, after considering 917 motions, a Draft Development Plan was produced.

Following consideration of this Draft Plan by the Elected Members, the next stage of the process commenced with a public consultation phase between 24th February and 12th May 2022. During this time, the Draft Plan document was available for download from the fingal.ie/development

plan website and the Draft Plan was also available for inspection at Fingal County Council's offices in Swords and Blanchardstown or any Fingal Libraries branch.

A number of consultation events were held during this submission period to allow members of the public and other stakeholders hear from Council planning officials about the Draft Development Plan and pose questions to them.

A Draft Development Plan webinar took place on Tuesday 22nd March 2022, and a recording of this was available to view on the website. A series of drop-in sessions took place at the following locations (from 4pm to 8pm):

- 31st March 2022 The Atrium, County Hall, Swords.
- 5th April 2022 The Lecture Room, Blanchardstown Library, Blanchardstown.
- 20th April 2022 The Lecture Room, Malahide Library, Malahide.
- 21st April 2022 Martello Room, The Bracken Court Hotel, Balbriggan.

A total of 1937 submissions were received by 12th May 2022 and overall the level of engagement was high and included much positive commentary.

There were in excess of 31,800 'hits' on <a href="https://www.fingal.ie/development-plan">https://www.fingal.ie/development-plan</a> with unique page views of 19,100. There was also regular activity on Facebook and Twitter. Of the total of 1937 no. submissions received¹, a total of 1,232 submissions were made online (web-based submissions) and 705 submissions were received by post / by hand.

The number of submissions received was over double the number received at the same stage in the preparation of the 2017 – 2023 Plan.

# Approach to Consideration of Submissions and Recommendations

Following the initial recording and scanning of all submissions, each submission was read first to allocate the issues raised to the appropriate sheets and chapters of the Development Plan. Some submissions received included issues not relevant to the Development Plan, and in some cases not relevant to planning generally or Local Authority operations and such points cannot be included in the Chief Executive's report.

Many submissions were referred to several different sections of the Draft Plan and are dealt with in more than one response. The report is set out generally in the order in which the issues arise in the Draft Development Plan.

Where an issue raised is not considered a Development Plan issue this is stated in the response. Responses in black are matters considered by the Chief Executive and where no change is recommended.

Recommendations for amendments to the Draft Plan are shown by way of red text with deletions shown by way of a **strike through in bold.** 

<sup>&</sup>lt;sup>1</sup> This figure excludes 9 no. submissions, which were subsequently withdrawn. It also excludes 6 no. late submissions received by post/by hand and 8 no. late submissions submitted by email.

Additions are illustrated shown by way of underlining in green text in bold with italics.

Appendix D contains a list of submissions received and these are <a href="https://hyperlinked">hyperlinked</a> allowing anyone access to the full detail of any individual submission. The Chief Executive's report contains the applicable submission reference numbers (e.g. FIN-C453-XXX) under each of the respective Chapters / Sheets.

In the event of minor typographical errors or discrepancies, these will be amended in the Draft Plan. Similarly, where draft plans or policy documents, prepared by other bodies, have been updated or approved during the Development Plan preparation process, these will be amended accordingly in the final Development Plan. Numerical data, particularly in the Core Strategy, will also be updated as necessary.

The Table below includes a breakdown of observations relevant to each Chapter and Sheet / Map. Many submissions contained a number of observations, which were referred to a number of different sections within the Plan.

#### Written Statement/Appendices/Accompanying Documents

SHEET NUMBER	OBSERVATIONS
Chapter 1 Introduction, Vision and Strategic Overview	14
Chapter 2 Planning for Growth	250
Chapter 3 Sustainable Placemaking and Quality Homes	790
Chapter 4 Community Infrastructure and Open Space	781
Chapter 5 Climate Action	48
Chapter 6 Connectivity and Movement	322
Chapter 7 Employment and Economy	146
Chapter 8 Dublin Airport	177
Chapter 9 Green Infrastructure and Natural Heritage	537
Chapter 10 Heritage, Culture and Arts	291
Chapter 11 Infrastructure and Utilities	110
Chapter 12 Implementation and Monitoring	3
Chapter 13 Land Use Zoning	64
Chapter 14 Development Management Standards	485
Strategic Environmental Assessment	5
Appropriate Assessment	4
SFRA	17
APPENDICES	84

#### **Map Sheets**

SHEET NUMBER	SUBMISSIONS
Sheet 1: County Strategy – Index	0
Sheet 2: Fingal North	21
Sheet 3: Fingal Central	54
Sheet 4: Balbriggan	29
Sheet 5: Skerries	53
Sheet 6: Lusk (6A) & Rush (6B)	42 (Sheet 6A)
Sheet o. Lusk (oA) & Rush (ob)	50 (Sheet 6B)
Sheet 7: Donabate-Portrane	46
Sheet 8: Swords	359
Sheet 9: Malahide-Portmarnock	201
Sheet 10: Baldoyle-Howth	46
Sheet 11: Fingal South	385
Sheet 12: Blanchardstown North	85
Sheet 13: Blanchardstown South	293
Sheet 14: Green Infrastructure 1, 2 and 3	2

In a similar vein to the submissions received at Pre-Draft Stage it is evident that the community care very strongly about what happens in the County. Whilst many of the issues raised related to the Draft Development Plan, there were also a high number of issues raised that related to other operational areas or matters more appropriate to Local Area Plans or other service area Plans.

We wish to take the opportunity to thank all those who made submissions, all who attended the drop-in sessions, all those who viewed the webinar and those who viewed the Plan in the Council Offices and local libraries. We also wish to thank all the elected members who also supported and encouraged participation.

# Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA)

In accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act 2000 (Part XAB) (as amended); and the European Communities (Birds and Natural Habitats) Regulations 2011 to 2015, the Planning Authority has undertaken an Appropriate Assessment of the Chief Executive's Report on submissions received for the Draft Fingal Development Plan.

The preparation and adoption of the Fingal Development Plan 2023-2029 is subjected to Appropriate Assessment, as required by the European Habitats Directive (92/43/EEC). The Appropriate Assessment is a focused and detailed impact assessment of the implications of the Fingal Development Plan 2022-2029, alone and in combination with other plans and projects, on the integrity of European sites in view of the conservation objectives of the European sites.

The Appropriate Assessment process has informed the Chief Executive's Report on submissions received on the Draft Development Plan so that it can be implemented successfully without having adverse effects on the integrity of European sites. The Appropriate Assessment report has determined that, assuming the successful implementation of the mitigation measures

contained within the plan, there will be no adverse effects on the integrity of European sites arising from the plan in isolation or in combination with other plans and projects.

In compliance with the Strategic Environmental Assessment Directive (2001/42/EC) and in accordance with Article 13B of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004) (as amended), the Planning Authority has carried out a Strategic Environmental Assessment (SEA) as part of the preparation of the Draft Development Plan.

The Strategic Environmental Assessment process has informed the Chief Executive's Report on Submissions received on the Draft Development Plan 2023-2029 so that it can be implemented successfully without having adverse effects on the environment. All amendments proposed to the plan have been screened for likely significant effects and it has been determined that assuming the successful implementation of mitigation measures contained within the Plan, there will be no significant impact on the environmental receptors as a result of implementing the Plan.

#### **Next Steps**

Under Section 12 (5) of the Act and following receipt of this Chief Executive's Report and revised Draft, the members are required to consider the Draft and the Chief Executive's Report.

Such consideration must be completed within 12 weeks, and where, following consideration of the Draft Development Plan and the Chief Executive's Report, it appears to the Members that the Draft Plan should be accepted or amended, they may by resolution, accept or amend the Draft and make the Development Plan accordingly.

Should amendments be proposed which would constitute material alterations to the Draft Plan, there is a further public display period giving people an opportunity to comment on the proposed amendments only. This is followed by the preparation of a Chief Executive's Report for Members on any submissions/observations received.

Members may then make the Development Plan with or without the proposed amendments, or with modifications to the proposed amendments, as they consider appropriate.

#### **Timeline for Completion**

To assist Members in their consideration of the Draft Plan and the Chief Executive's Report on the submissions/observations received, Information Sessions for Members only have been arranged for the following dates:

- Tuesday 16th August, 10am 1pm Blanchardstown
- Wednesday 17th August, 10am online session (via Microsoft Teams)
- Tuesday 23rd August, 10am 1pm Swords

The Chief Executive's Report on the submissions/observations received and the Draft Plan will be considered at a series of meetings in September and October 2022.

The Planning Authority envisages that the final Plan will be adopted in February 2023 and come into effect six weeks later.

The timetable for the completion of the Development Plan is set out below:

DATE	DETAILS
28 <sup>th</sup> July 2022	Report on Submissions/ Observations to be circulated to Councillors
23.59pm on Thurs 1 <sup>st</sup> September2022	Last date for receipt of motions from Councillors
20 <sup>th</sup> September – 14 <sup>th</sup>	Special Council meetings to be held (as required during this
October 2022	period)
4 <sup>th</sup> November – 2 <sup>nd</sup>	If the draft is amended on foot of the Special Meeting, 2 <sup>nd</sup>
December 2022 (TBC)	Public Display of Draft will commence for a 4-week period.
6 <sup>th</sup> January 2023 (TBC)	Report on Submissions / Observations for second public
o January 2023 (TBC)	display – Circulated to Councillors
January/February 2022 (TBC)	Special Council Meeting will take place to adopt the plan
March 2022	Development Plan come into effect 6 weeks after adoption

## PART 2: Submissions from the OPR, EMRA and NTA

CHIEF EXECUTIVE'S REPORT ON DRAFT PLAN PUBLIC CONSULTATION 28TH III V 2022

# PART 2: Submissions from the OPR, EMRA and NTA

#### **Submission from the Office of the Planning Regulator (OPR)**

The submission of the Office of the Planning Regulator (OPR) (FIN-C453-1085) relates to the evaluation and assessment of the Draft Plan under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended (the Act).

For ease of reference, this section of the Chief Executive's Report on the Public Consultation on the Draft Development Plan will reflect the overall structure of the OPR submission itself.

The submission commences with an introduction and an overview section before setting out a total of 17 recommendations and 6 observations which relate to the following issues (and related sub-issues):

- 1. Core Strategy and Settlement Strategy
  - Housing and population targets
  - Settlement Hierarchy and Distribution of Growth
  - o Core Strategy and Zoning for residential use
- 2. Sustainable Development
  - Development approach for settlements
  - o Residential Land Use Zoning Compact and sustainable growth
  - Residential Land Use Zoning Infrastructure capacity
  - o Standards and Guidelines
  - School Sites
- 3. Housing Strategy and Relevant Policies
  - o Build to Rent
  - o Rural Housing and Regeneration
- 4. Rural Housing Policy
- 5. Economic Development and Employment
  - o Employment Zoned Land
  - o Retail
  - Extractive Industry
- 6. Sustainable Transport and Accessibility
  - Transport Strategy for the Greater Dublin Area
  - Modal Share Targets
  - o Strategic National Road Network
- 7. Climate Action and Renewable Energy
- 8. Flood Risk Management
- 9. Environment, Heritage and Amenities
  - Rights of Way
  - o Environmental Assessments
- 10. Implementation and Monitoring
- 11. General and Procedural Matters
- 12. Mapping

For each of the sections and sub-sections listed above, the CE's Report will provide a summary of the points raised by the OPR (including the wording of any recommendation or observation), a response by the Chief Executive to the points raised, and the details of any proposed changes arising from this response.

#### **OPR Submission – Introduction and Overview**

The opening introductory section of the submission starts by acknowledging the considerable work Fingal County Council has undertaken in the preparation of the Draft Plan against the backdrop of an evolving national and regional planning policy and regulatory context. In particular, the submission commends Fingal County Council for delivering an excellent public consultation campaign for the draft development plan which offered a mix of virtual and inperson consultation in order to cater for a broad range of people.

It then goes on to outline the legislative basis for the submission and explains that the specific recommendations included in the submission relate to what the OPR views as clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under Section 28 of the Act.

The submission states that the planning authority is required to implement, or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

The submission explains that the specific observations included in the submission take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The submission states that the planning authority is requested by the Office to action an observation.

The overview section of the submission acknowledges that the Draft Plan embraces many of the challenges and opportunities identified in the NPF and the RSES, in particular by setting out a strategy for the growth of the Dublin Metropolitan Area Strategic Plan (MASP) to enable Dublin to achieve the critical mass in terms of housing, employment, services and amenities needed to develop as a city region.

The submission discusses the crucial role Fingal has in relation to achieving the national strategic outcomes (NSOs) of the NPF for compact growth, sustainable mobility, enhanced regional accessibility and transition to a low carbon and climate resilient society.

In this regard, the submission states that the OPR welcomes the policy focus on strengthening the greenbelt areas and to avoid the coalescence of settlements to ensure that development occurs in a compact and sustainable manner in accordance with National Policy Objective 62 (NPO 62). The submission also acknowledges the significant work undertaken in the preparation of background reports which provide a strong supporting framework for the Draft Plan.

The submission states that the OPR has identified a number of areas that require significant further consideration in order to ensure consistency with the legislative provisions and national and regional policy including:

• the need to justify the extent of lands zoned within the Draft Plan ensure a sufficient and stable supply of residential and employment land is aligned with the Core Strategy and in the right locations where sustainable transport options are being provided with a particular focus on infill/brownfield lands and/or other sequentially appropriate lands, in proximity to high quality transport that is existing or that will be delivered during the plan period.

- the need to address the lack of any significant capacity in the Core Strategy for additional significant residential or employment land use zoning without a commensurate reduction elsewhere, and where the replacement land is locationally preferable
- the need for greater clarity and focus in the Draft Plan in relation to the prioritisation of better located land for housing and other forms of development over the plan period
- the concern that there is an over reliance on dealing with strategic planning decisions in a case by case manner through the development management process and the preparation of non-statutory framework plans, rather than adopting a comprehensive plan-led approach.

#### **Chief Executive's Response:**

The comments of the OPR are welcomed in relation to the considerable effort in preparing the Draft Development Plan in a rapidly changing planning context and in ensuring that members of the public were fully involved in the preparation of the Draft Plan.

We also welcome the confirmation from the OPR that the Draft Plan follows the planning policy direction set out in national and regional planning policy in order to ensure that Fingal can continue to play a central role in the development of Dublin and Ireland as a whole.

It is noted the OPR raises a number of broad issues which are said to require further consideration including the extent of lands zoned within the Draft Plan and the approach to strategic planning decisions taken by the Council.

It is important firstly that we set out the vision and the strategic objectives of Fingal County Council and this development plan. Fingal County Council came into being in 1994 and since then has evolved and progressed, resulting in a unique environment, with distinctive towns and villages, parks and offices, residential streets and squares, industrial and creative spaces.

Through this time, Fingal has continued to grow and has experienced significant development and change. The population of Fingal is projected to increase by approximately 73,000 by 2031, up to 369,000, as per the Regional Spatial and Economic Strategy population projections. In order to meet the needs of our ever-increasing population, we need to build new homes, provide space for these homes as well as supporting social infrastructure, while also attracting new employment opportunities, but also providing space for such employment generating uses.

The strategic vision of this draft plan is relatively simple, it is for the County to continue to grow in a sustainable way. The plan envisages Fingal as an integrated network of vibrant successful urban settlements and rural communities, strategic greenbelts and open countryside, supporting and contributing to the economic development of the County and of the Dublin City Region.

Fingal is currently facing a unique mix of challenges arising from the need to proactively respond to the ongoing housing crisis and to meet the ambitious objectives set out in the government's Housing for All strategy, while also responding to the significant number of Strategic Housing Developments which have been granted across the County during a relatively short period.

In addition to addressing the physical, community and recreational infrastructure needs associated with significant numbers of residential units granted under the SHD system, Fingal County Council must ensure that it continues to provide for the planned and sustainable growth

of Fingal having regard to the housing and population growth targets of its town and villages as set out in the NPF and RSES.

Significant progress made, through the Development Plan process, in recent years in ensuring that new residential development occurs where it is most suitable and most needed including within the set development boundaries of existing town and villages, next to major transportation infrastructure and services including railways and high frequency bus services and in areas with existing or proposed Strategic Development Zones (as in Hansfield), Local Area Plans, Masterplans or Framework Plans.

The principles of infill development and of sequential growth within existing settlements is a central element of the overall approach to growth in Fingal, as is evidenced by the ongoing consolidation of key strategic areas of the County including the City and Suburbs Area in Blanchardstown and of the key growth town of Swords.

This policy response is shown to be successful to date. The main areas of construction activity, i.e. Hansfield, Blanchardstown, Swords, Baldoyle, Portmarnock, Donabate and Santry are the areas with the Strategic Development Zone, Local Area Plans and Masterplans and also, where construction and SHD activity is taking place. This clearly shows how the development of Fingal is in line with the National and Regional policy regarding consolidation of development within Dublin City and Suburbs, and within the development boundary of existing towns and urban areas and along public transport corridors.

In this regard, we are confident that the thorough and robust approach to the allocation of zoned lands in the County and to the making of strategic planning decisions accords with the provisions of national and regional planning policy, as will be demonstrated in the responses to each of the recommendations and observations raised by the OPR.

#### **OPR Submission - Core Strategy and Settlement Strategy**

The OPR submission includes a separate section on the Core Strategy and the Settlement Strategy which addresses the related issues of:

- housing and population targets;
- the settlement hierarchy and distribution of growth; as well as
- the core strategy and zoning for residential use.

#### **Housing and Population Targets**

With regard to the issue of housing and population targets, the submission states that the OPR is satisfied that the total county population projections to 2029 in section 2.2.7 of the Draft Plan are generally consistent with the population prescribed for the City in the RSES and NPF.

The submission states that the OPR is also satisfied that the methodology used to calculate the Housing Supply Target (HST) as set out in Table 2.9, is generally consistent with the section 28 Housing Supply Target Methodology for Development Planning Guidelines for Planning Authorities (2020).

Notwithstanding, the submission states that there is a need to ensure that the information regarding population and housing supply targets is more clearly set out in the core strategy with reference to the Development Plans Guidelines for Planning Authorities - Draft for Consultation.

In this regard, the submission notes that although the HST figure is provided for the county area as a whole, it has not been integrated into the Core Strategy Table (Table 2.14) and that consequently, the number of housing units in each town, or area within the county is not clear or apparent, resulting in a lack of transparency and uncertainty in a development management context.

The submission goes on to note that the core strategy table amalgamates significant urban areas in their own right under 'Blanchardstown' and 'Other settlements' with the 'Dublin City and Suburbs Consolidation Area', and also 'Towns and Villages' within the metropolitan area and the core area.

According to the submission, the absence of details for significant urban areas such as Blanchardstown, Santry, Ongar, Ballymun, and newer areas such as Tyrellstown, results in a lack of clarity regarding the Draft Plan's strategic preferences for development (and associated infrastructure), and the portion of the HST figure that could realistically be delivered in each area over the plan period.

The submission states that the treatment of the additional population and corresponding housing supply target arising from the Dublin Metropolitan Area Strategic Plan (MASP) allocation under NPO 68 for Swords is also unclear. In this regard, the submission notes that Section 2.2.7 states that an additional 20,000 population was allocated to Swords in accordance with NPO68 and the Dublin MASP but that Table 2.14 provides for a population growth of just 10,265 over the plan period.

Furthermore, the submission advises that the NPO 68 additional population allocation is for the Key Town of Swords and cannot be applied universally across the county and also that the allocation must also be applied in addition to the county HST allocation to Swords and clearly demonstrated within the core strategy table.

The submission notes that the core strategy 'estimated 2029 population' (361,894) (Table 2.14) is inconsistent with the population projections for the plan period as set out in Section 2.2.7 (359,290) and that the reason for different figures is not apparent. It also calls for a review and clarification of the summation of the CSO 2016 figures in Table 2.14.

Finally, the submission notes that some of the 2016 population figures outlined in the Table 2.14 do not correspond with those of the <u>2016 Census (SAPMAP)</u> and requests for any deviation to be clearly explained.

Having regard to the foregoing, the submission contains the following recommendation, the wording for which is as follows:

#### OPR Recommendation 1 - Core Strategy Table

In accordance with the requirements of sections 10(2A) (f), (g) & (h) and 10(2C) of the Planning and Development Act 2000, as amended, and having regard to the Housing Supply Target Methodology for Development Planning (2020), Guidance Note on Core Strategies (2010) and the Development Plans, Guidelines for Planning Authorities - Draft for Consultation (2021), NPO 68, RPO 5.5 and the Dublin MASP (RSES), the planning authority is required to review the core strategy in Chapter 2 of the Draft Plan and revise as necessary to:

- (i) include at a settlement or urban area level the housing supply targets in Table 2.9 of the Draft Plan (calculated in accordance with the section 28 guidelines Housing Supply Target Methodology for Development Planning (2020)) and Appendix 1 of the accompanying Ministerial Letter to Local Authorities of 18/12/20);
- (ii) differentiate between the individual urban areas within the 'Metropolitan Area' and the towns and villages within the 'Core Area' including housing and population growth for each of the areas, and to apply the structure of 'major town centre', 'district centres' and 'urban villages' as detailed in Appendix A, section 1.3.2 of the Development Plans Guidelines for Planning Authorities Draft for Consultation (2021);
- (iii) differentiate between the individual 'towns and villages' within the 'Metropolitan Area' and the 'Core Area' including housing and population growth for each settlement (including Portrane, Loughshinny and Balrothery);
- (iv) clearly identify the provision (housing supply target and population growth) for the Key Town of Swords under NPO 68 and the Dublin Metropolitan Area Strategic Plan (MASP);
- (v) confirm the density assumptions used to calculate the land area requirements for each urban area/settlement over the plan period, ensuring that the assumptions are consistent with the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009); and
- (vi) ensure that the level of growth proposed for each settlement is aligned to the level of services, including water services infrastructure and high-quality public transport corridors.

#### Chief Executive's Response to OPR Recommendation 1

The Chief Executive notes the recommendation made by the OPR in relation to the presentation of population and housing supply information in the Draft County Development Plan.

As a result of recommendation 1, the Core Strategy has been reviewed and re-evaluated. It is proposed to update the text in this section of the draft Plan and, in particular, Table 2.14 to provide further clarity. This update has resulted in changes to anomalies and revisions of some of the figures in the draft Plan.

While it should be noted that the listing of settlements in Table 2.14 of the Draft Plan corresponds to the broader settlement hierarchy not only for Fingal, but for the Dublin City and Suburbs area, the updated version of Table 2.14 will separate out the areas in the Local Electoral Areas as a means of differentiating between the individual urban areas, particularly those in the wider Blanchardstown area.

With regard to density, it is recognised it is a requirement of Section 10(2A)(a) of the Act that the Core Strategy is consistent with planning policy requirements of guidelines issued under Section 28 of the Act. The Guidance Note on Core Strategies clearly reinforces that density assumptions used in the preparation of a Core Strategy should be consistent with the Planning Guidelines for Sustainable Residential Development in Urban Areas (2009) and these have been applied in the Core Strategy.

The densities employed to calculate the total housing yields for the County have been based on a detailed site by site analysis and it can be seen that they comply with the overall density standards set out in the 2009 Sustainable Residential Development in Urban Areas Guidelines which recommend densities of 30-40+ dwellings per hectare for mainly residential in centrally

located sites, 20-35 dwellings per hectare on edge of centre sites and 15 - 20 dwellings per hectare along or inside the edge of smaller towns and villages. Furthermore, in accordance with the 2018 Sustainable Urban Housing Guidelines, apartment developments in central and/or accessible urban locations and in intermediate urban locations have densities of >45 dwellings per hectare net).

The urban capacity assessment examined each of the settlements in the current Development Plan considering the quantum of zoned land and appropriate densities of the same. In this assessment, it was possible to reflect the variations in achievable density for potential development sites. The approach in developing the Core Strategy is focused on developing and strengthening the role of Dublin City and Suburbs as a key part of wider Dublin City area, the key town of Swords, large towns, villages and rural clusters. There is a focus on increasing residential densities and employment in the metropolitan area and main towns, thereby decreasing the distance that people have to travel from their home to work. The strategy is also focused on settlements with good public transport links and improving public transport links in other settlements, highlighting the importance of integrating land use and transportation to help reduce greenhouse gas emissions and facilitate the transition to a low carbon economy.

The development of a network of settlements that work together to the benefit of Fingal and all its inhabitants, including those in rural areas can only occur in a planned way. Guidance throughout the Plan on housing densities, building height and development layouts, are all aimed at ensuring the economic use of land for development, compact, quality neighbourhoods and integration with infrastructure and non-residential land uses that nurture sustainable travel patterns and choices.

The Core Strategy and the Settlement Hierarchy is developed around five Levels. While each Level serves a different strategic role, together they will achieve a balanced, spatial planning settlement framework, which supports our urban and rural areas. All settlements, regardless of their Level, have an important role and contribution to make to the economic and social life of Fingal.

These levels, which are in line with the settlement typology outlined in the Development Plans, Guidelines for Planning Authorities, June 2022 and are shown in the table below (which is based on Draft Development Plan Table 2.20 'Fingal Settlement Hierarchy):

Settlement Typology	Description	Metropolitan	Core
Dublin City and Suburbs	International business core with a highly concentrated and diversified employment base and higher order retail, arts, culture and leisure offer. Acts as national transport hub with strong inter and intra-regional connections and an extensive commuter catchment.	Majority of Fingal's urban footprint including Blanchardstown (Clonsilla, Castleknock, Hollystown) Baldoyle, Sutton, Howth, Belcamp, Balgriffin, Santry (incl Ballymun) Charlestown, Meakestown.	
Regional Growth Centres	Regional Growth Centres are large towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area.	Not applicable to Fingal	
Key Towns	Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres	Swords	
(i) Self- Sustaining Growth Towns	(i) Self-Sustaining Growth Towns with a moderate level of jobs and services – includes subcounty market towns and commuter towns with good transport links and capacity for continued commensurate growth to become more self-sustaining.	Donabate	

Settlement Typology	Description	Metropolitan	Core
(ii)Self- Sustaining Towns	(ii) Self-Sustaining Towns with high levels of population growth and a weak employment base which are reliant on other areas for employment and/or services and which require targeted "catch up" investment to become more self-sustaining.	Malahide, Portmarnock	Balbriggan, Rush, Lusk, Skerries
Towns and villages	Towns and villages with local service and employment functions	Baskin, Kinsaley, Rivermeade, Coolquay, Rowlestown, Portrane	Balrothery, Oldtown, Loughshinny, Ballyboghil, Naul, Balscadden, Garristown, Ballymadun
Rural	Villages and the wider rural region		Rural Fingal and Rural Clusters

It is proposed to revise and update Draft Development Plan Table 2.14 'Core Strategy' to have regard to the OPR's recommendation. As part of the work carried out in this update, all figures have been updated. The revised Table 2.14 now includes at a settlement level the housing supply targets outlined in Draft Plan Table 2.9 'Projected Housing Demand for Fingal County Council Area 2023–2029'. The revised Table 2.14, and estimated 2029 population is now consistent with the population projections for the plan period as set out in Section 2.2.7.

It includes housing and population growth for each individual area, confirms the density assumptions and demonstrates that the level of growth is appropriate for each settlement. A new column has been included in updated table 2.14 which shows the range of densities applied to each area.

Core Strategy Areas	Settlement Type	Settlement Name	CSO Census Population 2016	Estimated 2023 Population	Estimated 2029 Growth	Estimate 2029 Population	Projected Housing Demand (Units)	Total Available Zoned Residential Land	Total Units/Potential Yields	Lands - With Permission (Extant) - Units
(1) Dublin City		Blanchardstown - Mulhuddart LEA, includes The Ward, Dubber, Tyrellstown, Mulhuddart, Corduff & Abbotstown	34,420	39,583	3,258	42,841	1,761	90	4,495	917
	Ongar LEA - includes Blakestown, Coolmine	50,214	57,746	1,803	59,549	975	33	1,659	785	
Metropolitan Area		Castleknock LEA, includes Roselawn, Delwood, Castleknock Park, Knockmaroon & Lucan North	32,633	37,528	3,005	40,533	1,625	52	2,623	509
		Santry and Ballymun	2,485	2,684	925	3,609	500	9	437	358
		Belcamp and Balgriffin	6,702	7,238	912	8,150	493	36	1,791	-
		Baldoyle/Sutton	13,402	14,474	925	15,399	500	34	1,709	1,386
		Howth	8,294	8,875	925	9,800	500	20	1,006	710
	(2) Key Town	Swords	47,120	54,188	6,077	60,265	3,285	122	6,110	2,468
	(3) Self Sustaining Growth Town	Donabate	7,443	8,187	3,039	11,226	1,643	112	3,912	532
	(4) Self	Malahide	17,053	17,906	1,623	19,528	877	47	1,640	109
	Containing Taxons	Portmarnock	9,549	10,408	1,060	11,468	573	31	1,072	230

Core Strategy Areas	Settlement Type	Settlement Name	CSO Census Population 2016	Estimated 2023 Population	Estimated 2029 Growth	Estimate 2029 Population	Projected Housing Demand (Units)	Total Available Zoned Residential Land	Total Units/Potential Yields	Lands - With Permission (Extant) - Units
		Baskin	349	366	19	386	10	2	24	46
		Coolquay	349	366	37	404	20	19	47	-
	(5) Towns and	Kinsealy	405	425	268	693	145	10	208	41
	Villages	Portrane	1,236	1,298	196	1,494	106	11	106	-
		Rivermeade	720	756	172	928	93	17	174	-
		Rowlestown	896	941	185	1,126	100	48	480	9
Core Area	(4) Self Sustaining Towns	Balbriggan	22,084	23,851	3,519	27,370	1,902	103	3,603	93
		Rush	10,359	10,877	925	11,802	500	53	1,600	338
		Lusk	8,353	8,771	555	9,326	300	27	818	132
		Skerries	9,783	10,272	174	10,446	94	9	273	7
	(5) Towns and Villages	Ballyboghil	681	708	163	871	88	21	206	-
		Ballymadun	424	441	19	459	10	16	41	-
		Balrothery	1,943	2,021	87	2,107	47	11	164	43
		Balscadden	503	523	16	539	8	8	20	1
		Garristown	798	830	160	990	86	20	202	21
		Loughshinny	633	658	38	696	20	4	57	5
		Naul	715	744	83	827	45	11	105	28
		Oldtown	1,028	1,069	93	1,162	50	13	131	14
	(6) Rural	Rural areas	5,446	5,555	126	5,681	68			
Totals			296,020	329,289	30,386	359,675	16,425	990	34,716	8,782

As outlined in Section 2.2 of the Draft Development Plan as all existing lands zoned within Fingal are serviced and located alongside existing or planned public transport corridors, consideration was given to the available lands in the context of the sequential approach and the ambitious goal of the NPF of 50% of housing to be provided within or contiguous to the built-up area of Dublin City and suburbs and 30% of housing for other metropolitan settlements.

This is reflected in the updated Table 2.14 which shows the growth targets for each of the individual settlements within the overall settlement hierarchy. In general terms, the table shows that the population growth and housing supply targets for each tier of the settlement hierarchy is in line with the provisions of the NPF and RSES growth projections as well as the DHLGH Housing Supply Target Methodology Guidelines.

The updated Table 2.14 also shows the projected population growth and housing supply for Swords which has been calculated using the annual average derived from the total EMRA allocation for the town to 2031. It is recommended the updated Table 2.14 is accompanying by supporting policy and text which outlines a robust approach to the monitoring of growth and the active land management strategy.

#### **Settlement Hierarchy and Distribution of Growth**

The submission welcomes the designation of Dublin City and Suburbs as tier 1, Swords as a Key Town and Donabate as a Self-Sustaining Growth Town, consistent with the NPF and RSES but calls for further clarity in relation to the growth being planned for individual urban areas or settlements within each tier.

Having regard to the scale, location and character of a number of the settlements included within the Dublin City and Suburbs category, the submission states that the location of growth within the tier needs further consideration to prioritise areas having regard to compact growth and public transport accessibility. The submission refers to areas such as Hollystown and Tyrellstown, which are not identified for the provision of high-quality public transport in the GDA Transport Strategy.

The submission also states that while the OPR fully accepts that the delivery of substantial housing targets within the Fingal area will include plan-led greenfield development, it is critical that the settlement strategy focuses on the potential for compact growth and infill/brownfield densification and prioritises growth in areas well served by social and physical infrastructure.

The wording of the recommendation relating to this section of the submission is as follows:

#### OPR Recommendation 2 - Settlement Hierarchy and Distribution of Growth

Having regard to section 10(2A) of the Planning and Development Act 2000, as amended, the National Strategic Outcomes (NSOs) and National Policy Objectives (NPOs) in the National Planning Framework (NPF), and the policies and direction for the Dublin Metropolitan Area Strategic Plan contained in the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly, the planning authority is required to review the distribution of housing and population growth in conjunction with Recommendation 1, and to demonstrate that the growth for each of the settlements/urban areas identified in the core strategy (and the settlement hierarchy) are in accordance with the following:

(i) the NPOs in the NPF to deliver stronger cities and towns (NPO 2a, NPO 9);

- (ii) the NPOs in the NPF in respect of compact growth (NPO 3c); developing cities of sufficient scale to compete internationally (NPO 5); regeneration and rejuvenation (NPO 6);
- (iii) the key future growth enablers for Dublin City and Metropolitan Area in the NPF which refer to, amongst others, progressing sustainable development of new greenfield housing on public transport corridors, relocating less-intensive uses outside the M50; and delivering Metro Link; and
- (iv) the target growth allocated to each settlement/urban area is proportionate to their role within the settlement hierarchy and the availability of social and physical infrastructure as well as amenity facilities.

Where the planning authority identify locations whereby growth is targeted that is not in accordance with the criteria listed (i) – (iv) above, that measures are taken to redirect this growth to a more suitable location.

#### **Chief Executive's Response to OPR Recommendation 2**

The Chief Executive notes the requirement for the Draft Development Plan to have regard to the requirements of the Planning and Development Act, the NSOs and NPOs set out in the National Planning Framework and the policies and direction set out in the RSES and would refer to Chapter 2 of the Draft Development Plan which clearly has had regard to addresses each relevant requirement. In this regard, it is useful to discuss how the Draft Plan has addressed the specific NPOs cited in points (i) and (ii) of Recommendation 2:

**NPO 2a:** A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

**NPO 3c**: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

**NPO 5**: Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

**NPO 6**: Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

**NPO 9:** In each Regional Assembly area, settlements not identified in Policy 2a or 2b of this Framework, may be identified for significant (i.e. 30% or more above 2016 population levels) rates of population growth at regional and local planning stages, provided this is subject to:

- Agreement (regional assembly, metropolitan area and/or local authority as appropriate);
- Balance with strategies for other urban and rural areas (regional assembly, metropolitan
  area and/or local authority as appropriate), which means that the totality of planned
  population growth has to be in line with the overall growth target; and
- A co-ordinated strategy that ensures alignment with investment in infrastructure and the provision of employment, together with supporting amenities and services.

As set out in Section 2.2 of the Draft Plan, consideration was given to the available lands in the context of the sequential approach and the ambitious goal of the NPF of 50% of housing to be provided within or contiguous to the built-up area of Dublin City and suburbs and 30% of housing for other metropolitan settlements.

The analysis in the Draft Plan, analysis shows that the existing capacity of the zoned Fingal lands is 79% within the Metropolitan Area and 21% in the Core. Furthermore, having regard to the overall goal set out in the NPF of moving toward 50% of new residential development to be provided within the City and Suburbs, despite only comprising a small portion of the overall City and Suburbs area of Dublin, 35% of the capacity identified for Fingal is within this area. This points to the overall strategic goal in recent Development Plans to consolidate growth within the existing built footprint of the County.

The current approach set out in the Draft Plan advocates moving towards the NPF goal of 50% within the City and Suburbs. Furthermore, the approach of the Urban Capacity Study has been to assign densities which are reasonable and appropriate to the position of the settlement in the County's Settlement Hierarchy.

As also outlined in Section 2.2 of the Draft Plan, the designation of Swords as a Key Town within the Eastern and Midland Region and as outlined in the RSES for the area is aligned with Fingal's long-term approach for the development of Swords as the County Town and for its growth to a city of a sizable scale.

Accordingly, the designation of 21% of the overall units to Swords is appropriate and in accordance with the key priorities of compact growth and enhanced public realm in the town centre along with the planned sequential development of Swords, notwithstanding its capacity of 16% of the total County figure. This approach is necessary in line with this strategic vision and ongoing investment in the town and is reflected in the Swords Key Town Policies Objectives contained in Section 2.7 of the Draft Plan.

With regard to points (iii) and (iv) it should be noted that the Draft Development Plan clearly sets out that the population allocations and the land use zonings set out the revised Table 2.14 on the basis of population estimates derived from the RSES as well as Housing Taskforce Figures as specified in the relevant DHLGH Guidelines.

As per recommendation no. 1 it is proposed to update table 2.14 to include, at a settlement level, the housing supply targets for each area.

## **Rural Villages and Clusters**

The submission goes on to discuss the lower tiers of the settlement hierarchy including 'Towns and Villages' in the Metropolitan Area and the Core Area and the 'Rural Clusters and Rural Area'. While the submission states that the policy approach for these settlements is acceptable in principle, it also states that the criteria used for the designation of the 10 Rural Villages and 37 Rural Clusters is not clear and that the Draft Plan does not include a social or infrastructure audit.

The submission states that a number of the rural villages include considerable landbanks (for example Rivermeade) whilst the rural clusters appear to be unserviced settlements. It also argues that what it describes as very small stretches of ribbon development or clusters (such as Balcultry, Magilstown, Colecut) would be more appropriately classified as being in the 'Rural Area' tier.

The submission makes the point that the infrastructure capacity for these settlements is limited and the designation of a large number of small settlements undermines the objectives set out

elsewhere in the Draft Plan and the core strategy to redirect growth to the upper tier settlements to achieve compact growth (consistent with NPO 3) and sustainable development of the rural areas (NPO 15).

As a result, the submission states that the planning authority is required to consolidate the number of settlements listed in the lower tiers in the settlement hierarchy with a particular focus on the inclusion of settlements based on infrastructure capacity. The specific recommendation relating to this issue is as follows:

### OPR Recommendation 3 - Rural Villages & Rural Clusters

Having regard to National Policy Objectives promoting compact and sequential growth, in particular NPO 3(c) and 72 (a-c), and the land use categories set out in the Draft Plan, the planning authority is required to review the approach to land use zoning for the Rural Villages and Rural Clusters in the Draft Plan. In this regard, the planning authority is required to:

- (i) review and consolidate the extent of land zoned for 'Rural Village' and 'Rural Cluster' to reflect the established commercial core of the village centres and any planned expansion areas to ensure compact and sequential growth and avoid ribbon development consistent with the guidance in the Sustainable Rural Housing Guidelines for Planning Authorities (2005);
- (ii) review and reduce the number of rural clusters having regard to NPO 15 and the range of social, community and retail services, as well as capacities in service infrastructure such as footpaths, cycle lanes and public transport available to ensure that the growth targets are proportionate and will assist in sustaining and regenerating these settlements; and
- (iii) ensure that there is clarity as to the designation for each of the rural villages and rural clusters.

### **Chief Executive's Response to OPR Recommendation 3**

The Chief Executive notes the reference to NPO3c and 72(a) to (c) the text of which is provided below:

**NPO3c:** Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

**NPO72a**: Planning authorities will be required to apply a standardised, tiered approach to differentiate between (i) zoned land that is serviced and ii) zoned land that is serviceable within the life of the plan.

**NPO72b**: When considering zoning lands for development purposes that require investment in service infrastructure, planning authorities will make a reasonable estimate of the full cost of delivery of the specified services and prepare a report, detailing the estimated cost at draft and final plan stages.

**NPO72c**: When considering zoning land for development purposes that cannot be serviced within the life of the relevant plan, such lands should not be zoned for development.

With direct reference to the text of the NPOs, it should be noted that the primary issues they relate to, namely the targeting of a high percentage of homes in cities other than the five cities and their suburbs, as well as the consideration of tiered land for zoning have already been addressed in the responses to OPR recommendation 1 and 2 and in the revised Table 2.14 which will be inserted into the Draft Development Plan.

With regard to the overall approach to rural clusters as set out in the Draft Development Plan, it should be noted that detailed and extensive policy guidance is provided in the form of a rural housing strategy as set out in Chapter 3 of the Draft Plan. Relevant policies in this regard include:

**Policy CSP43 – Rural Housing**: In line with RPO 4.80, manage urban generated growth in Rural Areas Under Strong Urban Influence by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans, having regard to the viability of smaller towns and rural settlements.

**Policy CSP44 – Rural Settlement Strategy**: Respond to rural-generated housing need by means of a rural settlement strategy which directs the demand where possible to Rural Villages and Rural Clusters and permit housing development in the countryside only for those people who have a genuine housing need in accordance with the Council's Rural Housing Policy and where sustainable drainage solutions are feasible.

**Policy CSP45 – Rural Clusters**: Promote appropriate sustainable growth of the Rural Clusters balanced with carefully controlled residential development in the countryside.

Section 3.5.2 of the Draft Plan states that Rural Clusters largely comprise areas with limited essential infrastructure and services, generally benefitting from one or more existing community or other local facilities. Development within Rural Clusters will be limited to incremental local growth appropriate to their size and character.

As set out in this Section, for the most part, Rural Clusters provide an opportunity for family members of existing households within the Cluster to build a new home, or reuse and adapt an existing structure by sub-dividing large sites. They also provide the rural community with an opportunity to choose more rural-style housing than that which is provided within the Rural Villages.

Section 3.5.2 states that future development will be considered having regard to the role and form of the cluster within the wider rural area, taking particular care that clusters do not compete with villages in the services they provide or the role and function they play within the rural area.

Section 3.5.2 (as well as Section 14.12.6) provide clear guidance on who is eligible to develop additional housing in rural clusters, stating that Settlement within the Rural Clusters is open to members of the Fingal rural community who demonstrate a rural-generated housing need.

For the purposes of the Rural Settlement Strategy for Rural Clusters, rural generated housing need is defined below as persons currently living and who have lived continuously for the past ten years or have previously lived for a minimum of ten continuous years, or persons working continuously for the past ten years, within areas of the County currently zoned rural (RV, RC, RU, GB or HA) (as reflected in Section 14.12.6).

In terms of the rationale for the designation of clusters, it should be noted that many of the small settlements designated as rural clusters were identified in the 1999 County Development Plan which noted the existence of villages and settlement clusters at focal points such as crossroads and junctions, consisting of clusters of buildings distinguished by a mix of amenities and community services e.g. church, shop, school and public house.

The subsequent 2005 County Development Plan also referred to the designation of these settlements noting that many Rural Clusters have more limited characteristics and a more residential focus with fewer services available than the villages and that they provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters.

It should also be noted that no new rural cluster zonings are proposed in the Draft Plan. Furthermore, the Draft Plan contains a specific policy against the unsustainable ribbon development of Rural Clusters (or other forms of rural housing) in Objective SPQHO52 which includes a presumption against development which would contribute to or intensify existing ribbon development as defined by Sustainable Rural Housing, Guidelines for Planning Authorities, 2005.

## **Core Strategy and Zoning for Residential Use**

The submission notes the outcome from the land capacity analysis that there is no requirement to zone additional land to satisfy the population projections in the NPF, RSES and the HST for the plan period and that the Core Strategy table shows that the undeveloped zoned lands have the capacity to provide additional housing units, over and above what is identified in the HST for the plan period.

The submission refers to the Draft Development Plan Guidelines which recognises that it may be necessary to zone more serviced land and sites for residential/a mixture of residential and other uses over and above what the projected housing demand projects for a settlement.

It notes that the Guidelines require the extent of such 'Additional Provision' in respect of a particular settlement to be clearly identified, quantified and explained in the core strategy and that any such land zoned under the 'Additional Provision' mechanism must also be consistent with certain planning criteria including: sequential development patterns, Town Centre First principles, proximity to services and facilities and the need to reduce carbon emissions.

The submission states that this information does not appear to have been clearly set out in the Draft Plan and also that the OPR has further identified a number of sites (circa 70 hectares in total), where RS zoning (residential) extends over lands that are not yet developed and should therefore be identified as 'RA' (residential area).

In light of the above, the submission states that the planning authority is required to review its approach to ensuring sufficient provision of housing lands in accordance with the draft Guidelines, and to provide full clarity between the housing supply targets in the revised core strategy and the extent and location of all residential zoned land. The wording for the specific recommendation relating to this issue is provided below:

### **OPR Recommendation 4 - Residential Zoned Land**

Having regard to the provisions under section 10 of the Act, to NPO 3 and RPO 10 compact growth, and to the Development Plans Guidelines for Planning Authorities - Draft for Consultation (2021), and the revision to the core strategy and settlement hierarchy under Recommendation 1 and Recommendation 2 the planning authority is required to:

(i) define the precise extent of 'Additional Provision' lands proposed to be zoned for each urban area and/or settlement and provide justification for the extent and location of

- which is to be based as per section 4.4.3 of the Development Plan Guidelines for Planning Authorities Draft for Consultation (2021);
- (ii) review and include the extent of land zoned RS Residential that has not been developed within the 'land availability' in the core strategy table (Table 2.14); and
- (iii) where land in excess of that required to meet the implementation of the housing supply target allocation, in combination with any justified 'Additional Provision' has been proposed to be zoned in the Draft Plan, the planning authority is required to implement prioritisation / phasing to prioritise land consistent with compact and sequential development in areas identified to be served by high quality public transport corridors (rail, LUAS, and Bus Connect spine routes), and with adequate services and facilities to meet the needs of future communities.

### **Chief Executive's Response to OPR Recommendation 4**

The Chief Executive notes the reference to NPO3 and to RPO10 compact growth (which should refer to RPO3.2 and 3.3) in relation to compact growth as well as the provisions of the Draft Development Plan Guidelines on the allocation of additional land.

The quantum of land zoned for residential is a reflection of the legacy of successive Fingal Development Plans where excess land was zoned. Nevertheless, practical implementation has led to right development, at the correct density, in the correct location and it is proposed that this continues through the development plan with the required safeguards in place. These safeguards will take the form of objectives which require robust monitoring of development by the Council and strong rationale from any applicant, where residential development is sought.

The revised table 2.14 shows where the Projected Housing Demand will be concentrated. It also shows the extent of undeveloped lands in each settlement. The Council will monitor the delivery of housing units to ensure general compliance with the Core Strategy and housing supply targets for the County and to inform the redistribution potential, if required, as per the proposed new objective. This allows for the Council to consider the redistribution of housing population figures where the applicant must demonstrate to the Planning Authority that the proposal is aligned with the overall growth target for the County. The Core Strategy figures for each settlement serve as a benchmark for monitoring to ensure compliance with National and Regional figures and the relevant guidelines

The Core Strategy strikes a balance between having adequate zoned lands and the ability to provide housing across the range of settlements in the County. The distribution and location of our towns and settlements in Fingal is unique in the Dublin context due to the geographical spread of settlements and the range of sizes, which go from the substantial towns along the east coast (for example, Balbriggan, Skerries, Rush and Donabate) to the much more urban and almost Dublin city like areas of Baldoyle, Castleknock and Charlestown, to the rural hinterland where the villages are key. The onus is on Fingal County Council to ensure there is adequate zoned land in each settlement to offer a range of opportunities and to ensure the delivery of enhanced social and community infrastructure for each town, village and urban settlement.

In relation to the delivery of development, Fingal County Council recognises there will be market constraints to delivery at any given time. However, anticipating the market and delivery of specific sites is not an exact science. In this regard, a degree of flexibility has been built into the distribution of the housing and population targets, in line with national and regional policy, to

ensure an adequate supply to meet demand. This flexibility requires close monitoring of housing delivery, taking account of the function of each settlement.

For monitoring at a settlement scale, the policy of this plan is to monitor each settlement, with Dublin City and Suburbs settlement as one area, with options to transfer a portion of the allocated units from one neighbourhood area to another, subject to considering a number of key criteria during the lifetime of the Development Plan. This enables for flexibility in terms of locating new housing and allows time to lapse for planning permissions which have not delivered.

Equally, the Council will actively pursue active land management measures provided for under legislation, to ensure that land hoarding is discouraged, and that development potential is released through available mechanisms and initiatives including through central or other funding.

A new policy regarding monitoring and the provision of social and physical infrastructure is proposed to manage the additional zoned lands.

#### **New Objective 1:**

Implement a robust monitoring process for all housing delivery including the performance of large-scale housing developments (Schemes for 100 units+) for each town, village and urban settlement within the County to allow for ongoing assessment of delivery targets whilst ensuring overdevelopment does not occur in any particular area and to ensure that the delivery of necessary infrastructure is possible to ensure the sustainability of communities.

### New Objective 2:

Provide for flexibility in achieving the housing supply targets and meeting housing demand, the Council will consider the re-distribution of housing and population figures within each settlement. In this regard, where a site greater than 0.25ha has the potential to exceed the allocation for a particular settlement as set out under Table 2.14, the applicant must demonstrate to the Planning Authority that the necessary social and physical infrastructure is in place or can be provided as part of the application to accommodate the proposed development.

The Council will monitor the delivery of housing units to ensure general compliance with the Core Strategy and housing supply targets for the County and to inform the redistribution potential outlined above.

### **New Objective 3:**

Maintain and further expand the database of greenfield, brownfield and infill sites as part of the active land management process.

## **OPR Submission – Sustainable Development**

The OPR submission includes a section on the theme of Sustainable Development which addresses the following issues:

- the development approach for settlements;
- residential land use zoning compact and sustainable growth;
- residential land use zoning infrastructure capacity;
- standards and guidelines; and

school sites.

### **Development Approach for Settlements**

The submission refers to Table 2.16 of the Draft Plan which identifies the Local Area Plans to be prepared and questions the rationale for the selection of the subject areas given that the settlements are all designated rural villages with a population well below 1,500. The submission also notes that the Draft Plan does not provide for the preparation of LAPs for larger settlements of over 5,000 population, many of which are designated for significant levels of growth.

In this regard, the submission refers to the requirements of the Planning and Development Act as well as the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities which advocates that the programme of delivery of LAPs should be prioritised for those areas with the potential for significant development in the short term.

The submission also states that as the Draft Plan indicates that masterplans and framework plans will be prepared for a number of settlements and/or specified areas, this must be considered in the context of the overarching role of the development plan as a whole. Furthermore, the submission states that the Draft Plan does not set out clear timeframes or prioritisation for these plans, which would provide clarity for both the local community and the development sector.

The submission also argues that the lack of a statutory consultation process in relation to non-statutory plans means that the input from stakeholders (including bodies such as TII) needed to identify key social and physical infrastructure constraints or requirements to serve new communities, such as schools, is not fully integrated into the process in a transparent manner.

The submission asserts that the lack of LAPs for key settlements limits the opportunity for the integration of land use and transportation planning through the preparation of Local Transport Plans in conjunction with LAPs and it raises the potential implications under the Habitats Directive concerning Strategic Environmental Assessment and Appropriate Assessment, in particular, where such plans determine the spatial development of land.

The following recommendation in relation to the development approach of settlements is included in the submission:

#### **OPR Recommendation 5 - Local Area Plans**

Having regard to section 19 of the Planning and Development Act 2000, as amended, which sets out the requirement to make local area plans (LAPs) for designated towns of in excess of 5000 population, NPO 6 urban regeneration, and the guidance in relation to masterplans / framework plans in the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009), the guiding principles in the RSES for strategic brownfield and infill sites, and the need to accelerate housing delivery over the plan period in tandem with public transport infrastructure, the planning authority is required to:

- (i) review Table 2.16 and Policy CSP6 to reflect the requirements of Section 19 of the Act and the requirement to prepare LAPs for, at a minimum, key settlements within the county including Swords, Balbriggan, Donabate, Malahide, Portmarnock, Skerries, Rush, Lusk;
- (ii) amend the list of areas proposed for future masterplans and framework plans in Tables 2.18 and 2.19 clearly prioritising areas that have the potential to be delivered alongside

- strategic transport infrastructure projects outlined in the GDA Transport Strategy and setting out clear timelines for the preparation of same;
- (iii) include a commitment to active co-ordination with Dublin City Council in relation to the preparation of the Belcamp LAP (the 'north fringe') and the Jamestown Business Park framework plan; and
- (iv) include a policy to prepare accompanying Local Transport Plans for all settlements for which a local area plan will be prepared, or to update existing transport strategies such as the South Fingal Transport Strategy (2019) where appropriate.

### **Chief Executive's Response to OPR Recommendation 5**

The Chief Executive notes the comments of the OPR in relation to the preparation of Local Area Plans having regard to towns in excess of 5,000 population.

An analysis of the population data from the 2016 Census indicates that there are a total of eight separate towns with a population in excess of 5,000 which are not designated as a suburb or environs. These settlements include: Swords (including Kinsealy-Drinan); Balbriggan; Malahide; Skerries; Rush; Portmarnock; Lusk and Donabate.

As shown in Table 2.15 of the Draft Development Plan, operational LAPs are currently in place in respect of two of the eight towns, namely for Donabate and Portmarnock (South).

Table 2.16 which lists LAPs to be commenced over the Plan period includes Lissenhall East as well as Flemington which lie within the settlement boundaries of two more of the eight towns, namely Swords and Balbriggan.

Table 2.17 shows that masterplans have been prepared for different areas of Swords including Barrysparks & Crowscastle, Fosterstown & Estuary West) and for Castlelands in Balbriggan.

Table 2.18 indicates that two more areas within the Swords development boundary, namely Estuary Central and East have been designated for Masterplan, while Table 2.19 shows that two more of the eight towns, Lusk and Portmarnock, have been selected for the preparation of Framework Plans.

Furthermore, as shown on the Draft Development Plan map sheets, the development boundaries for all eight of the settlements has been clearly identified and delineated as has the land use zoning in each settlement along with specific map based objectives, proposed connectivity and movement proposals and routes, architectural conservation areas, protected structures, national monuments, views, school site etc.

The combination of highly detailed planning policy requirements for each of the eight settlements, allied with the proposed and existing Local Area Plans, masterplans and framework plans proposed within their boundaries as well as the overarching policies for each settlement set out in Section 2.7 'Settlement Strategy' of the Draft Development Plan means that a robust planning framework has already been put in place for each settlement in accordance with the requirements of the Core Strategy.

As a result, while no planning rationale exists for the preparation of additional LAPs for each of the eight settlements listed above, it is recognised that given its designation as one of three Key Towns in the RSES it may be appropriate include Swords in Table 2.16 as an area for which an LAP is to be completed during the course of the next development Plan. This will have the effect

of removing the requirement for masterplans at Estuary West and Estuary Central as per Table 2.18.

As outlined in the Draft Plan Swords is the administrative capital of Fingal County Council with a population of over 44,000 within the development boundary, as per the 2016 Census. Due to its strategic location, with direct links to the national road network (M1, M50 and Dublin Tunnel) as well as proximity to the Dublin/Belfast economic corridor, Swords plays a vital role in the overall MASP strategy, fulfilling key residential and employment functions. Swords is home to some of the largest employers in the country, including highly skilled employment centres arising through links with Dublin Airport. The important relationship between Swords and Dublin Airport is recognised in the Plan and the protection and enhancement of airport access as a global gateway to the Region and the State will be protected.

Swords also benefits from its location in the Metrolink-LUAS corridor and the development of the proposed Metrolink project, subject to appraisal and delivery post 2027, will unlock significant long-term capacity in Swords-Lissenhall and will also greatly encourage development in the town itself, including renewal and regeneration of underused, vacant or derelict town centre lands for residential development to facilitate population growth.

This LAP will have regard to the array of local planning and other policy documents which are currently in place or being prepared for Swords including the Sustainable Swords Project as well as the Swords Masterplans.

With regard to point (ii) of the recommendation above, it should be noted that Section 2.4 contains tables setting out the Local Area Plans, Masterplans and Framework Plans to be prepared during the Development Plan period. These local level plans are not listed in order of priority.

Given uncertainties relating to issues such as the exact timing of the provision of additional infrastructure (as seen in the case of the Metrolink project for example), at this stage, it is not practical or reasonable to prioritise these areas. Local Area Plans and Masterplans lands for example present substantial land-banks with significant redevelopment and regeneration potential, requiring a long lead in time to develop a workable framework for delivery as well as significant social and physical infrastructure requirements.

As a result, following adoption of the Development Plan, a list of priorities will be drafted and presented to the Elected Members based on the Council's priorities, for preparation of these plans over the lifetime of the Development Plan, subject to resources.

With regard to point (ii) the Chief Executive recognises the importance of consulting and cooperating with adjoining Local Authorities as part of the process of preparing local level plans in areas such as Belcamp on the border with Dublin City Council and Ballymadun on the border with Meath County Council. Additional text will be added to Section 2.4 of the Draft Development Plan to reflect this commitment.

Finally, with regard to point (iv) of the recommendation above, the requirement for Local Transport Plans as set out in the NTA's Draft Transport Strategy for the GDA for land use plans and based on the ABTA approach to ensure that transport planning and land -use planning are

fully aligned at the local level and that all opportunities for sustainable transport are maximised is noted.

It is considered appropriate to amend policy CMP4 to prepare accompanying Local Transport Plans in tandem with the preparation of Local Area Plans, Masterplans and other large-scale studies based on the ABTA methodology in consultation with the NTA, TII and other relevant stakeholders.

## Residential Land Use Zoning - Compact and sustainable growth

The submission makes reference to NPF objective (NPO 3b) and RSES objective RPO3.2 which relate to the delivery of 50% of all new homes within the five designated cities and their suburbs within the 'existing built up footprint' of settlements.

The submission recognises the challenge Fingal will face in delivering infill/ brownfield development in locations well served by high quality public transport as part of the transition to a low carbon economy and in this regard the submission welcomes the strong policy context of the Draft Plan which, supports regeneration and renewal opportunities.

Nonetheless, the submission states that the Draft Plan does not demonstrate how the 50% compact growth target required by the NPF and the RSES will be met and that there are no regeneration opportunities identified in the Plan.

The submission goes on to suggest identifying consolidation or infill opportunity sites or by quantifying the minimum infill lands in hectares as per the illustrative core strategy table in Appendix A to the Draft Development Plans Guidelines. It also highlights the importance of provisions to monitor the delivery of housing on smaller infill sites (as supported by Draft Plan Objectives SPQHO37, 39 and 41 of the Draft Plan, in order to ensure the provision of compact growth over the plan period.

The relevant OPR recommendation for this section of the submission is as follows:

### OPR Recommendation 6 - Compact and sustainable growth

Having regard to National Planning Objective 3b and RPO 3.2 and 3.3 to deliver at least half of all new homes that are targeted in Dublin city and suburbs within its existing built-up footprint and the need to ensure that sustainable settlement and transport strategies in the plan include measures which clearly promote the reduction of energy use and GHG emissions through the location, layout and design of new development in accordance with section 10(2)(n) of the Planning and Development Act 2000, as amended, and in view of the Government's stated policy on climate change under the Climate Action Plan 2021, the planning authority is required to:

- (i) quantify those areas of settlements, either in the core strategy table or otherwise, which will contribute to the cumulative delivery of 50% and 30% (as applicable) of all new homes within the built-up footprint of existing settlements on infill and/or brownfield lands; and
- (ii) identify key consolidation or infill opportunity sites that have the potential to contribute to compact growth.

### **Chief Executive's Response to OPR Recommendation 6**

The reference to NPO3b and to RP3.2 and 3.3 compact growth is noted in relation to compact growth as well as the provisions of the Draft Development Plan Guidelines on the allocation of additional land.

As shown in the revised Table 2.14, the quantum land zoned for residential arises from an analysis of projected population growth, housing supply targets, as well as the findings of the detailed Urban Capacity Assessment prepared in tandem with the Draft Development Plan.

In addition, the issue of the delivery of 50% and 30% of new homes within the built-up footprint has already been addressed in the responses to OPR Recommendations 1, 2 and 4.

The overall issue of consolidation and re-intensification of infill/brownfield sites is addressed in Section 2.7 of the Draft Plan which includes the following relevant policies

Policy CSP14 – Consolidation and Re-Intensification of Infill/Brownfield Sites: Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.

Policy CSP15 – Compact Growth and Regeneration: Support the implementation of and promote development consistent with the National Strategic Outcome of Compact Growth as outlined in the NPF and the Regional Strategic Outcome of Compact Growth and Regeneration as set out in the RSES.

With regard to the identification of key consolidation or infill opportunity sites, it should be noted that the Draft Development Plan map sheets identify and delineate fixed development boundaries for each of the County's major settlements in order to clearly identify the character and intensity of development appropriate for each settlement in accordance with the Settlement Strategy set out in Section 2.7 of the Draft Plan.

Additional planning policy aimed at promoting the principles of sustainable planning including infill development and consolidation is also embedded in the existing Local Area Plans, masterplans and framework plans which are in place for key settlements and development areas across the County.

Furthermore, as outlined in Section 2.4 of the Plan which addresses this issue of Implementation and Active Land Management, the Council is committed to addressing vacancy and the underuse of sites having regard to mechanism such as the existing using means such as the Vacant Sites Levy as well as the Residential Zoned Land Tax which is due to be introduced shortly.

Finally, the Draft Development Plan also includes a specific land use zoning for TC – Town and District Centre, the objective for which is to protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities. The overall vision for these lands, which include infill and brownfield sites in existing towns is to maintain and build on the accessibility, vitality and viability of the existing Urban Centres in the County, to develop and consolidate these Centres with an appropriate mix of commercial, recreational, cultural, leisure and residential uses, and to enhance and develop the urban fabric of these

centres in accordance with the principles of urban design, conservation and sustainable development.

## **Residential Land Use Zoning - Infrastructure Capacity**

The submission refers to NPO72a, b and c which relate to the tiered approach to zoning that planning authorities are required to apply having regard to serviced land (tier 1) and land that is serviceable within the life of the plan (tier 2).

The submission notes the high-level approach adopted by the Infrastructural Assessment (Appendix 4 to the Draft Plan) and argues that the planning authority has not taken the opportunity to reconsider the overall approach taken to spatial planning, that the proposed zoning appears to represent a continuation of the approach to zoning evident under the previous plan, and that infill/brownfield opportunities are not highlighted.

The submission also states that the assessment does not differentiate clearly between tier 1 and tier 2 lands regarding transport infrastructure delivery, notwithstanding that a number of these projects will not be delivered over the plan period. It argues that doing so would enable the planning authority to prioritise the sequential development of more favourably located lands, particularly in terms of access to high quality public transport in order to better achieve meaningful compact growth, meaningful reductions on energy use and GHG emissions associated with future development.

The wording for the recommendation arising from this section of the submission is as follows:

### OPR Recommendation 7 - Tiered Approach to Zoning

Having regard to NPO 72a, NPO 72b and NPO 72c, and Regional Policy Objective 5.5, regarding the coordination of land use zoning, infrastructure and services, and in particular accessibility to high quality public transport corridors, and the Development Plans Guidelines for Planning Authorities - Draft for Consultation (2021), the planning authority is required to elaborate and expand upon its infrastructural assessment, as necessary, to fully address the status of all residential lands zoned under the plan in accordance with the methodology for a tiered approach to land zoning under Appendix 3 of the NPF, relating to existing development services, i.e. road and footpath access including public lighting, proximity to public transport services, foul sewer drainage, surface water drainage, water supply and/or additional service capacity. It must also include, if required, a reasonable estimate of the full cost of delivery of the required infrastructure to the identified zoned lands at draft and final plan stages of the plan-making process.

## Chief Executive's Response to OPR Recommendation 7

The Chief Executive notes the reference to the tiered approach to zoning referred to by the OPR and the NPO 72(a) to (c) and RPO 5.5 as well as the Draft Development Plan Guidelines.

Although the overall issue of the tiering of zoned land has already been addressed in the response to previous OPR recommendations, it is noted that the OPR recommendation refers to the Infrastructure Assessment prepared in support of the Draft Development Plan.

It is important to note that this Infrastructure Assessment was prepared having regard to the methodology for a tiered approach to land zoning as included in Appendix 3 of the National Planning Framework.

The NPF tiered approach under NPO 72a requires a local authority to differentiate between zoned lands that are serviced and zoned lands that are serviceable within the life of the Plan. Fingal County Council is exceptional in that the entire plan area is serviced and no fundamental constraints were identified by Irish Water. Whilst there may be local infrastructural needs and upgrades needed for certain sites, all lands within the County are serviced and are connected to the public water systems.

Furthermore, almost all lands are located proximate to existing and planned public transport corridors. All lands are located alongside existing public road routes with an extensive network of pedestrian and cycle routes. Further expansion of the pedestrian and cycle network are underway.

The NPF and the Development Plan Guidelines outline that Tier 1 lands comprises lands that are able to connect to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development. These lands will generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands. It is considered all the capacity lands in Fingal are Tier 1 – as they are zoned, serviced and available. It is noted that the NPF specifically discusses the prioritising of development lands and states that there are many other planning considerations relevant to land zoning beyond the provision of basic enabling infrastructure including overall planned levels of growth, location, suitability for the type of development envisaged, availability of and proximity to amenities, schools, shops or employment, accessibility to transport services etc. Weighing up these factors, together with the availability of infrastructure, assisted Fingal in determining the order of priority to deliver planned growth and development.

Appendix 4 of the draft Plan comprises an Infrastructural Assessment of the available developable lands was undertaken guided by the requirements under NPO 72a of the NPF and provides a full assessment of the larger scale requirements for the County.

#### Standards and Guidelines

The submission refers to NPO13 of the NPF which it states signals a move away from rigidly applied, blanket planning standards in relation to building height, garden size and car parking in favour of performance-based standards where appropriate.

According to the submission, the Draft Plan contains a number of prescriptive standards relating to private open space and separation distances between first floor windows which could militate against the principle of promoting appropriate density and compact growth in the higher order tier settlements and would be more appropriately dealt with through performance- based standards.

In addition, the submission refers to Government policy to support increased building height and density in locations with good public transport accessibility including the Urban Development and Building Height Guidelines (2018) which require development plans to identify locations for taller buildings (SPPR 1) and to ensure a greater mix of building heights and typologies in suburban locations and avoids mono-type typologies (SPPR 4).

The submission notes that the Draft Plan does not include a Building Height Strategy and recommends that the planning authority should consider the preparation of such a strategy in conjunction with an additional density strategy. To this end, the submission includes a recommendation as well as an observation, the wording of which is provided below:

### OPR Recommendation 8 - Building Height Strategy

Having regard to NPO 13 which identifies building height as an important measure for urban areas to deliver and achieve compact growth the planning authority is required to demonstrate that the Draft Plan is consistent with the specific planning policy requirements (SPPRs) specified in the Urban Development and Building Heights Guidelines for Planning Authorities (2018) (SPPR 1 and SPPR 4), and to prepare a Building Height Strategy for the larger urban centres of the county.

### **OPR Observation 1 - Development Management Standards**

The planning authority is requested to omit the minimum separation distances between opposing windows, minimum private open space provision and instead focus on assessing individual development proposals on performance-based criteria dependent on location and individual site characteristics in accordance with the provisions of NPO 13.

### **Chief Executive's Response to OPR Recommendation 8**

The Chief Executive notes the contents of the recommendation having regard to the requirements of SPPR 1 and 4 contained in the Urban Development and Building Heights Guidelines for Planning Authorities, the wording of which are as follows:

**SPPR 1:** In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.

**SPPR 4:** It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.

Having regard to the wording of the above, the Chief Executive considers that the Draft Development plan provides detailed policy guidance in relation to the need to increase building height and density in appropriate locations. It is also considered that the existing and proposed local level plans specified in the Draft Plan will serve to provide detailed guidance on density,

building heights and typologies for the future development of greenfield or edge of city/town locations.

Nonetheless, the Chief Executive accepts that the preparation of a dedicated building height and density strategy based on the Core Strategy for Fingal would provide a useful guide for the public and developers as to appropriate heights and densities for development across the County and recommends that an objective be added to the draft plan to the effect that such a study is to be prepared during the lifetime of the Plan.

This height and density study will also provide additional confirmation of the approach to density in different areas of the County set out in the amended Draft Development Plan table as included in response to OPR Recommendation above.

### **Chief Executive's Response to OPR Observation 1**

With regard to the point raised in Observation 1, the Chief Executive notes the reference to NPO 13, the text of which is provided below:

**NPO13:** In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

The Chief Executive would maintain that the move towards performance criteria as reflected in NPO13 and as adopted in Chapter 14 of the Draft Development Plan does not preclude the use of specific, quantitative standards where it is found that such standards are useful and practical in the consideration of basic criteria such as separation distances between opposing buildings.

### **School Sites**

The submission refers to the legislative requirements for development plans relating to the provision of community facilities including schools, creches and other education and childcare facilities and notes that the policies and objectives contained in the Draft Plan generally accord with the Provision of Schools and the Planning System: A Code of Practice for Planning Authorities.

The submission also advises that given the capacity for significant population increases outlined in the core strategy, the identification of future school sites should be prioritised in the preparation of any forthcoming LAPs, Masterplans and Framework plans. The submission contains one observation in relation to this matter as follows:

#### **OPR Observation 2 - School Sites**

Having regard to the urban nature of the plan area, and the level of population change envisaged for some of the larger urban areas in particular, the planning authority is requested to:

(i) include a policy to retain and protect existing school sites within the Plan area unless it has been determined in agreement with the Department of Education that the use of the site for school provision is no longer required; and

(ii) include an objective to ensure that the identification of future schools sites is prioritised in the preparation of any forthcoming LAPs, Masterplans and Framework plans.

### **Chief Executive's Response to OPR Observation 2**

The Chief Executive notes the OPR's reference to the legislative requirement for Development Plans as well as the polices contained in the Provision of Schools and the Planning System guidelines.

The Chief Executive would like to emphasise that the Council has worked closely with and consulted extensively with the Department of Education during the preparation of the Draft Development Plan in order to facilitate the provision of schools in Fingal. This focus on the importance of new schools-provision can be seen in Chapter 4 of the Draft Plan and in particular Section 4.5.1.4 Education – Primary and Post-Primary. This section includes the following relevant policies:

Objective CIOSO15: Encourage the continued use and possible intensification of existing educational infrastructure where appropriate. Facilitate the development of new schools, the re-development of existing schools and extensions planned as part of the Government's School Building Programme.

Objective CIOSO16: Identify sites for primary and secondary schools in consultation with the Department of Education based on future population growth projections and in accordance with the Core Strategy and Settlement Hierarchy.

Objective CIOSO17: Facilitate the development of additional schools, including Gaelscoileanna and Gaelcholáistí, at both primary and secondary level in a timely manner in partnership with the Department of Education and Skills and/or other bodies.

With regard to the consideration of schools in Local Area Plans, Masterplans and Framework Plans, the Chief Executive recognises the importance of both maintaining existing school sites and prioritising sites for future schools.

## **OPR Submission - Housing Strategy and Relevant Policies**

The OPR submission includes a separate section on the Housing Strategy and Relevant Policies which addresses the issue of Build to Rent (BTR).

#### **Build to Rent**

The submission refers to policies SPQHP31, SPQHP32 and objective DMSO25 of the Draft Plan which apply to Build to Rent schemes. The submission acknowledges that there are currently concerns around the dominant nature of the BTR housing typology that a longer-term view on the delivery of these policies must be considered.

The submission then specifically refers to the criteria against which applications for Build to Rent schemes will be assessed as set out in SPQHP32 and states that applying the restrictions as set out to one form of housing tenure, without any evidential basis, is contrary to national housing policy, which aims to increase the supply of housing across all tenures and NPO 4 which seeks to ensure that urban places are home to diverse and integrated communities. Arising from this, the submission includes the following recommendation:

#### OPR Recommendation 9 - Build to Rent

Having regard to NPO 4 of the National Planning Framework to ensure that urban places are home to diverse and integrated communities, and to the lack of evidential basis with respect to any over-concentration of BTR schemes within the plan area in the Housing Strategy or the Draft Plan, the planning authority is required to omit Policy SPQHP32 unless an evidence-based rationale for the inclusion of the policy consistent with national policy can be demonstrated.

### **Chief Executive's Response to OPR Recommendation 9**

The Chief Executive notes the reference to NPO4, the text of which includes the following:

**NPO 4**: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

While this NPO 4 is relevant to the provision of high-quality places, it is not clear how it directly relates to Development Management policies which seek greater clarity in relation to the potential provision of a particular type of development. The Draft Development Plan includes Policy SPQHP31, SPQHP32 and DMSO25 on Build to Rent accommodation (BTR) in Chapters 3 and 14 of the Draft Development Plan as follows:

**Policy SPQHP31 – Build to Rent:** The Council will facilitate the provision of Build-to-Rent Accommodation in suitable locations within Fingal in accordance with the provisions of "Sustainable Urban Housing: Design Standards for New Apartments (2020)".

**Policy SPQHP32 Applications for Build to Rent Schemes:** Applications for BTR schemes shall be required to demonstrate that there is not an overconcentration of Build to Rent Accommodation within an area, including a map showing all such facilities within 1km of a proposal. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning Authority will have regard to factors such as:

- The number and scale of other permitted BTR development in the vicinity (1km) of the site,
- The household tenure and housing type of existing housing stock in the approximate vicinity (1km) of the site and
- The proximity of the proposal to high-capacity public transport stops and interchange (such as DART, MetroLink, Luas+ and BusConnects).

It is considered that the above policies represent a reasoned and measured approach to the consideration of a specific form of development, an overconcentration of which has the potential to have a significant impact on the pattern and character of development of an area.

It should be noted that under the 2018 Sustainable Urban Housing Guidelines for Planning Authorities, BTR accommodation is seen as having potential to accelerate the delivery of new housing at a significantly greater scale than for traditional housing, where the pace of development is believed to be largely determined by the rate at which individual homes, including apartments, can be sold. The guidelines state under paragraph 5.8 regarding BTR:

"The potential to augment existing housing delivery models by attracting new investment into the sector will assist in achieving additional housing output".

It is clear, therefore, that BTR is intended to constitute an element of the housing market and to augment a range of housing models/typologies. Due to patterns seen elsewhere in the Dublin metropolitan area which are associated with the increased focus on apartment development, it would seem appropriate to request applicants for build to rent developments to submit appropriate information regarding the potential impact of the proposed development in combination with existing residential development.

It is considered therefore, that when taken in conjunction with policy SPQHP31 which aims to facilitate the provision of Build-to-Rent, policy SPQHP32 represents a precautionary approach to a potentially significant issue which provides applicants, the public and the Council the clarity as to the overall number and concentration of build to rent developments in a specific area.

However, in order to ensure a more robust policy basis that would empower Fingal County Council through the planning application process, including preapplication consultation, to clearly signal if an undue concentration of BTR was potentially arising, and to consider alternative mixes of use and housing type, the Chief Executive would recommend modification in the wording of Policy SPQHP32 to ensure that applications for BTR developments would be accompanied by an assessment of other permitted BTR developments in the vicinity (3km) of the site to demonstrate that the development would not result in the overconcentration of one housing tenure in a particular area.

## **OPR Submission - Rural Housing and Regeneration**

The OPR submission includes a section on Rural Housing and Regeneration which addresses the issue of rural housing policy.

### Rural Housing Policy

The submission acknowledges that the entire rural area of Fingal County is appropriately identified in the Draft Plans being under strong urban influence and that it is the policy of the council to restrict the spread of urban generated dwellings into rural and high amenity areas.

The submission goes on to state that while the rural housing policy is generally consistent with NPO 19, the Draft Plan includes references to family ties (in SPQHO79 and Table 3.5), which are not consistent with the provision of housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area as specified by NPO 19.

The submission also refers to the review and consolidation of the extent of land zoned for 'Rural Village' and 'Rural Cluster' under Recommendation 3 above in order to avoid ribbon development on consistent with the guidance in the Sustainable Rural Housing Guidelines for Planning Authorities.

The submission includes one recommendation on rural housing policy as follows:

### OPR Recommendation 10 - Rural Housing Policy

Having regard to NPO 19 of the NPF and RPO 4.80 and 4.81 of the RSES, and Rural (RU), Greenbelt (GB) and High Amenity (AM) zoning objectives in the Draft Plan, the planning authority is required to review the rural housing policies in the Draft Plan to ensure that the specified criteria for rural housing is linked to demonstrable social or economic 'need' to live in a rural area and siting and design criteria

for rural housing having regard to National Policy Objective 19 and the Sustainable Rural Housing Guidelines for Planning Authorities (2005).

### **Chief Executive's Response to OPR Recommendation 10**

The Chief Executive notes the reference in recommendation 10 to NPO 19 as well as to RPO 4.80 and 4.81 of the RS. The text NPO19 is provided below:

**NPO19**: Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;

In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements

As noted in the response to OPR recommendation 3, detailed and extensive policy guidance is provided in the form of a rural housing strategy as set out in Chapter 3 of the Draft Plan. In particular, Section 3.5.15.2 of the Draft Plan sets out that settlement within the Rural Clusters is open to members of the Fingal rural community who demonstrate a rural-generated housing need. For the purposes of the Rural Settlement Strategy for Rural Clusters, rural generated housing need is defined below as:

- Persons currently living and who have lived continuously for the past ten years or have previously lived for a minimum of ten continuous years, or
- Persons working continuously for the past ten years, within areas of the County currently zoned rural (RV, RC, RU, GB or HA) (as reflected in Section 14.5.12.6 of the Draft Plan)

As a result, it is clear that the specified criteria for rural housing was linked to demonstrable social or economic 'need' in the Draft Development Plan. With regard to the wider issue of reference to families it is worth noting that the concluding section to the Guidelines for Sustainable Rural Development states that:

It is vitally important that these guidelines are implemented quickly and fairly to ensure that planning policies recognise the importance to rural people of family ties and ties to a local area such as a parish, townland or the catchment of local schools and sporting clubs and deliver positive benefits for rural areas and sustain rural communities by allowing people to build in their local areas on suitable sites.

As a result, it is not considered that references to family ties in SPQHO79 and Table 3.5 are appropriate in the context of ensuring that rural housing can accommodate the social needs of people and their families in rural areas in Fingal where appropriate.

Finally, it should be noted that Section 2.7 of the Draft Plan includes a specific policy CSP40 which provides for a review of the Rural Housing Policy and Local Need Criteria following on from the

publication by the Government of updated Guidelines for Planning Authorities on Sustainable Rural Housing.

## **OPR Submission – Economic Development and Employment**

The OPR submission includes a separate section on Economic Development and Employment which addresses the issues of:

- employment zoned land;
- retail; and
- extractive industry.

### **Employment Zoned Land**

The submission states that employment zonings must not conflict with NPF NSOs for compact growth, sustainable mobility and transition to a low carbon and climate resilient society by facilitating development in areas poorly served by public transport.

It also states that care must be taken to ensure that employment zonings are made having regard to the policy for national roads set out in the Spatial Planning and National Roads Guidelines for Planning Authorities and the NSO for enhanced regional accessibility.

The submission refers to the Guiding Principles for the location of strategic employment areas as set out in the RSES, and in RPO 5.6 of the Dublin MASP which requires a sequential approach with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas, and the provision of appropriate employment densities alongside the provision of high-quality public transport corridors.

The submission welcomes the inclusion of the Economic and Employment Land Use Study Report, noting that the report found that ca. 2,966 hectares of undeveloped land was zoned and available for employment uses within the County. The submission argues that this extent of zoned land exceeds that of similar neighbouring planning authorities and considers that a more detailed evidence-based rationale for the extent of employed zoned land is required consistent with section 6.2.5 of the Draft Development Plan Guidelines.

The submission emphasises the need to ensure that the location of land zoned for employment uses is consistent with the national and regional policy framework and that land is not zoned in locations where it would be in conflict with the principle of compact growth and the implementation of sustainable transportation objectives.

The submission argues that there are substantial land banks zoned for employment generating uses isolated from any settlement or strategic transport infrastructure projects, which if developed, would appear to be entirely car dependent. In this regard, the submission refers to the substantial "General Employment" landbanks in the North Blanchardstown area and along the N2, which as indicated by Policy EEP2 are for intensive employment purposes and expresses concern that these areas are inaccessible to both current and planned public transport services.

Having regard to the above, the submission provides the following recommendation relating to the zoning of lands for employment:

### OPR Recommendation 11 - Employment Zoned Land

Having regard to National Strategic Outcomes for compact growth, sustainable mobility and transition to a low carbon and climate resilient society, and enhanced regional accessibility, NPO 10, the principles of sequential approach to zoning set out in the Development Plans Guidelines (2007) and section 6.2.5 of the draft Development Plans Guidelines (2021), the Regional Spatial and Economic Strategy, section 2.5 and 2.7 of the Spatial Planning and National Road Guidelines for Planning Authorities (2012), the planning authority is required to provide robust justification for the extent and location of employment zoned land and to demonstrate that the criteria of the aforementioned national and regional policy have been satisfied, and specifically in respect of the following employment zonings:

- (i) lands zoned for high intensity employment uses located within the north Blanchardstown Area between the M2 and M3. The planning authority are advised to apply the sequential approach with lands contiguous to existing development and/or settlements being prioritised for high intensity employment zonings ahead of lands located further on the periphery where sustainable public transport infrastructure will not be provided during the lifetime of the Draft Plan;
- (ii) lands zoned General Employment at the Junction 2 of the M2 at St Margaret's;
- (iii) lands zoned as Rural Business Cluster and Food Park located to the south of Coolquay rural village and southwest of Corrstown Golf Club;
- (iv) lands zoned as General Employment north of Ashbourne to the east of the N2;
- (v) lands zoned as General Employment (circa 73ha) south of Balbriggan which extends across both sides of the M1; and
- (vi) undeveloped lands at Turvey (circa 20ha).

Where an evidence-based rationale consistent with national and regional policy cannot be provided for these, or any other employment zonings, the subject zoning objective should be removed from the Draft Plan.

### **Chief Executive's Response to OPR Recommendation 11**

The need for the Draft Development to fully comply with all relevant national and regional planning policy and guidelines in relation to the zoning of employment lands is explicitly recognised in Chapter 7 of the Draft Development Plan which includes the following policy:

Policy EEP1 – Overarching policy for Employment and Economic Development: support the economic development of Fingal in line with the policies and objectives stipulated in the National Planning Framework and the Regional Spatial and Economic Strategy and utilise active land measures such as implementation of existing Local Area Plans and Masterplans and provision of new Local Area Plans, Masterplans and Framework Plans across the County as part of the development approach for Strategic Development Areas and Corridors and other economic development generating lands.

The Chief Executive notes that the OPR submission refers to NPO10 of the NPF, the text of which is as follows:

**National Policy Objective 10a:** Regional and Local Authorities to identify and quantify locations for strategic employment development in the cities identified in Table 4.1.

**National Policy Objective 10b:** Regional and Local Authorities to identify and quantify locations for strategic employment development, where suitable, in urban and rural areas generally.

The supporting text for these policies outlines how planning to accommodate strategic employment growth at regional, metropolitan and local level should include consideration of:

- Current employment location, density of workers, land-take and resource/infrastructure dependency, including town centres, business parks, industrial estates and significant single enterprises;
- Locations for expansion of existing enterprises;
- Locations for new enterprises, based on the extent to which they are people intensive (i.e. employees/customers), space extensive (i.e. land), tied to resources, dependent on the availability of different types of infrastructure (e.g. telecoms, power, water, roads, airport, port etc.) or dependent on skills availability;
- Locations for potential relocation of enterprises that may be better suited to alternative locations and where such a move, if facilitated, would release urban land for more efficient purposes that would be of benefit to the regeneration and development of the urban area as a whole, particularly in metropolitan areas and large towns.

In this regard, it can be seen that the Draft Development Plan fully complies with the requirements of NPO10a and 10b in identifying and quantifying all employment zoned lands in Fingal in Chapter 7 of the Draft Plan, on the various individual map sheets and in the FCC (2022) Fingal Economic and Employment Land Use Study.

In particular, it can be seen that the detailed considerations set out in the bullet points above are addressed in detail in the Fingal Economic and Employment Land Use Study which provides a robust quantitative basis for the overall employment zoning strategy.

This study, which included an analysis of the population growth identified under the NPF implementation roadmap targets and subsequent labour force reduction, demonstrated that Fingal will increase its working population by 12.4% or 18,612 persons by 2029. Under the EMRA employment target of securing 320,000 additional jobs by 2040, there are 13,090 jobs locally forecasted in Fingal between 2020–2029.

It is noted that the OPR submission also refer to Section 6.2.5 of the (now adopted) Development Plan Guidelines which addresses the issue of zoning for Employment Uses. In the context of the Draft Development Plan, it should be noted that this section of the Guidelines explains that "estimating the land-use zoning requirement for employment development may require some flexibility and a strategic, long-term perspective".

The Guidelines go on to state that proposed employment zonings must have a credible rationale, particularly with regard to location and type of employment, that it should be possible to demonstrate that the quantum of land zoned is not significantly out of step with estimated future demand arising from population, economic and employment growth and change and that the economic policy objectives of the Regional Spatial and Economic Strategy will be instructive in this regard and the development plan must demonstrate consistency with these.

Again, as was the case in relation to the requirements of the NPF, it can be seen that detailed consideration to each of the issues highlighted above were addressed in detail in the Fingal Economic and Employment Land Use Study, the findings of which was fully integrated into the approach to the zoning of employment land in Fingal.

With regard to the reference in the OPR submission to the sequential approach to development, it should be noted that the Draft Plan contains numerous policies and objectives which provide for a sequential approach to development (see Policy CSP4 – Sequential Development, Policy CSP19 – Compact, Sequential and Sustainable Urban Growth, Objective CSO37 – Regeneration and Infill Opportunities, Objective CSO67 – Compact, Organic and Sequential Development of Towns and Villages).

Of particular relevance is Objective EEO3 in Chapter 7 which requires "that proposals for economic development are served by quality supporting infrastructure with sufficient capacity. A sequential approach may be used for assessing economic developments to ensure their appropriate and sustainable delivery".

Finally, with regard to the reference in the OPR submission to the Spatial Planning and National Road Guidelines for Planning Authorities, the Draft Plan is explicit in acknowledging the need to protect the strategic function of the national road network within Section 6.5.10.1 National Roads of the plan and includes reference to the Spatial Planning and National Roads Guidelines for Planning Authorities 2012 within objective CMO34 as set out below and within Appendix 2 Implementation of Ministerial Guidelines and Appendix 3 Policy Context of the Draft Plan.

Further detail in relation to the issue of the strategic function of the national road network is provided in the response to OPR recommendation 14 below, which includes a number of recommended changes to further compliance with the Spatial Planning and National Roads Guidelines for Planning Authorities.

Having regard to the six areas specified in the OPR submission, the following paragraphs provide a brief overview of the lands in question to provide more clarity and to outline any changes which may be necessary having regard to the criteria set out in the various national and regional planning polices discussed above. Each overview includes details in relation to the extent of land zoned at each location, the percentage of these lands which have been developed as well as information as to how each area fits within the overall strategy to land use zoning for Fingal.

### Area (i): North Blanchardstown between M2 and M3

The first area listed in the OPR submission relates to the mixture of Lands zoned for high intensity employment uses located within the north Blanchardstown Area between the M2 and M3.

The employment lands to the west of the M2 comprises GE and HT zoned lands that form part of the Dublin Enterprise Zone in D15 and also incorporate the HI lands of Huntstown quarry. These lands are subject to a framework plan requirement FP12A (Kilshane) and FP12B (Dublin Enterprise Zone) as set out in Table 2.19 of the Draft Plan to provide a framework to guide the future sustainable development of this largely undeveloped employment landbank.

This landbank also incorporates the Cherryhound lands which are subject to an operational Local Area Plan - LAP12A Cherryhound LAP as set out in Table 2.15 of the Draft Plan. In addition,

the proposed amendment to policy CMP4 as set out above provides the requirement for LAPs, Masterplans and other large-scale studies and projects to carry out a Local Transport Plan in tandem with their preparation which will inform the transport requirements for these areas in collaboration with the NTA, TII and other relevant stakeholders.

As described in the Fingal Economic and Employment Land Use Study, lands zoned in Blanchardstown account for 33.0% of zoned industrial land in Fingal County Council equating to 1,509 hectares of land. Under half (43.5%) of these lands have been developed with 852 hectares remaining. Zoning in Blanchardstown is primarily general industry, heavy industry and high technology. Blanchardstown has the most developed employment related zoned land.

A majority of designated lands for high technology are already developed (257 hectares accounting for 64% of land) with just 146 hectares remaining. High technology zoned lands are split into two primary sectors; the majority are located within Rosemount Business Park, IDA Ballycoolin Business Park and Blanchardstown Corporate Park with the remaining lands further west in Damastown Industrial Park.

The majority of land zoned general and heavy industry is undeveloped with 490 hectares and 216 hectares available for development respectively. A large majority of these designated lands are located to the North of Blanchardstown in the Dublin Enterprise Zone situated between the N2, N3 and M50 roads. The remaining undeveloped lands for heavy industry are located to the east of the DEZ at the intersection of the N2 and M50 roads.

In recent years, this area has emerged as a key economic cluster in the Dublin Region as demonstrated by the Enterprise Cluster mapping undertaken for the Economic and Employment Land Use Study. According to the study, Blanchardstown forms the largest cluster in the Dublin Consolidated Metropolitan Area (CMA) of Fingal as it is home to 2,600 businesses (63% of businesses in the CMA). The area is also home to the largest ICT cluster in the County which it is expected to continue to grow and is also home to significant pharmaceutical sector employment.

In tandem with this growth, the wider Blanchardstown area already benefits from good public transportation in the form of bus services with these to be further updated as part of the BusConnects Programme to include a new high frequency spine serving Blanchardstown.

On the basis of the foregoing, Blanchardstown, Table 7.1 in Chapter 7 of the Draft Development Plan indicates that designated Blanchardstown as a Strategic Development area for the county as for the "further development of largescale employment in Dublin enterprise Zone and synergies with Blanchardstown IT".

It is considered therefore, that having regard to the existing local planning policy framework for the area, overall need to provide for a considerable growth in jobs in the Fingal, the role of Blanchardstown as a strategic employment area, the planned provision of high quality public transport in the form of BusConnects, the relatively high percentage extent of employment lands which have already been built out in the area that the level of employment land use zoning as identified in the Draft Development Plan is sufficient and appropriate.

#### Area (ii): Junction 2, St Margaret's - East of M2

The second area identified in the OPR submission relates to 37.6 hectares of previously undeveloped land at Junction 2, St. Margaret's, East of the M2. It should be noted that this land

was included in the Draft Plan as GE General Employment as the result of a motion passed during Council meetings on the CE's Draft Development Plan in early 2022.

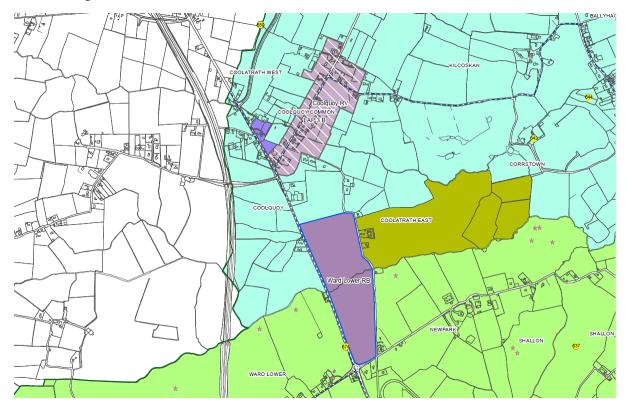
The Chief Executive recommended against this GE zoning (from GB – Greenbelt) with the response to the motion setting out the reasons such a zoning would be contrary to the proper planning and development of the County, including the following

- the current level of lands zoned in the Dublin Enterprise Zone in addition to the lands already identified on the southern side of the N2, employment use, are considered more than adequate to meet current and future demands.
- The rezoning of these lands would lead to significant encroachment into the greenbelt lands and would be detrimental to the character of the area and surrounding land uses. Physically, it is considered that the M2 road currently acts as a natural barrier in the area and this should be respected as the buffer between the zoned lands and the greenbelt.
- the proposal to change a substantial proportion of strategic Greenbelt lands to General Employment would result in an un-coordinated, ad-hoc provision of unsustainable employment lands of which there no evidence-based need.

As the reasons set out above are still applicable, the Chief Executive recommends that the area of land in question be returned to its original GB zoning.

### Area (iii): Coolquay

The next area referred to by the OPR submission relates to lands zoned as Rural Business Cluster and Food Park located to the south of Coolquay rural village and southwest of Corrstown Golf Club. The location of these lands is shown in the excerpt from Draft Development Plan Sheet 3 'Fingal Central'.



It is recognised that this land use zoning is in an area where the predominant land use zonings are with RU Rural or GB zoning. While there is a rural village zoning and LAP objective currently in place for the village of Coolquay to the north, the subject lands are not contiguous to the village. Furthermore, it is recognised that the subject lands are not well-served by public transportation, nor are they easily accessible by active transport from larger centres of population.

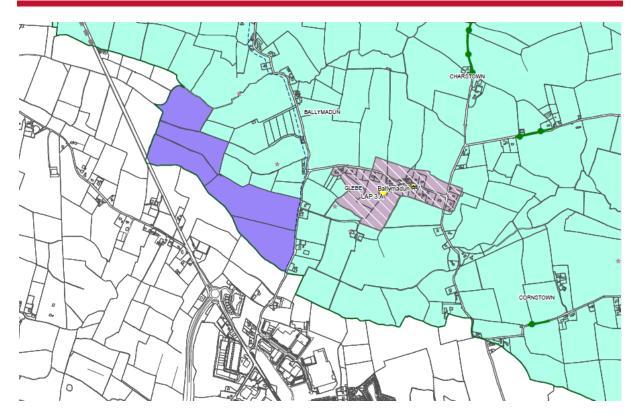
Furthermore, an analysis of the percentage of these lands which have been developed as per their current land use zoning indicates that none of the lands zoned RB 'Rural Business' and only 1.1% of the lands zoned FP Food Park have been developed despite retaining these zonings over a number of Development Plan periods.

A review of the planning history for the lands also indicates that there have been no significant applications for the development of the subject lands since the submission of an application for a warehouse facility in 2004 which was refused permission.

As a result and having regard to the content of the OPR submission in relation to the lands in question and to the surrounding land use zonings in this rural part of Fingal the Chief Executive recommends that: the FP zoned lands at this location are zoned RU – Rural; the portion of the RB zoned lands to the north of the Ward River is zoned RU – Rural; and the portion of the RB zoned lands to the south of the Ward River is zoned GB – Greenbelt. The rezonings reflect the existing land use zonings to the north and south of the Ward River in the surrounding area.

### Area (iv): Ballymadun

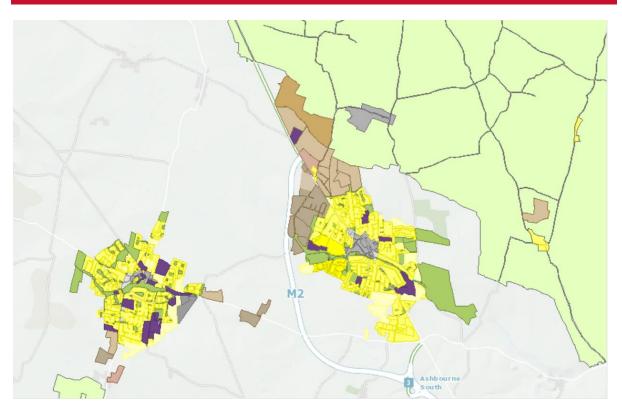
The next area referred to by the OPR submission consists of ca. 46.3 hectares of land zoned General Employment located north of Ashbourne to the east of the N2 and to the west of the rural village of Ballymadun. The area and location of these lands are shown in the excerpt from Draft Development Plan Map Sheet 3.



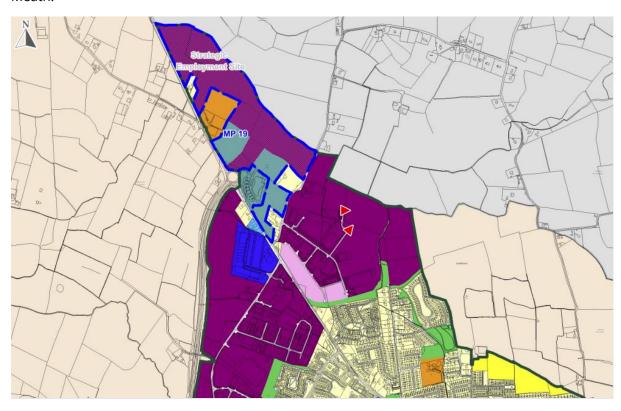
It is important to note that while the map excerpt would suggest that the lands in question form an isolated parcel of employment land in a rural part of the northwest of the County, their GE zoning is based on their proximity to similarly zoned lands across the border with Meath County Council.

This is shown by excerpts overleaf taken from the Department of Housing Local Government and Heritage 'MyPlan.ie' website and from the Ashbourne Land Use Zoning Map in the current Meath County Development Plan 2021-2027.

The excerpt from MyPlan.ie shows the location of the subject site (in dark brown) relative to lands currently zoned in for General Enterprise and Employment as well as Community Infrastructure (in purple) under the current Meath County Development Plan.

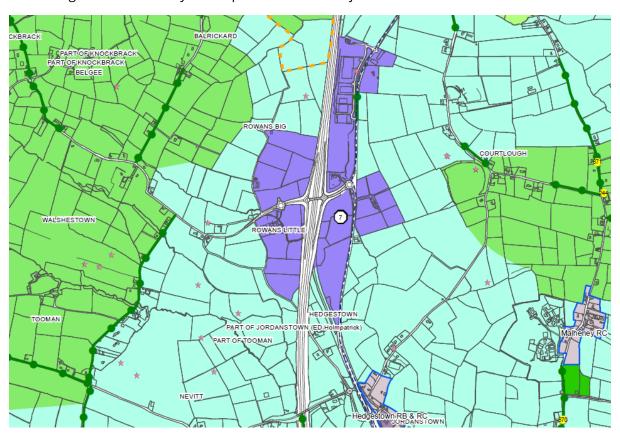


The below excerpt from the Meath County Development Plan map for Ashbourne indicates that the area of lands in question are directly adjacent to a 'strategic employment site' which will be subject to a Masterplan as per the requirements of the recently adopted Development Plan for Meath.



### Area (v): Courtlough

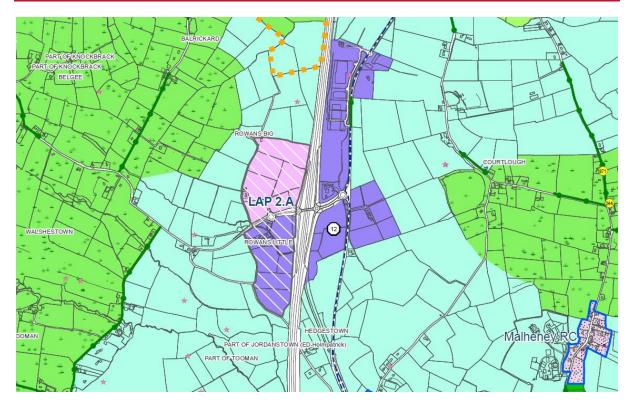
The fifth area specifically referred to in the OPR submission relates to the lands zoned general employment south of Balbriggan which extends across both sides of the M1. As shown in the excerpt from Draft Development Plan Map Sheet 2 below, parts of the lands in question are also subject to Local Objective 7 "Development on these lands, if any, will be restricted by the extent of flooding on the lands. Any development shall be subject to a commensurate FRA."



The lands in question are zoned for employment uses in the current Fingal County Development Plan and a review of the planning application history indicates a number of applications have been made for general employment/light industrial type uses on the southern portions of the lands which were not implemented. In addition there are a number of established uses on the lands to the east of the M1 including logistics, construction services and retail, a service station as well as a Fyffes Fruit distribution centre.

An analysis of the percentage of these lands which have been developed as per their current land use zoning indicates that ca. 13.2 ha or ca. 17% of the total 77.4 ha of employment zoned lands at this location have been developed.

It should be noted that under the current Fingal County Development Plan, the overall area of lands zoned for employment uses was 9.9 hectares lower at 67.5 hectares meaning that the area of developed land is 20.2 % of currently zoned lands. Furthermore, as shown in the excerpt from Sheet 2 of the current Development Plan (overleaf), the northwest section of the lands were zoned for higher intensity 'HT' High Technology land use.



While the Draft Plan provides for lower intensity uses for the overall land use due to the zoning of the northwest portion of the subject lands for General Employment, the inclusion of this additional 9.9 ha GE lands (which was previously zoned RU) occurred having regard to a motion passed by the Council during the full Council meetings to consider the Chief Executive' Draft Plan.

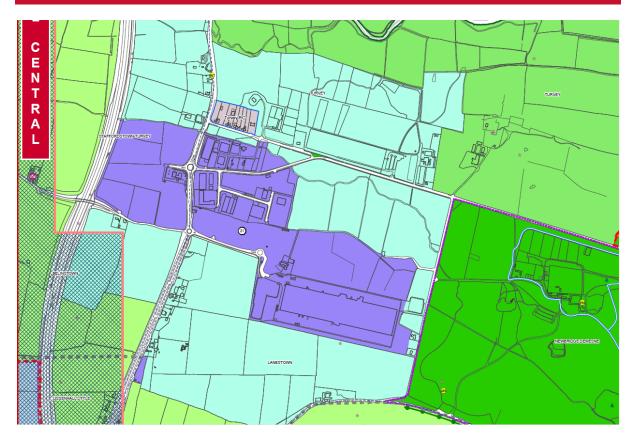
It was considered the proposed zoning would have been in breach of key objectives of the current FDP 2017-2023 and the emerging Draft FDP 2023-2029 and NTA policy to protect strategic transport corridors and channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure and as such is contrary to proper planning and sustainable development.

As a result, it is recommended that the Draft Development Plan be amended so that the additional GE land which forms the south-eastern portion of the overall site revert to the RU zoning as per the current Development Plan, but to retain the lower intensity GE rezoning of the north-western portion of the subject lands.

### Area (vi): Turvey

The final area identified by the OPR related to what are referred to in the submission as ca. 20ha of undeveloped lands at Turvey which are currently zoned for General Employment Uses.

The general location and proposed zoning of the lands in question are shown in an excerpt from Map Sheet 7 of the Draft County Development Plan. This excerpt indicates that the lands are subject to Local Objective 21 as follows 'Development on these lands, if any, will be restricted by the extent of flooding on the lands. Any development shall be subject to a commensurate FRA".



Based on the latest survey of developed and undeveloped lands at this location, of the total area of 72.8 hectares zoned for General Employment, a total of ca. 34.3 or 47.1% of lands have been developed. Established uses in the area include a Tesco distribution centre, light industrial uses (machinery hire and repair) and building supplies and retail services, a service station and fast food restaurant.

An analysis of the percentage of these lands which have been developed as per their current land use zoning indicates that ca. 13.2 ha or ca. 17% of the total 77.4 ha of employment zoned lands at this location have been developed. In addition, a search of planning applications for the area indicates that a number of applications have been submitted for the further ongoing development of the lands including for development of the lands fronting the M1 motorway to the west.

The ongoing development of these lands for General Employment uses is considered appropriate given the nature and extent of the uses which have already grown up at the site as well as its role in providing employment for the nearby Self-Sustaining Growth Town of Donabate.

### Retail

The submission acknowledges the retail hierarchy set out in section 7.5.5 (Table 7.2) as well as the inclusion of maps in Chapter 7 which define the boundaries of the core retail areas of major retail centres.

The submission goes on to note however, that the inclusion of Rush, Lusk and Donabate as Level 3 Town and/or District Centres is not in accordance with the RSES Retail Hierarchy (Table 6.1) for

the Region, that there is no rationale provided for this and that no county retail study has been prepared as an evidence basis for the designations of these additional towns as District Centres.

The submission includes the following recommendation relating to the retail hierarchy:

### **OPR Recommendation 12 - Retail Hierarchy**

Having regard to the Retail Planning Guidelines (2012), and the retail hierarchy set out in Table 6.1 of the RSES, the planning authority is required to revisit its intended approach to include Rush, Lusk and Donabate as Level 3 Town and/or District Centres that is contrary to the EMRA RSES Retail Strategy for the Greater Dublin Area in terms of the scale and nature of retail and associated uses proposed to be accommodated, to ensure consistency with the provisions of the guidelines.

### **Chief Executive's Response to OPR Recommendation 12**

The Chief Executive notes the reference to the Retail hierarchy set out in the RSES and the requirement for each relevant County Retail Strategy to have regard to this hierarchy. As a result, the relevant sections of the Draft Development Plan will be updated accordingly.

Having regard to the Retail Planning Guidelines (2012), and the retail hierarchy set out in Table 6.1 of the RSES, Rush, Lusk and Donabate should be removed from Level 3 and included in Level 4 of Table 7.2: Fingal Retail Hierarchy. In addition, relevant sections of text will be changed on page 280 and 281 of the Draft Plan.

## **Extractive Industry**

The submission notes that Chapter 7, section 7.5.3.4 of the Draft Plan sets out the policy objectives for the extractive industry but that no map has been provided to identify the location of these resources within the county. The submission includes the following observation requesting for such a map to be provided in the Development Plan:

### OPR Observation 3 - Extractive Industry

Having regard to National Policy Objective 23 and the section 28 Quarries and Ancillary Activities Guidelines for Planning Authorities (2004), the planning authority is requested to include a map to show the location of quarries and minerals across Fingal County.

#### **Chief Executive's Response to OPR Observation 3**

The Chief Executive notes the contents of observation 3. Although there are limited quarrying and extractive activities currently ongoing in Fingal, recommends that a new figure be included in Chapter 98 of the Draft Development Plan showing the location of sites included on the Council's Extractive Industries (Quarries) Register as well as the Geological Survey of Ireland (GSI) sites of interest as listed in Section 9.6.12 of the Draft Plan.

### **OPR Submission – Sustainable Transport and Accessibility**

The OPR submission includes a separate section on Sustainable Transport and Accessibility which addresses the related issues of:

- the Transport Strategy for the Greater Dublin Area;
- modal share targets; and
- the strategic national road network.

### Transport Strategy for the Greater Dublin Area

The submission welcomes the Draft Plan's commitment to supporting the delivery of key public transport projects set out in the Draft Transport Strategy for the Greater Dublin Area 2022 – 2042 and states that it is essential that in providing for expansion and growth of the county that future short-term and long-term public transport infrastructure is considered and that the zoning of lands is consistent with the availability, or not, of public transport infrastructure having regard to the draft GDA Transport Strategy.

The submission also states that the Draft Plan presents an opportunity for Fingal County Council to further align, and support, the delivery of strategic public transport infrastructure projects and the associated enabling infrastructure.

The submission recommends that policy CMP20 should be expanded to include a reference to the Blanchardstown Town Centre Bus Interchange which is described as a critical piece of the BusConnects Core Bus Corridor project.

The submission also emphasises the importance of ensuring that future land use plans for areas that will benefit from the significant public transport projects of BusConnect, Dart + and Metrolink ensure that these projects are integrated appropriately.

The submission includes a specific recommendation in relation to these issues as follows:

### OPR Recommendation 13 - Transport Strategy for the Greater Dublin Area

In accordance with section 9(6A) of the Planning and Development Act 2000, as amended, and the Draft Transport Strategy for the Greater Dublin Area 2022 – 2042, and having regard to the requirement to include objectives for the promotion of sustainable settlement and transportation strategies under section 10(2)(n) of the Act, the planning authority is required, in consultation with the National Transport Authority (and Transport Infrastructure Ireland), as appropriate, to:

- (i) clarify that masterplans for Estuary Central, Estuary East, Seatown and Dardistown will be reviewed and updated to reflect the Metrolink project; and
- (ii) include a policy objective to secure the development of Park and Ride facilities and to provide a facility in the Lissenhall area.

### **Chief Executive's Response to OPR Recommendation 13**

The Draft Plan at Section 6.5.7 Public Transport is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the County, providing more efficient and reliable access to key urban centres within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transportation. Fingal is set to benefit from major rail and bus projects such as MetroLink, BusConnects and DART+ and LUAS Expansion having regard to the NTA Strategy for the NTA.

The Draft Plan acknowledges that these projects are identified as key growth enablers for Fingal in the NPF and these projects when combined with enhanced walking and cycling facilities have the potential over the coming years to have a transformative impact on travel by shifting the dominance of car-based transport towards public transport.

The Draft Plan also acknowledges that these projects promote a high level of network integration and interchange facilities and represent key components of an integrated transport network that

will bring significant economic, social and environmental benefits to Fingal and the wider Dublin region.

It is noted that Dardistown LAP is currently an operational plan as set out in Table 2.15 of the Draft Plan and has regard to the MetroLink including the MetroLink Depot. The Estuary Central and Estuary East lands will now be incorporated into the proposed Swords LAP. It is noted that the approved R132 Connectivity Project has regard to the integration of the MetroLink Seatown Stop in the context of the MetroLink project and subsequent Railway Order c. Q3 2022.

In the preparation of land-use plans and projects including the R132 Connectivity Project, FCC has close cooperation and interaction with the relevant transport providers such as NTA., TII and other relevant stakeholders on an ongoing basis to ensure that policy objectives are being addressed through the design process relating to strategic transport projects including MetroLink and BusConnects. Fingal County Council continues to work with key transport providers to ensure an efficient and effective public transport network is achieved and the Draft Plan and includes specific objectives in this regard including policy CMP6, CMO22 and CMO23.

The Draft Plan includes the following objectives in support of high-quality public transport interchange as follows:

Policy CMP20 Public Transport Interchange seeks to, 'Support and facilitate the provision of high-quality transport interchanges within the transport network in order to facilitate seamless transition between different transport modes and to maximise the movement of people by sustainable modes.'

Objective CMO22 Enabling Public Transport Projects seeks to, 'Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and other relevant stakeholders.'

To facilitate the provision of bus interchange in D15 in collaboration with the NTA and other relevant stakeholders, policy CMP20 shall be amended to include reference to Blanchardstown Town Centre Bus Interchange.

The Draft Plan at Section 6.5.7.3 acknowledges that Park and Ride is a key component of NTA's GDA Transport Strategy and Policy CMP21 Park and Ride seeks to, 'Support the provision of Park and Ride facilities in conjunction with supporting ancillary infrastructure to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy.'

In this context, the Draft Plan is explicit in its support at a strategic level for the provision of Park and Ride facilities to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy as set out in Chapter 6 of the Draft Plan. In this context, it is considered appropriate to include a map-based objective to support and facilitate the provision of a Park and Ride facility at Lissenhall, Swords on the relevant Development Plan map. In the context of Park and Ride provision, given the strategic location of lands at Newtown, St. Margaret's in close proximity to strategic transport infrastructure, it is considered appropriate to support and

facilitate the provision of a Park and Ride facility at this location through a map-based objective on the relevant Development Plan map.

### **Modal Share Targets**

The submission confirms that the Draft Plan sets out clear measures to implement the relevant Section 28 guidelines and policy documents, including appropriate development management standards, for example maximum rather than minimum parking standards.

It also states the Draft Plan would benefit from promoting the National Investment Framework for Transport in Ireland (NIFTI) by aligning the policies and objectives to the modal hierarchy promoted in the NIFTI which consists of: 1. Active Travel; 2. Public Transport; and 3. Private Vehicles.

The submission states that the Draft Plan does not provide baseline figures for the existing modal split for existing settlements. It goes on to state that including baseline figures would enable the setting of achievable targets for modal change for individual settlements (e.g. Balbriggan as part of the Local Transport Plans) and/or by settlement type (self-sustaining growth towns, etc.) and that it would also enable effective monitoring of the local authority's movement strategy and climate change strategy by highlighting where implementation needs to be stepped up or addressed in subsequent reviews of the Development Plan.

Having regard to the above, the submission includes the following recommendation:

### **OPR Recommendation 14 - Modal Share Targets**

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n) of the Planning and Development Act 2000, as amended, the planning authority is required, in consultation with the National Transport Authority (and Transport Infrastructure Ireland), as appropriate, to:

- (i) enhance Chapter 6 to include existing baseline figures for modal share for the overall county and modal share targets for the plan period. It is recommended that this could best be provided at individual settlement level for the larger settlements, and at aggregate level for rural towns and villages and the open countryside; and
- (ii) provide an effective monitoring regime for the implementation of the planning authority's sustainable transport strategy and the modal share targets in particular.

### **Chief Executive's Response to OPR Recommendation 14**

In the interests of clarity, the use of norm values rather than maximum values was considered appropriate in Car Parking Zone 2 given the variety of different areas that fall into this category. This allows an appropriate level of flexibility to reflect the differences between, for example, rural areas and those more urban areas that do not fall within Zone 1.

Strategic objective 9 of the Draft Plan seeks to "Reduce car dependency and promote and facilitate sustainable modes of transport. Prioritise walking, cycling and public transport, while supporting an efficient and effective transport system." The Plan commits to supporting regional and national policies such as RSES, the NTA's Transport Strategy and the NPF in this regard.

To ensure consistency with the above, Fingal County Council's strategic transportation, forward planning and Development Management processes generally operate with the guidance of the

NTA Eastern Regional Model, which was used in the development of the NTA Transport Strategy for the Greater Dublin Area. The Council is also guided by the various policy documents at national, regional and local level, including the Development Plan.

Objective CMO2 relating to Modal Shift requires that FCC, 'Work with the NTA to develop mode share targets for the County to achieve and monitor a transition to more sustainable modes including walking, cycling and public transport, during the lifetime of this Plan. This includes providing targeted infrastructure in the most appropriate locations and prioritising development at the most accessible locations in order to achieve the appropriate levels of integration and sustainable transport provision.'

The setting of mode share targets at a County level, in the context of the Development Plan, would be cumbersome and unwieldy, given the data collection that would be required to ensure accuracy and the disparity across the County between dense urban areas and the rural hinterland. It is therefore considered that the use of mode share targets should be considered for inclusion at a more localised level, and this can be achieved through the development of various Local Transport Plans.

It is noted that the proposed amendment to policy CMP4 set out above provides the requirement for LAPs, Masterplans and other large-scale studies and projects to carry out a Local Transport Plan in tandem with their preparation which will inform the transport requirements for these areas in collaboration with the NTA, TII and other relevant stakeholders.

To strengthen and update the transport policy context in Chapter 6 Connectivity and Movement, reference to the National Investment Framework for Transport in Ireland (NIFTI) shall be included in Section 6.4 Strategic Aims of the plan.

## Strategic National Road Network

The submission refers to the Spatial Planning and National Roads Guidelines (2012) which require Planning Authorities to ensure that the strategic traffic function of national roads is maintained by limiting the extent of development that would give rise to the generation of short trip traffic on national roads.

According to the submission, the guidelines require the authority to assess the trip generation aspects of any land use zoning objectives and how such trip generation is to be catered for, promoting the use of sustainable modes, while protecting the strategic function of the national roads network. It also requires the plan to include policies, which seek to maintain and protect the safety, capacity and efficiency of national roads and associated junctions.

The submission goes on to state that in addition to the matters raised in respect of the location of certain employment zoning objectives under Recommendation 11 above, all of the sites identified are also located in proximity to junctions on the national road network and will need to be justified with regard to their potential impact on the road network.

As a result, the submission states that a number of key policies and objectives should also be strengthened and enhanced to safeguard the national network consistent and it includes the following specific recommendation:

### OPR Recommendation 15 - Strategic National Road Network

Having regard to the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) safeguarding the strategic function of the existing national road network, and associated junctions, the planning authority is required to strengthen DMSO117 to include specific reference to, and to limit new or intensified access onto all national roads (not just motorways), in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities (2012)

### **Chief Executive's Response to OPR Recommendation 15**

The Draft Plan is explicit in acknowledging the need to protect the strategic function of the national road network within Section 6.5.10.1 National Roads of the plan and includes reference to the Spatial Planning and National Roads Guidelines for Planning Authorities 2012 within objective CMO34 as set out below and within Appendix 2 Implementation of Ministerial Guidelines and Appendix 3 Policy Context of the Draft Plan. Specifically, the following objectives as set out in the plan of relevance in this regard include:

Objective CMO29 Management of Road Network seeks to, 'Work with the TII and other relevant national transport agencies, to protect and enhance the capacity of national routes, to minimise the impacts on the management of the broader network and to support the economic competitiveness of the County.'

Objective CMO34 Strategic Roads Network seeks to, 'Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant policy documents, as required.'

Objective CMO35 seeks to, 'Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

Objective CMO36 seeks to, 'Facilitate the implementation of the demand management measures in the M50 Demand Management Study, as required.'

To strengthen the policy context relating to the protection of national roads within the plan, Section 6.4 Strategic Aims shall include reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* and objective DMSO117 shall be amended to have regard to the protection of the national road network.

As set out earlier in this section of the report, the requirement for Local Transport Plans as set out in the NTA's Draft Transport Strategy for the GDA for land-use plans and based on the ABTA approach to ensure that transport planning and land-use planning are fully aligned at the local level and that all opportunities for sustainable transport are maximised is acknowledged.

In this context, the proposed amendment to policy CMP4 above, to prepare accompanying Local Transport Plans in tandem with the preparation of Local Area Plans, Masterplans and other large-scale studies based on the ABTA methodology in consultation with the NTA, TII and other relevant stakeholders is considered sufficient to address transport issues in development areas including any associated impacts on the road network.

### **OPR Submission - Climate Action and Renewable Energy**

The submission includes a section on Climate Action and Renewable Energy which highlights the emphasis placed on climate action in the Draft Development Plan Guidelines and the need to balance growth with sustainable approaches to development, land-use and transportation.

The submission emphasises the importance of responding to the recommendations on compact growth (Recommendation 6) and flood risk management (Recommendation 16) to ensure compliance with the requirements of the Act and the Draft Development Plan Guidelines in relation to Climate Action.

The submission welcomes how the overall approach of the planning authority to climate action is set out in Chapter 5 of the Draft Plan, but extends throughout the Draft Plan, including in its overall approach to sustainable settlement and transport strategy for the county.

The submission goes on to state that the manner of addressing climate change in statutory development plans is the subject of ongoing policy development and that accordingly, it would be prudent to include an objective in the Draft Plan to the effect that an assessment will be undertaken in relation to the implications of the introduction of such future policy mechanisms, with a view to varying the Draft Plan as made to ensure consistency with relevant climate assessment and development plan guidelines.

The submission notes that while the Draft Plan provides support for increased use of renewable energy and the development of renewable energy infrastructure, that there is no policy objective to support and/or deliver on the potential of district heating systems within the Plan area. On the basis of the foregoing, the submission includes the following observation:

#### OPR Observation 4 - Climate Change

Given the importance attributed to climate action by Government, as evidenced by, inter alia, the recent Climate Action and Low Carbon Development (Amendment) Act (2021) and the Climate Action Plan 2021, and to ensure the Plan will be consistent with the approach to climate action recommended in the draft Development Plan Guidelines (2021) as adopted or any other relevant guidelines, the planning authority is advised that the Draft Plan should also include:

- (i) an objective to consider a variation of the Plan within a reasonable period of time; and
- (ii) an objective to identify suitable location(s) for the delivery of district heating systems within the plan area.

### Chief Executive's Response to OPR Observation 4

The Chief Executive recognises the importance attributed to climate action by the government as highlighted in the OPR submission. As a result, it is recommended that the additional objectives suggested above will be included in the Draft Development Plan.

### **OPR Submission - Flood Risk Management**

The section of the submission which addresses flood risk management welcomes the references in the Draft Plan to relevant Section 28 guidelines, the preparation of a SFRA, as well as the inclusion of a number of relevant policies and objectives such as IUP13 and IUO16.

However, it also notes that the flood risk zones have not been overlaid on the land use zoning map in order to clearly outline what lands are impacted by flood risk and to assess if the sequential approach has been applied and that the Justification Test applied is not in accordance with the Justification Test outlined in Box 4.1 of the Section 28 Guidelines on The Planning System and Flood Risk Management. As a result, the submission states that the relevant section of the Draft Plan will need to be reviewed in accordance with the guidelines to fully determine that the sequential approach to flood risk management based on avoidance, reduction and mitigation of flood risk.

The submission notes that the land use zoning objectives GB (Greenbelt), HA (High Amenity) and HT (High Technology) allow for vulnerable development to be permitted within these objectives which is stated as not being appropriate in flood zones A or B, unless a plan making Justification Test can be satisfied. It goes on to state that alternatively, consideration should be given to the inclusion of policies and/or objectives limiting any vulnerable uses in these land use zonings where there is an identified flood risk.

Finally, the submission recommends that a reference be included in Objective IUO10 to the recently published HIGH 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' (November 2021) in order to further strengthen the policy framework relating to flood risk management.

The wording of the recommendation relating to flood risk management is provided below:

#### **OPR Recommendation 16 - Flood Risk Management**

Having regard to the detailed requirements of The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009) and the Department of Environment, Community and Local Government Circular PL 2/2014, the planning authority is required to:

- (i) overlay the land use zoning maps and the flood maps prepared in the Strategic Flood Risk Assessment in order to clearly outline the sites at risk of flooding;
- (ii) carry out a Plan-Making Justification Test in accordance with the Justification Test outlined in Box 4.1 and omit or amend proposed zonings that do not meet the Justification Test in accordance with the provisions of Guidelines and Circular;
- (iii) where sites are zoned for vulnerable development having satisfied the requirements of the Justification Test under (ii) above, a policy objective should be included to ensure that the sequential approach is applied and that there is no encroachment onto or loss of the flood plain or that only water compatible development would be permitted for the lands identified as being at risk of flooding; and
- (iv) include reference to the recently published "Nature-Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Water Sensitive Urban Design Best Practice Interim Guidance Document (2021).

#### **Chief Executive's Response to OPR Recommendation 16**

The OPR's comments are noted and the SFRA will be updated to include flood zone maps overlaid on the Development Plan Land Use Zoning Maps.

In terms of the issues raised around a Plan-Making Justification Test (JT), the following areas have been subject to JTs as part of the SFRA and Fingal CC is satisfied that the land use zoning is appropriate and meets the requirements of a wide range of criteria:

Map 1	M1 Business Park Ashbourne
Мар 3	Coolquay Ward Lower RB (note that this zoning is subject to a proposed change)
Map 4	Castlelands (subject to LAP)
Мар 7	Turvey Blakes Cross

Where Justification tests have not currently been carried out Fingal County Council is satisfied that the land use zoning is appropriate and meets the requirements of a wide range of criteria. The Planning Authority is satisfied with the land use zoning as Flood Risk will be managed at Development Management stage by a site-specific FRA.

It is also proposed to update Chapter 5 (Initial Flood Risk Assessment) of the SFRA having regard to the overlaying of land zoning and flood zoning, amend SFRA mapping (mapping sheets 18-21) to include updated Tolka datasets including climate change and amend mapping sheets 1 – 26 to include all climate change scenarios and improved background mapping detail.

Ensuring effective management of residual risk for development permitted in flood plains is a core objective of Fingal County Council and Fingal County Council will ensure flood risk is managed in accordance with best practice. The County's floodplains are also being protected by way of technical input into the forward planning processes such as the preparation of Local Area Plans, Masterplans etc. Protection of Fingal's floodplains is also covered in *Policy IUP13 – Protection of Fingal's Floodplains, Wetlands and Coastal Areas:* 

"Protect and enhance the County's floodplains, wetlands and coastal areas subject to flooding as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future."

With regard to the recently published DHLGH 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' a reference to the document will be added to the SFRA.

### **OPR Submission – Environment, Heritage and Amenities**

The section of the submission relating to the Environment, Heritage and Amenities specifically addresses the issues of rights of way and environmental assessment.

#### Rights of Way

The submission refers to Section 10(2)(o) of the Act which requires public rights of way to be located on both a map and on a list appended to the development plan.

The submission goes on to state that notwithstanding objective CMO13 which sets out to identify further rights of way over the plan period, it is considered that mapping of these should also be provided for as required under the Act and as regarded as best practice in the OPR's Case Study Paper CSP01.

The wording of the recommendation on the issue of rights of way is set out below:

### OPR Recommendation 17 - Rights of Way

Having regard to the requirements of Section 10(2)(o) of the Planning and Development Act 2000, as amended, the planning authority is advised to prepare and include maps identifying public rights of way.

### **Chief Executive's Response to Recommendation 17**

Section 6.5.6.3 of the Draft Plan outlines Fingal's approach to public rights of way. The Planning team has engaged at an inter-departmental level in relation to the process of identifying and mapping public rights of way, has examined the approach of other Local Authorities within the State and taken guidance from recent publications, including e.g. Case Study Paper CSPO1 June 2021 published by the Office of the Planning Regulator in relation to this matter.

The identification of public rights of way, as required by the Act, is a difficult and resource intensive exercise in the absence of land law or property registry to facilitate. This is recognised in the Office of the Planning Regulator (OPR's) case study paper CSPO1 – 'Public Rights of Way and the Local Authority Development Plan' wherein it is advised that where doubt arises as to whether a way is a PROW or not when researching the legal status of rights of way, case law suggests that unless conclusive proof is available, a prudent approach should be adopted.

In the interests of clarity, the Act requires that the Development Plan include objectives for the preservation of public rights of way of a specific nature, where they give access to 'seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility.

In this regard, Table 6.2 identifies PROW in the County and is shown along with existing recreational and coastal routes on the relevant Development Plan maps. It is important to note that this list is not exhaustive. Over the lifetime of this Plan, the Council will endeavour to add to this list within the provisions of the Planning and Development Act 2000 (as amended).

Objective CMO13 Mapping of Public Rights of Way in Section 6.5.6.3 of the Draft Plan states as follows: 'Identify further Public Rights of Way during the lifetime of the Development Plan and to update the 'Public Rights of Way' mapping.'

#### **Environmental Assessments**

With regard to environmental assessment, the submission notes that the environmental report (SEA) concludes that no significant residual adverse impacts are identified in the SEA taking into account the detailed mitigation, which has been integrated into the Draft Plan and that the SEA is considered to be comprehensive and generally consistent with the requirements of the Section 28 Guidelines.

The submission states that the Natura Impact Report (NIR) concludes that, having incorporated mitigation measures, the Draft Plan is not foreseen to give rise to any adverse effects on the integrity of the European sites, alone or in-combination with other plans or projects, in view of the conservation objectives of the habitats or species for which the subject sites have been designated. The submission also notes that the AA process is ongoing and will inform and be concluded at adoption of the Plan.

#### **Chief Executive's Response:**

The Chief Executive welcomes the comments from the OPR in relation to Environmental Assessment and notes that the submission describes the SEA as comprehensive and consistent with the requirements of the relevant guidelines. The Chief Executive also notes that the submission recognises that the NIR concludes that the Draft Plan is not foreseen to give rise to any adverse effects on the integrity of European sites and that the AA process is still ongoing.

### **OPR Submission - Implementation and Monitoring**

The section of the submission which addresses implementation and monitoring welcomes the inclusion of a strategy for implementation and monitoring in Chapter 12 of the Draft Plan, particularly in light of the emphasis on monitoring and implementation in the recently published draft Development Plan Guidelines (2021).

The submission goes on to state that a more targeted and detailed approach to implementation and monitoring could be provided to focus on the anticipated or proposed key outcomes of the plan, as determined by the planning authority, such as the core strategy, urban and rural regeneration, the sustainable transport strategy, climate action, biodiversity, landscape and others.

The submission includes an observation in relation to implementation and monitoring as follows:

#### OPR Observation 5 - Implementation and Monitoring

Having regard to the commitment of the planning authority to securing and monitoring the implementation of the strategies, policies and objectives of the Draft Plan, the OPR requests the planning authority to consider how Chapter 12 'Implementation and Monitoring' could be amended to ensure that any monitoring is strategic in nature, consistent with Part 10 of the Development Plans Guidelines for Planning Authorities - Draft for Consultation (2021).

#### **Chief Executive's Response to OPR Observation 5**

The issue of implementation and monitoring is addressed in Chapter 12 of the Draft Plan. This includes an implementation and monitoring system, which is intended to function as a formal feedback loop. The framework will form an evidence-based input and integrate with the review process of the subsequent Fingal Development Plan 2029–2035. This framework is also designed to assist the Planning Authority in preparing reports in meeting its statutory requirements, including:

- The 2 Year Review of the 2023–2029 Fingal Development Plan.
- Report to the Regional Assembly setting out progress made in supporting objectives of the RSES.

The Implementation and Monitoring System seeks to align, where possible, the right indicators that appropriately reflect and measure whether a policy and objective is being achieved. Given the number, complexity and long-term nature of some of the policies and objectives, it is not necessarily practical to indicate progress on each individual one.

A monitoring system has been established to provide a greater level of understanding as to whether and to what extent the policies and objectives of the Plan are being realised. This

system provides for the assessment of activity over the lifetime of the Plan, which includes qualitative and quantitative measures of the policies and objectives.

In terms of amending Chapter 12 (Implementation and Monitoring), to ensure that any monitoring is strategic in nature and consistent with Part 10 of the Development Plans Guidelines for Planning Authorities - Draft for Consultation (2021), it is considered appropriate that Section 12.3 (Monitoring) of the Draft Plan be amended to include an additional bullet point after the first paragraph to state: Plan Monitoring in accordance with Part 10 of the Development Plans Guidelines for Planning Authorities – June 2022.

#### **OPR Submission – General and Procedural Matters**

The final section of the submission relates to general and procedural matter and addresses the issues of mapping as it relates to the Draft Plan.

#### **Mapping**

The submission acknowledges the range of maps provided and welcomes the inclusion of online interactive mapping, which allows for the inclusion of multiple layers of mapping to be presented in a very user-friendly manner with clear visual representation of what the development plan comprises.

The submission suggests that a minor change which could be made to improve the clarity of the on the land use zoning maps would be to clearly outline the strategic land reserves at Dunsink and Lissenhall as strategic and not available for development over the plan period. This and other minor modifications suggested in the submission are included in the following observation:

#### **OPR Observation 6 - Mapping**

The planning authority is requested to review the land use zoning maps to provide greater clarity with respect to the policy objectives set out in the Plan and how their implications are presented spatially. Specifically the planning authority should ensure the following:

- (i) clearly differentiate between the following land use zonings on the maps:
  - a. GB (greenbelt), OS (open space) and HA (high amenity) areas
  - b. RB (rural business) and RV (rural village) and RC (rural cluster)
  - c. TC (town and district centre) and MC (major centre)
  - d. Any lands identified as 'Strategic Reserve';
- (ii) include the BusConnects Core Bus Corridor routes as per the Draft Transport Strategy for the Greater Dublin Area 2022 2042; and
- (iii) include the map based local objectives are included with Chapter 13 Land Use Zoning.

#### **Chief Executive's Response:**

With regard to point (i) of Observation 6 above, the Chief Executive notes the OPR's comments and recognises that minor modifications will be necessary to more clearly differentiate between the specified land use zonings.

In relation to point (ii), in order to acknowledge the key public transport projects that are identified as key growth enablers for Fingal in the NPF, it is considered appropriate to include the key core bus corridors relating to the BusConnects scheme on a new Sheet 17 'Connectivity and

Movement'. This sheet will also show the other key public transport strategic elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal including MetroLink, DART + and LUAS Expansion.

Finally, with regard to point (iii), it should be noted that in the interests of clarity, a comprehensive list of map-based objectives has already been included as Appendix 8 of the Draft Plan.

### **Chief Executive's Recommendations:**

### **CE OPR CH 2.1:**

Update Table 2.14

Core Strategy Areas	Settlemen t Type	Settlement Name	CSO Census Populat ion 2016	Estimat ed 2023 Populat ion	Estima ted 2029 Growt h	Estimat e 2029 Populat ion	Project ed Housin g Deman d (Units)	Total Availabl e Zoned Residen tial Land	Total Units/Pote ntial Yields	Lands - With Permiss ion (Extant) - Units
	(1) Dublin City and Suburbs Consolida tion Area	Blanchardst own - Mulhuddart LEA, includes The Ward, Dubber, Tyrllstown, Mulhuddart , Corduff & Abbotstow n	34,420	39,583	3,258	42,841	1,761	90	4,495	917
		Ongar LEA - includes Blakestown , Coolmine	50,214	57,746	1,803	59,549	975	33	1,659	785
Metropol itan Area		Castleknock LEA, includes Roselawn, Delwood, Castleknock Park, Knockmaro on & Lucan North	32,633	37,528	3,005	40,533	1,625	52	2,623	509
		Santry and Ballymun	2,485	2,684	925	3,609	500	9	437	358
		Belcamp and Balgriffin	6,702	7,238	912	8,150	493	36	1,791	-
		Baldoyle/Su tton	13,402	14,474	925	15,399	500	34	1,709	1,386
		Howth	8,294	8,875	925	9,800	500	20	1,006	710
	(2) Key Town	Swords	47,120	54,188	6,077	60,265	3,285	122	6,110	2,468
	(3) Self Sustaining Growth Town	Donabate	7,443	8,187	3,039	11,226	1,643	112	3,912	532
	(4) Self	Malahide	17,053	17,906	1,623	19,528	877	47	1,640	109
	Sustaining Towns	Portmarnoc k	9,549	10,408	1,060	11,468	573	31	1,072	230
		Baskin	349	366	19	386	10	2	24	46

		1								
		Coolquay	349	366	37	404	20	19	47	-
		Kinsealy	405	425	268	693	145	10	208	41
	(5) Towns and	Portrane	1,236	1,298	196	1,494	106	11	106	-
	Villages	Rivermeade	720	756	172	928	93	17	174	-
		Rowlestow n	896	941	185	1,126	100	48	480	9
		Balbriggan	22,084	23,851	3,519	27,370	1,902	103	3,603	93
	(4) Self	Rush	10,359	10,877	925	11,802	500	53	1,600	338
	Sustaining Towns	Lusk	8,353	8,771	555	9,326	300	27	818	132
		Skerries	9,783	10,272	174	10,446	94	9	273	7
	(5) Towns and Villages	Ballyboghil	681	708	163	871	88	21	206	-
		Ballymadun	424	441	19	459	10	16	41	-
Core Area		Balrothery	1,943	2,021	87	2,107	47	11	164	43
		Balscadden	503	523	16	539	8	8	20	1
		Garristown	798	830	160	990	86	20	202	21
		Loughshinn Y	633	658	38	696	20	4	57	5
		Naul	715	744	83	827	45	11	105	28
		Oldtown	1,028	1,069	93	1,162	50	13	131	14
	(6) Rural	Rural areas	5,446	5,555	126	5,681	68			

Totals	296,02	329,289	30,386	359,675	16,425	990	34716	8782

#### **CE OPR CH 2.2:**

Update Section 2.2.12 Analysis to include revised figures as result of updated table 2.14 and insert the following text after table 2.14 and objectives:

Table 2.14 shows where the Projected Housing Demand will be concentrated. It also shows the extent of undeveloped lands in each settlement. The Council will monitor the delivery of housing units to ensure general compliance with the Core Strategy and housing supply targets for the County and to inform the redistribution potential, if required, as per objective XXXX. This allows for the Council to consider the redistribution of housing population figures where the applicant must demonstrate to the Planning Authority that the proposal is aligned with the overall growth target for the County. The Core Strategy figures for each settlement serve as a benchmark for monitoring to ensure compliance with National and Regional figures and the relevant guidelines

In relation to the delivery of development, Fingal County Council recognises there will be market constraints to delivery at any given time. However, anticipating the market and delivery of specific sites is not an exact science. In this regard, a degree of flexibility has been built into the distribution of the housing and population targets, in line with national and

regional policy, to ensure an adequate supply to meet demand. This flexibility requires close monitoring of housing delivery, taking account of the function of each settlement.

For monitoring at a settlement scale, the policy of this plan is to monitor each settlement, with Dublin City and Suburbs settlement as one area, with options to transfer a portion of the allocated units from one neighbourhood area to another, subject to considering a number of key criteria during the lifetime of the Development Plan. This enables for flexibility in terms of locating new housing and allows time to lapse for planning permissions which have not delivered.

Equally, the Council will actively pursue active land management measures provided for under legislation, to ensure that land hoarding is discouraged, and that development potential is released through available mechanisms and initiatives including through central or other funding.

A new policy regarding monitoring and the provision of social and physical infrastructure is proposed to manage the additional zoned lands.

#### **New Objective 1:**

Implement a robust monitoring process for all housing delivery including the performance of large-scale housing developments (Schemes for 100 units+) for each town, village and urban settlement within the County to allow for ongoing assessment of delivery targets whilst ensuring overdevelopment does not occur in any particular area and to ensure that the delivery of necessary infrastructure is possible to ensure the sustainability of communities.

### **New Objective 2:**

Provide for flexibility in achieving the housing supply targets and meeting housing demand, the Council will consider the re-distribution of housing and population figures within each settlement. In this regard, where a site greater than 0.25ha has the potential to exceed the allocation for a particular settlement as set out under Table 2.14, the applicant must demonstrate to the Planning Authority that the necessary social and physical infrastructure is in place or can be provided as part of the application to accommodate the proposed development.

The Council will monitor the delivery of housing units to ensure general compliance with the Core Strategy and housing supply targets for the County and to inform the redistribution potential outlined above.

#### **New Objective 3:**

Maintain and further expand the database of greenfield, brownfield and infill sites as part of the active land management process.

Delete Objectives CSO2 and CSO3 and replace with those above

**Objective CSO2 - Monitoring Process for Housing Delivery** 

Implement a robust monitoring process for all housing delivery for each settlement within the County to allow for ongoing assessment of delivery targets whilst ensuring

overdevelopment does not occur in any particular area and to ensure that the delivery of necessary infrastructure is timely to ensure the sustainability of communities.

**Objective CSO3 - Delivery of Housing Units** 

Monitor the delivery of housing units to ensure general compliance with the Core Strategy and housing supply targets for the County and to inform any required redistribution.

#### **CE OPR CH 2.3:**

Amend Tables 2.16 and Table 2.18 and Sheet 8 as follows:

#### Table 2.16: Schedule of Local Area Plans to be commenced over the Plan Period

<u>Swords</u>
Lissenhall East
Flemington
Coolquay
Balscadden
Ballymadun
Belcamp

### Table 2.18: Schedule of Masterplans to be Commenced over the Plan Period

Replace the existing Table 2.16 and replace with the following

Garristown
Oldtown
Rowlestown
Balrothery East
Estuary Central
Estuary East
Old School House, Clonsilla
Ballyboghil
Naul

#### CE OPR CH 2.4

Insert the following text before the Heading 'Implementation of Active Land Management' before Section 2.4.1 Local Area Plans:

With regard to the preparation of Local Area Plans, Masterplans or Framework Plans which adjoin or are directly adjacent to the function area of other Local Authorities (including Dublin City Council in the case of the Belcamp LAP and Meath County Council in the case of Ballymadun LAP), the Council will seek to engage fully with the Local Authorities prior to, and during the preparation of these plans.

#### **CE OPR CH 3.1:**

Include the following new Objective in Chapter 3:

<u>Preparation of Building Height Strategy and Density Study:</u>
<u>Prepare a Building Height Strategy and Density Study for the larger urban centres of the county.</u>

#### **CE OPR CH 3.2:**

Amend Policy SPQHP32 Applications for Build to Rent Schemes as follows:

Policy SPQHP32 Applications for Build to Rent Schemes: Applications for BTR schemes shall be required to demonstrate that there is not an overconcentration of Build to Rent

Accommodation within an area, be accompanied by an assessment of other permitted BTR developments in the vicinity (3km) of the site including a map showing all such facilities within 1km of a proposal to demonstrate that the development would not result in the overconcentration of one housing tenure in a particular area. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning Authority will have regard to factors such as:

- The number and scale of other permitted BTR development in the vicinity (1km 3km)
  of the site,
- The household tenure and housing type of existing housing stock in the approximate vicinity (1km 3km) of the site and
- The proximity of the proposal to high-capacity public transport stops and interchange (such as DART, MetroLink, Luas+ and BusConnects).

#### **CE OPR CH 5.1:**

Insert a new objective in Chapter 5, after Policy CAP1 as follows:

Consider a variation of the Plan to align with amended/new climate action legislation.

#### **CE OPR CH 5.2:**

Insert a new objective in Chapter 5, after Policy CAP18 as follows:

<u>Location of District Heating Systems</u>
<u>Identify suitable location(s) for the delivery of district heating systems within the plan area.</u>

#### **CE OPR CH 6.1:**

Amend Policy CMP4 Area Based Transport Assessment as follows:

Area Based Transport Assessment and Local Transport Plans

Promote and encourage the use of ABTAs Prepare Local Transport Plans based on the ABTA methodology in conjunction with the preparation of for Local Area Plans, Masterplans Local Transport Plans, and other large-scale studies and plans as appropriate, in consultation with the NTA and TII and other relevant stakeholders.

#### **CE OPR CH 6.2:**

Amend Policy CMP20 as follows: Public Transport Interchange
'Support and facilitate the provision of high-quality transport interchanges <u>including the</u>

<u>Blanchardstown Town Centre Bus Interchange</u> within the transport network in order to facilitate

seamless transition between different transport modes and to maximise the movement of people by sustainable modes *in collaboration with the NTA and other relevant stakeholders*.

#### **CE OPR CH 6.3:**

Amend Objective DMSO117 as follows: Motorway Access National Road Access
'Prohibit development requiring new or intensified access onto a motorway national road and seek to reserve the capacity, efficiency and safety of National Road infrastructure including junctions in accordance with the provisions and presume against access onto National Primary routes of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

#### **CE OPR CH 6.4:**

Include reference in Section 6.4 Strategic Aims relating to the National Investment Framework for Transport in Ireland (NIFTI)as follows: The National Investment Framework for Transport in Ireland (NIFTI), the strategic framework for future investment decision making in land transport to guide transport investment in the years ahead to enable the National Planning Framework, support the Climate Action Plan, and promote positive social, environmental and economic outcomes throughout Ireland. NIFTI sets out the modal hierarchy in Ireland as; 1. Active Travel; 2. Public Transport; 3. Private Vehicles. It also outlines an intervention hierarchy which is: 1. Maintain; 2. Optimise; 3. Improve; 4. New.

#### **CE OPR CH 6.5:**

Include reference to the DOECLG Spatial Planning and National Roads Guidelines (2012) in Section 6.4 Strategic Aims of the Draft Plan as follows: <u>The Spatial Planning and National Roads</u> <u>Guidelines for Planning Authorities 2012 sets out the planning policy considerations relating to development affecting national primary and secondary roads, including motorways and associated junctions, outside the 50-60 kmph speed limit zones for cities, towns and villages. These guidelines have been developed following a number of key principles and aim to facilitate a consistent approach that affords maximum support for the goals of achieving and maintaining a safe and efficient network of national roads, thereby facilitating continued economic growth and development.'</u>

#### **CE OPR CH 6.6:**

Include the following map-based objective on Sheet 8 on lands at Lissenhall, Swords as follows:

Support and facilitate a Park and Ride Facility.

#### **CE OPR CH 6.7**:

Include the following map-based objective on Sheet 12 on lands at Newtown, St Margaret's as follows:

Support and facilitate a Park and Ride Facility.

#### **CE OPR CH 7.1:**

It is recommended that the following changes are made to the Draft Development Plan:

Remove Rush, Lusk and Donabate from Level 3 and include in Level 4 of Table 7.2: Fingal Retail Hierarchy.

Level 3: Balbriggan, Malahide, Skerries, Charlestown, (Rush, Lusk and Donabate)

Level 4: {*Rush, Lusk, Donabate*} Blanchardstown Village, Mulhuddart, Clonsilla, Castleknock, Howth, Portmarnock, Baldoyle, Ongar, Sutton, Balrothery

#### **CE OPR CH 7.2**;

Change to following text on page 280 and 281 of the Draft Plan.

Town and/or District Centres

Balbriggan, Malahide, Skerries, <u>and</u> Charlestown, (<u>Rush, Lusk and Donabate</u>) are included at Level 3 of the Fingal Retail Hierarchy. These centres are well distributed geographically throughout the County, with significant resident-populations and also serving wider catchment areas, some into rural areas. While these towns are unique with distinctive characters and historic development, they perform and have further potential to perform over the Plan period to a higher retailing level due to the strength of their resident-population and catchment-population.

Objective EEO90 – Level 3 Centres: Ensure the development of Balbriggan, Malahide, Skerries, and Charlestown, (Rush, Lusk and Donabate) as sustainable, vibrant and prosperous Town Centres performing at a high retail level within the Fingal Retail Hierarchy to meet the retailing needs of and offer sufficient retail choice to their local populations and catchment populations.

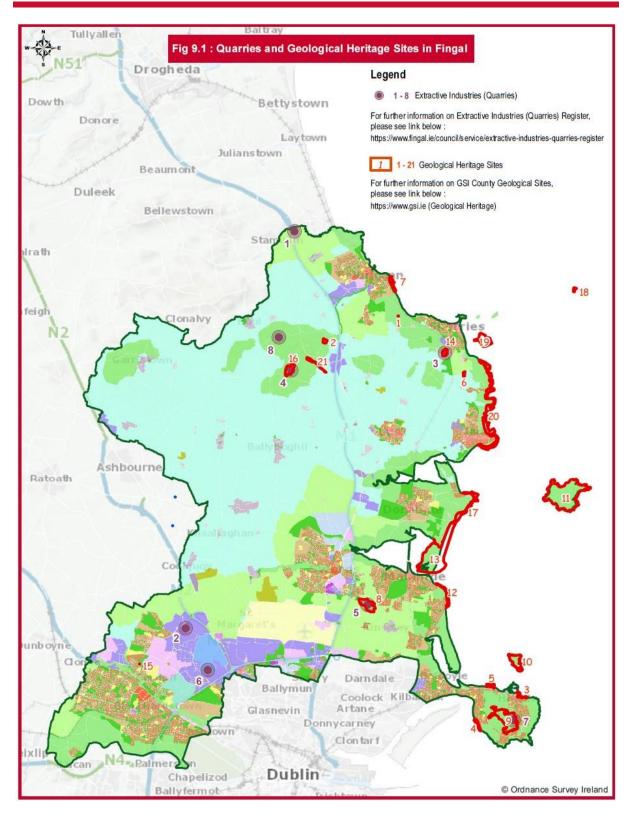
Objective EEO91: Facilitate appropriately scaled improvements to the quantum and quality of retail offer and function in Balbriggan, Malahide, Skerries, <u>and</u> Charlestown, (<u>Rush, Lusk and Donabate</u>) and ensure their sustainable development by consolidating, intensifying and enhancing their existing core retail areas, and by directing new retail opportunities into the core retail areas identified for each

Neighbourhood Centres, Local Centres-Small Towns and Villages

Level 4 of the Fingal Retail Hierarchy includes a number of important small towns, urban village centres, and local centres. These are dispersed throughout the County including urban centres such as *Rush, Lusk, Donabate*, Blanchardstown Village, Mulhuddart, Clonsilla, Castleknock, and Ongar in the west of the County, Balrothery to the north, and Howth, Portmarnock, Baldoyle, and Sutton to the east. A complete list of Level 4 centres is included in the Fingal Retail Hierarchy in Table 1 above.

### **CE OPR CH 9.1:**

Include the following new Figure "Quarries and Geological Heritage Sites in Fingal" in Chapter 9, Section 9.6.12 of the Draft Development Plan.



The following text is also to be included directly preceding this map:

Figure 9.1 below shows the location of the county geological sites identified by the GSI as well as the locations of sites included on the Fingal Extractive Industries (Quarries) Register which was compiled in accordance with the requirements of Section 261 and 261A of the Planning and Development Act (as amended).

#### **CE OPR CH 12.1:**

Amend Section 12.3 (Monitoring) of the Draft Plan to include an additional bullet point after the first paragraph to state:

- The 2 Year Review of the 2023–2029 Fingal Development Plan.
- Report to the Regional Assembly setting out progress made in supporting objectives of the RSES.
- Plan Monitoring in accordance with Part 10 of the Development Plans Guidelines for Planning Authorities June 2022.

#### **CE OPR SFRA 1:**

Amend Chapter 2 (Plan Area), Section 2.4 Existing Land Use Zonings on of the SFRA as follows:

The **current** County Development Plan sets out 21 different land use zonings and zoning objectives, as shown in Table 2.2. The Flood Zone maps included in Appendix A were prepared to assist with **future** land use **zoning** decisions in areas that have been assessed as being at risk of flooding.

<u>Land use zoning for the Fingal Development Plan 2023-2029 have been overlain with Flood Zone</u> <u>mapping and Section 5 presents Justification Tests where required.</u>

It is envisaged that an updated set of Zoning Objectives for the Fingal Development Plan 2023 – 2029 will be provided prior to the final version of the SFRA.

#### **CE OPR SFRA 2:**

#### Amend Chapter 5 (Stage 2 - Initial Flood Risk Assessment) as follows:

Initial Flood Risk Assessment section to be updated as part of the new Justification Tests for any proposed new zoning, including the overlaying of land zoning and flood zoning. Amend SFRA mapping (mapping sheets 18-21) to include updated Tolka datasets including climate change. Amend mapping sheets 1 – 26 to include all climate change scenarios and improved background mapping detail.

#### **CE OPR SFRA 3:**

Amend Chapter 6 (Development Management), Section: 6.6 Drainage and Surface Water Management of the SFRA as follows:

- All development proposals shall carry out a surface water and drainage assessment and shall be compliant with the following to ensure that drainage from the site is managed sustainably:
- Department of Housing, Local Government and Heritage 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' (2021)
- Fingal County Council Green / Blue Infrastructure for Development Guidance Note (2021)
- CIRIA SuDS Manual C753 (2015)
- Greater Dublin Regional Code of Practice for Drainage Works (2012)
- Greater Dublin Strategic Drainage Study (GDSDS) (2005)

It is noted that updates to the above documents and / or new published documents during the lifetime of the SFRA are to be implemented as part of Development Management where appropriate.

#### **CE OPR SH 1.1:**

Amend land use zoning maps to more clearly differentiate between:

- GB (greenbelt), OS (open space) and HA (high amenity) areas;
- RB (rural business) and RV (rural village) and RC (rural cluster);
- TC (town and district centre) and MC (major centre); and
- any lands identified as 'Strategic Reserve'.

### **CE OPR SH 2.1:**

Amend Sheet 2 to so that the additional GE land which forms the south-eastern portion of the overall GE zoned lands at Courtlough revert to the RU zoning as per the current Development Plan.

#### **CE OPR SH 3.1:**

Change the land use zonings of the currently zoned FP and RB zoned lands to the south of Coolquay Rural Village as follows:

- a. FP zoned lands to be zoned RU Rural;
- b. the portion of the RB zoned lands to the north of the Ward River to be zoned RU Rural; and
- c. the portion of the RB zoned lands to the south of the Ward River to be zoned GB Greenbelt.

#### **CE OPR SH 12.1:**

Omit the proposed GE-General Employment zoned on lands east of the M2 on and revert to GB-Greenbelt zoned lands as per the current Development Plan Maps Sheet 12.

#### **CE OPR SH 17.1:**

Include a new Sheet 17 'Connectivity and Movement' to show the key core bus corridors relating to the BusConnects, as well as other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 such as MetroLink, DART + and the LUAS expansion.

# Submission from the Eastern and Midlands Regional Assembly (EMRA)

The submission from the Eastern Midlands Regional Assembly (FIN-C453-48) broadly follows the chapter headings of the Draft Development Plan, under the following headings:

- 1. Introduction, Vision and Strategic Overview
- 2. Planning for Growth: Core Strategy and Settlement Strategy
- 3. Sustainable Placemaking and Quality Homes
- 4. Community Infrastructure and Open Space
- 5. Climate Action
- 6. Connectivity and Movement
- 7. Employment and Economy
- 8. Dublin Airport
- 9. Green Infrastructure and Natural Heritage
- 10. Heritage, Culture and Arts
- 11. Infrastructure and Utilities
- 12. Other
- 13. SEA, AA and SFRA

### 1. Introduction, Vision and Strategic Overview

Subject to the observations and recommendations of their submission, EMRA considers the overall Draft Plan, including the Core Strategy, to be generally consistent with the RSES. It provides a robust framework for the development of an overall strategy for the proper planning and sustainable development of the County.

The submission welcomes the inclusion of the overall strategic vision and objectives, policy context and socio-economic profile for the County including the inclusion of key cross-cutting principles namely, 'healthy placemaking', 'climate action" and economic opportunity' which enhances the plan and its consistency with the RSES. Welcomes specific references to the MASP, 'Swords' designation and its importance as a Key Town, and the Dublin-Belfast Economic Corridor in contextualising this plan review. Recommends strengthening the emphasis on the legislative context and planning policy hierarchy including a clear indication that the plan is required to be consistent with the RSES for the Eastern and Midland Region.

#### **Chief Executive's Response:**

The Chief Executive welcomes the comments made in relation to the introduction, vision and strategic overview set out in the Draft Development Plan.

### 2. Planning for Growth: Core Strategy and Settlement Strategy

The submission welcomes the overarching framework which will set in place a strategy to guide the future and sustainable development of Fingal over the life of this Plan and beyond. The submission then goes on to provide detail commentary and recommendations in relation to a number of the themes addressed in Chapter 2 'Planning for Growth' of the Draft Development Plan. A short summary of each of the points made followed by the response of the Chief Executive is provided as follows:

### **Core Strategy**

The submission notes the obligations to prepare a Core Strategy in accordance with the provisions of Section 10 of the Act and highlights the contents of Section 10 (2A), (2B) and (2C) of the Act and the need to ensure consistency as it relates to this chapter of the plan.

#### **Chief Executive's Response:**

The comment relating to the Core Strategy is noted and the Chief Executive can confirm that the Core Strategy set out in Chapter 2 of the Draft Development Plan, has been prepared in accordance with the legislative requirements contained in the Planning and Development Act, 2000 (as amended).

#### **Population Allocation**

The submission notes Section 2.2.7 of the plan which sets out the population projections for the County for the plan period in line with the provisions of the NPF and RSES. Recommends that Table 2.4 be renamed to take into account that the figures presented are both adjusted to apply headroom and comply with NPO 68 of the NPF. At Table 2.5, the reference to 'RESE' should be revised to 'RSES'.

Further clarity is also required in relation to the overall figure of 359, 290, presented in Table 2.5 of the Draft Plan and specifically how this quantum was derived and how the additional population allocation for Swords has been taken into account during the plan period.

#### **Chief Executive's Response:**

The contents of the submission in relation to population allocation has been noted. Having regard to the submission from EMRA as well as from the OPR, a full and comprehensive examination has been carried out on the overall population and housing supply targets set out in the Draft Plan. Arising from this, the tables in Chapter 2 have been updated to provide more detail as to the overall levels of housing and population to be provided for in different areas of the County and to ensure that any minor errors have been corrected where necessary.

#### **Housing Supply**

The submission welcomes the application of the methodology outlined in Housing Supply Target Methodology for Development Planning Guidelines, issued in December 2020 under Section 28 of the Planning and Development Act, 2000 (as amended). The submission notes the stated housing demand for the plan period is approximately 16,245 residential units and includes the addition of estimated homeless figures to this residential need, based on this methodology.

#### **Chief Executive's Response:**

The Chief Executive notes the comment made in relation to housing supply and confirms that the Fingal Housing Strategy (which incorporates a Housing Need and Demand Assessment) was prepared having full regard to the requirements of the Planning and Development Act as well as any relevant planning guidelines and circulars issues by the Department for Housing, Local Government and Heritage.

### Land Capacity and Core Strategy Table

To ensure consistency with the RSES, a number of recommendations are made in relation to the land capacity and the core strategy for the County to ensure consistency with the provisions of the RSES and relevant government guidelines:

- In the context of the surplus of well-located and fully serviced lands zoned lands to meet population and housing supply targets within the County and having regard to the Draft Development Plan Guidelines August 2022, a phased approach to prioritise and rank the preferred sequence of development of such sites is recommended and Section 4.4.3 of these guidelines are highlighted in this regard which requires that any such additional provision must not exceed 20-25% of the required quantum of zoned land for the plan period.
- Recommends that the Core Strategy be revised to have regard to population targets
  outlined within the RSES and the Housing Supply Targets calculated in accordance with
  the Housing Supply Target Methodology for Development Planning Guidelines, issued in
  December 2020 under Section 28 of the Planning and Development Act, 2000 (as
  amended). In conjunction, recommends clarity on how extant planning permissions have
  been taken into account in determining the quantum of zoned land that is now required,
  including clarity on the stated figure relating to extant permissions as well as how the
  proportion of projected housing need to be met on un-zoned land in rural areas has
  been considered.
- In the context of the provisions of the NPF Roadmap and specifically pg. 6, recommends demonstration of how specific consideration of infill/brownfield and greenfield capacity has been included within the Core Strategy to ensure compliance with RPO 3.2 of the RSES and NPOs 3b and 3c of the NPF relating to compact growth.
- In the context of the provisions of Section 1.3.2 of the Draft Development Plan Guidelines
  for Planning Authorities issued in August 2021, recommends that the Core Strategy Table
  and Settlement Strategy is updated in line with the aforementioned Guidelines that seeks
  to identify, and provide robust estimates, for each relevant area identified for growth
  within the Dublin City and Suburbs category and to also make estimates for residual infill
  development potential.
- Recommends that the Core Strategy Table should include reference to residential densities that reflect Fingal's role as outlined in national and regional policy, and which are consistent with key national and regional strategic outcomes focused on sustainable settlement patterns and compact growth. Planning Guidelines of relevance and highlighted include the Sustainable Residential Development in Urban Areas (the 'Sustainable Residential Development Guidelines'), issued in 2009, the Sustainable Urban Housing: Design Standards for New Apartments (the 'Apartment Guidelines') issued in 2020, and the Urban Development and Building Heights Guidelines for Planning Authorities (the 'Building Height Guidelines'), issued in 2018.

#### **Chief Executive's Response:**

The issues raised above are noted. It should be noted that the issue of population and housing supply has been comprehensively addressed in the response to the OPR submission set out earlier in Part 2.

Furthermore, extant permissions have been taken into account in the preparation of the Core Strategy based on data of extant permissions as collected by Fingal County Council as well as the results of the Urban Land Capacity Study which accompanies the Draft Development Plan.

The overall approach to infill/brownfield land in Fingal is aimed at increasing the development of such areas via active land management which includes land use zonings and local level plans. As set out in Chapter 2, the Draft Plan has designated a significant number of areas within the development boundaries of existing settlements for the preparation of local level plans including Local Area Plans, Masterplans and Framework Plans.

With regard to the Development Plan Guidelines and the presentation of the Core Strategy, the update Core Strategy which has been prepared in response to this submission and the OPR submission as addressed previously, responds to the guidelines in providing additional detail as to the allocation of population and housing targets to different settlements across the overall settlement hierarchy for the County. The densities employed for these calculations have been derived from the results of the Urban Capacity Study which accompanies the Draft Plans as well as by detailed analysis of existing and potential development densities carried out by Council technical staff.

### Tiered Approach and Phasing

The submission welcomes the reference to the 'tiered approach' and the contents of Appendix 4 of the Draft Plan. Notwithstanding, recommends the provision of a Tiered Approach to Zoning in line with the requirements of NPOs 72a, b and c of the NPF, for all of the targeted development lands identified as part of the Draft Plan and to differentiate between zoned land that is serviced and zoned land that is serviceable within the life of the plan including detail of estimate of the full cost of delivery of the specified services to facilitate the prioritisation of development lands within the Local Authority area. It is further recommended that the Local Authority has regard to Section 3.1 of the RSES which details an asset-based approach in order to determine an overall growth strategy and settlement hierarchy.

#### **Chief Executive's Response:**

The comments of the EMRA submission in relation to the Tiered Approach and phasing and the Chief Executive can confirm that the overall approach to development set out in the Draft Development Plan fully accords with the requirements of the NPF, RSES and the relevant planning guidelines. This issue has also been addressed in detail in the response to the OPR submission earlier in Part 2 of this Chief Executive's Report.

### Housing Strategy and Housing Need Demand Assessment

The submission welcomes the inclusion of the Housing Strategy that incorporates a Housing Need Demand Assessment (HNDA) as summarised at Section 2.3.3 of the Draft Plan in accordance with National Policy Objective (NPO) 37 and Regional Policy Objective (RPO) 9.5, using the HNDA Toolkit Methodology.

#### **Chief Executive's Response:**

The submission notes and welcomes the comments of EMRA in relation to the Housing Strategy and HNDA which accompanies and informs the Draft Development Plan. The Chief Executive

confirms that the Fingal Housing Strategy was prepared having regard to all relevant national and regional planning polices as well as all relevant planning guidelines and circulars.

#### Implementation of Active Land Management

The submission welcomes the implementation and Active Land Management section of the Draft Plan to facilitate development including the plan led approach through Local Area Plans, Masterplans and Framework Plans. While this plan led approach is welcomed, it is recommended that the Local Authority consider reducing the number of non-statutory policy frameworks proposed.

### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments in relation to the plan approach set out in the Draft Development Plan. With regard to the number of local plans set out in the Draft Plan, it should be noted that the purpose of these plans is to facilitate the proper planning and timely development of key areas and site across the County having regard to the resources to available to the Planning Department over the course of the Draft Development Plan.

### **Employment Lands and Retail**

The submission welcomes the dedicated sections on employment and retail development in the Draft Plan, the evidence-based approach which informs the employment strategy in the Draft Plan and the focus on increased employment densities in appropriate locations in line with key guiding principles for consolidation and re-intensification of infill/brownfield sites as set out in the RSES and MASP.

Notwithstanding the inclusion of Policy CSP 11 and Objectives CSO 11-14 in the Draft Plan, recommends that the policy provision of the Draft Plan is strengthened to explicitly support the provisions of the RSES and the finalised Core Strategy in order to align population, employment and housing growth, as identified within the growth enablers for the Region at Section 4.3 of the RSES.

Recommends that consideration is given to the provision of a more robust justification for the quantum of lands zoned for employment purposes, and in particular the sustainability of these lands zoned having regard to Table 3.1 of the RSES, and in particular the ability of the lands to have access to adequate connectivity and infrastructure within the plan period.

#### **Chief Executive's Response:**

The content of the submission in relation to employment and retail is noted. It is important to note that in formulating the approach to employment lands and retail set out in the Draft Development Plan, regard was had to the relevant economic and retail policies set out in the NPF and RSES as well as the detailed analysis of employment related uses as set out in the Employment Land Use Study which accompanies the Plan.

Furthermore, in response to this submission and the submission from the OPR, additional analysis was carried out in relation to specific locations across the county. Details of this analysis is provided in the response to the OPR submission earlier in Part 2 of this Chief Executive's Report.

#### Settlement Strategy

The submission notes that the Settlement Hierarchy for Fingal has been developed in accordance with the guiding principles established under the NPF, RSES including MASP and the Settlement Hierarchy aligns with the Core Strategy and is informed by the Housing Strategy and HNDA. The submission welcomes policy which promotes compact growth through infill/brownfield development, a focus on the County's designated Strategic Development Areas as identified within the MASP and the promotion of increased densities along public transport corridors in line with relevant policy set out in the RSES and MASP.

### **Chief Executive's Response:**

The Chief Executive notes and welcomes the content of the submission as it relates to the settlement strategy and confirms that the overall Settlement Strategy adopted in the Draft Plan has had full regard to the requirements of the NPF and the RSES incorporating the MASP.

#### Core Strategy Policies and Objectives - Swords Key Town

In the context of the policies and objectives relating to the key town of Swords set out in this chapter and to ensure consistency with the RSES, RPOs 4.28 to 4.32 are highlighted as they specifically relate to Swords.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the reference to the policies and objectives for Swords Key Town as set out in Chapter 2 of the Draft Development Plan and can confirm that these policies and objectives have been prepared in accordanc3e with RSES incorporating MASP.

As set out in the response to the OPR submission outlined earlier in Part 2 of the Chief Executive's Report, due to its overall importance for the future development of Fingal and for the wider Dublin Metropolitan Area, the Chief Executive recommends preparing a comprehensive Local Area Plan to be prepared for Swords during the period of the next Development Plan.

### 3. Sustainable Placemaking and Quality Homes

The submission welcomes the inclusion of a dedicated chapter which sets out the strategy to guide successful placemaking, a key principle of RSES and the provision of quality housing within the County as well as the policies and objectives to ensure adequate housing supply with a key focus on compact growth in tandem with the provision of enabling infrastructure in collaboration with relevant stakeholders. Welcomes the 'active land management' approach to ensure the delivery of housing for diverse needs. The submission recommends the inclusion of comprehensive summary of the entire housing need in Fingal and across the various tenures within the plan, as a clear guide for the housing requirements of the County over the plan period.

The submission welcomes the inclusion of a dedicated rural housing section with the Draft Plan including the acknowledgment of the balance required in terms of the promotion of sustainable rural development and the protection of the rural landscape as well as the inclusion of the 'serviced site initiative' in line with relevant national and regional policy. In the context of the criteria detailing the requirement for housing in the countryside, recommends prior to the finalisation of the Draft Plan, consistency with RPOs 4.80 and 4.81, NPO 19 of the NPF and the Circular Letter PL2/2017 'Sustainable Rural Housing Guidelines for Planning Authorities 2005-

Local Needs Criteria in Development Plans'. Recommends quantification of the demand for single housing in the countryside in the context of the provisions of the NPF and specifically NPO 20 outlining the requirement to 'Project the need for single housing in the countryside through the Local Authority's overall Housing Need Demand Assessment (HNDA) tool and Development Plan Core Strategy processes' and as detailed at Section 10 (2A) of the Planning and Development Act 2000, as amended, and within the Draft Development Plan Guidelines published in August 2021.

#### **Chief Executive's Response:**

The Planning Authority welcomes the comments of EMRA with regard to successful placemaking and delivery of quality homes within Fingal.

The Housing Strategy for Fingal County Council, as required under the Planning Act, is included as Appendix 1 to the Development Plan which also includes a Housing Need Demand Assessment (HNDA). The purpose of the Housing Strategy is to address the overall housing needs of the existing and future population of the area and the scale and needs for supported housing types. The outcomes from the Housing Strategy inform the Core Strategy and other policies and objectives within the plan with regard to future housing need. Table 2.14 sets out the Core Strategy for the life of the Development Plan setting out the estimated population to 2029 and the residential yield across Fingal's settlement hierarchy. The total housing need over the plan period used in the HNDA is a combination of a household projection scenario (in this case the Convergence Scenario) and an estimate of existing unmet housing need spread over a longer time period, as set out in the HNDA. It is the policy of the Council to provide fully for the unmet demand during the lifetime of this Development Plan, whilst recognising that the scale of construction required to meet the target is significant. Projected Housing Demand for the county over the period 2023-2029 is set out in Table 2.9

The comments of the Assembly with regard to the rural housing section of the Draft Plan are noted and welcomed. Both the NPF and RSES, with reference to NPO 19 and RPO 4.80 respectively require that a distinction is made between areas under urban influence i.e., within the commuter catchment of cities and large centres of employment and ensure that provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans. Accordingly, Fingal's Rural Housing Strategy seeks to achieve a balance in terms of promoting sustainable rural development while also ensuring the protection of Fingal's heritage, its landscapes and countryside, in line with national and regional policy. As required under RPO 4.80, urban generated growth in Rural Areas Under Strong Urban Influence will be managed by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans. Furthermore, as set out under Policy CSP40 - a full review of the Rural Housing Policy and Local Need Criteria will commence on the publication by Government of updated Guidelines for Planning Authorities on Sustainable Rural Housing. It is understood that the publication of updated guidance in this area is imminent.

Table 2.14 sets out the Core Strategy for the Draft Plan, including the population increase over the period 2023-2029. This, together with analysis of the number of units permitted over the

past 3 years will establish the basis to inform likely rural housing demand in the county over the life of the plan.

### 4. Community Infrastructure and Open Space

The submission welcomes the inclusion of a dedicated Chapter which sets out detailed policy and objectives to support the provision of community infrastructure and open space and the recognition of the central role that such infrastructure and open space can play in supporting health, well-being, healthy placemaking and compact growth in line with relevant national and regional policy objectives. Welcomes the Council's continued commitment to build on the provision of such community infrastructure and open space including quality open space provision which is to be guided by five overarching principles and the importance of trees, SuDs, allotments, community gardens and community initiatives. In order to mitigate and reduce the effects of climate change, the continued approach of locating community infrastructure and open space close to public transport routes and accessibility by active travel modes is also welcomed. The inclusion of key objectives to promote public health policy including Healthy Ireland and the National Physical Activity Plan in line with relevant national policy is also noted and welcomed.

#### **Chief Executive's Response:**

The comments made in relation to Chapter 4- Community Infrastructure and Open Space are noted and welcomed. The Council will continue to promote the provision of and access to locally based community infrastructure and essential services, which are central to health and wellbeing, engender a sense of place and ensure social inclusion and build resilience.

### 5. Climate Action

The submission welcomes the inclusion in the Draft Plan of a dedicated Chapter relating to Climate Action which incorporates specific Climate Action policies and objectives, based on a holistic and integrated approach to support the implementation of national and regional objectives on climate change, to prioritise measures to address climate change through effective mitigation and adaptation responses, and promotion of sustainable settlement and transport strategies including promotion and support for active travel and the opportunity to develop mode share targets for the County, the circular economy approach and the opportunities available and recognised through the Green Economy, the approach to flood and water resource resilience and natural flood risk mitigation through the use of Green Infrastructure and nature-based solutions.

The submission welcomes the Council's commitment to climate action to implement FCC's Climate Change Action Plan 2019–2024 in consultation and partnership with stakeholders including the Dublin Metropolitan Climate Action Regional Office (CARO) and Codema and acknowledges the role that the Development Plan will play in its implementation towards a low carbon and resilient County.

The submission notes that all references within the plan should be updated to reflect the new Climate Action Plan 2021 (CAP21) and the associated annex of actions to be reviewed as they relate to Local Authorities and sectoral emissions reduction targets. In particular, it is highlighted that national targets propose to increase the proportion of renewable electricity generation to up to 80% as expressed in CAP21. IT is noted that the final plan should also make reference to

the actions proposed under the recent CAP21 including those related to Local Authority Renewable Energy Strategies and the upcoming revised Wind Energy Guidelines due for publication in 2023. The Submission notes the reference to the Offshore Renewable Energy Development Plan (OREDP) 2014 and highlights that its current review as OREDP II is due to be completed and published later this year.

The submission welcomes the acknowledgement of the preparation of the 'Dublin Region Energy Master Plan' for the Dublin Local Authorities by Codema in the Draft Plan to provide an evidence base for emissions monitoring and to inform energy and transport policies, and which will support the identification of Strategic Energy Zones and District Heating opportunities in line with RSES. Supportive policy relating to designation and implementation of Decarbonisation Zones within the County in conjunction with Codema and CARO as set out in the plan is supported in this regard. In this context, highlights the requirement set out in Action 80 of CAP21 including the upcoming Section 28 Guidelines on district heating policy.

Having regard to the above, recommends consideration of additional detail in plan outlining how FCC will contribute to the reduction of emissions and the renewable energy targets as outlined in CAP 2021, in accordance with the relevant section 28 guidelines including the Wind Energy Development Guidelines (2006) and the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017).

The submission welcomes the inclusion of policy in the Draft Plan that outlines the Council's support of ERMA in identifying a robust method for quantifying the relative GHG impacts of alternative spatial planning policies as part of the European Union ESPON 'QGasSP' research programme. It is anticipated that outputs from the QGasSP project are expected in Q2 2022, providing further guidance in this area.

### **Chief Executive's Response:**

The Executive notes and welcomes the comments made.

In relation to the request that all references within the plan should be updated to reflect the new Climate Action Plan 2021 (CAP21) and the associated annex of actions to be reviewed as they relate to Local Authorities and sectoral emissions reduction targets, it is considered the Draft Plan should be updated to accurately reflect current climate action legislation.

In relation to the reference to the Offshore Renewable Energy Development Plan (OREDP) 2014 and highlights that its current review as OREDP II is due to be completed and published later this year, it is recommended that Section 11.7.1 and Policy CAP15 in Chapter 5 be updated accordingly.

In terms of the request for additional detail in the Draft Plan outlining how FCC will contribute to the reduction of emissions and the renewable energy targets as outlined in CAP 2021, in accordance with the relevant section 28 guidelines including the Wind Energy Development Guidelines (2006) and the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017), it should be noted that the submission from the Office of the Planning Regulator (OPR) requests that the Draft Plan should also include an objective to identify suitable location(s) for the delivery of district heating systems within the plan area. A recommendation in relation to this issue has been made in the OPR section of this report.

Also, in terms of the request for additional detail in the Draft Plan outlining how FCC will contribute to the reduction of emissions and the renewable energy targets, it is considered that this is a significant body of work that requires adequate consideration and resourcing. As such, it is recommended that a policy be included in Chapter 5 of the Draft Plan to prepare a wind energy strategy.

### 6. Connectivity and Movement

The submission welcomes the commitment to integrated transport and land use, promoting sustainable mobility, including walking and cycling infrastructure including Greenways and public transport including key public transport projects such as MetroLink, Dart +, BusConnects and LUAS expansion and travel planning measures including travel planning and transport assessments including Local Transport Plans and the ongoing engagement with the relevant transport agencies in facilitating an integrated set of transport objectives for the County to facilitate sustainable travel patterns and enable modal shift, in line with the policy context set out in the MASP and the RSES.

The submission highlights the upcoming Section 28 Guidelines which will inform Planning Authorities on Sustainable and Compact Settlement Guidance (SCSG), including guidance on connectivity and ease of movement for sustainable modes and place making and set out under Action 255 CAP21 as per Annex of Actions. Prior to finalisation of plan, recommends engagement with NTA in the context of cycle routes for the County arising from the review of the Greater Dublin Area Cycle Network Plan.

The emphasis on public realm, healthy streets, permeability and accessibility which aligns with the guiding principles for healthy placemaking set out in Section 9.4 of the RSES is also welcomed. Highlights include Action 231 of CAP 21 which requires each Local Authority to assess their road network and identify where additional space can be reallocated to pedestrians and cyclists to continue the improvement and expansion of the active travel and greenway network.

The submission is supportive of policies to protect and enhance strategic transport corridors such as Dublin Airport, Dublin Port and the Dublin-Belfast Intercity Rail Line in line with national and regional policy are welcomed. Highlights include RPO 8.12 that supports the delivery of a higher speed rail connection between Belfast and Dublin and Cork and is currently under review by the Government's Strategic Rail Review consultation. RPO 8.11 which supports the improvement, protection and strategic function of the Dublin-Belfast Corridor as part of the EU TEN-T network is also highlighted. It is recommended that a complementary policy for the Dublin-Belfast Corridor and recognition of the strategic function of the Dublin to Belfast road network be included in this chapter which supports and cross references related policies provided in Chapter 2 and Chapter 7 in the Draft Plan.

Policy CMP21 that promotes 'Park and Ride' services at suitable locations is noted and RPO 8.14 and Table 8.5 of the RSES that supports delivery of strategic park and ride projects which include Swords, and other locations under review by the NTA as part of the review of the National Transport Strategy for the GDA id highlighted in this regard as well as Action 260 of the CAP 21 which proposes implementation of the NTA's Park and Ride Strategy for the GDA in Q1 2022.

#### **Chief Executive's Response:**

The comments and issues raised to facilitate sustainable travel patterns and enable modal shift within the County are noted and welcomed. The Draft Plan includes supportive policy and objectives to strengthen the integration of land-use and transport planning with a priority focus on increased provision of walking, cycling and public transport infrastructure and continued engagement with relevant transport providers to advance alternative sustainable mobility options including key transport projects and the NTA GDA Cycle Network as well as the development of mode share targets for the County. Having regard to Action 255 of the CAP21, this Plan promotes an integrated and sustainable transport network that is inclusive and accessible for all, alongside the creation of attractive public realms and healthy placemaking to ensure that communities are connected in a sustainable and efficient way. In this context and having regard to Action 231 of CAP21, Objective CMO16 seeks to review the potential for the reassignment of existing street space for active travel modes within village and town centres across the County where appropriate. The forthcoming Section 28 Guidelines on Sustainable and Compact Settlement Guidance (SCSG) and Annex of Actions as set out in CAP21 relating to sustainable mobility is noted and the Draft Plan will ensure consistency with national guidance as appropriate.

This Plan also promotes the continued management of traffic, the protection and enhancement of strategic transport corridors and the efficient movement of freight. Having regard to RPO 8.12 relating to the delivery of a higher speed rail connection between Belfast and Dublin and Cork as set out in the RSES, Section 6.5.9.3 of the Draft Plan includes supportive policy relating to a collaborative approach to improvements in the rail network including at regional and cross-border level. The government's Strategic Rail Review is also acknowledged within Section 6.5.9.3 of the Draft Plan and any outcomes of the study will inform the final plan where appropriate. Having regard to RPO 8.11 of the RSES, a new policy shall be incorporated in the Draft Plan to ensure the improvement and protection of the EU TEN-T network including the strategic function of the Dublin to Belfast road network which provides a critical transport connection within the Dublin-Belfast Economic Corridor.

In the context of Park and Ride provision, RPO 8.14 and Table 8.5 of the RSES relating to the provision of strategic Park and Ride projects including at Swords and Action 260 of the CAP21 relating to the implementation of the NTA's Park and Ride Strategy for the GDA is noted. The Draft Plan at Section 6.5.7.3 acknowledges that Park and Ride is a key component of NTA's GDA Transport Strategy and Policy CMP21 seeks to support the provision of Park and Ride facilities at suitable locations in accordance with the large-transportation projects being delivered under the NTA Strategy.

#### 7. Employment and Economy

The submission welcomes the employment and economic strategy for the County based on the key principles of compact growth, regeneration, clustering and placemaking as well as the inclusion of strategic employment areas in line with relevant national and regional policy context.

The submission welcomes the recognition of the need for alignment between the County Development Plan and the LECP, along with the role of the LECP in facilitating local economic development.

The submission welcomes the policy and objectives to support and reinforce continued economic development within Fingal including the Dublin Belfast Economic Corridor, support for existing clusters, remote working, the green and circular economy and regeneration as well as support and promotion of the importance of SMART Grids/Cities and the role of SMART technology in enterprise and job creation and socio-economic development. In the context of the SMART concept, recommends the inclusion of an objective in the plan in recognition of the growing importance of this area and its success to date through SMART Balbriggan. Additional policy relating to the promotion and support of the key economic sectors within Fingal including the manufacturing, ICT, marine, tourism and the rural economy, in line with the economic policies set out in the RSES are also welcomed.

The submission welcomes the recognition of the significant role that retail plays in the context of economic growth for the County as set out in the Draft Plan. Considers the retail hierarchy in the Draft Plan to be largely consistent with the retail hierarchy for the Region as set out in the RSES and the Retail Strategy for the Greater Dublin Area subject to an evidence-based approach to justify the designation of the additional towns of Rush, Lusk and Donabate within Level 3 of the hierarchy as District Centres.

The submission welcomes the recognition of the changing nature of retailing and the measures for improving and enhancing retail provision within the County in the Draft Plan. in this context, welcomes the key focus in regenerating Fingal's towns and villages and particularly the promotion and support for the 'town centre first' approach and its role in regeneration of town and village centres in a post-Covid. environment. Recommends that the Draft Plan include reference and supportive policy relating to the recent published government guidelines in Feb 2022, 'Town Centre First: A Policy Approach for Irish Towns'.

The submission highlights the challenges facing traditional on-street retailing, which have been accelerated by the Covid-19 pandemic and welcome the efforts make by the Council to develop new and enhanced experiences and a sustainable mix of functions within commercial centres.

The submission supports the continued roll out of measures to improve accessibility and permeability in the public realm, measures to support a shift towards home-working, as well as opportunities to facilitate co-working and remote working spaces and a greater mix of daytime and night time uses in urban centres.

The submission also highlights the work carried out by the Assembly to identify which urban centres are most exposed to economic disruption due to the COVID-19 pandemic, as well as an economic analysis of co-working spaces to inform targeted supports and investment, and these publications can be found on the Assembly website <a href="https://emra.ie">https://emra.ie</a>

### **Chief Executive's Response:**

The comments made in relation to the employment and economic strategy for the County are noted and welcomed.

While it is noted that the retail hierarchy in the Draft Plan is largely consistent with the retail hierarchy for the Region as set out in the RSES and the Retail Strategy for the Greater Dublin Area, the towns of Rush, Lusk and Donabate will be moved to Level 4 of the Fingal Retail Hierarchy in the Draft Plan to ensure full alignment with the RSES, as per recommendation CE OPR CH 7.1 above.

There are many references to the Smart concept in the Draft Plan. Section 7.3 sets out several factors which will provide opportunity for expansion of sustainable economic development in the County. One such factor detailed is the continued promotion by the Council of Smart Balbriggan, under the Smart Dublin umbrella, marketing Balbriggan for ICT, high technology and innovation clustering. As set out in the Draft Plan, Balbriggan was chosen in June 2020 as Ireland's first town to be named as a "Smart District" in a move that will put it at the cutting edge of smart projects to improve services, create jobs and build a better community. Smart Districts (under the Smart Dublin programme), are strategically selected geographical locations where targeted smart projects are piloted and implemented. The core focus of the Balbriggan Smart District will be to enhance community life, support economic opportunities and drive innovation through a number of smart district projects. Fingal County Council will continue to seek opportunities to develop further Smart Districts and pilot smart places projects to scale regionally and this aim is encapsulated in Objective IUO50 which states the following: 'Support the development of Smart Districts/Smart Places to enhance socio-economic development.'

Chapter 11 also includes policies relating to enhanced digital technology and SMART technologies while Section 11.7.2 includes the following policies relating to Smart Grids and Cities:

Policy IUP33 – Smart Grids and Smart Cities: Smart Grids and Smart Cities development will be supported, as these significantly improve the efficiency and quality of complex systems such as electricity, water, waste and transport services.

Objective IUO47 – Smart Grids and Smart Cities Action Plan: Support the roll-out of the Smart Grids and Smart Cities Action Plan (2013) in order to enable new connections, grid balancing, energy management and micro grid development.

It is considered that the Draft Plan is comprehensive in recognising the growing importance of the Smart concept and there are several references of its success to date through SMART Balbriggan.

Policy SPQHP4 of the Draft Plan is explicit in supporting the Town Centre First approach in the context of regeneration of town and village centres throughout the County. The Government's 'Town Centre First: A Policy Approach for Irish Towns' is acknowledged and will be included in Appendix 3 and replace the references to the Town Centre First Strategy in the Programme for Government, Our Shared Future, in the Draft Plan where relevant, with the updated document published in February 2022.

### 8. Dublin Airport

The submission welcomes the dedicated chapter on Dublin Airport recognising its strategic importance as a global gateway and key national asset to Ireland's economic success and which requires support to ensure it continues as an economic driver as strongly advocated in the RSES and the MASP. Policies and objectives relating the promotion of Dublin Airport as a secondary hub, improved terminal facilities and other infrastructure and improved access through sustainable transport modes in line with national and regional policy including objectives to ensure environmental protection and sustainability, airport noise zones, the management of appropriate land uses and noise sensitive development, public safety zones and the commitment to engagement with local communities in the context of airport growth is

particularly welcomed. Recommends clarity on the reference within Policy DAP2 relating to 'maximum sustainable potential'.

#### **Chief Executive's Response:**

The comments made in relation to the policies and objectives detailed in this chapter are noted and welcomed.

Policy DAP2 relates to Infrastructure Provision and states the following: 'Ensure that the required infrastructure and facilities are provided at Dublin Airport, in accordance with Dublin Airport LAP 2020, or any subsequent LAP or extension of same, so that the airport can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local communities, the environment and climate change.' 'Maximum sustainable potential' in this context refers to ensuring that the required infrastructure is provided to facilitate the airport in operating at its optimal level, whilst having regard to factors including impact on local communities, the environment and climate change.

### 9. Green Infrastructure and Natural Heritage

The submission welcomes the inclusion of a dedicated chapter on Green Infrastructure (GI) and Natural Heritage and the acknowledgement of the environmental, social and economic benefits that can accrue from GI as well as the promotion of GI as a key strategic outcome in the plan.

The submission welcomes the integration of the Ecosystem Services Approach based on relevant objectives at national and regional level related to integrated planning for GI and Ecosystem Services.

The submission welcomes key policies and objectives that promote awareness and the further development of the GI network, reduced fragmentation and enhanced resilience of the wider GI network and the benefits and synergies with public open space, biodiversity, SuDS and active travel objectives for the County in accordance with relevant RSES objectives. In this regard, GI policies in Section 5.9 of the MASP and Table 7.1 'Strategic Natural, Cultural and Green Infrastructure Assets in the Region' are highlighted.

The submission welcomes policies and objectives set out in the Draft Plan relating to the protection and enhancement of the County's varied environmental landscapes including the coast, biodiversity and the role of GI in the creation of a climate resilient County.

In advancing GI within the County and protection and enhancement of environmental resources, the following is highlighted, Section 7.7 of the RSES which sets out Guiding Principles for Local Authorities in the preparation of Green Infrastructure, RPO 7.3 which supports the use of the Integrated Coastal Zone Management (ICZM) to enable collaborative and stakeholder engagement approaches to the management and protection of coastal resources and the INTERREG funded project PROGRESS with the objective of promoting improved governance to regional ecosystem services and outcomes of the project will further guide Local Authorities in protecting and enhancing GI.

The submission commends the commitment of the Council to the principles of sustainable development and Green Infrastructure and looks forward to continued engagement with the Council to facilitate and support the delivery of strategic Green Infrastructure in accordance with national and regional policy.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments made.

### 10. Heritage Culture and Arts

The submission welcomes the suite of policies and objectives in the Draft Plan to enhance, integrate and protect the special physical, social, economic and cultural value of built heritage assets within the County to ensure their preservation into the future.

The submission notes key policy to implement the current Heritage Plan and prepare and implement a new Heritage Plan under the provisions of the Draft Plan. In this regard, highlights the contents of the RSES which emphasises the benefits of the heritage led urban regeneration approach which can play a key role in driving tourism and economic development in terms of placemaking and enhance the vibrancy of historic town centres.

The submission welcomes the new dedicated section relating to Climate Change and Heritage and Fingal's Cultural Heritage and Climate Change Risk Assessment 2021 which was carried out to address and mitigate where possible the potential climate change impacts on Fingal's cultural heritage assets identified and in line with relevant national policy. In this regard, highlights the annex of actions in the Climate Action Plan 2021 relating to heritage properties and in particular, the proposed outputs of Action 205 regarding climate proof planning procedures for heritage properties including upcoming Guidelines on resilience of heritage resources under current climate conditions.

The submission welcomes the section on Culture and the Arts including recognition of a key strategic outcome of the RSES to enhance, integrate and protect arts, culture and heritage assets to promote creative places and heritage led regeneration and the suite of policies and objectives to support the growth and expansion of cultural resources within the County.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments made.

#### 11. Infrastructure and Utilities

The submission welcomes the commitment to the provision of a wide range of high-quality infrastructure and services through a range of policies and objectives to support future sustainable growth and development within the County including improvements in water services and water quality, promotion of sustainable waste management, air and noise management, diversity in the energy supply and improved energy efficiency, enhanced digital connectivity and SMART technologies and a holistic approach to flood risk and surface water management including strategic flood risk assessment, whilst safeguarding environmental quality and providing for climate resilience as well as continued engagement with all relevant public service providers to ensure the timely provision of key enabling infrastructure at strategic development sites in Fingal as outlined in the MASP.

The submission highlights include the future update relating to the Eastern Midlands Regional Waste Management Plan 2015-2021 which is expected in 2022. In the context of climate change and advancing renewable energy initiatives, it is noted that the OPW is currently transitioning to regional based models that reflect the likely varied impacts throughout the island of Ireland and

is likely to be implemented during the lifetime of the proposed Development Plan. Action 102 of CAP21 is noted which acknowledges that Regional Assemblies will be involved in the preparation of a policy framework to set out targets for onshore renewable electricity development and a roadmap for the development of Regional Renewable Electricity Strategies to ensure a supportive spatial planning framework for onshore renewable electricity generation development.

The submission promotes enhanced co-ordination between Local Authorities and infrastructure agencies for the delivery of strategic enabling infrastructure in a plan-led manner, including through the fora of RSES and MASP Implementation Groups.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments made.

#### 12 Other

### **Chapter 12 Implementation and Monitoring**

The submission welcomes the inclusion of a dedicated chapter on implementation and monitoring including monitoring the delivery of the Core Strategy. Welcomes the inclusion of monitoring mechanisms to be put in place to ensure effective delivery of the County Development Plan and for greater transparency on the progress in its implementation. The submission notes that the Regional Assembly are developing a Regional Development Monitor, which is aligned to National and Regional Strategic Outcomes in the NPF and RSES that may provide additional guidance in monitoring the delivery of Development Plans.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments made.

# Chapter 13 Land Use Zoning Objectives and Chapter 14 Development Management Standards

The submission considers the land use zoning objectives, development management standards and policies and objectives set out in Chapters 13 and 14 provides a comprehensive framework for the assessment of planning applications in the County. Welcomes the guidance provided in Chapter 14 which has been informed by the NPF and RSES which supports the densification of existing urban areas and promotes the use of performance-based criteria in the assessment of developments to achieve well designed and high-quality outcomes.

#### **Chief Executive's Response:**

The Chief Executive notes and welcomes the comments made.

#### SEA, AA and SFRA

The submission welcomes the preparation of the Draft Plan in tandem with the required environmental processes including SEA, AA and SFRA. Acknowledges the iterative nature of the process to date, including an assessment of the overall environmental affects arising from the Draft Plan provisions.

#### **Chief Executive's Response:**

The Executive notes and welcomes the comments made.

#### **Chief Executive's Recommendations:**

#### CE EMRA CH 5.1:

Update all references to CAP19 in the Draft Plan to CAP21 and associated changes.

#### CE EMRA CH 5.2:

Update references to the OREDP as follows in Section 11.7.1 and Policy CAP15 in Chapter 5. Amend Section 11.7.1 as follows:

Under the Offshore Renewable Energy Development Plan (OREDP), <u>and any successor thereof</u>. Ireland has set ambitious plans for renewable energy and offshore renewable energy resource development

Amend Policy CAP15 as follows:

Policy CAP15 - Offshore Wind-Energy Production

Support the implementation of the 2014 "Offshore Renewable Energy Development Plan" (OREDP) *and any successor thereof*, and to facilitate infrastructure such as grid facilities on the land side of any renewable energy proposals of the offshore wind resource, where appropriate and having regard to the principles set out in the National Marine Planning Framework.

#### CE EMRA CH 5.3:

Insert a new policy after Policy CAP13 (Energy from Renewable Source) which states: <u>Prepare a</u> <u>wind energy strategy.</u>

#### CE EMRA CH 6.1:

Insert new policy within Section 6.5.10 Roads Network as follows:

### **Protection of TEN-T Network**

Support the protection and enhancement of the EU TEN-T network including the strategic function of the Dublin to Belfast road network which provides a critical transport connection within the Dublin-Belfast Economic Corridor.

#### **CE EMRA CH 7.1:**

Include 'Town Centre First: A Policy Approach for Irish Towns' in Appendix 3 and replace the references to the Town Centre First Strategy in the Programme for Government, Our Shared Future, in the Draft Plan where relevant, with the updated document published in February 2022.

### **Submission from the National Transport Authority (NTA)**

#### Introduction

The NTA in its submission (FIN-C453-941) promotes effective land-use and transport integration in the context of relevant national transport policy including the provisions of the current and Draft Transport Strategy of the Greater Dublin Area 2022-2042 with a specific focus on the integration of development lands including employment lands in tandem with high-quality public transport corridors in highly accessible locations supported by walking and cycling infrastructure with ease of public transport interchange, set within the framework of land-use plans with a particular focus on the statutory plan approach prepared in tandem with Local Transport Plans, to facilitate future sustainable development. A number of observations and recommendations are made in this regard under the following headings.

### **Transport Policy Context**

In the context of the national transport policy, a number of recently published documents are highlighted for inclusion in the Draft Plan and all policies and objectives of the Plan should align with these national and regional policy documents as follows:

- -National Sustainable Mobility Policy issued by the Department of Transport (April 2022), which builds on and replaces existing active travel and public transport policy as set out in Smarter Travel: A Sustainable Transport Future and the National Cycle Policy Framework, and
- -National Investment Framework for Transport in Ireland (NIFTI), the strategic framework for future investment decision making in land transport to guide transport investment to enable the provisions of the National Planning Framework, support the Climate Action Plan and promote positive social, environmental and economic outcomes throughout Ireland.

Highlights that the Draft Transport Strategy for the Greater Dublin Area 2022-2042 reflects the aims of these national policies.

#### **Chief Executive's Response:**

The key policy and objectives in Chapter 6 Connectivity and Movement of the Draft Plan align with the key areas of the new sustainable mobility policy such as the importance of integrating land-use and transport policies and the delivery of high-quality pedestrian and cycling networks as part of the transition to a climate resilient society. To strengthen and update the transport policy context in Chapter 6 Connectivity and Movement, these policy documents shall be included in the Draft Plan. It is noted that the National Investment Framework for Transport in Ireland (NIFTI) document is recommended for inclusion in the Plan by way of CE recommendation in the context of the OPR submission.

### Local Area Plans (LAPs), Masterplans and Local Transport Plans

The Authority requires a specific objective where Local Transport Plans (LTPs) are prepared for all LAP areas in tandem with LAP preparation including those LAPS proposed to be extended in order to reflect the changing public transport and active travel context since their adoption. Requires that the key strategic land banks of Belcamp and Lissenhall East shall be prioritised for LAP preparation in tandem with an LTP to guide the future sustainable development of these lands prior to their development. It is noted that LTPs shall be prepared based on the ABTA

methodology as per the NTA/TII guidance on Area Based Transport Assessment (ABTA). In the context of the future transportation needs of Balbriggan, notes that all LAP/Masterplan areas within the town requires the preparation of a Local Transport Plan. Similarly, in relation to Rush, it is recommended that a Local Transport Plan is prepared for the town including consultation with transport stakeholders to ensure a holistic assessment of the transport and travel needs of the area.

Concerns are expressed regarding the non-statutory nature of the Masterplan approach to future land-use planning and the absence of provisions for statutory consultation with relevant bodies and the preparation of Local Transport Plans. In this regard, highlights the DOECLG Sustainable Residential Development in Urban Areas Guidelines relating to the use of non-statutory plans for development management where Planning Authorities should incorporate these plans in the Development Plan or Local Area Plan by way of variation and where possible, public consultation should be integrated into the preparation of non-statutory frameworks.

Against this context, concern is expressed relating to the Masterplan approach to Estuary Central and Estuary East as set out in the Draft Plan rather than an LAP approach and without provision for the preparation of a Local Transport Plan to guide the sustainable development of these lands. A number of recommendations are proposed in this regard:

- All LAPs should be accompanied by Local Transport Plans.
- Prioritise the preparation of an LAP for both Lissenhall East and Belcamp lands in tandem with an LTP to include consultation with statutory stakeholders including the NTA.
- Recommends the use of the statutory LAP process, including an accompanying LTP to guide future development, rather than a Masterplan approach which has no statutory basis
- Prepare LAPs and accompanying LTPs for Estuary Central and Estuary East.
- Amend Policy CMP4 Area Based Transport Assessment as follows:

Promote and encourage the use of ABTAs <u>Prepare Local Transport Plans (based on the ABTA methodology) in conjunction with the preparation of for Local Area Plans, Masterplans Local Transport Plans, and other large-scale studies and plans as appropriate, <u>in consultation with the NTA and TII.</u></u>

- Amend Objective CM04 Local Transport Plan as follows: Prepare a Local Transport Plan for Balbriggan <u>and all areas which will be subject to Local Area Plan and Masterplan preparation</u>, in consultation with the NTA and other relevant stakeholders.
- Amend Objective CSO61 as follows: Carry out an assessment <u>Prepare a Local Transport Plan</u> to inform the future transportation needs of Rush. This may include the feasibility of providing a Distributor Road to the west of Rush.

#### **Chief Executive's Response:**

The Draft Plan outlines a range of required land-use plans for various development areas within the County, including Local Area Plans, Masterplans and Framework Plans. The Draft Plan gives a statutory framework to all proposed plans through a number of objectives set out specifically in

Chapter 2 of the Plan. Masterplans will be prepared by the Council to give guidance on specific development proposals working within the relevant Development Plan parameters. As long as such documents work within defined policy and objective parameters of the relevant plan and do not set new policies or objectives outside the statutory process for defining such content, their usage is both appropriate and complementary to the Development Plan. Within this context and having regard to the discretion available to the Planning Authority in deciding on the appropriateness of applying a Masterplan requirement on certain lands where it is considered that the same vision and objectives can be achieved in a more efficient and expedient manner than applying the formal Local Area Plan process, the preparation of Masterplans will assist in achieving quality developments in terms of, inter alia, urban design, structure, delivery of infrastructure and community/amenity facilities and permeability.

The Draft Plan identifies key sites that will require the preparation of approved Masterplans and subsequent planning applications will be required to adhere to the approved Masterplans. Masterplans will be subject to a public consultation process and engagement with the relevant stakeholders as well as presentation to the Elected Members as supported through the provisions of Section 2.4.2 of the Draft Plan as they specifically relate to Masterplans. It is also noted that FCC continues to engage on an ongoing basis with the NTA and other key stakeholders such as TII in the preparation of land-use plans including Masterplans. In this regard, Policy CSP7 of the Draft Plan supports co-operation with relevant stakeholders in the preparation of Masterplans. The Planning Authority considers Masterplans as an effective means of guiding new development and providing essential supporting infrastructure in a phased and sustainable manner.

It is noted that in the context of the OPR response and by way of CE Recommendation, an LAP for Swords will be prepared during the lifetime of the plan and will include the Estuary East and Estuary Central lands. Therefore, masterplans are no longer proposed for these land banks. The land banks of Belcamp and Lissenhall East are subject to an LAP requirement as set out in Table 2.16 of the Draft Plan. It also is noted that Lissenhall East LAP is currently under preparation by FCC and includes a transport assessment. It is envisaged that this plan will go on public display in 2022. Following the adoption of the Development Plan 2023-2029, a work programme will be devised by FCC's Planning Department with an order of priority determined for LAP preparation and the Authority's comments will be considered in this regard relating to the Belcamp lands.

The requirement for Local Transport Plans as set out in the NTA's Draft Transport Strategy for the GDA for land use plans and based on the ABTA approach to ensure that transport planning and land -use planning are fully aligned at the local level and that all opportunities for sustainable transport are maximised is noted and this is addressed by way of CE recommendation in the context of the OPR submission relating to Policy CMP4. It is not considered necessary to amend Objective CMO4 relating to the requirement for Local Transport Plans for all identified land use plan areas within Balbriggan as the proposed amendments to Policy CMP4 caters for the changes required. The proposed amendment to objective CSO61 relevant to Rush is considered appropriate and the preparation of a Local Transport Plan will include a baseline level of assessment to inform the future transportation needs of Rush.

### LAPS, Masterplans and Strategic Public Transport Projects

NTA fully supports the approach by FCC in preparing site specific development guidance for lands available for development in line with the construction of MetroLink, including those adopted Masterplans including Swords Masterplan for areas including Barrysparks and Fosterstown. It is noted that the current Development Plan and supporting Local Area Plans and Masterplans show the alignment associated with the previous Metro North scheme and the new Development Plan shall acknowledge the revised horizontal and vertical alignment of MetroLink in the development of policies and objectives.

Highlights that all Masterplans and LAP lands that will benefit from MetroLink should comprise LAPs and should be updated/revisited, rather than extended, during the lifetime of the Plan, to reflect the MetroLink project and the importance of the investment that will benefit the development of these lands.

The Authority acknowledges particular interaction of MetroLink at a number of key locations within the County and in this context, supports the development of a Local Area Plan at Lissenhall East. The NTA notes the removal of the MP 8.E and 8.F requirement relating to Seatown from the Draft Plan. Highlights that the area is still identified as Metro Economic corridor but not included in the list of existing or planned Masterplans. Notes that redevelopment and regeneration of the Seatown area is critical to the success of the MetroLink Seatown Stop which presents opportunities to safeguard key strategies such as the development of a local centre with a sense of place, a gateway to the River Estuary and to fully provide for TOD (Transit Orientated Development).

The submission notes the operational Swords Masterplans including Barrysparks, Crowscastle, Fosterstown and Estuary West and highlights that the Plan does not state whether these Plans will be revisited during the lifetime of the Plan. Recommends that these plans should be revisited in order to ensure the integration with the current MetroLink project as well as the revised BusConnects project.

Highlights the Dardistown LAP extension to 2022 and notes that the Plan does not state whether this Plan will be revisited during the lifetime of the Plan, recommends that the current MetroLink Depot location and alignment is integrated into an update of the Dardistown LAP. A number of recommendations are proposed in this regard:

- All areas that are designated for future development and which will benefit from the
  investment in MetroLink and/or BusConnects Core Bus Corridor projects should be
  subject to LAP preparation (including LTPs), rather than Masterplans and should be
  updated/revisited, to reflect the updated MetroLink project.
- All LAPs which were previously extended, in particular where there is a reliance on MetroLink and/or BusConnects should be updated/revisited during the lifetime of the Plan to ensure alignment with current MetroLink project proposals.
- The Swords Masterplans should be revisited in the lifetime of the Plan to ensure closer alignment with most recent Metrolink and BusConnects proposals.
- That the Development Plan include a specific local objective to provide for the MetroLink Depot at Dardistown and that the Dardistown LAP should be updated/revisited to reflect the MetroLink project including the current MetroLink Depot location and alignment.

- Include Seatown areas as requiring the updating/revisiting of the existing Masterplans to reflect the MetroLink project or preferably require the preparation of Local Area Plans and accompanying Local Transport Plans in order to ensure the continued plan-led sustainable development of this area which incorporates MetroLink.
- That the Estuary Stop is included in an LAP area in order to integrate future development with the MetroLink terminus stop and Park and Ride facility.

#### Chief Executive's Response:

As set out earlier in this report and having regard to the foregoing, the Planning Authority considers Masterplans as an effective means of guiding new development and providing essential supporting infrastructure in a phased and sustainable manner. In addition, the proposed amendment to policy CMP4 as set out above provides the requirement for LAPs, Masterplans and other large-scale studies and projects to carry out a Local Transport Plan in tandem with their preparation which will inform the transport requirements for development areas in collaboration with the NTA, TII and other relevant stakeholders.

The comments relating to the support for the Lissenhall East LAP is welcomed, this plan is currently under preparation by FCC which includes a transport assessment. It is envisaged that this plan will go on public display in 2022. It is noted that the Dardistown LAP is currently an operational LAP as set out in Tables 2.15 of the plan and has regard to the MetroLink depot at this location. The Swords Masterplans including Barrysparks & Crowscastle, Fosterstown and Estuary West are also operational masterplans as set out in Table 2.17 of the Draft Plan. It is noted that the approved R132 Connectivity Project has regard to the integration of the MetroLink Seatown Stop in the context of the MetroLink project and subsequent Railway Order c. Q3 2022. It is also noted that in the context of the OPR response and by way of CE recommendation, an LAP will be prepared for Swords during the lifetime of the plan. In the preparation of these landuse plans and projects including the R132 Connectivity Project, FCC has close cooperation and interaction with the relevant transport providers such as NTA, TII and other relevant stakeholders on an ongoing basis to ensure that relevant policy and objectives are being addressed through the design process relating to strategic transport projects including MetroLink and BusConnects. FCC will continue to engage with relevant transport providers in the preparation of plans and projects to ensure the integration of MetroLink alignment relating to development areas of relevance within the County. It is noted that the Draft Plan shows the most recent alignment relating to MetroLink and associated stops on the relevant plan maps.

In relation to the proposed Estuary MetroLink stop and the request for inclusion in a land-use plan boundary, in the interests of clarity, the proposed Estuary Stop is located within the boundary of the designated Lissenhall strategic long-term reserve lands as shown on Sheet 8 in the Draft Plan and as supported in Section 2.2.12 of the Draft Plan which commits to the preparation of a statutory land-use plan to guide the future sustainable development of these strategic lands for residential and employment uses and as supported by objective CSO29 of the Draft Plan. This plan will have regard to the integration of the proposed Estuary MetroLink Stop in the context of the overall development of the lands.

### Strategic Long-Term Reserve - Lissenhall and Dunsink

Notes the designated strategic land banks of Lissenhall and Dunsink. Supports the approach to prepare an LAP during the lifetime of the Plan for the Lissenhall lands to coincide with the delivery of MetroLink. In this context, highlights the requirement for a Local Transport Plan.

Welcomes the designation of Dunsink as a strategic landbank, however, given the location of these lands within the M50, the planning and development of these strategic lands should be seen as a priority for the sustainable development of Dublin. Highlights that the lands have the potential to be well served by public transport arising from the delivery of DART+ West, BusConnects and a future potential LUAS line through the area. Welcomes the potential for the creation of an SDZ designation for these lands. However, given the timelines involved in the preparation of an SDZ to appropriately guide and develop the proper planning and sustainable development of these lands, it is recommended that the statutory processes required for this designation and plan preparation should commence during the lifetime of this Plan.

#### **Chief Executive's Response:**

To inform the future sustainable development of the lands at Dunsink, FCC carried out a Feasibility Study published February 2022 for the lands incorporating a Surface Water Management Plan and Transport Appraisal Report in accordance with objective Blanchardstown 13 of the current FDP 2017-2023. Both the Surface Water Management Plan and the Transport Appraisal Report have not identified any insurmountable barriers or obstacles that would prevent Dunsink from fulfilling this strategic role of accommodating a new urban neighbourhood. The study also acknowledges that potential for significant residential development to be delivered at this location will have to be aligned and supported by significant water services, transport and other infrastructural investment and the extended timescale needed to deliver such infrastructure. Accordingly, the Dunsink lands are designated as strategic long-term reserve lands in the Draft Plan and supported in Section 2.2.12 of the Draft Plan which acknowledges the need for an SDZ or other planning related designation to guide the future sustainable longer-term development of these lands. Objective CSO29 of the plan supports the preparation of a land-use statutory plan for Dunsink in collaboration with key stakeholders. The Lissenhall lands at Swords are also designated as 'strategic long-term reserve' lands and Section 2.2.12 of the Draft Plan commits to the preparation of a statutory land-use plan to guide the future sustainable and longer-term development of these strategic lands for residential and employment uses as supported by objective CSO37 of the plan. In addition, the proposed amendment to policy CMP4 as set out above provides the requirement for LAPs, Masterplans and other large-scale studies and projects to carry out a Local Transport Plan in tandem with their preparation which will inform the transport requirements for development areas in collaboration with the NTA, TII and other relevant stakeholders.

### **Employment Zoned Lands**

Concerns are expressed regarding the change in zoning of an extensive land bank of GB-Greenbelt zoned lands to GE-General Employment located to the east of the M2 in the north-eastern Blanchardstown area in the absence of existing and planned public transportation infrastructure to serve this area resulting in car dependency and policies EEP2, EEP4 and objective EEO3 of the Draft Plan which promotes and supports employment intensive land-use zoning in accessible locations adjacent to public transport networks and the application of the sequential approach to ensure the appropriate and sustainable delivery of employment lands. In this context, the proposed rezoning runs contrary to the alignment of land-use and transportation policy and public transport proposals as set out in the current and Draft NTA Transport Strategy for the Greater Dublin Area 2022-2042. Concerns are also expressed relating to the employment zoned lands to the west of the M2 which continues to expand in the absence

of an LAP and without the appropriate supporting infrastructure to ensure the sustainable development of these lands. Recommendations proposed in this regard:

 Omit the proposed rezoning of lands from GB-Green Belt to GE-General Employment to the east of the M2 and that the land-use zonings contained in the Plan align with the provisions relating to public transport services as outlined in the current and Draft Transport Strategy for the Greater Dublin Area 2022-2042.

### **Chief Executive's Response:**

It is noted that under Motion 73727, the Elected Members resolved to change the zoning from GB-Green Belt to GE-General Employment on the lands east of the M2 in the north-east Blanchardstown area. The Plan is explicit in its support for employment intensive land-use zoning in accessible locations adjacent to public transport networks and the promotion of the sequential approach to ensure the appropriate and sustainable delivery of employment lands as set out in Chapter 7 Employment and Economy and specifically within policies EEP2, EEP4 and objective EEO3 of the Draft Plan. To reaffirm this approach and in view of the Authority's comments set out above and having regard to the adequate quantum of GE-General Employment zoned lands in the County to accommodate future employment growth for the plan period and beyond, based on the outcomes of the Economic and Employment Land-Use Study 2021 carried out to inform the preparation of the Draft Plan as well as the critical Greenbelt function to maintain a distinction between built-up areas, the GE-General Employment zoned lands subject to this submission shall revert back to GB-Greenbelt and this is addressed by way of CE recommendation in the context of the OPR submission.

The employment lands to the west of the M2 comprises GE and HT zoned lands that form part of the Dublin Enterprise Zone in D15 and also incorporate the HI lands of Huntstown quarry. These lands are subject to a framework plan requirement FP12A (Kilshane) and FP12B (Dublin Enterprise Zone) as set out in Table 2.19 of the Draft Plan to provide a framework to guide the future sustainable development of this largely undeveloped employment landbank. This landbank also incorporates the Cherryhound lands which are subject to an operational Local Area Plan - LAP12A Cherryhound LAP as set out in Table 2.15 of the Draft Plan. In addition, the proposed amendment to policy CMP4 in provides the requirement for LAPs, Masterplans and other large-scale studies and projects to carry out a Local Transport Plan in tandem with their preparation which will inform the transport requirements for these areas in collaboration with the NTA, TII and other relevant stakeholders.

### **Mode Share Targets**

Notes the inclusion of a Socio-Economic Profile Travel Trends Analysis to inform the Plan that includes high-level information with regard to commuting patterns both in and out of the County as well as mode share information for several settlements in the County. Welcomes the level of analysis of travel patterns undertaken to assist with the preparation of the Plan. However, highlights the absence of mode share targets at County or settlement level. Recommends inclusion of a more detailed examination of trip distribution patterns from specific settlements to other settlements within the County including to external locations together with indicative mode share targets, and/or developed as part of Local Transport Plan associated with LAPs and Masterplans.

#### **Chief Executive's Response:**

Strategic objective 9 of the Draft Plan seeks to "Reduce car dependency and promote and facilitate sustainable modes of transport. Prioritise walking, cycling and public transport, while supporting an efficient and effective transport system." In this regard, the Plan commits to supporting regional and national policies such as RSES, the NTA's Transport Strategy and the NPF.

To ensure consistency with the above, Fingal County Council's strategic transportation, forward planning and development management processes generally operate with the guidance of the NTA Eastern Regional Model, which was used in the development of the NTA Transport Strategy for the Greater Dublin Area. The Council is also guided by the various policy documents at national, regional and local level, including the Development Plan.

Objective CMO2 relating to Modal Shift requires that FCC, 'Work with the NTA to develop mode share targets for the County to achieve and monitor a transition to more sustainable modes including walking, cycling and public transport, during the lifetime of this Plan. This includes providing targeted infrastructure in the most appropriate locations and prioritising development at the most accessible locations in order to achieve the appropriate levels of integration and sustainable transport provision.'

The setting of mode share targets at a County level, in the context of the Development Plan, would be cumbersome and unwieldy, given the data collection that would be required to ensure accuracy and the disparity across the County between dense urban areas and the rural hinterland. It is therefore considered that the use of mode share targets should be considered for inclusion at a more localised level, and this can be achieved through the development of the various Local Transport Plans as per the requirement under proposed amendment CMP4 set out earlier.

### Walking and Cycling

Welcomes the policies and objectives in the Plan which support the aim to encourage modal shift to sustainable modes, providing improved infrastructure for pedestrians and cyclists and objective CMO17 in relation to the creation of low traffic zones is particularly welcomed in this regard. To ensure compliance with the cycle network contained in the forthcoming Transport Strategy for the Greater Dublin Area 2022-2042 and to provide for the delivery of improved walking, cycling and public transport schemes, universal access and the removal of barriers to active travel movement and the creation of high-quality permeable links where objective CMO3 is particularly welcomed. A number of recommendations are proposed in this regard:

- Ensure that the cycle network contained in the Plan maps reflect the final GDA Cycle Network to be published alongside the Transport Strategy for the Greater Dublin Area 2022-2042.
- To allow flexibility to deliver improved walking, cycling and public transport schemes, amend Objective CSO17 – Tree Lined Approaches as follows:
   'Retain existing tree-lined approaches to towns and villages to preserve their special character where possible or provide appropriate mitigation.
- Insert new objective as follows: <u>The installation of kissing gates will not be permitted</u> both in Council and private developer projects in the Fingal area and an audit will be undertaken to identify existing kissing gates for removal.

Amend Objective CIOSO49 as follows:
 'Permeability Ensure permeability and connections between public open spaces including connections between new and existing spaces, in consultation with residents.
 <u>These</u>
 <u>connections should not be restricted by the use of kissing gates.</u>

### **Chief Executive's Response:**

The Draft Plan includes the NTA GDA Cycle Network in force at the time of publication. The updated Plan will reflect the most current Cycle Network.

In relation to kissing gates, the following policies are relevant:

Objective SPQHO5 of the Draft Plan seeks to, 'Promote and facilitate a Universal Design Approach into all developments.'

Policy SPQHP15 Accessibility for All seeks to, 'Promote the development of built environments and public realms which are accessible to all, ensuring new developments accord with the seven principles of Universal Design as advocated by the National Disability Authority, Building for Everyone: A Universal Design Approach.'

Policy CMP13 Accessible Pedestrian and Cyclist Environment seeks to, 'Promote and facilitate a network of pedestrian and cycle routes and public realm that is universally accessible for all ages and abilities in accordance with best accessibility practice.'

Objective CMO14 Optimising Accessibility for All seeks to, 'Support and facilitate improvements to the pedestrian and cycle network and public realm that prioritise the removal of barriers to active movement, to improve connectivity and permeability and optimise accessibility for all users.'

The installation and/or maintenance of kissing gates has been the subject of recent correspondence from the Department of Transport and the NTA to all Local Authorities, which has clearly set out that such infrastructure is not to be included in future schemes. The locations of existing kissing gates is to be audited also with a view to their future removal. Based on the above, it is clear that the provision of kissing gates as part of either public or private development is not in line with Development Plan policy.

In the context of required changes to objective CSO17 above, the value of trees, their biodiversity function and their role in establishing a sense of place, healthy environments and visual interest in built-up areas including tree protection policy is explicit in Chapter 9 Green Infrastructure and Natural Heritage and specifically within Section 9.6.9 Protection of Trees and Hedgerows. Specifically, Policy GINHP21 seeks to, 'Protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and or contribute to landscape character and ensure that proper provision is made for their protection or management.' It is also noted that Objective CMO40 relating to Road and Street Proposals and Environmental Protection seeks to, 'Work with the relevant national transport agencies to ensure that all road and street network proposals have regard to pertaining environmental conditions and sensitivities including biodiversity, protected habitats and species and incorporate appropriate avoidance and mitigation measures as part of any environmental assessments.' In this context, the proposed amendment to objective CSO17 is not considered appropriate.

### **Public Transport**

The NTA welcomes the commitment in the Draft Plan to support the delivery of key public transport projects in the Draft Transport Strategy for the Greater Dublin Area 2022-2042 and Objective CMO22 relating to support for the delivery of enabling public transport projects including MetroLink, BusConnects, DART+ and LUAS in collaboration with the NTA, TII and Irish Rail and other key stakeholders is particularly welcomed in this regard. Given the strategic importance of these projects, it is noted that the Plan shall acknowledge the opportunities arising from investment in these projects and support measures for their successful implementation. Measures for the successful implementation of the DART + project are welcomed in this regard and while not part of the NTA GDA Strategy, specifically local objective 83 which supports a pedestrian bridge at Hansfield and local objective 90 which supports a pedestrian bridge linking the Navan Road Parkway Station to Coolmine Rugby Club to facilitate a sustainable plan-led approach to the future development of these lands are welcomed. In the context of these strategic public transport projects, the NTA notes their commitment to engage with the Local Authority in relation to the land-use and transport planning considerations arising from the projects. A number of recommendations relating to the key strategic transports projects that will benefit Fingal are proposed as follows:

#### **BusConnects**

- The Plan shall acknowledge the opportunities presented by investment currently being committed to the improvement of bus infrastructure and services for the appropriate consolidation of future development in areas which support the use of public transport.
- The Plan shall provide support to the measures required for the successful implementation of the project, including restriction on new access points permitted along the corridors and the provision of alternative infrastructure solutions where required.
- That the bus priority routes as set out in the BusConnects Core Bus Corridor project which has been subject to public consultation and as per the Draft Transport Strategy for the Greater Dublin Area 2022-2042, are indicated on the Development Plan maps.
- Amend Policy CSP25 Consolidation and Growth of Swords to include reference to the BusConnects Core Bus Corridor project.

#### DART+

- The opportunity presented by the enhancement of this high-capacity public transport network shall be reflected in the land-use planning policies of the Plan.
- The Plan shall provide support to the measures required for the successful implementation of DART+ such as the removal of level crossings and the provision of alternative infrastructure solutions where required and as identified in the DART+ proposals.

### MetroLink

• Include reference to the 'Your Swords – An Emerging City Strategic Vision 2035' in the Plan which develops the concepts of integration of the MetroLink into Swords.

#### Luas Finglas

- The opportunity presented by the extension of the Green Line should be reflected in the land-use planning policies of the Plan and given that this project will not be delivered in the lifetime of the current Plan, and where lands are wholly dependent on the delivery of the project, consideration should be given to their inclusion as 'strategic reserve sites'.
- The Plan shall provide support to the measures required for the successful implementation of the project and the provision of alternative infrastructure solutions where required.

### **Chief Executive's Response:**

The Draft Plan at Section 6.5.7 Public Transport is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the County, providing more efficient and reliable access to key urban centres within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land use and transport. The Draft Plan states that, 'The NTA's GDA Transport Strategy provides the framework for the planning and delivery of transport infrastructure and services in the GDA over the strategy period. The strategy is currently being reviewed and an updated strategy will be prepared for the period up to 2042. Fingal is set to benefit from major rail and bus projects such as MetroLink, BusConnects and DART+ and LUAS Expansion'. The Draft Plan acknowledges that these projects are identified as key growth enablers for Fingal in the NPF and these projects when combined with enhanced walking and cycling facilities have the potential over the coming years to have a transformative impact on travel by shifting the dominance of car-based transport towards public transport.

The Draft Plan also acknowledges that these key transport projects promote a high level of network integration and interchange facilities and represent key components of an integrated transport network that will bring significant economic, social and environmental benefits to Fingal and the wider Dublin region. In this context, it is considered appropriate to include the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal on a new Sheet 17 'Connectivity and Movement', including MetroLink, DART + and LUAS and this is addressed by way of CE recommendation in the context of the OPR submission.

It is noted that strategic long-term reserve lands as set out in Chapter 2 and specifically at Section 2.2.12 of the plan states that such lands are characterised by their potential for significant and large-scale residential development aligned and supported by significant water services, transport and other infrastructural requirements over the longer-term beyond the plan period. In this context the Dunsink and Lissenhall lands are designated as 'strategic long-term reserve' lands and dependent on significant infrastructural requirements. It is noted that the planned LUAS Greenline to Finglas as per the Draft NTA Strategy extends into to a limited area within Fingal's jurisdiction with a terminus stop at Charlestown Shopping Centre where there is a mix of established land-use zonings including TC-Town Centre and GE-General Employment zoned lands to the north and south-east that are largely developed. The Charlestown Shopping Centre incorporating high-density residential development is a Level 3 centre within the County's Retail hierarchy which is a well-established centre that has developed on a phased basis in recent times and while these lands are not dependent on this planned high-quality public transport infrastructure, this centre and adjoining employment areas and the wider area will benefit from the panned LUAS scheme.

Fingal County Council continues to work with key transport providers to ensure an efficient and effective public transport network is achieved including facilitating measures to ensure the successful implementation of these projects and the Draft Plan includes specific objectives in this regard,

Policy CMP6 Integrated Transport Network seeks to, 'Support and facilitate sustainable mobility objectives set out in...the NTA's GDA Transport Strategy...to ensure the creation of a high-quality and integrated transport network...'

Objective CMO22 Enabling Public Transport Projects seeks to, 'Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and Irish Rail and other relevant stakeholders.'

Objective CMO23 seeks to, 'Support NTA and other stakeholders in implementing the NTA Strategy including MetroLink, BusConnects, DART +, LUAS and the GDA Cycle Network.'

Amendments to Policy CSP25 relating to the consolidation and growth of Swords to include reference to the strategic BusConnects scheme is considered appropriate in the context of the Draft NTA Strategy and the benefit of this strategic scheme to Swords as a Key town in the context of sustainable mobility.

It is considered that reference to the document 'Your Swords – An Emerging City Strategic Vision 2035' in the Plan is not considered necessary in the Draft Plan as the integration of the MetroLink with Swords is adequately catered for through strategic objectives as set out in Chapters 2 and 6 of the Draft Plan. FCC continues to have close cooperation and interaction with these key transport providers on an ongoing basis to ensure that policy objectives relating to projects such as the MetroLink and its integration with Swords are being addressed through the design process.

### **Public Transport Interchange**

Acknowledges Policy CMP20 of the Draft Plan relating to the provision of high-quality Public Transport Interchange. The delivery of a bus interchange at Blanchardstown Town Centre is highlighted as a critical piece of enabling infrastructure. In this regard, recommends an objective to include reference to Blanchardstown Town Centre Bus Interchange and work with relevant national transport agencies to protect and support the delivery of public transport interchanges.

### **Chief Executive's Response:**

The Draft Plan includes the following objectives in support of high-quality public transport interchange:

Objective CMO22 Enabling Public Transport Projects Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and other relevant stakeholders.

Policy CMP20 Public Transport Interchange seeks to, 'Support and facilitate the provision of highquality transport interchanges within the transport network in order to facilitate seamless transition between different transport modes and to maximise the movement of people by sustainable modes.'

To facilitate the provision of bus interchange in D15 in collaboration with the NTA and other relevant stakeholders, policy CMP20 is proposed for amendment by way of CE recommendation in the context of the OPR submission.

#### **Park and Ride**

Proposals to secure the development of a network of regional level bus and rail-based Park and Ride facilities in the GDA in line with the Draft Transport Strategy for the Greater Dublin Area 2022-2042 at appropriate locations adjoining the national road network or is in close proximity to, high-capacity bus and rail services including the M1/N1, M2/N2 and M3/N3 corridors is acknowledged. The importance of a Park and Ride facility to the north of Swords to support the MetroLink project is noted. In this regard, recommends the inclusion of an objective to secure the development of Park and Ride facilities and specifically the provision of a facility in the Lissenhall area to the north of Swords, having regard to the Draft Transport Strategy for the Greater Dublin Area 2022-2042.

### **Chief Executive's Response:**

The Draft Plan at Section 6.5.7.3 acknowledges that Park and Ride is a key component of NTA's GDA Transport Strategy and Policy CMP21 Park and Ride seeks to, 'Support the provision of Park and Ride facilities in conjunction with supporting ancillary infrastructure to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy.' The Draft Plan also contains the following objective in support of an integrated public transport network with efficient interchange between modes as follows:

Policy CMP20 Public Transport Interchange seeks to, 'Support and facilitate the provision of high-quality transport interchanges within the transport network in order to facilitate seamless transition between different transport modes and to maximise the movement of people by sustainable modes'.

Objective CMO22 Enabling Public Transport Projects seeks to, 'Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and other relevant stakeholders.'

In this context, the Draft Plan is explicit in its support at a strategic level for the provision of Park and Ride facilities to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy. It is noted that in the context of the OPR response, a new map-based objective to support and facilitate the provision of a Park and Ride facility at Lissenhall, Swords is proposed by way of CE Recommendation.

### **Strategic Road Network**

Highlights the importance of maintaining, improving and protecting the strategic function of the key transport corridors including the improvement and protection of the strategic function of the TEN-T core comprehensive network as set out in the NPF. In this regard, National Policy Objective 74 is noted which seeks to "Secure the alignment of the National Planning Framework and the National Development Plan through delivery of the National Strategic Outcomes". National Strategic Outcome 2 of the National Planning Framework is also noted which indicates the need for "Maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements". To protect the strategic transport function of national roads, including motorways, development objectives shall be in accordance with the DOECLG Spatial Planning and National Roads Guidelines (2012) and shall be referenced in the Plan.

#### **Chief Executive's Response:**

The Draft Plan is explicit in acknowledging the need to protect the strategic function of the national road network within Section 6.5.10.1 National Roads of the plan and includes reference to the Spatial Planning and National Roads Guidelines for Planning Authorities 2012 within objective CMO34 as set out below and within Appendix 2 Implementation of Ministerial Guidelines and Appendix 3 Policy Context of the Draft Plan. Specifically, the following objectives as set out in the plan of relevance in this regard include:

Objective CMO29 Management of Road Network seeks to, 'Work with the TII and other relevant national transport agencies, to protect and enhance the capacity of national routes, to minimise the impacts on the management of the broader network and to support the economic competitiveness of the County.'

Objective CMO34 Strategic Roads Network seeks to, 'Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant policy documents, as required.'

Objective CMO35 seeks to, 'Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

Objective CMO36 seeks to, 'Facilitate the implementation of the demand management measures in the M50 Demand Management Study, as required.'

To strengthen the policy context relating to the protection of national roads within the plan, Section 6.4 Strategic Aims shall include reference to the Spatial Planning and National Roads Guidelines for Planning Authorities 2012 and this is addressed by way of CE Recommendation in the context of the OPR submission.

### **R132 Connectivity Project**

The strategic importance of the R132 Connectivity Project is noted with specific reference to the proposals for improved connectivity and safety for pedestrians and cyclists and the complementary nature of the scheme with enhanced planned public transport infrastructure of

the MetroLink and BusConnects projects. In this regard, recommends that the Plan shall include reference to the delivery of the project as approved by An Bord Pleanála.

#### **Chief Executive's Response:**

The R132 Connectivity Project was granted planning permission by An Bord Pleanala in 2022. It remains an objective of Fingal County Council to deliver this project as it supports a range of policy objectives set out in the Draft Plan. In the interests of clarity, the Draft Plan includes a range strategic road proposals within Chapter 6 that will require detailed assessments and planning consent to advance these schemes within the plan period.

### **Dublin Airport**

The NTA notes the objectives contained in Chapter 8 relating to Dublin Airport and in particular supports objectives DA01 and DA02 which facilitates the operation of Dublin Airport in accordance with the Dublin Airport Local Area Plan 2020 or any subsequent LAP or extension of same as well as objectives DA06 – DA09 relating to the management of transport issues at the Airport. The role of the South Fingal Transport Study 2019 is acknowledged which includes analysis of traffic in respect of the DAC Masterplan lands and which has informed the objectives contained within the LAP. The NTA welcomes continued engagement with the Local Authority to ensure the continued successful functioning of the Airport in relation to transport issues in line with the transport policies and objectives as set out in the Dublin Airport LAP 2020 and the Draft Transport Strategy for the Greater Dublin Area 2022-2042.

### **Chief Executive's Response:**

Fingal County Council is committed to continuing to work in collaboration with all stakeholders to ensure the sustainable development of the County and of Dublin Airport and the Draft Plan is explicit in this regard. The following policy is particularly relevant, Policy CMP27 Dublin Airport, Transportation, Surface Access and Freight - 'Support the continued protection of the core transport function of Dublin Airport including measures to enhance surface access, public transport connections and strategic freight movements.'

### **Car Parking Standards**

The NTA welcomes the approach to car parking standards which is based on accessibility to public transport services. In this regard, Zone 1 relating to developments within 800m of a BusConnects spine route or 1600m of an existing or planned Luas/DART/MetroLink station or within an area covered by Section 49 scheme, or in lands zoned Major Town Centre is welcomed. In this regard, recommends that parking standards should be based on 'maximum' values rather than 'norm' values.

#### **Chief Executive's Response:**

The use of norm values rather than maximum values was considered appropriate in Zone 2 given the variety of different areas that fall into this category. This allows an appropriate level of flexibility to reflect the differences between, for example, rural areas and those more urban areas that do not fall within Zone 1.

#### **Chief Executive's Recommendations:**

#### **CE NTA CH 6.1:**

Include reference in Section 6.4 Strategic Aims relating to the National Sustainable Mobility Plan as follows: The National Sustainable Mobility Policy sets out a strategic framework to 2030 for active travel and public transport journeys to 2030 to help Ireland meet its climate obligations. It is accompanied by an action plan to 2025 which contains actions to improve and expand sustainable mobility options across the Country by providing safe, green, accessible and efficient alternatives to car journeys. It also includes demand management and behavioural change measures to manage daily travel demand more efficiently and to reduce the journeys taken by private car.

#### **CE NTA CH 6.2:**

Include reference to the National Sustainable Mobility Policy (2022) and the National Investment Framework for Transport in Ireland (2021) in Appendix 3 Policy Context.

#### **CE NTA CH 6.3:**

Amend Objective CSO61 as follows:

Assessment to Inform the Future Transportation Needs of Local Transport Plan Rush Carry out an assessment Prepare a Local Transport Plan to inform the future transportation needs of Rush. This may include the feasibility of providing a Distributor Road to the west of Rush.

#### **CE NTA CH 6.4:**

Include the following document in Appendix 3 Policy Context as follows: Area Based Transport Assessment (ABTA) Guidance Notes (2018) TII/NTA.

#### **CE NTA CH 6.5:**

Include the final GDA Cycle Network to be published alongside the forthcoming Transport Strategy for the Greater Dublin Area 2022-2042 on new Sheet 17' Connectivity and Movement'.

#### **CE NTA CH 6.6:**

Amend Policy CSP25 as follows: Consolidation and Growth of Swords

'Promote and facilitate the long-term consolidation and growth of Swords as a Key Town including the provision of key enabling public transport infrastructure, including MetroLink <u>and</u> <u>BusConnects</u>, in accordance with the relevant provisions of the NPF, RSES and the MASP.

### PART 3: Submissions relating to the Draft Development Plan Written Statement

CHIEF EXECUTIVE'S REPORT ON DRAFT PLAN PUBLIC CONSULTATION 28TH JULY 2022

FINGAL DEVELOPMENT PLAN 2023-2029

# **PART 3:**

# Submissions relating to the Draft Development Plan Written Statement

### **CHAPTER 1: Introduction**

#### **Submissions Received:**

FIN-C453-3, FIN-C453-154, FIN-C453-440, FIN-C453-585, FIN-C453-797, FIN-C453-798, FIN-C453-864, FIN-C453-932, FIN-C453-964, FIN-C453-1005, FIN-C453-1049, FIN-C453-1140, FIN-C453-1175, FIN-C453-1221

### **Summary of Issues Raised:**

#### Introduction

A number of submissions were received in relation to Chapter 1 of the Draft Plan. Many of the issues raised have been addressed through the content in Chapters and have been addressed as part of these later responses. There were many submissions received supporting the Plan content, which are welcomed by FCC. One submission notes that the overall Draft Plan as published appears to be a comprehensive and well thought out document on which Fingal should be complimented. Another submission welcomes the latest Draft Plan and highlights that it has taken into account many of the comments addressed in their previous submission such as the need to support and encourage organic and regenerative farming, the need for surfaces in new developments to be water permeable, nature-based flood mitigation measures, the creation of community bike and car-sharing initiatives, and the cessation of development in areas impacts by sea level rise and coastal erosion.

Also, many submissions were received relating to the overall strategic vision for the County and the need to rezone additional lands for housing and various other purposes to fulfil this vision. Rezoning submissions have been addressed as part of the responses to the Development Plan Sheets.

The submission from TII notes general support for the *Strategic Vison* for the Draft Plan and *Cross Cutting Themes* that have given rise to 12 no. Strategic Objectives, which includes Strategic Objective nos. 9 and 10 that generally support the official policy and thus the safe and efficient operation of the national road and light rail networks.

The submission from EMRA considers the overall Draft Plan, including the Core Strategy, to be generally consistent with the RSES and it provides a robust framework for the development of an overall strategy for the proper planning and sustainable development of the County.

The EMRA submission also welcomes the inclusion of the overall strategic vision and objectives, policy context and socio-economic profile for the County including the inclusion of key cross-cutting principles namely, 'healthy placemaking', 'climate action" and economic opportunity' which enhances the plan and its consistency with the RSES. The submission welcomes specific references to the MASP, 'Swords' designation and its importance as a Key Town, and the Dublin-Belfast Economic Corridor in contextualising this plan review. It is requested that the emphasis on the legislative context and planning policy hierarchy is strengthened, including a clear indication that the plan is required to be consistent with the RSES for the Eastern and Midland Region.

### **Ministerial Guidelines, Planning Policy and Consultation**

One submission expresses concern that many provisions of the existing Development Plan are not carried forward to the Draft Development Plan. It is contended that the Draft Plan does not comply with the following: Planning and Development Acts, Plans in adjoining counties, DOECLG Guidelines, RSES, Development Plan Guidelines and the National Heritage Plan.

The submission suggests a range of additions / amendments to the Draft Plan, many of which highlight policies that are taken from the Development Plans of other Local Authorities throughout the country.

Another submission notes that it would welcome the inclusion of greater detail on timelines / delivery dates, definition of certain terms, and more explicit examples to be given for many of the objectives presented across the plan.

One submission expresses strong opposition to mandatory Ministerial Guidelines and Specific Planning Policy Requirements (SPPRs), introduced in 2015 by the then Housing Minister. It is submitted that this regressive change to planning legislation has rendered development plans almost meaningless in respect of planning matters and that the role of Local Authorities has been seriously undermined by the imposition of these SPPRs, which are very detailed and mandatory national planning objectives. They have also undermined meaningful public participation in the planning process.

The submission from the Department of Environment, Climate and Communications notes that the National Marine Planning Framework was published in 2021, in line with the requirements of EU Directive 2014/89/EU, and it is Ireland's first marine spatial plan and provides for the long-term forward planning for Ireland's maritime area and references in the Draft Plan should be updated accordingly (Section 1.9.5).

#### **Chief Executive's Response:**

The submissions noting the lack of compliance with the Planning and Development Act, various Ministerial and other Guidelines, the RSES and adjoining Local Authority Development Plans are noted. The need for greater detail on timelines, delivery dates and examples to be included within Development Plan objectives is also noted.

The implementation and delivery of the Fingal Development Plan is a key objective of Fingal County Council, and it is acknowledged that this requires a concerted range of actions by the entire organisation in order to ensure that the policies and objectives of the Plan are fully implemented. The Plan sets out the Councils vision and strategic overview, including policies and objectives that will guide the sustainable future growth of Fingal. The Council will utilise its wide range of statutory powers and responsibilities to achieve and implement the objectives of the Plan. It is also acknowledged that the implementation of objectives may take a number of plan cycles to be fully realised. While the Council will take a leadership role in the implementation and delivery of key policies and objectives in the Plan, it will also require the continued engagement and collaboration with local communities, relevant stakeholders and adjoining Local Authorities. This collaboration is imperative to achieving desired results and ensuring the successful implementation of specific policies and objectives. The Council, through collaboration with communities and networks, such as the Public Participation Network, Social Inclusion Community and Activation Programme, the Fingal Local Community Development Committee,

and Fingal Comhairle na nÓg, will develop on-going engagement processes for the implementation of the Development Plan. Furthermore, many of the policies and objectives relate to the completion of large scale infrastructure projects, which are not within the control of Fingal County Council (i.e. large road, drainage infrastructure schemes etc). Fingal will continue to liaise with Irish Water and other utility providers, to ensure the timely delivery of sufficient water services infrastructure.

In terms of compliance with Ministerial Guidelines and the Planning and Development Acts, and the RSES, the Draft Plan has been reviewed by the Office of the Planning Regulator (OPR), and a key function of the OPR is the assessment of statutory plans such as the Fingal Development Plan, to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the draft Plan under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act) and the Plan will be reviewed and amended accordingly. Any recommendations issued by the OPR relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under Section 28. Please see Part 2 of this report which outlines the submission received from the OPR and our subsequent response.

The submission from EMRA requesting that the emphasis on the legislative context and planning policy hierarchy is strengthened, including a clear indication that the plan is required to be consistent with the RSES for the Eastern and Midland Region is noted. There are over 190 references to the RSES within the current Draft Plan and reference to the RSES is made in numerous policies and objectives throughout each chapter. Section 1.9.2 in the Draft Plan includes a detailed section on the RSES and the MASP, with Figure 1.3 outlining the Regional Strategic Outcomes of the RSES. It is not considered necessary to amend any of the existing legislative context and policy hierarchy.

In terms of timelines and delivery dates for objectives contained within the Plan, Fingal County Council will carry out a 2-year progress report on the Plan, where each of the objectives are identified and progress on implementation of same is recorded. The Council will also continue to engage with the Eastern and Midlands Regional Assembly and report on progress made in supporting the objectives of the RSES and MASP in accordance with Section 25A (1) of the Planning and Development Act 2000 (as amended). Chapter 12 of the Draft Plan - 'Implementation and Monitoring' addresses each policy, its implementation and its monitoring (key performance indicator and data source).

Fingal will continue to liaise with adjoining Local Authorities to progress infrastructure projects and there are a number of references to working with adjoining Local Authorities throughout the Draft Plan.

It is specifically stated in the wording in Policy CMP7 – 'Pedestrian and Cycling Network', Policy CMP8 – 'Greenway Network' and Objective CMO14 – 'Engagement towards Improved Access' that Fingal will work in collaboration with other Local Authorities and stakeholders to secure the development of valuable cross County infrastructure projects and network of cycling, greenways and access routes. Objective DMSO125 – 'Section 48 and 49 Contributions' states that these contributions will be calculated in conjunction with adjoining Local Authorities, where appropriate. Objective CMO17 – 'Circulation Plans and Low Traffic Zones' also requires FCC to

work with adjoining Local Authorities and Objective EEO6 – 'Dublin–Belfast Economic Corridor' also promotes engagement and collaboration with adjoining Local Authorities and regional assemblies, as appropriate, to promote the continued economic development of the Dublin–Belfast Economic Corridor.

It is not considered necessary to amend any of the existing policies and objectives included within the Draft Plan or to add additional text in relation to compliance with Planning legislation and Guidelines, working with adjoining Local Authorities or to insert additional timelines and delivery dates as these issues have been adequately addressed through existing policy content.

The submission from the Department of Environment, Climate and Communications noting that the National Marine Planning Framework was published in 2021 is acknowledged and it is recommended that references in the Draft Plan should be updated accordingly (Section 1.9.5). Fingal will have regard to the policies and objectives contained within this framework plan for our coastal areas and we recognise the coast as a hugely important resource for the citizens of the County and the wider Dublin region and will promote its sustainable development.

### **Development Plan Layout and Content**

Suggestions are made in terms of the layout of the Plan e.g. an index should be included, Development Management Standards should be at the end of each chapter.

Another submission notes that legibility of the maps in the 2017 to 2023 plan was better than the maps in the 2023 to 2029 plan.

One submission notes that the Draft Plan lacks a sufficient level of detail to adequately inform the type of development that will deliver timely affordable housing with adequate levels of infrastructure and services in building sustainable communities. It is noted that policies are too vague for certain areas to enable proper public consultation and scrutiny by the wider community.

Another submission notes that the absence of provisions for a Local Area Plan for Malahide, and other such qualifying settlements areas, together with the definitive statement of non-application in Appendix 2 comprises a significant and material non-conformance with a mandatory requirement of the Planning and Development Acts. It is submitted that the significance of this omission invalidates the Plan Preparation process.

The submission welcomes the reference to a carbon neutral economy in the strategic objectives table on page 13 of the Draft Plan but calls for the inclusion of the 2050 deadline as set out in government objectives.

The submission calls for strategic objective 11 on page 13 of the draft plan to be more explicit in relation to the restoration of biodiversity and habitats.

#### **Chief Executive's Response:**

The submissions received relating to the content and layout of the Draft Plan are noted. The form and content of the Draft Plan has been informed by the *'Guidelines to Planning Authorities on the Preparation of Development Plans'* (2007) and the *'Development Plans – Guidelines for Planning Authorities'* (2022). The Guidelines set out a framework within which Development Plans will achieve high standards in relation to setting out their aims and objectives; how they are produced and presented and their implementation and monitoring. The Minister of State (with

responsibility for Local Government and Planning) recently issued new national Guidelines for the preparation of Local Authority Development Plans in June 2022. The revised guidelines aim to ensure Development Plans take into account the forecasted amount of housing in an area and that sufficient new homes can be built in key areas of housing demand. Development Plans outline where housing, infrastructure and services should be located over a six-year period.

'Development Plans – Guidelines for Planning Authorities' is intended as the 'go-to' reference manual for all those who may be involved in the often-complex process of producing a County or City Development Plan. As part of the preparation of the Draft Plan, Fingal had regard to these Guidelines for Planning Authorities and will ensure compliance with our Fingal Development Plan.

The Guidelines, (revised for the first time since 2007), now include the following:

- a clear approach to ensuring that every development plan includes a sustainable longterm housing strategy, consistent with national housing targets and policies
- a clear method for identifying and zoning lands for new housing, and prioritising lands that can most quickly and appropriately provide new homes. Longer-term development areas and strategic development sites that need more infrastructure work can also be facilitated for development in the future
- confirmation that lands that are serviced and available for new housing construction should be retained as such, rather than be de-zoned
- a shift towards targeting housing output and delivery
- facilitation of development activity in cities, towns and urban areas, which creates compact and integrated communities, aids brownfield regeneration, activating greenfield land-banks for housing and supporting place-making and the growth of sustainable communities. This approach is underpinned by the new Residential Zoned Land Tax introduced under the Finance Act 2021 – which will apply where zoned and serviced land for housing remains undeveloped
- assistance to local authorities and communities in adapting key national polices, like
  Town Centre First and the Climate Action Plan, into their local development strategy.
  Formulating specifically tailored local objectives and policies can greatly assist in
  accessing key funding opportunities to enable local development initiatives.

The Draft Fingal Development Plan includes the recommendations outlined above and the Plan includes a range of mandatory policies and objectives, which are required under these Guidelines for Planning Authorities. It is not considered necessary, therefore, to amend the content or layout of the Draft Plan. Specific changes to Development Plan text, policies and objectives have been referenced in the CE Report under the relevant chapters / section.

The reference in one submission to the inclusion of an index is noted and the Draft Plan will include a Table of Contents and a Glossary. It is not considered necessary to also include an Index and the availability of the Draft Plan online, will allow people to 'search' for specific references throughout the document, if required.

Issues relating to legibility of maps is noted. It is recognised that minor modifications will be necessary to more clearly differentiate between the specified land use zonings. It should also be noted that in the interests of clarity, a comprehensive list of map-based objectives is included as Appendix 8 of the Draft Plan.

The submission highlighting the requirement for a Local Area Plan for Malahide is noted and Chapter 2 of the Plan includes policies and objectives in relation to the preparation of LAPs, Masterplans, etc. Fingal County Council will continue to prepare and implement LAPs to deliver the Vision, Core Strategy and to coordinate the development of significant new housing/regeneration for the County at a more local level. LAPs are usually required for larger greenfield sites subject to large-scale development and where a mechanism to ensure necessary social and physical infrastructure is provided in tandem with development.

The submission welcoming the reference to a carbon neutral economy in the Strategic Objectives table (on page 13 of the Draft Plan) is noted and this submission seeks the inclusion of the 2050 deadline as set out in government objectives. Another submission calls for Strategic Objective 11 (also on page 13) to be more explicit in relation to the restoration of biodiversity and habitats.

The Strategic Objectives set out at the start of the Draft Plan are strategic in nature and are not intended to be specific in terms of dates or deadlines or to explicitly reference one particular aspect of biodiversity restoration. This Plan aims to form a coherent development strategy to 2029 and beyond and the strategic vision recognises the potential of Fingal and aligns this with the key growth objectives set out in the higher order spatial plans. Furthermore, in terms of Climate Action and the 2050 deadline as per CAP21, the Draft Plan will be updated to align with this document and associated deadlines and targets (further detail is provided in Section 3 of this Report – Climate Action).

The strategic vision is underpinned by the four cross cutting themes and a number of interlinked strategic objectives. In achieving a more sustainable and resilient County, the application of the strategic objectives at all levels, from plan-making to any urban or rural project and development management, will help to deliver a better quality of life for all.

These strategic objectives are intended to be 'high level' and are imbedded throughout the Plan, cascading from the vision, Core Strategy, policies, objectives and standards right through to implementation. More specific reference to Climate Change and Biodiversity policies and objectives are included within Chapter 5 and Chapter 9 respectively.

Specific changes to Development Plan text, policies and objectives have been referenced in the CE Report under the relevant chapters / section.

#### **Social Inclusion and Consultation**

One submission received supports the commitment to social inclusion but states that the Draft Plan is extensive and language used is difficult to read, with no plain English version. Consultation was held online (information evenings) and much of the information is only available online. This excludes large cohorts in Fingal, especially those who don't have internet access, particularly the elderly, those with literacy difficulties and those who first language is not English. This goes against social inclusion.

One submission notes that the Social Media campaign is admirable but engagement was low visa-vis population. Submission suggests inviting community group reps to meetings similar to citizen assemblies prior to completion of the Plan. Another submission noted that the consultation portal should be improved in terms of clarity and accessibility.

One submission noted that they have representation on the Fingal PPN, but their views are not being taken seriously and they are concerned that their observations on the Draft Plan will not be considered. One submission received seeks to ensure that the FDP 2023 to 2029 outlines a working strategy that provides services such as education, housing, healthcare, poverty alleviation and social inclusion for the Traveller Community in a manner consistent with the Sustainable Development Goals and which reduces tension and conflict within their respective community.

### **Chief Executive's Response:**

The submission noting that much of the consultation was held online and that this excludes large cohorts of the population, particularly those without internet access is noted. The level of public consultation carried out is highlighted in Part 1 of this report. The Council is satisfied that the level of public consultation was comprehensive at every stage of the Development Plan process and is inclusive of all members of the community. Every effort was made to ensure that all members of the public and stakeholders had an opportunity to have their say in an open, accessible and transparent way. Furthermore, this public consultation process was in accordance with the *Planning and Development Act, 2000* (as amended).

The Council is committed to establishing clear and open channels of communication between the community it serves, its Elected Members and Executive. This is reflected in the Fingal County Council Corporate Plan 2019-2024 where it is a Strategic Objective under Theme 1 Quality of Life to 'engage and consult with citizens and stakeholders in a way that allows their views to be taken on board, through the use of both statutory and non-statutory processes'.

Fingal PPN has almost 600 members and includes community-based groups, organisations, associations, clubs, societies and charities. The PPN works to empower the community to be represented in decision making processes that impact citizens through representation on Council committees, consultation processes, policy submissions and more.

The PPN acts as an information hub, keeping the community informed of relevant local issues, news, events, resources and supports. Issues relating to the representation of organisations by the PPN on specific local issues is not within the scope of the Draft Plan.

An information session, specifically for the members of PPN was organised as part of the consultation.

The design of the consultation portal is not within the scope of the Development Plan, however, every effort has been made to make the overall consultation process as easy and accessible as possible.

The submission highlighting the importance of social inclusion is noted and welcomed. It is considered that the Draft Plan includes the Traveller Community and other marginalised communities within the Draft Plan policies and objectives. Social inclusion is one of the four cross-cutting themes in this Plan and it is a key objective at national, regional, and local level when planning for our communities. There are key groups within society which must be considered when planning and designing our communities and in relation to housing provision and this is recognised in our Draft Plan. These include, for example, children, older people, persons with disabilities, new ethnic communities, and the Traveller community. The creation of a more socially inclusive, equal and culturally diverse society is a requirement of NPO 28 of the

NPF which requires Council's to 'plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services'.

The current Traveller Accommodation Programme for Fingal sets out the strategy for the provision of Traveller accommodation and support services during the period 2019–2024. The Programme identifies annual targets for group housing (new), groups housing (refurbishment) and halting site refurbishment to 2024. All Capital works for Traveller Specific accommodation is funded by the Department of Housing, Local Government and Heritage. The Council will continue to address the provision of accommodation appropriate to the needs of Travellers in line with the requirements of the Traveller Accommodation Programme or any review thereto over the life of the Plan. The following Draft Plan policies also support the housing needs of the Traveller Community:

Policy SPQHP23 - 'Housing for the Traveller Community'

Implement the Fingal Traveller Accommodation Programme 2019-2024 and any superseding Programmes agreed by Fingal County Council over the lifetime of this Plan

Objective SPQHO10 - 'Housing Need'

Ensure that adequate and appropriate housing is available to meet the needs of people of all incomes and needs including marginalised groups within our communities, including but not limited to, Traveller households, older persons, people with disabilities, and the homeless, through an appropriate mix of unit types, typologies and tenures provided in appropriate locations and in a manner appropriate to specific needs.

#### **Chief Executive's Recommendations:**

#### **CE CH 1.1**

Update references to the National Marine Planning Framework in the Draft Plan. Amend Section 1.9.5 in Chapter 1 as follows:

### **1.9.5 National Marine Planning Framework**

In accordance with EU Directive 2014/89, work is currently underway on a National Marine Spatial Plan. Marine planning will contribute to the effective management of marine activities and more sustainable use of our marine resources. It will enable the Government to set a clear direction for managing our seas, to clarify objectives and priorities, and to direct decision makers, users and stakeholders towards more strategic and efficient use of marine resources. As Fingal is a coastal county the final plan / framework will be of importance to us

### 1.9.5 National Marine Planning Framework

In accordance with EU Directive 2014/89/EU, the National Marine Planning Framework was published in May 2021. Marine planning will contribute to the effective management of marine activities and more sustainable use of our marine resources, and it will enable the Government to set a clear direction for managing our seas, to clarify objectives and priorities, and to direct decision makers, users and stakeholders towards more strategic and efficient use of marine resources. As Fingal is a coastal county the final plan / framework will be of great importance to Fingal.

The Maritime Area Planning Act 2021 (MAP Act) was signed into law in December 2021 and this legislation represents the biggest reform of marine governance since the formation of the State. The Act established a comprehensive and coherent marine planning system. One of the main features of the MAP Act 2021 is the creation of a new State consent, the Maritime Area Consent (MAC), as a first step in the new planning process.

# **CHAPTER 2: Planning for Growth Core Strategy Settlement Strategy**

### **Submissions Received:**

FIN-C453-2, FIN-C453-38, FIN-C453-42, FIN-C453-54, FIN-C453-81, FIN-C453-82, FIN-C453-88, FIN-C453-90, FIN-C453-93, FIN-C453-141, FIN-C453-148, FIN-C453-157, FIN-C453-162, FIN-C453-175, FIN-C453-182, FIN-C453-194, FIN-C453-195, FIN-C453-200, FIN-C453-203, FIN-C453-210, FIN-C453-215, FIN-C453-252, FIN-C453-253, FIN-C453-255, FIN-C453-257, FIN-C453-258, FIN-C453-259, FIN-C455-259, FIN-C455-25 C453-263, FIN-C453-279, FIN-C453-301, FIN-C453-309, FIN-C453-324, FIN-C453-326, FIN-C453-352, FIN-C453-353, FIN-C453-401, FIN-C453-419, FIN-C453-425, FIN-C453-435, FIN-C453-440, FIN-C453-478, FIN-C453-483, FIN-C453-494, FIN-C453-498, FIN-C453-504, FIN-C453-505, FIN-C453-516, FIN-C453-520, FIN-C453-524, FIN-C453-544, FIN-C453-550, FIN-C453-559, FIN-C453-568, FIN-C453-585, FIN-C453-586, FIN-C453-599, FIN-C453-601, FIN-C453-604, FIN-C453-605, FIN-C453-606, FIN-C453-611, FIN-C453-612, FIN-C453-618, FIN-C453-620, FIN-C453-625, FIN-C453-631, FIN-C453-635, FIN-C453-639, FIN-C453-641, FIN-C453-665, FIN-C453-715, FIN-C453-722, FIN-C453-727, FIN-C453-727, FIN-C453-730, FIN-C453-737, FIN-C453-740, FIN-C453-746, FIN-C453-748, FIN-C453-752, FIN-C453-753, FIN-C453-755, FIN-C453-760, FIN-C453-761, FIN-C453-763, FIN-C453-774, FIN-C453-779, FIN-C453-790, FIN-C453-793, FIN-C453-794, FIN-C453-798, FIN-C453-800, FIN-C453-801, FIN-C453-802, FIN-C453-804, FIN-C453-805, FIN-C453-806, FIN-C453-807, FIN-C453-C453-837, FIN-C453-846, FIN-C453-848, FIN-C453-853, FIN-C453-855, FIN-C453-858, FIN-C453-871, FIN-C453-876, FIN-C453-878, FIN-C453-886, FIN-C453-890, FIN-C453-895, FIN-C453-896, FIN-C453-901, FIN-C453-902, FIN-C453-903, FIN-C453-904, FIN-C453-905, FIN-C453-907, FIN-C453-909, FIN-C453-910, FIN-C453-914, FIN-C453-917, FIN-C453-919, FIN-C453-921, FIN-C453-924, FIN-C453-925, FIN-C453-926, FIN-C453-927, FIN-C453-928, FIN-C453-930, FIN-C453-931, FIN-C453-932, FIN-C453-932, FIN-C453-937, FIN-C453-940, FIN-C453-942, FIN-C453-943, FIN-C453-945, FIN-C453-947, FIN-C453-958, FIN-C453-963, FIN-C453-964, FIN-C453-966, FIN-C453-968, FIN-C453-971, FIN-C453-985, FIN-C453-988, FIN-C453-989, FIN-C453-994, FIN-C453-995, FIN-C453-1002, FIN-C453-1005, FIN-C453-1006, FIN-C453-1007, FIN-C453-1008, FIN-C453-1010, FIN-C453-1011, FIN-C453-1012, FIN-C453-1013, FIN-C453-1015, FIN-C453-1029, FIN-C453-1031, FIN-C453-1041, FIN-C453-1046, FIN-C453-1050, FIN-C453-1053, FIN-C453-1057, FIN-C453-1058, FIN-C453-1062, FIN-C453-1069, FIN-C453-1071, FIN-C453-1077, FIN-C453-1081, FIN-C453-1083, FIN-C453-1089, FIN-C453-1092, FIN-C453-1094, FIN-C453-1097, FIN-C453-1103, FIN-C453-1108, FIN-C453-1111, FIN-C453-1112, FIN-C453-1118, FIN-C453-1119, FIN-C453-1121, FIN-C453-1122, FIN-C453-1124, FIN-C453-1127, FIN-C453-1128, FIN-C453-1133, FIN-C453-1139, FIN-C453-1140, FIN-C453-1145, FIN-C453-1150, FIN-C453-1154, FIN-C453-1156, FIN-C453-1158, FIN-C453-1160, FIN-C453-1161, FIN-C453-1163, FIN-C453-1164, FIN-C453-1167, FIN-C453-1171, FIN-C453-1172, FIN-C453-1191, FIN-C453-1194, FIN-C453-1198, FIN-C453-1202, FIN-C453-1218, FIN-C453-1221, FIN-C453-1230, FIN-C453-1232, FIN-C453-1237, FIN-C453-1242, FIN-C453-1243, FIN-C453-1247, FIN-C453-1249, FIN-C453-1254, FIN-C453-1262, FIN-C453-1269, FIN-C453-1271, FIN-C453-1273, FIN-C453-1285, FIN-C453-1288, FIN-C453-1293, FIN-C453-1295, FIN-C453-1302, FIN-C453-1304, FIN-C453-1305, FIN-C453-1309, FIN-C453-1315, FIN-C453-1316, FIN-C453-1318, FIN-C453-1670, FIN-C453-1671, FIN-C453-1673, FIN-C453-1677, FIN-C453-1700, FIN-C453-1701, FIN-C453-1702, FIN-C453-1704, FIN-C453-1709, FIN-C453-1778, FIN-C453-1889, FIN-C453-1906, FIN-C453-1909

### **Summary of Issues Raised:**

This section of the report addresses the contents of submissions which directly relate to Chapter 2 of the Draft Development Plan 'Planning for Growth: Core Strategy, Settlement Strategy'.

It should be noted that a large number of submissions which referenced Chapter 2 of the Draft Development Plan related primarily to zoning or local objective requests for specific locations or parcels of land. Each of these specific requests have been considered on a case by case basis as set out in later section of this report which deal with submissions relating to each Draft Development Plan sheet.

In many instances, submissions also included more general references to issues such as the greenbelt, care facilities and accommodation for older people, student accommodation and the provision of community facilities including schools and centres for recreation. The issues raised in such submissions are addressed in other sections of this Chief Executive's report which respond to submissions on individual chapters of the Draft Plan.

This section of the report addresses the contents of submissions as they relate to the various sections of Chapter 2 including:

- the core strategy;
- the implementation of active land management;
- employment lands and retail; and
- the settlement strategy.

### **Core Strategy**

As noted above, a large number of submissions to the Draft Development Plan referred to the Core Strategy in general terms before discussing specific issues which are addressed in detail elsewhere throughout the Draft Plan. However, a significant number did raise issues specifically associated with the Core Strategy as set out in Chapter 2 of the Draft Plan.

A small number of submissions referred to the legislative requirements associated with the preparation of Development Plans as set out in the Planning and Development Act. Other submissions referenced the need to promote principles such as the 15-minute city and sustainable neighbourhoods as well as the overall approach to planning policy set out in the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and in other relevant policy guidance documents.

For example, the overall regional settlement strategy as set out in regional planning policy in the form of the RSES (incorporating MASP) was raised by a number of submissions, particularly in relation to the role of certain area of Fingal such as Howth, Sutton and Malahide in the consolidation of the Dublin City and Suburbs area.

Submissions also referred to the need to allow for the integration of transportation projects and residential development including increased levels of development and residential land zoning near rail stations for instance. Reference was also made to national housing policy including the provision of Build to Rent apartment schemes as well as the development of publicly owned land for housing development. A number of submissions emphasised the need to ensure that sufficient employment, social and community facilities were in place in advance of housing development.

Some submissions raised detailed technical and methodological issues relating to the calculation of population growth, housing supply targets, land use zoning and tier 1 and 2 lands. Submissions also referred to the findings of Appendix 1 'Fingal Housing Strategy' (which incorporated the HNDA) the Housing Strategy and HNDA as well as the supplementary 'Urban Capacity Study document with some asserting that housing targets had not been met and that the quantum of land zoned would need to be increased or decreased.

The use of Census data from 2016 was raised in a small number of submissions and one submission called for improved data collection and the creation of a database on zoned land in Fingal. The issue of providing adequate levels of housing in the context of the need to provide accommodation for Ukrainian refugees was also discussed in a small number of submissions

An issue which was addressed in numerous submissions (including a submission from the National Assets Management Agency – NAMA) was the designation of Strategic Long-Term Reserve lands at Lissenhall and Dunsink. A number of submissions called for the preparation of Strategic Development Zone (SDZ) schemes or Local Area Plans (LAPs) for these areas (including for lands zoned ME) to facilitate their future development while others requested amendments to enable lands in these areas to come forward for development during the life of the Development Plan.

Other submissions expressed opposition to the designation of lands for the Strategic Long-Term Reserve with some opposed to the development of the areas in question, and in particular lands in Dunsink which include Elmgreen Golf Club. The need to ensure the operability of the Dunsink Observatory Campus which forms part of the Strategic Long-Term Reserve Area was also highlighted. Submissions also referred to the delays in the delivery of the Metrolink project with regard to the designation of Strategic Longer-Term Reserve lands in the Lissenhall area.

### **Chief Executive's Response:**

The Core Strategy set out in Chapter 2 of the Draft Development Plan, has been prepared in accordance with the legislative requirements contained in the Planning and Development Act, 2000 (as amended). On this basis, the Core Strategy sets out a spatial settlement strategy for the County which is consistent with the Housing Strategy, the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES), Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines and takes account of policies of the Minister in relation to national and regional population targets.

In this respect it also has regard to national and regional policy in relation to a range of issues including compact development, the integration of transportation and development as well as the creation of sustainable communities with access to high quality community infrastructure and facilities. With regard to the issue of housing supply, the Core Strategy includes a series of Active Land Management policies and objectives which will contribute to meeting the ambitious targets of Housing for All in the context of the ongoing housing supply crisis.

In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets including 2016 Census data as well as other data presented in the relevant national and regional planning policy documents and guidelines (including the 2020 Eastern Midland and Regional Authority: Population Allocation for Fingal County Council and the 2020 Housing Supply Target Methodology for Development Planning

Guidelines for Planning Authorities. In addition, the Draft Plan commits to the ongoing collection of detailed data on residential and commercial development across the County.

The Core Strategy also has regard to the detailed information on housing demand and supply as set out in Appendix 1 'Fingal Housing Strategy' as well as in the supplementary document 'Urban Capacity Study' which accompanies the Draft Development Plan. It should be noted that these detailed, technical documents were also prepared having regard to the requirements of the Planning and Development Act, all relevant national and regional planning guidelines as well as up to date data in relation to housing supply and demand in the County.

With regard to the provision of accommodation of Ukrainian refugees, the provision of emergency accommodation is an operational matter which is being addressed by Fingal County Council's Ukrainian Response Team as part of the concerted efforts of local authorities across the country in accordance with government policy.

With regard to the issue of the Strategic Long-Term land reserve, two major development sites – Lissenhall and Swords – have been identified as Strategic Long-Term Reserve lands which are characterised by:

- their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period;
- their significant scale; and
- a requirement to be aligned and supported by significant water services, transport (including the Metrolink project) and other infrastructural investment.

As set out in the Draft Development Plan, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation and that it is likely that the regeneration of these lands will be over a longer time frame than the Plan.

With regard to the submissions relating to the operation and development of observatory related uses at Dunsink, it should be noted that Chapter 4 includes a policy CIOSP16 – Dunsink Planetarium 'To promote the concept of a "planetarium" on the lands of Dunsink adjacent to the Observatory'. In the interests of clarity, this policy will be moved to Chapter 2 into the section 2.7.2 which includes Policies and Objectives: Dublin City and Suburbs.

Finally, it should be noted that a number of the issues raised by individual submissions received in relation to Chapter 2 of the Draft Plan (including population targets, housing supply, land use zoning by settlement etc.) are similar or overlap with the issues raised in the submission from the Office of the Planning Regulator as addressed in Part 2 of this Chief Executive's Report.

### **Implementation of Active Land Management**

The implementation of active land management in Fingal was raised in submissions primarily in the context of the preparation of LAPs, Framework Plans and Masterplans for different areas of the County.

A small number of submissions address general issue relating to the preparation of such plans at a County level. In its submission, the Department of Education, includes a detailed analysis of existing and proposed LAPs, Masterplans and Framework Plans specified in the Draft Plan and highlights the importance of ensuring that the schools needs of each area is taken into account

during the preparation of these plans and also that the Department of Education is consulted where additional residential development is proposed.

In its submission on the Draft Plan, Transport Infrastructure Ireland (TII) calls for the preparation of Area Based Transportation Assessments (ABTAs) in support of LAPs and other large-scale studies and plans, in consultation with the NTA and TII.

Other submissions raised the issue of ensuring that all local plans including masterplans and framework plans are prepared in accordance with the requirements of the Strategic Environmental Assessment Directive as transposed into Irish legislation.

A small number of submissions raised the issue of the need for planning applications to demonstrate compliance with expired local planning documents (such as LAPs) in the event that the Draft Plan specifies that another local level plan (for example a masterplan or framework plan) is to be prepared for the lands previously covered by the expired plan.

In addition, one submission called for changes to allow for deviation from the phasing objectives in LAPs or masterplans while another submission called for changes in relation to the status of key objectives in Masterplans and Framework Plans.

#### **Local Area Plans**

With regard to Local Area Plans, a small number of submissions called for changes in the overall approach to LAPs, while other submissions referred to the requirements of Section 19 of the Planning and Development Act. These submissions often referred to the need to prepare LAPs for specific settlements including Malahide, Balbriggan, Swords and Blanchardstown.

A number of submissions also called for the preparation of new LAPs for other areas including Ballymadun, Belcamp, Clonsilla, Coolquay, Flemington, Naul and Ongar. Submissions also called for the preparation of LAPs or the Strategic Long-Term Reserve lands at Dunsink and Lissenhall.

Other submissions called for the implementation or extension of existing LAPs including Ballyboughal, Baldoyle Stapolin, Barnhill, Donabate, Cherryhound, Kilmartin, Kinsaley, Portmarnock and Rivermeade while a number of submissions called for changes to the boundaries of areas designated for LAPs in the Draft Plan to either include or exclude specific sites.

#### **Masterplans**

Numerous submissions addressed the issue of masterplans as part of the overall implementation of active land management in Fingal. Reference was made to the need to prepare, update, modify or implement masterplans in a variety of locations across the County including Balbriggan, Balrothery, Blake's Cross, Flemington, Garristown, Oldtown, Rivermeade, Rolestown, Skerries and Stephenstown.

A significant number of submissions were received which called for the preparation of a masterplan for the Old Schoolhouse area in Clonsilla. A smaller number of submissions were received which requested the preparation of a masterplan for the site currently occupied by St. Josephs Secondary school in Rush in advance of the school relocating to a new site within the town during the lifetime of the Development Plan.

Numerous submissions referred to the preparation, amendment and implementation of masterplans for areas in and around Swords including Barrysparks, Fosterstown and Estuary West, with some submissions referring to the ME land use zoning in the Swords area and to the general issue of the phasing of development in masterplan areas.

#### Framework Plans

A small number of submissions suggested general changes to the overall approach to framework plans set out in the Draft Plan, including the addition of text to clarify the status of lands designated for, but awaiting the preparation of framework plans such as Dubber (Horizon Business Park), Kilshane and the Dublin Enterprise Zone. A number of submissions also requested more flexibility with regard to the application of key objectives in the non-statutory framework plans.

Other submissions called for the implementation of framework plans which have already been designated such as Blanchardstown Village, Clonsilla (with particular references to the Old Schoolhouse) as well as the Rush Urban Framework Plan. Additionally, requests were made to remove the requirement for framework plans in some areas (such as Dubber and Stephenstown) but also to include a requirement to prepare a framework plan for the other lands (such as Knockmaroon).

Finally, a number of submissions called for more detail as to the timeframe for the preparation of each framework plan to provide for greater certainty to the owners of these lands and to the surrounding communities.

#### **Vacant Sites Levy**

An additional issue raised by submissions on the implementation of active land management in Fingal was that of the vacant site levy and the introduction of the Zoned Land Tax. The submission from Dublin Chamber highlights the introduction of the levy and emphasises the need to closely consider the implementation of the levy in order to help expediate appropriate development.

#### **Chief Executive's Response:**

Active land management is a key part of the overall approach set out in Chapter 2 of the Draft Development Plan and it restates the Council's commitment to actively pursue active land management measures provided for under the relevant legislation.

In addition, Fingal has employed a number of policy responses to facilitate housing development, namely the adoption of LAPs and Masterplans was well as the implementation of the Hansfield Strategic Development Zone (SDZ).

As outlined in the Draft Plan, the LAPs and Masterplans provide a framework for development of larger zoned sites, set out where Fingal's priorities for growth are and provide a development framework and phasing arrangements which will ensure the delivery of the required social and physical infrastructure (including schools) in an appropriate manner. The Draft Plan also provides for Framework Plans, which will be advisory in nature, with a long-term vision for the future, allowing sufficient flexibility to manage change depending on the particular circumstances presenting.

Tables 2-15 to 2-19 in Section 2.4 of the Draft Development Plan specify which areas are currently, subject to, or have been selected for the preparation of LAPs, Masterplans and Framework Plans. The selection of each area has been considered having regard to current and potential construction activity and it can be seen that the main areas of construction activity (i.e. Hansfield, Blanchardstown, Swords, Baldoyle, Portmarnock, Donabate and Santry) are the areas which are benefiting or will benefit from local level plans.

The preparation of these Plans has, and will, continue to involve significant local consultation and the engagement of Elected Members as well as with statutory environmental bodies and other state bodies and organisations including (but not limited to) the Department of Education, the National Transport Authority, Transport Infrastructure Ireland, the Health Service Executive, the Land Development Agency as well as adjoining local authorities.

Furthermore, the preparation of all local level plans will be carried out having regard to the requirements of current legislation and guidelines on Strategic Environmental Assessment and Appropriate Assessment. Regard will also be had to the need to adequately assess the potential traffic and transportation impacts associated with the implementation of each local level plan.

As set out in the section of this Chief Executive's Report addressing submissions on Chapter 6 'Connectivity and Movement', the Draft Plan currently promotes and encourages area-based transport assessment for local land use plans. Having regard to the submissions from the NTA in relation to this matter, the Chief Executive also recommends amendments to policies in Chapter 6 which will require the preparation of ABTAs for LAPs and Masterplans.

Having regard to these requirements, it is important that the boundaries, key objectives, phasing (where relevant) and densities set out in adopted local level plans are adhered to when submitting applications for development in the area covered by each plan. It should also be noted that although local level plans cease to have effect when they expire, that they may still provide useful advisory guidance for potential applicants for the formulation of development proposals on the lands in question.

With regard to the prioritisation of local level plans, Section 2.4 contains tables setting out the Local Area Plans, Masterplans and Framework Plans to be prepared during the Development Plan period. These local level plans have not been listed in order of priority at this stage, as it would not be practical or reasonable to do so

Local Area Plans and Masterplans lands for example present substantial land-banks with significant redevelopment and regeneration potential, requiring a long lead in time to develop a Framework for delivery as well as significant social and physical infrastructure requirements.

Following adoption of the Development Plan, a list of priorities will be drafted and presented to the Elected Members based on the Council's priorities, for preparation of these plans over the lifetime of the Development Plan, subject to resources.

It should be noted that as set out in the response to the OPR submission in Part 2 pf this Chief Executive's Report, it is recommended that Swords is included in Draft Development Plan Table 2.16 as an area for which an LAP is to be completed during the course of the next development Plan. This will have the effect of removing the requirement for masterplans at Estuary West and Estuary Central as per Table 2.18 of the Draft Development Plan.

This LAP will have regard to the array of local planning and other policy documents which are currently in place or being prepared for Swords including the Sustainable Swords Project as well as the Swords Masterplans.

Finally, it should be noted that a number of the issues raised by individual submissions received in relation to Chapter 2 of the Draft Plan have been addressed in the response to the submission from the OPR and in the responses to individual sheet-related rezoning and local objective requests.

### **Employment Lands**

Submissions which referred to the issue of Employment Lands in Chapter 2 of the Draft Plan largely related to requests to rezone land to, or from economic uses (including warehousing, logistics and horticulture) in different locations across Fingal including Ballyboughal, Donabate, Knocksedan, Blake's Cross and Swords.

A number of submissions referred to the need to support the economic role of particular settlements such as Balbriggan, Blanchardstown and Swords, while other submissions received from large companies such as an Post also emphasised the important role such organisations play in the economy of the County and highlighted the need to provide adequate levels of zoned lands for economic purposes.

Finally, a small number of submissions were received relating to the availability of commercially zoned lands in the vicinity of Dublin Airport, including the Airways Industrial Estate, in Dublin 15 at Cherryhound, in Swords and in Clonshaugh and Cloghran.

### **Chief Executive's Response:**

As outlined in Section 2.5 of the Draft Plan, Fingal is home to a wide range of key economic sectors, including retail, tourism, aviation, manufacturing, agricultural and agri-food, ICT and financial services, healthcare and pharmaceutical, marine and rural economic activity.

In order to ensure that each these important sectors has access to sufficient zoned lands for their activities, the employment strategy set out in the Draft Plan considered both existing land use zoning for employment purposes, and the requirement for additional employment lands based on population and employment growth assumptions.

It also has regard to relevant national, regional planning policies and settlement hierarchies set out in the NPF and the EMRA RSES and has been informed by, and informed the detailed policies and objectives relating to economic development in Chapter 7 as well as Dublin Airport in Chapter 8.

The issue of employment land zoning has also been addressed in Part 2 of this Chief Executive's Report and in response to individual submissions made in relation to each of the Draft Development Plan map sheets.

### Retail

A number of submissions were received regarding the issue of retail in the context of Chapter 2 of the Draft Plan, including detailed submissions from the operators of the Blanchardstown Centre and from Tesco Ireland Limited who operate a significant number of shops in Fingal.

These submissions request, amongst other things, changes to support the economic and retail role of Blanchardstown, as well as amendments to provide for additional local centre and district centre retail uses for lands in areas including Swords, Holywell, Tyrellstown and Skerries.

#### **Chief Executive's Response:**

Section 2.6 of the Draft Plan confirms that Fingal County Council's retail policy will continue to prioritise designated retail centres in the retail hierarchy and future retail development shall be based on a sequential approach, as indicated in the Retail Planning Guidelines.

As was noted in the response to the OPR submission in Part 2 of this Chief Executive's Report, the retail hierarchy set out in Chapter 7 of the Draft Plan did not fully align with the retail hierarchy set out in the EMRA RSES and as a result it is recommended that this chapter is amended to ensure full compliance with the RSES.

With regard to submissions requesting modifications to the retail or land use zoning status of specific sites or locations, such requests have been addressed in the section of this report relating to each map sheet prepared for the purposes of the Draft Plan.

## **Settlement Strategy**

A significant number of submissions included proposals for amendments to the role of each settlement in the settlement strategy set out in Section 2.7 of Chapter 2 of the Draft Plan. Once again, it should be noted that many of the submissions which referred to this section of the Draft Plan primarily related to site- or location-specific rezoning requests.

However, a significant number did raise issues relating to the settlement strategy, and these issues are summarised in brief in the following pages following the order of the broad settlement hierarchy set out in the Plan which consists of:

- Dublin City and Suburbs;
- Swords Key Town;
- Self-Sustaining Growth Towns;
- Self-Sustaining Towns;
- Towns and Villages
- Rural Towns and Villages; and
- Rural Clusters and Rural Areas.

#### **Dublin City and Suburbs**

For the purposes of this report, submissions relating to settlements which make up Dublin City and Suburbs will be addressed in the following order:

- Blanchardstown and its Suburbs;
- Charlestown Meakestown, Santry (including Ballymun), Balgriffin and Belcamp; and
- Baldoyle, Howth and Sutton.

#### **Blanchardstown and Suburbs**

A number of submissions highlight the role of the Greater Blanchardstown/Dublin 15 area in providing for a significant share of the residential and industrial development in Fingal since the 1990s. These submissions also argue that the area is underserved in terms of social, community, health and transportation facilities and that as a result, the current level of land zoning provided

for in the Draft Plan is premature and that other parts of the County should be considered for additional growth instead of the Blanchardstown/Dublin 15 area.

A submission also referenced the status of Blanchardstown relative to Swords and the need to provide additional transport infrastructure for the area, whilst others referred to the need to support and strengthen the role of the Blanchardstown Town Centre and the surrounding area and to emphasise the role played by TU Dublin.

A significant number of submissions relate to rezoning proposals for different areas of Blanchardstown and the wider Dublin 15 area including: Ashtown, Barnhill, Castleknock, Clonsilla, Gallanstown, Hollystown, Hollywell, Porterstown, the Navan Road, Tyrellstown and Lucan, with some of these submissions relating to the HNDA and Housing Targets for these areas. The issue of land use zoning classes and the development of data centres in the area was also raised.

In addition to rezoning requests, submissions referenced, and in some instances requested amendments in relation to the operation and implementation of Strategic Development Zones LAPs, Framework Plans and Masterplans in the area including: the Barnhill LAP, the Hansfield SDZ, Blanchardstown Village, the Old School Site in Clonsilla and Clonsilla in general. Other submissions called for the implementation of plans for other areas such as a LAP for Ongar and a submission called for an integrated vision for the development of Lucan village.

A number of submissions relating to the Blanchardstown area suggested specific rewording of the text in Section 2.7 with regard to a range of issues, including those raised above. There were also requests for the inclusion of a specific objective relating to the protection of the character of the villages of Blanchardstown, Castleknock, Clonsilla and Mulhuddart.

#### Charlestown Meakestown, Santry (including Ballymun, Balgriffin and Belcamp)

Submissions relating to the Charlestown Meakestown and Santry area included a number which requested the rezoning of lands in Belcamp, Santry and Clonshaugh. A submission relating to lands in the Belcamp area also called for changes in relation to the implementation of the LAP for Belcamp as well as the requirement for an LAP for the area.

### **Baldoyle, Howth and Sutton**

In addition to submissions calling for the rezoning or the retention of zoning of lands in Baldoyle, Sutton and Howth, a considerable number of submissions referred to the overall policy regarding the development of these areas set out in Section 2.7.2 of the Draft Plan, and in particular to the status and operation of the Howth Special Amenity Area Order (SAAO).

A number of submissions also called for a re-examination of the status of Howth and Sutton in the overall settlement hierarchy including its inclusion in the Dublin City and Suburbs area and the extent of development in the area at present. Finally, submissions referred to the need to provide for adequate accommodation for older people in the Howth area in particular.

A number of submissions relating to the Baldoyle, Howth and Sutton areas (as well as the Liffey Valley SAAO) suggested specific rewording of the text in Section 2.7 with regard to the issues raised above. It should be noted that the wording of CSP24 – Liffey Valley SAAO is to be amended to reflect the fact that a Buffer Zone has yet to have b4een designated for the area.

#### **Chief Executive's Response:**

In terms of the overall settlement strategy for Fingal as set out in Section 2.7 of the Draft Development Plan, it is important to emphasise that the future growth of Fingal is required to align with the goals and ambitions of the NPF and the RSES, which provide a framework for investment to better manage spatial planning and economic development to sustainably grow the Eastern and Midland Region to 2031 and beyond.

The settlement hierarchy for Fingal set out in Section 2.7 of the Draft Plan relates to the County's Core Strategy and comprises a series of levels derived from (and consistent with) the RSES and MASP which in provide for the application of higher densities should be applied to Dublin City and Suburbs with a graded reduction in the lower-level settlements.

The Draft Plan aims to ensure that future growth aligns with the settlement hierarchy so that development is directed to the existing settlements and that growth will be focused in accordance with active land management strategies including existing and future LAPs, Masterplans and Framework Plans.

As shown in Table 2.20 and 2.21, the settlement strategy ranges from those areas of the County defined as either Metropolitan or Core, including Dublin City and Suburbs at the top of the structure, through to the Key Town of Swords, towns and villages through to rural areas.

With regard to Blanchardstown and Suburbs which forms part of Dublin City and Suburbs, the Draft Plan recognises the area's importance for Fingal, highlighting its strategic location, its size and that it includes the important urban neighbourhoods of Clonsilla, Castleknock, Coolmine, Mulhuddart, Ongar, Tyrellstown and Hollystown as well as the Long-Term Strategic Reserve at Dunsink.

The Draft Plan also underlines that Blanchardstown is designated as a Level 2 "Major Town Centre" in the Retail Strategy for the Greater Dublin Area and is one of the largest and most important retail centres in the State. It also recognises that numerous large public sector employers (including TU Dublin) are based in the area which is also a key location for foreign direct investment and major largescale ICT and pharmaceutical companies.

Having regard to the above, Section 2.7 includes Policy CSP20 'Blanchardstown' to "consolidate the growth of Blanchardstown as set out in the Settlement Strategy for RSES by encouraging infill development and compact growth rather than greenfield development and by intensification at appropriately identified locations".

In combination with this policy, the other policies and objectives relating to Dublin City and Suburbs set out in Section 2.7.2 seek to promote the sustainable development of the Blanchardstown area by promoting:

- compact growth;
- the sensitive redevelopment of key sites;
- town centre regeneration;
- the optimisation of local heritage resources and public amenities; as well as
- the implementation and preparation local level plans for areas (including the villages of Blanchardstown, Castleknock and Clonsilla etc.), identified in Tables 2.15 to 2.19.

It should be noted that requests for changes in relation to specific sites and locations in Blanchardstown have been addressed in the section of this Chief Executive's Report on each of the Draft Development Plan map sheets and that other more general points in relation to issues such as housing, transportation and community facilities are also addressed elsewhere in the report.

With regard to the Charlestown, Meakestown and Santry which are also in the Dublin City and Suburbs area, the Draft Plan recognises that the area has experienced significant growth in recent years, comprising a mix of residential development and expanding employment uses.

The Draft Plan includes objectives for the area to consolidate, enhance and renew the settlements identified ensuring the growth of sustainable communities and strengthening economic performance in order to maximise the competitive advantages arising from its geographic location and transport links.

As with Blanchardstown, Charlestown, Meakestown and Santry are also subject to other policies and objectives relating to Dublin City and Suburbs set out in Section 2.7.2 aimed at providing for the sustainable growth of the area.

In addition, the responses to the issue of the designation, preparation and implementation of LAPs provided above also apply to this area and once again, requests for changes in relation to specific sites and locations have been addressed in the section of this Chief Executive's Report on each of the Draft Development Plan map sheets.

In relation to the Baldoyle, Sutton and Howth area, it is important to note that as settlements included in the Dublin City and Suburbs area in accordance with the RSES and MASP, they are subject to the same overall policies and objectives which apply to other parts of this settlement tier.

It should also be noted however, that the policies and objectives set out in Section 2.7 seek to consolidate the development and protect the unique identity of Howth, Sutton and Baldoyle as well as of the Howth SAAO including the buffer zone.

#### Key Town - Swords

The next tier of the settlement strategy relates to the Key Town of Swords. In summary, numerous submissions were made requesting the rezoning of relatively large areas of land in the area, while other submissions requested the retention and protection of lands currently zoned for greenbelt, open space and high amenity uses in the area to serve as a greenbelt around the town and to deliver the Ward River Valley Regional Park as an objective for Swords.

Other submissions referred to the overall growth strategy for the town and to the HNDA and Core Strategy and Urban Capacity Study calculations, with some calling for the preparation of a LAP for the town as a whole (as well as for other larger settlements such as Blanchardstown and Balbriggan).

A number of submissions related to the designation, operation and implementation of various LAPs, Masterplans and Framework Plans (including Lissenhall East, Fosterstown, Barrysparks, Estuary West) and to the strategic land reserve at Lissenhall in the context of issues such as the delivery of MetroLink and the ME land use zoning. A submission calls for a specific objective to be included in relation to development at Barrysparks.

Other submissions related to the inclusion of a specific 'key towns objective' for the provision of a walking and cycling network to encourage modal shift, and to support specific uses and activities such as hotel use, primary care facilities and a swimming pool.

A number of submissions relating to the Swords area suggested specific rewording of the text in Section 2.7 with regard to the issues raised above.

#### **Chief Executive's Response:**

Swords is identified as one of three Key Towns in RSES within the Metropolitan area. Key towns are defined as large economically active service and/or county towns which provide employment for surrounding areas. The importance of Swords to Fingal is recognised in Section 2.7 of the Draft Plan which highlights its status as the administrative capital of Fingal County Council, its strategic location, its key residential and employment functions and its relationship to Dublin Airport.

Key objectives for Swords include promoting and facilitating its long-term consolidation and growth as a Key Town in accordance with the relevant provisions of the NPF, RSES and the MASP, promoting the regeneration of key sites and infill opportunities as well as implementing and preparing local level plans for the areas designated in Tables 2.15 to 2.19 of the Draft Development Plan. Policy CSP29 in the Draft Plan demonstrates sets out the vision for Swords to continue to develop as a vibrant Key Town with a thriving economy; an integrated public transport network; an attractive and highly accessible built environment with the highest standards of housing, employment, services, recreational amenities and community facilities.

It is also important to note that as set out in the response to the OPR submission in Part 2 of this Chief Executive's Report, it is recommended that Swords is included in Draft Development Plan Table 2.16 as an area for which an LAP is to be completed during the course of the next development Plan. This will have the effect of removing the requirement for masterplans at Estuary West and Estuary Central as per Table 2.18 of the Draft Development Plan.

As is the case for other settlements, submissions relating to site or location specific requests for changes to land use zonings, objectives etc. are addressed in the section of this report dealing with each Draft Plan Map sheet. The issue of the detailed consideration of population and housing growth as well as the designation, preparation and implementation of local level plans has already been addressed above and in response to the OPR submission set out in Part 2 of this Chief Executive's Report.

The issue of sustainable transport, transport infrastructure and modal share has also been addressed in the responses to submissions on Chapter 6 'Connectivity and Movement' of the Draft Plan and the issue of the protection of the greenbelt around Swords has been addressed in the responses to submissions on Chapter 9 'Green Infrastructure and Natural Heritage. Additionally, the issue of the provision of community facilities has been addressed in submission in relation to Chapter 4 'Community Infrastructure and Open Space'.

### Self-Sustaining Growth Town - Donabate

Submissions received in relation to the self-sustaining growth town of Donabate in the context of Chapter 2 primarily consisted of requests to rezone lands to provide for additional housing in the town and surrounding rural area. Some of these submissions referred to the findings of the urban capacity study and HNDA while a number called for amendments to the Draft Plan to

support the provision of residential development next to rail stations and in particular Donabate Station.

Other submissions called for land use rezonings, or the inclusion of local objectives to facilitate the development of particular uses including hotel development, commercial, retail and community uses. Finally, a number of submissions requested the implementation and/or renewal of the existing LAP for the town.

A number of submissions relating to the Donabate area suggested specific rewording of the text in Section 2.7 with regard to the issues raised above.

#### **Chief Executive's Response:**

As set out in Section 2.7, the development strategy for Donabate will promote the creation of a vibrant town core by providing a high-quality living environment for existing and future populations and provide all necessary community, commercial, cultural, and social facilities in tandem with new residential development.

The integration of development and existing transportation infrastructure as appropriate is a key element of the Draft Plan as set out in detail in Section 6.5.3 'Integration of Land-Use and Transport'. However, as stated above, requests for modifications to existing or proposed zonings for specific sites (including near railway stations) have been addressed in the sections of this report on the individual Draft Plan map sheets. In addition, the issue of amendments relating to the designation, preparation and implementation of local level plans has been addressed in the section above relating to the implementation of active land management in Fingal.

### **Self-Sustaining Towns**

As set out in Section 2.7 of the Draft Plan, the two settlements of Malahide and Portmarnock which are located in the in the Metropolitan Area have been designated as self-sustaining towns. Settlements situated in the core area of the County which are designated as self-sustaining towns include Balbriggan, Lusk, Rush and Skerries.

#### **Malahide**

In the case of Malahide, a number of submissions were received which seek the rezoning of tracts of land to facilitate primarily new residential development in the area, with a smaller number relating to rezoning for other purposes such as homes specifically for older people or for childcare. Some of these submissions referred to the housing targets set out in the Core Strategy as well as the overall role of Malahide and Kinsaley in the settlement strategy, with a submission referring to the provision of housing for Ukrainian refugees.

The issue of the pedestrianisation of Malahide was raised by several submissions with many of them opposing any such pedestrianisation. Further submissions referred to the statutory requirements set out in the Planning and Development Act to prepare a LAP for the settlement of Malahide in consultation with the local community.

A number of submissions relating to the Malahide area suggested specific rewording of the text in Section 2.7 with regard to the issues raised above.

#### **Portmarnock**

With regard to the self-sustaining town of Portmarnock, a relatively small number of submissions were received calling for the rezoning of and/or corrections to existing zoning of tracts of land in and in the vicinity of the settlement. A number of these also referred to the core strategy table and the growth targets for the settlement and the implementation of the LAP for Portmarnock South, while one submission called for the consideration of a rail-based settlement in the area between Malahide and Portmarnock at a new rail station at Hazelbrook.

Other relevant submissions related to specific settlements policies and objectives for Portmarnock and to the preparation of a framework plan for the town having regard to the proposed Malahide pedestrian and Cycle scheme as well as other issues. The issue of the ongoing growth of Portmarnock and the need to provide adequate community infrastructure and facilities (including libraries) on the basis of a community facility audit was also raised as an issue in the submissions received.

A number of submissions relating to the Portmarnock area suggested specific rewording of the text in Section 2.7 with regard to the issues raised above.

### **Balbriggan**

With regard to Balbriggan, several submissions highlighted the ongoing levels growth of the town and argue that this is either over- or under-stated in the Core Strategy, HNDA and Urban Capacity Study. A number of submissions request that additional land be zoned in the area to accommodate further growth, while others call for greater restrictions on such development and call for the provision of necessary additional services in advance of new housing development.

Other submissions highlighted the requirements of the Planning and Development Act for the preparation of LAPs for larger settlements such as Balbriggan, while others call for the preparation of more specific local objectives or to include or omit masterplans for different areas including at nearby Balrothery.

#### <u>Lusk</u>

Many of the submissions received in relation to the Self-sustaining Town of Lusk comprised requests for the rezoning of lands in the settlement and surrounding area for additional residential development. A number of these submission made detailed reference to the housing supply target figures and population projections as set out in Sections 2.2 and 2.3 of the Draft Development Plan in support of their rezoning requests, while one submission argued that the figures presented in the Draft Plan and supporting documents underestimate the extent of development in the area.

A smaller number of submissions referred to the potential for additional development in the Blake's Cross area near Lusk, which were described as being suitable for uses such as warehousing and logistics. These submissions also called for the preparation of a masterplan for Blake's Cross to facilitate such development.

#### Rush

As was the case for the other self-sustaining towns, a number of submissions requested the rezoning of additional residential land in Rush and the surrounding area, with some of these

submissions referring to shortfalls in relating to housing supply targets and population projections and residential density as set out in Table 2.14 of the Draft Development Plan.

Several of the submissions referred to the need to implement the Rush Urban Framework Plan, to ensure that development occurs in tandem with infrastructure provision, and to prepare a masterplan for the site currently occupied by St. Joseph's Secondary school in advance of the school relocating to a new site within the town.

#### **Skerries**

A small number of submissions were received proposing changes to existing land use zoning in Skerries, including lands in the area of the settlement designated for a Masterplan. Other submissions referred to issues such as the general need to provide additional housing in the area, to protect the greenbelt in the area, and to provide for a greater range of commercial and retail uses on commercially zoned lands in the vicinity of the town.

### **Chief Executive's Response:**

As defined in Section 2.7 of the Draft Plan, Self-Sustaining Towns are towns that require contained growth, focusing on driving investment in services, employment growth and infrastructure whilst balancing housing delivery. This growth is to be achieved by encouraging infill development and compact growth rather than greenfield development and by intensification at appropriately identified locations.

At the same time the Draft Development Plan recognises and seeks to protect the unique identity of the key growth towns while recognising that they require contained growth, focusing on driving investment in services, employment growth and infrastructure while also balancing housing delivery.

As discussed previously, in accordance with the requirements of the Planning and Development Act, the settlement strategy for Fingal (including the self-sustaining towns) set out in Section 2.7 of the Draft Plan fully aligns with the overall settlement hierarchy set out in the NPF and RSES (incorporating MASP).

As also stated previously, the population and growth targets for settlements in each tier of the hierarchy has been determined having regard to the requirements of the Act and the relevant Section 28 planning guidelines. The consideration of modifications to the planning and zoning status of specific locations or sites as requested by has been addressed in the section of this report dealing with each Draft Plan map sheet.

The overall issue of the sustainable movement and transport (including pedestrianisation) is addressed in detail in Chapter 6 of the Draft Plan, which includes objective CMO15 "to encourage and facilitate the delivery of high-quality public realm in tandem with new developments throughout the County through the Development Management process and the retrospective provision in existing developments, including the provision of a pedestrianised core in town centres where appropriate".

With regard to the specific issue of the pedestrianisation of parts of Malahide, the Council is currently engaged in public consultation local people in relation to the creation of a cycle and pedestrian route between Sutton and Malahide.

In addition, the issue of the statutory requirement to prepare LAPs has been addressed in the response to the submission from the OPR in Part 2 of this Chief Executive's Report and the overall issue of the designation, modification, preparation and implementation of local level plans has been addressed previously in this section of the report.

With regard to the specific request for a masterplan for the site of St. Joseph's primary school in Rush, given the existing and ongoing school-use on site, its relatively small size and also having regard to the list of masterplans already designated in Table 2.18, it is not considered appropriate to prepare a Masterplan for the site at this moment in time.

Finally, the provision of necessary physical infrastructure as raised in a number of the submissions, constitutes a key element of the approach to new residential development set out in Chapter 2 the Draft Plan which includes objective CSO5 "ensure the phased development of new housing areas in tandem with the delivery of physical and social infrastructure provision as identified within LAPs or Masterplans, as informed by assessments carried out by the Planning Authority".

### **Towns and Villages**

The next tier in the settlement hierarchy set out in Section 2.7 of the Draft Development Plan relates to a significant number of towns and villages within the Metropolitan and Core areas of the County. Towns and Villages in the Metropolitan Area include: Baskin; Coolquay; Kinsaley; Portrane; Rivermeade; and Rowlestown while towns and villages in core area of the County include: Balrothery; Oldtown; Loughshinny; Ballyboughal; Naul; Balscadden; Garristown; and Ballymadun.

With regard to Coolquay, a small number of submissions requested rezoning changes in the Coolquay area itself, while a larger number called for the preparation of local plans for the wider area including for Coolquay itself, for St. Margaret's (with reference to the special policy area) and for other rural villages.

A number of submissions were received which requested the rezoning of larger tracts of land in, and in the vicinity of Kinsaley to facilitate additional residential development but also to provide for the development of older person's care facilities.

With regard to Portrane, while several submissions were received requesting rezoning of lands in the area, the majority of submissions relevant to Chapter 2 referred to the need to protect the village character of the settlement and to prepare and implement an urban framework plan for Portmarnock village and lands at the Burrow.

Submissions received in relation to Rivermeade related primarily to the LAP for the settlement, questioning whether the LAP has been successful and should be extended and proposing instead that a masterplan is prepared as a more appropriate way to facilitate the development of the area.

Submissions relating to Rowlestown referred to the inclusion of masterplan for the settlement in Table 2.18 of the Draft Development Plan with a submission calling for the extension of the boundary of the masterplan area to facilitate the development of additional lands in the area.

Submissions received in relation to Ballyboughal include a number calling for the rezoning of land to allow for additional residential development in the settlement and surrounding rural

area, and in one instance to allow for the expansion of existing business activities in the settlement. Other submissions requested amendments to the Ballyboughal LAP to facilitate additional infill development and to facilitate development at densities of over 10 units per hectare.

With regard to Ballymadun, a submission was received from Meath County Council which referred to Table 2.16 of the Draft Plan and the proposed preparation of a LAP for the settlement over the course of the plan period. The submission requested that having regard to the strategic nature of this employment land and its proximity to the employment lands to the north of the Rath Roundabout in Ashbourne, Meath County Council should be given the opportunity to engage in the plan-making process and would welcome the opportunity to comment on any such plan.

A number of submissions were received requesting the rezoning of lands to facilitate additional residential development in Balrothery but also to retain existing zoning for development in the settlement. Other submissions were received relating to Balrothery's status in the settlement hierarchy and referring to the combination of Balbriggan and Balrothery in Tables 2.10 and 2.14. Submissions were also received requesting the inclusion of specific objectives for Balrothery (including the preparation of a village design statement) and for the inclusion, modification or omission of the requirements to prepare a masterplan for lands in the area.

A detailed submission was received in relation to Garristown which addressed a number of issues relating to the settlement. Of relevance to Chapter 2, the submission refers to the designation of lands in the settlement for a masterplan as per Table 2.18 of the Draft Plan and calls for the expired LAPs to be respected prior to the adoption of any masterplans.

A small number of submissions were received requesting the rezoning of lands in Loughshinny to facilitate residential development and in one instance to facilitate the creation of a recreational hub along with additional residential development.

With regard to Naul, a number of submissions were received relating to the rezoning of land to facilitate additional residential development, the implementation of the Naul LAP and issues with wastewater infrastructure in the settlement. A submission also noted typographical errors relating to the use of the word "Naul" (as opposed to "the Naul") throughout the Draft Plan.

A number of submissions were received requesting the rezoning of additional lands in Oldtown to facilitate additional residential development with reference to the core strategy figures for growth and rural villages. Submissions also called for rezoning to facilitate additional economic activities such as food parks. Other submissions referred to the existing LAP for the settlement as well as the proposed masterplan as specified in the Draft Plan in order to take account of changing transport patterns and to ensure the timely provision of services and infrastructure.

### **Chief Executive's Response:**

Fingal is characterised in part by its network of towns and villages of varying size, scale, character, context and infrastructure. However, as stated in Section 2.7 of the Draft Plan, all of these settlements have potential for appropriate levels of growth and consolidation, which is to be achieved by encouraging development in a sustainable, sequential manner, with the focus on consolidated growth of the centres, the identification of sites appropriate for renewal and a focus on enhancement of town centre public realms.

The Draft Plan recognises the need to ensure that any new development has regard to the existing character of the county's towns and villages with Objective CSO67 stating that "the scale of new residential schemes within Towns and Villages shall be in proportion to the pattern and grain of existing development with a focus on delivering compact growth and providing for the organic and sequential development of the settlement. Infill and brownfield development shall have regard to the existing town or village character and create or strengthen a sense of identity and distinctiveness for the settlement".

As noted with regard to other tiers of the settlement strategy, requests for changes to the planning and zoning status of specific sites and locations has been addressed in the section of this report dealing with each Draft Plan map sheet and issues relating to the preparation, implementation and modification of local level plans has already been dealt with above. In addition, the section of this report which responds to the OPR submission on the Draft Plan further addresses the issue of the settlement hierarchy and includes a recommendation for a more detailed and updated Core Strategy table which provides a clearer differentiation between different settlements.

With specific reference to the submission received from Meath County Council in relation to the preparation of a LAP for Ballymadun on the border with Meath, policy CSP6 states that Fingal County Council will "prepare LAPs for areas designated on Development Plan maps in cooperation with relevant stakeholders, and actively secure the implementation of these plans and the achievement of the specific objectives indicated".

While, this policy does not provide a list of stakeholders in question, it does indicate that the preparation of LAPs will be informed by input from all interested and relevant parties including adjacent local authorities. Furthermore, it should be noted that the section of this CE's Report which addresses the OPR submission on the Draft Plan includes a recommendation for the inclusion of text to more clearly state the Council's commitment to working with adjacent Local Authorities as part of the local plan making process.

Finally, every effort will be made to remove any remaining small typographical errors from the Draft Development Plan, including the incorrect references to Naul in the document.

#### St. Ita's

Section 2.7 of the Draft Development Plan includes a specific sub-section on St. Ita's institutional complex located in near the settlements of Donabate and Portrane. In addition to a small number of generalised submissions calling for the sensitive redevelopment of the lands, two detailed submission were received from the Health Service Executive and the Land Development Agency in relation to the potential future development of the lands in the area under their ownership.

As well as proposing modifications to the text of Section 2.7 which addresses St. Ita's, the submissions requested modifications to the types of uses permitted within the currently zoned lands, refer to the 2013 Implementation Plan for the campus and call for that a new or updated feasibility is required.

### **Chief Executive's Response:**

It is recognised that the St. Ita's institutional campus is a valuable and unique place which has the potential to provide for additional sustainable uses, having regard to the large number of

protected structures on site as well as the overall character of the lands and the surrounding area.

While it is recognised that (as raised in the submissions by the LDA and HSE) the implementation study prepared for the lands in 2013 is now dated having regard to the delivery of the National Forensic Mental Health Service Hospital at St. Ita's, it should be noted that the study also includes the following objectives:

- the reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures;
- the ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape;
- and the maintenance and provision for an appropriate level of public accessibility through the site.

As these objectives remain relevant and have yet to be implemented in full, it is considered that the overall approach set out in the 2013 implementation plan is still valid. However, it is considered appropriate that any future update of the study be considered.

As stated in the Draft Plan, appropriate uses for the lands will be actively promoted and allowed to proceed subject to appropriate consent where such activities will secure viable sustainable re use of the complex into the future and which will provide for the proper conservation and sustainable development of St. Ita's. It is considered that such uses would best be identified as part of possible future pre-planning discussions between Fingal County Council, the HSE and the LDA with regard to any additional development on site.

#### Rural Clusters and Rural Area

With regard to the last tier in the settlement strategy, a number of submissions were received in relation to rural clusters and the rural area of Fingal (such as Milverton and Togher Hill). The submissions primarily related to requests for changes to land use zonings and rural cluster boundaries to allow for additional residential development.

#### **Chief Executive's Response:**

Noting that rural areas within Fingal are categorised as being under strong urban influence, the policies and objectives contained in the Draft Plan aim to ensure a balance between facilitating those with a genuine need to reside in rural Fingal while managing urban generated demand.

In accordance with the Rural Housing Guidelines and the Development Plan Guidelines, Fingal's Rural Housing Policy is based on requirements for a demonstrable economic or social need to live in a rural area and ensure that siting and design adhere to statutory guidelines and design criteria.

Furthermore, it should be noted that Section 2.7 of the Draft Plan includes a specific policy CSP40 which provides for a review of the Rural Housing Policy and Local Need Criteria following on from the publication by the Government of updated Guidelines for Planning Authorities on Sustainable Rural Housing.

Once again, it should be noted that site or location specific requests to change the land use zoning or include local objectives are addressed in the section of this Chief Executive's Report which deal with the individual Draft Development Plan sheets.

## **Chief Executive's Recommendations:**

#### **CE CH 2.1:**

Insert the following text to Section 2.4.3 (page 59) as follows:

Framework Plans will be advisory in nature, with a long-term vision for the future, allowing sufficient flexibility to manage change depending on the particular circumstances presenting, including societal, economic, environmental and cultural. These plans will be informed by research and baseline data, which will identify opportunities for future development and highlight constraints that may exist in an area. They offer a vision for an area within the structure of the Development Plan.

Pending the preparation of Framework Plans for the relevant areas of the County, development at these locations will be guided by the policies and objectives of the County Development Plan and National and Regional Planning Policy and planning applications will be assessed on their merits having regard to the proper planning and sustainable development of the area.

#### **CE CH 2.2:**

Amend Policy CSP20 – Blanchardstown in Section 2.7.2 (page 73) as follows:

Consolidate the growth of Blanchardstown as set out in the Settlement Strategy for RSES by encouraging infill *and brownfield* development and compact growth rather than greenfield development and by intensification at appropriately identified locations.

#### **CE CH 2.3:**

Amend Policy CSP22 - Howth, Sutton and Baldoyle in Section 2.7.2 (page 73) as follows:

Consolidate the development and protect the unique identity of Howth, Sutton and Baldoyle. This includes protection against overdevelopment.

### **CE CH 2.4:**

Amend Policy CSP24 - Liffey Valley SAAO as follows:

Protect the Liffey Valley Special Amenity Area Orders (SAAO), including the Buffer zone, from residential and industrial development intended to meet urban generated demand.

### **CE CH 2.5:**

Amend Objective CSO29 Dunsink as follows:

Prepare a local statutory plan for lands at Dunsink in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area over the medium to long term <a href="that is cognisant of,">that is cognisant of, and sensitive to the significant historic buildings within the area including the nationally important architectural heritage site of Dunsink Observatory.</a>

#### **CE CH 2.6:**

Move Policy CIOSP16 from Chapter 4 to Chapter 2, insert after CSP24 as follows:

### Policy CSP25 - Dunsink Planetarium

Promote the concept of a "planetarium" on the lands of Dunsink adjacent to the Observatory.

#### **CE CH 2.7:**

Amend text in Section 2.7.2 (page 86 and 87) relating to St. Ita's as follows:

#### St. Ita's

The existing institutional complex is very extensive and accommodates a large number of protected structures and attractive buildings in an extensive demesne type landscape. Building elements within the complex are landmark structures, which are visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site.

The need to examine options regarding the optimal re-use and refurbishment of the complex of Protected Structures within the demesne setting was identified by the Council, to ensure the future sustainable use of this important and unique resource. A feasibility study of St Ita's, was completed in November 2013 jointly by Fingal County Council and the Health Service Executive (HSE) to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities having regard to the cultural, visual and ecological sensitivities of the site.

The Feasibility Study identified the St Ita's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities, which includes the provision of a National Forensic Mental Health Service Hospital. It also prioritizes the re-use of the existing hospital buildings (many of which are Protected Structures) together with their maintenance and management into the future; the ongoing maintenance and management of existing trees and woodland and the maintenance and provision for an appropriate level of public accessibility through the site. While several objectives of this study have been realised (including site identification, and now the construction of the new National Forensic Mental Health Service Facility), there are a number of objectives that are outstanding and remain to be achieved.

It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study, *or any update or revised version thereof*, including specifically those relating to:

- The ongoing development of modern psychiatric health care and ancillary facilities, which includes the provision of a National Forensic Mental Health Service Hospital within St. Ita's.
- The ongoing development of modern psychiatric health care and ancillary facilities within St. Ita's, including the completed National Forensic Mental Health Service Hospital.
- The reuse of the Protected Structures for appropriate uses together with the on-going future maintenance and management of these structures.
- The on-going maintenance and management of the demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape.
- The maintenance and provision for an appropriate level of public accessibility through the site.

### Objective CSO69 - Feasibility Study for St. Ita's Hospital Lands

Actively support the implementation of the objectives laid down in the Feasibility Study for St. Ita's Hospital Lands completed in November 2013, *or any update or revised version thereof* including specifically those relating to:

- The ongoing development of modern psychiatric health care and ancillary
  facilities (which can include the provisions of a National Forensic Mental Health
  Service Hospital) within St. Ita's,
- The ongoing development of modern psychiatric health care and ancillary facilities (including the National Forensic Mental Health Service Hospital) within St. Ita's,
- The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures,
- The ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape, and
- The maintenance and provision for an appropriate level of public accessibility through the site.

#### Objective CSO70 - Protected Structures at St. Ita's Hospital Complex and Demesne

Promote the use or reuse of all the Protected Structures at St. Ita's Hospital complex and demesne in Portrane as a priority for Fingal County Council. Notwithstanding the use class "HA" Zoning matrix, appropriate uses within the Protected Structures and within the ancillary land areas within the complex including uses which also relate to and are consistent with the historic use of the overall historic complex (established prior to the foundation of the Irish State) will be actively promoted and allowed to proceed subject to appropriate consent where such activities will secure viable sustainable re use of the complex into the future and which will provide for the proper conservation and sustainable development of St. Ita's.

#### **CE CH 2.8:**

In Chapter 13 (page 463), amend the note to the Use Classes Table for Zoning Objective "HA" High Amenity as follows:

Nothing in this Development Plan Zoning Matrix (Use Classes related to HA Zoning Objective) shall disallow proposals for:

- i. Future renewal, improvement, redevelopment of the established historic building stock within St. Ita's Hospital complex and demesne at Portrane;
- ii. Appropriate uses including uses which also relate to and are consistent with the historic use of the complex within the demesne established prior to the foundation of the Irish State.

## **CHAPTER 3: Sustainable Placemaking and Quality Homes**

### **Submissions Received:**

FIN-C453-2, FIN-C453-23, FIN-C453-24, FIN-C453-26, FIN-C453-27, FIN-C453-28, FIN-C453-29, FIN-C455-29, FIN-C45-29, FIN-C45 C453-30, FIN-C453-35, FIN-C453-49, FIN-C453-53, FIN-C453-59, FIN-C453-62, FIN-C453-63, FIN-C453-63, FIN-C453-63, FIN-C453-64, FIN-C455-64, FIN-C455-C453-64, FIN-C453-65, FIN-C453-66, FIN-C453-67, FIN-C453-69, FIN-C453-74, FIN-C453-76, FIN-C453-69, FIN-C453-74, FIN-C453-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-76, FIN-C455-C453-77, FIN-C453-80, FIN-C453-82, FIN-C453-88, FIN-C453-89, FIN-C453-91, FIN-C453-92, FIN-C453-93, FIN-C453-98, FIN-C453-100, FIN-C453-102, FIN-C453-103, FIN-C453-106, FIN-C453-109, FIN-C453-110, FIN-C453-116, FIN-C453-118, FIN-C453-119, FIN-C453-120, FIN-C453-121, FIN-C453-C453-129, FIN-C453-130, FIN-C453-131, FIN-C453-132, FIN-C453-133, FIN-C453-134, FIN-C453-135, FIN-C453-140, FIN-C453-141, FIN-C453-142, FIN-C453-143, FIN-C453-144, FIN-C453-169, FIN-C453-170, FIN-C453-171, FIN-C453-172, FIN-C453-173, FIN-C453-175, FIN-C453-179, FIN-C453-185, FIN-C453-186, FIN-C453-194, FIN-C453-195, FIN-C453-200, FIN-C453-202, FIN-C453-203, FIN-C453-204, FIN-C453-204, FIN-C453-204, FIN-C453-205, FIN-C455-205, FIN-C455-20 C453-203, FIN-C453-204, FIN-C453-205, FIN-C453-206, FIN-C453-207, FIN-C453-208, FIN-C453-210, FIN-C453-211, FIN-C453-213, FIN-C453-214, FIN-C453-215, FIN-C453-216, FIN-C453-217, FIN-C453-218, FIN-C453-219, FIN-C453-220, FIN-C453-221, FIN-C453-223, FIN-C453-224, FIN-C453-225, FIN-C453-226, FIN-C453-227, FIN-C453-228, FIN-C453-229, FIN-C453-230, FIN-C453-231, FIN-C453-232, FIN-C453-233, FIN-C453-234, FIN-C453-235, FIN-C453-236, FIN-C453-237, FIN-C453-238, FIN-C453-239, FIN-C453-240, FIN-C453-241, FIN-C453-242, FIN-C453-243, FIN-C453-244, FIN-C453-245, FIN-C453-246, FIN-C453-247, FIN-C453-248, FIN-C453-249, FIN-C453-252, FIN-C453-254, FIN-C453-257, FIN-C453-258, FIN-C453-270, FIN-C453-271, FIN-C453-272, FIN-C453-273, FIN-C453-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-270, FIN-C455-27 C453-274, FIN-C453-283, FIN-C453-284, FIN-C453-301, FIN-C453-305, FIN-C453-309, FIN-C453-C453-386, FIN-C453-396, FIN-C453-401, FIN-C453-412, FIN-C453-415, FIN-C453-418, FIN-C453-425, FIN-C453-435, FIN-C453-440, FIN-C453-478, FIN-C453-483, FIN-C453-491, FIN-C453-494, FIN-C453-494, FIN-C453-495, FIN-C453-491, FIN-C453-494, FIN-C453-495, FIN-C455-495, FIN-C455-49 C453-496, FIN-C453-498, FIN-C453-504, FIN-C453-505, FIN-C453-527, FIN-C453-540, FIN-C453-542, FIN-C453-544, FIN-C453-545, FIN-C453-549, FIN-C453-573, FIN-C453-579, FIN-C453-605, FIN-C453-610, FIN-C453-612, FIN-C453-620, FIN-C453-622, FIN-C453-629, FIN-C453-641, FIN-C453-649, FIN-C453-658, FIN-C453-664, FIN-C453-665, FIN-C453-668, FIN-C453-684, FIN-C453-687, FIN-C453-690, FIN-C453-694, FIN-C453-704, FIN-C453-715, FIN-C453-725, FIN-C453-729, FIN-C453-739, FIN-C453-741, FIN-C453-748, FIN-C453-753, FIN-C453-761, FIN-C453-763, FIN-C453-767, FIN-C453-768, FIN-C453-774, FIN-C453-782, FIN-C453-784, FIN-C453-785, FIN-C453-790, FIN-C453-793, FIN-C453-798, FIN-C453-800, FIN-C453-801, FIN-C453-802, FIN-C453-806, FIN-C453-807, FIN-C453-816, FIN-C453-816, FIN-C453-833, FIN-C453-834, FIN-C453-836, FIN-C453-837, FIN-C453-845, FIN-C453-846, FIN-C453-848, FIN-C453-853, FIN-C453-855, FIN-C453-856, FIN-C453-858, FIN-C455-858, FIN-C455-85 C453-860, FIN-C453-862, FIN-C453-871, FIN-C453-878, FIN-C453-884, FIN-C453-886, FIN-C453-888, FIN-C453-905, FIN-C453-909, FIN-C453-911, FIN-C453-917, FIN-C453-922, FIN-C453-924, FIN-C453-927, FIN-C453-928, FIN-C453-931, FIN-C453-932, FIN-C453-937, FIN-C453-940, FIN-C453-943, FIN-C453-944, FIN-C453-945, FIN-C453-946, FIN-C453-946, FIN-C453-947, FIN-C453-948, FIN-C453-950, FIN-C453-951, FIN-C453-955, FIN-C453-958, FIN-C453-962, FIN-C453-964, FIN-C453-966, FIN-C453-980, FIN-C453-984, FIN-C453-988, FIN-C453-989, FIN-C453-995, FIN-C453-998, FIN-C453-998, FIN-C453-989, FIN-C453-998, FIN-C453-989, FIN-C455-989, FIN-C45-989 C453-1000, FIN-C453-1002, FIN-C453-1003, FIN-C453-1005, FIN-C453-1007, FIN-C453-1008, FIN-C453-1012, FIN-C453-1015, FIN-C453-1016, FIN-C453-1023, FIN-C453-1026, FIN-C453-1035, FIN-C453-1041, FIN-C453-1046, FIN-C453-1050, FIN-C453-1055, FIN-C453-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1061, FIN-C455-1 C453-1071, FIN-C453-1080, FIN-C453-1081, FIN-C453-1087, FIN-C453-1089, FIN-C453-1097, FIN-

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### **Summary of Issues Raised:**

### **Placemaking**

A significant number of submissions have been received in relation to placemaking in Fingal and relate to settlements across the county, larger towns, villages and rural areas. Many emphasise

the importance of acknowledging the special character of Fingal and the contribution made by the county's residents and many dedicated community organisations. Submissions, including from Sustainable Skerries, Swords Woodland Association and numerous Tidy Towns and residents' committees advocate for the strong communities they represent, and work carried out in this sphere during the pandemic and in its aftermath suggesting that as a community, we have become increasingly aware of the importance of open spaces, public realms and amenities and are actively seeking to maximise and enhance same. The Council is encouraged in submissions to recognise and promote grass-roots initiatives and community groups who are at the heart of healthy placemaking in Fingal.

There is in general broad support and endorsement for sustainable placemaking policies in the Draft Plan within most of the submissions received, although objection to the use of the term is raised and it is argued that places should not be made, but rather a focus should be placed on historic settlements which need to be valued and safeguarded.

Many submissions refer to one or a number of policies and objectives contained within Chapter 3 in relation to Placemaking and associated concepts and suggest changes to same.

TUSLA in its submission indicates that Fingal County Council should adopt a child-friendly approach to urban planning with consideration in public realm design for young children, teens and families. 'Youth friendly' environments as well as intergenerational spaces are recommended, and it is suggested that the inclusion of an indicator set could be used to evaluate the impact of child-friendly urban planning.

A submission comments on the aspirational language used in policies such as 'ensure' and 'promote'.

### **Chief Executive's Response:**

Submissions regarding placemaking and the creation of high-quality settlements are noted and welcomed. The value and contribution made by local communities is widely acknowledged and Fingal continues to work with many communities and residents' groups in producing and delivering a range of initiatives aimed at improving the county's public spaces. In this regard, community and stakeholder engagement is paramount in ensuring placemaking policies and objectives are attained and non-statutory and statutory consultation is employed by all relevant Council departments in proposing, planning and delivering such initiatives. It is acknowledged that public engagement and contributions are vital to successful outcomes.

Support for policies and objectives contained in Chapter 3 in relation to the broad theme of placemaking is welcomed. While objection is raised to the term, it is important to note that many of the key principles supported in Objective SPQHO2 such as inclusivity, universal design, promotion of healthy attractive places to live and work etc. are applicable to all settlements in Fingal, new and long established. Promoting successful placemaking, it is argued, may have a greater importance and bearing on areas where communities are new and establishing.

A number of submissions refer to one or more policies and objectives within Chapter 3, including in relation to placemaking and suggest amendments to same. All policies and objectives have been reviewed in this context including a focus on the form of language used. Given the nature of the Development Plan, it is considered that use of text such as *'ensure'* and *'promote'* is acceptable as a positive affirmation to promote a certain policy or action while the

implementation of same as part of a scheme of works will often use directional language to reinforce the requirement e.g., 'shall'. This balanced approach is considered appropriate.

The promotion of inclusive neighbourhoods which cater for all age groups, accord with the principles of universal design and which offer quality of opportunity and good services to all is a key priority of the Draft Plan. In line with submissions which request a greater focus on children and teen-friendly environments, policies and objectives are in place to ensure that design strives to cater for all abilities and age groups including children. Policy SPQHP8 – Women and Children's Safety, CIOSP6 - Facilities for children, teens and young adults and CMP33 – Road and Street Design are among the many relevant policies in this regard.

The Council will continue to engage with all appropriate stakeholders to ensure that the needs of children are taken on board in the delivery of public realm improvement schemes and other works facilitating amenities for children. Regard is also had to Fingal's first Play Policy, 'Space for Play – A Play Policy for Fingal', which aims to provide a framework for the provision of safe, accessible, inclusive, natural and engaging play spaces for all children and adolescents up to the age of seventeen.

#### **Public Realms and Town Centre First**

Numerous submissions refer to the aftermath of the Covid-19 pandemic giving a renewed focus to local environments, the need for resilience, the importance of healthy communities having access to open spaces, the role of small business in the community and the need to build on the appreciation of local resources. Reference is made to the need for new and re-imagining of public spaces. A submission from the HSE endorses healthy placemaking policy to create sustainable settlements while investing in accessible local services. Reference is made to the need to ensure environments are conducive to healthy eating and are supportive of healthy lifestyles. Obesity and unhealthy eating habits, particularly for children, are referenced.

Numerous submissions, including from IBEC, support the concept of the 10/15-minute city and sustainable neighbourhoods and recommend seizing the opportunity to develop a new long-term strategy for urban spaces based on accessibility to amenities and services and notes the strong inter-dependence between planning, development and creation of attractive environments. Reference is made to quality of life as a determining factor informing where people live and work. Dublin Chamber's submission notes alignment of the Draft Plan with the 15-minute principle including the commitment to mixed development, compact growth, improved public realms, promotion of walking and cycling. The submission recommends the principle is adopted as a specific metric in the final Plan to guide LAPs. In related submissions, Living Over the Shop is raised as a way of invigorating town and village centres which should be implemented without delay. Other submissions state that such policies may only be appropriate in city centre locations and should not be promoted elsewhere.

Fingal Chamber welcomes the *Town Centre First strategy* which will bring business and community vibrancy to town centres across Fingal and with it a sense of economic buoyancy to the region. The submission cautions against derelict vacant areas leading to anti-social behaviour and impacting existing and potential businesses and discouraging visitors.

Universal design and the creation of accessible open spaces in town and village centres is raised and, in this regard, a detailed submission from the NCBi requests that the Council commits to

delivering and maintaining the highest standards of public realm, maintenance and repair, including surface finishes, provision and maintenance of tactile walking surface indicators, and audible pedestrian signals to pedestrian crossings.

In terms of sense of place, related submissions refer to the need to ensure the use of townlands in the naming of estates, the use of Irish and the need to avoid generic naming practices. Separately, concerns are raised in submissions with reference to Naul as The Naul. Such references will be corrected.

Other issues raised across the county include shop-front improvement including in Rush and Balbriggan, upgrading of street furniture, undergrounding of cables, removal / standardising of signage, and an identified shortage in the provision of community facilities. The creation of new community spaces such as town squares and outdoor open space to hold events/public gatherings is suggested in areas including Lusk and Ballyboughal.

Support is referenced in submissions for SPQHP8- design of public areas, keeping in mind safety of women and children. Numerous submissions raise the issue of safety of public spaces/surveillance and emphasise that people must be free from real and perceived danger, especially women, ethnic minorities and marginalised groups e.g., the merits of ensuring safety/surveillance of the public realm was raised in relation to Malahide. A submission from NCBi seeks to have the study extended to encompass all vulnerable users of the public realm.

Submissions stress that safety and security are issues which influence the attractiveness of commercial and town centres.

NCBI refers to SPQHO4 in relation to visual amenity in Town and Villages Centres, suggesting amendments to better clarify the intent of the objective.

Submissions reference visual clutter in terms of street furniture, signage, overhead wires.

#### **Chief Executive's Response:**

Submissions are noted with respect to the need to ensure post-Covid town and village centres reposition themselves advantageously, making the most out of existing amenities and resources but also re-imagining public realms and open spaces to ensure greater use, for longer hours and by more people. This approach is supported by numerous interlinking chapters within the Draft Plan including Chapter 3, *Sustainable Placemaking and Quality Homes*, Chapter 7 *Tourism and Employment* and Chapter 10 *Heritage*, *Culture and Arts*.

The Draft Plan endorses successful public realms and *Town Centre First* including under Section 3.5.2, wherein the regeneration of towns and villages will be guided by the *Town Centre First* Strategy in the Programme for Government, Our Shared Future and its role in regeneration of such settlements post Covid-19.

While undertaking numerous public realm improvement schemes under departmental capital works programmes, Fingal will continue to build on operational Local Area Plans and Masterplans and provide a suite of new plans, including focused Framework Plans and other strategies to guide future initiatives. (This is examined in greater detail in the section below).

The interrelationship between planning, development and creation of attractive environments is acknowledged and the Draft Plan contains numerous supporting policies and objectives with

regard to mixed development, compact growth, commitment to active travel and *Living over the Shop.* Measures to promote the re-use of vacant or derelict buildings and the imagining of underutilised properties for alternative uses are also promoted and supported. While many of the attributes of the 1*5-minute* neighbourhood concept are included in the Draft Plan, the nature of Fingal's settlement structure requires a broader approach is adopted.

Measures to support universal design are incorporated within the document. The Council will seek to encourage the implementation of best practice standards regarding access in both indoor and outdoor environments. This includes the 'Universal Design Guidelines for Homes in Ireland' issued by the National Disability Authority and 'Housing Options for our Ageing Population', issued by the Department of Housing, Local Government and Heritage and the Department of Health, the 'National Disability Authority's Building For Everyone': A Universal Design Approach 2012. Policy SPQHP15- Accessibility for all; seeks to 'Promote the development of built environments and public realms which are accessible to all, ensuring new developments accord with the seven principles of Universal Design as advocated by the National Disability Authority, Building for Everyone: A Universal Design Approach'. The Local Authority will engage with all relevant stakeholders in this regard. The submission from the NCBi requesting that Fingal County Council commits to delivering and maintaining the highest standards of public realm maintenance and repair including surface finishes, provision and maintenance of tactile walking surface indicators and audible pedestrian signals to pedestrian crossings is noted. All Council departments will continue to work with relevant stakeholders in ensuring best practice in this area.

It is an objective of the Draft Plan to enhance streetscapes by minimising clutter, avoiding a proliferation of street furniture, including wirescape, signage, bins and other features.

The Draft Plan contains guidance in Chapter 14 regarding appropriate estate naming.

Fingal County Council has a county wide Shopfront Improvement Scheme to encourage local businesses to improve their street frontages and revitalise Main Streets across the county. Shopfront design is addressed in detail in Table 14.1 of the Draft Plan. Policies in relation to security and surveillance include CIOSO39, DMSO4, Section 14.7.12, Table 14.15. Policy SPQHP8 specifically references the safety of women and children and requires that 'during the lifetime of this Plan complete a study of Women and Children's Safety in the public realm in order to identify the factors that make women and children feel safe and unsafe in public spaces, and to make recommendations to guide future public realm changes and developments'.

It is recommended that SPQHO4 should be amended to improve clarity.

### **Plans and Strategies**

Submissions are critical that public realm, urban framework plans and other strategies where prepared have not been implemented in full, including in Malahide and Rush. Requests are made for the Special Policy Strategy to be actioned for St. Margaret's.

Reference is made to current and proposed initiatives such as 'Our Balbriggan', 'Sustainable Swords' and 'Lusk Vision 2030' and requests that programmes are supported and fully funded. The Urban Regeneration Development Funding is welcomed in this regard. 'Our Balbriggan' is referred to in numerous submissions and several calls are made for additional funding and completion of elements. A submission refers to Balbriggan suffering from the effects of rapid and runaway growth with the 'Our Balbriggan' Plan raised as an attempt to address the socio-

economic impacts of same. Submissions request that consideration is given to the 'Lusk 2030 Vision' as a pilot scheme under the Towns First Initiative.

Multiple submissions call for support for public ream initiatives, framework plans, village design statements, enhancement schemes and additional planting and fixtures in centres across the county including in Balbriggan, Blanchardstown village, Clonsilla, Old School House, Donabate, Rush, Lusk and Malahide, Balcarrick Beach, Donabate, Balrothery, Ballyboughal, Howth, Oldtown. Measures called for include the enhancement of the pedestrian environment, improved urban streetscapes, removal or upgrading of obsolete /derelict buildings, public realm initiatives, removal or undergrounding of overhead cables to enhance visual amenity, redevelopment of vacant sites, new street furniture, enhancement of fragmented environments and protection of historic cores and increasing footfall. Reference is made to greater use of powers to tackle dereliction and non-compliance. The need to identify the key components of a town- i.e., primary shopping areas is also raised in submissions such as in Rush.

Submissions refer to the lack of civic or community spaces within settlements including in Ballyboughal and Lusk. Submissions refer to specific sites which could be purchased for such purposes.

Reference is also made in submissions to Initiatives such as 'Village Health Checks' or 'Community Led Village Design Statements' (CLVDS) as championed by the Heritage Council to be provided at a number of locations, including in Naul, Oldtown, Balrothery and Ballyboughal. It is suggested that Objective SPQHO6 - support measures required to create vibrant town and village centres with high quality public realms- is not comparable with a town or village health check which provides greater scope and detail. Additional objectives are submitted for consideration in this regard.

#### **Pedestrianisation**

Submissions call for pedestrianisation initiatives to be explored, particularly regarding streets with a high level of footfall and as a means of reducing congestion and promoting business. Support was expressed for such initiatives to be examined at a number of locations across Fingal. Examples include Howth and Skerries. Other submissions raise concerns in relation to such initiatives including in Blanchardstown Village and in Malahide where it was expressed that the village is providing lessons on the success or failure of placemaking and public realm strategy implementation. Full pedestrianisation is not viewed as acceptable.

Car-free or car-limited developments while supported, were viewed in several instances as not immediately attainable and several submissions stated that such initiatives should not be pursued. An associated issue of permeability was also raised with concerns that public realm improvements must also address blockages to connectivity/permeability between estates and between estates and local villages/towns for placemaking to be successful. Other submissions refer to the merits of improving linkages at a higher level such as connections between the Royal and Grand Canal greenways.

### **Chief Executive's Response:**

Comments in support of existing and proposed initiatives such as 'Our Balbriggan' and 'Sustainable Swords' are welcomed. It is intended that 'Sustainable Swords' will advance to draft stage and public consultation shortly. Fingal County Council continues to implement the 'Our

Balbriggan 2019–2023 Rejuvenation Plan', which will transform Balbriggan Main Street and Harbour and will provide significant investment in the public realm and town centre improvements. This will be achieved in continued collaboration with stakeholders.

All available funding streams will be utilised by the local authority in ensuring that measures outlined in adopted strategies are pursued and implemented. It should be noted that given the significant extent, complexity and expenditure incurred in delivering larger public realm improvement works, it may not be feasible to deliver all elements of a Plan or Strategy within a pre-determined timeframe

Work undertaken by the community with respect to *Lusk Vision 2030* is welcomed. It is noted that a Framework Plan will be undertaken with respect to Lusk over the life of the Plan and the Council will seek collaboration with the local community in producing same. In this regard, valuable work already prepared by the community with respect to the *Lusk 2030 Vision* may be incorporated in agreement with residents.

Fingal will continue to implement adopted Local Area Plans and Masterplans such as those in place for Donabate, and Kinsaley, many of which contain key public realm initiatives.

Furthermore, the Draft Plan provides an ambitious suite of new Local Area Plans, Masterplans and Framework Plans for numerous locations across the county. This will include LAPs for Coolquay, Balscadden and Ballymadun; Masterplans for Ballyboughal, Old School House Clonsilla, Oldtown, Balrothery East and Naul and Framework Plans including Sutton Cross, Castleknock, Howth, Coolmine and Portrane (including the Burrow). Such initiatives may include a focus on the numerous public realm improvement concerns highlighted in the submissions and propose measures to address same. The carrying out of Village Health Checks and Village Design Statements such as requested for Naul, Oldtown and Balrothery; measures to tackle dereliction and identification of specific policy focus e.g. in relation to retail and community uses, may also be considered as part of the above plans.

Submissions regarding pedestrianisation and enhanced filtered permeability are noted. In relation to Malahide, an integrated design team was recently appointed to develop a public realm design for a pedestrianised New Street. The first phase of public consultation began on July 9th with an interactive design workshop and the resulting feedback will be used to inform the design and the future statutory process in late 2022. -

Public space and enjoyment of the public realm has evolved in response to Covid-19 with a priority placed on safe, attractive outdoor places which can be enjoyed year-round by everyone. Fingal County Council will continue to investigate opportunities to enhance public realms, which may include opportunities to limit or remove car movements at suitable locations. As examined in Chapter 6, 'Car-Free' developments will be carefully considered and developed based on their receiving environmental and the surrounding transportation context.

Policy CMP14 Permeable Neighbourhoods seeks to, 'Implement the provisions of the Design Manual for Urban Roads and Streets 2019 (DMURS) in relation to the delivery of safe streets and overall best practice design and promote the principle of filtered permeability in new developments.... and seek opportunities to improve permeability in existing developed areas in accordance with NTA's Permeability Best Practice Guide.'

Submissions regarding improved connectivity and enhanced permeability are noted. The Active Travel Unit continues to identify locations where connectivity may be improved, particularly for active travel modes. For example, the Division will engage qualified consultant(s) to develop an Active Travel Plan for Balrothery to identify opportunities and infrastructure which will encourage use of active travel modes such as walking or cycling for short term journeys and to avail of (or make available) access to public transport for medium term journeys. The design and rollout of various active travel schemes of this nature is also occurring in the D15 area e.g. Hartstown, Huntstown, Ongar, Luttrellstown, Carpenterstown and Tyrellstown.

#### **Social Inclusion**

Submissions in general are very supportive of policies and objectives within the Draft Plan to promote the Social Inclusion in Fingal.

TUSLA note in a detailed submission that the Draft Plan has the capacity to lay the groundwork for inclusivity within Fingal in a way that creates opportunities for a better life, provides a pathway out of poverty and acts as an instrument of economic growth. The Covid-19 pandemic has shown how important it is for citizens to live in healthy communities with access to open space and suggests that the Draft Plan should now seek to address inequalities. Submission from IBEC indicates that the Plan must adopt an inclusive approach and adequately remediate past inequities that have been exacerbated by the crisis. Given the significant social, economic political and cultural costs of inequity, there is an opportunity to integrate and mainstream equity into the Draft Plan to ensure Fingal is an attractive place to live and work for all.

Support is expressed for references to 'all gender and none' in terms of making public spaces more inclusive. New toilets should be gender neutral and priority given to accessible spaces, elderly spaces, hidden disability spaces and shared car spaces over standard parking spaces in towns and villages.

Support expressed for SPQHO5 – Universal Design approach. NCBi seeks a minor adjustment to clarify the intent of this objective.

#### **Chief Executive's Response:**

Social inclusion continues to be a cross-cutting theme within the Draft Plan, including taking cognisance of the *Social Inclusion and Community Activation Programme* (SICAP), which aims to tackle poverty and social inclusion through local engagement and partnership between disadvantaged individuals, community organisations and public sector organisations.

Social inclusion is embedded in the Draft Plan with policies focused on improving access for all groups within society, impacting positively on the lives of citizens. There are key groups within society which must be considered when planning and designing our communities and providing social and community facilities. In this regard the Draft Plan adopts an inclusive approach across multiple areas and refers to groups with specific requirements in terms of housing design and other needs in the built environment. This includes for example children and younger people, the elderly, persons with disabilities, new ethnic communities and the Traveller community.

Support for key policy areas such as SPQHP1-Healthy Placemaking which references accessible community facilities/ placemaking for all genders, non-binary or none as well as SPQHO5 relating

to the universal design approach are welcomed. As a point of clarity, the text of SPQHO5 will be adjusted on foot of a submission from NCBi.

## **Older People**

Submission refers to an absence of due consideration for the needs of older people and those with disabilities either intellectual or physical. Direct consultation with representative groups is vital.

There should be a clear commitment in the Draft Plan to provision of services, housing and community infrastructure to cater for the needs of the elderly and the disabled. Universal design, wheelchair access and the way major transport infrastructural projects impact the elderly/disabled are important elements to be considered.

Multiple submissions were received in relation to housing for elderly members of the community which are summarised and addressed under the Housing for All section of this report.

Community Healthcare Organisation -Dublin North City and County (CHO DNCC – HSE) welcomes the endorsement of the Healthy Placemaking Policy and the focus on the creation of sustainable settlements, and investment in accessible local services and community facilities. The submission requests additional focus on community infrastructure and six-day service hubs to meet the needs of older people, people with disabilities and people with mental health concerns, recognising the needs of these cohorts as an integral part of healthy placemaking.

Provision of age-friendly facilities is raised in a number of submissions, for example- a submission in relation to Rush town seeks age-friendly including car parking facilities, appropriate paths and seating.

#### **Chief Executive's Response**

Fingal County Council has and will continue to engage widely with all key community stakeholders in relation to service provision. Community and stakeholder engagement is paramount in the provision of community facilities, open space and other facilities of benefit to Fingal's older residents. Non-statutory and statutory consultation will be employed by all relevant Council departments in proposing, planning and delivering community infrastructure and the Council recognises that public engagement and contribution is vital to successful outcomes.

The Draft Plan is committed to planning for the needs of older people. Fingal has published 'A New Age Friendly Strategy 2018-2023' and the content considers the new Healthy and Positive Ageing Initiative (HaPAI) data for the county. The Government's Policy Statement - 'Housing Options for Our Ageing Population' 2019 provides a framework to support and provide guidance. NPO 30 of the NPF stipulates that 'local planning, housing, transport/accessibility and leisure policies be developed with a focus on meeting the needs and opportunities of an ageing population, along with the inclusion of specific projections, supported by clear proposals in respect of ageing communities as part of the core strategy of City and County Development Plans'.

In relation to Age Friendly Facilities, the Community Department will look at the feasibility of conducting walkability studies, including in Rush which would form the basis of provision for Age Friendly Facilities in the area.

#### **Persons with Disabilities**

Several submissions call for the appointment of an access / disability officer within Fingal.

A pilot initiative in public car parks to facilitate access to prioritised car parking spaces by those with hidden disabilities is suggested. The needs of persons with disabilities should be a priority for the Council and clear commitments are required to ensure that sufficient housing and parking provision is made available. Accessible playgrounds, dished pavements, universal access in public realm, mobility obstacles must also be provided.

General support is expressed for SPQHO21- requiring that 30% of social housing should be fully accessible and built with a universal design approach. Specific comments relate to difficult public realm conditions giving rise to obstacles for general mobility. An example is given of street bollards in Blanchardstown village impacting parents of young children and those with mobility issues.

NCBi welcomes the Draft Plan's commitment to support and acknowledge NCBi Service Users as experts within the community with *lived experience* as set out in Policy SPQHP14. The submission welcomes opportunities to engage with the Council to ensure SPQHP15 *Accessibility for All* is upheld, and requests that Fingal County Council engage with NCBI and its service users in relation to the provision of facilities which will cater for the needs of people who are blind and vision impaired. This detailed submission refers to numerous policies and objectives of the Plan suggesting amendments thereto.

### **Chief Executive's Response**

Several submissions call for the appointment of an Access / Disability officer within the Council. This matter will be examined by the Human Resources Department. Personnel are currently in place to direct matters of concern raised by the public in relation to access concerns. Such issues when brought to the attention of the Access officer are directed for response to the appropriate Council divisions for assessment and resolution.

Fingal County Council is committed to ensuring universal access and has provided various parking initiatives such as age-friendly parking at specific locations in recent times. The Draft Plan is explicit in its support and promotion of accessible car parking within Chapter 14 Development Management Standards and specifically at Section 14.17.8, where the provision of designated Age Friendly car parking and Parent and Child car parking is encouraged. These parking spaces should be provided as close as reasonably possible to building entrance points and should be allocated, sign-posted and appropriately managed.

Support for 30% of social housing to be fully accessible and built with a universal design approach under SPQHO21 is welcomed. Under the Draft Plan an ambitious suite of Local Area Plans, Masterplans and Framework Plans will be undertaken for numerous areas across the county including a Framework Plan for Blanchardstown Village. Such initiatives may include a focus on public realm improvements and seek to address localised accessibility concerns.

The submission from NCBi is welcomed. Fingal County Council will under Policy SPQHP15-Accessibility for all; 'Promote the development of built environments and public realms which are accessible to all, ensuring new developments accord with the seven principles of Universal Design as

advocated by the National Disability Authority, Building for Everyone: A Universal Design Approach'. The Local Authority will engage with all relevant stakeholders in this regard.

It is considered on review that existing policies and objectives referenced are sufficiently robust and do not require amendment.

## **Traveller Community and Minority groups**

Submission seeks to ensure that the Plan outlines a working strategy providing services such as education, housing, healthcare, poverty alleviation and social inclusion for the Traveller community in a manner which is consistent with Sustainable Development goals, and which reduces tension and conflict with their respective communities.

NCBI submission seeks to ensure equitable access to information for people from minority groups including the provision of information in accessible formats such as tactile information, braille, signage, wayfinding and the application of emerging assistive technologies for wayfinding and translation. SPQHP20- *Accessibility* should be expanded to include the new European Standards CEN EN 17210 which prescribes functional requirements for accessibility and usability of the built environment.

A submission requests that the Draft Plan outline a working strategy that supports members of the migrant community in Fingal to achieve their full potential in all facets of life through education, housing, healthcare, poverty alleviation and social inclusion.

### **Chief Executive's Response:**

The Council will continue to implement the *Traveller Accommodation Programme 2019–2024*, which highlights the need to maximise usage of existing resources including occupancy of existing accommodation, management and maintenance of existing sites and establishing structures to encourage greater resident participation in building active and inclusive communities. Community Development Officers work with the Traveller Community in Fingal and with its social partners to continue to promote and support Travellers in these key areas.

The Council has and will continue to engage widely with all key community stakeholders in ensuring equitable access to information in accessible formats and in the application of emerging assistive technologies for wayfinding and translation. In this regard, Fingal County Council has carried out a Wayfinding Small Business Innovation Research pilot project in partnership with Enterprise Ireland and Dublin City Council, the aim of which was to improve footpath accessibility for people with limited mobility through an accessibility app, *Route4U*. The *Route4U* app, though crowd-sourced data collection, helps to reduce one of the barriers to accessibility, unpredictability - not knowing whether a route will be usable. By providing good quality information about footpath obstacles, the app enables the public to report impediments, and allows people with limited mobility to better plan their journeys, giving them much greater freedom.

*Route4U* was initially piloted in Swords Main Street, Castle and County Hall by Fingal County Council. Surveys of the area compiled data on footpath obstacles, surface quality, and kerb heights in crossings, and as well as widths and inclines of footpaths.

The Council is reviewing this pilot initiative to determine how best to implement wayfinding technologies in the towns and villages of Fingal.

The Council is committed to overseeing the implementation of the *Migrant Integration and Social Cohesion Strategy 2019 – 2024* and will continue to work with its partners in this regard in supporting migrant communities in these key areas.

## **Children and Young People**

Multiple submissions request additional recreational, sporting and community facilities to serve local communities including the needs of children.

Submission from the HSE notes the potential to improve the community experiences of children and young people. The built environment in which we live, work and play as children has a large impact on our health as adults. CHO DNCC recognise the commitment of Fingal County Council to enhancing physical and green infrastructure and promoting safe active travel, which has the potential to benefit both young people and adults.

A submission received from residents of Oldtown raised issues in relation to its future development. This includes requesting that the village develop to sustain and improve life for residents and retain the youth by ensuring opportunities to reside there.

TUSLA makes a detailed submission in relation to measures to ensure children and young people are included in all facets of placemaking, design, active travel, referring to healthy eating and obesity as well as commitment to provision of investment in early years' service, family intervention programmes, young person affordable facilities.

The Youth Justice Strategy 2021-2027 is referred to in a submission which states that its objectives are premised on the need to maximise opportunities to promote positive behavioural change and include a range of issues relevant to children and young people at risk of encountering the criminal justice system. The submission seeks to 'ensure that the 2023-2029 Fingal Development Plan domesticates the Youth Justice Strategy'

### **Chief Executive's Response**

The Section of the Chief Executive's report in relation to Chapter 4 provides detailed responses to submissions received requesting additional recreational, sporting and community facilities across the county.

Fingal County Council is committed to providing excellent play facilities for all the children in Fingal and for visitors to the county. The Council has approved Fingal's first Play Policy, Space for Play – A Play Policy for Fingal, which aims to provide a framework for the provision of safe, accessible, inclusive, natural and engaging play spaces for all children and adolescents up to the age of seventeen. The paramount consideration of this policy is that all play spaces should be inclusive and accessible, enabling children of all abilities to play side by side

All requests for additional children's play areas including play facilities in new developments and retrospective play provision in established communities will be assessed under 'Space for Play – A Play Policy for Fingal'. This provides for a standard level of play provision and accessibility throughout Fingal and requests will be audited having regard to this adopted standard.

Under the Draft Plan numerous Local Area Plans, Masterplans and Framework Plans will be undertaken for multiple locations, including the preparation of a Masterplan for Oldtown. Through community engagement as part of the preparation of this document, opportunities to

address concerns raised in relation to the future provision of housing, local services, youth facilities etc. can be examined.

Reference to the Youth Justice Strategy is outside the remit of the Development Plan.

## **Housing for All**

Numerous submissions, including from IBEC, comment that the right housing mix must be provided within Fingal, supporting the delivery of appropriate and affordable stock, including affordable purchase, social housing and cost-rental, across a broad range of living solutions that meet the needs of everyone (e.g., students, young professionals, families, older people etc.). Timely delivery of housing is crucial to meet real-time future demand.

Fingal Chamber notes that while the provision of large-scale housing in the Draft Plan is welcomed, there is huge frustration and concern in the business community that the provision of housing is not happening quickly enough, and this is impeding Fingal's competitiveness. Housing much be provided as a priority and a mix of housing units, sizes and variety is important. Multi-national businesses are finding it hard to attract staff to the region due to the lack of accommodation.

The LDA in a detailed submission comments that priority should be given to publicly owned lands for the delivery of social and affordable housing and comments that the extent of public land banks within Fingal's administrative area where relevant and aligned with the Core Strategy, should be prioritised for housing delivery.

Separately, multiple submissions call for the construction of social housing on public owned land, including affordable and sheltered housing. Submissions state that the market cannot be relied upon to deliver affordable housing, or to a scale to meet existing and future demand. The Council should develop public land banks as this is the only certain way of delivering affordable housing for people on average incomes.

The renovation of protected structures on St. Ita's HSE campus Portrane was raised in a submission with a view to facilitating housing options for nurses. Such accommodation was historically provided on the campus and new provision would assist staff engaged by St. Ita's, North Co. Dublin community services and Beaumont hospital. The issue of housing for nurses and care staff was also raised in the Loughshinny area.

#### **Chief Executive's Response**

The submissions from IBEC and Fingal Chamber are welcomed. The Draft Plan contains a variety of policies and objectives to support the delivery within Fingal of a varied housing mix, supporting a range of typologies and tenure options including social and affordable and cost rental to meet the needs of citizens. Fingal is proactive in implementing the Government programme *Housing for All- A New Housing Plan for Ireland* in order to achieve a steady supply of housing in the right locations having regard to economic, social and environmental sustainability. Fingal's priority is and has been for a significant period over successive Development Plans, to form effective and innovative approaches to mobilise development and deliver housing.

The support of the LDA is recognised. Section 3.5.14.3 of the Draft Plan relates to the Land Development Agency and in particular, Objective SPQHO48 states *'Continue to work in partnership* 

with the Land Development Agency to make more effective use of publicly owned land helping to ensure a stable sustainable supply of housing'.

On foot of calls from the LDA and other submissions to prioritise publicly zoned lands for the delivery of housing, a further review of Fingal owned lands has been carried out resulting the identification of 2 no. infill sites in Blanchardstown and Swords, capable of facilitating approximately additional housing units

Proposals with respect to the reuse of protected structures within St Ita's Portrane to accommodate nursing staff are noted. The Draft Plan refers to *Objective CSO69 Feasibility Study for St. Ita's Hospital Lands,* including the re-use of Protected Structures for appropriate uses. The appropriateness of change of use applications is addressed through the Development Management consent process.

### **Housing for Older People and Age Friendly Fingal**

Numerous submissions to the Draft Plan reference the need for supported homes for the elderly, assisted living initiatives and other services such as care facilities across Fingal including in areas such as Kinsaley, Howth, Donabate, Malahide, Lucan and Garristown. Many of these submissions are in the context of larger rezoning proposals for specific sites.

Submissions refer to a deficit in the provision of care facilities, age-friendly housing and nursing homes to cater for elderly people, a population cohort in Fingal which is growing.

There is a call that people should be allowed to grow old in their own community 'age in place' with submissions also referring to the resultant freeing up of larger homes for other members of the community to trade up.

A number of Elected Members refer to the use of a special zoning objective to provide certainty of delivery and reference that the Council should prioritise Senior Living schemes on suitable sites in Fingal, including both public and private housing, categorised outside of the Core Strategy. Integrated Retirement Communities (IRC's) should be a designated use class in the development Plan.

Submissions refer to an insufficient quantum of lands zoned Community Infrastructure (CI) to cater for elderly housing while other submissions note that CI only permits homes provided by the Council or an Approved Housing Body (AHB). This is considered restrictive and an inefficient use of land when a mix of public/private could be provided. The *Sue Ryder* organisation in Dalkey is given as an example of a successful approach. Submissions seek a change in land use zoning to facilitate bespoke elderly retirement accommodation on both a public and private basis.

Flexibility for the delivery of housing for older people on lands zoned HA and OS is also sought. A separate Housing and Zoning Sub Class is also requested with consideration given to utilising institutional, community and religious lands for consideration of housing for older people.

Submissions refer to the possibility of providing elderly housing, including infill development on a number of sites across the county to cater for sheltered/community housing/assisted living for the elderly- examples given include St. Catherine's Estate and Prosper Fingal centre outside Skerries. Other submissions reference the setting aside of a percentage of a site for elderly sheltered accommodation in addition to Part V requirements.

Submission refers to the need to plan to meet accommodation needs which is reiterated in the policy statement issued jointly by Department of Housing, Planning and Local Government and Department of Health in 2019 'Housing Options for our Aging Population'. Submissions state that while the Draft Plan refers to SPQHP33- Care Facilities, but does not contain specific proposals for provision of care facilities on zoned lands.

### **Chief Executive's Response**

There is a growing awareness of the significance posed by growth in older population cohorts, including the 65 years+ cohort within the county. Age Friendly Housing is supported under Section 3.5.7 Housing for All in Chapter 3 and under Section 14.11.2 of Chapter 14, including reference to *Right-Sizing* initiatives. As well as *Right-Sizing* initiatives, it is considered appropriate to update Section 14.11.2 to reference the *Ten Universal Design Features to include in a Lifetime Adaptable and Age Friendly Home – June 2021*, published by Age Friendly Ireland and also include a new objective after Section 14.11.2 to require that all new developments involving 100 or more residential units shall allocate 10% of the units as age friendly accommodation.

Fingal County Council is continually investigating opportunities to bring forward elderly housing opportunities. Examples include the securing of consent to deliver elderly housing in Lusk while a further site within Garristown is at the feasibility stage. In addition, lands at Ballymastone in Donabate present opportunities to further increase the level of elderly specific/universal designed housing in the area, subject to planning consent. A map based local objective to facilitate the provision of a purpose-built age friendly accommodation facility at Seamount, Malahide will also be recommended.

Multiple land use zonings contained within the Draft Development Plan support a variety of development formats, including residential development purposefully designed to cater for the needs of the elderly such as Sheltered Accommodation, Retirement Villages, Residential Care Homes, Retirement Homes. The provision of a separate use class such as 'Senior Living Schemes' to fulfil this function is considered unnecessary and does not represent a distinct 'use' class within a land use zone and would be inconsistent with the provisions of the Planning and Development Act 2000 (as amended).

Matters in relation to land use zoning are addressed in the section of this report concerning Chapter 13. This includes an examination of the use classes permitted under Community Infrastructure zoning.

It is not considered appropriate to amend the HA land use zoning to accommodate residential development (other than that compliant with Fingal's Rural Housing strategy) given the sensitive nature of the lands concerned. Residential Development is not permitted under the OS zoning.

Policy SPQHP33 – Care Facilities states 'Promote the provision of high-quality residential care homes, retirement homes, nursing homes and retirement villages within Fingal'. It is not the purpose of the Development Plan to identify specific sites for private or public care facilities on zoned lands but rather make provisions for the consideration of applications for same under identified land use zonings. Furthermore, this granular detail is best addressed under a Local Area or Masterplan process.

## **Housing for Persons with Disabilities**

A submission from HSE seeks clarity as to whether Section 3.5.7.2 – *Housing for Persons with Disabilities,* includes those with mental health concerns and whether mental health status will be captured routinely as part of housing assessment as a recognised disability. All categories of disability including mental health concerns need to be examined in terms of awareness of those who need housing supports and the type of supports required. CHO DNCC would welcome the opportunity to work with Fingal County Council to develop a range of accommodations for mental health services users and expand the Tenancy support programme.

Submissions refer to the need to ensure every social housing pipeline project demonstrates at Capital Appraisal Stage the inclusion of a minimum of 7% fully wheelchair accessible housing with higher percentages applied in areas of higher need.

Submissions also request that the Council promote the uptake of adaptation and mobility aid grants to a greater extent.

Support expressed for the inclusion of SPQHO21 Accessible Housing -'Fingal County Council recognises the importance of social inclusion and aims to make 30% of social housing should be fully accessible and built with a universal design approach which will mean that the property will be flexible and changed as needed over the course of the occupant's lifetime'.

National Council of the Blind in a detailed submission requests that Fingal County Council under Section 3.5.7.2 engage with the organisation in a timely and ongoing basis as proposals for housing for persons with disabilities are being developed, particularly where being developed for persons who are blind or vision impaired.

#### **Chief Executive's Response**

The Council's Housing Department is linked in with relevant partners to ensure the accommodation requirements of applicants with specific medical needs are met in a targeted manner and that relevant supports are in place to sustain tenancies, as required. The Council's *Strategy for Housing People with a Disability 2021-2026* contains significant information on objectives and targets in this area.

The Local Authority has an ongoing partnership with theme focused AHBs which can include CHO DNCC.

Fingal County Council's construction programme has a global target of 10% of new properties conforming to Universal Design Standards and note the requirement under Objective SPQHO21 – Accessible Housing to provide 30%. 'Fingal County Council recognises the importance of social inclusion and aims to make 30% of social housing should be fully accessible and built with a universal design approach which will mean that the property will be flexible and changed as needed over the course of the occupant's lifetime'.

Fingal County Council regularly distributes and updates HAG/MAG/HOP schemes with relevant professionals and GPs whose opinions are required to qualify for such works. In addition, the Council engages and has ongoing partnerships with theme focused AHBs and other relevant stakeholders in ensuring a high standard of residential development throughout the county.

## **Housing for Traveller Community**

Several submissions have been received regarding Traveller Accommodation within Fingal.

This includes a submission requesting that the Porterstown Road Traveller site at Kellystown is relocated.

Multiple submissions have been received in which opposition is expressed for proposals to include a map based local objective for a Traveller halting site at Dubber Cross. Submissions indicate the proposal would seriously injure the amenities of properties in the vicinity and would be an incongruous form of development, contravening the rural settlement strategy.

### **Chief Executive's Response**

In accordance with the provisions of the Traveller Accommodation Programme 2019-2024, the 5 Bay Halting site at St. Brigid's Lawns will be refurbished and upgraded. It is anticipated this project will commence late Q3 2022 and follows on from significant dialogue with residents. The Council will keep under review the longer-term requirements of the community at this location, having regard to the outcome of land activation measures permitted for the wider area.

Traveller Community Accommodation is 'Open for Consideration' on lands zoned Rural Cluster. It is noted that there is an existing Traveller specific Scheme at Meakstown, Finglas comprising 8 no. houses and 2 no. halting site bays. It is not envisaged that the addition of a Group Housing Scheme at Dubber comprising 5no. dwellings will impact on other infrastructure in the area. This matter is addressed in greater detail in the report under the section referring to the Draft Development Plan Sheets.

## **Other Housing Provision**

### Homelessness and Emergency Accommodation

A detailed submission from TUSLA identifies the need for support/services specifically for marginalised young people, those who are homeless or living in family hubs/hostels or at risk of homelessness.

Submissions were received in support of emergency accommodation for victims of domestic abuse.

### **Chief Executive's Response**

All submissions are noted. Policies and Objectives within the Plan including Policy SPQHP25-Emergency Accommodation, Objective SPQHO2 and Objective SPQHO23 are deemed appropriate to address the matters raised. Fingal will continue to engage with and support State agencies and other relevant bodies in the provision of emergency accommodation for families and homeless people of all genders and support TUSLA Child and Family Agency, the Health Service Executive and other agencies in their provision of specific emergency or other forms of suitable accommodation.

### **Student Accommodation**

Student Accommodation is referenced in a submission received from TU Dublin which welcomes policy on Page 111 of the Draft Plan *Objective SPQHO25 – Student Accommodation*. The submission suggests amendments to text on page 111.

Other submissions do not support student accommodation in the D15 area unless constructed upon the lands where the educational facility is based. Further submissions request amendments to the text of the objective- maintain solely for use as student accommodation.

A detailed submission has also been received in relation to student accommodation at Hazelwood Student Accommodation Santry in the context of a proposal to rezone lands at this location. The submission notes inter alia, the significant shortfall between supply and demand in this sector of the housing market which in turn has a ripple effect on rental markets in Dublin and surrounding commuter towns.

### **Chief Executive's Response**

Section 3.5.8.4 Student Accommodation states as follows:

'The County benefits from the presence of Technological University Dublin Blanchardstown located in an expanding campus in Blanchardstown together with Connolly Hospital, a major teaching hospital in the Fingal area. The Dublin and Dun Laoghaire Education and Training Board and other institutions also provide opportunities for further education within the County. Other major third level colleges located in adjoining local authority areas are within easy reach of Fingal. The Council will support the provision of high-quality, affordable, professionally managed student accommodation, either within the campus of the third level institution, or on sites in proximity to such institutions which benefit from access to good public transport and walking and cycling networks'.

It is considered that adjustments to the text proposed by the submission from TU Dublin are acceptable and strengthen the intent of the subsequent policy and objective.

It is considered that the text of the Objective SPQHO25 Student Accommodation is sufficiently robust, and the amendment proposed is unnecessary.

Comments regarding the shortfall in student accommodation are noted. Supportive provision is made within the Draft Plan for developers considering the provision of student accommodation and Section 14.11.1 of Chapter 14 outlines requirements under DMSO38 with regard to this form of accommodation and the standards of development required.

### Social and Affordable Housing and Cost rental

Several submissions which are primarily related to rezoning proposals refer in a broader context to the inclusion as part of rezoning proposals, of social and affordable or other forms of housing on the subject lands. This is raised in submissions at numerous locations including in Howth and Swords. Other submissions refer to a lack of affordable housing at locations across the county and suggest that the focus on growth through speculative development strategies and purely for rental is detrimental to sustainable development.

The LDA welcomes the intention of the Plan to provide for a variety of housing typologies and tenures which are adaptable and flexible as reflected in SPQHP11- *Ensuring Housing Supply*, SPQHO9- *New Residential Development*.

The LDA looks forward to engaging with Fingal County Council to facilitate delivery of affordable purchase and cost rental housing across the county as set out in Section 3.5.9.1 *Social and Affordable Housing Section* and Section 3.5.9.2 *Cost Rental.* The LDA endorses numerous policies and objectives including SPQHP29 – *Social, Affordable and Cost Rental Housing* and SPQHP30 *House Type and Tenure.* 

Submission from TUSLA proposes a need for the inclusion of affordable housing infrastructure in the Development Plan in order to meet the needs of those for whom Fingal has been home for generations.

Submissions have been received in which support for Cost Rental Housing is expressed.

Submissions call for an affordable home ownership scheme to be adopted and included in the Development Plan.

### **Chief Executive's Response**

Matters raised in submissions relating to the re-zoning of land will be addressed in the section of this report relating to the Draft Development Plan Sheets.

The submission from the LDA is noted and welcomed and support for the role of the LDA and Fingal's continued engagement with the Agency to assist in the regeneration and development of public lands to increase housing supply is ongoing. Please refer to section of this report below relating to Derelict Sites, Regeneration and Land Development Agency as well as to Chapter 2-Planning for Growth, Core Strategy, Settlement Strategy.

The submission from TUSLA is noted and welcomed. It is considered that policies relating to the provision of Affordable Housing within the Draft Plan are satisfactorily robust and do not require amendment.

Support for Cost Rental Housing is noted. Cost Rental is a significant change in the Irish rental system. Homes will be provided at rents that are set to cover only the cost of financing, building, managing, and maintaining the homes, calculated over a minimum period of 40 years. Tenants will have significantly increased security of tenure, potentially making cost rental a long-term rental option. Fingal County Council will work in partnership with AHBs, the Land Development Agency and others to facilitate the delivery of cost rental homes in the county. This includes the first Cost Rental scheme in the country at Balbriggan.

In order to meet the significant challenges of delivery set out in the *Housing for All Plan*, an ambitious construction programme has been put in place which should see the construction of 1,164 social homes on Council-owned lands over the period 2022 – 2026. (*Housing Delivery Action Plan 2022-2026*).

### **Build to Rent**

Submissions indicate that the Draft Plan should be explicit in not supporting BTR as a means of achieving its goals on mixed tenure.

Submissions also raise concerns that institutional fund investors in the Irish housing market result in less home ownership levels and higher rents, fewer houses and more apartments. Submission proposes the insertion of new objectives including that land is zoned subject to a requirement that homes are owner-occupied for an initial period and the inclusion of a 'use it or lose clause' where land undeveloped after a specified period loses its zoning.

Submissions indicate that BTR is not supported, including in the Dublin 15 area. A further submission requests amendments to SPQHP31 to contain a mix of accommodation while others request percentage limitations on BTR. Submissions indicate that while SPQHP32 is welcomed, it

does not go far enough in limiting BRT and raises concerns that the Draft Plan does not prevent institutional buyers and vulture funds from buying apartments.

Submissions raise concerns in relation to the design criteria for BTR apartments.

Submission from the OPR states that having regard to NPO 4 of the National Planning Framework to ensure that urban places are home to diverse and integrated communities, and to the lack of evidential basis with respect to any over-concentration of BTR schemes within the plan area in the Housing Strategy or the Draft Plan, the planning authority is required to omit Policy SPQHP32 unless an evidence-based rationale for the inclusion of the policy consistent with national policy can be demonstrated. This is addressed under an earlier section of the Chief Executive's report.

## **Chief Executive's Response**

Submissions with respect to BRT are noted.

Circular PL 11/2016 states regarding BTR that taking account of the specific role that BTR projects can play in addressing critical shortages of rental accommodation in areas of higher demand, the Minister specifically requests that planning authorities and An Bord Pleanála prioritise all necessary actions to deliver build-to-rent housing. This is a Specific Planning Policy Requirement under Section 28 of the Planning Act (as amended). Specific guidance regarding BTR developments is contained in the Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities.

Measures to prescribe the use of land for particular occupants/owner occupation or to apply a countdown clause to entice use would not accord with proper planning and sustainable development and would be contrary to the provisions of the Planning Act. The Vacant Site Levy or Residential Zoned Land tax (at a future date) may be utilised to prevent land banking and policies in relation to same are included under Section 3.5.14.1. and 3.5.14.2 of the Draft Plan.

Submissions which raise concerns in relation to the design criteria for BTR apartments are referenced elsewhere in this report.

The OPR in its submission indicates that while it acknowledges that there are currently concerns around the dominant nature of the BTR housing typology, it must also be recognised that development plan policies will apply over a six-year period, and as such, a longer-term view must be considered. The submission from the OPR is addressed earlier in this report.

## **Residential Development**

A significant number of submissions were received in relation to housing provision within Fingal, encapsulated in a large and varied number of topics and issues which are summarised below.

Submissions indicate that the Draft Plan fails to consider the impact of the Covid-19 pandemic on the size, layout and density of future housing. As working from home becomes the norm, much of the current housing stock is not appropriate and does not afford scope to include works space, including attic conversions. Requests that a review is undertaken to facilitate flexibility in floor plans and format.

Across a broad spectrum of submissions an emerging theme is one of greater housing choice. Submissions from around the county call for greater options and choice in the housing market.

This includes numerous submissions from the Lusk area highlighting a scarcity of 4 no. bedroom units with little scope to trade upwards to larger units. Similar issues were raised in Blanchardstown. Submissions call for the provision of starter homes across Fingal while other submissions point to the under provision of single-storey housing in the county, including in Lusk

Reference is made to higher density affordable housing with different housing models for young people, the elderly and persons with disabilities.

There is a requirement arising from the submissions for more starter homes, housing for the elderly and family homes. Reference is made to the housing crisis, and it is argued that to sustain communities we must move towards a 'planning for life' concept and design new communities with a mix of residential types which recognise the variation in household formation- singles couples, extended families and allow for adaptation and transition from young to old with supported living. This allows for individuals to remain in the community.

Numerous submissions refer to concerns in relation to an over-dominance of apartment type development over traditional housing forms and counsel against the creation of mono-forms of development, particularly one and two bed units which are noted in some submissions are being inconducive to community formation where residents are perceived as transitory in nature. Many submissions also raise concerns in relation to equity in the encouragement of apartment development and higher densities across the county and seeks to avoid a scenario where some areas are synonymous with high rise units. Many areas of the county are considered sufficiently built-out while other areas are viewed as less so.

Numerous submissions raise concerns in relation to the juxtaposition of established areas and new development which is often viewed as unsympathetic and detracting from the character of the host area. Submissions call for the imposition of height restrictions on new development and the avoidance of high-rise blocks at specified locations. Submissions in this regard refer to numerous locations such as Clonsilla and Porterstown/Royal canal.

Submissions state that the use of terms 'increased density' and 'increased height' are not appropriate as this may be interpreted as high-rise towers.

Numerous submissions refer to the need to ensure the provision of community and social infrastructure in tandem with new housing and that residential development is in many cases not accompanied by appropriate levels of services or that such services are already fully subscribed. Reference is made to a requirement for delivery plans to ensure that proper community infrastructure and facilities are provided within new residential areas in the county.

Objective SPQHO30 'Encourage the creation of attractive, mixed use and sustainable residential communities which contain a wide variety of housing and apartment types, sizes, tenures and typologies in accordance with the Fingal Housing Strategy, the HNDA with supporting community facilities, amenities and services' is generally supported.

A submission suggests that not all housing estates need to be mixed and some should comprise a mono-form of development only.

Calls to take housing into the control of the Local Authority were received, including examples in areas such as Ballyboughal.

## **Chief Executive's Response**

Comments with respect to the aftermath of the Covid-19 pandemic are noted are likely to bring forward additional flexibility in the construction industry in terms of housing design and floor plans as residential developments respond to market conditions. The Draft Plan contains robust policies and objectives to ensure the provision of high-quality residential development which aligns with national planning guidance and the Planning Authority will continue to comply with all revised guidance issued under Section 28 of the Act in this regard.

Numerous policies and objectives are contained within the Draft Plan with reference to the achievement of high-quality residential development in Fingal, ensuring quality of design which encompasses a variety and mix of housing types, tenures and typologies and requiring compliance with national design standards. This includes SPQHP34 – *Quality of residential Development* which reads as follows:

Policy SPQHP34 – 'Promote a high quality of design and layout in new residential developments at appropriate densities across Fingal, ensuring high-quality living environments for all residents in terms of the standard of individual dwelling units and the overall layout and appearance of developments. Residential developments must accord with the standards set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the accompanying Urban Design Manual – A Best Practice Guide and the Design Standards for New Apartments (DHLGH as updated 2020) and the policies and objectives contained within the Urban Development and Building Heights Guidelines (December 2018). Developments should be consistent with standards outlined in Chapter 14 Development Management Standards'.

Such policies and objectives are considered sufficiently robust to ensure a variety of unit sizes, design and typology in new development.

The Draft Plan contains numerous policies and objectives supporting compact growth and consolidation as advocated by the NPF which sets out a clear focus in this regard, and specifically, brownfield infill development which translates into encouraging more people, jobs and activity generally within existing built-up areas rather than into new greenfield areas (National Policy Objective (NPO) 3b). Compliance with national and regional policy direction including NPF, RSES and MASP may result in increased apartment and multi-unit developments, all schemes must nonetheless meet all quantitative and qualitative standards as set out in national guidance and the Draft Plan.

The Draft Plan proposes a suite of LAPs, Masterplans and Framework Plans which will offer bespoke solutions to guiding development within identified settlements across Fingal. This includes 19 no. Framework Plans for numerous locations in Fingal including Castleknock, Clonsilla and Blanchardstown Village which will provide guidance on integrating future development. It is not appropriate for the Draft Plan to impose building height restrictions having regard to the requirements of the Urban Development and Building Heights Guidelines (December 2018) and SPPR1.

Chapter 4 relates to Community infrastructure and Open Space delivery and sets out policies and objectives to ensure such facilities are delivered in tandem with new residential development. DMSO80 relates to the provision of Community and Social Infrastructure Audits

and requires that planning applications for large scale schemes and mixed-use developments include audits assessing and identifying shortcomings in provision in the immediate area.

Taking in Charge protocols are set out in Fingal's 'Taking in Charge Policy and Specifications'

### **Design Standards**

Numerous submissions refer to the need to ensure that the Draft Plan promotes a high standard of architectural design in developments; ensure a 'people first approach' and provide development to human scale creating interest at walking speed. Suggestions tabled include appropriate heights to perimeter developments, high quality materials, clustering, sense of ownership, community, creation of pedestrianised plazas and medium density continental themed design. Submissions also table examples of good design in Fingal and raise concerns in relation to computer-generated schemes intended to maximise speculative density and profit in high rise format.

A submission requests that consideration is given to including a chapter in the Draft Plan on how the Local Authority plans to improve the speed of delivery of planning applications; improve the format of development consultation/presentation of particulars, consultation and construction, benchmarking; and encourage off-site manufacture.

Submissions raise the need for performance-based design standards.

Sympathetic use of materials in areas of historical significance was raised requesting due consideration is given to the Placemaking aspirations of *Project Ireland 2040*.

The issue of safety through design is raised in submissions, with the aim of designing out antisocial behaviour and ensuring appropriate levels of passive surveillance. Reference is made to Urban Design Manual, industry best practice and Departmental guidelines.

Submissions welcome commentary in the Draft Plan relating to energy efficiency in buildings and refer to the need for higher insulation standards for residential development adjacent to noise sources such as railways and major roads. Provision of water butts for water storage in all new residential developments is called for with a minimum capacity referenced.

Submissions refer to concerns in relation to open space standards being complied with.

Several submissions relate to perceived non-compliance with planning conditions, open space deficits and concerns in relation to proximity to masts.

Submissions were received which support gated communities, fencing etc. However, a significant number of submissions refer to the need to promote permeability through estates, reducing car journeys and allowing short journeys to be undertaken on foot or bike. Concerns expressed that several estates in the D15 are not sufficiently permeable.

A submission from the OPR refers to NPO13 of the NPF which it states, signals a move away from rigidly applied, blanket planning standards in relation to building height, garden size and car parking in favour of performance-based standards where appropriate. According to the submission, the Draft Plan contains a number of prescriptive standards relating to private open space and separation distances between first floor windows which could militate against the principle of promoting appropriate density and compact growth in the higher order tier

settlements and would be more appropriately dealt with through performance- based standards.

### Private, Semi-Private and Public Open Space

Submissions received express support for SPQHO34 and SPQHP35- Private and Semi-Private Open Space.

Submission calls for the provision of minimum open space standards for dwelling houses (3 beds or less to have a min 72sq.) (4 bed or more to have min 90sq.m.) and submissions refer to increased levels of overlooking in newer developments and call for traditional garden layouts to all housing front and back moving forward.

A submission refers to Objective SPQHO33 and considers it is not fully consistent with the open space standards reflected in Chapter 4 and Chapter 14. A more streamlined and clearer approach to open space for greenfield, brownfield and town centre sites is required in the new Plan.

### **Apartment Design**

Submissions refer to concerns in relation to the introduction of SPPRs and suggest this has been damaging and has led to an unprecedented level of smaller units being permitted in areas where no demand for exists. A limit on one bedroom/studio units is urgently required while acknowledging that SPPRs are derived from national legislation and are nationally applicable but comments that this is a centralisation of planning powers.

Submissions reference the perceived failure of BTR policies and criticise that two different sets of building standards should exist for apartments. Comments suggest there is no legitimate reason why a person renting should be living in a lower standard apartment than an owner.

A number of submissions raise concerns in relation to overly prescriptive requirements for apartment storage and call for Section 14.7.3 to be amended.

The Draft Development Plan includes standards and guidance regarding storage for apartment developments. Section 14.7.3 states internal storage 'shall be provided in accordance with the Apartment Guidelines as set out in Appendix 1' and goes on to partially include the additional guidance within the Apartment Guidelines. This partial inclusion of guidance from the Apartment Guidelines means there is inconsistency between national and local policy and the strict implementation of local guidance would require storage provision in excess of that required in the Apartment Guidelines. Amendments are requested.

Submission from the OPR requests that the Planning Authority omit the minimum separation distances between opposing windows, minimum private open space provision and instead focus on assessing individual development proposals on performance-based criteria dependent on location and individual site characteristics in accordance with the provisions of NPO 13. This is addressed in Section 2 of the Chief Executive's report.

### **Chief Executive's Response**

The Draft Plan is replete with numerous policies and objectives requiring high standards of development in new and extensions to existing residential schemes. This includes detailed design guidance and qualitative and quantitative standards in Chapter 14 including Section 14.5

Consolidation of the Built Form, Design parameters, 14.6 - Design Criteria for Residential Development in Fingal, Section 14.7 Apartment Development Standards and 14.8 House Development Standards. Policy SPQHP34 – Quality of Residential Development also requires compliance with national design guidance including Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the accompanying Urban Design Manual. The Draft Plan also affords protection to buildings of historical significance or areas of historical merit ensuring use of appropriate material finishes.

Issues in relation to development management consent process- assessment periods, plan and drawing specifications, consultation, decision times are prescribed in planning legislation.

Matters with respect to off-site construction etc. are not within the remit of the Development Plan.

The issue of passive surveillance is addressed across multiple chapters of the Draft Plan including Chapter 3, Chapter 4, Chapter 14.

Policy IUP40 requires that Fingal County Council continue to work alongside relevant stakeholders including the NTA, TII and the EPA to promote and improve safer noise protection infrastructure in line with population growth and traffic increases along national roads.

Section 3.5.11.2 promotes energy efficiency in buildings as does Policy CAP9 and IUO46. Building Regulations are a separate national code with which building works must comply.

Development which is considered non-compliant with conditions pertaining to a planning permission should be brought to the attention of the Inspectorate Division.

Section 14.9.5 Objective DMSO30 relates to Gated Communities prohibiting the formation of gated residential developments thereby aiding permeability and connectivity through and between areas. The Active Travel Department is also examining key locations across the county with a few to improve permeability in general at a local level.

Submission from the OPR advocating a move away from rigidly applied, blanket planning standards in relation to building height, minimum separation distances between opposing windows, minimum private open space provision and car parking in favour of performance-based standards where appropriate is noted and addressed in Section 2 of this report.

It is proposed to amend Objective SPQHO33 to improve clarity and align with objectives in Chapter 4 and Chapter 14.

SPPRs form part of Departmental planning guidance under Section 28 guidance and are nationally applicable to every planning authority area.

Commentary with regard to Section 14.7.3 Apartment storage guidelines and standards is noted, and it is suggested that an amendment is made to Section 14.7.3 to improve clarity and ensure compliance with Section 28 Guidance.

With regard to apartment mix it is proposed to amend Section 14.7 Apartment Development Standards to specifically reference SPPR1 in the existing list and re-number accordingly.

## **Density and Building Heights**

A large number of submissions refer to density standards at numerous locations across the county. Further submissions request specific density limits or the insertion of Local Objectives to provide for certain forms of development- e.g., 1 house only. Many of these submissions are in the context of re-zoning requests.

Other submissions raise concerns in relation to higher density developments and suggest this approach should not be supported or encouraged in the Draft Plan and highlight examples where schemes of higher density are juxtaposed with existing lower density development giving rise to visual and other concerns. Submissions were also received which request density restrictions to be applied in certain areas including Howth, Rush.

Concern was expressed in several submissions in relation to loss of character to traditionally low-rise areas from large scale apartment blocks and requesting that safeguards are put in place to restrict height at certain locations and to limit heights. Examples include Clonsilla, Castleknock and adjacent the Royal Canal.

Submissions also refer to SPPR and suggest it is disappointing to see commitment to increasing buildings heights in urban areas but acknowledge that such guidance is mandatory. High rise should not be used as a benchmark to justify additional high rise in predominantly low-rise areas

The OPR submission notes that the Draft Plan does not include a Building Height Strategy and recommends that the planning authority should consider the preparation of such a strategy in conjunction with an additional density strategy.

### **Chief Executive's Response:**

Fingal County Council will support and promote appropriate densities in accordance with the NPF, RSES and Guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended). In determining densities, regard must be had to the Sustainable Residential Development in Urban Areas 2009 and its companion document Urban Design Manual – a Best Practice Guide.

Many submissions which reference densities are in the context of broader re-zoning requests and will be addressed in the section of this report relating to the Draft Development Plan Sheets.

The appropriateness of a particular scheme design, including impact on its surroundings, will be addressed through the Development Management process. In addition, the Draft Plan proposes a suite of LAPs, Masterplans and Framework Plans which will offer bespoke solutions to guiding development within identified settlements across Fingal. This includes 19 no. Framework Plans for numerous locations in Fingal including Castleknock, Clonsilla and Blanchardstown Village which will provide guidance on integrating future development.

Guidance issued under Section 28 of the Planning and Development Act 2000 (as amended), includes Urban Development and Building Heights- Guidelines for Planning Authorities 2018. SPPR1 of the Guidelines precludes the setting of blanket numerical limitations on building height. SPPRs forming part of planning guidance under Section 28 Guidance are nationally applicable to every planning authority area.

## **Compact Growth, Consolidation and Regeneration**

Multiple submissions received in support of compact growth; consolidation over greenfield development, regeneration, rehabilitation of existing building stock, pursuing infill opportunities and directing new development to existing settlements. This includes submissions from Sustainable Skerries, NAMA and Dublin Chamber. Submissions suggest that for brownfield development to be successful, planning policies and standards need to be flexible with a focus on design-led and performance-based outcomes rather than specifying absolute requirements. It is suggested that the new Development Plan should facilitate and encourage small-scale house construction including family homes on infill sites while also ensuring high standards and respecting existing development.

Multiple submissions reference policies and objectives supporting compact growth, consolidation and regeneration such as SPQHP37, SPQHP39, SPQHO37 SPQHP34, SPQHO8, SPQHO9 and refer to same in the context of proposals to re-zone land, extend settlement boundaries or insert local objectives.

Reversing the conventional pattern of suburban sprawl in favour of more compact growth will require a realistic assessment of the relative commercial incentives associated with these two forms of development. Dublin Chamber suggests that failure to appropriately manage costs associated with high-density brownfield development will undermine progress towards NPF goals of sustainable development and compact growth.

### **Chief Executive's Response:**

Support for policies and objectives in the Draft Plan which pursue the principles of consolidation, compact growth, building re-use and regeneration are noted and welcomed. Provision is made within the Draft Plan for numerous policies promoting and guiding such development including Table 14.4 Infill Development, Section 14.5 Consolidation of the Built Form- Design parameters, Section 14.5.4 Living Over the Shop, 14.10.1 Corner/ Infill Development, Objective DMSO34 - Infill development on corner/side garden sites. Small scale housing construction on brownfield sites will be supported and will be subject to consent under the Development Plan process.

Multiple submissions reference policies and objectives supporting compact growth, consolidation and regeneration such as SPQHP37, SPQHP39, SPQHO37 SPQHP34, SPQHO8, SPQHO9 and refer to the same in the context of proposals to re-zone land, extend settlement boundaries or insert local objectives. As previously stated, these submissions will be addressed individually in the section of the report addressing the Draft Development Plan Sheets.

The Development Plan contains policies and objectives regarding the vacant sites levy, and residential zoned land tax will assist in encouraging activation of zoned and serviced lands. While the costs of land development have a significant bearing on the viability of individual sites, including re-development sites, matters relating to land acquisition and building costs are outside the remit of the Development Plan.

## **Extensions and Family Flats**

A submission supports family/granny flats in back gardens. A separate submission refers to the need to ensure that ground floor extensions have due regard to issues including overshadowing and loss of light. This is in reference to Section 14.10.2.4 -First floor extensions and submits that

such criteria should also extend to ground floor extensions which can also cause loss of light to neighbouring properties.

### **Chief Executive's Response:**

Issues with respect to the assessment of ground and first floor residential extensions are addressed under Section 14.10.2.3 and Section 14.10.2.4 respectively of Chapter 14

Development Management Standards. Ground floor Extensions (rear) 'will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house'. In this regard, matters to be considered include length, height and proximity to mutual boundaries, all of which are key considerations in determining the degree of overshadowing or loss of light which may arise. As such it is not considered necessary to amend the text of Section 14.10.2.3 as the issues raised in the submission are already addressed.

## **Derelict Sites, Regeneration and Land Development Agency**

A number of submissions reference dereliction as a cause for concern in both rural and urban contexts including at locations on Rush Main Street and in rural villages. Reference is also made to a perceived lack of strategy regarding unfinished estates within the county including in Oldtown and Rush

While policy within the Draft Plan supporting the re-use and rehabilitation of vacant, empty and un-used properties is broadly welcomed, Fingal Chamber in a detailed submission states that derelict and vacant sites can lead to anti-social behaviour tarnishing an areas reputation which in turn can impact existing and potential business and discourage visitors. Submissions also refer to the introduction of financial incentives to encourage redevelopment and address dereliction.

Fingal Chamber references policy regarding vacant/derelict sites and notes that while a levy is welcomed, what is lacking is an urgency of action and key performance indicators (KPIs) to monitor progress.

A submission from Dublin Chamber notes that reform of the vacant site levy is needed as it has not been effective. Zoned land tax of 3% poses concerns including the long lead in time. The 3% rate is also lower than the 7% rate charged under the Vacant site Levy. The impact should be closely considered by national Government.

A detailed submission from the Land Development Agency was also received in which there is broad welcome for SPQHO48 as it relates to LDA reflecting the commitment of Fingal County Council to work in partnership with the agency on securing effective use of public lands and to support a stable sustainable supply of land for housing into the future. In line with SPQHO48 the LDA would welcome the opportunity for further partnerships with the Council to lead and facilitate the delivery of affordable and social housing on councils public owned lands.

### **Chief Executive's Response:**

The Draft Plan is supportive of the regeneration of underutilised town and village centre sites in need of redevelopment. This includes the preparation and implementation of LAPs to deliver the vision, core strategy and to coordinate the development of significant new housing/regeneration. Vacant development sites are an opportunity to provide additional housing, employment and other uses. Initiatives such as public realm strategies, including the Rush Urban Framework Plan

2018 will overtime provide a Framework for regeneration of town centre sites and act as an incentive for renewal.

Zoned Land Tax was introduced under Housing Policy Objective 25.2 *Housing for All- A New Plan for Ireland* as a means of activating vacant land for residential purposes as part of the pathway to Increasing New Housing Supply and will come into effect from 2024, to be managed by the Revenue Commissioners. Residential Zoned Land Tax Guidelines for Planning Authorities were published in June 2022 which together with the Zone Land Tax form a suite of integrated measures to assist in brownfield regeneration, activate lands for housing and support placemaking. The rate at which tax is applied is a matter for the Revenue Commissioners and is outside the scope of the Development Plan.

The Draft Plan includes Objective SPQHO46 which seeks to 'Implement the Vacant Sites Levy for all vacant development sites in the County and update and make available a Register of Vacant Sites, as per the requirements of the Urban Regeneration and Housing Act 2015, or any superseding Act'.

Fingal County Council welcomes the submission of the Land Development Agency and the support expressed therein. In acknowledgement of the important role of the LDA as a key stakeholder in delivering sustainable residential development and regeneration of public lands, it is considered appropriate to strengthen the text of policies and objectives in the Plan as they pertain to Chapter 3. Amendments to Objective SPQHO48 and Policy SPQHP28 are proposed to strengthen the text.

## **Rural Fingal**

### **Rural Villages**

Numerous submissions were received in relation to Fingal's Rural villages including Naul, Rowlestown, Rivermeade, Kinsaley, Coolquay, Ballyboughal and Oldtown. Submissions were wide-ranging and related to issues such as the extension and enlargement of existing settlements to ensure future population growth can be accommodated; concerns in relation to wastewater treatment capacity, requests for masterplans to be prepared but also noting that such plans also lead to delays.

Submissions also request that in conjunction with masterplans, implementation plans are identified, and some submissions request the insertion of specific local objectives. Concerns were expressed that development has been slow to progress in certain villages undermining the rural settlement strategy and putting pressure on the rural community. Requests are made for the delivery of critical infrastructure to facilitate village development including wastewater and transport infrastructure as well as a strategy to address dereliction and the use of CPO powers where appropriate.

Areas of concern raised relate to dereliction, challenges faced by rural villages from urban generated pressures, declining and aging populations and changes to the rural economic structure, with lack of access to infrastructure and new technologies being highlighted.

A submission from the Department of Education welcomes the intent of SPQHO61 with regard to provision of school places within village schools but suggests an amendment to the text such to utilise and expand existing schools (if necessary) to meet increased requirements arising from new residential development.

Recommendation 3 of the OPR submission relating to Rural Villages & Rural Clusters is also noted in which having regard to National Policy Objectives promoting compact and sequential growth, in particular NPO 3(c) and 72 (a-c), and the land use categories set out in the Draft Plan, the planning authority is required to review the approach to land use zoning for the Rural Villages and Rural Clusters in the Draft Plan. In this regard, the planning authority is required to review and consolidate the extent of land zoned for 'Rural Village' and 'Rural Cluster' and review and reduce the number of clusters having regard to NPO 15. Submission also refers to the requirement to ensure that there is clarity as to the designation for each of the rural villages and rural clusters.

## **Chief Executive's Response:**

Specific requests in relation to Rural Villages are addressed throughout this document including in Chapter 2 and Chapter 11. Specific requests to extend Rural Villages by inclusion of additional lands and boundary extensions, as well as consideration of Map Based Objectives are considered under the section of this Chief Executive's Report which deals with the individual Draft Development Plan sheets.

Regarding the implementation and Active Land Management measures, the Draft Plan puts in place a clear strategy to guide the future growth and development of Rural Villages in an appropriate and sustainable manner. A number of Rural villages have in-situ LAPs including Rivermeade, Kinsaley, Oldtown and Ballyboughal while the Draft Plan envisages the preparation of new LAPs for Coolquay, Ballymadun and Balscadden. In addition, a suite of new Masterplans will be prepared for settlements including Garristown, Oldtown, Rowlestown, Ballyboughal and Naul. As such, there is a clear focus on the future development of Fingal's Rural Villages with population growth in line with the Core Strategy as set out in Chapter 2 and renewed focus on the delivery of critical infrastructure in collaboration with key stakeholders and government agencies.

In addition to the above statutory and non-statutory plans, Town Centre First initiatives, public realm programmes and the targeting of key sites under initiatives such as the Vacant Sites Register and new Zoned Land Tax legislation will help to target investment at appropriate locations within rural villages and tackle dereliction. It is considered that policies and objectives outlined in the Draft Plan are supportive of Fingal's rural villages and the Plan as a whole, is sufficiently robust to ensure sustainable and equitable development of rural villages.

Matters raised by the OPR are addressed under the relevant section of this report.

It is recommended that the text of Objective SPQHO61 be amended to strengthen the intent with regard to schools in rural villages.

### **Rural Clusters**

A significant number of site-specific submissions were received in relation to Rural Clusters and relate to requests to extend existing settlements or to create new Rural Cluster zonings. New Rural Clusters are sought at locations including Clannairt Roscall Ballyboughal, Blackhills, Nevitt, Balcarrick and extensions to existing Rural Clusters are requested at locations including Milverton, Hedgestown, Ballymadun, Tobersool. Many submissions are accompanied by suggested indicative layouts, social audits and feasibility reports. Many others note the submitters compliance with the rural housing and other policies/objectives of the Draft Plan.

Submissions call for the protection of the Rural Cluster at Turvey Avenue and support is expressed for the extension of the Rural Cluster zoning at The Quay Portrane.

While multiple submissions express support for the extension of the Rural Cluster at Dubber Cross on the grounds of catering for the existing community, concerns are expressed in relation to perceived contravention of the rural settlement strategy and expansion of the settlement to accommodate a Traveller halting site through a map-based objective.

Submissions received were generally supportive of the approach to provide Rural Clusters as a means of catering for persons who wish to reside in a rural environment while other submissions suggest a need to move away from one-off housing to a more consolidated approach, with development occurring in villages and rural clusters, and one-off rural housing restricted to limited cases. Submissions raise the importance of recognising and protecting the vibrancy of established rural areas whilst ensuring the sensitivities of the open countryside are preserved and protected. Submissions suggest that the Council consider reviewing the economic, social and environmental benefit of extending Rural Clusters where the opportunity exists and suggest the optimal planning approach is by clustering rural housing on suitable sites.

Submissions call for the Draft Plan to ensure that the provisions of RSES and MASP are fully addressed by facilitating small scale local rural family-based housing need with particular regard to RPO 4.80 which states 'Local authorities shall manage urban generated growth in Rural Areas Under Strong Urban Influence (i.e. the commuter catchment of Dublin, large towns and centres of employment) and Stronger Rural Areas by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements'. Submissions reference the support for rural communities expressed under RSES including recognition of the major contribution made by rural areas towards regional and national development in economic, social and environmental terms. Requests are made that genuine rural generated housing need must be accommodated. It is also stated in submissions that there is no effective provision within the Draft Plan to address the higher order regional policy requirements of RSES as it relates to areas such as e.g. Balcarrick South/ Corballis. The Draft Plan needs to include policy which makes provision for small scale, local family housing and consideration should be given to a suitable land use zoning designation.

Submissions suggest that appropriate provision is made for the urban generated housing demand in areas such as Donabate, but that generated demand for rural housing in such communities is not adequately accommodated as often existing Rural Clusters have been fully developed.

A submission also seeks an additional element to the settlement strategy to make provision for appropriate small-scale development subject to infrastructural and other considerations. Provision of limited serviced residential sites, it is suggested, would not detract from nearby settlements and there is an opportunity to 'provide for small scale infill development serving local needs while maintaining the rural nature of the cluster'.

Calls for the local authority to maintain a list of sites within Rural Clusters which are available for sale and where sites are not developed under the land use zoning, they should be removed as an incentive to use.

Submission questions the appropriateness of Rural Clusters at various locations including reference to Holmpatrick RC.

Submissions also suggest amendments to qualifying criteria under the Rural Cluster zoning and as set out in Section 3.5.15.2 of the Plan relating to Rural Clusters. Examples include a change in the qualifying timeframe from 10 to 5 years and deleting the requirement that lands are required to be currently zoned rural with respect to displaying continuous habitation or employment criteria.

Recommendation 3 of the OPR submission relating to Rural Villages & Rural Clusters is also noted in which having regard to National Policy Objectives promoting compact and sequential growth, in particular NPO 3(c) and 72 (a-c), and the land use categories set out in the Draft Plan, the planning authority is required to review the approach to land use zoning for the Rural Villages and Rural Clusters in the Draft Plan. In this regard, the planning authority is required to review and consolidate the extent of land zoned for 'Rural Village' and 'Rural Cluster' and review and reduce the number of rural clusters having regard to NPO 15. Submission also refers to the requirement to ensure that there is clarity as to the designation for each of the rural villages and rural clusters.

## **Chief Executive's Response:**

Submissions relating to specific tracts of land which are requested to be re-zoned to Rural Cluster thereby extending an existing settlement or creating a new Rural Cluster are examined under a later section of the Chief Executive's report addressing individual Development Plan Sheets.

The appropriate context for confirming an individual's compliance or otherwise with the Rural Settlement Strategy of the Development Plan, including with reference to Rural Clusters is through the Development Management consent process.

Amendments to the extent of GE zoned lands to the south of Turvey Avenue Rural Cluster will assist in providing greater separation between the existing dwellings forming part of the Rural Cluster and the existing industrial lands to the south, thereby creating an appropriate buffer zone. The Draft Plan contains robust policy regarding the safeguarding of transitional zonal areas as set out under Section 13.2 and under Objective ZO2 which states:

Objective ZO2 – Transitional Zonal Areas Have regard to development in adjoining zones, in particular, more environmentally sensitive zones, in assessing development proposals for lands in the vicinity of zoning boundaries'

Submissions in support of the extension of the Rural Cluster Zoning at The Quay Portrane are noted.

The Draft Plan is supportive of Rural Clusters and contains a robust framework of policies and objectives to protect and promote the same. This is in line with national and regional planning guidance including the NPF and RSES which recognise the importance and contribution made by rural communities such as those within Fingal. It is recognised that much of the demand for one-off housing is urban generated. This can result in unsustainable patterns of development, detracting from this important reserve and placing excessive strain on the receiving environment. Both the NPF and RSES, with reference to NPO 19 and RPO 4.80 respectively

require that a distinction is made between areas under urban influence i.e., within the commuter catchment of cities and large centres of employment and ensure that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans, having regard to the viability of smaller towns and rural settlements.

Rural Fingal can be classified as an area under 'Strong Urban Influence' due to its location in proximity to Dublin City, major urban centres and important transport corridors. Accordingly, Fingal's Rural Housing Strategy seeks to achieve a balance in terms of promoting sustainable rural development while also ensuring the protection of Fingal's rich rural heritage, its landscapes and countryside, in line with national and regional policy. It is considered that the Draft Plan is sufficiently robust in catering for the rural generated housing needs of the rural community and has had full regard to all relevant requirements of the NPF and RSES in this regard.

It is noted that the Rural Cluster designation at The Quay Portrane has been extended under the Draft Plan and is available to serve qualifying individuals from the wider Donabate area.

Housing within Rural Final is required to comply with the Fingal Settlement Strategy which includes settlement typologies such as Towns and Villages as well as Rural (Rural Fingal and Rural Clusters). The insertion of a further element within this strategy would be unwarranted and would effectively constitute rural cluster development. It should also be noted that provision is made within Objective SPQHO57 for the provision of serviced sites within Rural Villages which provides a degree of flexibility in housing formation and design:

## Objective SPQHO57 states

'Consider the use of serviced sites for residential development within the boundaries of Rural Villages and in accordance with LAP requirements (where applicable) subject to the availability of services, environmental considerations and the achievement of high-quality cohesive design'.

Maintaining a public register of available sites within Rural Clusters would be impractical and extremely difficult to maintain and update. All details with regard to planning permissions concerning land zoned Rural Cluster are available for public inspection either online or within Council offices.

Design parameters regarding Rural Clusters are contained in Chapter 14, e.g. minimum area where public wastewater connection is available.

Holmpatrick Rural Cluster was established under the 2011-1017 Fingal Development Plan.

Submissions requesting amendments to the qualifying criteria for development under the Rural Cluster zoning are noted. Updated and revised Guidelines in relation to Sustainable Rural Housing are proposed by the Department of Housing, Planning and Local Government, however there is no date at present for the publication. Fingal County Council is awaiting the publication of the updated Guidelines before carrying out a full review of its rural housing policy. This is likely to include criteria with respect to Rural Clusters.

### Fingal Rural Settlement Strategy

Many submissions were received in relation to the Fingal Settlement Strategy and Rural Generated Housing Need requirements as contained in Chapter's 3 and 14 of the Draft Plan. These included submissions expressing concern that proposed policies are overly restrictive in several areas, including eligibility criteria, perceived anomalies in application, limitation on categories of persons considered eligible and limitation on the number of incremental units which may be permitted. Several submissions state that persons who can afford to build should be allowed to do so, particularly where other family members have been permitted in the past. It is suggested that 19<sup>th</sup> October 1999 timeline should be adjusted. Submissions also refer to amendments to occupancy conditions, and amendments to the separation distance from the family home of application sites, including within the Airport Noise Zones.

Many submissions refer to the restrictions imposed in relation to applications for dwelling units within the High Amenity (HA) land use zoning. Submissions point out several concerns including the rigidity of the policy as it applies to the HA zoning in proximity to major urban centres and suggest that the absence of farming in such areas militates against the use of the land for housing. In a similar vein, submissions point to HA zonings in rural areas of the county where relatively few agricultural practices are carried out. Other submissions state that farming should no longer be viewed as a viable occupation for the purposes of the Rural Housing Policy and is outdated in view of farming sustainability. The criteria under the HA land use zoning should be broadened, e.g., Table 3.4 should be amended such that persons may be considered under close family ties.

Submissions state that the policy is inequitable and does not align with the Flemish Decree and ruling of the European Court of Justice delivered in 2013 and suggests that the policies and criteria proposed are unlikely to meet this judgement and may be illegal, unconstitutional and unfair. Submission states that reference to local ties and local need is discriminatory

Numerous submissions refer to specific case references where permission has been refused by the planning authority or by An Bord Pleanála on appeal.

Amendments are requested to numerous requirements of the Rural Settlement Strategy including to Table 3.5 (Maximum number of houses which may be permitted per existing house) and Table 14.10 (Criteria for eligible applicants from the rural community for planning permission for new rural housing). Submissions refer to the broadening of the eligibility criteria including for example, in relation to circumstances where care for an elderly parent is required or due to the exceptional health circumstances of a family member. Submissions state that this in turn would alleviate the need to provide specialised care for the person concerned. Such circumstances, it is contended, should be considered irrespective of the underlying zoning. Submissions also refer to the need to expand the number of family members who would be considered eligible or extend qualifying criteria.

Submissions request that restrictions in relation to Integrated Tourism Complexes be relaxed. This relates to instances under Section 7.5.2.1 of the Draft Plan where tourist related residential development is required to be contained within existing buildings and in single company ownership and not be sold off individually. Suggests that the Draft Plan include provision for privately owned resort style residential development which should fall outside the normal rural housing criteria.

Submissions also refer to the need to amend the text of the Plan to ensure that the refurbishment of vernacular buildings for residential use will be supported in principle and that compliance with rural housing needs criteria in such cases is not required. Fingal County Council should demonstrate commitment to refurbishing old structures by providing a policy within the Draft Plan which affirms that rural housing need does not pertain to applications for refurbishment.

## **Chief Executive's Response:**

Updated and revised Guidelines in relation to sustainable rural housing are proposed by the Department of Housing, Planning and Local Government, however there is no date at present for their publication. This review will need to consider the relevant ECJ judgement with regard to local housing needs residency criteria. Fingal County Council is awaiting the publication of the updated Guidelines before carrying out a full review of its rural housing policy.

Notwithstanding future reviews, in order to protect the finite rural resources of Fingal and to ensure the sustainable growth and vitality of existing towns, rural villages and rural clusters, the Draft Plan promotes policies necessary to restrict urban-generated 'one-off' housing and will only facilitate genuine and bona fide cases for new residential development within the county's rural areas. Rural development will, in the first instance will be directed to Fingal's towns, Rural Villages and Rural Clusters.

In this regard Policy SQPHP46-Review of the Rural Housing Policy and Local Need Criteria states as follows: 'Commence a review of the Rural Housing Policy and Local Need Criteria on completion of a review by the Department of Housing, Local Government and Heritage of the Sustainable Rural Housing Guidelines for Planning Authorities 2005'.

The foregoing provides a clear commitment to review the Rural Housing Policy and Local Needs criteria as and when new Guidelines are published by the Department.

Section 3.5.15.5 relates to New Housing for the Rural Community other than those who are activity engaged in farming and Table 3.5 sets out the criteria for eligible applicants from the rural community for planning permission for new rural housing. In the interests of clarity, a new Objective should be included setting out that new rural dwellings will be considered in areas which have the zoning objective RU or GB on suitable sites where the applicant meets the criteria set out in the Table.

Confirmation as to whether specific criteria outlined in submissions meets the rural housing policy may only be adjudicated upon as part of a planning application under the development management consent process.

Regarding Integrated Tourism, it is considered while recognising the need for appropriate sustainable re-use of existing complexes, the criteria as proposed under Section 7.5.2.1 of the Draft Plan should continue to be applied having regard to the inherent sensitivities of such sites, the achievement of appropriate re-use of historic buildings and demesne lands and a balance which must be struck between protection and overdevelopment.

The Draft Development Plan actively seeks to encourage the viable re-use of historic vernacular buildings and requirements as set out under Section 3.5.15.13 of the document, including

commentary in relation to compliance with the Rural Settlement Strategy regarding such structures.

### Housing within the Airport Noise Zone

Numerous submissions were received from residents of St. Margaret's, The Ward and neighbouring areas and matters arising are addressed throughout the Chief Executive's Report, including within the section relation to Chapter 8, Dublin Airport. Submissions raise a broad range of issues including community infrastructure, airport growth, establishment of an expert study group, environmental protection, noise insulation/safeguards, and include matters in relation to housing in proximity to the airport. Numerous submissions refer to the lack of opportunity to grow existing communities and provide housing for young people. Reference is also made to scarcity of suitable sites within the area subject to airport noise zone to provide for new rural housing, notwithstanding the extension of same under the Draft Plan. A Voluntary Purchase Scheme is also referenced. Submissions refer to state owned lands at Thornton suggesting that this area could facilitate the voluntary relocation of St Margaret's/The Ward community for families located within the Airport Noise Zone. Submissions refer to earlier Development Plans in the 1990's indicating that LAPs would be produced to provide alternative housing options. Failure to deliver a LAP at Coolquay and delays in development commencing in Rivermeade and necessary road upgrades are perceived to have exacerbated this concern.

### **Chief Executive's Response:**

Objective SPQHO80 and Objective SPQHO81 of the Draft Plan relates to rural settlement strategy as it applies to new housing within Airport Noise Zones and has provided for an extension to the qualifying area of up to five kilometres outside of noise zone A under Objective SPQHO81 -

Objective SPQHO81 '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'.

Lands at Thornton are currently zoned Rural RU and are not within the control of Fingal County Council. The allocation of land for a specific group of people not contained in the Housing Strategy is not appropriate. Following adoption of the Development Plan a list of priorities will be drafted and presented to the Elected Members for preparation of LAPs Masterplans and Framework plans, which will include the delivery of the Coolquay LAP. Rivermeade LAP was adopted in May 2018 and is in force until 2024 after which time it may be extended subject to the requirements of the Planning and Development Act.

Voluntary Purchase Schemes are outside the remit of the Development Plan.

### South Shore Rush

Submissions were received in relation to the South Shore area, many of which relate to the rezoning of lands at this location and/or removal of objectives and the facilitation of family housing needs. (Reference is made to LO 21) Submissions also seek the removal of restrictions on multiple unit housing estates in the South Shore area to provide for small residential infill clusters or to restrict such development to a set maximum e.g., four units per site was suggested

in one submission. Local Objective 12 currently states: 'Exclude multiple unit housing estates in the South Shore area of Rush'.

### **Chief Executive's Response:**

The above matters are noted, and the issues raised will be addressed in detail within the section of this report which addresses submissions to the Draft Development Plan Sheets.

### **Ribbon Development**

The merits of facilitating infill development at specific locations is raised in a number of submissions, mainly in the context of re-zoning land for alternative uses. Specifically in relation to Objective SPQHO52, a submission seeks clarity in relation to whether a 5<sup>th</sup> house within 250m road frontage is considered ribbon development at a site at Balgaddy. Objective SPQHO52 states that:

'Ribbon Development In areas which are subject to either the RU, GB, or HA zoning objective, presume against development which would contribute to or intensify existing ribbon development as defined by Sustainable Rural Housing, Guidelines for Planning Authorities, 2005. A relaxation may be considered where permission is sought on the grounds of meeting the housing needs of the owner of land which adjoins an existing house of a member of his/her immediate family where it is clearly demonstrated that no other suitable site is available'.

## **Chief Executive's Response:**

Guidance in relation to ribbon development and whether a proposal is likely to exacerbate such development patterns is contained within the *Sustainable Rural Housing, Guidelines for Planning Authorities, 2005* including Appendix 4 to same which addresses this topic specifically. Examination of site-specific issues in relation to this issue are best addressed as part of the Development Management process.

### Replacement of Chalets and Seaside Huts

Submissions received in relation to Policy SPQHP56 and Objective SPQHO96, which refer to the replacement of chalets and seaside huts:

Policy SPQHP56 – Replacement of Chalets and Seaside Huts The replacement or conversion of existing coastal chalets and seaside huts by dwellings which can be resided in all the year round will only be considered in exceptional circumstances.

Objective SQPHO96 – Replacement of Chalets and Seaside Huts Proposals to replace or convert existing coastal chalets and seaside huts by dwellings which can be resided in all the year round will only be considered in exceptional circumstances and where all Development Management Standards set out in Chapter 14 in relation to such applications are complied with.

It is noted in submissions that not all chalets are located on the coastline and restrictions on replacing existing buildings may have a detrimental effect on tourism in areas such as Rush and may impact property rights. Policy is sought in the Draft Plan to facilitate and encourage maintenance and reinstatement of holiday chalets in the interests of sustaining tourism. It is suggested that this could be supported by the requirement to carry out flood risk and visual impact screenings to ensure inappropriate development does not arise.

## **Chief Executive's Response:**

There are a number of areas such as Rush, Donabate and Portrane where chalets and seaside huts have been constructed prior to and after the coming into effect of the Local Government (Planning and Development) Act 1963. The location of such structures is predominantly coastal and can be liable to the impacts of climate change in the form of coastal erosion and flooding. A considerable number of such structures are also located in proximity to European sites and frequently have limited or no sewerage infrastructure. The creation of permanent housing at these locations may be unsustainable and significantly alter the character of the areas in which they are located. It is considered that current policy within the Draft Plan is necessary to ensure the protection of these sensitive areas and to ensure that replacement or conversion of existing seasonal chalets and seaside huts by dwellings which can be resided in all the year round will only be considered in exceptional circumstances in strict accordance with criteria set out in Chapter 14 Development Management Standards. This includes assessment in terms of flood risk, environmental impact and design considerations.

#### Greenbelts

## **Protection of Greenbelts**

A significant number of submissions refer to the importance of protecting greenbelts within Fingal, including in the wider Blanchardstown area, Swords (Rivervalley, Ridgewood, Knocksedan) and between Lusk and Rush. In this regard, submissions refer for example to development proposals at Barnhill, Kellystown, Kilmartin and indicate that remaining lands should be zoned Greenbelt and retained as such. Support for a greenbelt at Hollystown is expressed with no further development between Hollystown and Blanchardstown North to occur. Numerous submissions reference the prevention of coalescence between existing settlements arising from development of greenbelt lands e.g., between Lusk and Rush.

Submissions refer to the numerous benefits for physical and mental health, prevention of sprawl, protection of wildlife and natural areas and creation of noise free buffers resulting from greenbelts. Development leakage beyond well-defined boundaries leads to urban sprawl and has negative implications for the environment and society. Submissions request that measures are put in place to protect this important resource for the benefit of Fingal.

Several submissions refer to the provision of a necklace of open spaces around Swords with linkages to promote increased connectivity and to protect nature, prevent sprawl and provide for the growing population.

Counter to the above, a submission questions whether the greenbelt around Swords will be usable by the general public and if not, what tangible benefit arises in its preservation and suggests it would be better to see the land developed such that residents of Ridgewood and Knocksedan have access to the Ward River valley.

Other submissions refer to development of the greenbelt for appropriate uses as a mechanism for its preservation and provision of a defensible edge e.g., between Swords and Malahide. Other submissions seek a relaxation of rural housing requirements on Greenbelt zoned lands to accommodate infill development on the outskirts of towns such as e.g., between Portmarnock and Malahide to consolidate development at these locations, facilitate rural housing demand and utilise the infill potential. Reference is made to SPQHO97 *'Strengthen greenbelt lands by* 

identifying opportunities for infill development and consolidation of existing towns to reduce the need to zone additional greenfield lands and ensure the preservation of strategic greenbelts between our towns and villages'.

Concern is expressed in relation to the categorisation of lands at Dunsink as a Strategic Long-Term Reserve and the loss of lands zoned Open Space, including Elm Green golf club and the impact on the wider Blanchardstown area which benefits from proximity to unique areas of open space including Liffey Valley and Phoenix Park.

Efforts to preserve Fingal's greenbelts are welcomed in submissions.

### **Chief Executive's Response:**

It is submitted that the preservation of Fingal's strategic greenbelt zoned lands is a key tenet of the Draft Plan and the document is replete with policies which recognise the importance of this asset and seek to protect same such as SPQHP48 'Recognise the importance of and preserve greenbelts in Fingal in order to safeguard valuable countryside to ensure that existing urban areas within Fingal do not coalesce enabling citizens to enjoy the County's natural amenities and to strengthen and consolidate greenbelts around key settlements' and Objective SPQHO98 'Promote development within the Greenbelts which has a demonstrated need for such a location, and which protects and promotes the permanency of the Greenbelt, and the open and rural character of the area'.

The importance of greenbelts to prevent coalescence of settlements, avoid sprawl, enhance biodiversity and to act as an important amenity for physical and mental health are long accepted and the Vision for the Greenbelt land use zoning clearly establishes the Draft Plan's objectives to protect and provide for this important amenity in curtailing land uses therein and directing such uses to appropriate locations.

Planning for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt ('green necklace') around the town. This will prevent urban sprawl and ensure that such amenities are available to the public for use and enjoyment.

It is not considered appropriate to apply a relaxation of the rural settlement policy as it applies to infill sites on greenbelt lands located on the periphery of towns/villages. Such transitional areas between rural and urban areas and between urban and urban areas are often at the coalface of development pressure and can over time display patterns of linear or ribbon development, providing poor definition to the town edge and resulting in 'development creep' into the rural hinterland. Such greenbelt zonings are arguably under the greatest threat from erosion and must be protected from inappropriate development. It is considered that Objective SPQHO97 should be amended to as to provide greater clarity in this regard.

While a Feasibility Study has been undertaken with respect to the long-term development potential of lands at Dunsink, detailed analysis and design, including the optimum location of open space, and sports and recreational amenities has not been undertaken and such matters would be subject to a future statutory planning framework such as a Local Area Plan or Strategic Development Zone.

## **Housing Design, Layout and Vernacular Buildings**

Submissions received broadly welcome objectives within the Draft Plan to promote high quality design regarding rural housing, including protection and preservation of rural settings and hedgerows. Support expressed for Objective SPQHO84 'Require that no new houses are permitted on High Amenity zoned lands which are located between the sea and the coast except in such cases indicated in Objective SPQHO85' with a suggestion that the objective be extended to building houses beyond proximity to the sea. Also, submissions refer to the need to protect and support communities living in high-risk areas to sea level rise/coastal erosion and to plan for community adaptation or relocation.

Policies and objectives within the Draft Plan which encourage the refuse and rehabilitation of existing housing stock in rural areas in preference to new building is generally supported, together with the reuse of housing stock within existing rural villages and towns. Submissions also refer to the need to amend the text of the Plan to ensure that the refurbishment of vernacular buildings for residential use will be supported in principle and that compliance with rural housing needs criteria in such cases is not required. Fingal County Council should demonstrate commitment to refurbishing old structures by providing a policy within the Draft Plan which affirms that rural housing need does not pertain to refurbishments applications.

### **Chief Executive's Response:**

Submissions with respect to rural housing design and the reuse and rehabilitation of Fingal's existing housing stock are noted. It is considered that policies and objectives within the Draft Plan with respect to layout and design of rural housing are sufficiently robust to ensure that a high standard development is achieved through the Development Management process. The Draft Plan actively seeks to encourage the viable re-use of historic vernacular buildings and requirements are set out under Section 3.5.15.13 of the document, including commentary in relation to compliance with the Rural Settlement Strategy regarding such structures.

Significant measures are included within Section 5.5.6 Flood Resilience, Section 5.5.7 Coastal Management and Section 9.7 regarding the coast and coastal protection.

Fingal will continue to work with national and regional authorities and other key stakeholders with regard to flood defence required to protect vulnerable urban areas from worst case scenario sea level rises in the coming decades.

The Draft Development Plan actively seeks to encourage the viable re-use of vernacular buildings and requirements are set out under Section 3.5.15.13 of the document, including commentary in relation to compliance with the Rural Settlement Strategy.

### **Seasonal Workers**

Submissions were received referring to the omission of references within the Draft Plan to residential accommodation for Seasonal Workers as currently contained within the 2017-2023 Fingal Development Plan. The Irish Farmers Association in its submission provides an overview of the economic significance of horticulture in Fingal and highlights key challenges facing the section, with the availability of labour and accommodation for workers being two such concerns. Submissions refer to existing qualitative standards within the current Plan and suggest a move away from farm size as a qualifying criterion, suggesting that the focus instead could be based

on monetary turnover/business output as a determining factor in considering such proposals. Proposals were also tabled to alter certain design criteria, reduce farm size, revise bedspace limits to 26. Submissions note and refer to discussions by the Elected Members in deciding to omit reference to Seasonal Workers accommodation in the Draft Plan.

Submissions also raise the issue of development contribution exemptions for certain types of agricultural/horticultural developments e.g., poly tunnels and buildings associated with processing, distribution supply or sale of fruit vegetables or market gardening products.

## **Chief Executive's Response:**

Noting the importance of agriculture and the food sector to Fingal, it is recommended to reinsert reference within the Draft Plan to Residential Accommodation for Seasonal Workers, including reference to site selection and the qualitative criteria which should be demonstrated as part of an application for same. Other than a suggested increase to a maximum of 26 bedspaces per unit (an increase of 1 no. bedspace to facilitate a maximum of 2 bedspaces per room) the standards re-inserted are those of the current Development Plan. It is not considered necessary or appropriate to amend qualifying criteria having regard to reasons of commercial sensitivity e.g., financial turnover.

Matters in relation to the levying of development contributions including reduced contributions or in certain circumstances the identification of exempt development, falls under Section 48 of the Planning and Development Act 2000 (as amended) and does not come within the scope of the Development Plan.

### **Chief Executive's Recommendations:**

### **CE CH3.1:**

It is recommended that SPQHO4 should be amended to improve clarity.

Objective SPQHO4 – Visual Amenity of Town and Village Centres

Enhance the visual amenity of existing town and village centres, minimising *unnecessary* clutter and proliferation of street furniture and provide guidance on public realm design, including wirescape, shopfront design, street furniture, signage and the adequate provision of bins and recycling options

### **CE CH 3.2:**

Amend Objective SPQHO5 - Universal Design Approach as follows:

Promote and facilitate a Universal Design Approach for into all developments.

#### CE CH 3.3(a):

Rezone the following Council owned infill site:

- Bridge Street, Swords - General Employment - Residential.

### **CE CH 3.3(b):**

Rezone the following Council owned infill site:

- Sheephill, Corduff, Dublin 15 – Open Space to Residential.

#### **CE** CH 3.4:

Amend Section 14.11.2 as follows:

The Council will promote an age-friendly approach by ensuring that both existing and proposed residential developments are future proofed for an ageing population. In accordance with the principles of "Housing Options for Our Ageing Population' – Policy Statement 2019", the Planning Authority will advocate an age friendly approach with respect to new residential in Fingal.

Applicants for residential development should consider the incorporation of units suitable for elderly persons within proposed schemes, and consideration should be given to accompanying facilities and materials which promote this approach in line with the age friendly principles taken from the Ten Universal Design Features to include in a Lifetime Adaptable and Age Friendly Home – June 2021, published by Age Friendly Ireland. These set out that an Age Friendly Home

- is well-connected to local amenities
- is easy to approach and enter
- is connected to the outdoors
- is easy to move about in
- has accessible and adaptable toilets and bathrooms
- has a guest bedroom
- has easy to use fittings and fixtures
- is energy and cost efficient
- has good security and technology system

The Council will consider proposals, including the development of small infill sites for appropriate forms of residential development for age-friendly housing, including opportunities for those wishing to downsize from larger family homes to more appropriately sized units "Right-Sizing" with benefits of town centre living and proximity to community infrastructure, transport etc.

Housing proposals specifically aimed at older people should be designed having regard to Universal Design Standards enabling the property to be future proofed for the possible care needs of the occupant and to ensure sufficient floor space to cater for care assistance/visitors. In this regard, development proposals will be required to comply with any future technical guidance relating to design specifications for housing for older people in place at the time of making the planning application.

### **CE** CH 3.5:

Insert a new objective after section 14.11.2 of the Draft Plan to state:

Objective DMSOXX - Age Friendly Housing

Require new residential developments in excess of 100 units provide 10% of the units as age friendly accommodation.

#### **CE CH 3.6:**

Insert a map based local objective at Seamount, Malahide which states: <u>Facilitate the provision</u> of a purpose-built housing for older people only.

#### **CE CH 3.7:**

Amend Section 3.5.8.4 Student Accommodation as follows:

The County benefits from the presence of Technological University the TU Dublin which is expanding its Blanchardstown and City campuses located in an expanding campus in Blanchardstown together with Connolly Hospital, which is a major teaching hospital in the Fingal area. The Dublin and Dun Laoghaire Education and Training Board and other institutions also provide opportunities for further education within the County. Other major third level colleges located in adjoining local authority areas are within easy reach of Fingal. The Council will support the provision of high-quality, affordable, professionally managed student accommodation, either within the campus of the third level institution, or on sites in proximity to such institutions which benefit from access to good public transport and walking and cycling networks. The Dublin and Dun Laoghaire Education and training Board (DDLETB) and other institutions, provide opportunities for further education within the county.

### **CE CH 3.8:**

The following amendments are proposed:

Amend Objective SPQHO33- Integration of residential development as follows:

'Encourage higher residential densities where appropriate ensuring proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area with a target minimum amount of 15% amount of ensuring appropriate provision of green space, tree coverage and public space open space and high quality landscaping associated with every residential area' in accordance with requirements of Chapter 4 and Chapter 14.

### **CE CH 3.9:**

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the <u>Sustainable</u> <u>Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34</u>.

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

#### **CE CH 3.10:**

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly

### **Mix of units (SPPR1)**

Apartment Floor Area (SPPR3)

**Dual Aspect Ratios (SPPR4)** 

Floor to Ceiling Height (SPPR5)

Lift and Stair Cores (SPPR 6)

Internal Storage

Private Amenity Space (Appendix 1)

Communal Amenity Space (Appendix 1)

Children's Play Space provision (Section 4)

Bicycle Parking and Storage (Section 4)

Build to Rent Schemes (SPPR 7 & SPPR 8)

### **CE CH 3.11:**

Amend SPQHO48 as follows:

Objective SPQHO48 Land Development Agency

Continue to work in partnership with the Land Development Agency to make more effective use of publicly owned land **helping to ensure** <u>to accelerate regeneration and meet the projected</u> <u>housing needs over the lifetime of the plan to provide</u> a stable sustainable supply of housing.

### **CE CH 3.12:**

Amend SPQHP28 as follows:

Policy SPQHP28 - Housing for All

Support the initiatives proposed under Housing for All – A New Housing Plan for Ireland in providing for *Fingal's requirements for* social *affordable and cost-rental* housing provision *within Fingal*, *including with a focus on the development of publicly owned sites in cooperation with state agencies and* the preparation of Local Authority Delivery Action Plans

### **CE CH 3.13:**

Amend SPQH061 as follows;

Objective SPQHO61 – School Provision

Work collaboratively with the Department of Education in **identifying additional** <u>meeting</u> <u>increased</u> <u>schools provision within</u> <u>school place requirements in</u> Rural Villages

#### **CE CH 3.14:**

Amend Objective SPQHO97 as follows:

'Strengthen greenbelt lands by identifying opportunities for infill development and consolidation **of** <u>within</u> existing towns to reduce the need to zone additional greenfield lands and ensure the preservation of strategic greenbelts between our towns and villages'.

### **CE CH 3.15:**

Insert new section at 3.5.15.10 Residential Accommodation for Seasonal Workers as follows and re-number objectives accordingly:

The requirement for residential accommodation to accommodate seasonal workers within Fingal having regard to the rich and diverse farming enterprises within the county is acknowledged. The provision of new on-site residential accommodation for seasonal farm workers shall be designed in an innovative, cohesive and purpose-built manner resulting in a high standard of quality accommodation, minimising visual impacts on the surrounding rural area. In this regard, new purpose-built on-site accommodation shall be single storey only. It is considered residential accommodation for seasonal workers will only be required for larger operations. In this regard, a minimum farm size of 50 hectares applies. This type of accommodation will only be permitted within the RU, GB and FP zonings. No accommodation of this nature will be permitted within the HA zoning.

<u>Farmers wishing to provide accommodation for their workers are advised to consider the following sequential approach:</u>

- <u>Is other accommodation available, i.e. in an existing house (this includes agricultural workers housing and other rural dwellings), hotel, other types of residential building either in the rural area or adjoining towns or villages?</u>
- <u>Are other buildings available to convert to residential accommodation, either on or off</u>site?
- The onus is on the farmer/employer to demonstrate special circumstances for the requirement of accommodation and all other alternatives have been considered.
- The subject site must be the most suitable within the land holding.
- Adequate arrangements must be made for the disposal of refuse and sewage from the site.

#### **CE CH 3.16:**

### Insert new Objective Seasonal Worker /Temporary Worker Accommodation

<u>Use of land associated with a farm for seasonal / temporary workers will be considered subject</u> to the following requirements and demonstrate the following:

- The farm is a working and actively managed farm with a minimum size of 50 hectares.
- There is an essential need for the amount and type of accommodation, and this cannot be met anywhere else. The onus is on the farmer/employer to demonstrate this.
- The accommodation is for use by the workers associated with the farm only and shall not be for sale or rental independent of the farm.
- New on-site residential accommodation for seasonal farm workers shall be designed in an innovative, cohesive and purpose-built manner resulting in a high standard of

<u>quality accommodation whilst minimising visual impacts on the surrounding rural area.</u>
<u>In this regard, new purpose-built on-site accommodation shall be single storey only.</u>

- A viable landholding can facilitate up to a maximum of 200 seasonal workers.
- New purpose-built accommodation shall be provided in the form of a maximum 26 bed space unit.
- No bedroom shall accommodate more than 2 persons.
- Each unit shall provide:
  - Accommodation and open space provision sufficient to provide an adequate level of comfort and amenity for occupants.
  - Room sizes in accordance with minimum Development Plan standards. Shared kitchen, living and dining room based on a minimum 4 sq. per bed space in the unit, in addition to any circulation space.
  - Each bedroom, or at a maximum, each pair of two bedrooms shall have an individual dedicated bathroom facility with shower, toilet and basin. Communal facilities below this standard shall not be permitted.
  - Appropriate indoor and outdoor communal and recreational facilities at a combined level of 5-7 sq.m per bedspace. These facilities shall be provided prior to occupation.
  - Communal facilities and services shall be provided for and include laundry and refuse facilities. These facilities shall be provided prior to occupation.
  - Compliance with Building and Fire Regulations.
- Transport arrangements to allow workers ease of access to nearby towns and villages.

  One of the following shall be provided:
  - o Footpaths linking the development to the nearest town or village,
  - o Footpaths linking the development to the nearest public transport link,
  - Provision of a privately operated shuttle bus to the nearest town or village.
- Design, height, scale and finishes shall have regard to the landscape context.
- <u>Existing trees and hedgerows shall be maintained in so far as possible and new planting shall be of native species.</u>
- A Landscape Plan shall accompany applications for new purpose-built accommodation.
- Sufficient drainage and wastewater infrastructural capacity to serve the development.
- Sufficient access and car-parking arrangements to serve the development.

### **CE CH 3.17:**

Inset new Objective as follows:

Seasonal worker accommodation will not be permitted within the HA zoning.

### **CE CH 3.18:**

Insert a new objective as follows:

<u>Permit new rural dwellings in areas which have zoning objectives RU or GB on suitable sites</u> <u>where the applicant meets the criteria set out in Table 3.5</u>

## **CHAPTER 4: Community Infrastructure and Open Space**

## **Submissions Received:**

FIN-C453-2, FIN-C453-15, FIN-C453-19, FIN-C453-21, FIN-C453-25, FIN-C453-27, FIN-C453-30, FIN-C453-32, FIN-C453-33, FIN-C453-39, FIN-C453-44, FIN-C453-47, FIN-C453-52, FIN-C453-53, FIN-C453-55, FIN-C453-72, FIN-C453-73, FIN-C453-78, FIN-C453-89, FIN-C453-91, FIN-C453-92, FIN-C453-91, FIN-C453-92, FIN-C453-91, FIN-C453-91, FIN-C453-92, FIN-C453-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-91, FIN-C455-C453-98, FIN-C453-99, FIN-C453-101, FIN-C453-102, FIN-C453-106, FIN-C453-111, FIN-C453-112, FIN-C453-115, FIN-C453-116, FIN-C453-136, FIN-C453-137, FIN-C453-138, FIN-C453-139, FIN-C453-C453-177, FIN-C453-183, FIN-C453-190, FIN-C453-197, FIN-C453-200, FIN-C453-203, FIN-C453-210, FIN-C453-212, FIN-C453-261, FIN-C453-262, FIN-C453-267, FIN-C453-269, FIN-C453-278, FIN-C453-282, FIN-C453-286, FIN-C453-287, FIN-C453-288, FIN-C453-289, FIN-C453-290, FIN-C453-291, FIN-C453-292, FIN-C453-293, FIN-C453-294, FIN-C453-295, FIN-C453-296, FIN-C453-297, FIN-C453-298, FIN-C453-299, FIN-C453-300, FIN-C453-301, FIN-C453-302, FIN-C453-303, FIN-C453-304, FIN-C453-306, FIN-C453-307, FIN-C453-308, FIN-C453-310, FIN-C453-312, FIN-C453-313, FIN-C453-315, FIN-C453-317, FIN-C453-318, FIN-C453-319, FIN-C453-321, FIN-C453-322, FIN-C453-323, FIN-C453-325, FIN-C453-328, FIN-C453-329, FIN-C453-330, FIN-C453-333, FIN-C453-335, FIN-C453-329, FIN-C453-330, FIN-C453-330, FIN-C453-335, FIN-C453-335, FIN-C453-330, FIN-C453-330, FIN-C453-335, FIN-C453-355, FIN-C455-355, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C455-55, FIN-C4 C453-338, FIN-C453-339, FIN-C453-340, FIN-C453-341, FIN-C453-343, FIN-C453-344, FIN-C453-345, FIN-C453-348, FIN-C453-349, FIN-C453-350, FIN-C453-351, FIN-C453-353, FIN-C453-354, FIN-C455-354, FIN-C455-35 C453-356, FIN-C453-361, FIN-C453-365, FIN-C453-366, FIN-C453-367, FIN-C453-368, FIN-C453-369, FIN-C453-371, FIN-C453-373, FIN-C453-374, FIN-C453-375, FIN-C453-376, FIN-C453-377, FIN-C453-379, FIN-C453-379, FIN-C453-380, FIN-C453-381, FIN-C453-383, FIN-C453-384, FIN-C453-385, FIN-C453-387, FIN-C453-389, FIN-C453-391, FIN-C453-392, FIN-C453-394, FIN-C453-395, FIN-C453-397, FIN-C453-398, FIN-C453-399, FIN-C453-400, FIN-C453-401, FIN-C453-402, FIN-C453-403, FIN-C453-405, FIN-C453-406, FIN-C453-411, FIN-C453-413, FIN-C453-416, FIN-C453-417, FIN-C453-420, FIN-C453-421, FIN-C453-422, FIN-C453-423, FIN-C453-424, FIN-C453-426, FIN-C453-427, FIN-C453-428, FIN-C453-429, FIN-C453-430, FIN-C453-431, FIN-C453-432, FIN-C453-433, FIN-C453-430, FIN-C453-431, FIN-C453-432, FIN-C453-433, FIN-C455-433, FIN-C455-43 C453-434, FIN-C453-436, FIN-C453-437, FIN-C453-438, FIN-C453-439, FIN-C453-441, FIN-C453-442, FIN-C453-443, FIN-C453-444, FIN-C453-445, FIN-C453-446, FIN-C453-447, FIN-C453-448, FIN-C455-458, FIN-C455-458, FIN-C455-458, FIN-C455-458, FIN-C455-458, FIN-C455-45 C453-450, FIN-C453-451, FIN-C453-452, FIN-C453-453, FIN-C453-454, FIN-C453-455, FIN-C453-456, FIN-C453-458, FIN-C453-459, FIN-C453-461, FIN-C453-463, FIN-C453-464, FIN-C453-465, FIN-C455, FIN C453-466, FIN-C453-467, FIN-C453-468, FIN-C453-469, FIN-C453-470, FIN-C453-471, FIN-C453-472, FIN-C453-473, FIN-C453-474, FIN-C453-475, FIN-C453-476, FIN-C453-477, FIN-C453-479, FIN-C455-479, FIN-C455-479, FIN-C455-479, FIN-C455-479, FIN-C455-479, FIN-C455-47 C453-480, FIN-C453-481, FIN-C453-482, FIN-C453-484, FIN-C453-485, FIN-C453-486, FIN-C453-487, FIN-C453-488, FIN-C453-489, FIN-C453-492, FIN-C453-492, FIN-C453-497, FIN-C453-499, FIN-C455-499, FIN-C455-49 C453-500, FIN-C453-501, FIN-C453-502, FIN-C453-503, FIN-C453-506, FIN-C453-507, FIN-C453-509, FIN-C453-510, FIN-C453-511, FIN-C453-512, FIN-C453-513, FIN-C453-514, FIN-C453-515, FIN-C453-517, FIN-C453-518, FIN-C453-519, FIN-C453-521, FIN-C453-523, FIN-C453-525, FIN-C453-526, FIN-C453-527, FIN-C453-528, FIN-C453-529, FIN-C453-530, FIN-C453-531, FIN-C455-531, FIN-C455-53 C453-532, FIN-C453-533, FIN-C453-537, FIN-C453-538, FIN-C453-540, FIN-C453-546, FIN-C453-548, FIN-C453-551, FIN-C453-552, FIN-C453-553, FIN-C453-555, FIN-C453-561, FIN-C453-563, FIN-C453-564, FIN-C453-566, FIN-C453-569, FIN-C453-570, FIN-C453-572, FIN-C453-573, FIN-C453-574, FIN-C453-575, FIN-C453-577, FIN-C453-582, FIN-C453-583, FIN-C453-584, FIN-C453-587, FIN-C453-589, FIN-C453-590, FIN-C453-591, FIN-C453-592, FIN-C453-593, FIN-C453-594, FIN-C453-595, FIN-C453-596, FIN-C453-598, FIN-C453-600, FIN-C453-602, FIN-C453-603, FIN-C453-608, FIN-C455-608, FIN-C455-60 C453-609, FIN-C453-613, FIN-C453-614, FIN-C453-616, FIN-C453-617, FIN-C453-619, FIN-C453-

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## **Summary of Issues Raised:**

This section of the report addresses the contents of submissions which directly relate to Chapter 4 of the Draft Development Plan 'Community Infrastructure and Open Space'.

## **Community Infrastructure**

## Community Facilities - General

Multiple submissions received called for additional community infrastructure and facilities in many towns and villages throughout the county, which included requests for recreational and open space facilities. Numerous submissions request that community infrastructure is built in tandem with new developments and with anticipated future growth in areas, e.g. D15, Hansfield SDZ, Portmarnock and Lusk. It is recommended that any proposed development which includes community facilities or open space should provide a delivery plan to ensure that community infrastructure and facilities are provided within new residential areas. Submissions referring to Lusk and the Dublin 15 area including Hansfield note that while residential development continues, these areas have lagged in the provision of key social, community, educational, health, transport and recreational / amenities facilities. It is contended that greater housing density requires a greater concentration of amenities and the Plan should be clear in ensuring amenities are concentrated in appropriate areas. Support has been given for a number of the policies and objectives throughout Chapter 4.

It is requested in numerous submissions, that no additional lands should be zoned in Lusk for residential use and that community facilities should be provided instead. There are also requests for FCC to acquire the Market lands in Lusk and provide for community infrastructure such as a swimming pool or community centre.

A submission specifically requests that Objective CIOSO5 be amended to remove the text "unless it can be established that the needs of the new residents can be adequately served within existing community facilities in the area". A further submission calls for the retention of three specific objectives from the current Development Plan (PM70, PM72 and PM76) which have been omitted from the Draft Plan.

Numerous submissions were received in relation to lands at Coldblow, Lucan in support of the development of a Gaeltacht Quarter in Lucan, including playing fields and clubhouse for Na Gaeil Óga and a cultural centre serving the Irish speaking community in Lucan.

Many submissions were received regarding St. Margaret's Parish Hall. The submissions cite the importance of the hall to the local community, the fact that various organisations and social groups use the hall for events and gatherings and ultimately request that the subject lands are zoned Community Infrastructure (CI). There are also requests that the hall be retained for community use and be upgraded and preserved as a historical site given the historical significance of the building. Submissions also request that the lands adjacent the Parochial Hall be developed as a playground/park for community use.

The HSE, in their submission, highlight the need to develop community infrastructure for the provision of day services and to utilise existing community infrastructure to promote health and wellbeing. Specific criteria has been referenced in order to meet the needs of older people, people with disabilities, and people with mental health concerns, recognising the needs of these cohorts as an integral part of healthy placemaking. These include service hubs across the county and co-location of same with community centres and colleges. Specific design criteria are also referenced. Priority areas include Swords and Balbriggan, Blanchardstown, Mulhuddart,

Baldoyle, Howth, and Malahide. It is recommended that Community infrastructure should also consider the needs of carers and people in receipt of care.

Community centres/halls have been requested for numerous locations, including Naul, Ballyboughal, Hartstown/Huntstown and Lusk. Extensions to existing centres have also been requested, e.g. at Mulhuddart, Donabate Portrane Community Centre. There have been requests that an area is reserved adjacent to Garristown Community Centre to allow for its extension to meet future needs and that Lanesborough Park and Community Centre are prioritised for development. A submission requests that a specific objective be included to 'support the extension of Balrothery Community Centre providing shared accommodation for Balrothery FC, Balrothery Tidy Towns, Balrothery Velo Club and Balrothery Youth club'. A submission refers to the inclusion of a specific objective for Howth to provide for a Community Centre and requests that an objective in the current Plan be carried forward 'To encourage and facilitate the development of a Community Centre in Howth Village'. The 'Cl' zoning objective for Donabate Parish Hall and St. Patrick's Church in Donabate are supported. It is suggested that consideration should be given to use of Ballisk House in Donabate as a Garda Station/shared local work/enterprise hub/family and youth resource centre/community space. There is full support for the proposed Community Hall, St. Columbanus Hall.

A submission notes that the community in Oldtown has no access to basic services e.g. shop, playground, safe walking/cycling routes, which affects the community, particularly younger people. Furthermore, the value of civic space, outdoor recreational facilities, play facilities, and community facilities to the health and well-being of the community have been highlighted by the pandemic which also highlights the very real deficits in this area.

Submissions received request Scout dens at numerous locations, including areas in Dublin 15 such as Castleknock. In Balbriggan, the inclusion of a Universal Youth Service in the town has been requested. Submissions request the roll out of 'Teenspace' Programmes and Infrastructure have also been received. It is requested that additional community space is developed of a variety and quality that meets a wide spectrum of community needs to match the age, ethnic diversity and requirements of families and which is affordable to the user and aimed at pursuing an inclusive policy, achieving the social integration of diverse population and income levels. The submission identifies the need for supports/ services specifically for marginalised young people.

Garda Stations have been requested for Lusk and Donabate. Submissions call for the repurposing of empty café space at Millfield Shopping Centre for community workshops.

There are several submissions requesting beach toilet and changing facilities at a number of locations along the coast, such as Rush and Loughshinny. Submissions also recommend that consideration should be given to the provision of gender-neutral toilet facility options in new public buildings across Fingal, and if consideration could be given to providing a gender-neutral option in existing public toilets where possible.

It is recommended that specific policy objectives for the provision of community facilities including the provision of certain arts and cultural infrastructure is informed by an evidence-based needs assessment and that an audit of publicly owned community infrastructure should be undertaken.

Submissions refer to Initiatives such as Village Health Checks or Community-Led Village Design Statements (CLVDS) and request that proactive collaborative community-led initiatives need to be acknowledged and supported by FCC in the next Development Plan, considering the invaluable contribution such initiatives make to their communities and the development of the county. It is recommended that the following two objectives are included in the Development Plan - Support the objectives arising from the Naul and Oldtown Village Health Check projects and support a collaborative approach to healthy placemaking across Fingal; Support the objectives arising from Lusk Vision 2030.

It is recommended that there should be a clear commitment in the Plan relating to provision of services, housing and community infrastructure to cater for the needs of the elderly and the disabled and that these elements should form a central part of all SDZs and LAPs. It is submitted that Lusk lacks facilities and spaces where elderly people can meet, exercise, enjoy hobbies/leisure activities and interact with younger people. Facilities including a swimming pool, community gardens, exercise equipment, senior citizens centre and other amenities should be provided. It is recommended that Lusk senior citizens should be surveyed/interviewed to identify their needs/requirements.

The provision of a 'Planetarium' on lands adjacent to the observatory at Dunsink is broadly supported in a submission from DIAS where it is requested that Policy CIOSP16 is amended to include specific reference to the location of the Planetarium in this policy. It is requested that the proposed planetarium is located to the south of the observatory, on the Meridian line and is located a sufficient distance away to preserve a view towards the southern horizon from the Meridian room. This is in accordance with the Royal Observatory Greenwich which is located on the Greenwich Meridian line. The preferred location of the Planetarium is indicated in the submission.

### **Chief Executive's Response**

FCC recognises the importance of social and community infrastructure to communities and the need for additional and extended community facilities across Fingal is kept under active review. Such ongoing evaluation and continued engagement with community stakeholders in conjunction with infrastructure audits to be undertaken for large-scale residential development, will help to inform future provision and investment in the area. While the delivery of community and social infrastructure is the responsibility of a number of stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In this regard, a collaborative approach is considered the best practice approach. It should be noted that Objective CIOSO1 supports the preparation of a Community Facilities and Social Infrastructure Audit for the county, the scope of which is to conduct a comprehensive audit and map existing community, sports and recreational facilities (both public and private) in Fingal County Council's administrative area and to a radius of 25 kilometres around its borders.

The delivery of community infrastructure and complementary neighbourhood facilities concurrently with new residential growth nodes is advocated and supported by numerous policies and objectives across multiple chapters of the Draft Plan. The timely delivery of all forms of infrastructure- physical, community, social is identified within active land use management plans, including Local Area Plans and Masterplans and is central to healthy placemaking and creating resilient communities. The Council will continue to provide community infrastructure to

meet the demands of the county's increasing population and will build on significant investment in Fingal's social infrastructure, including the provision and expansion of services such as healthcare, education, community facilities, libraries, recreational facilities, public parks, heritage restoration projects and playgrounds. Strong interactions currently exist between the Council and existing community groups, and these relationships should continue to be fostered and strengthened.

The provision of community facilities is informed by evidenced-based needs assessments. The requirement for a Community and Social Infrastructure Audit for developments of 50 or more residential units (Policy CIOSP2 and DMSO80) has been introduced in the Draft Plan. These audits will assess the provision of community and social infrastructure within the vicinity of the site and shall identify existing shortcomings in terms of such facilities and assess whether there is a need to provide additional facilities to cater for the proposed development.

Regarding the request to amend Objective CIOSO5, it is noted that the current text is required to ensure that the Council avoids duplicating community facilities leading to unsustainable provision of infrastructure, waste of public funds and loss of opportunities to provide facilities to communities where such amenities are lacking.

With regard to omission of PM70, PM72 and PM76 from the Draft Plan, it is noted that these objectives are included in the Draft Plan as Objectives CIOSO5, CIOSO6 and CIOSO27 (reworded) respectively.

Objective CIOSO5 - Residential Developments and Community Facilities Ensure proposals for large scale residential developments include a community facility, unless it can be established that the needs of the new residents can be adequately served within existing or committed community facilities in the area.

Objective CIOSO6 - Resist the loss of existing social and community facilities such as community centres and youth clubs or any sports facilities including playing fields, unless satisfactory alternatives are available.

Objective CIOSO27 - Require the provision of appropriate childcare facilities as an essential part of new residential and mixed-use developments in accordance with the provisions of the Childcare Facilities Guidelines for Planning Authorities 2001 or any superseding Guidelines, or as required by the Planning Authority. Such facilities should be provided in a timely manner and be an integral part of the development proposal.

Regarding the submissions in relation to lands at Coldblow, Lucan, these requests for rezoning will be addressed within that section of the CE report relating to the Sheets.

The preparation of adopted Dublin Airport LAP 2020 involved direct community engagement with representatives from St Margaret's with the aim of preparing a strategy for the Special Policy Area. This Strategy is set out in Appendix 1 of the LAP identifies potential environmental and socio-economic enhancements for the St Margaret's area and is supported by objectives within the Strategy. The Strategy notes the historical significance of the Parochial Hall complex and its potential to provide for high-quality attractive community uses. The Strategy also identified lands to the north and north-east of St. Margaret's N.S. as offering the optimum location for high quality open space and associated recreational uses. The delivery of such projects will require co-operation of community representatives, property owners, FCC and other

relevant stakeholders. Issues such as the installation of seating may be reviewed by the Operations Department

The Community Department will continue to engage with the HSE in relation to issues such as the co-location of community centres with health facilities where feasible. In this regard, it should also be noted that the Council will support the development and creation throughout Fingal of successful and sustainable settlements which endorse the principles of healthy placemaking and which through a multi-faceted approach to planning, design and management, continue to ensure the development of attractive high-quality places to live, work and recreate, visit and invest in. These in turn are served by a range of local services, provision of quality public realms, community facilities and open spaces for the benefit of the community.

Fingal County Council has 15 no. Council-owned community centres across the county and along with this, provides intensive supports to a further 18 no. non-Council owned community centres. Prior to the Covid-19 pandemic, footfall in 2019 was 2,465,006 across these centres, highlighting the high level of use. Two new multi-purpose community centres are being provided at Meakstown and Baldoyle to support the needs of the communities in these areas. The Community Facilities Management Unit are overseeing the implementation of a schedule of improvement works across community centres and continues to provide assistance to all facilities and Boards of Management in relation to finances, good governance and best practice in facility management.

A feasibility study is underway in Mulhuddart Community Centre to assess the needs and potential solutions in this area. Regarding the community centre at Hartstown/Huntstown the Council continues to work with relevant local parties to support the operation of the two community centres in this area. Earlier this month (July 2022), it was announced that Fingal will take over Huntstown Community Centre. Fingal plans to undertake substantial repair and remedial works at the centre which is a place many community and volunteer groups utilise weekly for meetings and activities to support the local area. The Council will also provide support to the centre through the Council's Community Development team to ensure it is able to continue the good work it does on community outreach and support any future support service

The Council is open to engagement with the management of the Donabate Portrane Community Centre in relation to the future needs of the centre and the citizens of the area. Regarding the specific objective for Howth Community Centre, it is noted that the delivery of specific community and recreational facilities such as the project referenced in the submission, should be considered within the context of a delivery document such as a Capital or Works Programme. The Community Development Section continues to work with the local community to realise this project. There are currently no plans in the Capital Budget to provide a community centre/hall in Naul, Ballyboughal or Lusk. Garristown Community Centre is not a FCC operated centre however, the Rural Village (RV) zoning at this location would permit a community facility (or extension therefore) in principle, subject to consent under the development management process. In addition, the Balrothery Community Centre is not operated by the local authority. However, it is located within lands zoned for Community Infrastructure use (CI) and as stated above, any extension thereof would be subject to the necessary consents under the development management process. Similarly, Ballisk House in Donabate is located on lands zoned for Town and District Centre (TC) which also permits in principle numerous community uses. Regarding

Lanesborough Park and Community Centre, it should be noted that work is progressing to procure the provision of these facilities over the coming months.

Additional public open spaces including parks will be provided in rural villages in Fingal through the preparation of Local Area Plans and through the Planning and Development Management process.

In relation to childcare, this matter is under review with the Community Development, Heritage, Culture & Creativity Strategic Policy Committee. The delivery of Scout dens and Garda Stations is outside of the scope of the Development Plan. However, lands are zoned in towns and villages that would allow for such uses, where appropriate. Regarding additional community space and a universal Youth Service in Balbriggan, it is contended that the two Community Centres located in Flemington and Castlelands Balbriggan cater for the needs of the town. The Community Development Section is assessing the suitability of 'Teenspace' programmes in the Dublin 15 area.

The Community Department also provides support, in terms of both human capital and financial assistance to 621 no. community and voluntary groups such as Tidy Towns and Residents Associations and administers a range of funding schemes to promote community development activities across the county.

Major initiatives include dedicated support to displaced members of the Ukrainian community residing in Fingal accommodation centres, delivery of actions under the Fingal Migrant and Social Cohesion Strategy, Wellness Recovery Action Plan (WRAP programme), Failte Isteach Conversational English Classes, community engagement days with Traveller groups and designated housing estates, Women's Leadership Programme and delivery of actions under the Fingal Age Friendly Strategy.

Regarding the repurposing of empty café space at Millfield Shopping Centre for community workshops, it is noted that the Major Town Centre (MC) land use zoning applies to these lands, where childcare facilities and community facilities are permitted in principle. Furthermore, as the shopping centre is privately operated; agreement from the landowner and all necessary development management consents would be required to facilitate the change of use proposed.

Social inclusion is embedded in the Draft Plan with policies, focused on improving access for all groups within society, impacting positively on the lives of citizens. There are key groups within society which must be considered when planning and designing our communities and providing social and community facilities. These include for example, children and younger people, older people, persons with disabilities, new ethnic communities and the Traveller community.

Toilet facilities are provided at Rush South and Loughshinny Beach. The Council proposes to refurbish/replace toilet facilities at all coastal locations to provide wheelchair accessible facilities and to provide for changing places facility. Rush South Beach is in the first tranche of toilet facilities due for refurbishment/ replacement in the coming year. All new public toilets have been designed to be uni-sex and are also wheelchair accessible. FCC are providing gender neutral toilets in new Community Centres e.g. Meakstown and Baldoyle Racecourse Park. This follows the lead taken by the Department of Education on the recently constructed school/shared community building at Luttrellstown. Generally, toilet layouts are being left unchanged in the proposed upgrades of existing facilities (corporate and community public buildings). New public

realm toilets e.g. proposed Quay Street Balbriggan are using individual cubicles which give the flexibility to assign all as gender neutral. This is also the case in the emerging scheme for Swords Cultural Quarter. The new public toilet programme being rolled out by the Operations Department uses individual cubicle units which can be assigned as male, female or left as gender neutral.

The Arts Section of the EETCD currently operates a register of all art works in the Council's Municipal Arts Collection. Objective CIOSO1 supports a Community Facilities and Social Infrastructure Audit for the County. The scope of this assessment is to conduct a comprehensive audit and mapping of existing community, sports and recreational facilities (both public and private) in Fingal County Council's administrative area and up to a radius of 25 kilometres around its borders. It should also be noted that a Playground Audit of all playgrounds within the county has commenced, and this will be completed in the second half of 2022.

In relation to the provision of local level plans, such as Health Checks or Design Statements, these are addressed in chapter 3 Sustainable Placemaking and Quality homes.

Social inclusion is one of the four cross-cutting themes of this Plan. It is a key objective at national, regional, and local level when planning for our communities and is integral to the preparation of any LAPs or Masterplans. There are key groups within society which must be considered when planning and designing our communities and in relation to housing provision, and this includes older people. This Plan is committed to planning for the housing and accommodation needs of older people within the Fingal community ensuring a range of accommodation options are available and to provide meaningful choice. Fingal has published 'A New Age Friendly Strategy 2018-2023' and the content considers the new Healthy and Positive Ageing Initiative (HaPAI) data for the County. The Government's Policy Statement - Housing Options for Our Ageing Population 2019 provides a framework to support and provide guidance. NPO 30 of the NPF also provides that 'local planning, housing, transport/accessibility and leisure policies be developed with a focus on meeting the needs and opportunities of an ageing population, along with the inclusion of specific projections, supported by clear proposals in respect of ageing communities as part of the core strategy of City and County Development Plans'.

In relation to Age Friendly Facilities, the Community Department will look at the feasibility of conducting a walkability study in Rush which would form the basis of provision of Age Friendly Facilities in the area. The Council is committed to overseeing the implementation of the Migrant Integration and Social Cohesion Strategy 2019 – 2024 and will continue to work with its partners in this area.

With regard to the Planetarium, it is considered that the content of Policy CIOSP16 (*Dunsink Planetarium - To promote the concept of a "planetarium" on the lands of Dunsink adjacent to the Observatory*) is sufficiently broad and provides a degree of flexibility with regard to identifying a potential location for the facility. The future scoping and assessments required for the statutory plan for Dunsink will consider, in conjunction with the relevant stakeholders, the location for the planetarium. Pinpointing an exact location at this juncture would be premature in advance of undertaking these additional assessments and ahead of securing all necessary consents. Chapter 2 of the draft Plan outlines specific information in relation to Dunsink and the proposed study for the lands. As per the recommendation in Chapter 2, it is considered appropriate the Policy CIOSP 16 be relocated to this section of the Plan.

### **Sporting and Recreational Facilities**

Numerous submissions have been received citing the need for recreational amenities, recreational hubs, sports, including all-weather sports and leisure facilities throughout the county, including in Lusk, Dublin 15 area, Swords, Balbriggan, Skerries, Garristown and Rush.

Many submissions received related to Elm Green Golf Club at Dunsink. The submissions do not support the rezoning of these lands for residential purposes and it is stated that the golf club is one of the few remaining public golf courses in Dublin and provides valuable recreation and sports facilities to many people and groups. Submissions received also support the retention of Hollystown golf club as Open Space.

Sports Ireland Limited has welcomed the new zoning of National Sports Campus (NSC) and has suggested a number of changes regarding possible uses which will be addressed in that section of this report relating to Chapter 13. A submission notes that the National Sports Campus is not sufficiently orientated towards the local community and that working with Sports Ireland and Waterways Ireland, FCC should aim to open up the amenities to local communities through the creation of more access points and walkways. It is also requested that a feasibility study should be undertaken in relation to the provision of a municipal stadium within the campus.

It is submitted that the provision of a sports hub in Swords should be an objective in the Development Plan, having regard to the projected population increase for the town. It is requested that the ALSAA Complex and Sporting Facilities and Swimming Pool (or replacement Pool) be protected from any change of use within the airport complex without compensatory sports and recreational facilities being provided.

A submission has requested the inclusion of an objective for the promotion of opportunities for recreation and sports for people who are blind, and vision impaired in the county.

A number of submissions suggested that Council owned lands at The Nevitt should be made available as a Forest Park, where playing pitches for use by all the local clubs could be provided. Reference is made to the shortage of playing pitches and submissions suggest that the provision would represent an investment in the people of Fingal.

A submissions requests that FCC provide a facility that can cater for 89th Bremore Scout Group, Balbriggan Volleyball Club, and Fingal Rowing Club at Bremore Regional Park in Balbriggan. It is suggested that Coastguard Station and Bath House below the Martello Tower in Balbriggan are brought back into use as active boat houses.

Submissions call for the need to identify and facilitate new playing pitches in Skerries and adjacent areas. A submission requests the provision of an athletics facility in Skerries Town park, including a clubhouse. The submission expresses support for Skerries AC's proposal for the development of a 200m track, a paved running circuit, and a small clubhouse in the Town Park area. The submission states that the development of the Ballast Pit in Skerries is needed to cater for the expanding Skerries population. Skerries Harps GAA Club seeks the infilling of the Ballast Pit to provide for adequate playing pitches to serve the club with supporting ancillary facilities such as public lighting and a running track. The submission specifically requests that FCC collaborate with the club in advancing the development of a single pitch and changing rooms at their lands at Milverton, Skerries on a temporary basis for the duration of the upgrade works to pitches at Townparks, Skerries.

Concerns are expressed over lack of recreational amenities in Lusk, including a leisure centre to cater for indoor and outdoor facilities, a swimming pool and accommodation for Lusk Athletics Club to serve the growing population of Lusk. A submission notes the slow pace of the completion of the Active Hub in Lusk. Concerns are also expressed regarding the replacement of the playing pitches with a MUGA in the recreational hub and at Orlynn Park which will replace the opportunities for training. There are requests to provide and develop the space behind the Clonrath development for public use as a park and other recreational uses. Concerns have been raised about accessibility to the Lusk recreational hub and suggests that the kissing gates are removed.

Submissions refer to an area at Dun Emer / Kilhedge Lane and requests if this unused land may be secured and cleaned up to benefit the community with a dog park created where pets can be off leash, or a skate park, basketball court or outdoor astro-sports area for children.

Submissions request that the plan for the sport campus near St. Catherine's in Rush be progressed with the purchase of associated lands and the extension of Kenure Park into the open area between the park and Golden Ridge estate, to provide a skate park / pump track thus providing more social and/or exercise opportunities for teens.

A submission received suggests the optimisation of playing pitches and ancillary facilities, a commitment to community/stakeholder engagement regarding same, the upgrading of existing facilities, the inclusion of the necessary policy/objective to facilitate flood lighting projects, the provision of dressing rooms in open space, small-scale facilities in residential areas, a general presumption against the development of existing playing pitches unless proximate and suitable alternatives can be provided, 25% open space on institutional lands and that protective measures be carried out where new developments are proximate to playing pitches.

A submission states that there is a need for both indoor and outdoor sports facilities including a gym, sports hall/community centre at Hartstown/Huntstown, and provision of a running track and basketball courts in Hartstown Park. A submission notes an area of waste land south of Seagrange Park, running along the Bayside railway line would be an ideal location for an all-weather pitch.

Reference is made to the Lissenhall land bank to support the provision of a municipal sports centre. It is suggested that Ward River Valley, immediately south of the Swords Manor pitches, be used for a community, sports centre, and swimming pool. It is requested that the Ward River Valley provide a destination playground within the park. It is also requested that the former Barracks on Church Road in Swords, opposite the Old School House, be used for the provision of a new park entrance and visitor centre.

The submission states that the Draft Plan should include a policy to support the development of a county campsite for use by scouts, girl guides, Foróige and other youth groups. A properly serviced campsite is also requested for Skerries.

A submission has been received regarding Rush Harbour where the regeneration of same is suggested, including a marine slipway, repair of the harbour wall, inclusion of safety railings, seating for viewing, provision of a swimming platform, steps and a Tidal Swimming Pool. It is also suggested that a marina should be considered for Rush.

Numerous submissions raise the issue of improving wheelchair access to the beaches. During the summer period provision of a Portaloo at Harbour Beach is recommended as the existing toilet block is too far away for young children to access it. It is also requested that Blue Flag status for North Beach and South Beach should be attained and referred to in the new Development Plan.

There is also a submission which relates to Skerries Harbour, which states that the harbour should be optimised for use by small craft and personal watersports equipment and not used for parking yachts.

Several submissions request that that all necessary community, commercial, cultural and social facilities are developed in Donabate including the early delivery of the Ballymastone Sporting and Recreational Hub on Council owned lands at Ballymastone, Donabate.

Numerous submissions note that swimming pools should be provided in specific areas, including the Dublin 15 area, Lusk, Rush, Balbriggan, Swords, Skerries, to serve the County. It is also suggested that these are provided in conjunction with community centres and GAA facilities.

Sea swimming infrastructure including swimming platforms, tidal pools and changing rooms have been requested at a number of coastal locations around the county, including Rush, Howth and Balbriggan, Skerries. It is submitted that the development of sea swimming infrastructure, in particular changing rooms will increase the well-being of the people of Fingal.

A submission calls for the plan to include an objective to maximise biodiversity and amenity benefits, of swimming and other recreational water use, of the proposed infill behind the West Pier in Howth, including through the incorporation of structural elements conducive to marine and coastal biodiversity and through considering the provision of a major tidal pool. A number of submissions request Universal Access for Balscadden Beach.

#### **Chief Executive's Response**

In terms of providing accessible sporting and recreation facilities, Chapter 4 of the Draft Plan 'Community Infrastructure and Open Space' contains policies to support the development of sports and recreational infrastructure within Fingal. For example, Policy CIOSP8 seeks to 'Ensure that all communities in the County are facilitated with a variety of sporting facilities that are fit for purpose, accessible and adaptable. As a result, it is considered that the Draft Plan provides comprehensive support for the development of recreational facilities in Fingal, but that operational issues such as the provision of specific programs, including service provision and community development programs for specific areas does not fall within the scope of the Draft Plan.

For Fingal County Council owned facilities, the delivery of specific items of recreational infrastructure are more appropriately considered within the context of a Capital or Works Programme. It is noted that a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk. The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. One of the key objectives was to identify a gap and needs analysis, focusing on what is required in the study area to develop and maintain facilities.

Objective CIOSO1 supports the preparation of a Community Facilities and Social Infrastructure Audit for the county, the scope of which will result in a comprehensive audit and mapping of existing community, sports and recreation facilities (both public and private) in Fingal County Council's administrative area and extending to a radius of 25 kilometres around its borders. Recommendations from this county-wide audit will inform Fingal County Council as we seek to identify the optimum type and location of appropriate sports and recreational facilities in an evidence-based manner, which will be used to help secure new investment in facilities across the County.

There are currently 14 no. locations identified as Recreational Hubs across Fingal incorporating all-weather facilities which are being provided through the Council's multi-annual Capital Programme.

The Council has a programme to provide ancillary sporting facilities such as changing rooms where the capital investment can be justified and where there is sustainable level of use associated with such facilities. It should also be noted that ancillary features such as dressing rooms are provided in association with recreational hubs.

Regarding Elm Green Golf Club and the rezoning of same, issues arising in the submissions will be addressed in section of the Chief Executive's report addressing Development Plan Map Sheets. There is no change to the land use zoning associated with the ALSAA Complex.

Accessibility is a key consideration in the provision of all parks and open spaces including play and sporting facilities. The Council will continue to work with Sports Ireland, Waterways Ireland and other agencies to avail of opportunities for improvements to public amenities which access to the lands managed by these organisations may afford, having regard to the Council's wider objectives.

Regarding the request for a specific objective to be included in the Development Plan for a sports hub in Swords, it is noted that the delivery of specific community and recreational facilities, such as the project referenced in the submission, should be considered within the context of a delivery document such as a Capital or work programme. Two multi-code Recreational Sports Hubs are already provided for in Swords, one in the Ward River Valley Regional Park and one in the Swords Regional Park at Oldtown Mooretown. A significant number of pitches with related facilities are also provided at Ridgewood. Consideration will be given to the provision of additional Sports Hubs in the context of the preparation of the Parks Development Project for the Ward River Valley Regional Park which will commence in the coming weeks.

With regard to accessibility for people who are blind/visual impaired, is noted that access is a key consideration in the provision of all FCC parks and open spaces including play and sporting facilities.

The Council will bring forward a plan for the Nevitt lands during the period of the Development Plan. The plan will take account of all relevant factors including the site conditions, accessibility, and local needs for recreational facilities.

An assessment is currently underway to determine the best way to repurpose the former Lifeboat and Bath House buildings in Bremore Regional Park, having regard to the designations

which apply to these structures. The assessment will consider the proposals already communicated to the Council following engagement with clubs and local Elected Members.

Fingal County Council will continue to work closely with local sports clubs in Skerries to mitigate the effects of the approved pitch upgrade works at Skerries planned to commence in the coming months. Significant pitch upgrade works at the Ballast Pit site will require further survey design and planning. Due to the ecological importance of the Ballast Pit, the Council does not intend to fill in the site. As regards the development of a pitch and associated facilities at Milverton in Skerries, this will require planning consent and the Council is available to liaise further with the club in relation to their plans relating to this site.

The Park Development Plan for Rathmore Park in Lusk will include provision for a Multi-Code Active Recreational Sports Hub in addition to significant areas dedicated to passive recreation and play. Lusk Recreational Hub forms part of Rathmore Park and a Park Development Project for this site is currently in preparation and will address access, mobility and car parking issues to ensure that the site is available to all park users. The Council opened a State-of-the-Art playground in Rathmore Park in Lusk in 2021. The further development of the park which is due to progress through the planning process over the coming months will provide for additional play and sporting facilities including night-time training and associated infrastructure. The upcoming Playground Audit will prioritize improvements in line with the adopted play policy. It should be noted that the area behind Clonrath is in private ownership and any proposals for development forthcoming would be subject to assessment under the Development Management process.

In relation to Dun Emer/Kilhedge Lane, the Council is available to liaise with the local community in relation to the inclusion of additional outdoor amenities however, the inclusion of an objective to this end is not considered appropriate in the context of the preparation of the Development Plan.

The Council plans to provide a Recreational Hub in St. Catherine's Park in Rush subject to the availability of suitable lands which the Council is currently working to acquire. The Class 1 open space generated by the 1st phase of the Golden Ridge Development will be incorporated into Kenure Park.

The Council has a programme in place for the continuous improvement of public grass sports pitches. The Council's commitment to improvement of such facilities is demonstrated in the multi-annual capital and revenue expenditure identified for this purpose. It would not be appropriate to include operational details of this nature in the Development Plan. All new developments (sporting or otherwise) sponsored by the Council requiring planning approval are subject to significant stakeholder engagement as part of the planning consent process.

The floodlighting of public grass pitches is problematic as regards the long-term sustainability of this approach. The Council's response to this issue is the provision of strategically located floodlit all-weather pitches available on a not-for-profit basis to local clubs. The Council has a programme to provide ancillary sporting facilities such as changing rooms where such capital investment can be justified and where a sustainable level of use is evident.

Currently, the Council provides small scale sporting facilities in residential open space in line with the provisions of the Council's Open Space Strategy and Play Policy. Sports facilities used by

senior teams for organised, competitive sporting events are not appropriate for inclusion in residential areas due to the level of disruption inherent. Public sports pitches located in parks and open spaces are generally subject to strong protection from development pressure through the provisions of the Development Plan. The Development Plan makes provision for Class 1 Open Space for Active Recreation through the Development Management process, and this has led to the development of many new and appropriately located sports pitches around Fingal. It is considered that this approach is appropriate and sufficiently specific as regards the provision of such facilities. The protection of pitches during construction works is provided for within the Planning and Development Management process.

The Council is involved in ongoing discussions with clubs in the Hartstown/Huntstown area with a view to providing further improvements to the sports facilities in Hartstown Park.

Provision is being made for the development of a very significant Multi-Code Recreational Hub located in the planned Racecourse Regional Park located beside Seagrange Park. This is considered a more suitable location as it will include the necessary services for the provision of all-weather facilities. There are no plans to change this land from its current designation.

Lands at Lissenhall are subject to the preparation of a statutory land use plan, such as a Local Area Plan, which will include land use zoning objectives for community infrastructure and open space providing for sporting facilities/recreational and open space. The recently commenced process for the preparation of the Ward River Valley Regional Park Development Project will examine the inclusion of a range of facilities within the park. The former barracks site on the Church Road in Swords has now been incorporated into the Ward River Valley and its use as an entrance to the park will be considered in the context of the recently commenced process for the preparation of the Ward River Valley Regional Park Development Project.

The provision of campsites for specific groups is outside of the scope of the Development Plan. The GB, HA and RU land use zonings reference campsites as being permitted in principle (subject to certain conditions) within these land use zonings. Any such proposals would require assessment and necessary consents under the development management process.

A report has been commissioned which will form the basis for Work Programmes at Rush Harbour over the next five years. There are two designated bathing areas in Rush at Rush South and North Beaches. Engineering works are required to ensure Rush South Beach is made accessible and these works will be programmed as part of the delivery of the Capital Works Programme. Rush North Beach cannot be made wheelchair accessible without significant capital works. Toilet facilities on Harbour Road are scheduled for replacement/refurbishment as part of the programme for public toilet improvements at coastal areas across Fingal. Rush South Beach attained Blue Flag status in 2022. To make an application for a Blue Flag, the beach must meet stringent criterion set by FEE (The Foundation for Environmental Education) in four categories of water quality, environmental management, environmental education and safety. All Blue Flag awards are at the remit of the evaluation committee each year. The principal considerations in an application for Rush North would relate to restricted access issues and the absence of toilet facilities on the beach.

Furthermore, with regard to Skerries Harbour, the reports and recommendations of the aforementioned reports will form the basis for the Work Programme at the Harbour over the next five years.

The Ballymastone Recreational Hub is included in the Capital Programme 2022-2024. The Part XI application was approved by the Council in September 2021 and the delivery of the project will progress in line with all relevant Council procedures. The scheme provides inter alia for:

- 1 No. 8 Lane 400m Athletics Track (All weather surface),
- 1 No. Grass Sports Pitch (100m x 64m).
- 1 No. All-weather Pitch (1 GAA/2 Soccer) (150m x 106m).
- Combined Public Skatepark and Playground Facility.
- Car Park (191 No. Spaces incl. 20 No. Universally Accessible Spaces). Coach Park (6 Spaces).
- Bicycle Parking: 300 No. Bicycle Parking Spaces.
- 3 No. Bleacher seating structures.
- Sports Hub enclosure fencing (1.8 M high Security Fencing).
- 6m wide Vehicular Access Road through site from cycle protected junction on Donabate Distributor Road.
- Extensive dedicated Walking and Cycling infrastructure linking to adjoining networks.
- Associated Foul/Fresh Water & ESB Connections and Fibre Optic Communications Connections.
- Recreational Hub Lighting Including: Public lighting of primary circulation/road network.
   Public lighting of Car Park, 8 No. Floodlights around All-weather Sports Pitches, 8 No.
   Floodlights around Athletics Track & Grass Sports Pitch.
- Extensive Landscape Planting using predominately native Tree and Shrub Species.
- Extensive Earthen Berms to incorporate excavated soil and to enclose and screen the facility from surrounding areas.
- Sustainable Urban Drainage Infrastructure (SuDS) to ensure surface water is attenuated within the site.

In relation to Swimming Pools, the Community Development Department have opened a dialogue with Swim Ireland with a view to incorporating best practice on swimming facilities into a wider review of sports and recreation facilities within the Fingal area. It is intended to commence the review by the middle of this year and aim to have it completed by the end of 2022. The review will be undertaken against the backdrop of a potential national policy/strategy review by the Department of Sport whereby it is anticipated that further direction will emerge nationally on the provision and funding of swimming pool facilities.

A Feasibility Study will be prepared for the tidal pool at Balbriggan, from the harbour northwards. This was recently subject to a tender process, and it is anticipated that the Feasibility Study will be completed by the end of this year. In relation to the specific request at West Pier in Howth, permission is sought by the Department of Agriculture, Food and the Marine for a variety of works, including dredging and infill of land. No decision has been issued (28.07.2022).

Under the 2022 Programme of Works Fingal County Council is currently undertaking an Access Audit which will review access to Balscadden beach from Balscadden Park at the Nose of Howth. The Access Audit will not include the current access to the beach from Balscadden road as these lands are in private ownership.

#### **Education**

### **Primary and Post-Primary**

Numerous submissions referring to provision of schools in a number of areas of the county were received including Rowlestown, Balrothery, Malahide, wider D15 area, Tyrrelstown, Hollystown and Hollywoodrath, Donabate/Portrane, Lusk, Naul, Hansfield SDZ, Skerries, Rush, Balbriggan and Kellystown. Submissions are noted which call for schools to be built in conjunction with or in advance of new communities. In the wider Dublin 15 are, it is stated that the demand for school places at all levels has exceeded supply consistently since the early 1990s.

Numerous submissions were received regarding the provision of the Malahide/Portmarnock Educate Together National School at Broomfield, Malahide. The submissions relate to the proposed rezoning of lands at this location to facilitate a new school. Several submissions referenced the national school in Naul village and request that an alternative site should be identified.

The submission from the Department of Education is welcomed. The Department has stated that it is important to note that a school's demand assessment report for a standalone SHD/large scale residential development cannot be reliable when it only takes account of the projected requirement for school places resulting from its own development. Submission also states that the assessment of likely school place requirements to be generated from apartment developments rather than the traditional house is challenging.

The Department requests that an education zoning be applied to all existing school sites in Fingal and that they be mapped and zoned by the Local Authority. It is also requested that the proposed development of sites which have already been identified by the Department for school provision to meet immediate school place requirements should be supported by means of an appropriate zoning and/or by a Specific Local Objective on the subject site in the relevant Plan. It is recommended that all existing school sites and a land buffer around them (wherever possible) should be zoned and protected to meet future educational needs.

It is submitted that there are concerns regarding road safety around primary schools in Fingal and it is recommended that additional text be included in Objective CIOSO15 or a standalone objective provided as follows: *An audit of existing infrastructure and road safety traffic risk assessment must support proposals for intensification of existing educational infrastructure.* 

Regarding schools' provision, submissions recommend that any new community facilities and schools, or the re-development of existing facilities and school, prioritise the provision of access to unstructured play in nature to promote physical and emotional development as well as allowing people of all ages to (re)connect with nature.

A submission welcomes provision within the plan to ensure that the design of schools and other educational centres take account of sustainable building practices, water and energy conservation as well as air quality and climate change. The requirement for new schools to be designed in accordance with 'School Streets' principles will also provide excellent learning opportunities for students regarding climate action in practice and should be strongly supported. It is suggested that living classrooms should be encouraged in all current and new schools in Rush and bird boxes should be provided in new schools.

Submissions request that a masterplan be prepared for the site currently occupied by St. Joseph's Secondary School in Rush in advance of the school relocating to a new site within the town and during the lifetime of this Development Plan and requests that the existing site should be designated for permanent community use e.g., car parking and sporting/cultural facilities.

It is suggested that FCC needs to continue to engage with the Department of Education to identify the need for additional school places and with primary schools to get an up-to-date understanding of their enrolments and to understand the potential impacts on the requirement for additional secondary schools. Given that Fingal has a relatively young population it is suggested that the Council should be clear in supporting the provision of childcare and both primary and secondary school places for Fingal residents.

Submissions received highlight the need to create environments to promote healthy eating and promote healthy food choices. The submission from the HSE is noted in this regard. A submission states that careful consideration should be given to the appropriateness and location of fast-food outlets in the vicinity of schools and, where considered appropriate, restrict the opening of new fast food/takeaway outlets to an effective 'no-fry zone' that will be set at 1km in proximity to schools so as to protect the health and wellbeing of school-going children.

### **Chief Executive's Response**

While the provision of new schools is the responsibility of the Department of Education, Fingal County Council has and will continue to work collaboratively with the Department and with the Department of Further and Higher Education, Research, Innovation and Science in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal. Map based objectives relating to the location of existing and proposed schools on Map Sheets which form part of the Draft Plan have been drawn up in consultation with the Department of Education. Policies and Objectives within the Plan re-affirm that Fingal will work collaboratively and engage at all times with the Department in its role in provision of educational facilities.

The Code of Practice issued by the Department of Environment, Heritage and local Government in 2008 entitled 'The Provision of Schools and the Planning System' 2008, provides guidance to planning authorities and has three core objectives for the effective integration of the school and the planning system. These include the following:

- That school's provision should be an integral part of the evolution of compact sustainable urban development and the development of sustainable communities.
- The provision of any new schools (both primary and post-primary) should be driven by and emerge from an integrated approach between the planning functions of Planning Authorities and the Department of Education and Science; and
- Local Authorities, as Planning Authorities, will support and assist the Department in ensuring the timely provision of school sites.

The Department of Education's Technical Guidance Documents/School Design Guides sets out the design requirements for school facilities, including the quantum of open spaces and play spaces to be provided and any extensions to existing facilities in urban and rural areas will be assessed on case-by-case basis in accordance with the relevant Development Management standards, taking into account the proper planning and sustainable development of the area.

The Draft Plan sees the introduction of the requirement of a Community and Social Infrastructure Audit for developments of 50 or more residential units (Policy CIOSP2 and DMSO80).

Policy CIOSP2 - Community and Social Infrastructure Audits - Promote the preparation of community and social infrastructure audits for large-scale developments which will inform policy on infrastructure provision within Fingal.

DMSO80 - Community and Social Infrastructure Audit - Planning applications for large scale residential and mixed-use developments, of 50 or more residential units, shall include a community and social infrastructure audit. This audit shall assess the provision of community and social infrastructure within the vicinity of the site and shall identify existing shortcomings in terms of these facilities and assess whether there is a need to provide additional facilities to cater for the proposed development.

These audits will assess the provision of community and social infrastructure within the vicinity of the site and shall identify existing shortcomings in terms of these facilities and assess whether there is a need to provide additional facilities to cater for the proposed development. Regarding proposals for intensification of existing educational infrastructure, these will be addressed on a case-by-case basis through the Development Management process. Road safety and traffic risk assessments would be required where considered appropriate.

In relation to proposed amendments to Objective CIOSO15, it is noted that the text of the objective currently states 'Encourage the continued use and possible intensification of existing educational infrastructure where appropriate. Facilitate the development of new schools, the redevelopment of existing schools and extensions planned as part of the Government's School Building Programme'.

It is not considered necessary to amend the text in place as amendments to existing educational infrastructure, including possible intensification thereof would necessitate full assessment under the development management consent process, including road safety and traffic risk assessments as necessary.

With regard to submissions relating to Malahide/Portmarnock Educate Togher School, the requests for rezoning will be addressed within that section of the Chief Executive's report relating to the Development Plan Sheets. A Masterplan has not been recommended for the site at St. Joseph's Secondary School in Rush.

With regard to the location of fast-food outlets in the vicinity of schools, the content of the Local Area Plans-Guidelines for Planning Authorities 2013 (DECLG), is noted and supports the policy position of the Draft Plan in relation to location restrictions near schools. The Guidelines outline that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities. The Guidelines include that ensuring that exposure of children to the promotion of foods that are high in fat, salt or sugar is reduced such as the careful consideration of the appropriateness and or location of fast-food outlets in the vicinity of schools and parks as an example of promoting active and healthier lifestyles.

As such, Objective DMSO100 'Development proposals for fast food/takeaway outlets will be strictly controlled and all such proposals are required to address the following: "The cumulative effect of fast food outlets on the amenities of an area. "The effect of the proposed development on the existing mix

of land uses and activities in an area. "Opening/operational hours of the facility." The location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact' and in particular Objective DMSO101 'Give careful consideration to the appropriateness and location of fast food outlets in the vicinity of schools and, where considered appropriate, to restrict the opening of new fast food/takeaway outlets in close proximity to schools so as to protect the health and wellbeing of school-going children' of the Draft Plan will provide support for the development management process for applications relating to fast food outlets.

#### **Higher and Further Education**

A third level education affiliate college and/or training centre for Swords is requested. It is recommended that all references in the plan to DIT are changed to TU Dublin and that Technological University Dublin - Blanchardstown Campus is used instead of Technological University Dublin located in Blanchardstown.

It is requested that FCC consider amending Objective CIOSO23 to include reference to the National Transportation Authority and TU Dublin.

It is also requested that Section 4.5.1.5 is also amended to include more detail about TU Dublin and participation to Higher Education across the County.

#### **Chief Executive's Response:**

With regard to the third level college for Swords, it is noted that Objective CIOSO21 supports the provision of same throughout the county, without referring to specific areas - *Promote and facilitate the development of existing and new third and higher-level education centres where practicable and in proximity to public transport.* 

Objective CIOSO23 states - Promote and facilitate the development of existing and new further education centres where practicable and in proximity to public transport, particularly in areas of high socio-economic disadvantage.

It is considered this objective remains the same as there are more stakeholders that the NTA and TU Dublin, as per the request.

The Fingal Development Plan is the key guiding framework for the delivery of sustainable connectivity across the county which has regard to key supporting policy guidance at national and regional level, including the NPF, RSES and Greater Dublin Area Transport Strategy. In this context, the transport policies and objectives as set out in the Draft Plan under Chapter 6 have regard to national and regional policy guidance relating to sustainable mobility. In the interests of clarity, these policies and objectives, when combined, form an integrated framework to guide and advance sustainable mobility within the county over the next plan period. The proposal to amend this objective is site specific and outside of the scope of the Development Plan. The development of existing and new further education centres would be subject to the development management process and would be subject to traffic impact assessments and mobility management plans as required.

In addition, the Draft Plan is explicit in its recognition of the role that walking, and cycling can play in achieving mode shift and its contribution in reducing transport emissions and improving quality of life and wellbeing. Chapter 6 is explicit in the promotion and support for the development of a comprehensive and well-connected network of walking and cycling routes

within the county in accordance with NTA and TII policies and standards and includes a number of supportive policies and objectives in this regard.

With regard to Section 4.5.1.5 and the proposed amended text, it is proposed amend the text to have regard for the request.

#### Childcare

Submissions request that additional community based not for profit childcare facilities are introduced urgently and that a significant focus should be on community based childcare provision. It is recommended that affordable child care options should be made available through the provision of appropriate infrastructure and it is stated that Development Plan should encourage the provision of purpose-built childcare facilities to encourage local economic development, address disadvantages in accessing childcare, and tackle the cost of living crisis.

The HSE requests the creation of a Breastfeeding Friendly Fingal which strategically promotes breastfeeding-friendly spaces and businesses and designing public environments to promote breastfeeding.

#### **Chief Executive's Response:**

The Draft Plan supports the provision of appropriate childcare facilities throughout the county. The provision of high-quality accessible childcare and early learning facilities in existing and new communities is an important factor for economic and social wellbeing. The Council will seek to facilitate the provision of childcare facilities in appropriate locations throughout the County. In line with the DEHLG Childcare Facilities Guidelines for Planning Authorities 2001, the Council will encourage the provision of such facilities in new and existing residential developments, within employment zones, town and neighbourhood centres, within educational buildings and close to public transport nodes. The Council will also continue to engage with Fingal County Childcare Committee (FCCC) regarding proposals for new facilities. Support for community based non-profit facilities is included in Objective CIOSO28, 'Promote the establishment in community-based, non-profit, childcare in future Fingal community facilities'.

Social inclusion is one of the four cross-cutting themes in this Plan and it is a key objective at national, regional, and local level when planning for our communities. The creation of a more socially inclusive, equal and culturally diverse society is a requirement of NPO 28 of the NPF which requires Councils to 'plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services'. In all instances, and as a prerequisite, public realms should be universally accessible and easy to access by all, irrespective of mobility levels, or gender or age. The request to create breastfeeding friendly Fingal is outside of the scope of the Development Plan, however, as stated above, social inclusion and access for all are key tenets of the Development Plan.

#### **Libraries**

Submissions are requesting that libraries be provided in Portmarnock, Lusk and Dublin West and a library garden in Howth. With regard to West Dublin, it is stated that one library for a population of 100,000 people is not conducive to growing membership. It is recommended that libraries should be adapting to new ways of educating and enlightening by developing "makerspaces" and renting out equipment such as sewing machines and power tools (or have

the option to use such equipment on the premises). Submissions refer to the fact that younger people in Fingal have requested additional tables and chairs to be provided in libraries for the final month of school term due to the increase in demand.

### **Chief Executive's Response:**

The value and contribution of libraries to local communities and the level of service provision is acknowledged and the Fingal Libraries Development Plan provides a road map for the period 2018–2023, setting out the vision for the future of Fingal Libraries as a dynamic and inclusive space supporting culture, recreation, literacy, education and economic development in the county.

The number of tables and chairs available in a branch library depends on the size and layout of the floor space. At exam time, branch managers provide extra study space where possible and without comprising the health and safety of students, other library users and staff. There are no plans to provide libraries in Portmarnock or Lusk. The potential to provide access from the Main Street in Howth village directly to the garden at the rear of Howth Library has been assessed by the Operations and Architects Depts. The topography of the area is such that existing differences in ground levels would involve major excavation works that could potentially lead to issues with retaining walls and the structure of the library building itself given its age. Therefore, providing access to the garden area at the rear of Howth Library is not a feasible course of action to be undertaken by the Council. The next Library Development Plan – 2024 to 2028 will include the development of a second library in West Dublin. Libraries in Fingal are constantly adapting and are fully committed to lifelong learning in all its formats. A makerspace has been developed and opened at Blanchardstown Library, and there is also one planned for Skerries Library, which is currently being renovated. The proposed new County Library in the Swords Cultural Quarter will also feature a makerspace.

### **Burial Grounds**

Several submissions have requested that FCC provide for and facilitate the extension of the existing cemetery at Whitestown, Balrothery and Donabate. A new graveyard is requested for Lusk, in accordance with that shown in Lusk Vision 2030 (Lusk for Life). It is stated that Garristown graveyard has limited capacity for burials and that The Old Church in the graveyard should be developed for a Columbarium Wall. There is support for Columbarium walls and gardens (of) repose in Council burial grounds. Requests that a specific policy statement be inserted in the Written Statement to facilitate the provision of Columbian walls and gardens in cemeteries across Fingal.

The following two objectives are proposed to be included in the development plan:

Future burial requirements of the county including Columbarium walls to be accommodated within all graveyards where possible

Provide and facilitate the development of additional burial grounds, extend existing burial grounds where possible, including green graveyards / natural burial grounds in areas across Fingal as required during the life of the Development Plan and which preferably have good public transport links, taking cognisance of the needs of multi-faith and non-religious communities.

#### **Chief Executive's Response**

The Council has a burial ground in Whitestown which serves the Rush and Lusk areas. In addition, the Catholic Church has a burial ground in the church grounds and has plans to extend this cemetery on lands adjacent to the current cemetery. This proposed extension and the existing burial ground in Whitestown should cater for future needs within Lusk. There are over 200 pre purchased plots in Whitestown. Aside from the pre-purchased spaces there is currently a minimum of 5 no. years spare capacity based on current burial levels. The Council has no plans to extend Whitestown Cemetery at present.

The most recent extension to Balrothery Cemetery provided an additional 80 no. new graves and there is between 10 to 15 years capacity. Garristown Burial Ground currently has 50 no. new grave spaces available. This is an older rural cemetery and the Council has no plans to provide a columbarium wall at this or any of the other smaller cemeteries. There are currently 240 no. new spaces which equates to over 20 years capacity. The Council has no plans to expand the cemetery in the near future.

The larger, newer cemeteries either constructed or planned have been developed in accordance with the best modern standards following on from a planning consent process which caters for multi-faith and non-religious communities. The Council has no plans to provide green or natural burial grounds.

The Council has provided columbarium walls at Flemington, St Finian's, Fingal and Balgriffin Cemeteries. In addition, plans are advancing for the provision of columbarium walls at Mulhuddart Cemetery and at the planned new cemetery in Kellystown. The Council has no proposals for developing columbarium walls at the smaller cemeteries around the County. Most of the smaller rural cemeteries would not be suitable for such proposals.

#### Healthcare

A number of submissions have called for Primary Care facilities for Swords, the wider Dublin 15 area, Lucan, Skerries and Balbriggan and a new hospital for Swords. A submission states that there should be a key town objective in the centre of Swords to support the provision of a primary care centre for the town.

#### **Chief Executive's Response:**

The Council is committed to supporting the provision of healthcare facilities throughout the County. The Health Service Executive (HSE) is the primary body responsible for the provision of health care facilities in the County. Fingal County Council will continue to support the provision of public and private healthcare facilities throughout the County on suitably zoned lands and will promote the location of same close to new and existing communities where services can be easily accessed. Objective CIOSO24 'Support and facilitate the development of health centres, hospitals, clinics and primary care centres where new communities are proposed and in towns, villages and local centres, with good accessibility for all' and Objective CIOSO25 'Encourage and facilitate the delivery of a primary care centre for Swords' have been included in the Draft Development Plan to support healthcare facilities throughout the county and a primary care for Swords.

### **Open Space**

#### **Public Open Space**

A number of submissions have requested that the public open space requirement of 15% within new residential development on greenfield sites be reduced to 10%. The fact that SUDS attenuation features can be located within public open space areas is welcomed. It is requested that all green space required under planning conditions should be delivered physically and that no contributions in lieu should be accepted.

Some submissions state that all Class 1 open space conditioned in planning permissions granted for four dwellings and over will require the full ownership of the physical property agreed and handed over to Fingal County Council to be the Class 1 open space as per the conditions of planning transferred to FCC prior to completion of 50% of any developments granted planning permission.

One submission requests that all Class 1 open space areas conditioned in planning permissions granted for four dwellings and over will require that no financial contributions in lieu of open space will be accepted and that all Class 1 open space areas conditioned in planning permissions granted for four dwellings and over will require the full ownership of the physical property to be transferred to FCC prior to completion of any developments granted permissions.

Details revisions to the existing objectives of the draft Plan have been submitted. The main points in these revisions include:

- The Council has no discretion to accept a financial contribution in lieu of remaining open space requirement required under Table 12.5
- Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.
- The monetary value in lieu of open spaces to be 100% the value calculated with the Fingal County Council Development Contribution Scheme.
- FCC cease the practice of accepting monetary value in lieu of open spaces.

It is requested that areas of open space of less than 250 square metres will not be taken in charge by Fingal County Council for maintenance purposes.

A submission welcomes the targets for open space provision and calls for the focus of targets to be set to the European average and for inaccessible community spaces to be prohibited.

A submission was received in relation to public open space, requesting the removal of the overall standard (2.5 hectares per 1,000 population) from Table 4.3 and Table 14.12. It is stated that a more streamlined and clearer approach on public open space provision for greenfield, brownfield and town centre sites is required. It is suggested that the overarching open space policies and objectives could be included in Chapter 4, with the specific requirements reference in the Development Management chapter (Chapter 14). Reference is made to Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and it is stated that the Draft Plan makes brief reference to the Guidelines in Table 4.3, but it is considered the guidelines are not fully reflected in the subsequent policies and objectives.

It is also stated that Guidelines also state (Paragraph 4.20) that for 'large infill sites or brownfield sites public open space should generally be provided at a minimum rate of 10% of the total site area', and that it will be necessary for planning authorities to take a more flexible approach to quantitative open space standards and put greater emphasis on the qualitative standards. It acknowledges (Paragraph 4.21) a relaxation in standards for town centre sites, 'where residential developments are close to the facilities of city and town centres or in proximity to public parks or coastal and other natural amenities, a relaxation of standards could be considered.'

Reference is made to the National Planning Framework and National Policy Objective 13 also outlines that planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives.

With regard to Public Open Space and Play Space Hierarchy, a submission has noted this has been updated from the current Plan to include the level of play provision required, having regard to LAPs, LEAPs and NEAPs. It is submitted that it is not clear from the subsequent objectives how Tables 4.2 and 14.11 will be implemented by the Planning Authority in terms of the separate recommended quantitative standards set out in Tables 4.3 and 14.12.

It is considered the hierarchy of open spaces is overly prescriptive and should be more flexible, particularly for town centre locations to include smaller amenity open spaces (other than pocket parks), including public realm improvements and civic spaces, which is appropriate for urban environments, as reflected for example in the Dublin City Development Plan 2016-2022. It is also not clear how the play space hierarchy is considered by the Planning Authority having regard to the Apartment Guidelines 2020 requirements. Further clarity is required, as the Draft Plan does not make any reference to the play space requirements set out in the Apartment Guidelines 2020.

With regard to Public Open Space and 'Taking in Charge', it is submitted that Table 14.6 sets out the open space categories referring to private open space, communal open space and public open space. The public open space text refers to such space being accessible to the public at large 'and in general is intended to be 'taken in charge' by the Local Authority'. It is contended that it should also recognise instances where public open space can be privately managed, but still form public open space that is accessible to the public.

A number of submissions request changes to the tables, policies and objectives which relate to quantity of open space required. It is requested that:

- Objective CIOSO36 and Objective DMS051 are updated to refer to the minimum public open space standards of 15% of the site area for new residential developments on greenfield sites / LAP lands and 10% of the site area on infill / brownfield sites and town centre sites.
- Update Table 14.6 to reflect that public open space can also be managed privately, in addition to being taken in charge by the local authority.
- Update Tables 4.2 and 14.11 to reflect that in town centre locations it is more difficult to
  provide new public open space, and where there are additional opportunities to include
  smaller amenity open spaces (other than pocket parks), public realm improvements and civic
  spaces that these will be accepted as public open space as they assist in place making and
  make a contribution to high quality open spaces in an urban area.

- Update Table 4.3 and Table 14.12to ensure no confusion that the minimum requirement in relation to the site area applies and not based on population, which is particularly important for higher density schemes on brownfield or town centre sites.
- Update Objective DMSO52 Public Open Space Provision to acknowledge that where the minimum open space of the site cannot be achieved, a contribution in lieu can be accepted.
- Update Objective DMSO53 Financial Contribution in Lieu of Public Open Space to reflect the proposed changes to Tables 14.11 and 14.12.

A submission has requested when the green space at Cois Shrutháin will come into public ownership.

#### **Chief Executive's Response**

A reduction to Open Space standards could compromise the Council's ability to provide recreational open space alongside multi-functional Green Infrastructure and limit the resilience and sustainability of the public green areas provided. However, a range of 12 to 15% may be appropriate. As such, it is considered appropriate that all references to the 15% provision of public open space in the Draft Plan be amended to allow for a range of 12 to 15% Public Open Space.

The option to accept financial contributions in lieu of Open Space is appropriate in certain circumstances and in particular where there is existing and locally accessible open space which if further developed would address the open space requirements of the new development.

In some circumstances the developer may not opt to have the open space taken in charge by the Council in preference for the area being maintained by a management company. Each planning application should be assessed on its merits to determine the most appropriate conditions for taking in charge or other arrangements for the sustainable management of the public open space generated by development.

It is noted that Objective DMSO59 – states that "Small Areas of Open Space Areas of open space of less than 500 square metres will not be taken in charge by Fingal County Council for maintenance purposes.". This objective helps encourage the elimination of very small public open spaces with limited amenity or recreational value and the size criteria is considered appropriate.

Where Class 1 Open Space is conditioned for provision as part of the development works, the Council will require that this land is transferred/taken in charge by the Council and or made available for use to the public at an early stage in the project and in tandem with occupation of the residential development. The exact arrangements for this transfer/taking in charge are related to the configuration of the open space and the recreational features therein. To require such open space be transferred prior to the completion of a pre-determined percentage of units would be impractical and unfeasible for numerous reasons including the build stage, health and safety and legal considerations. Objective DMSO55 has been included in the Draft Plan to address the matter raised; *Taking in Charge of Class 1 Open Space - The Class 1 Open Space conditioned as part of a residential development shall be transferred to / taken in charge by the Council and or made available for use by the public in tandem with the occupation of the related residential development.* 

An objective such as that suggested to require that no financial contributions in lieu of open space can be accepted in developments over 4 units would be contrary to proper planning and sustainable development of the area. The option of the Council accepting a financial contribution in lieu of open space allows for the coherent and strategic provision and or/upgrading of public open space related facilities and infrastructure which benefit the development and local residents. In certain circumstances this is more beneficial to new communities than the provision of additional open space, provided that these communities have access to the required level of open space amenities.

The option to require a financial contribution in lieu of open space provision in smaller developments is also beneficial, particularly where such open space would be so small as to be non-viable. Such discretion and flexibility may also be appropriate in some schemes seeking to rejuvenate and re-imagine derelict or underutilised town centre sites where the practicalities of delivering public open space on site must be weighed against the wider benefits of rehabilitating derelict properties and reinvigorating residential communities. In such instances, the discretion to accept a financial contribution in lieu of Class 1 open space may be a vital component in securing such rejuvenation.

The open space as outlined in the Draft Plan takes account of the requirement to provide for multi-functional green infrastructure within the open space which contributes significantly to the delivery of resilient design.

With regard to Public Open Space and Play Space Hierarchy, no change is recommended. The Open Space quantitative standards outlined in Table 4.3 & 14.12 are further clarified in terms of accessibility and qualitative standards outlined in Table 4.2 & 14.11. This combination of quantity and quality requirements helps ensure that the public open space provided contributes positively to the 'lived existence' and quality of life of residents in Fingal.

As regards play provision, it is Fingal County Council's policy that Play facilities shall be provided at a rate of 4 sq. m per residential unit. All residential schemes in excess of 50 units shall incorporate play facilities clearly delineated on the planning application drawings and demarcated and built, where feasible and appropriate, in advance of the sale of any units. The Apartment Guidelines 2020 do not provide for a specified rate of play provision making these guidelines difficult to apply in the context of Development Management.

With regard to public open space and taken in charge no change is recommended. Objective DMSO66 is noted – Handover of Public Open Space states the following: "Ensure developers lay out and maintain open space areas to a high standard, until such a time as they are taken in charge and facilitate the early handover of areas of public open space to the Council. The Council, at its discretion, may in certain circumstances accept a financial contribution in order to complete the landscaping and development of these areas". This ensures that appropriate provision is made for the ongoing maintenance of public open space for an indeterminate period of time. It does not exclude the possibility of the private management of accessible public open space.

Objective CIOSO36 and Objective DMS051:

As a minimum both objectives should also refer to the requirements of Table 4.3 and Table 14.12 and Objective DMSO52, which will be updated to refer to the minimum public open space

standards of 12 to 15% of the site area for new residential developments on greenfield sites / LAP lands and 10% of the site area on infill / brownfield sites and town centre sites.

Update Table 14.6 to reflect that public open space can also be managed privately, in addition to being taken in charge by the local authority.

Update Tables 4.2 and 14.11 to reflect that in town centre locations it is more difficult to provide new public open space, and where there are additional opportunities to include smaller amenity open spaces (other than pocket parks), public realm improvements and civic spaces that these will be accepted as public open space as they assist in place making and make a contribution to high quality open spaces in an urban area.

This issue is addressed in the text of the Development Plan document as follows: Page 168 "Consideration may be given by the Council to the inclusion of civic spaces within overall open space quantum calculations, but only on a case-by-case basis and only in instances where the space proposed is of a size and layout suitable to cater for civic events, is of an exceptionally high standard of finish, including the planting of large street trees and associated landscaping and does not fulfil ancillary functions associated with commercial or other land uses."

Update Table 4.3 and Table 14.12 as follows:

Land Use	Minimum public open space standards
Overall standard	2.5 hectares per 1000 population
New residential development on greenfield sites/LAP lands	12 to 15% of site area
New residential development on infill/brownfield sites/town centre sites	10% of site area

The omission of the 2.5 Ha. per 1000 population minimum standard is not recommended as it could have the unintended consequence of limiting the Council's capacity to acquire strategically important open space land in advance of development and particularly for the provision of major new regional parks. As regards New Residential development on infill / brownfield sites / town centre the Council should have discretion to increase the minimum 10% public open space requirement in order to respond to particular site related circumstances e.g. very significant requirements for SuDS in the open space. The "town centre sites" proposal is dealt with through the "infill" provision.

Update Objective DMSO52 – Public Open Space Provision to acknowledge that where the minimum open space of the site cannot be achieved, a contribution in lieu can be accepted.

No change recommended as this is addressed in DMSO53

Public open space shall be provided in accordance with Table 14.12. Where the required minimum open space of the site area cannot be achieved, in accordance with Objective DMS053, the Council has the discretion to accept a financial contribution in lieu of the remaining open space standard (i.e. either 10% or 12 to 15% of the site area). Applications will be considered on their merits, having regard to the location

No change recommended. Existing provision in DMSO53 is considered adequate.

Update Objective DMSO53 – Financial Contribution in Lieu of Public Open Space to reflect the proposed changes to Tables 14.11 and 14.12.

No change to DMSO53 recommended as changes in Tables 14.11 and 14.12 are also not recommended.

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area) to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

There are outstanding landscape works which require completion before the open space at Cois Shruthain can be taken in charge by the Council.

### **Playgrounds**

A number of submissions are requesting that play areas/grounds, including skateparks are provided in a number of areas, including Lusk, Oldtown, Skerries, Donabate, Ballyboughal, Swords, Ward River Valley Regional Park, Balbriggan, Rush, Garristown, St. Margaret's and Naul and requests for a play strategy for the County have also been voiced. It is also requested that outdoor play spaces are prioritised. It is requested that the derelict site in Lusk village at the Skerries roundabout be used as a small playground or a garden with seating areas. Reference is made to the temporary playground in Dun Laoghaire as a good example for Lusk and Fingal. It is stated that children need amenities such as playgrounds close by and they should not have to commute to other towns for same.

It is requested that with the introduction of higher density buildings and the extension of building heights FCC needs to ensure that any play spaces provided for families and people which do not have gardens should be provided with all-weather playgrounds to allow children and families to have available play space all year round. Submission suggests that greater consideration should be given to walking routes/ cycling routes/ outdoor seating/ lighting for winter walking/ outdoor gym spaces/ play spaces for children young people and families. Reference is also made to an indicator set that could be used to evaluate the impact of child-friendly urban planning. A submission requests that play and culture opportunities should be considered along routes such as art trails, tree/boulder climbing, history walks etc.

Submission states that the playground in Chapel Farm has not been replaced and that the playground at the hub is unsuitable for infants.

#### **Chief Executive's Response:**

Within the Fingal area, play facilities are located in Regional, Local and Neighbourhood Parks and within residential open space. Providing excellent play facilities for all the children of Fingal and visitors to the County, is a priority. The Council has approved Fingal's first Play Policy, Space for Play – A Play Policy for Fingal, which aims to provide a framework for the provision of safe, accessible, inclusive, natural and engaging play spaces for all children and adolescents up to the age of seventeen. The paramount consideration of this policy is that all play spaces should be

inclusive and accessible, enabling children of all abilities to play side by side The Play Policy provides the basis on which the current and future play provision throughout the County will be developed to the highest quality in line with international best practice.

All requests for additional children's play areas including play facilities in new developments and retrospective play provision in established communities will be assessed in the context of the recently adopted "Space for Play – A Play Policy for Fingal". This provides for a standard level of play provision and accessibility throughout Fingal and requests will be audited having regard to this adopted standard. Where play facilities are not being provided through the Planning and Development Management process, the Council has the discretion to accept a financial contribution in lieu of these play facilities.

Objective GINHO20 – Green Infrastructure and Recreation provides that "Where new residential development is proposed, seek, where appropriate to maximise the use and potential of existing parks, open spaces and recreational provision, by upgrading and improving the play and recreational capacity of these existing facilities through development contributions in lieu of new open space or play provision"

A new Development Management Objective is also proposed as follows:

"Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme"

It is noted that a new playground and skatepark are provided for in the Ballymastone Recreational Hub which will be easily accessible from Donabate. In addition, the Council opened a State of the Art playground in Rathmore Park in Lusk in 2021. The further development of the park which is due to progress through the planning process over the coming months will provide for additional play and sporting facilities including night-time training and associated infrastructure. A Playground Audit is being prepared, to prioritize improvements in line with the adopted play policy. The "Space for Play – A Play Policy for Fingal" outlines minimum standards for access to public play facilities and significant plans exist for the development of active travel infrastructure in Fingal.

The Council has encountered considerable local resistance to the provision of a replacement playground at Chapel Farm in Lusk. Alternative options for play provision in this area are being considered in the context of the adopted "Space for Play – A Play Policy for Fingal".

#### **Parks**

A substantial number of submissions have been received requesting the need for more parks, additional green spaces and the provision of facilities in existing parks are green spaces. Public parks/amenity areas have been requested for a number of areas including the wider Dublin 15 area, Ballyboughal, Oldtown, Garristown and Naul areas. It is stated that there is a need for a public green space in Ballyboughal Village to host community events. Submission requests more intensive use of Rogerstown Park in the context of location and scenic views and requests that tennis courts and picnic area should be provided at Rogerstown.

A submission questions the benefit of maintaining the Swords Green Belt (said to include the GB zoned areas of Knocksedan, Ridgewood and the Ward River Valley Park) if the green belt is not usable by the general public. Requests the provision of a necklace of open spaces around the

town of Swords to protect biodiversity, stop urban sprawl (up to Knocksedan) to serve the growing population.

A submission states that Garristown has no developed open space and that the Village Pitch area at Windmill Way should be developed as a small park, to cater for recreational /sport facilities for local needs. It is stated that D15 is underprovided with accessible, quality public open spaces. It is stated that Millennium Park is incomplete, and that Tolka Valley Park is undeveloped. A submission states that there is a requirement for more green spaces in public ownership.

There are requests that Glebe Park Plan is completed to include a Community Garden and a new pond to enhance Biodiversity. It is requested that a Feasibility Study be carried out to explore various options to extend the boundaries of Glebe Park. Requests that additional picnic tables are provided at the north of Balrothery village.

It is also requested that the pond at Santry Park be made suitable for outdoor swimming and this area linked to the proposed greenway to the coast. A local lake / water reservoir in Skerries to serve local community's water needs and act as a community outdoor leisure space in Skerries. There have been requests regarding Ongar Green, that lighting and public benches be provided to promote equality of access to these greenspaces.

It is requested that a walking/running track is needed for St. Catherine's portico with lighting and bins as currently the green is geared towards teens with its astro-pitch and this is perceived to give rise to antisocial behaviour. An adult presence is needed, and a walking/running track and a bowls green could provide this and allow both young and old enjoy sports there. St Catherine's Playground/ green is suggested as the ideal location for this as both old and young live in the numerous estates surrounding the green along with a school nearby.

A number of submissions have been received requesting that Knockdromin House and gardens should be bought and restored before it disappears with Knockdromin to be used as a public space and once acquired a community tree planting initiative should be launched.

A submission regarding Rush includes a number of requests including:

- Provide for trees along Main Street Rush, and replenishment all trees which are cut down by Fingal County Council
- Provide age-friendly facilities for the town, including dedicated car park spaces, appropriate pathways, appropriate seating etc.
- Promote and facilitate the development of a linear park along the Brook Stream east of Skerries Road, to the North Beach.
- Provide a walkway and open space along the Brook Stream, Rush west of the Skerries Road. Provide green space for Kenure Gate estate.
- For the green space for Goldenridge estate to be taken in charge and developed.
- Promote and facilitate the development of a linear park along the Brook Stream east of Skerries Road, to the North Beach.
- Provide a walkway and open space along the Brook Stream, Rush west of the Skerries
   Road
- Preserve and improve the coastal amenities of Rush including the creation of a coastal walkway from Rogerstown Estuary to Rush Harbour to Balleally as part of the Fingal Coastal Way.

It is suggested that Kenure Park needs additional lighting and security as it is a haven for night-time drinking. It is also contended that Kenure Park should come alive at weekends with coffee stations, food trucks, live music preferably from local businesses and musicians etc. Improvements carried out in this area have had beneficial impacts and the area should be allowed to continue to thrive.

It is stated that there is no community play park in Lusk, community allotments, community woodland and no community garden and that Lusk has been developed by FCC with successive planning applications over the last 20 years for residential dwellings, with no provision for community open space and amenities. It is argued that residents need to travel for the most basic services and recreational amenities, hence why so many residents go to Rush, Skerries, Balbriggan and Donabate, where there are beautiful play parks, woodland walks, historical country homes/gardens/parks, maintained heritage sites and safe places to walk and cycle.

Submissions have been received stating that Ward River Valley Park lacks connectivity into the town centre, needs better protected nature conservation areas (signage to inform people) and better facilities to improve a visit (e.g. picnic tables, playground). Submission question if this will be achieved without a masterplan. Calls for improved access to the Ward River Valley Park for Ridgewood and Knocksedan Residents who currently access the park via a heavily wooded area or via a busy road. A submission states that an objective should explicitly outline the need to deal with historic and current domestic dumping in Ward River Valley Regional Park, the need to have well-designed and easy to use walking and cycling connections from all estates around the park through it to the town, protection and enhancement of the habitats and biodiversity there, and the development of sporting, historic, cultural and recreational amenities, including a new pool and community centre.

A submission has been received relating to lands at Darcystown, Balrothery, Co. Dublin. It is submitted that given the location of the lands within proximity to the coast, Ardgillan Castle and Demesne and Balbriggan Golf Club it is contended that the lands present an opportunity to increase the recreational/open space provision in the Balrothery area through the provision of an Eco/Nature Park together with a c 0.9 km green link from Balrothery to Ardgillan Demesne. The submission requests that consideration is given to inclusion of a specific map-based local objective pertaining to the subject lands which relates to the aforementioned Eco/Nature Park; the submission includes sample wording in this regard. It is contended that the proposed park would provide connectivity to the growing village of Balrothery and promote the sustainable use and increased appreciation of the subject lands.

There are requests that the tree lined approach on the Whitestown Road Rush be preserved, beginning at the area at Old Road /Whitestown Road in the direction of Rush Main Street.

A submission from TUSLA has recommended that greater consideration should be given to walking routes/ cycling routes/ outdoor seating/ lighting for winter walking/ outdoor gym spaces/ play spaces for children young people and families. The Development Plan would be enhanced by the Inclusion of an indicator set that could be used to evaluate the impact of child-friendly urban planning. TUSLA requests a play strategy for the County.

In conjunction with South Dublin County Council, it is suggested that FCC establish a Liffey Valley Park from the Kildare border to the city centre with the joining up of St Catherine's Park, Waterstown Park, and the Phoenix Park.

It is submitted that Lusk Ring Road, the Sports Hub and green areas offer an amazing amenity for walking, cycling and running. The user experience would be improved if water fountains to facilitate hydration could be installed at these locations and also in the heart of Lusk and at Lusk/Rush train station. Plastic bottle use would be reduced.

Submissions highlight the extensive opportunities in Fingal to use public lands, and promote government biodiversity schemes on private lands, to restore appropriate habitats in the county particularly woodlands (including agroforestry), wetlands, grasslands and hedgerows. Tree planting should be carried out with the aim of restoring functioning woodland ecosystems, an opportunity often lost by open parkland tree-planting. In all cases lands will have their past landuse histories to take into account in determining the most appropriate restoration objective.

When it comes to open space, the plan often refers to 'biodiversity areas', with the sense that these are to be separate zones. It is stated that these are essential to begin to restore nature in our county, the opportunities to embed biodiversity in all areas of open-space development should not be lost e.g. landscaping, soil health, green roofs/walls, SUDS, soil banks, natural materials, integrated or artificial habitats. While some of these are mentioned in other parts of the plan, an open space objective that clearly seeks to integrate biodiversity in all use-areas and sets targets for same would be welcome.

A local strategy which promotes and protects green spaces in urban areas, biodiversity and hedgerows/ash trees is required. There is a need to preserve, protect and enhance our bio diversity and actively manage our green class 1 and class 2 open space resources. Requests for an open space objective that clearly seeks to integrate biodiversity in all use-areas and sets targets for same.

A submission expresses support for objective to 'Prepare a Conservation Management Plan for Ardgillan Demesne with consideration given to the potential for enhanced access to the Regional Park and Demesne in consultation with relevant stakeholders and landowners having regard to its sensitive landscape setting.

A submission requests that FCC provide opportunities for healthy food choices to be made and limit access to unhealthy foods such as limiting ice cream van permits beside parks and playgrounds, improving access to fresh locally sourced produce, and limiting fast food takeaway licenses in towns and villages, to support the promotion of healthy food policies by leading by example across all Fingal owned premises and to provide healthy eating opportunities in all public epicentres, this could include links to allotments and grow your own schemes.

#### **Chief Executive's Response:**

Additional public open spaces including parks will be provided in rural villages in Fingal through the preparation of Local Area Plans and through the Planning & Development Management process. The Council has already secured Part 8 planning approval for a new Village Park in Naul and small park and play area at Garristown Library. The adopted Ballyboughal Local Area Plan (LAP) provides for the development of the Village Park generated by and in tandem with the residential development provided for in the LAP.

Planning for the Rogerstown Park Development Project is at an advanced stage with significant input provided by the local community and relevant stakeholders. All features included in the

new park will be provided having regard to the Management and Aftercare plan for the Balleally Landfill.

The Green Belt zoning secures around Swords in anticipation of the need for future provision of Green Infrastructure and appropriate development in this area while at the same time limiting urbanisation. Planning for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt (green necklace) around Swords. This will prevent urban sprawl ensuring resilient design.

Planning consent was obtained last year for the development of the Garristown Library Garden as a public open space including play facilities. Consideration will be given to the provision of additional facilities in Garristown in consultation with the local community.

Open Space is provided across the Dublin 15 area in line with the Council's adopted "Keeping It Green – An Open Space Strategy" and the relevant sections of the County Development Plan. A programme of capital investment is currently being implemented to further enhance the parks and open spaces in this part of the county.

The Council will work with the Local Tidy Towns group to assess the possibility of creating a Community Garden and a pond at Glebe park to enhance the biodiversity value of the park. Works are progressing to complete the outstanding elements of the approved Glebe Park Masterplan. The provision of additional open space at Glebe Park will be considered in the context of the sustainable planning and development of Balrothery village.

In relation to Santry Demesne, the Council is participating in the preparation of the Santry River Restoration Project which will plan for improvements along the river which includes the ponds in Santry Demesne and also consider Active Travel opportunities along both sides of the river in both the Fingal County Council and Dublin City Council areas.

Aside from the beach and the sea, there are no obvious locations for water-based community outdoor leisure activities in Skerries.

Regarding Ongar Green, these issues are being addressed through Planning Enforcement process.

The land at Knockdromin House is in private ownership and the Council currently have no plans to acquire Knockdromin house and gardens in Rush.

The provision of additional trees in Rush Main Street will be considered in the context of the adopted "Forest of Fingal – A Tree Strategy for Fingal". The Council plans to provide a Recreational Hub in St. Catherine's Park in Rush subject to the availability of the necessary suitable lands which the Council is currently working to acquire. The Class 1 open space generated by the 1st phase of the Golden Ridge Development will be incorporated into Kenure Park

Submissions regarding provision of a linear park along Brook Stream are noted. Table 6.1 outlines the proposed Greenway/High Quality Cycling and Walking Routes that will be advanced during the Plan period including strategic Greenways such as the Fingal Coastal Way, Royal Canal, Broadmeadow Way and Hamilton Way. The Greenway projects outlined in Table 6.1 links

urban, rural and coastal areas within the County including those towns along the coastal corridor and their services, amenities and heritage assets.

Section 9.6.8 provides strategic objectives for the advancement of linear parks within the County. The delivery of location specific projects would be more appropriately considered within the context of a capital or works programme or at a more localised level such as within the context of the Sustainable Swords Strategy. The Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided.

The further lighting of Kenure Park will be considered having regard to the Council's overall approach to public lighting. Commercial activities and concessions in the park can be considered in line with the Council's adopted parks and open space bye-laws. Improvements to the open space amenities at St. Catherine's portico will be considered in consultation with the local community.

With regard to Lusk, and as stated in the Sports and Recreation section above, the Park Development Plan for Rathmore Park in Lusk will include provision for a multi-code Active Recreational Sports Hub in addition to significant areas dedicated to passive recreation and play. The Lusk Recreational Hub forms part of Rathmore Park. A Park Development Project for this site is currently in preparation and this will address access, mobility and car parking issues to ensure that the site is available to all park users. The Council opened a State-of-the-Art playground in Rathmore Park in Lusk in 2021. The further development of the park which is due to progress through the planning process over the coming months will provide for additional play and sporting facilities including night-time training and associated infrastructure. The upcoming Playground Audit will prioritize improvements in line with the adopted play policy. The delivery of community infrastructure and complementary neighbourhood facilities concurrently with new residential growth nodes is advocated and supported by numerous policies and objectives and across multiple chapters of the Draft Plan.

The brief for the Ward River Valley Regional Park Development Project addresses the issues outlined and specifically requires that the project plans for public access, active travel, connectivity, signage and interpretation, protection of biodiversity and provision for play, sport and related amenities. Public consultation on this project is due to commence later this year.

The Council welcomes the idea of an eco-park that allows for the expansion of the woodland at Ardgillan Demesne. The associated rezoning proposal for the adjoining land however is not in line with the Development Plan. A Conservation Management plan for Ardgillan Demesne currently in preparation is examining the issue of access from Balrothery to Ardgillan Demesne having regard to the relevant constraints and opportunities.

The trees in question at Whitestown Road, Rush are located on private property. Protection for these trees will be provided as appropriate through the Planning and Development Management process.

The Council has adopted "Space for Play – A Play Policy for Fingal" which outlines minimum standards for access to public play facilities. Significant plans exist for the development of active travel infrastructure in Fingal.

The Draft Development Plan currently includes several objectives regarding the Liffey Valley SAAO:

Policy GINHP27 Howth and Liffey Valley Amenity Orders

Protect and enhance the special amenity value of Howth and the Liffey Valley, including its landscape, visual, recreational, ecological, geological, and built heritage value, as a key element of the County's Green Infrastructure network and implement the provisions of the Howth and Liffey Valley Special Amenity Area Orders (SAAO).

**GINHO60 SAAO Management Committees** 

Re-establish in a timely manner the management committee for the Liffey Valley Special Amenity Area with an annual programme of quarterly meetings in partnership with South Dublin County Council on an ongoing basis, develop a five year works programme as part of the implementation plan for the SAAO and explore the possibility of extending the Liffey Valley Special Amenity Area north to the Westmanstown Road (R121), Porterstown Road, Carpenterstown Road and Tower Road.

**GINHO61 SAAO Management Plans** 

Implement the Management Plans and work programmes for the Special Amenity Areas and review them as necessary in consultation with all relevant stakeholders

GINHO62. Liffey Valley Regional Park Study

To carry out a study for the lands that comprise Liffey Valley inclusive of the Special Area Amenity Order (SAAO), Shackleton's Mill and adjacent lands so as to investigate and determine viable and appropriate uses to support and facilitate the development of a Regional Park (Liffey Valley Park), with particular emphasis on enhancing the recreation, amenity value and accessibility of the area, in accordance with the Council's published document Towards a Liffey Valley Park (2007). This new Regional Park will serve the needs of existing communities of Clonsilla, Hansfield and Ongar as well as the wider Greater Dublin area. The study will be carried out in consultation with the surrounding Local Authorities, State Agencies, existing landowners, sectoral, community and commercial interests

A new playground and skatepark are provided for in the Ballymastone Recreational Hub which will be easily accessible from Donabate.

The Council is currently rolling out a programme to provide drinking water fountains in appropriate parks and open spaces around the County and Rathmore Park will be considered for inclusion in this programme.

The Draft Development Plan currently includes objectives and policies for the protection of green spaces, biodiversity, trees and hedgerows in urban areas. The Council will develop an appraisal and management guidance for hedgerows for developers and Council staff to ensure that the most important hedgerows are protected and properly managed.

The importance of the horticultural sector to Fingal and the need to showcase our food and craft markets is acknowledged. Fingal is renowned for its agri-food and horticultural sectors. These sectors make a significant contribution to employment in rural areas and are a pivotal source of

enterprise creation and opportunities. The NPF and RSES support these sectors and state that rural economies and communities should be facilitated in agriculture forestry, tourism and rural enterprise. One of the goals of the Fingal Agri Food Strategy is to create a Fingal food and drink tourism destination to provide an enhanced consumer/tourist experience for the region and help its towns and villages achieve destination status. The Council has commenced this strategy and has developed the 'Dublin's Coast & Fields' brand. A number of policies and objectives are contained in the Draft Plan to this.

#### **Allotments and Community Gardens**

Numerous submissions were received regarding Powerstown Allotments and the submissions point to the fact this is the only allotment site in D15. There is a call for the increase in the number of allotment spaces throughout the county during the lifetime of the Development Plan. It is suggested that more allotment sites, and areas of natural habitat are needed, to provide relief from the build environment. The submission proposes three sites adjacent to the Powerstown allotments as a pilot project for FCC, for the protection of small areas of nature in the urban area, to provide education and to alleviate the stresses of high density living in the expanding commercial growth of D15. Submissions call for the identification of potential sites for community gardens, or allotments, in new and existing communities that lack private green spaces.

Submissions have highlighted the importance of community gardens and allotments which actively contribute to the National Biodiversity Action Plan and the All-Ireland Pollinator Plan, improved biodiversity and eco-systems, improved urban food security and a reduction in food carbon footprint and GHG emissions by recycling organic waste, climate change adaptation and contributes positively to mental health, physical health and community cohesion and the achievement of overall sustainability goals.

A number of key recommendations are proposed to foster community gardens and allotments and a number of documents are cited including the Dublin City Council Development Plan and others, outlining their approach to fostering community gardens and allotments and urban food production including an overview of the European approach. A number of recommendations have been included in this regard.

There have been requests to facilitate the extension to the existing allotments at Turvey, Donabate and to allocate space for public allotments in close proximity to the town Rush.

### **Chief Executive's Response:**

The importance of allotments, community gardens and re-wilding initiatives are recognised throughout the county and will continue to be supported in the Development Plan. The Council is supporting local community groups such as Tidy Towns and Men's Sheds to develop Local Biodiversity Action Plans with specific and tailor-made initiatives and projects which can be implemented in line with best practice.

The adopted Fingal Allotment Strategy provides for the development of new community gardens and allotments in response to local demands and in consultation with local communities. Requests for the protection of the trees at Powerstown Allotments will be considered having regard to the adopted "Forest of Fingal - A Tree Strategy for Fingal".

There are no plans to extend the allotments at Turvey as this would have serious implications for Turvey Nature Park. Additional community gardens can be provided where local demand has been identified. Requests for additional allotments and/or community gardens will be assessed in the context of the adopted Fingal Allotment Strategy.

### **Chief Executive's Recommendations:**

#### **CE CH 4.1:**

All references in the Plan to DIT are changed to TU Dublin.

Change text in Section 4.5.1.5 - Update reference Dublin Institute of Technology (DIT) to <u>Technological University Dublin (TU Dublin)</u>

Change text in Section 4.5.1.5 - 'Fingal is home to one third level institution, <u>Technological</u> <u>University Dublin - Blanchardstown Campus</u>, while Connolly Hospital, a major teaching hospital is also located within the County'

#### **CE CH 4.2:**

Change text in Section 4.5.1.5 as follows:

Fingal is home to one third level institution, TU Dublin. With over 30,000 students on its three main campuses, TU Dublin is one of the largest universities in the country, with campuses in Blanchardstown, Grangegorman and Tallaght. Connolly Hospital, a major teaching hospital is also located within the County. Educational attainment is an important factor when planning for the future and 39.6% of the population in Fingal have a third level education - which is higher than the national average at 33.4%. The importance of a well-educated population is recognised and fully supported by Fingal County Council. However, participation in higher education is not evenly spread throughout the County. HP Deprivation Index scores show that there are areas of disadvantage, including in parts of Blanchardstown and Clonsilla, where participation rates are low. These include the areas of Mulhuddart, Sheepmoor and Corduff. Fingal County Council recognise the importance of a well-educated population and of promoting access to education, including in new emerging communities. Other third level institutions within close proximity to Fingal and accessible to Fingal's residents include Dublin City University (DCU), TU Dublin (City campus locations) and Trinity College Dublin (TCD).

#### **CE CH 4.3:**

With respect to the provision of public open space, amend all references to 45% to provide a range of 12 to 15%.

#### **CE CH 4.4:**

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be "taken in charge" by the Local Authority, *but in certain circumstances may be privately managed*. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall *(based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites)*.

#### **CE CH 4.5:**

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12) to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

### **CE CH 4.6:**

Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

### **CHAPTER 5: Climate Action**

#### **Submissions Received:**

FIN-C453-2, FIN-C453-35, FIN-C453-75, FIN-C453-84, FIN-C453-109, FIN-C453-160, FIN-C453-175, FIN-C453-203, FIN-C453-337, FIN-C453-460, FIN-C453-516, FIN-C453-539, FIN-C453-585, FIN-C453-739, FIN-C453-755, FIN-C453-787, FIN-C453-797, FIN-C453-802, FIN-C453-815, FIN-C453-822, FIN-C453-824, FIN-C453-850, FIN-C453-862, FIN-C453-919, FIN-C453-920, FIN-C453-958, FIN-C453-964, FIN-C453-984, FIN-C453-990, FIN-C453-991, FIN-C453-992, FIN-C453-1062, FIN-C453-1071, FIN-C453-1081, FIN-C453-1122, FIN-C453-1127, FIN-C453-1131, FIN-C453-1202, FIN-C453-1215, FIN-C453-1221, FIN-C453-1225, FIN-C453-1234, FIN-C453-1249, FIN-C453-1262, FIN-C453-1271, FIN-C453-1319, FIN-C453-1801, FIN-C453-1903

### **Summary of Issues Raised:**

### **Policy**

The policy content of Draft Plan should be updated to reflect Climate Action Plan 2021.

Additionally, updated references to the aforementioned Climate Action and Low Carbon

Development (Amendment) Act, 2021 and the requirements therein in respect of Local Authority

Climate Action Plans would be welcomed.

#### **Chief Executive's Response:**

In accordance with EU policy, the 2020 programme for government 'Our Shared Future' commits to achieving 51% reduction in Ireland's greenhouse gas emissions from 2021 to 2030, and to achieve net zero no later than 2050. The Climate Action and Low Carbon Development (Amendment) Act 2021 sets out a legally binding framework to deliver these targets. The Climate Action Plan 2021 sets out a roadmap to deliver these targets, which will be updated annually. These targets are not discretionary and, therefore, the Development Plan must be consistent with national policy.

All relevant references to the Climate Action Plan 2021 and the Climate Action and Low Carbon Development (Amendment) Act, 2021 are recommended for updating in the Draft Plan – see response to the EMRA submission.

### **Renewable Energy**

Several submissions were received in relation to renewable energy and will be discussed below.

#### Renewable Energy General

TII recommends that Solar Panels and Solar Farm Renewable Energy Development proposals in the vicinity of the strategic national road and LUAS network should be accompanied by glint and glare assessments and that such a requirement should be included as an objective of the Development Plan prior to adoption.

Policy CAP13–Energy from Renewable Sources - EirGrid welcomes this policy, however it is respectfully recommended that it make explicit reference to the provision for associated electricity transmission and distribution grid infrastructure. In this regard. EirGrid seeks additional text in this policy in relation to the electricity grid.

As recognised in the Draft Plan under Section 5.5.3.1–Renewable Energy, opportunities exist for other renewable energy sources to be provided in the future and the Plan seeks to assist in the diversification of renewable energy provision in the County. ESB welcome this recognition and suggest that in reviewing the LARES an opportunity exists to incorporate promoting policies in relation to evolving renewable energy sources.

Gas Networks Ireland suggests that the draft Fingal County Development Plan 2023-2029 references renewable gas wherever renewable energy sources are being listed.

Submission infers that it should be explicitly stated that land controlled by the county council which is suitable for installing local area sustainable energy generation infrastructure (such as smaller solar farms, windmills, etc) should be marked on specific maps and shared with community groups (such as SEAI Sustainable Energy Communities) to consider for their work.

Submission requests that the plan should note the many welcome aspects of solar power and commit to solar energy playing a large role in energy generation in Fingal.

#### **Chief Executive's Response:**

The request from TII that Solar Panels and Solar Farm Renewable Energy Development proposals in the vicinity of the strategic national road and LUAS network should be accompanied by glint and glare assessments and that such a requirement should be included as an objective of the Development Plan prior to adoption is noted. In response to this, it is considered appropriate to amend the final paragraph of Section 14.21.4, which relates to large scale proposals for solar panels or any development in the vicinity of the airport. This section will be amended to include reference to the strategic national road and Luas networks.

The additional text EirGrid are seeking to be included in Policy CAP13 is as follows:

"Actively support the production of energy from renewable sources and associated electricity grid infrastructure, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations. It is considered that the proposed text to be included is reasonable and aligns with the existing text, policies and objectives contained within the Draft Plan. As such it is considered that the requested change be made."

The drafting of a Local Authority renewable energy strategy (LARES) is currently being progressed by the Council. The LARES will promote the use of renewables throughout the County. The Draft Plan supports Renewable Energy projects through the inclusion of appropriate policies and objectives, while also having regard to relevant National and Regional policy for both on-shore and off-shore renewable energy. Preparation of the LARES is an action of the Fingal Climate Change Action Plan 2019-2024, which Objective CAO1 (Fingal County Council Climate Change Action Plan) of the Draft Plan seeks to implement.

In terms of Gas Networks Ireland request that the draft Fingal County Development Plan 2023-2029 references renewable gas wherever renewable energy sources are being listed, this is considered reasonable and appropriate.

In response to the request that it should be explicitly stated that land controlled by the county council which is suitable for installing local area sustainable energy generation infrastructure

(such as smaller solar farms, windmills, etc) should be marked on specific maps and shared with community groups (such as SEAI Sustainable Energy Communities) to consider for their work, it should be noted that action E34 of the Fingal Climate Change Action Plan, which Objective CAO1 (Fingal County Council Climate Change Action Plan) of the Draft Plan seeks to implement, requires that FCC 'Install high visibility PV panels on suitable Council roofs such as libraries and community buildings.'

It should also be noted that Policy CAP23 (Dublin Regional Energy Masterplan) seeks to support the preparation of the Dublin Regional Energy Masterplan by Codema and to support its implementation in conjunction with neighbouring Dublin Local Authorities, Dublin Metropolitan CARO and other relevant stakeholders. This body of work has just been completed by Codema.

The three-year study, which is the first of its kind to be carried out for any city or town in Ireland, identified the most realistic, evidence-based solutions to reduce emissions related to heat, electricity, transport and buildings in Dublin. The research used spatially-driven energy scenario modelling to identify the best pathways for Dublin towards 2030 and 2050, based on the specific energy "characteristics" or profile of a particular area. Put very simply, the master plan looked at 'what should go where' for every part of Dublin, based on the type of area it is and the technologies that are best suited to reducing energy-related emissions within that area. As such it is considered that the existing policies and objectives outlined above in relation to FCC's Climate Change Action Plan 2019-2024 and the Dublin Regional Energy Masterplan are sufficient.

In relation to the requests that the plan should note the many welcome aspects of solar power and commit to solar energy playing a large role in energy generation in Fingal, it is considered that the existing text and policies in the Draft Plan, such as section 5.5.3.2 Solar Energy and Policy CAP13 (Energy from Renewable Sources), which seeks to actively support the production of energy from renewable sources, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations, are sufficient to deal with this issue.

#### Coastal Renewable Energy

It is requested that FCC prepare a map showing the degree of acceptability from prohibition to preferred and undertake an analysis of suitable areas for wind energy and prepare a map showing the landscape suitability for Wind Energy Development. It is also requested that a wind energy strategy is prepared.

In the event that offshore renewable energy installations (including offshore windfarms, tidal, and wave generators) are proposed, the evaluation and consideration of potential impacts on any commercial sea fishing activities, the protection of important marine habitats and acceptable visual and environmental issues need to be given due consideration.

Submissions notes that there is 88KM of coastal area from Howth to Balbriggan and requests that FCC should be a leader and demonstrate progressiveness when it comes to renewable energy sources such as floating wind farms. It is vital the region has sufficient uninterrupted energy supplies for businesses to ensure continued Foreign Direct Investment (FDI) in Fingal.

The Department of Environment, Climate and Communications request that the Council include a reference to 'any successor thereof' anywhere that the OREDP (Offshore Renewable Energy Development Plan) is referenced.

It is submitted that "In principle", the local authority should through their terrestrial and future marine area local area plans provide policy and zoning objectives to facilitate the provision of "Marine Renewable-Energy Infrastructure Development" and energy networks.

Another submission calls for Marine Renewable-Energy Infrastructure Development to be dealt with in a manner similar to the Strategic Infrastructure Development application process and that a new prescribed body be created to comment on such applications.

#### **Chief Executive's Response:**

In terms of the request that FCC prepare a map showing the degree of acceptability from prohibition to preferred, undertake an analysis of suitable areas for wind energy and prepare a map showing the landscape suitability for Wind Energy Development and prepare a wind energy strategy, it is considered that this a significant body of work that requires adequate consideration and resourcing. As such, it is recommended that a policy be included in Chapter 5 of the Draft Plan to prepare a wind energy strategy.

In relation to the impact of potential offshore renewable energy installations (including offshore windfarms, tidal, and wave generators) on any commercial sea fishing activities, the protection of important marine habitats and acceptable visual and environmental considerations, it is considered that while the Draft Plan has policies and objectives supporting the provision of renewable energy infrastructure, any application/proposal for such infrastructure would be the subject of a planning application, through the development management process, which would be the subject of environmental assessment and reporting and would require a statutory public display period which would afford an opportunity for all stakeholders to formally comment on such a proposal.

In response to request that FCC demonstrate progressiveness when it comes to renewable energy sources such as floating wind farms and the statement that it is vital the region has sufficient uninterrupted energy supplies for businesses to ensure continued FDI in Fingal, it is considered that the Draft Plan has sufficient policies and objective supporting the production of energy from renewable sources such as Policy CAP13 (Energy from Renewable Sources), which seeks to 'actively support the production of energy from renewable sources, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations.'

In relation to the request from the Department of Environment, Climate and Communications request that the Council include a reference to 'any successor thereof' anywhere that the OREDP (Offshore Renewable Energy Development Plan) is referenced, it is recommended that Section 11.7.1 and Policy CAP15 in Chapter 5 be updated accordingly.

In relation to the request that the local authority should through their terrestrial and future marine area local area plans provide policy and zoning objectives to facilitate the provision of "Marine Renewable-Energy Infrastructure Development" and energy networks, it should be noted that such infrastructure is defined in Appendix 7 (Technical Guidance Notes for Use

Classes) as Utility Installations – a structure composed of one or more pieces of equipment connected to or part of a structure and/ or a facility designed to provide a public utility service such as the provision of heat, electricity, telecommunications, water or sewage disposal and/or treatment.

Utility installations are either permitted in principle or open for consideration in all of the zoning designations in the Draft Plan. As such, a specific zoning to cater for such infrastructure is not required and applications for such infrastructure can be assessed on their merits through the development management process.

In relation to the submission calling for Marine Renewable-Energy Infrastructure Development to be dealt with in a manner similar to the Strategic Infrastructure Development application process and that a new prescribed body be created to comment on such applications, the Planning and Development Regulations 2001, (as amended) sets out the processes by which certain planning applications are dealt, as well as the recognised statutory bodies and the requirements for referring certain types of applications to them. The Development Plan must work within the confines of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) and cannot alter or change these legislative documents.

### Hydro Energy

A number of submissions request that that small scale hydroelectric projects on rivers, water courses, dams and weirs do not negatively impact on natural heritage features and take into account the impact on public rights of way and walking routes, the sensitivity of the landscape, the visual impacts on protected views, prospects and scenic routes and the nature conservation designations and archaeological areas.

#### **Chief Executive's Response:**

In relation to the request that small scale hydroelectric projects on rivers, water courses, dams and The Draft Plan has policies and objectives supporting the provision of renewable energy infrastructure. Furthermore, any application or proposal for such infrastructure would be the subject of a planning application, through the development management process, which would be the subject of a detailed assessment, including environmental assessment and reporting and other assessments as necessary and would also require a statutory public display period which would afford an opportunity for all stakeholders to formally comment on such a proposal.

#### Fossil Fuel Infrastructure

Submission received request that the Fingal County Development Plan should ensure a rapid phasing out of all fossil fuels, including gas and that the Development Plan should not allow the expansion of the gas grid, as is mentioned in certain policies of the draft plan.

The Fingal County Development Plan should ban fracked gas in its energy mix.

Any new large-scale fossil fuel infrastructure projects must be mandated to undertake climate impact assessment to ensure they are consistent with Ireland's fair share net cumulative carbon dioxide (CO2) quota in line with the Paris agreement.

A submission requests that FCC ensure that domestic residences are not burning 'dirty' fuels by appointing inspectors to monitor neighbourhoods where there is a capacity to burn 'dirty' fuels.

Gas Networks Ireland suggests that the draft Fingal County Development Plan 2023-2029 references Compressed Natural Gas (CNG) and CNG infrastructure.

### **Chief Executive's Response:**

The submissions received requesting that the Fingal County Development Plan should ensure a rapid phasing out of all fossil fuels (including gas) and that the Development Plan should not allow the expansion of the gas grid is noted.

The decarbonisation of the energy sector by shifting from fossil fuels to low or zero-carbon energy sources is a key element of climate action policy. This will require the energy sector to embrace a more diverse range of low, zero-carbon and renewable energy sources and to provide for secure, resilient, decarbonised and decentralised utilities.

While the Draft Plan has taken a positive approach to this issue by promoting renewable energy sources, gas and other fossil fuels are still in use by a large number of sectors and industries. While we are moving towards a gradual phasing out of the use of fossil fuels, this is hoped to be achieved by promoting renewable energy sources. It is considered that the policies in the Draft Plan such as Policy CAP13 (Energy from Renewable Sources), which seeks to actively support the production of energy from renewable sources, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations and Policy CAP14 (Micro-Renewable Energy Production) which seeks to support and encourage the development of small-scale wind renewable facilities / micro-renewable energy production, are a good starting point in trying to promote renewable energy sources and phase out the use of fossil fuels.

In relation to fracked gas, the above paragraph is relevant in response to this issue. In summary it is hoped that the use of all fossil fuels will be ultimately phased out by the promotion and use of renewable energy sources. The policies outlined above are also relevant in relation to this point.

In relation to the request that any new large-scale fossil fuel infrastructure projects must be mandated to undertake climate impact assessment to ensure they are consistent with Ireland's fair share net cumulative carbon dioxide (CO2) quota in line with the Paris agreement, the rebuttal used for the phasing out of fossil fuels is also relevant here. As stated above, the Draft Plan has taken a positive approach to this issue by promoting renewable energy sources, but gas and other fossil fuels are still in use by a large number of sectors and industries. While we are moving towards a gradual phasing out of the use of fossil fuels, this is hoped to be achieved by promoting renewable energy sources. It should also be noted that development management has a role to play in this, in term of pre planning and an applicant setting out a clear rationale for a project, bearing in mind that the majority of policies and objectives in the draft support a move away from fossil fuels.

In terms of the request from Gas Networks Ireland that the draft Fingal County Development Plan 2023-2029 references Compressed Natural Gas (CNG) and CNG infrastructure, it is considered that the approach is to promote renewable energy sources not fossil fuel usage. As such, the provision of a reference to the use of a fossil fuel is not considered appropriate.

### **Energy Storage**

There is an opportunity for FCC to support the enhancement of Ireland's energy security with the inclusion of specific policies supporting these new technologies around energy storage systems.

### **Chief Executive's Response:**

In relation to the request for FCC to support the enhancement of Ireland's energy security with the inclusion of specific policies supporting these new technologies around energy storage systems, it is considered that the existing policies and objectives in the Draft Plan in relation to energy networks and energy utilities allow for the provision of energy storage systems. These include:

Policy IUP27 (Energy Networks and ICT Infrastructure) - Facilitate and promote the development of energy networks and ICT infrastructure where necessary to facilitate sustainable growth and economic development and support the provision of critical energy utilities and the transition to alternative, renewable, decarbonised, and decentralised energy sources, technologies, and infrastructure.

Objective IUO44 (Energy Utilities) - Support the development of enhanced electricity and gas supplies, and associated transmission and distribution networks, to serve the existing and future needs of the County, and to facilitate new transmission infrastructure projects and technologies.

As such, it is considered that the existing policies and objectives contained with the Draft Plan are appropriate and a specific policy or objective in relation to energy storage is not required.

## **District Heating**

In relation to District Heating policies and objectives (Policy CAP18, Policy IUP32, draft Objective DMSO256, Objective DMSO257 and Objective DMSO258), it is requested that Council considers additions to these polices requiring not only that applications for new developments demonstrate that they have merely considered district heating systems / technologies in their design, but that they have the capacity to connect to such systems in the future if they cannot do so at present.

Another submission states that it should be an objective of Fingal to seek out opportunities to offer district heating from data centres and power plants to residents in neighbouring areas.

There is an opportunity to utilise the waste heat from the industrial Ballycoolin sector to heat nearby population centres.

### **Chief Executive's Response:**

It should be noted that the submission from the Office of the Planning Regulator (OPR) requested that an additional objective in relation to District Heating be inserted into the Draft Plan, to Identify suitable location(s) for the delivery of district heating systems within the plan area. The inclusion of such an objective has been recommend in the OPR section of this report.

Policy CAP18 (Supporting the Potential of District Heating in Fingal) seeks to support the potential of district heating in Fingal, all Climate Action Energy Statements submitted to the Council (see Policy CAP12) shall include an assessment of the technical, environmental and economic feasibility of district or block heating or cooling, particularly where it is based entirely, or partially on energy from renewable and waste heat sources.

Objective DMSO260 (Climate Action Energy Statements) requires that all new developments involving 30 residential units and/or more than 1,000 sq. m. of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development.

It is considered that the existing policies and objectives outlined above are appropriate and fit for purpose in terms of promoting the use of district heating in Fingal. Through the above policies and objectives, particularly objective DMSO260 and the development management process, through pre-planning, applications for potential developments can be encouraged to have the potential to connect to future district heating systems. It should also however be noted that district heating is more appropriate or easier to provide in certain areas, due to the clustering of certain land uses. As such a case by case approach to this issue through the development management process, rather than a broad-brush approach may be more appropriate.

In relation to the request that it should be an objective of Fingal to seek out opportunities to offer district heating from data centres and power plants to residents in neighbouring areas and the statement that there is an opportunity to utilise the waste heat from the industrial Ballycoolin sector to heat nearby population centres, it is considered that this issue is suitably captured by Policy CAP19 (Capture and Utilisation of Waste Heat), which seeks to encourage proposed and existing developments and facilities (such as data centres) to capture and utilise otherwise wasted heat, and use waste heat either on-site, or in an adjoining, and nearby sites, in compliance with all relevant Energy Efficiency Regulations.

## **Data Centres**

Several submissions mention data centres becoming more sustainable and the district heating benefits. Where technically possible, heat generated from a data centre should be utilised for district heating systems.

Another submission requests a moratorium on data centres is urgently needed to consider their impact on our climate action targets and energy security.

A further request is for a national cap on the level of data centre demand that can be accommodated by the grid to 2030, while meeting our renewable energy and climate emissions targets consistent with our obligations under the Paris Agreement, this should be set out in national policy.

It is requested that any new data centre in Fingal must be powered entirely by onsite or new offsite renewable energy.

Existing centres should be required to transition rapidly to onsite or new offsite renewables.

Lastly, it is submitted that where technically possible, heat generated from a data centre should be utilised for district heating systems.

### **Chief Executive's Response:**

In relation to data centres becoming more sustainable and the associated potential district heating benefits, it is considered that this issue is suitably captured by Policy CAP19 (Capture and Utilisation of Waste Heat), which seeks to encourage proposed and existing developments and facilities (such as data centres) to capture and utilise otherwise wasted heat, and use waste heat either on-site, or in an adjoining, and nearby sites, in compliance with all relevant Energy Efficiency Regulations.

In terms of the request that a moratorium on data centres is urgently needed to consider their impact on our climate action targets and energy security, it is considered that this is not a matter for the Development Plan in isolation. In terms of national and regional planning legislation, the National Planning Framework seeks the 'promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.' The draft plan must align with national and regional planning policy and must be consistent with the requirements of the NPF. As such, any decision in relation to a potential moratorium on data centres is one for central government.

National policy and direct would also be required in relation to any national cap on the provision of data centres. As indicated above, national policy dictates how individual local authorities deal with such matters, which is outside the remit of the development plan. It should however be noted that the overprovision of any one particular land use in a particular area is not appropriate and this will be managed through the development management process and any applications for a certain facilities/land use have regard to the number of such facilities already in operation in a particular area. In relation to grid capacity, that is an application for the operator of any such facility in making a grid connection application.

In relation to the request that any new data centre in Fingal must be powered entirely by onsite or new offsite renewable energy, it should be noted that Objective DMSO260 (Climate Action Energy Statements) requires that all new developments involving 30 residential units and/or more than 1,000 sq. m. of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development. It is considered that this objective will ensure that any future applications for such facilities are as sustainable as possible in terms of energy use.

In terms of the request that existing centres should be required to transition rapidly to onsite or new offsite renewables, Objective DMSO259 seeks to *support high levels of energy conservation*, energy efficiency and the use of renewable energy sources in existing buildings, including retro-fitting of appropriate energy efficiency measures in the existing building stock. It is considered that this existing objective suitable deals with this issue.

### **Decarbonising Zones**

Submission received raise concerns about Decarbonising zones and the impacts on businesses/residents of areas within these zones.

### **Chief Executive's Response:**

Action 165 of the Climate Action Plan 2019 identified the need to engage at a local level and included a specific action which requires Local Authorities to identify and develop plans for at least one Decarbonising Zone (DZ) in their administrative area. A Decarbonising Zone is a spatial area identified by the Local Authority, in which a range of climate mitigation measures can coexist to address local low carbon energy, greenhouse gas emissions and climate needs. Fingal County Council is working to identify a Decarbonising Zone and work is progressing in conjunction with Codema and CARO on the identification and implementation of this zone to provide for the development of demonstrator projects which will harnessing a range of energies technologies and initiatives.

### Community based local energy supply systems

Submission requests greater community-based action in developing local energy supply systems in Fingal and also in developing and supporting local initiatives in the community in Fingal.

Submission states that it should be a policy of the council to support local groups and land owners to get together and develop community energy schemes under the government's new RESS programme. Submission states that the scheme will need groups to work together with landowners and the council can play a key role in facilitating this.

Submission calls for Fingal County Council to develop a publicly owned energy company aiming to provide low carbon heat to local communities.

#### **Chief Executive's Response:**

In terms of the request for greater community-based action in developing local energy supply systems in Fingal and also in developing and supporting local initiatives in the community in Fingal, it is considered that section 5.5.3.7.2 (Energy Initiatives) deals with this issue. Public and stakeholder engagement is extremely important in addressing climate change and it is recognised that there is a need to foster and build momentum on wider citizen engagement in climate change, across all age groups. A successful established example of community engagement in this regard is the SEAI's Sustainable Energy Communities initiative, which assists groups of people to come together to improve how energy is used for the benefit of their community with the common goals of using less energy, using clean, renewable energy and using smart energy. Policy CAP22 (Strategic Energy Communities) seeks to support the ongoing efforts and future development of Sustainable Energy Communities in Fingal through the SEAI "Sustainable Energy Communities" Initiative.

The Renewable Electricity Support Scheme (RESS) provides support to renewable electricity projects in Ireland. With a primary focus on cost effectiveness, the RESS delivers a broader range of policy objectives, including:

- An Enabling Framework for Community Participation through the provision of pathways and supports for communities to participate in renewable energy projects
- Increasing technology diversity by broadening the renewable electricity technology mix
- Delivering an ambitious renewable electricity policy to 2030
- Increasing energy security, energy sustainability and ensuring the cost effectiveness of energy policy

SEAI actively offer support to communities interested in developing their own renewable electricity generation projects. There are existing policies in the Draft Plan such as Policy CAP13 (Energy from Renewable Sources), which seek to *actively support the production of energy from renewable sources*. Furthermore, Policy CAP 14 specifically references small scale wind and microrenewable energy production. It is considered these, alongside the support of the SEAI, provide a framework for implementation of the RESS programme.

In relation to the request that FCC develop a publicly owned energy company aiming to provide low carbon heat to local communities, it is considered that while the development plan can promote the provision of low carbon heat through appropriate policies and objectives, the creation of a publicly owned energy company is not a matter for the Development Plan.

## Circular Economy

Council's attention is drawn to the "Whole-of-Government Circular Economy Strategy" – launched December 2021, a high-level document setting out Ireland's ambition to be a Circular Economy leader in Europe by 2030. One of the main objectives of the Strategy is communicating the Circular Economy to households, communities and businesses and County Development Plans play a key role in this messaging and, in that regard, direct references to the Strategy would be welcomed.

One submission welcomes the proposal in the Draft Plan for a 'Demolition Justification Report' but calls for the Plan to include for consideration of how consistent applications are with the transition to the circular economy and to favour applications to enable sustainable production and consumption systems, the reduction of material and energy use, the reuse of objects and materials, etc. while discouraging resource intensive and linear economy processes.

### **Chief Executive's Response:**

Fingal Development Plan 2023-29 will continue to support a move towards achieving a 'Circular Economy' which is essential if the County and wider Eastern Region is to make better use of resources and become more resource efficient. In line with the RSES and the EMRWMP, the Draft Plan embraces the circular economy approach in relation to waste management and contains specific policies in this regard. Fingal County Council's Climate Change Action Plan (2019-2024) also contains a range of measures to reduce greenhouse gas emissions and improve energy efficiency.

Promoting and delivering more sustainable forms of waste management in Fingal in line with circular economy principles will be central to the overall approach of the Draft Plan.

The Government approved the *Circular Economy Bill 2021*, which will implement many actions from the Government's Waste Action Plan. New legislation is being prepared to implement a circular economy which will drastically change production and consumption. The Department of Environment, Climate and Communication's submission highlighting the *"Whole-of-Government Circular Economy Strategy"* (*December 2021*), is noted and the need to communicate the main objectives of this Strategy to households, communities and businesses is acknowledged and agreed. It is recommended that the Draft Plan make direct reference to this Strategy, and it is recommended that Section 5.5.4.1, Section 11.6 and Policy IUP22 be updated accordingly. The recommendations in relation to Chapter 11 can be found in the Chapter 11 section of this report.

In terms of the request for the Plan to include for consideration of how consistent applications are with the transition to the circular economy, is it considered that Policy CAP25 (Waste Management Plans for Construction and Demolition Projects), which requires that applicants have regard to existing Best Practice Guidance on Waste Management Plans for Construction and Demolition Projects as well as any future updates to these Guidelines in order to ensure the consistent application of planning requirements, is appropriate and fit for purpose. It is considered that the level of detail sought in this instance, will be captured through the development management process, particularly pre planning. As legislation and best practice around some of these issues are constantly in flux, it is considered that the existing high-level policy (CAP25) is appropriate and provides a framework for FCC to ensure best practice guidance on waste management plans for construction and demolition projects as well as any future updates to these guidelines is being adhered to.

## **Transport and Climate Action**

Several submissions were received relating to transport elements of climate action such as electric vehicles and modal split.

#### **Electric Vehicles**

Several submissions were received requesting greater provision of EV Charging Points.

### **Chief Executive's Response:**

The Minister for Transport, Eamon Ryan T.D. recently launched Zero Emission Vehicles Ireland. This new Office will play an important role in Ireland's transition to zero emission vehicles. It will work across government, industry, and society to support this transition. Its operations will include

- supports for the uptake of zero emission vehicles,
- infrastructure delivery through funding and policy guidance,
- strategy and policy lead, including taxation and regulation,
- research and innovation, and,
- communications and public and stakeholder engagement.

The four Dublin Local Authorities have worked together to develop a EVCP strategy for Dublin which would deliver consistent charging infrastructure in support of the Climate Action Plan targets in relation to transition to EV's.

The Dublin Metropolitan Area (DMA) are currently identifying priority areas that require the installation of residential charging solutions supported by the four Local Authorities. Location factors will be considered, while ensuring distribution and provision is fair and equitable. Members of the public who drive an EV have been invited to express their interest for a charge point in their local neighbourhood, e.g. car park, sports club, schools etc. This may not guarantee a charge point will be installed in that location but will help the Dublin Local Authorities to identify areas where there is local need. Several trials of different charger types are already taking place across the DMA with plans to actively support the deployment of public charge points in the short term.

In addition, the Draft Plan at Policy CAP26 as set out in Chapter 5 Climate Action relating to Electric Vehicles seeks to, 'Ensure that sufficient charging points and rapid charging

infrastructure are provided on existing streets where such infrastructure does not impede persons with mobility issues and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV vehicle charging point installation, so that EV Street Charging Points are provided to every community of the County'.

## **Modal Split**

Concern was raised in some of the submissions received in relation to promoting sustainable modes of transport.

### **Chief Executive's Response:**

The submissions in the context of achieving sustainable travel are welcomed. The policies and objectives as specifically set out in Chapter 6 of the Draft Plan is considered the guiding framework for the Council's ongoing support and implementation of the various measures that are required to drive and support active and sustainable travel modes, in order to further underpin the sustainable development of the County. Supportive policy and objectives in the plan in this regard include CMP1 relating to the decarbonisation of Motorised Transport, objective CMO1 relating to the transition to sustainable modes and objective CMO2 relating to the promotion and support for modal shift, with a focus on continued collaboration between FCC and the NTA and other relevant transport agencies in facilitating the integrated set of transport objectives for the County. The achievement of high-quality interchange between modes is promoted and supported through policy CMP20 and objective CMO22.

Strategic objective 9 of the Draft Plan seeks to, 'Reduce car dependency and promote and facilitate sustainable modes of transport. Prioritise walking, cycling and public transport, while supporting an efficient and effective transport system.' In this regard, the Plan commits to supporting regional and national policies such as RSES, the NTA's Transport Strategy and the NPF.

To ensure consistency with the above, Fingal County Council's strategic transportation, forward planning and development management processes operate with the guidance of the NTA Eastern Regional Model, which was used in the development of the NTA Transport Strategy for the Greater Dublin Area. The Council is also guided by the various policy documents at national, regional and local level, including the Development Plan.

Objective CMO2 relating to Modal Shift requires that FCC, 'Work with the NTA to develop mode share targets for the County to achieve and monitor a transition to more sustainable modes including walking, cycling and public transport, during the lifetime of this Plan. This includes providing targeted infrastructure in the most appropriate locations and prioritising development at the most accessible locations in order to achieve the appropriate levels of integration and sustainable transport provision.'

The setting of mode share targets at a County level, in the context of the Development Plan, would be cumbersome and unwieldy, given the data collection that would be required to ensure accuracy and the disparity across the County between dense urban areas and the rural hinterland. It is therefore considered that the use of mode share targets should be considered for inclusion at a more localised level, and this can be achieved through the development of the various Local Transport Plans as required under the proposed amendment to policy CMP4 as set

out in the context of the OPR response requiring that land-use plans including LAPs, Masterplans and other large studies and projects are prepared in tandem with a Local Transport Plan to inform the transportation needs of the area.

## **Coastal Flooding/Erosion**

Submissions received in relation to the prevention of coastal flood coastal erosion request more detailed policies/objectives in relation to coastal protection.

Submissions request that FCC Complete the Rogerstown Coastal Flood Relief package in the lifetime of this Development Plan

Submission states that, whether nature-based or not, the plan should commit the Council to maximising the co-benefits of any coastal defensive measures or infrastructure, for biodiversity and renewable energy.

### **Chief Executive's Response:**

In relation to the request for more detailed policies/objectives in relation to coastal protection, it is considered that the existing policies in the Draft Plan provide sufficient detail at a strategic level to protect out coastal areas.

The following policies are considered relevant in terms of protecting our coastal areas.

Policy CAP30 (Coastal Monitoring) seeks to 'Monitor coastal erosion and accretion along Fingal's coastline to identify locations at risk of coastal erosion and flooding.'

Policy CAP31 (Coastal Protection) seeks to 'Ensure the provision of appropriate coastal protection measures in locations at risk of coastal erosion and flooding.'

The above policy sets a framework for specific coastal protection projects to take place and these will go through applicable/relevant statutory process and consultation and in doing so, will provide the level of detail sought.

Policy CAP32 (Coastal Zone Management) seeks to 'Support coastal zone management measures for adapting to climate change which include restoration of degraded ecosystems, increased flood resilience, water quality improvement, habitat conservation and provision of amenities for the residents of and visitors to Fingal.'

In response to the request that FCC Complete the Rogerstown Coastal Flood Relief package in the lifetime of this Development Plan, it should be noted that the Council is progressing the planning process for Coastal Defence works at Portrane and Rush in the Rogerstown Outer Estuary. This process includes the preparation of Appropriate Assessment and Environmental Impact Assessments for the planned works. It is planned to submit the planning application for the relevant works to An Bord Pleanála (ABP) later this year. Following the submission of a Scoping Report to ABP, the Bord has requested the commissioning of additional survey work some of which has the potential to delay the submission of our planning application. In this regard the Council is awaiting clarification as to the need for these additional surveys and this will inform our approach to the completion of the planning application.

Policy CAP31 (Coastal Protection) seeks to 'Ensure the provision of appropriate coastal protection measures in locations at risk of coastal erosion and flooding.'

The above policy sets a framework for specific coastal protection projects to take place and these will go through applicable/relevant statutory process and consultation and in doing so, will provide the level of detail sought.

In relation to the request that the plan should commit the Council to maximising the co-benefits of any coastal defensive measures or infrastructure, for biodiversity and renewable energy, it is considered that the policies and objective contained within the Draft Plan in relation to coastal defence, biodiversity and renewable energy, while promoting the advancement of each issue/topic within the County, do not prevent dual usage, or the doubling up of infrastructure to serve more than one purpose.

#### **Nature Based Interventions**

Submissions received infer that there is an exciting opportunity to use mitigation of the effects of climate change as an opportunity to boost our biodiversity and that there should be a focus on nature-based solutions for coastal erosion and ensuring co-benefits of any defensive measures.

### **Chief Executive's Response:**

Section 5.5.8 of the Draft Plan specifically relates to Nature-Based Solutions and Green Infrastructure and how they can assist the County to adapt and become resilient to the effects of climate change while also playing a role in climate mitigation. Several policies and objectives in the Draft Plan highlight the need for nature based solutions to be used when dealing with issues such as flooding, Roads and Streets Proposals, Sustainable Urban Drainage Systems and water quality. These include:

Policy CAP29 (Natural Flood Risk Mitigation) Encourage the use natural flood risk mitigation or nature-based solutions including integrated wetlands, green infrastructure, and Sustainable Drainage Systems (SuDS) as part of wider adaptation and mitigation responses to achieve flood resilience.

Objective CMO42 (Roads and Street Proposals and Nature-Based Solutions) Incorporate sustainable drainage features and wildlife crossings including bridges and underpasses into the designs for new road infrastructure and where possible, incorporation of such measures into the existing road network.

Objective GINHO15 (SuDs) Limit surface water run-off from new developments through the use of appropriate Sustainable Urban Drainage Systems (SuDS) using nature-based solutions and ensure that SuDS is integrated into all new development in the County.

Policy IUP15 (Water Quality) Support initiatives to improve water quality and to achieve "good ecological" status in compliance with the Water Framework Directive and associated River Basin Management Plans, particularly those which employ nature-based management measures, and explore opportunities for targeted watercourse improvement interventions which are designed to deliver a wider range of environmental benefits.

In relation to coastal erosion, Policy CAP31 (Coastal Protection) states: *Ensure the provision of appropriate coastal protection measures in locations at risk of coastal erosion and flooding.*Appropriate coastal protection may include nature-based solutions and as such it is considered that nature-based solutions, will be considered if ultimately appropriate.

## Targets/Monitoring

## **Targets**

Submissions request that specific targets for climate measures are outlined as follows:

- Carry out a carbon emissions baseline study for the area
- Notes that Compact and Sustainable Settlement Patterns fails to provide any quantifiable targets. The public, NGO's and business community requires knowledge of supports
   Fingal will put in place to promote renewables, home insulation and how will they address fuel poverty and transition away from solid fuels.
- Fingal should set its own targets for active travel and public transport modal shift over the lifetime of this plan. Submission states that the emission reductions of 51% in transport for 2030 are highly ambitious and that as a result Fingal needs to set credible active travel and public transport targets to achieve that.
- The Council is requested, to include the energy targets for renewable and offshore renewable energy directly under the county development plan as high -level objectives of the county development plan, for prior to 2030 and the targets for after 2030, as set out by the programme for government and associated policy statements. It is submitted that the council should include the in-principle recognition of the importance of the fact that Marine Renewable -Energy Infrastructure Development is directly linked and are critical to the achievements of the government's legal commitment to renewable energy targets for the periods pre- 2030, post-2030 and the objective of zero carbon by 2050.
- Notes that Fingal aims to make Dublin a climate resilient region, by reducing the impacts
  of future climate change-related events, however, no actions, details, quantifiable targets
  or deadlines are provided.
- The Draft Plan does not make reference to the national capacity targets (e.g. 8.2 GW of onshore wind and up to 2.5 GW on grid scale solar PV) and does not list or commit to any local renewable energy generation targets from any source. The Draft Plan should set out clear and unambiguous targets in respect of renewable energy in order to inform the LARES. Submission also requests that the Council considers the capacity of locally available renewable energy resources, rather than any other metric (e.g. existing population) as an appropriate determinant of any potential contribution to the State's energy requirements and targets, as determined by available land, energy generation potential and environmental designations.
- Outline specific actions that seek to combat, reduce or eliminate the emissions of greenhouse gases in the area.
- Outline key indicators for the monitoring of progress on climate action to ensure progress is achieved.
- Notes 40% reduction in GHG emissions by FCC. Without information regarding the
  emissions from the council, highlights that it is unclear whether this emission reduction
  is the best place to invest and whether this represents a significant amount of Fingal's
  overall emissions? Notes that nationally, emissions from energy, transport and
  agriculture are the largest emission sources.

## **Chief Executive's Response:**

As outlined in the summary above, a number of the submissions receive request quantifiable targets in relation to climate action are contained in the draft Plan. The recently published

Development Plans – Guidelines for Planning Authorities (June 2022) advocates setting measurable objectives rather than specific targets and states:

'Development plans will often state an overarching 'Strategic Aim' or 'Strategic Objective' which expresses the broad, strategic policy direction for a particular topic. These Strategic Objectives may, of necessity, lack detailed specifics – for example, "To co-ordinate transport and land-use planning, reducing the demand for travel and the reliance on the private car in favour of public transport, cycling and walking." However, the objectives that set out how this 'Strategic Aim' is to be realised should, where possible, be measurable and capable of being monitored. '

The Development Plan Guidelines go on to state: 'Further developing a strategic aim or objective, a development plan could set a more specific objective to achieve mode share targets that are benchmarked against mode share data so that its impact can be tracked and measured over time, relative to the baseline level for the local authority area. Not all development plan objectives will be measurable with a simple data metric. It is entirely valid and reasonable for a development plan to set qualitative objectives, for example, to seek a 'high quality of urban design' or for developments to contribute to a 'sense of place' while acknowledging that these are not always readily measurable. Qualitative objectives are better suited to performance or criteria-based indicators. In drawing this distinction, planning authorities should endeavour to identify suitable quantitative or qualitative indicators for as many of the objectives of a development plan as possible.'

Chapter 12 of the Draft Plan relates to implementation and monitoring. This includes an implementation and monitoring system, which is intended to function as a formal feedback loop. The framework will form an evidence-based input and integrate with the review process of the subsequent Fingal Development Plan 2029–2035. This framework is also designed to assist the Planning Authority in preparing reports in meeting its statutory requirements, including:

- The 2 Year Review of the 2023–2029 Fingal Development Plan.
- Report to the Regional Assembly setting out progress made in supporting objectives of the RSES.

The Implementation and Monitoring System seeks to align, where possible, the right indicators that appropriately reflect and measure whether a policy and objective is being achieved. Given the number, complexity and long-term nature of some of the policies and objectives, it is not necessarily practical to indicate progress on each individual one. A monitoring system has been established to provide a greater level of understanding as to whether and to what extent the policies and objectives of the Plan are being realised. This system provides for the assessment of activity over the lifetime of the Plan, which includes qualitative and quantitative measures of the policies and objectives.

In relation to the specific targets requested in the submissions received, the development plan, while being a significant factor in influencing these issues, is not the sole factor. As such, it is considered that having measurable objectives and tracking our progress is a better approach than setting targets for issues we influence but don't have full control over.

In terms of the request that the Draft Plan outline specific actions that seek to combat, reduce or eliminate the emissions of greenhouse gases in the area, the policies and objectives in the Draft Plan in relation to Climate Action are considered sufficient to achieve this. Some of these include:

Policy CAP1 (National Climate Action Policy) – Support the implementation of national objectives on climate change including the "Climate Action Plan 2019 to Tackle Climate Breakdown", the "National Adaptation Framework" 2018 and the "National Energy and Climate Plan for Ireland 2021–2030" and other relevant legislation, policy and agreements in relation to climate action.

Objective CAO1 (Fingal County Council Climate Change Action Plan) - Implement Fingal County Council's 2019 Climate Change Action Plan 2019–2024 in consultation and partnership with stakeholders including the Dublin Metropolitan Climate Action Regional Office (CARO) and Codema.

Objective CAO2 (Quantification of Greenhouse Gases) Support the Eastern and Midland Regional Assembly (EMRA) in identifying a robust method for quantifying the relative GHG impacts of alternative spatial planning policies as part of the European Union ESPON "QGasSP" research programme.

Policy CAP2 (Mitigation and Adaptation) Prioritise measures to address climate change by way of both effective mitigation and adaptation responses in accordance with available guidance and best practice.

As stated above, the Development Plan advocates setting measurable objectives rather than specific targets. This approach, through the Implementation and monitoring system and associated indicators in the Draft Plan are suitable ton track the progress of the Development Plan over its lifetime.

In terms of the 40% reduction in GHG emissions by FCC, this is a target of the Fingal Climate Change Action Plan 2019-2024, which objective CAO1 (outlined above) seeks to implement and relates to FCC activities. The Councils Energy management team in association with Codema undertake a rigorous annual reporting of energy consumption and associated GHG emissions and report these figures to the SEAI. Emissions relating to Council activities would equate to approximately 2% of the overall emissions from the county.

## Monitoring

Submission recommends that progress on mitigation action of the Plan 'need to reduce energy demand, to increase energy efficiency and to provide renewable energy on- site if possible', should be monitored at planning stage

### **Chief Executive's Response:**

In relation the request that that progress on mitigation action of the Plan 'need to reduce energy demand, to increase energy efficiency and to provide renewable energy on- site if possible', should be monitored at planning stage, it should be noted that Chapter 12 of the Draft Plan include an implementation and monitoring system. The implementation and monitoring system is intended to function as a formal feedback loop. The framework will form an evidence-based input and integrate with the review process of the subsequent Fingal Development Plan 2029–2035. This framework is also designed to assist the Planning Authority in preparing reports in meeting its statutory requirements, including:

- The 2 Year Review of the 2023–2029 Fingal Development Plan.
- Report to the Regional Assembly setting out progress made in supporting objectives of the RSES.

The Implementation and Monitoring System seeks to align, where possible, the right indicators that appropriately reflect and measure whether a policy and objective is being achieved. Given the number, complexity and long-term nature of some of the policies and objectives, it is not necessarily practical to indicate progress on each individual one. A monitoring system has been established to provide a greater level of understanding as to whether and to what extent the policies and objectives of the Plan are being realised. This system provides for the assessment of activity over the lifetime of the Plan, which includes qualitative and quantitative measures of the policies and objectives.

#### Sustainable Tourism

It is submitted that Fáilte Ireland recognises and will continue to ensure that all tourism initiatives it is involved in are planned, developed and managed in a sustainable and integrated manner. It is stated that there is no reference to sustainable tourism in the draft Plan and it is considered that it should be a dedicated sub-section within the tourism section and it should be referenced in Chapter 5, in respect of the significant role it will play in the future to contributing to climate action.

## **Chief Executive's Response:**

in respect of the significant role sustainable tourism may play in contributing to climate action, it is considered that all industries and sectors have a role to play in climate action. Chapter 5 of the Draft Plan has policies and objectives applicable to all sectors. As such, it is not considered appropriate to highlight one sector over another in terms of its responsibility or role in dealing with climate change.

## Carbon Audit - Roads Projects

Submission states that all road proposals must compile their potential emissions output from expected vehicle use over the lifetime of the following two Carbon Budget timelines.

### **Chief Executive's Response:**

The purpose of the Strategic Environmental Assessment (SEA) Environmental Report for the Draft Fingal Development Plan is to provide a clear understanding of the likely environmental consequences of decisions regarding the adoption and implementation of the Plan. The SEA has considered the road proposals and all transport schemes outlined in Table 6.3 of the Draft Plan. It has had regard to the appropriate and applicable Climate Action legislation and is in accordance with the requirements of Directive 2001/42/EC and associated implementing Irish legislation.

It is noted that the SEA has reviewed the Climate Mitigation and Adaption measures in the Draft Plan and states: 'Climate Change, and considerations around Climate Mitigation and Adaption are to the forefront of the Draft Plan and specifically addressed in Chapter 5 of the Plan. The Plan sets Strategic Aims and Climate Polices CAP1 to CAP33 and Objectives (CAO1 & CAO2) all of which promote and support implementation of International and National objectives on climate change and adaptation, climate action and mitigation, transition to a climate resilient low carbon county, and alignment with the Climate Action Plan 2019/2021 and the Fingal Climate Action Plan.'

The SEA Environmental Report has had due regard to CMO 35 (Transport Schemes) which seeks to 'implement the transportation schemes indicated in Table 6.3.'

Assessment of the objective within the SEA against Strategic Environmental Objectives (SEO's) finds this the intent of this objective is: 'Potential partly positive partly uncertain effects for SEOs.'

Environmental assessment of the Fingal Development Plan 2023-2029 is a crucial element of the process, assessing the potential environmental impacts of implementing policies and objectives, including Transportation Schemes outlined within Table 6.3.

However, each of the schemes identified would be required to advance through separate feasibility, design, planning and environmental appraisal for each project in line with the statutory planning process, including environmental assessments. As such, it is considered that this issue will be addressed is the specific environmental assessments that will be carried out for the individual schemes listed in table 6.3.

### Climate Action and Dublin Airport

One submission states that the aim of making aviation carbon neutral needs to be explicitly mentioned in the development plan.

It is submitted that passenger forecasts for Dublin Airport contained in the Development Plan do not take into account the impact of climate action and that regulations aimed at reducing carbon emissions are certain to impact aviation as we move towards the climate neutral target of 2050. Submission also notes that the DAA have signed up to the Toulouse Declaration which is an aviation industry roadmap to achieving climate neutrality.

Submission states that the DAA's forecasts are not currently acknowledged in the development plan, this needs to be recognised in all the text relating to context and passenger forecasts.

One observer notes the need for the aviation industry to use new fuels generated by sustainable means (such as hydrogen or sustainable kerosene) to meet its climate targets and calls for this need to be acknowledged in the Development Plan.

#### **Chief Executive's Response:**

One of the aims of the Draft Plan is to help Fingal realise its potential to be a low carbon society and this is applicable to all sectors and industries operating within the County. The policies and objectives contained within the Draft Plan in relation to carbon reduction relate to all sectors, not just aviation.

However, there is a specific policy in the Draft Plan relating to Dublin Airport transitioning to a low carbon economy. Policy DAP4 (Transitioning to a low carbon economy) states: *Ensure that all developments comply with the Climate Actions Objectives and the Circular Economy and waste Management Objectives in the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same.* 

The continuing growth of the Airport presents many challenges and one of these is the need to reduce carbon emissions and safeguard the environment at the Airport. The Plan seeks to pursue climate mitigation in line with global and national targets and support the transition towards a low carbon economy by seeking to reduce CO2 emissions at the Airport. The Climate Action Plan 2021 provides an account of a number of key sectors such as transport and electricity and details the measures required to achieve decarbonization targets. Those sectors most applicable to Dublin Airport include transport, including land use and transport planning, electricity, buildings and waste and circular economy.

In relation to passenger numbers quoted for Dublin Airport in the Draft Plan, these are for context only and the objectives and policies in the Plan relating to Dublin Airport are there to safeguard the Airport and protect the environment and sustainability of the surrounding area, regardless of passenger numbers.

In relation to the request for the aviation industry to use new fuels generated by sustainable means (such as hydrogen or sustainable kerosene) to meet its climate targets, Dublin Airport is bound by the requirements of the Climate Action Plan 21 and compliance with such, is a matter for daa, which is outside the scope of the Development Plan.

### Post Occupancy Evaluation (POE)

One submission received calls for the inclusion of an objective in the Development Plan in relation to Post Occupancy Evaluation for publicly owned buildings.

### **Chief Executive's Response:**

In terms of the submission received that calls for the inclusion of an objective in the Development Plan in relation to Post Occupancy Evaluation for publicly owned buildings, it is considered that the development plan is focused on future/potential development and setting standards (apartment sizes and mix, open space areas, aspect requirements) that will be used for the assessment of planning applications to provide high quality developments. Such a requirement is within the remit of the Building Regulations. As such, Post Occupancy Evaluation is outside that scope of the Development Plan

That being said, objective IUO46 (Energy Efficiency of Buildings) in the Draft Plan does go some way to future proofing buildings as it seeks to encourage the adaptability of buildings over time and seek to improve the energy efficiency of new and existing building stock including the retro fitting of energy efficient measures and promote the use of energy efficiency and conservation in the design and development of all new buildings in the County, in accordance with relevant building regulations, national policy and guidance and the targets of Fingal's Climate Change Action Plan.

### **Chief Executive's Recommendations:**

#### **CE CH 5.1:**

Amend policy CAP1 as follows:

Support the implementation of national objectives on climate change including the "Climate Action Plan 20**1921** to Tackle Climate Breakdown", the "National Adaptation Framework" 2018 and the "National Energy and Climate Plan for Ireland 2021–2030" and other relevant legislation, policy and agreements in relation to climate action.

#### **CE CH 5.2:**

Amend final paragraph of section 14.21.4 as follows:

Large scale proposals for solar panels or any development in the vicinity of the airport, the strategic national road and LUAS networks will be required to submit a Glint and Glare Assessment. Domestic applications will be assessed on a case by case basis. All large-scale proposals involving for solar panels shall be sent to Irish Aviation Authority as part of the statutory consultee process.

#### **CE CH 5.3:**

Amend Policy CAP13 – Energy from Renewable Sources as follows:

Actively support the production of energy from renewable sources *and associated electricity grid infrastructure*, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations.

#### **CE CH 5.4:**

Amend Section 5.5.3.1 as follows:

'Currently within Fingal, the principle renewable energy sources include solar, wind and microrenewables, but opportunities exist for other renewable energy sources to be provided in the future *including* renewable gas and this Plan seeks to assist in the diversification of renewable energy provision in the County.'

#### **CE CH 5.5:**

Amend Section 5.5.3.5 as follows:

In addition to the primary sources of renewable energy addressed above, other sources of renewable energy exist, *including* renewable gas (and associated CNG infrastructure) which have the potential to contribute to the overall goal of decarbonising the energy sector. Another source of renewable energy would be biomass, which is plant or animal material used as fuel to produce electricity or heat and examples include wood, energy crops and waste from forests, yards, or farms.

### **CE CH 5.6:**

Insert a new policy after Policy CAP13 (Energy from Renewable Source) which states:

Prepare a wind energy strategy.

### **CE CH 5.7:**

Amend Policy CAP15 as follows: Policy CAP15 – Offshore Wind-Energy Production

Support the implementation of the 2014 "Offshore Renewable Energy Development Plan" (OREDP) *and any successor thereof*, and to facilitate infrastructure such as grid facilities on the land side of any renewable energy proposals of the offshore wind resource, where appropriate and having regard to the principles set out in the National Marine Planning Framework.

### **CE CH 5.8:**

Amend the 2<sup>nd</sup> paragraph of Section 5.5.4.1 as follows:

This Waste Action Plan provides Ireland with a roadmap for waste planning and management and is supported by the *'Circular Economy Bill'* (2021), and the *'Whole of Government Circular Economy Strategy'* (2021) to comply with EU Waste Directive obligations.

## **CHAPTER 6: Connectivity and Movement**

## **Submissions Received:**

FIN-C453-2, FIN-C453-3, FIN-C453-7, FIN-C453-8, FIN-C453-14, FIN-C453-15, FIN-C453-17, FIN-C453-17, FIN-C453-14, FIN-C453-15, FIN-C453-17, FIN-C453-17, FIN-C453-14, FIN-C453-15, FIN-C453-17, FIN-C453-17, FIN-C453-18, FIN-C455-18, FIN-C455-C453-22, FIN-C453-26, FIN-C453-28, FIN-C453-35, FIN-C453-45, FIN-C453-46, FIN-C453-50, FIN-C453-52, FIN-C453-52, FIN-C453-53, FIN-C453-56, FIN-C453-57, FIN-C453-58, FIN-C453-60, FIN-C453-51, FIN-C453-52, FIN-C453-53, FIN-C453-56, FIN-C453-57, FIN-C453-58, FIN-C453-60, FIN-C453-51, FIN-C453-58, FIN-C453-60, FIN-C453-58, FIN-C455-58, FIN-C455-C453-68, FIN-C453-71, FIN-C453-84, FIN-C453-86, FIN-C453-88, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, FIN-C453-89, FIN-C453-89, FIN-C453-89, FIN-C453-92, FIN-C453-89, 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FIN-C453-265, FIN-C453-266, FIN-C453-268, FIN-C453-276, FIN-C453-280, FIN-C453-285, FIN-C453-337, FIN-C453-343, FIN-C453-360, FIN-C453-362, FIN-C453-363, FIN-C453-360, FIN-C455-360, FIN-C455-360, FIN-C455-360, FIN-C455-360, FIN-C455-360, FIN-C455-360, FIN-C455-560, FIN-C455-560, FIN-C455-560, FIN-C455-560, FIN-C455-560, FIN-C455-560, FIN-C455-560, FIN-C455-56 C453-366, FIN-C453-370, FIN-C453-372, FIN-C453-390, FIN-C453-400, FIN-C453-401, FIN-C453-404, FIN-C453-414, FIN-C453-425, FIN-C453-435, FIN-C453-440, FIN-C453-457, FIN-C453-462, FIN-C453-461, FIN-C453-46 C453-473, FIN-C453-478, FIN-C453-492, FIN-C453-493, FIN-C453-504, FIN-C453-505, FIN-C453-508, FIN-C453-516, FIN-C453-520, FIN-C453-521, FIN-C453-523, FIN-C453-527, FIN-C453-531, FIN-C453-534, FIN-C453-542, FIN-C453-543, FIN-C453-549, FIN-C453-573, FIN-C453-579, FIN-C453-582, FIN-C453-585, FIN-C453-605, FIN-C453-623, FIN-C453-630, FIN-C453-641, FIN-C453-643, FIN-C453-649, FIN-C453-678, FIN-C453-683, FIN-C453-684, FIN-C453-685, FIN-C453-690, FIN-C453-C453-728, FIN-C453-735, FIN-C453-737, FIN-C453-738, FIN-C453-739, FIN-C453-740, FIN-C453-746, FIN-C453-753, FIN-C453-755, FIN-C453-767, FIN-C453-769, FIN-C453-779, FIN-C453-785, FIN-C453-793, FIN-C453-798, FIN-C453-800, FIN-C453-801, FIN-C453-802, FIN-C453-804, FIN-C453-806, FIN-C453-807, FIN-C453-813, FIN-C453-814, FIN-C453-816, FIN-C453-826, FIN-C453-833, FIN-C453-836, FIN-C453-846, FIN-C453-848, FIN-C453-853, FIN-C453-855, FIN-C453-858, FIN-C453-859, FIN-C453-860, FIN-C453-862, FIN-C453-864, FIN-C453-866, FIN-C453-868, FIN-C453-874, FIN-C453-880, FIN-C453-886, FIN-C453-894, FIN-C453-897, FIN-C453-903, FIN-C453-905, FIN-C453-920, FIN-C453-922, FIN-C453-926, FIN-C453-932, FIN-C453-942, FIN-C453-945, FIN-C453-951, FIN-C453-958, FIN-C453-960, FIN-C453-964, FIN-C453-977, FIN-C453-979, FIN-C453-981, FIN-C453-983, FIN-C453-984, FIN-C453-988, FIN-C453-995, FIN-C453-996, FIN-C453-1001, FIN-C453-1002, FIN-C453-1002, FIN-C453-1004, FIN-C453-1005, FIN-C453-1006, FIN-C453-1008, FIN-C453-1010, FIN-C453-1012, FIN-C453-1015, FIN-C453-1029, FIN-C453-1032, FIN-C453-1037, FIN-C453-1040, FIN-C453-1041, FIN-C453-1046, FIN-C453-1049, FIN-C453-1053, FIN-C453-1058, FIN-C453-1061, FIN-C453-1062, FIN-C453-1069, FIN-C453-1071, FIN-C453-1073, FIN-C453-1079, FIN-C453-1081, FIN-C453-1087, FIN-C453-1089, FIN-C453-1096, FIN-C453-1097, FIN-C453-1098, FIN-C453-1102, FIN-C453-1110, FIN-C453-1112, FIN-C453-1115, FIN-C453-1119, FIN-C453-1122, FIN-C453-1123, FIN-C453-1124, FIN-C453-1127, FIN-C453-1128, FIN-C453-1130, FIN-C453-1139, FIN-C453-1140, FIN-C453-1145, FIN-C453-1146, FIN-C453-1148, FIN-C453-1150, FIN-C453-1151, FIN-C453-1152, FIN-C453-1155, FIN-C453-1156, FIN-C453-1156, FIN-C453-1158, FIN-C453-1160, FIN-C453-1164, FIN-C453-1165, FIN-C453-1170, FIN-C453-1180, FIN-C453-1186, FIN-C453-1191, FIN-C453-1194, FIN-C453-1199, FIN-C453-1201, FIN-C453-1202, FIN-C453-1221, FIN-C453-1222, FIN-C453-1229, FIN-C453-1231, FIN-C453-1234, FIN-C453-1239, FIN-C453-1241, FIN-C453-1245, FIN-C453-1249, FIN-C453-1250, FIN-C453-1254, FIN-C453-1261, FIN-C453-1262, FIN-C453-1265, FIN-C453-1267, FIN-C453-1271, FIN-C453-1273, FIN-C453-1275, FIN-C453-1278, FIN-C453-1280, FIN-C453-1285,

FIN-C453-1291, FIN-C453-1293, FIN-C453-1295, FIN-C453-1297, FIN-C453-1301, FIN-C453-1302, FIN-C453-1304, FIN-C453-1309, FIN-C453-1310, FIN-C453-1315, FIN-C453-1316, FIN-C453-1317, FIN-C453-1319, FIN-C453-1325, FIN-C453-1334, FIN-C453-1507, FIN-C453-1508, FIN-C453-1510, FIN-C453-1511, FIN-C453-1513, FIN-C453-1521, FIN-C453-1523, FIN-C453-1524, FIN-C453-1526, FIN-C453-1527, FIN-C453-1528, FIN-C453-1529, FIN-C453-1530, FIN-C453-1531, FIN-C453-1532, FIN-C453-1533, FIN-C453-1534, FIN-C453-1535, FIN-C453-1536, FIN-C453-1537, FIN-C453-1538, FIN-C453-1540, FIN-C453-1542, FIN-C453-1544, FIN-C453-1546, FIN-C453-1552, FIN-C453-1554, FIN-C453-1677, FIN-C453-1710, FIN-C453-1771, FIN-C453-1772, FIN-C453-1778, FIN-C453-1783, FIN-C453-1801, FIN-C453-1828, FIN-C453-1947

## **Summary of Issues Raised:**

## **Policy Context**

The Department of Transport welcomes the comprehensive nature of the Draft Plan and cites a number of recent policy documents for inclusion in the Plan to support the provisions of Chapter 6 Connectivity and Movement. These recent documents focus on the importance of integrating land-use and transport policies, the delivery of high-quality and integrated public transport infrastructure, pedestrian and cycling networks and accessible built environments as part of the transition to a climate resilient and accessible society. These documents include:

- The 'National Sustainable Mobility Policy April 2022. The new policy will build upon and replace current sectoral policy documents: Smarter Travel, A Sustainable Transport Future 2009-2020 and the National Cycle Policy Framework,
- The ratification by Ireland in 2018 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) with obligatory provisions on state parties to ensure access for persons with disabilities to, inter alia, the physical environment and transportation in both urban and rural areas.
- The publication of the "whole of Government" National Disability Inclusion Strategy
  (NDIS) 2017-2022, which includes specific actions assigned to Local Authorities. For
  example, action 108 relates to the 'dishing' of footpaths and action 109 relates to
  accessible infrastructure, including bus stops, and The DMURS Interim Advice Note –
  Covid-19 Pandemic Response 2020, which will replace all references to the 2019 DMURS
  document in the plan.

TII in their submission recommends that the *Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012)* be included in *Section 6.4 Strategic Aims* of the Plan having regard to the strategic function of the national roads network within the County and that serves a transboundary movement function.

## **Chief Executive's Response:**

The comments are welcomed. To ensure the most recent and relevant policy context forms the basis for the provisions of Chapter 6 Connectivity and Movement relating to sustainable mobility, accessible built environments and the protection of the national road network, these policy documents shall be included in the Draft Plan. It is acknowledged that the Draft Plan includes reference to the Spatial Planning and National Roads Guidelines for Planning Authorities 2012 in Section 6.5.10.1 of the Draft Plan and Appendix 2 and 3 in the context of the protection of the national road network. These guidelines shall be included in Section 6.4 Strategic Aims of the plan to strengthen the provisions of the plan relating to the protection of the national roads network. It is noted that the

National Sustainable Mobility Policy and Spatial Planning and National Roads Guidelines for Planning Authorities are recommended for inclusion by way of CE Recommendation in the context of the OPR and NTA submission.

### **Sustainable Travel**

Submissions welcomes policy and objectives as set out in the Draft Plan to decarbonise motorised transport, reduce reliance on the private car and facilitate modal shift to walking, cycling and public transport including plans to create Greenways, 'Safe Routes to School as well as the promotion and support for mobility hubs, car clubs and car-sharing schemes, all of which will lead to an overall reduction in car dependency and facilitates safer active travel options. The benefits arising from micro-mobility modes including e-scooter and e-bike schemes such as sustainable mobility and accessible and flexible first-and-last-mile trips within the County and the GDA through the development of co-ordinated, well-managed and accessible e-schemes, advanced through collective collaboration with Local Authorities and relevant stakeholders is highlighted. To facilitate modal shift within the County, the provision of specific and measurable mode-share targets is required in the final plan.

The need to maximise accessibility to public transport and ease of movement between alternative travel modes is seen as key in creating a shift away from dependency on the private car. The Department of Transport and the others welcome the provisions in Chapter 6 Connectivity and Movement, Section 6.5.6.5 of the Draft Plan and objective SPQHO2 in Section 3.5.1 Healthy Placemaking relating to accessibility, social inclusion, the universal design approach to the built environment and high-quality public realm as well as the Council's continued commitment engage with national agencies in supporting and addressing the transport and access needs particularly for vulnerable groups such as people with mobility impairment and/or disabilities including the elderly. Continued and early engagement is requested the context of public realm schemes including maintenance and repair and way-finding.

Pedestrianisation of Main Streets within town and villages within the County including such areas as Howth and D15 is recommended in the interests of pedestrian safety and sustainable mobility, reducing congestion and promoting local business. The plan should also include actions to improve permeability in existing and new developments including the implementation of low traffic neighbourhoods or other changes to reduce vehicular permeability and foster active travel.

### **Chief Executive's Response:**

The submissions in the context of achieving sustainable travel are welcomed. The policies and objectives as specifically set out in Chapter 6 of the Draft Plan is considered the guiding framework for the Council's ongoing support and implementation of the various measures that are required to drive and support active and sustainable travel modes, in order to further underpin the sustainable development of the County. Supportive policy and objectives in the plan in this regard include CMP1 relating to the decarbonisation of Motorised Transport, objective CMO1 relating to the transition to sustainable modes and objective CMO2 relating to the promotion and support for modal shift, with a focus on continued collaboration between FCC and the NTA and other relevant transport agencies in facilitating the integrated set of transport objectives for the County. The achievement of high-quality interchange between modes is promoted and supported through policy CMP20 and objective CMO22.

Strategic objective 9 of the Draft Plan seeks to, 'Reduce car dependency and promote and facilitate sustainable modes of transport. Prioritise walking, cycling and public transport, while supporting an efficient and effective transport system.' In this regard, the Plan commits to supporting regional and national policies such as RSES, the NTA's Transport Strategy and the NPF.

To ensure consistency with the above, Fingal County Council's strategic transportation, forward planning and development management processes generally operate with the guidance of the NTA Eastern Regional Model, which was used in the development of the NTA Transport Strategy for the Greater Dublin Area. The Council is also guided by the various policy documents at national, regional and local level, including the Development Plan.

Objective CMO2 relating to Modal Shift requires that FCC, 'Work with the NTA to develop mode share targets for the County to achieve and monitor a transition to more sustainable modes including walking, cycling and public transport, during the lifetime of this Plan. This includes providing targeted infrastructure in the most appropriate locations and prioritising development at the most accessible locations in order to achieve the appropriate levels of integration and sustainable transport provision.'

The setting of mode share targets at a County level, in the context of the Development Plan, would be cumbersome and unwieldy, given the data collection that would be required to ensure accuracy and the disparity across the County between dense urban areas and the rural hinterland. It is therefore considered that the use of mode share targets should be considered for inclusion at a more localised level, and this can be achieved through the development of the various Local Transport Plans as required under the proposed amendment to policy CMP4 as set out later in this section of the report requiring that land-use plans including LAPs, Masterplans and other large studies and projects are prepared in tandem with a Local Transport Plan to inform the transportation needs of the area.

In relation to permeability, the following objective as set out in the Draft Plan is considered sufficient in the promotion and support for permeability in new and existing development areas as follows:

Policy CMP14 Permeable Neighbourhood seeks to, 'Implement the provisions of the Design Manual for Urban Roads and Streets 2019 (DMURS) in relation to the delivery of safe streets and overall best practice design and promote the principle of filtered permeability in new developments and seek opportunities to improve permeability in existing developed areas in accordance with NTA's Permeability Best Practice Guide.'

The Draft Plan at Chapter 6 Connectivity and Movement and specifically at Section 6.5.6.5 including policy CMP13 and objective CMO18 recognises and supports the necessity for universal access in the built environment and is explicit in the Council's commitment to continued engagement with national agencies in supporting and addressing the transport and access needs particularly for vulnerable groups such as people with mobility impairment and/or disabilities including the elderly and people with children. Fingal County Council will review the potential for pedestrianisation of specific areas within towns and villages where appropriate and pedestrianisation will also be proposed as part of connectivity enhancements to both existing and proposed cycling/walking infrastructure. Pedestrianisation also requires consideration of servicing, public transport, cyclists, and utilities and is subject to a separate consent process

where there are opportunities for public engagement within the different stages of the process to address any issues of concern. Opportunities for increased pedestrianisation, the provision of high-quality public realm for existing and new developments and the requirement for circulation plans and low traffic zones is supported through policy and objectives set out in Chapter 2 and more specifically in Chapter 6 Connectivity and Movement of the Draft Plan including policy CMP12 and objectives CMO15, CMO16 and CMO17.

## **Integration of Land-Use and Transport**

A number of submission request that development occurs in tandem with the development of transport infrastructure to serve existing and new communities across the County. The importance of maximising the potential of high-capacity rail and bus corridors that will support the integration between land-use planning and public transport is highlighted in a number of submissions. In this context, higher residential densities, mixed-use developments, regeneration and brownfield/infill development as well as employment intensive development must be targeted in areas where opportunities exist for sustainable transport provision and in a manner that better aligns the provision of transport with demand within the County including in key areas such as Dunsink, Lissenhall, Belcamp, Swords, Hansfield and areas close to Dublin Airport and strategic amenities in the D15 area. The implementation of an increased level of Transport Orientated Development [TOD] consolidated around existing or planned rail stations and/or along high-frequency transport corridors is supported in this regard.

The TII in its submission notes that policy CMP3 and objective CMO3 of the Draft Plan supports the integration of land-use and transportation planning and in this regard advocates the ABTA approach to land-use planning and recommends that specific reference is made to the TII/NTA Area Based Transport Assessment (ABTA) Guidance, originally published in 2018 consisting of the NTA's ABTA Advice Note, ABTA Pilot Methodology and Templates and TII Publications ref. PE-PDV-02046 ABTA Guidance Notes. TII also notes that where there is potential for national road network implications, TII would welcome and facilitate consultation in establishing the implementation of ABTA's up to and including whether a Local Transport Plan for Framework/Masterplans is required. Recommends the inclusion of reference to ABTA guidance Notes in Appendices 2 or 3 of the Draft Plan as well as more explicit references to relevant Directives/Environmental requirements such as implementing Article 6 of the Habitats Directive. In order to ensure the integration of ABTA as part of large-scale land use plans and those plans for the identified strategic land reserves, it is recommended that Policy CMP4 and Objective CMO4 be considered for amendment as follows:

Policy CMP4 – Area Based Transport Assessment

Promote and encourage the use of ABTA's for <u>To utilise ABTA guidance as appropriate in the preparation of</u> Local Area Plans, <u>Local Transport Plans</u>, and other large-scale studies and plans <del>as appropriate.</del> in consultation with the NTA and TII.

Objective CMO4 - Local Transport Plan

Prepare a Local Transport Plan for Balbriggan, <u>in accordance with ABTA guidance</u> in consultation with the NTA <u>and TII</u> and other relevant stakeholders. <u>The Local Transportation Plan will be subject to SEA and AA Screening.</u>

Policy CMP4 as set out in the plan encouraging the use of Area Based Transport Assessment's (ABTA's) for large-scale studies and plans as appropriate is welcomed. Concerns are expressed that the planned LUAS scheme will not provide a viable transport option to serve the Dunsink lands to facilitate the integration of land-use and transport based on the outcomes of the ABTA carried out to inform the preparation of the feasibility study for the Dunsink lands. A Local Transport Plan is proposed for areas such as Swords and Balbriggan to improve public transport and walking and cycling in these areas. A Land Use Transport Plan (LUTS) is proposed for lands in vicinity of Lusk train station to be prepared within two years of the adoption of the plan to facilitate sustainable development and improve accessibility to services and amenities in the area including connectivity to Rogerstown Park.

## **Chief Executive's Response:**

At a strategic level, Fingal County Council continues to integrate land-use and transportation to achieve sustainable development through the progression of a number of Local Area Plans, Framework Plans and Masterplans in line with National and Regional policy objectives including the NTA's GDA Transport Strategy. In this regard, higher density development is taking place within plan frameworks along existing transport corridors and these areas continue to consolidate. Current land use policy has also been developed in anticipation of planned strategic public transport investments that will directly benefit the County. This approach has been carried through to the Draft Plan and specifically, Chapters 2 and 3 of the plan sets out the core and settlement strategy with a key focus on the active land management approach requiring the preparation of various land-use plans for key development areas within the County including strategic landbanks as well the explicit support and promotion of the consolidated, compact and regeneration development approach, informed by the an Urban Capacity Study of Settlements within Fingal that was carried out by FCC as part of the plan preparation relating to the growth of Fingal's settlements in line with National and Regional planning policy and objectives for compact sustainable growth and enhanced resilience. Chapter 6 of the Draft Plan includes specific policy CMP3 and objective CMO3 supporting and facilitating the integrated approach to land-use and transportation and prioritising sustainable modes of transport. In addition, the key policy and objectives in Chapter 6 of the Draft Plan align with the key areas of the governments new sustainable mobility policy such as the importance of integrating land-use and transport policies and the delivery of high-quality pedestrian and cycling networks as part of the transition to a climate resilient society.

To address TII comments and to ensure that land-use plans have regard to the ABTA methodology and advanced through a collaborative approach with key stakeholders, it is recommended that Policy CMP4 be amended in this regard. It is noted that this is dealt with by way of CE Recommendation relating to CMP4 in the context of the OPR submission which also addresses NTA and TII concerns. It is not considered necessary to amend Objective CMO4 in this context as the proposed amendments to Policy CMP4 cater for the changes proposed. Appendix 3 Policy Context will be updated to include reference to the Area Based Transport Assessment (ABTA) Guidance Notes (2018) TII/NTA and is addressed by way of CE Recommendation in the context of the NTA submission. It is noted that Appendix 2 includes reference to compliance with Section 28 Guidelines in the context of ABTA guidance document. Environmental assessment of the Fingal Development Plan 2023-2029 is a crucial element of the process, assessing the potential environmental impacts of implementing policies and objectives, including plans, projects and Transportation Schemes as outlined within Table 6.3. Chapter 1 of the Draft Plan is

explicit in acknowledging SEA/AA requirements for plans and projects and specifically as it pertains to Article 6 requirements. In this context the inclusion of text to reference SEA/AA processes within objective CMO4 is not considered necessary.

The Dunsink Feasibility Study will form the basis for a statutory land-use plan to guide the development of these strategic lands in accordance with objective CSO29 of the Draft Plan and the appropriateness of LUAS, or another mode of transport, will be further assessed and established in this context and specifically with the context of a required Local Transport Plan. It is noted that development lands subject to land-use plan requirements within the County including Balbriggan, Swords and Lusk will be subject to the requirement for a Local Transport Plan under the proposed amendment to CMP4. The Draft Plan also requires the preparation of a Local Transport Plan for Balbriggan under objective CMO4.

## **Walking and Cycling**

The need for new and improved and connected walking and cycling routes at strategic and local level within the County is highlighted in a vast majority of submissions. Walking and cycling is seen by many as a real alternative to the private car which also promotes health and well-being, facilitates climate change and enables accessibility and connectivity within urban and rural areas. Collaboration with adjoining Local Authorities is considered critical in the development of walking and cycling routes where schemes border with other Local Authorities. MCC welcomes objective CMO23 in the Draft Plan which supports collaboration between the NTA and other relevant stakeholders in the implementation of the NTA Strategy including the GDA Cycle Network and in this context highlights the opportunities for enhanced cycling connectivity based on the strategy between Dunboyne, Clonee and Ongar within the D15 area.

It is highlighted that the success of Fingal's Active Travel Strategy is dependent on the provision of adequate public transport to alleviate traffic congestion, providing an improved environment for walking and cycling. Active Travel Plans are proposed for areas such as Blanchardstown and Balrothery to deliver walking and cycling infrastructure including the provision of new pedestrian crossings to enhance the walking and cycling environment.

New cycling and walking routes with appropriate signage are proposed in a number of areas in the County including such areas as Swords, Blanchardstown including the town centre and wider D15 area, Charlestown, Meakstown, Santry, Finglas, Dunsink, Howth, Portmarnock, Malahide, Donabate, Portrane, Rush, Lusk, Naul, Ballyboughal, Balrothery, Loughshinny to Baldongan and Skerries in the interests of pedestrian and cyclist safety and safe connectivity to schools, services and amenities and train stations such as Lusk and Rush train station and stations within the D15 area. An extensive number of new objectives based on other County Development Plans are proposed for inclusion in the final plan relating to the development of a comprehensive walking and cycling and Greenway network within the County including within rural areas, the inclusion of Slí na Slainte routes where feasible, long distance trails linking to natural heritage assets, collaboration with key stakeholders including the National Trails Office to advance these routes as well as the protection of natural heritage in the context of the development of such routes, funding and implementation and the inclusion of a table of cycle routes within the plan that will be advanced over the plan period.

More specific localised objectives are proposed for inclusion in the plan relating to the development of walking and cycling routes along the Ward River from Lissenhall Bridge to

Rivermeade and St. Margaret's, a primarily off road route, connecting these settlements, parks and heritage assets in the area and a walking and cycling route along the Broadmeadow River from Lissenhall Bridge to Rolestown, a primarily off road route, connecting these areas to Swords and the proposed Lissenhall Estuary Metro stop. It is recommended that the expansion of the Malahide to Sutton walking and cycling schemes should be extended east -west to provide for improved connectivity with the north-south section of the scheme and facilitating linkages with such areas as Kinsaley and Old Portmarnock.

The provision of improved walking and cycling accessibility to existing FCC parks and amenities within the County is required from surrounding areas. Examples in this regard include enhanced access to Ardgillan Regional Park and Demesne from surrounding areas, to Newbridge Regional Park and Demesne from existing regional roads, to Turvey Nature Reserve, Swords Castle, Shackleton Mills and Gardens and Farmleigh Bridge. The collaboration between Meath County Council, Fingal County Council and Louth County Council to advance proposals to develop a cycle route between Newgrange and Newbridge House, Donabate is noted. Improved walking and cycling accessibility to strategic amenities in the D15 areas to facilitate connectivity with adjoining communities. The examination of the feasibility of obtaining land within a number of locations within Swords for the development of active travel links is requested.

The development of walking and cycling routes alongside upgraded roads within the County including regional roads are proposed to ensure connectivity by active travel modes to key towns and villages and services and amenities within the County. Regional routes including the R125, R128, R132 are cited in this regard. It is also proposed that a Level of Traffic Stress (LTS) assessment be carried out on cycle routes within the County to include reporting and mapping accordingly.

A number of submissions seek the removal/re-routing of walking and cycling routes shown on the plan maps to protect properties, reduce impacts on the development potential of lands including the protection of town centres in areas such as Malahide and Sutton. Against this context, prior public consultation is required with individuals, communities and relevant stakeholders to formalise planned routes for the area to improve walking and cycling provision. Other submissions request that all walking and cycle routes from the current FDP 2017-2023 be carried through to the FDP 2023-2029.

The provision of ancillary facilities to support active travel is proposed including the provision of bicycle storage, parking for cargo bikes, additional bleeper bike schemes within the County including rural villages such as Naul, bike rental schemes, additional cycle parking adjoining public transport hubs such as train stations as well as connecting infrastructure such as footbridges to facilitate connectivity with wider walking and cycling routes in such areas as Swords, Rush and the D15 area. FCC cycling courses are recommended for children and adults to facilitate safe cycling.

The protection of natural and built heritage assets are considered critical considerations in the development or upgrade of walking and cycling routes including such areas as the Cliff Walk in Loughshinny and Drumanagh within the County.

## **Chief Executive's Response:**

Fingal County Council has a significant infrastructural programme of works to support sustainable and active modes of transport. This ranges across commuter-focused, utilitarian urban cycling and walking routes, recreational Greenway routes and targeted measures such as Safe Routes to schools. Major investment has occurred in the development and enhancement of walking and cycleways within Fingal owned parks in recent years with planned continual investment by the Council to improve accessibility to FCC parks and heritage assets. The Draft Plan builds on the policy objectives of the current Plan to enhance the level of walking and cycling infrastructure provision across the County having regard to the NTA GDA Cycle Network and the ongoing needs of the County, in particular, the urban centres and areas around transport interchanges and in new and existing developments. The provision and promotion of sustainable and active travel is a key strategic objective of the Draft Plan to connect towns, villages and their services and amenities including schools. Accordingly, there are extensive policy and objectives set out in the Draft Plan that support and promote an integrated walking and cycling network at strategic level within Chapter 6 including, Policy CMP7 and CMP8 in collaboration with the NTA and key stakeholders including local communities and adjoining Local Authorities. The delivery of location specific projects would be more appropriately considered within the context of a capital or works programme or at a more localised level such as within the context of the Sustainable Swords Strategy. The Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided.

The Draft Fingal Development Plan 2023-29 includes a range of cycling and pedestrian infrastructure, including the current NTA Greater Dublin Area Cycle Network, indicative Greenways, indicative LAP routes, Sustrans routes and Public Rights of Way. This is to achieve a more focused, strategic approach to the provision of new pedestrian/cycle routes throughout the County. Such routes are supported by analysis undertaken in the context of the NTA's GDA Cycle Network, the various adopted Local Area plans, planned/permitted Greenways and an examination of existing public rights of ways. To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

The alignments shown on the plan maps relating to walking and cycling infrastructure are indicative only and any future infrastructure developments will be required to go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum design solution. This process typically takes a number of years and during this process consultation will be undertaken with the general public and specific stakeholders as required, including the local community and landowners. It is noted that consultations of this nature occur between FCC, key relevant stakeholders and interested parties on an ongoing basis in relation to such schemes. These schemes will also include environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues.

The Active Travel Unit of FCC are currently in the process of engaging a qualified consultant(s) to develop an Active Travel Plan for Balrothery. The objective is to identify projects in the Balrothery

area that will provide the infrastructure that will encourage members of the public to use active travel modes such as walking or cycling for short term journeys and to avail of (or make available) access to public transport for medium term journeys. The design and rollout of various active travel schemes of this nature is also occurring in the D15 area in areas such as Hartstown, Huntstown, Ongar, Luttrellstown, Carpenterstown and Tyrellstown. Section 6.5.6.9 Behavioural Change of the Plan supports behavioural change initiatives at local level through policy CMP17 including continued support by the Council for cycle training for all ages and abilities. The provision of ancillary supporting ancillary infrastructure such as bike parking, bike repair and other supporting infrastructure in tandem with walking and cycling routes is supported and promoted through objective CMO10. The Active Travel Unit will also continue to roll-out 'Safe Routes to School's' measures in accordance with policy CMP15 and objective CMO21 of the Draft Plan.

## **Greenway Network**

The development of a network of Greenways for walking and cycling is seen as essential recreation, transport and tourism infrastructure connecting recreational amenities, cultural heritage assets, towns, villages and rural areas within the County as well as presenting opportunities for rejuvenation of rural communities particularly in the context of rural tourism. It is suggested that Greenways could serve a commuter function, in this context, it is proposed that Greenways are developed along busy commuter routes within the County. Specified timelines for delivery of Greenway infrastructure is required. Greenway development also contributes towards the expansion of the Green Infrastructure Network and the enhancement of biodiversity in the County. Specifically, Greenways can facilitate the protection of natural heritage assets for example such as the Bog of the Ring in the north of the County.

The Fingal Coastal Way, the Broadmeadow Greenway and Santry Greenway projects should be prioritised for completion and engagement with DCC should occur in the context of the development of the Santry Greenway Project. The Fingal Coastal Way project should be coordinated as an overall scheme to ensure a comprehensive and co-ordinated approach to its overall development and comprise ancillary supporting infrastructure and the protection of built and natural heritage assets and designated sites with delivery within the plan period. Irish Rail supports the development of the Broadmeadow Greenway and continued engagement with FCC in the context of construction of the project whilst having regard to long-term rail proposals. The proposal to develop the Hamilton Way is welcomed. The connectivity of the Royal Canal to the Grand Canal is proposed. The inclusion of the Liffey Valley Greenway is proposed as either a stand-alone Greenway or as a spur to the Canal Loop Greenway connecting existing parks and recreational amenities in the D15 and Liffey Valley areas. The importance of the Royal Canal Greenway to Clonsilla from an amenity, environmental and economic perspective is noted.

It is noted that towns, villages within the County would benefit from an environmental, recreational, economic and social inclusion perspective arising from connectivity to Greenway development. Towns such as Swords, Malahide, Lusk and Rush are cited in this regard. It is also requested that Ardgillan Regional Park and Demesne, Rogerstown Estuary and Rogerstown Park are connected to the Fingal Coastal Way. Clarity is required as to whether the focus on improving green linkages between Donabate and Rogerstown Park is in the context of the development of the Fingal Coastal Way. New Greenway development is suggested within rural, coastal and natural amenity areas such as the Donabate/Portrane peninsula including upgrade of the Cliff

Walk linking to natural and built heritage assets in the area, Balrothery to Ardgillan Regional Park and Demesne, Naul connecting to Bog of the Ring and to Balbriggan coastal and harbour areas, St. Margaret's to Newtown Cottages with upgrade of the existing pedestrian route within this area and within Malahide via the Broadmeadow Estuary and to Lusk and Rush via the Rogerstown Estuary. Infrastructural interventions such as footbridges are proposed to facilitate connectivity to Greenways in areas such as Rush and Donabate and delivery of such infrastructure is required at an early stage of the planned Fingal Coastal Way.

The protection of designated environmental sites, sensitive landscape settings and species are critical considerations in the development of Greenway projects. The Department of Housing, Local Government and Heritage requires that Greenway development avoids ecologically sensitive areas as the most effective method of avoiding damage to biodiversity and particularly in areas along water course or the coastline. This will require careful consideration from an engineering perspective.

The protection of local environments, landscapes and biodiversity is required in the context of Greenway development and the Royal Canal Greenway Scheme is cited in this regard where the route shall not adversely impact on the local environment. To minimise environmental impacts in this sensitive landscape setting, proposals to align a rail corridor and Greenway development should be considered. Concerns are expressed regarding the impact on residential properties to facilitate the section of Fingal Coastal Way between Portmarnock and Malahide and while engagement between FCC and property owners are acknowledged and welcomed, any negative impacts on such properties can be minimised through a range of specific interventions. Public consultation and engagement with local communities should occur in the planning and development of Greenways to address any issues of concern regarding planned routes.

#### **Chief Executive's Response:**

Chapter 6 Connectivity and Movement of the Draft Plan at Section 6.5.6.2 acknowledges that Greenways can serve recreational, commuter and functional users and as such, they offer the potential for a wide range of economic, social, health and environmental benefits. This section of the plan is explicit in the promotion and support for a comprehensive and well-connected network of walking and cycling routes, including Greenways within the County in accordance with NTA and TII policies and standards. In this regard, supportive policies including Policy CMP7 and Policy CMP8 promotes and facilitates a pedestrian and cycling and Greenway network with a focus on advancing the network in collaboration with the NTA, other relevant stakeholders including local communities and adjoining Local Authorities in the context of cross- boundary Greenway projects. Table 6.1 outlines the proposed Greenway/High Quality Cycling and Walking Routes that will be advanced during the Plan period including strategic Greenways such as the Fingal Coastal Way, Royal Canal, Broadmeadow Way and Hamilton Way. The Greenway projects outlined in Table 6.1 links urban, rural and coastal areas within the County including those towns along the coastal corridor and their services, amenities and heritage assets.

The provision of any future walking and cycling schemes within the County will need to progress through more detailed feasibility, route options, design and statutory planning processes and more detail will become available as projects advance through each stage. The opportunity for public consultation with the general public, communities, businesses and other stakeholders will be available at different stages throughout the consent process to address any issues of concern. These schemes will also include environmental assessments such as SEA and AA where

applicable and will have regard to relevant environmental issues. Objective CMO11 seeks to ensure that new walking and cycling routes are designed, in so far as possible, to function as links in the County's Green Infrastructure Network and that adequate replacement and additional planting is provides together with the use of the SuDS approach.

Fingal County Council also recognises the value of strategic Greenway development increases as it makes other recreational amenities, tourist attractions and towns along the route accessible at the same time. This connectivity also has the capacity to stimulate and increase tourist visitor numbers to Greenways and towns and cultural heritage assets along the route. Connectivity to towns, villages and their services and amenities and attractions including public transport nodes is supported through policy CMP8 of the Draft Plan. The provision of ancillary supporting ancillary infrastructure such as bike parking, bike repair and other supporting infrastructure in tandem with walking and cycling routes is supported and promoted through objective CMO10.

## **Public Rights of Way**

Highlights the required legal obligation under the Planning and Development Act 2000 (as amended) and set out in Section 10(2)(o) relating to the preservation of public rights of way in the context of the preparation of the Development Plan and the urgent need to address this matter in the plan. The OPR Case Study Paper relating to Public Rights of Way and the Local Authority Development Plan is highlighted in this regard. An extensive number of new objectives based on other County Development Plans are proposed for inclusion in the final plan relating to the examination, identification, mapping, protection of Public Rights of Way as well as permissive access arrangements.

The forthcoming deadline for the registration of Public Rights of Way with the PRAI is noted and it is recommended that the Draft Plan includes an objective to complete the remaining registration prior to this deadline. Existing Public Rights of Way noted for inclusion in Table 6.2 in the Draft Plan includes a number of specified routes in the area of St. Ita's Hospital, Portrane, Donabate and Corballis.

### **Chief Executive's Response:**

Section 6.5.6.3 of the Draft Plan outlines Fingal's approach to public rights of way. The Planning team has engaged at an inter-departmental level in relation to the process of identifying and mapping public rights of way, has examined the approach of other Local Authorities within the State and taken guidance from recent publications, including e.g., Case Study Paper CSPO1 June 2021 published by the Office of the Planning Regulator in relation to this matter. The identification of public rights of way, as required by the Act, is a difficult and resource intensive exercise in the absence of land law or property registry to facilitate. This is recognised in the Office of the Planning Regulator (OPR's) case study paper CSPO1 – 'Public Rights of Way and the Local Authority Development Plan' wherein it is advised that where doubt arises as to whether a way is a PROW or not when researching the legal status of rights of way, case law suggests that unless conclusive proof is available, a prudent approach should be adopted.

In the interests of clarity, the Act requires that the Development Plan include objectives for the preservation of public rights of way of a specific nature, where they give access to 'seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility. In this regard, Table 6.2 identifies PROW in the County and is shown along with existing recreational

and coastal routes on the relevant Development Plan maps. It is important to note that this list is not exhaustive. Over the lifetime of this Plan, the Council will endeavour to add to this list within the provisions of the Planning and Development Act 2000 (as amended).

Objective CMO13 Mapping of Public Rights of Way in Section 6.5.6.3 of the Draft Plan states as follows: 'Identify further Public Rights of Way during the lifetime of the Development Plan and to update the 'Public Rights of Way' mapping.'

The registration of Public Rights of Way is not a matter for the Development Plan.

## **Public Transport**

A fully integrated and co-ordinated public transport system is highlighted as a necessary requirement for the future growth and prosperity of Fingal, to reduce dependency on the private car and to facilitate sustainable development and a reduction in climate emissions. Collaboration with the NTA and other relevant stakeholders is required to enable the delivery of public transport infrastructure to urban and rural areas to serve existing and new communities within the County and a whole journey approach for users shall be considered and the plan shall include such objectives. A number of submissions support the integration of high-density, mixed-use development and trip intensive uses along existing and planned public transport corridors and the integration of high-quality permeability links and public realm in conjunction with the delivery of public transport services through plan frameworks to generate and reinforce sustainable patterns of compact growth and development in the County. In this context, the following amendment is proposed to objective CMO3 as follows: 'Support and facilitate highdensity, mixed-use development and trip intensive uses along existing and planned public transport corridors and to ensure the integration of high-quality permeability links and public realm in conjunction with the delivery of public transport services through plan frameworks to generate and reinforce sustainable patterns of compact growth and development in the County.'

More frequent and direct public transport service provision is required within the County including to areas such as Blanchardstown, Northwood, Charlestown, Howth, Donabate, Rush, Lusk, Skerries, Balrothery and Ballyboughal. The importance of bus transport is highlighted particularly in the interim period before MetroLink. In this context, the plan shall be explicit in its promotion and support for bus transport and any necessary infrastructure enhancements. The design of bus stops, bus lanes, carparking, traffic lights, speed ramps and the management of road works and speed limits including a 50kph for buses and lower speed limits outside schools at opening and closing times should be carefully considered to enable efficient bus movements. Ancillary facilities such as bus terminus, bus lay-bys, turnabouts, stops and timetables are required to facilitate sustainable bus travel within the County within the County including the D15 area. More direct bus services to Dublin City Centre is required including to Dublin Airport. Concerns are expressed regarding the location and efficient operation of bus lanes within the County and particularly D15 areas. It is also requested that major transportation schemes should include assessment relating to impacts on vulnerable groups.

Internally within the County, improved public transport movement is required with a particular focus on the provision of orbital routes to enable movement within the County particularly to employment areas, to reduce car dependency and the need to travel to Dublin City Centre and to facilitate transit orientated development in accordance with the provisions of the RSES. Objectives CMO25 and CMO27 of the Draft Plan relating to the development of orbital routes

within the County with key relevant stakeholders is acknowledged and welcomed. In this context, the provision of public transport routes and specifically orbital connectivity is proposed to serve areas such as Clongriffin, Belmayne, Belcamp, Balgriffin, Stockhole and Clonshaugh within the County. While the proposed bus route in the context of the NTA Strategy to serve the Clongriffin/Belmayne areas is noted as well as the recommendations of the South Fingal Transport Study (SFTS) which supports such a route including an orbital route and evaluation of same as well as the objective within the Draft Plan to implement the provisions of the SFTS, a specific orbital route is required to serve these areas with an imminent assessment of such a route including the reservation of one or more routes in the FDP. In terms of assessment of transport infrastructure proposals, concern is expressed regarding the lack of an effective and transparent process for evaluating such proposals in the context of the Development Plan.

Specifically, improved public transport and orbital connectivity to services, amenities and employment areas relating to the Blanchardstown area, including the Blanchardstown Town Centre and TU Dublin Blanchardstown is required with a specific focus on connectivity to Swords and Dublin Airport. It is also requested that FCC consider applying a specific local objective to undertake and assess gaps in public transport and connectivity between TU Dublin Blanchardstown and (i) areas of disadvantage, and (ii) emerging communities. A local bus link service is proposed in areas such as Clongriffin to M1 and Dublin Airport, Rush and Lusk and between Lusk and Rush Train Station and Skerries and Portrane to Donabate and Swords connecting to services and amenities.

### **Key Enabling Public Transport Projects**

It is highlighted that MetroLink, BusConnects, DART + and LUAS projects in tandem with active travel infrastructure will facilitate sustainable development, economic growth and attract inward investment to Fingal and the wider Dublin and mid-east region. The importance of delivering key enabling public transport projects in collaboration with relevant stakeholders is noted. The early delivery of key public transport projects is considered critical to enable sustainable mobility. In this context, the following amendment is proposed to objective CMO22 as follows; Enabling Public Transport Projects – 'Support the <u>early</u> delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and Irish Rail and other relevant stakeholders.

### MetroLink

Specifically, the MetroLink is considered critical to support sustainable development and economic growth in the County and critically important to the operations and future growth of Dublin Airport. It is highlighted that delays in its delivery will have significant negative impacts for the County and wider area and Dublin Airport. Concerns are expressed regarding the long-term delivery of the MetroLink beyond several plan periods which should be acknowledged in the plan to provide clarity to landowners in the context of the payment of Section 49 contributions relating to the project. The fast tracking of MetroLink is recommended. Concerns are expressed regarding the potential negative impacts on residential properties, natural heritage and existing walking infrastructure from works required to facilitate the scheme within such areas as Swords.

#### Rail /DART +

The importance of heavy rail as a high capacity, high frequency alternative mode choice in Fingal as part of a wider GDA integrated transport system is highlighted in the submission by Irish Rail. In this context, Irish Rail proposals for improvements to the overall network including electrification of routes, additional stops, station enhancement proposals and additional intercity rail cars to improve frequencies and efficiency of services is highlighted as well as the future development of a multi-modal inter-changeable strategy to enable more sustainable end-to-end journey by rail. In the context of the latter, Irish Rail requests that the final adopted plan have regard to the outcomes of this strategy. The early delivery of DART + scheme that will benefit Fingal is requested.

Specifically, Irish Rail highlights the importance of the DART + schemes relevant to Fingal in the context of the NTA Strategy for the GDA and updates on schemes are provided including proposals for enhancement of the rail service. Irish Rail requests that the Development Plan should support the further expansion of the DART network to 2029 and beyond. Ongoing engagement between Irish Rail and FCC relating to the DART + project is acknowledged and welcomed. Continued engagement is required particularly in the context of the DART + West project and specifically replacement infrastructure in lieu of level crossing closures with specific reference to local objective 83 (new pedestrian overbridge at Hansfield) and Local objective 90 (Pedestrian bridge linking Navan Road Parkway station to Coolmine rugby club) and objective CMO24 relating to appropriate measures to mitigate the impacts of level crossings. A number of submissions oppose the proposed closure of existing level crossings on the Maynooth rail line and request their retention as closures will result in traffic congestion locally and in the wider area and prevent ease of access and connectivity to schools in areas such as Clonsilla and Castleknock. Specific plan objectives as they relate to existing level crossings as set out in the FDP 2017-2023 plan are requested in the FDP 2023-2029. It is recommended that Objective CMO24 of the Draft Plan is removed as follows, 'Ensure that appropriate measures are put in place to mitigate the impacts of level crossing closures on the Maynooth rail line including protection measures for public transport and increased priority for cycling and walking'. Concerns are also expressed regarding proposed road closures in the area to facilitate the DART + project which will give rise to traffic congestion. It is proposed that a number of traffic light junctions be changed to a round-about format and a number of key specific locations to alleviate congestion within areas such as Castleknock, Diswellstown and Carpenterstown areas are proposed in this regard. A turn back for DART + scheme is required for Balbriggan similar to Malahide. It also suggested that a DART spur be constructed alongside the current N3 connecting Phoenix Park station to Dunboyne via stops at Blanchardstown, Ongar and Clonee to provide a sustainable travel option for N3 users.

New train stations are required between Rush, Malahide and Portmarnock and Lucan North on the Maynooth rail line to achieve sustainable compact growth based and improved service provision on existing high-quality rail corridors. A feasibility study to examine the potential for a rail spur from Clongriffin to the M1 and Dublin Airport is proposed.

Irish Rail in its submission notes the collaboration between the Department of Transport and Department of Infrastructure (Northern Ireland) in agreeing the provisions of an All-Island Strategic Rail Review on faster intercity connectivity and it is noted that Irish Rail will have regard to outcomes of the study.

At a more localised level, concerns are expressed by Irish Rail regarding the unsuitability of existing rail bridges which give access to coastal areas and are increasing used to access development lands within the County. In this context, rail bridges under the rail line shall be avoided. A number of specific rail bridge locations throughout the County are cited in this regard including areas within Donabate, Rogerstown, Ballykea, Drumlattery, Skerries, Baltrasna and Balbriggan. It is requested that such areas in the vicinity of these bridges are only zoned where a suitable rail over bridge is constructed and any planning permission for development using these bridges must take into account the suitability of the bridge, including but not limited to, construction traffic, emergency services, deliveries and buses. Irish Rail requests the Council's Transportation Department to take direct responsibility for this infrastructure from a construction and maintenance perspective and supportive policy is required in the new Plan.

#### **LUAS**

It is requested the plan maps reflect the LUAS routes proposed under the Draft NTA GDA Strategy including the LUAS proposal to Blanchardstown as per the Draft NTA Strategy to ensure the co-ordination between land-use and transportation in accordance with relevant national and regional policy. The indicative route for the MetroWest shall be omitted from the plan maps as this scheme does not form part of the Draft NTA Strategy for the GDA. Against this context, it is proposed the following objective be included in the plan as follows: 'Support the delivery of a Light Rail /LUAS line linking Blanchardstown to the City Centre'. In the context of the LUAS project, extended routes should be examined for Fingal.

#### **BusConnects**

The importance of the BusConnects Scheme to Fingal is highlighted including the importance of the scheme to the Blanchardstown area including the town centre. The BusConnect scheme should be extended to serve additional areas within the County and a review of the network is required in this regard. Concerns are expressed regarding the removal of roundabouts to facilitate the BusConnects Scheme in areas such as Blakestown, D15 which will give rise to traffic congestion

### **Chief Executive's Response:**

The Draft Plan at Section 6.5.7 Public Transport is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the County, providing more efficient and reliable access to key urban centres within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport. The Draft Plan states that, 'The NTA's GDA Transport Strategy provides the framework for the planning and delivery of transport infrastructure and services in the GDA over the strategy period. The strategy is currently being reviewed and an updated strategy will be prepared for the period up to 2042. Fingal is set to benefit from major rail and bus projects such as MetroLink, BusConnects and DART+ and LUAS Expansion'. The Draft Plan acknowledges that these projects are identified as key growth enablers for Fingal in the NPF and these projects when combined with enhanced walking and cycling facilities have the potential over the coming years to have a transformative impact on travel by shifting the dominance of car-based transport towards public transport. The Draft Plan at Chapter 6 also acknowledges that these projects promote a high level of network integration and interchange facilities and represent key components of an integrated transport network that will bring significant economic, social and environmental benefits to Fingal and the wider Dublin region. Specifically, Chapter 6 of the Draft Plan includes policy CMP3 and objective CMO3

supporting and facilitating the integrated approach to land-use and transportation and prioritising sustainable modes of transport. In addition, the key policy and objectives in Chapter 6 of the Draft Plan align with the key areas of the government's new sustainable mobility policy such as the importance of integrating land-use and transport policies and the delivery of high-quality pedestrian and cycling networks as part of the transition to a climate resilient society.

In relation to new public transport services, the provision of public transport and supporting ancillary infrastructure is the responsibility of the NTA and other key relevant transport providers such as TII and Irish Rail. Fingal County Council regularly consults and liaises on an ongoing basis with the NTA and other key transport providers in this regard with a view to achieving sustainable outcomes for the County.

There are a large number of policy objectives set out in the Draft Plan that are explicit in supporting and facilitating the development of a high-quality, connected and reliable sustainable transport network in collaboration with key transport providers and are considered robust in this regard, including:

Policy CMP18 seeks to, 'Support the provision of a high-quality public transportation system that is accessible to all to serve the needs of the County and to enable a significant shift from carbased travel to public transport.'

Objective CMO22 seeks to, 'Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and Irish Rail and other relevant stakeholders'.

Objective CMO23 seek to, 'Support NTA and other stakeholders in implementing the NTA Strategy including MetroLink, BusConnects, DART +, LUAS and the GDA Cycle Network.'

Objective CMO28 seeks to, 'Work with the NTA, TII and other relevant national transport agencies to optimise accessibility to public transport, increase catchment and maximise permeability through the creation of high-quality walking and cycling routes linking to public transport stops.'

The Draft Plan is also explicit in supporting and facilitating new orbital route connectivity within the County through a number of robust supportive objectives, including,

Objective CMO26 which seeks to, 'Work with the NTA and other relevant national transport agencies to establish future public transport routes that will support the County's medium to long term development, including orbital routes to provide connectivity between key urban centres and outer suburban areas.'

Objective CMO27 seeks to, 'create bus connectivity between Dublin 15, including the Blanchardstown Centre and Dublin Airport/Swords.'

In terms of future public transport connectivity between the Dublin-Belfast rail line and Swords, the Airport and D15, objective CMO25 seeks to, 'Undertake a feasibility study for the progression of an orbital public transport route linking the Dublin-Belfast rail line, Swords, Dublin Airport, Finglas, Blanchardstown and surrounding areas along the route, during the lifetime of the Plan in consultation with the NTA and other stakeholders.'

Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy.

In order to achieve the Plan's strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA's Transport Strategy. It is noted that the NTA's Draft Transport Strategy 2022-2042 supports the provision a number of new rail stations in conjunction with Irish Rail within Section 12.4.12 of the strategy and at key specified locations in the GDA, including the enhancement of existing train stations in the area. In this context, new train stations proposals outside the strategy run contrary to the provisions of the NTA's Transport Strategy.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement', including MetroLink, DART + and LUAS and this is addressed by way of CE Recommendation in the context of the OPR submission.

With reference to the assessment of transport proposals, all proposals are required to go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum solution. This process typically takes a number of years and during this process consultation will be undertaken with the general public and specific stakeholders as required, including the local community and landowners. On-going consultations of this nature regularly occurs in the context of such scheme proposals. For private developments, these assessments take place through the Development Management process in collaboration with NTA and TII as required. Fingal County Council's strategic transportation, forward planning and Development Management processes generally operate under the guidance of the NTA Eastern Regional Model.

In relation to level crossing closures on the Maynooth Line, the Draft Plan includes objective CMO24 which seeks to, 'Ensure that appropriate measures are put in place to mitigate the impacts of level crossing closures on the Maynooth rail line including protection measures for public transport and increased priority for cycling and walking.' It is clear that delivery and implementation of the Dart+ Programme will be a matter for the NTA and Irish Rail and will be subject to the statutory requirements of a Railway Order including public consultation and Environmental Impact Assessment. In this context, it is considered that the policies and objectives of the Draft Plan, are appropriate.

While Metro West has not been included in the NTA's Draft Strategy for GDA 2022-2042, successive Fingal Development Plans have protected this corridor and a significant amount of preliminary design work has already been carried out. It is considered prudent to maintain a corridor free from development to facilitate the delivery of a light rail transit system in the future. It is recommended the corridor should continue be protected in the Draft Plan.

Fingal County Council works closely with Irish Rail on a strategic and operational level and is in regular contact regarding safeguarding and enhancement of railway infrastructure. Section 6.5.9.3 of the Draft Plan acknowledges the All-Island Strategic Rail Review and, in this regard, policy CMP29 of the plan seeks to, 'Work with Irish Rail, the NTA, TII and other stakeholders to

progress a coordinated approach to improving the rail network, integrated with other public transport modes to ensure maximum public benefit and promoting sustainable passenger and freight transport and improved regional and cross-border connectivity.' It is considered that traffic management around bridges is an operational issue and no specific policy objectives are required in this regard.

## **Public Transport Interchange**

The promotion and support for public transport interchange as set out in the plan is welcomed and the provision of interchange facilities in the self-sustaining towns in Fingal with a focus on the Balbriggan, Rush, Lusk and Skerries is recommended. The provision of bus interchange in Blanchardstown is supported to support Blanchardstown Town Centre and the wider area. Dublin Airport is considered an optimum location for a Bus Depot given its connectivity to the national road network and proximity to existing and planned public transport infrastructure.

### **Chief Executive's Response:**

The Draft Plan includes the following objectives in support of high-quality public transport interchange as follows,

Objective CMO22 Enabling Public Transport Projects Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and other relevant stakeholders.

Policy CMP20 Public Transport Interchange seeks to, 'Support and facilitate the provision of high-quality transport interchanges within the transport network in order to facilitate seamless transition between different transport modes and to maximise the movement of people by sustainable modes.'

To facilitate the provision of bus interchange in D15 in collaboration with the NTA and other relevant stakeholders, policy CMP20 shall be amended to include reference to Blanchardstown Town Centre Bus Interchange in the context of the BusConnects Scheme and this is addressed by way of CE Recommendation in the context of the OPR submission.

### Park and Ride

Park and Ride facilities in conjunction with public transport is considered critical to sustainable mobility and a reduction in emissions and it is requested that Park and Ride facilities are provided throughout the County including in such areas as Balrothery including the provision of multi-storey Park and Ride facilities adjoining train stations including such areas as Coolmine.

In its submission, Irish Rail highlights their intention to expand the number of strategic Park and Ride sites across the GDA based on the success of Park and Ride sites such as M3 Parkway while acknowledging the benefits are contingent on the level of demand. It is highlighted that Irish Rail is currently engaging with relevant Local Authorities and the NTA to develop a Park and Ride Strategy, which will be implemented in line with growing demand. Policy CMP21 to support the implementation of Park and Ride Strategy is welcomed in this regard.

### **Chief Executive's Response:**

The Draft Plan at Section 6.5.7.3 acknowledges that Park and Ride is a key component of NTA's GDA Transport Strategy and Policy CMP21 Park and Ride seeks to, 'Support the provision of Park and Ride facilities in conjunction with supporting ancillary infrastructure to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy.' The Draft Plan also contains the following objective in support of an integrated public transport network with efficient interchange between modes as follows:

Policy CMP20 Public Transport Interchange seeks to, 'Support and facilitate the provision of high-quality transport interchanges within the transport network in order to facilitate seamless transition between different transport modes and to maximise the movement of people by sustainable modes'.

Objective CMO22 Enabling Public Transport Projects seeks to, 'Support the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme so as to provide an integrated public transport network with efficient interchange between transport modes to serve needs of the County and the mid-east region in collaboration with the NTA, TII and other relevant stakeholders.'

In this context, the Draft Plan is explicit in its support at a strategic level for the provision of Park and Ride facilities to accommodate the transition to sustainable mobility modes at suitable locations in accordance with the large-scale transportation projects being delivered under the NTA Strategy.

### **Rural Transport**

The need to improve the frequency and reach of public transport services within the rural areas of Fingal is required to address social exclusion and facilitate connectivity to key towns and employment, education and services. The Department of Transport welcomes supportive text within Chapter 6 Connectivity and Movement and specifically Section 6.5.7.1 relating to Rural Transport which acknowledges and supports the role of rural transport services in maximising accessibility to rural areas within the County in addressing social exclusion and improving connectivity and mobility within rural areas. The Department notes the NTA's 'Local Link Rural Transport Programme Strategic Plan 2018 to 2022 which seeks to minimise social exclusion, the need for the integration of rural transport services with other public transport services, greater interaction and co-ordination with Local Authorities regarding the assessment of strategic transport needs and in the development of proposed transport plans for local areas.

#### **Chief Executive's Response:**

Maximising accessibility to rural areas within the County through support for rural transport forms a key component in Chapter 6 at Section 6.5.7.1 Rural Transport in addressing social exclusion and improving connectivity and mobility within rural areas. The NTA's strategic plan relating to the Local Link Rural Transport Programme and provisions of the NTA's Connecting Ireland Mobility Plan is acknowledged and supported in the Draft Plan including the potential to expand and diversify rural transport services with a focus on partnership approach to bus network planning. In this context, Fingal County Council will continue to engage with the NTA and other relevant transport providers relating to the provision of rural transport services. At a more

strategic level, the challenge is to ensure a sustainable pattern of development that integrates land use with transport and reduces the need to travel from more isolated areas to key centres of employment and services. Where options are limited in terms of travel from rural areas to nearby urban centres, the Draft Plan within Chapter 6 includes policies to minimise private car use within urban centres, thereby freeing up road space for those who have limited transport options. In particular, the policies of the Draft Plan seek to minimise the need for short urban trips to be undertaken by private car, by prioritising walking, cycling and public transport, and this in turn will ensure capacity is there for those who have limited choice but to use private cars.

### **Protection of Strategic Corridors - National Road Network**

TII notes the strategic importance of the national road network that caters for Ireland's interurban and inter-regional transport requirements as well as future proposed investments including the NDP Scheme N3 - M50 to Clonee and the need for continued engagement with the TII in terms of strategic and local road improvements. As part of this network, the M1, M2, M3 and M50 are highlighted as highly important national roads that traverse Fingal and TII's priorities in relation to existing national roads are highlighted. In this context TII recommends that Section 6.5.9.1 identify national roads within this section and that the presence of the N/M2 and N/M3 be included in subsection 6.5.10.1. of the Plan in order to contextualise Transportation Schemes at Table 6.3 and development policies and objectives at this section of the Plan. TII also highlights the importance of the Spatial Planning and National Road Guidelines for Planning Authorities 2012 and the need for these guidelines to be explicit in the plan. Section 2.7 relating to development at National Road Interchanges or Junctions and the need for particular care in their assessment of development/local area plans and proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road is also highlighted. TII also highlights Section 5.8.3 of the NTA's Transport Strategy relating to Principles of Road Development, feasibility and environmental assessment, and demonstration of their compatibility with the strategic function of the national road network. The recent adopted National Investment Framework for Transport in Ireland (NIFTI) is also highlighted.

MCC in its submission generally supports the policies and objectives contained within the Draft Plan, including those which address climate change, healthy placemaking and sustainable development, social inclusion and high-quality design and recognises the importance of collaboration with adjoining Local Authorities in the achievement of cohesive development and efficient delivery of services for the region and acknowledges the strong working relationship with FCC, collaborating on several projects and supports continued engagement. It is noted that the current Meath County Development Plan (CDP) 2021-2027 was adopted on 22nd September 2021 and came into effect on 3rd November 2021.

In the context of mutual transport projects between Local Authorities are noted as follows:

The M2/N2 Corridor, the Draft Plan includes the N2 upgrade Rath to Kilmoon as part of the Councils transportation development proposals as outlined in Table 6.3. Under Objective CMO37a, FCC seeks to support and facilitate the TII, NTA and Meath County Council in the planning and delivery of an N2 Scheme north of Ashbourne aimed at addressing road safety issues and facilitating significantly enhanced levels of active travel and public transport measures along the route corridor. These references are acknowledged and welcomed. However, it is

considered that the proposed wording is incompatible with the objectives within the Meath CDP 2021-2027 and will undermine the work carried out to date on this scheme.

It is noted that the N2 Rath Roundabout to Kilmoon Cross Scheme is compatible with several studies that have been carried out by Meath County Council and national and regional policy documents. The emerging preferred option will seek to remove the major traffic delays that currently exist and improve access to Dublin (The emerging preferred option will address these fundamental safety issues by providing a road to modern design standards which will cater for the traffic volumes, improve road safety and contribute to the aims of the RSA's recently published Road Safety Strategy 2021 - 2030. In addition, the emerging preferred option will also include a plan to improve the amenity of residents along the existing N2. This includes the provision of shared pedestrian and cycle facilities to encourage an uptake in active travel and also a lightly trafficked corridor which can be used to improve bus journey reliability.

In relation to the M3 Corridor, MCC acknowledges that FCC are intending to enhance the M3 through objective CMO37c within the Draft Plan, which will support and facilitate the delivery of a new link between the M3 and M4. This objective is supported by policies and objectives in the current Meath CDP 2021-2027.

In relation to the M3/M4 Link Road MCC welcomes the inclusion of objective CMO37C which supports this scheme.

In relation to the R125 Ashbourne to Swords Regional route, MCC considers this regional route to provide an important link from County Meath to Dublin Airport with the potential to provide an alternative road access to the Airport. A specific objective (ASH OBJ 17) has been included within the Ashbourne Written Statement to address this by examining "the feasibility of upgrading the R125 in conjunction with Fingal County Council to improve links and connectivity between Ashbourne and Swords" and would welcome the inclusion of a similar objective and commitment within the final plan.

A number of submissions requests improved access/egress from motorway exits in areas such as Balbriggan with a specific focus on J6 in the interests of efficient travel movements and vehicular safety. The new link road proposal between the M3/M4 and supported by objective CMO37A is welcomed but the route shall have regard to the protection of built and natural heritage assets in the Fingal area and re-routed further to the west to neighbouring counties. The N3 Clonee Upgrade, the N3/N4 Upgrade Castaheany Interchange Upgrade is supported. To address resilience on the M50, the plan shall have regard to the Motorway Operations Services M50 Resilience between M50 J6 and J7 Scoping Study May 2019 - Roughan & O Donovan -AECOM and TII. Against this context, the following objectives are requested in the Draft Plan, Fingal County Council will collaborate with TII, the NTA and neighbouring Council's in securing the resilience of the M50 between junctions J6 and J7, the need for which is identified in Para. 13.4 of the Greater Dublin Area Transport Strategy 2022-2042 and To construct the overbridge over the Navan rail line from Hansfield to serve zoned lands at Barnhill and onwards to the County boundary with Kildare. Concerns are expressed regarding objective 37B of the plan which supports and facilitates the TII and MCC in the planning and delivery of the N3 Upgrade between the M50 and Clonee as the scheme does not provide for any new bus lanes and outbound bus users will remain unprioritised.

### **Chief Executive's Response**

Having regard to TII comments where it is required to identify national roads within Section 6.5.9 Protection of Strategic Transport Connections of the plan, it is noted that the plan acknowledges and promotes road transport corridors that provide strategically important connections for the County within this section and specifically Sections 6.5.10 Roads Network and 6.5.10.1 National Roads is explicit in acknowledging the important role of the national road network in providing strategic transport links between main centres of population and employment. Notwithstanding, Section 6.5.10.1 National Roads shall be strengthened to include the specific national road corridors with a transboundary function within the County.

The Draft Plan is explicit in acknowledging the need to protect the strategic function of the national road network within Section 6.5.10.1 National Roads of the plan and includes reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* within objective CMO34 as set out below and within Appendix 2 Implementation of Ministerial Guidelines and Appendix 3 Policy Context of the Draft Plan. To strengthen the policy context relating to national roads and their protection, reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012 and* the *National Investment Framework for Transport in Ireland* (NIFTI) shall be included in Section 6.4 Strategic Aims to inform and strengthen the basis for investment in transport infrastructure as well as reference to Area Based Transport Assessment (ABTA) Guidance Notes (2018) TII/NTA in Appendix 3 Policy Context and this is addressed by way of CE Recommendation in the context of the OPR and NTA submissions.

The following policy objectives are specifically relevant to the protection of national road network including support for continued engagement with TII and other key stakeholders as set out in the Draft Plan as follows:

Objective CMO34 seeks to, 'Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant policy documents, as required.'

Objective CMO35 seeks to, 'Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

The following national road objectives are relevant in terms of planned upgrades to maintain the functionality of the strategic national road network and as they relate to cross-boundary schemes with relevant stakeholders and adjoining Local Authorities and are considered sufficient and robust in this regard.

Objective CMO37a seeks to, 'Support and facilitate the TII, NTA and Meath County Council in the planning and delivery of an N2 Scheme north of Ashbourne aimed at addressing road safety issues and facilitating significantly enhanced levels of active travel and public transport measures along the route corridor.'

Objective CMO37b seeks to, 'Support and facilitate the TII and Meath County Council in the planning and delivery of the N3 Upgrade between the M50 and Clonee.'

Objective CMO37c seeks to, 'Support and facilitate the TII, NTA, Meath County Council and Kildare County Council in the planning and delivery of a new link between the M3 and M4.'

The provision of new or upgraded junctions or access points from the regional road network onto national roads and motorways including the issue of resilience relating to the M50 is a matter for TII, which is responsible for maintaining the strategic functionality of the national road network. Where there are capacity issues at existing junctions, TII and Fingal County Council will work closely together to assess possible solutions or mitigations.

### Regional/Local

A number of submissions highlight the need for improvements to the regional and local road network in urban and rural areas across the County particularly from a capacity and safety perspective and that new development occurs in tandem with adequate roads provision across the County, particularly in towns that have experienced rapid growth in recent times including areas such as Swords, Dublin 15, Rush, Lusk, Skerries and Balbriggan. The early delivery of Phase 2 of the Donabate Distributor Road with active travel links with supportive reference in the plan is required as well as the upgrade of regional roads such as the R122, R127, R128, R129 and R132 within the County. A particular concern is the R127 Blakes Cross to Lusk Regional Road which is at capacity and requires upgrade to include provision for efficient vehicular and active travel movement in the interest of public safety and specifically in the context of planned future growth of the towns of Skerries, Rush and Lusk. Delivery of this road upgrade is required within three years of the adoption of the plan. The Blakes Cross junction also requires upgrade in the interests of public safety and efficient vehicle/bus flows. The completion of the Rush Western Bypass road should also be prioritised for completion and the Inner Relief Road with adequate connectivity between schemes and upgrade of connecting local adjoining roads. An assessment of the traffic needs to inform the feasibility of providing a Distributor Road to the west of Rush is required. It is suggested that Regional Roads within the County should provide for adequate walking and cycling infrastructure in the interests of connectivity and pedestrian and cyclist safety as well as the promotion of active travel.

While the substantial investment required to provide strategic transport infrastructure is acknowledged, the delivery of strategic roads to serve key development areas including such areas as Swords as set out in the current and Draft Plan should be prioritised for completion. In this context, the Swords Western Ring Road and associated connectivity to adjoining areas requires greater emphasis in the plan given the critical nature of this piece of strategic infrastructure and a new objective is proposed for inclusion in the plan including for tis timely delivery in this regard. The permitted R132 Connectivity Project for Swords shall be included in the plan at Table 6.3 and prioritised for delivery. The Moyne Road Realignment shall be included on the relevant plan map with associated junction improvement and a link road to Donaghmeade to relieve traffic congestion. The development of strategic roads infrastructure is required to facilitate the development of the Dunsink lands and the development plan shall promote future roads proposals to unlock the development potential of these lands. The potential of roads schemes such as the Ashtown Road Scheme and a connecting road scheme north of the N3 dual carriageway and a vehicular link south of the Navan road in facilitating the development of the Dunsink lands is cited in this regard.

Concern is expressed regarding the impact of strategic roads proposals on local communities and properties, environmental quality and built and natural heritage assets in the County. In this regard, reference is made to roads proposals such as the proposed Airport Western Access within the St. Margaret's area including strategic roads proposals as set out in the Dublin Airport LAP where more clarity is required on routing of these proposals, the proposed road south of Boroimhe in Swords and the Swords Western Distributor Road. In the context of the Swords Western Distributor Road proposal, a cost benefit analysis to measure the effects on sustainability and climate change is requested and an objective is required in the plan to mitigate any likely impacts on local recreation as follows: *That no acquisition of land along the route of the road traversing the Forest Little Golf Club will be pursued until such time as additional land is acquired to replace the land lost by the construction of the road.* The protection of the Liffey Valley SAAO and parks in the area in the context of the N3/N4 Link road is requested.

In the context the delivery of roads infrastructure, policy CMP31 is required to be amended to provide greater flexibility to developers/stakeholders to provide road infrastructure to support new development. It is also requested that policy CMP31 be amended to include reference to prioritising new road developments in strategic development areas as follows, Policy CMP31 – 'Prioritise and *facilitate* new road developments that underpin new development areas that support sustainable local development.' Such road developments can be provided by either key stakeholders and/or developer led and delivered in stages so that wider parcels of lands can be assessed as required.

It is recommended that sustainable drainage features and wildlife crossings including bridges and underpasses are incorporated into the design of new roads infrastructure and where possible into the existing road network.

It is noted that a number of area specific references have been made relating to traffic congestion and the need for traffic management in towns and village within the County including at train stations, on-street parking, provision of additional car parking in towns and rural villages including the provision of HGV parking and motorhome parking in rural areas and close to beaches and amenities, parking enforcement issues, improvements to existing road surfaces including the need for noise reducing tarmacadam and footpaths, the need for additional pedestrian crossings particularly along routes to schools, new signage and road markings, regulation of street signage and the need to reduce the visual impact of signage, provision of street lighting and additional bins on existing roads, path cleaning, weight limit restrictions on local roads, regulation of parking permits as well as requests for completion of roads and public lighting in new developments.

#### **Chief Executive's Response:**

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner to protect the strategic function of the national road network as well as providing for high-quality walking and cycling connections where appropriate and access and priority for public transport routes. The proposed transportation schemes listed in Table 6.3 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan including strategic road proposals for areas to serve Swords, Portmarnock, Donabate and north-County towns. These will be developed in the context of the Fingal Capital Plan, a three-year delivery programme of capital projects across the County. The R132 Connectivity Project was granted planning permission by

An Bord Pleanala in 2022. It remains an objective of Fingal County Council to deliver this project as it supports a range of policy objectives set out in the Draft Plan. The Dunsink Feasibility Study will form the basis for a statutory land-use plan to guide the development of the strategic lands at Dunsink in accordance with objective CSO29 of the Draft Plan and roads provision will be further assessed and established in this context to serve these strategic lands.

The road transportation objectives of the Plan shall be presented on a new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users. In terms of developer-led provision of infrastructure, there is already a mechanism in place through the Development Management process that facilitates this process, where it is the most opportune delivery mechanism.

In terms of project delivery, the objectives of this Plan will be required to go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum solution. This process typically takes a number of years and during this process consultation will be undertaken with the general public and specific stakeholders as required, including the local community and landowners. Such consultations occur on an ongoing basis in the context of such scheme proposals. These schemes will also include environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues including the protection of natural heritage assets and sensitive environmental sites. It is also noted that Objective CMO40 relating to Road and Street Proposals and Environmental Protection seeks to, 'Work with the relevant national transport agencies to ensure that all road and street network proposals have regard to pertaining environmental conditions and sensitivities including biodiversity, protected habitats and species and incorporate appropriate avoidance and mitigation measures as part of any environmental assessments.' Sustainable drainage and high-quality public realm will also be key features of future transportation infrastructure in line with evolving Fingal and wider best practice and based on the relevant provisions of the Draft Plan.

Specific area issues relating to traffic management, on-street parking, parking enforcement issues, improvements to existing road surfaces and footpaths, the provision of additional pedestrian crossings, regulation of road signage, regular road/footpath cleaning, provision of street lighting and weight limits on existing roads within the County are operational functions and, therefore, are not a matter for the Development Plan.

### **Roads and Streets Design**

TII in its submission acknowledges Policy CMP33 and Objectives CM043 to CMO46 relating to roads and streets design and notes that objective CM034 relating to the Strategic Road Network includes direct reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities* 2012 for the management of the national road network and development proposals. TII recommends the following minor revision to Objective CMO34 relating to the Strategic Roads Network -Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012*, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant *national and regional* policy documents, as required.

Concerns are expressed regarding CMO43 and CMO44 relating to DMURS and speed limits and traffic calmed area where the radii is considered too restrictive and speed limits should be confined to housing developments only. Low traffic zones are supported to enable modal shift and the introduction of LTNS is required to reduce noise and air pollution to improve the environmental quality in residential streets. Overall submissions support objective CMO43 relating to DMURS and monitoring of DMURS is considered essential to its success. Concerns are expressed regarding 'car-free' developments in areas not served by adequate and connected public transport provision and the Blanchardstown, D15 areas is cited an example in this regard. While the majority of submissions support CMO19 relating to signal control and pedestrians, some do not support this objective as this is not considered a strategic issue in the context of the Development Plan.

### **Chief Executive's Response:**

The TII comments are welcomed and the proposed amendment to objective CMO34 is considered acceptable to protect the national road network in accordance with relevant national and regional policy documents. Objective CMO43 relating to the Design Manual for Urban Roads and Streets seeks the following, 'Design new streets and roads within urban areas in accordance with the principles, approaches and standards contained within DMURS...' DMURS is the required road design guidance document for use within urban areas, in this context the policy objective in the Draft Plan is consistent with national policy. Transportation schemes will also include environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues. Car-free developments will be carefully considered and developed on the basis of their receiving environment and the surrounding transportation context. The adoption of policy CMO19 Signal Control and Pedestrians, in relation to on-demand greens or Green Person Authority, is considered a strategic issue in the context of the Development Plan as it will deal with the road network across the County and aligns with the other policy objectives of the draft Plan as well as national and regional policies.

### **Freight Delivery and Servicing**

Irish Rail welcomes policy CMP35 that supports the development of a Regional Freight Strategy to accelerate the decarbonisation of the freight sector including the promotion of the importance of the rail network in efficiently moving freight and request that the Council consider the Rail Freight 2040 Strategy in the development of any freight strategy within the County as part of a wider regional strategy.

The preparation of a Servicing/Logistics Strategy for the County as set out in the plan is welcomed by An Post and requests early engagement with the Council in this regard. It is noted that any restrictions on HGV movements or on the timing or type of deliveries/collections made to/from An Post facilities could have implications on the ability of An Post to meet the postal needs of the public and agreed service level agreements and a sufficient level of vehicular access and sufficient loading bay space is required to carry out An Post Services.

The importance of supporting existing retail operators which includes safeguarding of delivery and access routes and space to undertake deliveries shall be acknowledged and supported in the plan. It is highlighted that deliveries, and in particular, early morning deliveries, are an important aspect of the central distribution system and must be protected. In this context, policy provisions impacting on restrictions to deliveries shall not be included in the plan. It is requested

that early engagement occurs between retailers and the Council as part of any future public realm or transportation strategies and that Objective CMO47 relating to the management of freight movements should not give rise to any prohibitive restrictions on deliveries.

### **Chief Executive's Response:**

The support for the development of a Regional Freight Strategy and the preparation of a Servicing/Logistics Strategy for the County as set out in the Draft Plan is welcomed and the Rail Freight Strategy 2040 will be considered in the preparation of the Servicing/Logistics Strategy for the County where relevant and appropriate. It is noted that restrictions on freight and traffic management generally, in terms of timing or types of vehicles would only be made following further consultation with, and ideally in collaboration and with the support of, affected stakeholders.

#### **Chief Executive's Recommendations:**

#### **CE CH 6.1:**

Include the following in Section 6.4 Strategic Aims relating to the policy context for accessible infrastructure: *In the context of achieving accessible built environments, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) includes obligatory provisions on state parties to ensure access for persons with disabilities to, inter alia, the physical environment and transportation in both urban and rural areas. At national level, the National Disability Inclusion Strategy 2017-2022 (NDIS) sets out a range of actions to improve inclusion for those living with a disability in Ireland, including in areas such as the delivery of public services, employment and living in the community including specific actions for the achievement of accessible transport and movement infrastructure.* 

#### **CE CH 6.2:**

Include the following in Section 6.4 Strategic Aims relating to DMURS updated guidance: 'Updated design guidance for Covid 19 mobility planning issued under the DMURS 'Interim'
Advice Note - Covid-19 Pandemic Response 2020 focuses on traffic calming and transferring road space to walking, cycling and outdoor seating.'

### **CE CH 6.3:**

Update references in the Draft Plan to the DMURS Interim Advice Note – Covid-19 Pandemic Response 2020, replacing all references to the 2019 DMURS document.

#### **CE CH 6.4:**

Include references to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), National Sustainable Mobility Policy 2022 and replace the reference to the 2019 DMURS document with the DMURS Interim Advice Note – Covid-19 Pandemic Response 2020 in Appendix 3 of the Draft Plan.

#### **CE CH 6.5:**

Update the reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities* from 2013 to 2012 *In Appendix 2*.

#### **CE CH 6.6:**

Include new Sheet 17 'Connectivity and Movement' to incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

#### **CE CH 6.7:**

Insert the following within Section 6.5.10.1 before the first paragraph:

Fingal is well served by the national road network with the M1 Dublin to Belfast, the N2/M2 Dublin to Derry, the N3/M3 Dublin to Ballyshannon, and the M50 all traversing the County. Virtually all the national road network in the County is either motorway or high-grade dual carriageway.

### **CE CH 6.8:**

Include the road transportation objectives of the Draft Plan on a new Sheet 17 'Connectivity and Movement'.

#### **CE CH 6.9:**

Amend Objective CMO34 as follows: Strategic Roads Network - Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012*, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant *national and regional* policy documents, as required.

### **CHAPTER 7: Employment and Economy**

### **Submissions Received:**

FIN-C453-2, FIN-C453-15, FIN-C453-18, FIN-C453-83, FIN-C453-83, FIN-C453-109, FIN-C453-116, FIN-C453-154, FIN-C453-160, FIN-C453-166, FIN-C453-175, FIN-C453-192, FIN-C453-193, FIN-C453-203, FIN-C453-366, FIN-C453-401, FIN-C453-407, FIN-C453-408, FIN-C453-409, FIN-C453-410, FIN-C453-409, FIN-C455-409, FIN-C455-409, FIN-C455-409, FIN-C455-409, FIN-C455-409, FIN-C455-409, FIN-C455-40 C453-414, FIN-C453-457, FIN-C453-460, FIN-C453-492, FIN-C453-508, FIN-C453-516, FIN-C453-522, FIN-C453-523, FIN-C453-536, FIN-C453-542, FIN-C453-547, FIN-C453-554, FIN-C453-557, FIN-C453-557, FIN-C453-558, FIN-C455-558, FIN-C455-558, FIN-C455-558, FIN-C455-558, FIN-C455-558, FIN-C455-58, FIN-C45 C453-559, FIN-C453-562, FIN-C453-571, FIN-C453-580, FIN-C453-586, FIN-C453-597, FIN-C453-602, FIN-C453-635, FIN-C453-639, FIN-C453-643, FIN-C453-649, FIN-C453-690, FIN-C453-694, FIN-C453-715, FIN-C453-716, FIN-C453-737, FIN-C453-739, FIN-C453-752, FIN-C453-753, FIN-C453-753, FIN-C453-773, FIN-C453-779, FIN-C453-782, FIN-C453-787, FIN-C453-789, FIN-C453-797, FIN-C453-798, FIN-C453-800, FIN-C453-801, FIN-C453-804, FIN-C453-806, FIN-C453-814, FIN-C453-816, FIN-C453-835, FIN-C453-836, FIN-C453-850, FIN-C453-851, FIN-C453-853, FIN-C453-857, FIN-C453-858, FIN-C453-886, FIN-C453-888, FIN-C453-898, FIN-C453-901, FIN-C453-903, FIN-C453-905, FIN-C453-919, FIN-C453-935, FIN-C453-936, FIN-C453-938, FIN-C453-942, FIN-C453-950, FIN-C453-953, FIN-C453-957, FIN-C453-963, FIN-C453-971, FIN-C453-984, FIN-C453-986, FIN-C453-989, FIN-C453-991, FIN-C453-996, FIN-C453-1002, FIN-C453-1006, FIN-C453-1023, FIN-C453-1024, FIN-C453-1048, FIN-C453-1062, FIN-C453-1081, FIN-C453-1089, FIN-C453-1096, FIN-C453-1099, FIN-C453-1103, FIN-C453-1118, FIN-C453-1122, FIN-C453-1160, FIN-C453-1163, FIN-C453-1165, FIN-C453-1170, FIN-C453-1171, FIN-C453-1192, FIN-C453-1194, FIN-C453-1196, FIN-C453-1202, FIN-C453-1215, FIN-C453-1220, FIN-C453-1221, FIN-C453-1234, FIN-C453-1241, FIN-C453-1256, FIN-C453-1257, FIN-C453-1260, FIN-C453-1262, FIN-C453-1271, FIN-C453-1272, FIN-C453-1273, FIN-C453-1274, FIN-C453-1289, FIN-C453-1295, FIN-C453-1296, FIN-C453-1311, FIN-C453-1317, FIN-C453-1318, FIN-C453-1325, FIN-C453-1672, FIN-C453-1675, FIN-C453-1676, FIN-C453-1677, FIN-C453-1700, FIN-C453-1704, FIN-C453-1777, FIN-C453-1778, FIN-C453-1784, FIN-C453-1801, FIN-C453-1903, FIN-C453-1947

### **Summary of Issues Raised:**

### **Employment and Economic Development**

A number of submissions raise diverse issues related to employment and economic development which are dealt with in this section.

It is requested that the crucial role which Dublin Airport plays economically in terms of Swords and vice versa is recognised in Chapter 7 of the Draft Plan.

A submission notes the importance that firms located within large scale employment sites/industrial estates consider the health and wellbeing of workers. Any opportunity to promote physical activity and possible health gain for staff should be explored.

Submissions request the development and promotion of enterprises to facilitate local employment opportunities. There is a need for new employment opportunities in Lusk, Rush, Ballyboughal and other towns along with the expansion of existing businesses in the towns. A submission requests that in Rush a co-op should be established in a Council owned premises whereby businesses could thrive which would have positive spin-offs for the town centre. It is

suggested that there are numerous derelict houses on Main Street that would be ideal for this purpose.

Several submissions recommend the re-branding of commercial zones in Balbriggan, e.g. Stephenstown Technology Park or Balbriggan Enterprise Zone, and these areas should be the primary focus for employment development in the next Plan period. The removal of the Framework Plan requirements for these sites will facilitate much needed employment generating development. Another submission considers that Balbriggan has a weak local economy and jobs base and has suffered from 'site led' rather than 'needs led' development.

A submission notes that multinational companies in the County are finding it difficult to attract staff to the region due to a severe lack of accommodation. As such there is a real danger that Fingal and its economy will lose out if suitable accommodation is not available, which will negatively impact on Fingal's local economy as money earned in Fingal will be spent elsewhere.

A submission considers that the Draft Plan should support the advancement of the Dublin-Belfast Economic Corridor as an initiative with substantial economic growth potential. Providing access to two jurisdictions and international markets, the UK and EU, actively supporting the ongoing development of the corridor can increase Fingal's attractiveness to both business and talent. Dublin Chamber particularly welcomes the commitment to promote the Dublin-Belfast Economic Corridor in collaboration with other local authorities, universities, and state agencies.

It is requested that the Fingal Skills Strategy (2019) is updated to reflect the emerging framework for higher education, the changing demographic patterns in the County, and future skills challenges, related to emerging sectors, emerging technologies, and sustainability. Changes are requested to general text, policies and objectives to reflect the current name of TU Dublin (Blanchardstown).

In relation to employment and the economy, a number of submissions call for a greater range of sectors to be included when discussing "high quality employment" and of the need to focus on the skills required by the population to meet targets for building and retrofitting homes in the County. More detail is required on the issue of local and national food and energy security. Furthermore, more emphasis on employment to alleviate pressure on public services such as childcare, care for the elderly, healthcare and emergency services is needed.

A submission considers it is important that positive and constructive engagement in matters such as outdoor dining continues between the Council, public stakeholders and local businesses post-Covid and that the night time economy is strengthened.

Several submissions were received relating to Data Centres and developments relating to Warehouse and Distribution lands. It is considered that the Draft Plan should be amended to include more detail on the sizes of large-scale distribution activities to be encouraged for such locations.

The Dublin Enterprise Office requests that the Dublin Regional Enterprise Plan 2024 be acknowledged and referenced in the Draft Plan 2023-2029 and have regard to the key priority areas of the plan.

An Post supports the preparation of a Servicing/Logistics Strategy for the County and requests engagement with the Council should any future plan or new Servicing/Logistics Strategy propose

to amend delivery hours in town/urban centre locations. An Post is requesting that additional policies to be included in the Draft Plan which would, inter alia, support it in its role and facilitate the provision of postal infrastructure at appropriate locations.

Several submissions were received requesting that co-working facilities / work and digital hubs be provided throughout the County in areas such as Rush, Lusk, Oldtown, Ballyboughal, Balrothery, Donabate and Dublin 15 villages. They infer that a policy to develop a series of attractive, well-designed and cost-neutral working hubs to drive footfall and activity should be included in the Draft Plan. Towns such as Donabate should be promoted as employment destinations, while smaller working hubs could also be located in villages.

A submission requests further elaboration in relation to how high quality physical environments for the ICT, Banking and Financial sector are characterised and information on measures to ensure low-quality environments are not experienced.

A number of submissions have been made in relation to Fingal's marine sector. The Marine Engineering Division (MED) of the Department of Agriculture, Food and the Marine refers to Howth Fishing Harbour and the importance that the Division is included in stakeholder coordination meetings and spatial planning for the Howth/Baldoyle area. It is requested that the Council consults with the Department of Agriculture, Food and the Marine which would assist in the alignment of goals and also in knowledge transfer. The importance of the continued maintenance and improvements to facilities at Howth Harbour are emphasised. The submission from the Fisheries Division of the Department of Agriculture, Food and Marine welcomes the support in the Draft Plan for the fishing industry and notes it is essential that any negative impacts on fisheries are avoided. The evaluation of potential impacts on any commercial sea fishing activities needs to be given consideration as part of any planning/proposal process and during the development process itself. Engagement should be sought with the fishing industry and other relevant stakeholders at as early a stage as possible to raise any changes that may affect them and it is vital that fishers' interests and livelihoods are fully recognised, supported, and taken into account. A submission considers it important for the Draft Plan to note that overfishing across Irish waters has already driven the collapse of many stocks. A submission relating to Skerries Harbour contends it should be optimised for use by small craft and personal water sports equipment. A lot of the existing uses, and existing small businesses, would be lost if the harbour was used to moor boats. It is argued that a marina would have far more adverse effects on water quality and landscape sensitivities than would the current water sports.

A number of submissions recommend that plans for employment in Fingal should address in the first instance jobs (and the development of skills for such jobs) that are most needed to support Fingal and Ireland in meeting its climate targets (e.g. retrofitting homes, repair service to promote the circular economy) and creation of local and national food and energy security. Another submission recommends the inclusion of explicit examples of how existing and new businesses in Fingal will be incentivised to invest in circular products or services in order to bridge the current circularity gap. A submission calls for the inclusion of text relating to the green economy to provide support for the development of a third level institution in Fingal to develop skills around retrofitting.

Given the uncertainty of timescales for delivery of MetroLink, a submission suggests whilst it is acknowledged that the Draft Plan should seek to protect the preferred route of MetroLink from

inappropriate development, it would be unreasonable to safeguard or sterilise any additional lands adjacent to MetroLink from being developed. In this regard it is requested that Objective EEO14 is amended to this effect.

### **Chief Executive's Response:**

Chapter 8 of the Draft Plan specifically relates to Dublin Airport and notes that it is of vital importance to the Irish economy generally and that its strategic location provides access to both international and national markets making Fingal an attractive location for business to locate. As such it is not considered necessary that the Draft Plan specifically references Swords in this regard.

The development management/planning process is the appropriate process to promote active travel options for employees to access their places of employment. This process increasingly considers active travel options and the provision of secure bike parking facilities in addition to vehicle parking at employment sites. The Council's Active Travel Section with NTA funding support is implementing the roll-out of active travel routes and bike parking facilities across the county and these facilities will provide for existing and future employee use in proximity to places of employment. The Council's Draft Active Travel Strategy includes reference to a Behavioural Support Programme to encourage citizens in a modal shift to active travel options. The Active Travel Section supports the implementation of the Behavioural Support Programme with businesses in Fingal. The Council, under the Sustainable Fingal initiative, will liaise with businesses to encourage the provision of active travel options to their employees as part of their corporate consideration of carbon emissions, energy usage and sustainability and emphasise the attendant health and wellbeing benefits such options can have for their employees and their businesses.

The Council supports the expansion of existing businesses in towns/villages in Fingal within the zoning context of the identified town/village. The Council provides support to many small businesses through the Local Enterprise Office and has provided/is providing various business support measures such as the Shopfront Improvement Scheme, Parklets, Fingal In It Together, Sustainable Fingal which are accessible by businesses across the county when funding calls issue. New and existing businesses which are in the Dublin Rural LEADER area may avail of LEADER funding to support new employment opportunities and business expansion and the Council encourages businesses to liaise with Fingal LEADER to determine what support is available. The Council is aware of the numerous derelict houses on Main Street Rush, however these buildings are not in Council ownership and the Council does not own any suitable premises in Rush that could be re-purposed for use as a co-op. There has been no engagement with the Council on the proposition of developing a co-op in Rush and further engagement would be required to identify potential stakeholders and their requirements in respect of such a proposition. A feasibility study would be required to determine existing and future demand and the viability of the proposition. The Council would also need to consider and evaluate operational models before preparing a business case for the acquisition of a premises for the purpose of a co-op in Rush. It is not considered that this a viable proposition at present and as such it is not recommended that it be included in the Draft Plan.

The Council is increasing its industrial landbank in the Stephenstown, Balbriggan area with a view to future development. In tandem with this, the Council shall develop an economic development policy, which shall include branding and a development strategy, for the landbank.

The Council is cognisant of this strategic location on the Dublin-Belfast Economic Corridor, its proximity to Dublin Airport and Dublin Port and the national road network and to promote and enhance local employment opportunities and skills development in Balbriggan. It is proposed to develop a Framework Plan for the Stephenstown area.

It is a central function that the Core Strategy demonstrates there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Council continues to liaise with companies who are considering locating in Fingal to ensure they receive cohesive engagement across all departments of Fingal County Council. The current pressure on the availability of housing for workers is an issue being experienced by businesses across the Dublin region. The Council will support and encourage the provision of remote working facilities and active travel modes of mobility across the county to mitigate issues being experienced by employees who cannot access housing in proximity to their work location and facilitate the ability to work in Fingal while supporting access to housing on a regional basis. The Core Strategy of the Draft Plan includes an assessment of the location and quantum of appropriately zoned lands available to accommodate the population and housing targets for the County.

The Council are working in collaboration with seven other local authorities and two universities in a cross-border initiative to drive job creation and economic development along the Dublin Belfast Economic Corridor (DBEC). The DBEC Project is strategically important in attracting investment along the corridor and to Fingal as a premier location to do business. The Draft Plan is strongly supportive of the Dublin-Belfast Economic Corridor (DBEC) as evidenced by the following policies:

Policy CSP36 - Promotion of Enterprise and Employment in Self-Sustaining Towns

Promote enterprise and employment throughout the County including along the Dublin Belfast Economic Corridor including Balbriggan and work with other Local Authorities to promote Fingal and the wider mid-eastern region as an engine for economic growth.

Policy EEP9 - Fingal As An Engine For Economic Growth

Promote enterprise and employment throughout the County, including along the Dublin Belfast Economic Corridor, the Metro Economic Corridor, Swords, Blanchardstown and Balbriggan and work with the other Local Authorities to promote Fingal and the wider mid-eastern region as an engine for economic growth.

It is not considered appropriate to specifically reference TU Dublin in relation to the Fingal Skills Strategy as other third level institutions are also involved and if reference is made to one institution it will require reference to all stakeholders in the interest of equity. A review of the Fingal Skills Strategy is not required at this time as implementation of the Strategy only commenced in 2021. The Implementation Group acknowledges the change in circumstances and context in the post-Covid environment and the Group is responding to real-time data and needs in the implementation of the Strategy's recommendations. The Group and sectoral sub-groups are focusing on responses to evolving situations and it is not considered that a review and update of the Strategy is the best use of departmental resources when valuable and tangible outcomes are currently being delivered. The Strategy document will be reviewed at an appropriate juncture in the future. The references to the roll-out of the National Broadband Plan/IDA Strategy 'Driving Recovery and Sustainable Growth'/support for the Green Economy are

considered acceptable as the roll-out of broadband in the Fingal area is progressing and will contribute to the connectivity and economic competitiveness of Fingal. It is agreed that the wording 'Blanchardstown IT' is replaced with 'TU Dublin (Blanchardstown)' in Section 7.4, Table 7.1 'Strategic Employment areas in Fingal County.'

It is not proposed to include text in Section 7.5.1.1 regarding the provision of support for the development of a third level institution in Fingal specifically to develop skills around retrofitting as this is considered to be outside the scope of the Development Plan. The Council will support the development of sustainable skills, including retrofitting, through the Fingal Skills Strategy and has established a sub-group to advance Green Skills/Sustainability & Digitisation with key stakeholders across multiple sectors. The Council continues to engage with third level institutions to encourage the provision of education and training courses in Fingal and will work with stakeholders to support the development of third level educational facilities at appropriate locations in the county.

The creation of sustainable jobs is a key focus for the Council. The Fingal Skills Strategy identifies gaps between the existing skills of Fingal's workforce and the skills that employers need both now and in the future. The strategy is a roadmap for future skills development and a model of best practice in the local government sector for the provision of leadership and collaboration between educational providers and a range of industrial sectors. The Council has established an Implementation Group to progress and implement the recommendations of the Strategy in the context of a post-Covid environment. The Skills Strategy brings together education providers and industry in collaboration to work towards ensuring that there will be an adequate supply of sufficiently skilled labour available in Fingal over the coming years. The issue of skills matching is one for the long-term economic planning of the County. Future sustainability would be more easily secured if local skills and sectoral employment opportunities were more closely aligned. Engagement with higher education institutes, education and training boards, local stakeholders and industry sectoral interests will continue under the auspices of the Fingal Skills Strategy in order to address skills shortages and promote lifelong learning and continuous professional development in the County.

The development of the night-time economy and strengthening the resilience of businesses through facilitation of the provision of out-door dining are central to the continuing economic development of urban centres and rural towns & villages. The Town Centre First and Town & Village Renewal Scheme both acknowledge the significance of the night-time economy and focus on a place-making approach to the transformation and regeneration of town/village centres to support local economies and promote community well-being. The Council will continue to engage with the business community and key stakeholders in Fingal to promote the economic development of town/villages and urban centres through place-making and where appropriate to strengthen the night-time economy in line with national and regional policy.

The Council is not in favour of being over-prescriptive in terms of the sizes of space extensive developments such as large warehousing units. Objective EEO16 – Warehouse and Distribution Lands which states 'Encourage large-scale distribution activities to locate within areas zoned WD' is considered sufficient to deal with this issue and should remain. Prospective applicants are encouraged to seek pre-planning advice where further clarity is required. Each proposal will be considered on a case by case basis. As set out below there are a number of policies and Objectives in the Draft Plan which encourage developments including existing and proposed

Data Centres to, inter alia, utilise wasted heat, implement energy efficiency measures, and address energy demand requirements.

Policy CAP19 and DMSO258 state the following: Encourage proposed and existing developments and facilities (such as data centres) to capture and utilise otherwise wasted heat, and use waste heat either on-site, or in an adjoining, and nearby sites, in compliance with all relevant Energy Efficiency Regulations.

Objective DMSO94 (set out below) is comprehensive in relation to requiring proposals for space extensive developments to address specific matters including, inter alia, energy efficient measures and energy demand requirements at planning application stage.

#### Objective DMSO94

Proposals for space extensive developments such as data centres are required to address the following:

- Energy efficiency measures for the development to reduce the carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation
- The extent of energy demand and proximity to multiple high voltage strategic grid connections with significant electricity supply capacity available including areas with high concentration of renewable energy electricity generators
- The availability of appropriate infrastructure such as high voltage electricity, fibre optic cables, water and waste water etc. to support the use as a data centre
- Measures to support the just transition to a circular economy
- Measures to facilitate district heating or heat networks where excess heat is produced
- High-quality design approach to buildings which reduces the massing and visual impact of same. A visual impact assessment may be required in some circumstances, depending on the specific site
- Details of employment numbers once operational
- Details of the levels of traffic to and from the site at construction and operation stage
- Evidence of sign up to the Climate Neutral Data Centre Pact
- A decommissioning report which sets out the development strategy for the site if and when
  the data centre is no longer in use, in order to bring the site back to a future developable
  state.

### **Objective EEO33**

Proactively respond to the needs of enterprises undertaking pharmaceutical, data centre, food production and logistics activities that require bespoke building facilities to meet their specific manufacturing requirements.

Objective EE033 and recent planning decisions demonstrate the Council's commitment to facilitating proposed Data Centre developments where appropriate.

The Council supports the acknowledgement and reference to the Dublin Regional Enterprise Plan 2024 which will be supported and advanced by Fingal LEO with regard to SME's and Start-Ups and by the Council in respect of wider economic activity in Fingal. The Council will support the objectives of the Dublin Regional Enterprise Plan 2024 through the Fingal Skills Strategy and

Sustainable Fingal in order to advance the development and implementation of sustainable/green measures in the economic development of Fingal.

The submission received from An Post is noted and welcomed. Objective CMO48 notes the Council's intention to prepare a Servicing/Logistics Strategy for the County. This matter is addressed in Chapter 6 of the Draft Plan. It is considered that the Draft Plan contains appropriate policies which support An Post to fulfil its role and facilitate the provision of postal infrastructure in the County.

The submissions received in relation to co-working facilities / work and digital hubs are noted and welcomed. The rise of new work practices, such as remote working hubs and co-working facilities will be supported by the Council. There are a range of policies and Objectives in the Draft Plan which are supportive of such facilities, as follows:

Objective IUO51 states: Facilitate the development of digital hubs and co-working spaces at appropriate locations.

Policy EEP13 in relation to changing work practices states: Promote and facilitate different work practices that have developed recently and continue to support the existing co-working facilities, remote working hubs and enterprise centres throughout the County.

Section 14.15.2 also relates to Remote Working Hubs where it is acknowledged that the growth in remote working brings a new dynamic to locational decisions, including co-working hubs.

Objective DMSO92 – Location of Remote Working Hubs Remote working hubs should be located in major and local town centres and rural villages. The facility should include independent working spaces, meeting rooms and communal facilities for users. Bicycle and vehicular parking provision shall be in accordance with the standards required for office development.

Objective DMSO93 – Utilisation of Vacant Properties for Remote Working Facilities Vacant/underused properties should be utilised for remote working hub facilities where appropriate.

The Council is concentrating its efforts in promoting remote working/co-working facilities in existing enterprise centres in the county – BASE, Mulhuddart; Beat, Balbriggan; Drinan, Kinsealy – as these buildings are in a position to pivot to provide these facilities and meet emerging demand. These centres have already upgraded their facilities to add extra space for remote working with works funded by LEADER/Enterprise Ireland/Department of Rural & Community Development via the Connected Hubs Scheme. The Council is also examining funding streams such as the Town & Village Renewal Scheme which in 2022 provides funding to facilitate the acquisition/refurbishment of existing buildings for community and/or remote working space provision in towns in line with the Government's Town Centre First approach. The Council has already accessed funding for the installation of broadband connection points (BCPs) to facilitate remote working and digital access for the towns of Rolestown and Lusk under the Town & Village Renewal Scheme. The Council will continue to seek funding to establish additional BCPs at suitable locations across the county and will consider opportunities arising from the "Making Remote Work" Strategy.

Community groups can liaise with LEADER regarding their eligibility to leverage funding to pursue the establishment of a remote working hub in their community and in preparing

proposals for funding should consider how to demonstrate demand in the local community and establish the viability and long-term sustainability of the proposition. The Council conducted a survey in 2021 to determine demand for remote working/co-working in the county and to quantify space available in existing Council facilities. 75% of Council facilities have the capacity to expand ICT services while 44% have space that could be repurposed to provide remote working/co-working space, if required. At present demand for these facilities has not reached the level of existing provision, notwithstanding the Council's ability to provide additional capacity at its facilities should the demand materialise. In addition, there is private sector provision for these facilities in the county as the market responds to emerging demand. The Council continues to review demand for remote working/co-working facilities and services and where required shall seek to satisfy demand through the provision of additional capacity at existing Council facilities or through the acquisition of appropriate premises through identified funding streams such as the Town & Village Renewal Scheme. The Council acknowledges the benefits of remote working in the local community with positive impacts arising in the local economy from the presence of remote workers who are utilising local services on a regular basis, the increased quality of life and work/life balance for remote workers and reduced carbon emissions which can be achieved from a reduction in number of commuter trips for work purposes.

Objective EEO35 which relates to the ICT, Financial and Banking Sector states the following: 'Promote the growth of the ICT and financial and banking sector in Fingal by facilitating the conditions conducive to such development including the creation of high quality physical environments offering a range of building and office accommodation types, supported through the provision of the necessary services and public transport infrastructure.' It is also considered that good design will assist in the long-term economic viability of these areas. The Planning Authority encourages high quality design, materials and finishes and good quality landscaping for all commercial and industrial developments, as articulated in Section 14.15 of the Draft Plan. In assessing planning applications a number of considerations will be taken into consideration as follows:

- Conformity with relevant Development Plan land use policies and objectives.
- The mix of uses being proposed particularly in mixed use areas, i.e. areas zoned LC, MC, ME, TC, RV, where development and changes of use need to be orientated towards creating environments that are vibrant and lively.
- The intensity and nature of the proposed use.
- Achievement of an appropriate density and scale of development.
- Provision of open space and high-quality landscaping plans.
- High quality design
- Potential impact of traffic movement and parking provision.
- Impact on amenities of the surrounding areas.
- Energy efficiency and overall sustainability of the development.
- Waste management measures.

Objective DMSO91 which relates to the design and siting of Business Parks and Industrial Areas is also relevant and states the following: 'Ensure that the design and siting of any new Business Parks and Industrial Areas, including office developments, conforms to the principles of Design Guidelines as outlined in Table 14.14.' The Design Guidelines provide specific guidance under numerous headings including: Access and Circulation, Pedestrian/Cycle Connections,

Permeability, Lighting, Loading/Service Areas, Waste/Recycling, Set backs, Signage, Public Art, Sustainability,-Solar, Utility, Electrical and Mechanical Equipment, Parking, Landscaping and Boundary Treatment.

The submissions received in connection with Fingal's marine sector are noted and welcomed. Objective EEO38 states 'Support the existing diverse nature of the marine sector in Fingal, and identify and promote sustainable growth opportunities, while protecting European sites. This shall be achieved through engagement and partnership with relevant agencies, sectoral representatives and local communities.' The Council will therefore engage with the Department of Agriculture, Food and the Marine, and with other relevant agencies, sectoral representatives and local communities in support of the marine sector in Fingal, and identify and promote sustainable growth opportunities, while protecting European sites. While the economic strategy for the marine sector is to encourage enterprise creation and employment growth, as coastal locations are among the most sensitive in Fingal, proposals for economic development will need to be balanced against environmental considerations. It is considered that issues relating to overfishing are outside the scope and remit of the Draft Plan.

Turning to the submission relating to the use of Skerries Harbour for use by small craft and personal water sports equipment rather than for mooring/docking yachts it is considered that a balanced approach is required in this instance. In this regard Objective GINHO76 which states the following is relevant and applicable: 'Encourage the development of facilities for maritime fishing and leisure developments where the siting of such installations and their supporting infrastructure will not have a significant adverse impact on the natural or cultural heritage or detract from the visual amenity and environmental quality and stability of an area, or public access to beaches.' It is important that the coast is managed and developed in a way which protects and enhances its natural and cultural heritage and its landscape. The future economic, tourism, recreational and energy resource potential of the coast will need to be balanced with the requirement to protect its natural heritage, water quality and attractions. As such, Policy GINHP31 is also applicable and seeks to 'Encourage leisure and amenity type uses along the coast so long as such uses do not cause significant adverse impacts on the environment, visual amenity and heritage. Objective EEO40 notes that a feasibility study of the Fingal coastline to identify potential sites to accommodate marina development relevant to recreational pursuits and requirements will be undertaken. As part of the study the impact on the receiving marine environment, including the coastline, will be assessed and Screening for Appropriate Assessment and SEA undertaken.

The Council acknowledges the importance of skills development and jobs which will enable Fingal and Ireland to meet EU climate targets. The skills and jobs required cut across all economic sectors and the Council will advance green skills development to support all sectors through the Fingal Skills Strategy and will engage with key stakeholders across all sectors to progress this. The Council will promote the advancement of the circular economy concept and the implementation of sustainable business measures/practices through the Sustainable Fingal Initiative and engagement with key stakeholders.

The Draft Plan has a number of policies and objectives relating to the circular economy including the following:

Policy CAP24 - Circular Economy

Support the shift towards the circular economy approach as set out in the National Waste Policy for 2020–2025.

Policy CAP25 - Waste Management Plans for Construction and Demolition Projects

Have regard to existing Best Practice Guidance on Waste Management Plans for Construction and Demolition Projects as well as any future updates to these Guidelines in order to ensure the consistent application of planning requirements.

#### **Objective EEO28**

Support the growth of the "green economy" including renewable energy, retrofitting, and electric vehicles and charging infrastructure, supporting the transition towards a circular economy in compliance with national policy and legislation

Policy IUP22 - Transition From A Waste Economy Towards A Green Circular Economy

Support the principles of transition from a waste economy towards a green circular economy and implement good waste management and best practices to enable Fingal to become self-sufficient in terms of resource and waste management and to enhance employment and increase the value recovery and recirculation of resources.

The Council will advance the concept of the Circular Economy through the Sustainable Fingal Initiative in collaboration with business, key stakeholders and FCC's Climate Action Office. The Fingal LEO will promote business sustainability with SME's through the Green for Micro Programme. The Council recommends that any wording references these initiatives and the potential supports to be provided to advance the circular economy concept in general terms and does not cite explicit examples on the basis that this may be restrictive as the circularity concept develops and evolves. The Circular Economy cuts across all sectors with significant reorientation required in products/services/business models in order to meet EU targets.

Objective EEO14 which relates to the Metro Economic Corridor Lands states the following: 'Protect the integrity of the Metro Economic corridor from inappropriate forms of development and optimise development potential in a sustainable and phased manner.' It is considered that this Objective is sufficiently robust. The Council does not intend to sterilise land adjacent to the indicative MetroLink route. Planning applications relating to lands zoned 'ME' Metro Economic Corridor will be considered on their merits and in accordance with the 'ME' Zoning Objective and the associated Vision.

#### **Tourism**

A number of submissions have been received in connection with potential tourism opportunities relating to Rush. Some of the submissions identify the lands at Knockdromin as providing a space to foster and nurture the health and wellbeing of the citizens of Fingal. It is requested that Knockdromin House be purchased by the Council and refurbished for use by the communities of near-by Lusk and Rush.

A submission notes that Swords is a Heritage Town with many historical buildings and as such the town should be considered as a proper tourist destination in the Draft Plan. Similarly a submission notes that the public realm in Howth, which is one of Dublin's and Fingal's primary tourist destinations, should be enhanced by way of pedestrianisation of part of Main Street to

create a central town square, with greenery, seating and play areas. Other submissions suggest that tourist amenities, a new hotel and sustainable tourism should be promoted in Rush and Skerries and that there are many tourism opportunities in these areas, including the Iron Age promontory fort at Drumanagh, where a visitor's centre should be prioritised. Submissions also suggest a range of other measures to foster tourism in Rush.

A submission considers that significant potential for tourism in Dublin 15 is not encompassed by the Draft Plan. The restoration of Abbotstown House, in conjunction with Sports Ireland would enhance the National Sports Campus and encourage more visitors. A submission also suggests there is a need develop Clonsilla Village so as to maximize the tourism and retail potential of developments in the area such as the possibility of Beech Park House being developed as an Integrated Tourism Complex, as well as existing amenities such as Shackleton Gardens and Luttrellstown Castle. The proposed Greenways including Liffey Valley Greenway, Royal Canal Greenway and Canal Loop Greenway should be included as tourism projects.

A submission recommends that Dunsink Observatory should be referenced under Tourism and Heritage themes and a plan formulated outlining short-term and long-term investment in facilities, with reference being made to provision of a planetarium on the lands.

A submission recommends restoration of Abbotstown House, which would encourage and facilitate increased visitor numbers to the area.

Concerns are expressed in a submission that the majority of references to tourism in the Draft Plan are leveraging Fingal's proximity to the airport and therefore focus solely on international tourism and air travel. Aviation is the most energy-intensive and high carbon form of travel. It is recommended that the promotion of and a re-emphasis towards domestic tourism and alternative modes of travel is introduced, by making Fingal easily accessible from all parts of Ireland via public transport and greenways.

A submission suggests inclusion of a number of tourism related objectives from other Local Authorities across the country.

The submission from Fáilte Ireland is generally supportive of the Draft Plan and welcomes the opportunity to input into policy preparation. It recommends that Tourism is included as a Strategic Objective in the Draft Plan, greater alignment with Fáilte Ireland's strategic objectives and inclusion of a dedicated tourism strategy/chapter to include topics such as Dublin Brand and Fáilte Ireland initiatives, sustainable tourism, festivals, accessible tourism and tourism infrastructure and visitor services. Regional Tourism Strategies (RTSs) are being developed presently and will help in identifying sustainable tourism development opportunities; they also provide for a suite of Destination and Experience Development Plans (DEDPs) to sit underneath them. The inclusion of an objective supporting the preparation and implementation of RTSs along with the continued collaboration with Fáilte Ireland and tourism stakeholders is requested. It is recommended that the references in the Draft Plan should be updated to refer to the correct title of the Coastal Destination Experience Development Plan (DEDP). New Objectives are requested relating to support of Destination Experience Development Plans (DEDPs) and other tourism masterplans, that the Council will continue to work with Fáilte Ireland and other stakeholders on developing relevant tourism themes, accessible tourism and encouragement and support for investment in digital technology for the tourism sector are requested. The insertion of the word 'festivals' into Objective EEO45 is recommended.

A number of submissions have been received seeking to incorporate a broader range of uses within Integrated Tourism Complexes, including a limited number of residential dwellings and provision of additional ancillary buildings. The submissions consider it overly restrictive that tourism related residential development is to be contained within existing buildings and retained in single company ownership. It is requested that standard residential accommodation and privately owned resort style residential dwellings should be permitted within an Integrated Tourism Complex and should not be subject to the Rural Settlement Strategy. A submission also suggests that the Liffey Valley/Shackleton Mills could be added to the list of complexes to be considered as Integrated Tourism Complexes.

### **Chief Executive's Response:**

Knockdromin house and gardens in Rush is in private ownership and the Council currently have no plans to acquire this property.

In relation to development of Swords, areas within Dublin 15 and the Liffey Valley as tourist destinations will be considered as part of the 2023-29 Tourism Strategy and proposed new Agri Food Policy/Strategy. Similarly consideration will be given to inclusion of the measures identified to foster tourism in Rush and Howth as part of the 2023-29 Tourism Strategy and proposed new Agri Food Policy/Strategy. In terms of the suggestions relating to provision of facilities including a hotel in Rush and Skerries and camping facilities in Skerries, these can also be considered as part of the 2023-29 Tourism Strategy and proposed new Agri Food Policy/Strategy. Consideration can also be given to reinstatement of the Tourism Strategic Land Leverage group to progress feasibility plans for 13 sites already identified as suitable.

The submissions received in relation to Dunsink Observatory and planetarium are noted. The importance of Dunsink Observatory is appropriately recognised and fully considered in Chapters 2 and 4 of the Draft Plan. The issue raised in relation to development of a Plan for Dunsink Observatory is addressed in the aforementioned chapters.

Abbotstown House is a Protected Structure (RPS ID 683) described as a 19th century house (including adjoining historic structures of walled garden and outbuildings), located at the National Sports Campus, Snugborough Road, Blanchardstown, Dublin 15. The Draft Plan and Chapter 10 specifically are explicit in supporting the protection, conservation and re-use of the architectural heritage of Fingal. An application for the restoration of Abbotstown House would be dealt with through the Development Management process.

Tourism is one of Fingal's most important economic drivers and developing the tourism market throughout the County is imperative. The vast majority of tourism policy and objectives in the Draft Plan apply to and are supportive of both domestic and international tourism. While Dublin Airport is an important asset, Fingal is also very well served by road, rail and bus corridors and as such is very accessible from all parts of the country. The Draft Plan also emphasises the importance of the delivery of key rail projects set out in the Transport Strategy for the Greater Dublin Area including Metro Link, DART expansion and the Luas Green Line link to MetroLink. Objectives EEO47 and EEO51 also support the development and expansion of cycling and walking trails connecting towns and villages both for the enjoyment of local people and visitors to the area.

It is not considered appropriate to include bespoke policies applicable to other local authorities in the Draft Plan. The policies and objectives relating to tourism in the Draft Plan are appropriate, comprehensive and fit for purpose. Policies EEP21 and EEP22 relate to facilitating the development of tourism and the provision of tourism infrastructure respectively. The Draft Plan includes a range of tourism relates objectives relating to, inter alia, Conservation and Protection (Objective EEO44), Events and Concerts (Objective EEO45), Rural-Based Tourism (EEO46), Tourism in Rural Villages (Objective EEO53) and Campsites (Objectives EEO56 and EEO57).

The submission received from Bord Fáilte is noted and welcomed. As recommended, references in the Draft Plan shall be updated to reflect the correct title of the Coastal Destination Experience Development Plan. As referenced in this Section of the Draft Plan the Council will continue to work closely and collaborate with Fáilte Ireland on several initiatives and in this regard overarching Objective EEO41 is relevant and states the following: 'Engage and collaborate with key stakeholders, relevant agencies, sectoral representatives and local communities to develop the tourism sector in Fingal and to ensure that the economic potential of the tourism sector is secured for the benefit of the local economy.' It is not considered necessary to amend Objective EEO41 to include the word 'festivals' as this is covered by the existing word 'events' in this Objective. Given the importance of Tourism to Fingal, it is agreed that Tourism should be included as a Strategic Objective of the Draft Plan.

The submissions received in connection with Integrated Tourism Complexes are noted. An Integrated Tourism Complex is defined as follows: 'The use of a demesne grounds and buildings for tourist, leisure and recreational uses (such as, Hotel and associated facilities, conference centre, golf course, equestrian centre, trekking centre, fitness centre, indoor/outdoor water facility, fishing facility, museums, nature trails, walking routes and associated facilities) such that the conservation of the asset is achieved with the appropriate sustainable reuse of the buildings.' The conservation of the heritage houses and demesnes in Fingal is essential and the Council recognises the need for the appropriate sustainable reuse of these buildings. It is considered that the range of uses identified for an Integrated Tourism Complex as described above is appropriate. It may also include tourist related residential and leisure retail ancillary to the main tourist activity. Proposed uses, if not included in the aforementioned list, will be assessed on a case by case basis in accordance with the applicable Zoning Objective and Vision along with the provisions for Integrated Tourism Complexes as set out in Section 7.5.2.1 of the Draft Plan. Proposals to include residential development for sale on the open market on lands to accommodate Integrated Tourism Complexes would not accord with the objective to provide such complexes, as detailed in the Draft Plan. It is considered that the main historic house/building, the outbuildings and other ancillary structures and the historic designed landscape should all be within the one ownership in order to deliver the aim of the Integrated Tourism Complex concept. The issue of interface between the Fingal Rural Settlement Strategy and Integrated Tourism Complexes is dealt with in Chapter 3 of the Draft Plan. Section 7.5.2.1 of the Draft Plan will be amended to include 'events facilities' and 'health/spa/wellness centre' as potential appropriate sustainable uses along with, inter alia, additional text confirming that the sensitive conservation and appropriate use of the historic buildings is essential in such developments.

### **Rural Economy**

It is suggested that the Draft Plan highlights areas containing proven deposits on an appropriate map, in order to protect them from the future development of incompatible land use. The submission from the OPR, which has been dealt with earlier in this report, also recommends inclusion of a map to identify the location of quarries and minerals across Fingal (Observation 3 refers).

A number of submissions consider that efforts should be made to save/regenerate the horticulture and agriculture industry in Rush. The importance of maintaining zoning for farm produce for local food supply and self-sufficiency is noted. A submission notes that provision of locally produced food and its sale in Ballyboughal on a weekly basis would eliminate the carbon footprint associated with food and as such would be beneficial.

A submission notes that the Draft Plan proposes to expand the equine industry in Fingal without any clear rationale or consideration for the ethical and environmental implications of such growth. It recommends that plans to grow the equine industry are removed from the Draft Plan, and that the Council engage with animal rescue services to learn more about how they can collaboratively promote animal welfare in Fingal, reducing demand on their services.

A submission notes Policy EEP29 – Regenerative Farming & Community Supported Agriculture which seeks to, "Support and encourage Organic and Regenerative Farming and Community Supported Agriculture in the Fingal Area." Concern is expressed however that this agricultural method is sparsely mentioned in the Draft Plan and that no follow-up support details are provided. Such details as to how organic and regenerative farming and community supported agriculture would be encouraged is required. A submission requests that areas with high quality soil surrounding towns should be identified for development of further sustainable agricultural practices to build resilience in the area of food security within Fingal and the rest of Ireland. In this, organic and regenerative agriculture should be supported and prioritised wherever possible. In context of zoning, requests that agriculture should be situated close to where people are living so that growth is self-sustaining.

A submission has recommended inclusion of policies relating to forestry and agriculture, taken from a number of other Councils.

#### **Chief Executive's Response:**

In the interests of the sustainable development of the county it is considered that where aggregate deposits exist that zoning is aligned appropriately (where feasible) to allow for extraction as a 'permitted in principle' use or acknowledges that a deposit exists within another zoning category at particular locations and that subject to environmental constraints and the sustainability considerations associated with the deposit that extraction is a use that may be considered at the designated locations. It is recommended that the Draft Plan highlights areas containing proven deposits on a map.

Rush has a significant tradition of market gardening in and around the town. In recent times, the trend is towards the relocation of these horticultural operations to the rural area, west of the town where lands are zoned for the development of market gardening/rural business and more general employment/business development. This supports the preservation of the towns distinct character and retention of its market gardening tradition. 'Objective CSO54 – Rush as a Vibrant

Town' is relevant in this regard and states the following: 'Facilitate the development of Rush as a vibrant town and retain its market gardening tradition.'

The Council is also supportive of both outdoor and indoor markets / local country markets at appropriate locations in towns and villages in Fingal as expressed through Policy and Objective EEP25 and EEO62 respectively.

Objective EEO79 states the following 'Support and encourage the development and expansion of the equine industry in the County, including supporting equine related activities of an appropriate size and at suitable locations.' Regulation of the equine industry is not however a matter for the Council and is outside the scope of the Draft Plan.

The Council supports the development and implementation of sustainable agricultural practices and measures in collaboration with local farmers, the IFI, Teagasc and the Department of Agriculture, Food and the Marine through the Sustainable Fingal Initiative and FCC's Climate Action Office in line with EU, national and regional policies. Many of the major towns and villages across Fingal are located proximate to rural lands where regenerative agriculture can be facilitated. Objective GINHO6 relating to agriculture and horticulture states the following: 'Safeguard important agricultural and horticultural lands in the County.' The Draft Plan is a strategic and high-level Plan and as such specific detail in relation to agricultural practices and methods would not be included.

It is not considered appropriate to include policies relating to forestry and agriculture applicable to other local authority areas in the Draft Plan. The policies and objectives relating to forestry and agriculture in the Draft Plan are appropriate, comprehensive and fit for purpose.

#### Retail

A number of submissions relate to retail hierarchy and Table 7.2 of the Draft Plan which sets out the Fingal Retail Hierarchy. Several submissions raise a number of issues in this regard including that the hierarchy should be re-examined along with types of services in the context of the growth of remote working. Submissions suggest that the Council should ensure the retail format is adequate for a Level 3 retail area, and that a retail strategy should be undertaken to ensure that future development aligns with community requirements. Several submissions question the area cap for retail uses in level 4 centres given the expected population growth in these areas.

A small number of submissions are unsupportive of retail units having to facilitate pay and display parking.

Concern is raised regarding proliferation of petrol station use in Castleknock.

A submission considers that the potential of Blanchardstown village is undeveloped in respect of retail and dining opportunities.

A submission expresses concerns in relation to the pedestrianisation of New Street, Malahide, which it is stated, has compromised performance of this street and has adversely impacted on the principal retail areas of Strand Street, Townyard Lane, Main Street and The Mall in the town. A submission questions the accuracy of the map relating to the Malahide Core Retail Area.

The submission from Tesco Ireland notes the importance of support from the Council to retailers and provision of additional retail convenience floor space to serve the current and future needs

of the population. It is requested that the Draft Plan acknowledges the requirements of modern retailers including appropriate floorplates, car and bicycle parking and servicing access. Policies should be supportive of 'Click and Collect' retail services and Grocery Home Shopping. In this regard the submission requests inclusion of a specific policy relating to the support of 'Click and Collect' and grocery home shopping.

Additions to Objectives are suggested relating to Level 2 Centres, along with provision of a new objective relating to promotion and support of Blanchardstown Town centre as a multifaceted destination.

### **Chief Executive's Response:**

The retail sector is a significant employer that also plays a key role in creating attractive liveable places. The Council's retail policy will continue to prioritise designated retail centres in the retail hierarchy and future retail development shall be based on a sequential approach, as indicated in the Retail Planning Guidelines. The RSES sets out a 5 tier Retail Hierarchy for the region and the centres concerning Fingal are detailed in Table 7.2 of the Draft Plan. Levels 1–3 are the centres indicated in the RSES and levels 4 and 5 centres are those determined by the Development Plan. The Fingal Retail Hierarchy as set out in the Draft Plan must be consistent with that set out in the RSES.

The submission from EMRA, which has been dealt with earlier in this report, considers that while the retail hierarchy in the Draft Plan is largely consistent with the retail hierarchy for the Region as set out in the RSES and the Retail Strategy for the Greater Dublin Area, an evidence-based approach to justify the designation of the additional towns of Rush, Lusk and Donabate within Level 3 of the hierarchy as District Centres is required. Similarly, the submission from the OPR which is dealt with previously in this report recommends that the intended approach to include Rush, Lusk and Donabate within Level 3 should be revisited to ensure consistency with the RSES. As recommended, the towns of Rush, Lusk and Donabate will be moved to Level 4 of the Fingal Retail Hierarchy in the Draft Plan to ensure alignment with the RSES. Regional Policy Objective 6.10 of the RSES indicates that EMRA will support and drive the preparation of a Retail Strategy / Strategies for the Region in accordance with the Retail Planning Guidelines for Planning Authorities 2012, or any subsequent update, to update the retail hierarchy and apply floorspace requirements for the Region. It is noted that a Retail Strategy has not been prepared as yet.

Concerns raised relating to Pay and Display parking are dealt with under the 'Connectivity and Movement' section in Chapter 14.

Petrol filling stations are 'permitted in principle' in town centre locations and applications for this development type are dealt with through the Development Management process which also facilitates third party submissions on proposed developments. The nature of development on privately owned lands is a matter in the first instance for the owners of those lands.

The Council supports new businesses and the expansion of existing businesses in towns and villages across Fingal, including in Blanchardstown, within the zoning context of the particular town or village. It is an objective of the Plan to prepare a Framework Plan for Blanchardstown, along with a number of other areas throughout the County. It is envisaged that the Framework Plans will include objectives and a programme of actions to maximise the development potential of these areas.

The Core Retail Area of each settlement area has been delineated to identify clearly that part of a town centre which is primarily devoted to shopping as distinct from the wider town and district centre. Identifying and delineating core retail areas allows a focused approach for retailing as well as the proper application of the sequential approach to retail development. It is considered that the map of the Core Retail Area in Malahide is accurate as the area highlighted accommodates the main areas of retail activity. The area adjoining the Core Retail Area is zoned 'TC' Town and District Centre, with the objective to 'Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities.' As such Retail use classes are listed as 'Permitted in Principle' under the 'TC' Zoning Objective. EMRA will support and drive the preparation of a new retail strategy for the Region under the requirements of the *Retail Planning Guidelines for Planning Authorities* 2012, or any subsequent update, to update this hierarchy and apply floorspace requirements for the Region. Fingal County Council will prepare a Variation to the Development Plan if and when it is required by any update to the retail guidelines.

The Council pedestrianised New Street to provide a safe outdoor space which facilitated social distancing and outdoor dining in line with Government policy and NPHET recommendations around living with Covid-19. The result was a safe environment for the community to enjoy and go about their daily business, an opportunity for local businesses to operate under Covid-19 conditions and a Pedestrian Friendly, Age Friendly, Family Friendly and Cyclist Friendly Zone. An award winning, multidisciplinary design team has now been appointed to design a pedestrianised public realm on New Street for the benefit of the community and business. In this regard a Public Realm Workshop to ascertain input from the community and other stakeholders was held in Malahide Library on 9<sup>th</sup> July 2022.

Retail plays a significant role in the growth and economy of Fingal and the retail sector is the single largest industry in Fingal County by count of enterprise. Overarching 'Policy EEP32 – Retail' states the following: 'Support and reinforce the retail strategy within the County having regard to the RSES, or any superseding regional retail strategy, and explore the opportunity to strengthen the retail function in Fingal's towns and villages.' The provision of 'Click and Collect' facilities in a store is an operational matter that may need to be considered as part of the Development Management process. The Draft Plan is a high-level strategic document. As such, the operational requirements of specific retail providers are not matters for the Draft Plan.

Objectives EEO88 and EEO89 relate to Level 2 Centres and state the following:

Objective EEO88 - Level 2 Centres

Develop and promote Swords and Blanchardstown as sustainable, vibrant and prosperous Major Town Centres operating at the highest retail Level within the Fingal Retail Hierarchy, and to further strengthen, improve and diversify the retailing performance of Swords and Blanchardstown within a regional context.

Objective EEO89 Facilitate improvements to the quantum and quality of retail offer and function in Swords and Blanchardstown, and ensure their sustainable development by consolidating, intensifying and enhancing their existing core retail areas, and by directing new retail opportunities into the core retail areas identified for each.

These Objectives are sufficiently detailed and comprehensive, and it is considered that the proposed amended wording is not required. Similarly, inclusion of a new objective relating to

promotion and support of Blanchardstown Town centre as a multifaceted destination is not required on the basis that this is encapsulated under the text relating to the core retail areas of Major Town Centres and the associated aforementioned in Section 7.5.5 of the Draft Plan.

#### **Chief Executive's Recommendations:**

#### **CE CH 7.1:**

Make the following amendments:

Section 7.4, in Table 7.1:

'Replace the wording 'Blanchardstown IT' with 'TU Dublin (Blanchardstown)' i.e. <u>Blanchardstown</u>

TU Dublin (Blanchardstown)

#### **CE CH 7.2:**

Section 7.5.1.1 Green Economy:

Insert the following text as a new second paragraph:

Access to a well-developed broadband network will enable the further development of the green economy by supporting remote working and the creation of employment. The IDA strategy 'Driving Recovery and Sustainable Growth' notes that new ways of working will introduce new locations as competitors for FDI internationally and will present opportunities to advance local and regional development through the creation of jobs in areas that might previously have been overlooked in favour of more 7 urban centres. Access to broadband will support remote working (and remote learning), helping to create jobs across all regions.

#### **CE CH 7.3:**

Objective EEO29:

Amend Objective as follows:

Support the growth of business in the green and circular economy and the initiatives within the IDA strategy "Driving Recovery and Sustainable Growth', or any superseding document, including through the accelerated roll-out of the National Broadband Plan.

### **CE CH 7.4:**

Insert New Objective below Objective EEO29:

Support the Dublin Regional Enterprise Plan 2024 in this Plan.

#### **CE CH 7.5:**

Make the following amendments:

Page 246:

The Council continues to work with Fáilte Ireland on the Dublin Coastal Trail and the **Dublin** Coastal Destination **Experience** Development Plan (D**EPD**P) which will provide added opportunities for local small and medium sized businesses'.

### Page 264:

The Council continue to collaborate and work with Fáilte Ireland on the Destination Towns for Skerries, *the* Coastal Destination *Experience* Development Plan, the Dublin Coastal Trail and the Dublin Brand.'

#### **CE CH 7.6:**

Add the following additional Strategic Objective:

Page 13:

13. Continue to support the development of the tourism industry in the County and work to sustain Fingal as a high quality and competitive tourism destination.

#### **CE CH 7.7:**

Amend 7.5.2.1 Integrated Tourism Complexes, as follows:

The Council will continue to encourage the development of integrated tourism/leisure/recreational complexes in demesne type landscapes in the County, where such uses are consistent with the retention of such landscapes and only where the sensitive conservation and appropriate use of the historic buildings are the priority and where the interventions to the historic designed landscape are sympathetic and informed by a thorough understanding of the significance of the landscape features. The land holding of the main historic house/building, the outbuildings and other ancillary structures and the historic designed landscape should all be within the one ownership in order to deliver the aim of the Integrated Tourism Complex concept. Development proposals will need to be accompanied and directed by a Conservation Plan and a Designed Landscape Appraisal. The conservation of these assets into the future is essential and the Council recognises the need for the appropriate sustainable reuse of these buildings. An integrated tourism/leisure/recreational complex should may include a number of the following where they are of an appropriate scale and design for the setting:

- Hotel and associated facilities, conference centre, <u>events facilities</u>, golf course, equestrian centre, trekking centre, fitness centre, <u>health/spa/wellness centre</u>, indoor/outdoor water facility, fishing facility, museums, nature trails, walking routes and associated facilities.
- It may also include tourist related residential and leisure retail which is ancillary to the
  main tourist attraction. The tourist related residential development shall be contained
  within the existing buildings and retained in single company ownership and shall not be
  sold off individually.

A comprehensive planning application will be required for the entire complex which will include proposals, where appropriate, for:

- The preservation/conservation of natural amenities on the site,
- The preservation/conservation of the heritage structures on the site,
- The retention of the open nature of the lands,
- Significant and intensive Careful and sympathetic additional landscaping of the site

The complexes that will be considered for such proposals include;

- Abbeyville
- Dunsoghly Castle
- Roganstown
- Tyrrelstown House
- Hampton Demesne
- Beech Park House

#### **CE CH 7.8:**

Page 279

Remove Lusk, Rush and Donabate from Level 3 of Table 7.2: Fingal Retail Hierarchy

Add Lusk, Rush and Donabate into Level 4 of Table 7.2: Fingal Retail Hierarchy

### **CE CH 7.9:**

Amend Objectives EEO90 AND EEO91 as follows:

Objective EEO90 - Level 3 Centres

Ensure the development of Balbriggan, Malahide, Skerries, <u>and</u> Charlestown, <u>Rush</u>, <u>Lusk and</u> <u>Donabate</u> as sustainable, vibrant and prosperous Town Centres performing at a high retail level within the Fingal Retail Hierarchy to meet the retailing needs of and offer sufficient retail choice to their local populations and catchment populations.

**Objective EEO91** 

Facilitate appropriately scaled improvements to the quantum and quality of retail offer and function in Balbriggan, Malahide, Skerries, and Charlestown, Rush, Lusk and Donabate and ensure their sustainable development by consolidating, intensifying and enhancing their existing core retail areas, and by directing new retail opportunities into the core retail areas identified for each

#### **CE CH 7.10:**

Amend text as indicated below:

Neighbourhood Centres, Local Centres-Small Towns And Villages

Level 4 of the Fingal Retail Hierarchy includes a number of important small towns, urban village centres, and local centres. These are dispersed throughout the County including urban centres such as Blanchardstown Village, Mulhuddart, Clonsilla, Castleknock, and Ongar in the west of the County, Balrothery to the north, and Howth, Portmarnock, Baldoyle, and Sutton, *Rush, Lusk and Donabate* to the east. A complete list of Level 4 centres is included in the Fingal Retail Hierarchy in Table 1 above.

### **CHAPTER 8: Dublin Airport**

### **Submissions received:**

FIN-C453-2, FIN-C453-24, FIN-C453-29, FIN-C453-168, FIN-C453-169, FIN-C453-170, FIN-C453-171, FIN-C453-172, FIN-C453-173, FIN-C453-202, FIN-C453-204, FIN-C453-205, FIN-C453-206, FIN-C453-207, FIN-C453-208, FIN-C453-212, FIN-C453-214, FIN-C453-216, FIN-C453-217, FIN-C453-218, FIN-C453-219, FIN-C453-220, FIN-C453-222, FIN-C453-223, FIN-C453-224, FIN-C453-225, FIN-C453-226, FIN-C453-227, FIN-C453-228, FIN-C453-229, FIN-C453-230, FIN-C453-231, FIN-C453-232, FIN-C453-231, FIN-C455-231, FIN-C455-231, FIN-C455-231, FIN-C455-23 C453-233, FIN-C453-234, FIN-C453-235, FIN-C453-236, FIN-C453-237, FIN-C453-238, FIN-C453-239, FIN-C453-240, FIN-C453-241, FIN-C453-242, FIN-C453-243, FIN-C453-244, FIN-C453-245, FIN-C455, FIN-C C453-246, FIN-C453-247, FIN-C453-248, FIN-C453-249, FIN-C453-457, FIN-C453-478, FIN-C453-522, FIN-C453-550, FIN-C453-558, FIN-C453-645, FIN-C453-739, FIN-C453-755, FIN-C453-773, FIN-C453-804, FIN-C453-806, FIN-C453-836, FIN-C453-865, FIN-C453-881, FIN-C453-926, FIN-C453-948, FIN-C453-957, FIN-C453-989, FIN-C453-1001, FIN-C453-1064, FIN-C453-1081, FIN-C453-1094, FIN-C453-1152, FIN-C453-1156, FIN-C453-1184, FIN-C453-1187, FIN-C453-1193, FIN-C453-1197, FIN-C453-1221, FIN-C453-1262, FIN-C453-1265, FIN-C453-1271, FIN-C453-1326, FIN-C453-1327, FIN-C453-1328, FIN-C453-1329, FIN-C453-1330, FIN-C453-1331, FIN-C453-1539, FIN-C453-1541, FIN-C453-1543, FIN-C453-1545, FIN-C453-1547, FIN-C453-1548, FIN-C453-1549, FIN-C453-1550, FIN-C453-1551, FIN-C453-1553, FIN-C453-1555, FIN-C453-1556, FIN-C453-1557, FIN-C453-1558, FIN-C453-1559, FIN-C453-1565, FIN-C453-1598, FIN-C453-1602, FIN-C453-1616, FIN-C453-1617, FIN-C453-1618, FIN-C453-1619, FIN-C453-1620, FIN-C453-1621, FIN-C453-1622, FIN-C453-1675, FIN-C453-1677, FIN-C453-1711, FIN-C453-1713, FIN-C453-1714, FIN-C453-1715, FIN-C453-1716, FIN-C453-1717, FIN-C453-1718, FIN-C453-1719, FIN-C453-1720, FIN-C453-1721, FIN-C453-1722, FIN-C453-1723, FIN-C453-1724, FIN-C453-1725, FIN-C453-1726, FIN-C453-1727, FIN-C453-1728, FIN-C453-1729, FIN-C453-1730, FIN-C453-1731, FIN-C453-1732, FIN-C453-1733, FIN-C453-1734, FIN-C453-1735, FIN-C453-1736, FIN-C453-1737, FIN-C453-1738, FIN-C453-1739, FIN-C453-1740, FIN-C453-1741, FIN-C453-1742, FIN-C453-1743, FIN-C453-1744, FIN-C453-1745, FIN-C453-1746, FIN-C453-1747, FIN-C453-1748, FIN-C453-1749, FIN-C453-1750, FIN-C453-1751, FIN-C453-1752, FIN-C453-1753, FIN-C453-1754, FIN-C453-1755, FIN-C453-1756, FIN-C453-1757, FIN-C453-1758, FIN-C453-1759, FIN-C453-1760, FIN-C453-1761, FIN-C453-1762, FIN-C453-1763, FIN-C453-1764, FIN-C453-1765, FIN-C453-1766, FIN-C453-1767, FIN-C453-1768, FIN-C453-1769, FIN-C453-1770, FIN-C453-1799, FIN-C453-1822, FIN-C453-1909

### **Summary of Issues Raised:**

### **Public Safety Zones and Noise Zones**

A submission expresses support for Objective DAO11(relating to development in Noise Zones) and notes that large numbers of local residents experience a decrease in their quality of life through sleep disturbances on account of aviation noise. A number of submissions suggest that noise monitoring stations for existing/proposed developments are established and funded by the daa. It is also suggested that night-time flights are restricted.

A number of submissions request that a review of Public Safety Zones should be supported in the Draft Plan in line with international best practice. While it is noted that FCC are not the body responsible for the setting or review of Public Safety Zones for Dublin Airport, it is requested that the wording of Objective DAO19 of the Draft Plan is strengthened to show clear support for the review of the extent of the Public Safety Zones during the lifetime of the Plan.

Other submissions request that the Council considers a site-specific means of assessing the commercial development of lands located within the Noise Zones and Public Safety Zones along with a review of the applicability of the 2005 ERM Report in respect of density caps within the zones. It is submitted that the review could potentially result in lands (currently located within the zones) becoming available for higher levels of density and employment leading to consolidation of development.

A submission considers there is a need to avoid any unnecessary increase in noise sensitive usages at lands around Dublin Airport that could potentially constrain growth of the airport and its optimum usage.

A submission requests that Ongar is included in the listing of residential areas to be monitored for aircraft noise.

The grant of planning permission for the new north runway, particularly in relation to noise and night time flights is detailed in many submissions. The negative impact excessive noise can have on human health and wellbeing is high-lighted and it is contended that noise insulation measures in the area have been ineffective.

### **Chief Executive's Response:**

The content of the submissions is noted, and it is acknowledged that 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. In this regard, The Aircraft Noise Competent Authority (ANCA) is responsible for ensuring that noise generated by aircraft activity at Dublin Airport is assessed in accordance with EU and Irish legislation and to ensure that the Balanced Approach of the International Civil Aviation Organization is applied where a noise problem at the airport is identified. ANCA's role includes a monitoring aspect, associated with compliance and implementation of noise mitigation measures and operating restrictions. ANCA reviews planning applications for development at the airport to determine if there is an aspect of the application that would cause an aircraft generated noise problem.

In terms of the submission requesting the monitoring of aircraft noise to occur at a specific location (Ongar) this is a matter for ANCA as its role includes a monitoring aspect.

Objective DAO19 of the Draft Plan states the following: 'Support the review of Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.' While the Council has no responsibility for the setting or review of Public Safety Zones it is considered that Objective DAO19 is sufficiently robust and comprehensive in expressing the Council's support of the review of Public Safety Zones and the associated implementation of policies in this regard.

### Submissions received from St. Margaret's / The Ward

Several detailed submissions were received relating to the St. Margaret's area / the Ward Community. Issues raised are detailed below as follows:

 Request that an International Expert Group to be established immediately to consult and work with the communities, Fingal County Council and daa to review the current and future impact of Dublin Airport Expansion and associated Airport Infrastructure into the community (particularly within Noise Zones A and B) to include a study on health effects

- and to provide a report with recommendations of proposed mitigation measures for the proposed changes in character of the St Margaret's/The Ward Community
- Request State lands at Thornton Hall be designated for relocation of St Margaret's/The Ward
   community and those to be relocated in accordance with the recommendations of the
- daa should provide the residents of St. Margaret's and the Ward located inside Noise Zones A and B with the following options should they require additional night-time flights: (i) a voluntary relocation scheme to lands on the Thornton Hall Site, (ii) a voluntary purchase scheme, or (iii) a house insulation scheme.
- The value of the Noise Action Plan is questioned

International Expert Group Study.

• The development of a new Airport Western Access Road, which it is contended will split St. Margaret's/the Ward into pieces and will create more noise issues.

#### **Chief Executive's Response:**

The content of the submissions is noted, and the Council acknowledges that there are extensive residential areas located in the wider areas surrounding the Airport and it is important that the impact on these communities is appropriately considered. As such, the aim is to create a balance between the further development and operations of the Airport and the needs of neighbouring communities.

Formal engagement between Fingal County Council, Dublin Airport Authority (daa) and neighbouring airport communities occurs through a number of ongoing platforms such as the Dublin Airport Environmental Working Group [DAEWG] and Community Liaison Group [CLG]. The Council recognises the need for ongoing and continued engagement with neighbouring airport communities. This engagement is essential to ensure that the environmental impacts associated with the development proposals are carefully managed and mitigated through land use planning and environmental monitoring and review processes. In this regard, the Council is fully committed to the continual engagement with local communities that are likely to be affected by airport growth with a view to ensuring their concerns are understood and appropriate mitigation proposals implemented where required.

Lands at Thornton Hall are not zoned for residential development and are not in the ownership of the Council. The consideration of this land for residential use is outside of the scope of the Draft Plan. Notwithstanding there is a sufficient quantum of readily available and serviced zoned lands available within Fingal's Rural Villages and Rural Clusters across the County offering an attractive housing alternative and a wide choice of residential accommodation including larger serviced sites.

The Noise Action Plan for Dublin Airport 2019-2023 (NAP), December 2018, was drawn up under the Environmental Noise Regulations. The NAP was adopted in December 2018 following a period of public consultation. The consideration of the content of the NAP is outside of the scope of the Draft Plan.

The noise insulation scheme has been established in compliance with Condition 7 of the An Bord Pleanála decision to approve the development of the north runway. It includes a requirement to review the dwellings eligible for insulation under the scheme every two years. It is not within the remit of the Draft Plan to amend the house insulation scheme. The voluntary house purchase

scheme has been established in compliance with Condition 9 of the An Bord Pleanála decision to approve the development of the north runway. It is not within the remit of Draft Plan to amend the scheme.

Policies DAP8, DAP9 and Objective DAO23 in the Draft Plan relate to Community Engagement and state the following:

Policy DAP8: Support the ongoing and continued engagement with neighbouring airport communities to ensure that the environmental impacts associated with the development proposals are carefully managed and mitigated through land use planning and environmental monitoring and review processes.

Policy DAP9: Support the local community impacted by the expansion of Dublin Airport in efforts to prevent the fragmentation of their community

Objective DAO23: Continue to participate in the Dublin Airport Stakeholders Forum, St. Margaret's Community Liaison Group and other public stakeholder forums involving representatives from Local Authorities, airport operators, community and other stakeholders, providing a forum for discussion of environmental, community and other issues.

### **Growth, Expansion and Infrastructure**

A number of submissions are strongly supportive of the development and growth of Dublin Airport on the basis that it is a critical asset which contributes significantly to the local and national economy. It is requested that further development (e.g. additional runway, terminal facilities, enhanced access to the facility, additional parking) at the Airport is prioritised and supported by the Council. Appropriate policy frameworks at both local and national level are required to be in place to facilitate such growth.

A number of submissions support progressing Phase 2 of Dublin Airport Central (DAC) on the basis of delivery of alternative transport modes in advance of MetroLink to ensure that the project is not put on hold. One submission considers that the requirement that Phase 2 of the DAC's office space is linked to the delivery of MetroLink should be removed, otherwise the delivery of employment generating streams will be delayed for at least 12 years. This submission considers it important that the airport develops non-aeronautical revenue streams which will fund its core business.

A number of submissions have been received seeking the rezoning of lands in the vicinity of the Airport with some making reference to the Dublin Airport Economic Impact Study/Dublin Airport LAP/Dublin Airport Public Safety Zones. The submissions generally consider that rezoning of lands indicated would be of benefit to the growth of the Airport and act as an economic driver.

One submission considers that the current "drop-off" plan proposed at the Airport will not meet the mobility and connectivity needs of people who live around the Airport. Provision should be made for a safe right of way for cyclists and pedestrians through an already complex and crowded transport corridor.

### **Chief Executive's Response:**

The airport is of vital importance to the Irish economy and acts as the principal international gateway for trade, inward investment and tourism. In addition, the airport facilitates Ireland's

integration with Europe and aids in attracting foreign direct investment. Government Strategy set out in the National Planning Framework and the National Aviation Policy recognises the importance of growth at the Airport to future national prosperity. The airport is also the most important economic entity in Fingal and the wider Dublin City region. With passenger numbers forecasted to reach 40 million persons per annum by 2030 the sustainable growth of the airport is of paramount importance. This requires balancing key issues including climate change, infrastructure provision and community engagement while ensuring that the core operational transport function of the Airport is protected. The Dublin Airport Local Area Plan came into effect in 2020 and provides a framework for the further growth and sustainable development of the airport.

In terms of rezoning requests for lands in the vicinity of the airport these are dealt with in Sheet 11 of the Draft Plan.

The proposed additional wording relating to connectivity and access for pedestrians and cyclists to the airport is noted; it is considered that Objective DA06 is adequate, holistic and comprehensive in this regard when it states: 'Control the supply of car parking at the Airport so as to maximise as far as practical the use of public transport and sustainable transport modes (walking/cycling) by workers and passengers and to secure the efficient use of land and safeguard the strategic function of the adjacent road network.'

In order to protect the core aviation function of Dublin Airport, no further non-air transport related office development should be permitted at the HT zoned lands within the Airport until such time as required roads infrastructure is in place and public and sustainable transport measures such as the Swords CBC and MetroLink are operational. This issue is detailed in the Dublin Airport LAP. The South Fingal Transport Study 2019 included analysis of traffic in respect of the Dublin Airport Central Masterplan lands which informed the objectives contained in the Dublin Airport LAP relating to this matter. In principle it is considered that policy and zoning objectives should support the key national asset that is Dublin Airport, its continued use and sustainable growth. Policy support for further economic expansion and commercial growth which is unrelated to the international connectivity is not a priority.

#### **Environmental issues**

Several submissions relate to environmental concerns and the aviation sector.

A number of submissions consider that the Development Plan should reflect the urgency and requirement for radical transitions to low carbon societies requiring reduced dependency on the aviation sector and also that an objective for the aviation sector to become carbon neutral is included. On the same issue, other submissions note the need for the aviation industry to use new fuels to be generated by sustainable methods. Submissions also note that further delays to the delivery of MetroLink will impact on the airport's ability to meet carbon targets.

Another submission notes that the population forecasts from the daa are not acknowledged in the draft Plan.

#### **Chief Executive's Response:**

Section 8.5.6 of the Draft Plan acknowledges that one of the challenges that the growth of the airport presents is the need to reduce carbon emissions. The Draft Plan supports the transition

towards a low carbon economy by seeking to reduce carbon dioxide emissions at the airport through increasing use of more sustainable transport modes and smarter travel approach for surface access to and from the airport. The Council is committed to the goals of the Paris Agreement and will take them into account in all decisions relating to the airport.

Chapter 5 of the draft Development Plan, 'Climate Action,' consists of several policies and objectives that accord with the overall objectives of the National Climate Action Plan, the Fingal County Council Climate Change Action Plan as well as the climate action principles set out in the NPF and RSES.

The Council is committed to supporting the implementation of national objectives on climate change. However, the issue of aviation emissions is outside of the Council's control and outside of the scope of the Draft Plan.

As indicated in the Dublin Airport Local Area Plan 2020, Dublin Airport Authority (daa) has developed a Sustainability Strategy to communicate, implement and foster the principles of sustainability with a commitment to deliver sustainable growth that takes account of environmental factors which strives to minimise negative impacts on the environment, consume as few resources as possible and communicate what is being done to staff, community and passengers. To achieve the commitments of their Sustainability Strategy, daa has implemented working groups in key environmental priority areas including carbon, energy, waste, water, environmental management and green procurement. The Council supports the ongoing implementation of this sustainability strategy through active participation in the Dublin Airport Environmental Working Group. The Council will continue to support alternative fuel infrastructure at the airport, and it is considered that the following policies are relevant in this regard;

Policy DAP2 seeks to Ensure that the required infrastructure and facilities are provided at Dublin Airport, in accordance with Dublin Airport LAP 2020, or any subsequent LAP or extension of same, so that the airport can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local communities, the environment and climate change.

Policy DAP4 seeks to Ensure that all developments comply with the Climate Actions Objectives and the Circular Economy and waste Management Objectives in the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same.

The Draft Plan has acknowledged the forecasted passenger numbers of 40 million persons per annum by 2030. This will require balancing a number of key issues including climate change.

#### **Dubber Rural Cluster**

Multiple submissions have been received against the proposed expansion of the Dubber Rural Cluster to facilitate Traveller Accommodation for a variety of reasons including that the lands are located within the Outer Noise Zone. The matter of rezoning of lands is dealt with in draft Sheet 11.

## Submission received from daa

This submission is comprehensive and multi-faceted, containing numerous instances referring to amendment to / removal of text within the Draft Plan and the insertion of new replacement text.

The submission is broken down into a number of key sections, which raise stand-alone issues, as follows:

### Strategic Context and Aims

daa suggest a number of amendments to Section 8.1 of Chapter 8, namely making reference to National Strategic Outcome 6 (NSO 6) of the National Planning Framework (NPF) and inclusion of additional text which generally indicates that the planning authority will prioritise support for airport and aviation infrastructural development requirements at the airport.

Amendments are also proposed to Sections 8.2 and 8.3. These changes relate to the assertion from daa that it is necessary to rezone identified plots of land to 'DA' for various reasons. This rezoning request is dealt with under draft Sheet 11, rather than by way of amendments to Sections 8.2 and 8.3.

#### **Chief Executive's Response:**

The addition of NSO 6 of the NPF to Section 8.1 is not considered necessary as this National Strategic Outcome is appropriately covered and included under Section 8.4 'Strategic Aims.' The additional wording to this section, as described above, serves to shift the Balanced Approach between the further development and operations of the airport and the needs of neighbouring communities, and as such, is not appropriate.

## Airport Growth and Connectivity

daa requests inclusion of an additional Objective following Objective DAO3, with the heading/title 'Supporting Airport Growth and High Quality International Connectivity.'

### **Chief Executive's Response:**

The additional Objective infers that the Council will collaborate with daa and other stakeholders to facilitate the growth of Dublin Airport to 40m passengers per annum by 2030, that infrastructure will safeguard for growth of the airport beyond 40m passengers per annum, and that the Council acknowledges, inter alia, that this may require ancillary facilities in the immediate term to allow for operation of the airport and may require the planning of longer term requirements. The wording of this proposed Objective is overly prescriptive. Existing policies and Objectives in the Draft Plan cover the issues raised in the proposed Objective including Objectives DAO1, DAO2, DAO3, DAO4, DAO5 and Policy DAP2, which are set out below. Furthermore, the Dublin Airport LAP includes a range of specific policies and objectives supportive of airport growth and connectivity.

Objective DAO1 – Safeguarding Dublin Airport: Facilitate the operation and future development of Dublin Airport, in line with Government policy and the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same, recognising its role in the provision of air transport, both passenger and freight.

Objective DAO2: Safeguard the current and future operational, safety, technical and developmental requirements of Dublin Airport and provide for its ongoing development in accordance with the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same, having regard to both the environmental impact on local communities and the economic impact on businesses within the area.

Objective DAO3 – Secondary Hub: Engage and collaborate with key stakeholders, relevant agencies and sectoral representatives to ensure that Dublin Airport is developed and promoted as a secondary hub to capitalise on the associated wider economic benefits for Fingal and the wider region.

Objective DAO4: Ensure that the required infrastructure and facilities are provided at Dublin Airport so that the aviation sector can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local residential areas, and any negative impact such proposed developments may have on the sustainability of similar existing developments in the surrounding area, and the impact on the environment, including the climate.

Objective DAO5: Facilitate the on-going augmentation and improvement of terminal facilities at Dublin Airport

Policy DAP2 – Infrastructure Provision: Ensure that the required infrastructure and facilities are provided at Dublin Airport, in accordance with Dublin Airport LAP 2020, or any subsequent LAP or extension of same, so that the airport can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local communities, the environment and climate change.

## **Necessary Infrastructural Requirements**

daa proposes changes to Section 8.5.4 of the Draft Plan which lists key infrastructure requirements for the airport. In this regard it is requested, inter alia, that 'Additional passenger, staff parking and car hire facilities' are added to the key infrastructure list. Furthermore, it is proposed to amend the wording concerning how expansion of terminal capacity and floor space is to be achieved with inclusion of additional specified wording, i.e. 'new build,' 'redevelopment,' and 'internal expansion.' Inclusion of an additional sentence to the effect that the list is not exhaustive and that 'it is recognised that identification of the need for additional facilities may arise over the life of the Plan' is also requested.

daa also requests changes to Objectives DAO5, DAO6 and DAO7; such changes relate respectively to provision of specific infrastructure, development of car parking facilities, and provision of an integrated public transport network to serve the airport.

Objective DAO5 supports the on-going reconfiguration, augmentation and improvement of terminal facilities at Dublin Airport. It is proposed that this Objective includes reference to 'the provision of new pier and terminal space.'

Objective DAO6 relates to the control of the supply of car parking in order to maximise the use of public transport and sustainable transport modes by workers and passengers. It is proposed that this wording is removed and replaced with text relating to the development of short-term, long-term passenger and staff car parking facilities.

Objective DAO7 relates to the provision of an integrated public transport network to serve Dublin Airport. Additional text is proposed to the effect that the Council would engage with public transport providers to plan an integrated public transport network, to ensure adequate bus services are provided in advance of the delivery of Metrolink.

An additional Objective is also sought, as follows: 'Fingal County Council to plan and provide a safe, connected and coherent cycling network connection to Dublin Airport.'

### **Chief Executive's Response:**

Additions sought to the key infrastructure requirements as set out in Section 8.5.4 of the Draft Plan including, inter alia, additional passenger, staff parking and car hire facilities along with requested revisions to text concerning how expansion of terminal capacity and floor space is to be achieved with inclusion of additional specified wording, i.e. 'new build,' 'redevelopment,' and 'internal expansion' are considered to be overly prescriptive. Similarly, the proposed additional text to Objective DAO5 referencing provision of new pier and terminal space is overly prescriptive and not necessary. Inclusion of an additional sentence to infer that the infrastructure list is not exhaustive is not considered necessary.

Objective DAO6 focuses on sustainable transport modes and recognises the significant potential for walking and cycling, particularly for airport employees. The Dublin Airport LAP provides an updated strategy for the continued growth of Dublin Airport in line with relevant aviation, planning and environmental policy within the context of a sustainable growth framework. New car parking provision should only be made where absolutely essential, thereby incentivising sustainable travel choices. In this regard it is considered inappropriate under Objective DAO6 to seek provision for the development of car parking facilities. Car parking must be viewed as one component of the wider surface access strategy at Dublin Airport.

Objective DAO7 as set out above is strategic in nature and appropriate. RPO 8.18 of the Dublin Airport LAP states the following: 'Improved access to Dublin Airport is supported, including Metrolink and improved bus services as part of BusConnects, connections from the road network from the west and north. Improve cycle access to Dublin Airport and surrounding employment locations. Support appropriate levels of car parking and car hire parking.'

In relation to the requested new Objective concerning provision of a cycle network connection to the airport RPO 8.18 of the Airport LAP as detailed above is supportive of improved cycle access to the airport and in this regard Objective DAO6 focuses on sustainable transport modes by airport workers and passengers in order to secure the efficient use of land and safeguard the strategic function of the adjacent road network. As such the proposed new Objective is not considered necessary.

### Land Use Zoning and Specific Objectives

As referred to under (i) above, the daa submission outlines the preference for specific plots of land proximate to the airport to be rezoned and where long term car parks are not rezoned, to include specific car park objectives for these lands. This rezoning issue and the specific car park objectives are dealt with under draft Sheet 11. Similarly, the request to realign the road proposal objective to the south of the R108 is dealt with under draft Sheet 11.

### Safeguarding Dublin Airport

daa requests that Objective DAO2 relating to safeguarding Dublin Airport is expanded to detail specific matters, namely the protection of Obstacle Limitation Surfaces, the review of developments in Public Safety Zones, the prevention of undue glint and glare impact, wildlife management, the resistance of noise sensitive developments, technical safeguarding and

protection of surface access to the airport. It is also requested that a new Objective (following Objective DAO2) is added relating to safeguarding surface access.

### **Chief Executive's Response:**

Both Objectives DAO1 and DAO2 as articulated in the Draft Plan relate to the safeguarding of Dublin Airport and are set out as follows:

Objective DAO1 – Safeguarding Dublin Airport: Facilitate the operation and future development of Dublin Airport, in line with Government policy and the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same, recognising its role in the provision of air transport, both passenger and freight.

Objective DAO2: Safeguard the current and future operational, safety, technical and developmental requirements of Dublin Airport and provide for its ongoing development in accordance with the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same, having regard to both the environmental impact on local communities and the economic impact on businesses within the area.

Both Objectives are appropriately strategic in nature and refer to the Dublin Airport LAP which provides additional detail on the issue of safeguarding Dublin Airport. It is not considered necessary to include additional wording relating to specifics in Objective DAO2 as the pertinent issues are appropriately generally dealt with in the Dublin Airport LAP (as eluded to in Objectives DAO1 and DAO2).

Similarly, safeguarding surface access to Dublin Airport is comprehensively dealt with in the Dublin Airport LAP and as such inclusion of an additional Objective in the Draft Plan is not warranted.

#### **Environmental Protection and Sustainability**

daa requests revision to policy contained in Section 8.5.7, namely inclusion of reference to ANCA's responsibility for the introduction of a Noise Abatement Objective for Dublin Airport and substitution of wording 'be actively resisted' with the text 'not be permitted' in relation to noise sensitive uses.

Text amendments to a number of Policies and Objectives are requested including DAP6 (reference requested to the Dublin Airport Noise Abatement Objective and Objective DAO11 (omission of final sentence relating to time based operational restrictions). Significant amendments are proposed for Objective DAO13 to include reference to Aircraft Noise Regulations and the Noise Action Plan and removal of text which mentions engine testing, taxiing, taking-off, landing and established residential communities.

It is also requested that the reference to the noise quota system in Objective DAO16 is removed and replaced with alternative wording. It is proposed to add reference to the daa and the OLS in Objective DAO21.

Inclusion of a policy relating to sustainable drainage, specifically a Drainage Management Plan is sought. The daa submission notes that surface water drainage is a significant contributory factor to environmental protection and sustainability at Dublin Airport given the aviation activity, presence of fuel and other potential pollutants in addition to the extent of development ongoing.

Revision of policy in Section 9.6.8 which is entitled 'Ecological Corridors and Stepping Stones Including Trees and Hedgerows' is also sought. Additional text acknowledging that riparian ecological corridors can be incompatible with particular land uses such as aviation is requested.

## **Chief Executive's Response:**

Section 8.5.7 of the Draft Plan relates to Ensuring Environmental Protection and Sustainability. It is considered that no amendments are required to this Section of the Draft Plan; the existing wording is appropriate and comprehensive.

Similarly, the existing text in the Draft Plan relating to the following policy and Objectives is appropriate and comprehensive and therefore it is considered that there is no need to amend same:

Policy DAP6: Protect the health of residents affected by aviation noise, particularly night-time noise.

Objective DAO11: Strictly control inappropriate development and require noise insulation where appropriate in accordance with table 8.1 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.

Objective DAO16: To encourage and promote the introduction of a noise quota system at Dublin Airport to encourage Airlines to use quieter aircraft so as to prevent and reduce, where necessary, on a prioritised basis the effects due to long term exposure to aircraft noise.

Objective DAO21: 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.

Objective DAO13 states the following: Ensure that aircraft-related development and operation procedures proposed and existing at the Airport consider all measures necessary to mitigate against the potential negative impact of noise from aircraft operations (such as engine testing, taxiing, taking off and landing), on existing established residential communities, while not placing unreasonable, but allowing reasonable restrictions on airport development to prevent detrimental effects on local communities, taking into account EU Regulation 598/2014 (or any future superseding EU regulation applicable) having regard to the "Balanced Approach" and the involvement of communities in ensuring a collaborative approach to mitigating against noise pollution.

The requested additions comprising reference to the Airport Noise Regulations, the Noise Abatement Objective (NAO) for Dublin Airport and the Noise Action Plan are acceptable.

However reference to engine testing, taxiing, taking off and landing should also remain in this Objective.

A new policy in the Development Plan relating to sustainable drainage at the airport is not required on the basis that this issue is comprehensively dealt with in the Dublin Airport LAP. The Dublin Airport LAP includes the following Objectives relating to surface water drainage:

Objective SW01 Require all applications for development at Dublin Airport to demonstrate compliance with the Dublin Airport Local Area Plan Strategic Flood Risk Assessment and Surface Water Management Plan.

Objective SW02 Introduce SUDS to new greenfield and brownfield development sites by adoption of the SUDS Management train approach.

Objective SW03 That Dublin Airport examine the feasibility of incorporating SUDS features into existing areas for the flooding and water quality benefits of same. OBJECTIVE SW04 Recharge the ground and reduce storm volumes by the use of suitable SUDS measures.

Objective SW05 Alleviate local flooding issues within the LAP area by providing positive drainage to affected areas. Proposals should take into account objective FRM04 and that a Flood Risk Assessment is also conducted to ensure no increase in risk to third parties.

Objective SW06 Reduce risk of bird strike when developing new sites and implementing SUDS measures.

Objective SW07 Establish riparian corridors free from new development along all significant watercourses and streams. Ensure a riparian buffer strip either side of all watercourses within the LAP lands.

OBJECTIVE SW08 Develop a robust surface water management system in compliance with the recommendations of the Dublin Airport Local Area Plan Strategic Flood Risk Assessment and Surface Water Management Plan associated with this LAP, to meet future development needs and providing resilience to the effects of climate change. The implementation of these plans and policy documents shall have regard to the outcomes of drainage studies undertaken for Dublin Airport, and any site specific, or industry specific information and requirements that may occur including consideration of upstream or downstream impacts.

Objective SW09 Develop a policy on sustainable drainage systems in proximity to the Airport, to ensure aircraft safety.

Furthermore, it is noted that there are a number of policies and objectives promoting sustainable drainage throughout the Draft Plan including within Chapters 4, 5, 6, 9, 11 and 14 and it is not considered necessary to introduce a new policy in Chapter 8.

The daa submission indicating the potential conflict between aviation and birds and the provision and maintenance of riparian corridors (as suggested in Section 9.6.8 of Chapter 9) is noted. Section 9.6.8 states the following: 'To be ecologically effective corridors need to be a minimum of 30m in width measured from the top of each riverbank....A buffer of a minimum width of 10m measured from each bank shall apply along small streams and drains. A minimum 10m wide riparian buffer strip measured from the top of the bank either side of all watercourses applies to lands within urban areas...Where lands encompass urban and rural areas, a

transitional approach from the urban riparian requirements to the rural riparian requirements may be appropriate and will be assessed on a case-by-case basis.'

It is not considered necessary to include an additional sentence at this location to acknowledge that riparian ecological corridors can be incompatible with particular land uses in specific parts of the county such as aviation and that corridors will not be required or a flexible approach with be applied – as requested in the daa submission. It is submitted that the wording currently included in the Draft Plan allows for sufficient flexibility in terms of the ecological corridors required and that applications will be assessed on a case-by-case basis.

### **Dublin Airport Central (DAC)**

daa requests additional wording within the final paragraph of Section 8.5.5 relating to DAC, with specific reference to the Planning Authority recognising and supporting it as having the ability to, inter alia, attract domestic and international operators, thereby bringing economic benefits. Allied to this change, it is requested that a new Objective (to follow Objective DAO10) is included in order to facilitate development of Phase 2 of DAC. As such, it is requested that policy revisions are made to remove the requirement for MetroLink to be delivered in advance of Phase 2 of DAC being considered.

daa requests removal of the word 'MetroLink' from the final paragraph of Section 8.4 of the Draft Plan. Related to this requested change are proposed amendments to the first paragraph of section 8.5.2 which would essentially de-couple the requirement for delivery of MetroLink prior to consideration of further phases of development at DAC.

### **Chief Executive's Response:**

In order to protect the core aviation function of Dublin Airport, no further non-air transport related office development should be permitted at the HT zoned lands within the Airport until such time as required roads infrastructure is in place and public and sustainable transport measures such as the Swords CBC and MetroLink are operational. This issue is detailed in the Dublin Airport LAP. The South Fingal Transport Study 2019 included analysis of traffic in respect of the Dublin Airport Central Masterplan lands which informed the objectives contained in the Dublin Airport LAP relating to this matter. In principle it is considered that policy and zoning objectives should support the key national asset that is Dublin Airport, its continued use and sustainable growth. Policy support for further economic expansion and commercial growth which is unrelated to the international connectivity is not considered to be a priority. It is inappropriate to remove the reference to 'MetroLink' from Section 8.4 of the Draft Plan.

### Transitioning to a Low Carbon Economy

daa requests revisions to text in the second paragraph of Section 8.5.6 to include acknowledgement that sustainable transport modes to the airport for many employees are not always realistic options due to the requirements of travel times. It is also requested that the sentence relating to restriction on increased employee car parking in an effort to reduce emissions, is omitted.

Insertion of an additional Objective, following Policy DAP4, is requested and relates to Planning Authority collaboration with the daa on a Carbon Reduction Strategy for the future development and operation of Dublin Airport in order to achieve carbon reduction objectives as set out in the Dublin Airport LAP.

### **Chief Executive's Response:**

The focus on sustainable transport modes and the significant potential for walking and cycling particularly for airport employees is recognised and is encapsulated in Objective DAO6 of the Draft Plan which states the following: 'Control the supply of car parking at the Airport so as to maximize as far as is practical the use of public transport and sustainable transport modes (walking / cycling) by workers and passengers and to secure the efficient use of land and safeguard the strategic function of the adjacent road network.' No change to the Draft Plan, which would dilute this objective, will be made.

As indicated in the Dublin Airport Local Area Plan 2020, Dublin Airport Authority (daa) has developed a Sustainability Strategy to communicate, implement and foster the principles of sustainability with a commitment to deliver sustainable growth that takes account of environmental factors which strives to minimise negative impacts on the environment, consume as few resources as possible and communicate what is being done to staff, community and passengers. To achieve the commitments of their Sustainability Strategy, daa has implemented working groups in key environmental priority areas including carbon, energy, waste, water, environmental management and green procurement. Fingal County Council supports the ongoing implementation of this sustainability strategy through active participation in the Dublin Airport Environmental Working Group. Fingal County Council will also continue to support alternative fuel infrastructure at the airport.

The Dublin Airport LAP requires proposals for carbon reduction to be addressed in planning applications including proposals for clean energy. OBJECTIVE CA02 of the Dublin Airport LAP states the following: 'Major applications for aviation related expansion at Dublin Airport shall be supported by a carbon reduction strategy to include mitigation measures for implementation as part of development proposals.' Given that the Planning Authority would adjudicate on such planning applications it is considered inappropriate for it to collaborate with daa in respect of carbon reduction strategies. However, as set out above the Council supports the daa's Sustainability Strategy and is an active participant in the Dublin Airport Environmental Working Group.

### **Promoting Quality Design**

daa requests Section 8.5.9 be amended to clarify objectives for quality design to publicly accessible and public facing buildings and to include reference to the Design Hierarchy as set out in the Architectural Design Framework for Dublin Airport. Revisions to Objective DAO26 are also sought; it is requested that references to 'sustainability' and 'public and public facing' development are included.

#### **Chief Executive's Response:**

Section 8.5.9 'Promoting Quality Design states the following:

Dublin Airport is a National Gateway and should provide through exemplar design a visual coherence to deliver an attractive high-quality environment which enriches visitor experiences. A high standard of design provides the opportunity to make a statement, create a sense of place that defines the country's character for visitors as they arrive or depart from the Airport. The design should be unique and specifically Irish to define it from other airports. High quality unique design should be provided in the terminals and other parts of the airport infrastructure.

All areas/facilities in the Airport should be accessible by all based on universal design approach and these should be designed with long term environmental benefits.

Policy DAP10 – Design: Ensure that all development within the Dublin Airport Local Area Plan lands will comply with the Design Objectives of the Dublin Airport Local Area Plan, 2020, or any subsequent LAP or extension of same.

Objective DAO26: Ensure that all development within the Dublin Airport Local Area Plan lands will be of a high standard of design, to reflect the prestigious nature of an international gateway airport, and its location adjacent to Dublin City.

The content of Section 8.5.9 in relation to design is comprehensive and it is not considered necessary to revise it to include reference to the Design Hierarchy as set out in the Architectural Design Framework for Dublin Airport.

Objective DAO26 states the following: 'Ensure that all development within the Dublin Airport Local Area Plan lands will be of a high standard of design, to reflect the prestigious nature of an international gateway airport, and its location adjacent to Dublin City.' It is considered that all development and not just 'public and public facing' development should be of a high standard of design. Accordingly, the proposed amended wording in this regard should not be included.

It is accepted that the words 'and sustainability' should be added to Objective DAO26.

### **Chief Executive's Recommendations:**

#### **CE CH 8.1**

Amend Objective DAO13 as follows:

Ensure that aircraft-related development and operation procedures proposed and existing at the Airport consider *the requirements of the Aircraft Noise Regulations, the Noise Abatement Objective (NAO) for Dublin Airport, the Noise Action Plan and* all measures necessary to mitigate against the potential negative impact of noise from aircraft operations (such as engine testing, taxiing, taking off and landing), on existing established residential communities, while not placing unreasonable, but allowing reasonable restrictions on airport development to prevent detrimental effects on local communities, taking into account the EU Regulation 598/2014 (or any future superseding EU regulation applicable) having regard to the "Balanced Approach" and the involvement of communities in ensuring a collaborative approach to mitigating against noise pollution.

#### **CE CH 8.2**

Amend Objective DAO26 as follows:

Objective DAO26L Ensure that all development within the Dublin Airport Local Area Plan lands will be of a high standard of design *and sustainability*, to reflect the prestigious nature of an international gateway airport, and its location adjacent to Dublin City.

# **CHAPTER 9: Green Infrastructure and Natural Heritage**

## **Submissions Received:**

FIN-C453-2, FIN-C453-9, FIN-C453-15, FIN-C453-78, FIN-C453-81, FIN-C453-84, FIN-C453-85, FIN-C453-86, FIN-C453-91, FIN-C453-92, FIN-C453-95, FIN-C453-98, FIN-C453-99, FIN-C453-102, FIN-C453-96, FIN-C453-91, FIN-C453-92, FIN-C453-95, FIN-C453-98, FIN-C453-99, FIN-C453-90, FIN-C455-90, FIN-C455 C453-106, FIN-C453-109, FIN-C453-110, FIN-C453-116, FIN-C453-139, FIN-C453-146, FIN-C453-C453-193, FIN-C453-203, FIN-C453-210, FIN-C453-251, FIN-C453-254, FIN-C453-259, FIN-C453-260, FIN-C453-278, FIN-C453-279, FIN-C453-280, FIN-C453-332, FIN-C453-357, FIN-C453-358, FIN-C453-369, FIN-C453-379, FIN-C453-379, FIN-C453-382, FIN-C453-383, FIN-C453-388, FIN-C453-393, FIN-C453-401, FIN-C453-405, FIN-C453-413, FIN-C453-417, FIN-C453-437, FIN-C453-440, FIN-C453-490, FIN-C453-523, FIN-C453-527, FIN-C453-531, FIN-C453-545, FIN-C453-548, FIN-C453-556, FIN-C453-624, FIN-C453-643, FIN-C453-649, FIN-C453-656, FIN-C453-679, FIN-C453-682, FIN-C453-688, FIN-C453-691, FIN-C453-692, FIN-C453-694, FIN-C453-698, FIN-C453-706, FIN-C453-707, FIN-C453-709, FIN-C453-712, FIN-C453-715, FIN-C453-719, FIN-C453-723, FIN-C453-732, FIN-C453-732, FIN-C453-709, FIN-C453-709, FIN-C453-712, FIN-C453-719, FIN-C453-719, FIN-C453-729, FIN-C453-732, FIN-C455-732, FIN-C455-73 C453-736, FIN-C453-737, FIN-C453-755, FIN-C453-758, FIN-C453-760, FIN-C453-761, FIN-C453-766, FIN-C453-773, FIN-C453-781, FIN-C453-791, FIN-C453-792, FIN-C453-797, FIN-C453-800, FIN-C453-821, FIN-C453-822, FIN-C453-823, FIN-C453-824, FIN-C453-825, FIN-C453-827, FIN-C453-828, FIN-C453-829, FIN-C453-830, FIN-C453-841, FIN-C453-842, FIN-C453-844, FIN-C453-849, FIN-C455-849, FIN-C455-84 C453-850, FIN-C453-862, FIN-C453-869, FIN-C453-879, FIN-C453-886, FIN-C453-894, FIN-C453-900, FIN-C453-908, FIN-C453-917, FIN-C453-922, FIN-C453-926, FIN-C453-928, FIN-C453-932, FIN-C455-932, FIN-C45-932 C453-948, FIN-C453-949, FIN-C453-952, FIN-C453-953, FIN-C453-958, FIN-C453-964, FIN-C455-964, FIN-C4 971, FIN-C453-973, FIN-C453-974, FIN-C453-977, FIN-C453-983, FIN-C453-984, FIN-C453-990, FIN-C453-997, FIN-C453-1001, FIN-C453-1002, FIN-C453-1005, FIN-C453-1008, FIN-C453-1011, FIN-C453-1016, FIN-C453-1018, FIN-C453-1020, FIN-C453-1022, FIN-C453-1029, FIN-C453-1030, FIN-C453-1031, FIN-C453-1033, FIN-C453-1040, FIN-C453-1041, FIN-C453-1046, FIN-C453-1049, FIN-C453-1053, FIN-C453-1055, FIN-C453-1057, FIN-C453-1058, FIN-C453-1059, FIN-C453-1062, FIN-C453-1066, FIN-C453-1067, FIN-C453-1068, FIN-C453-1069, FIN-C453-1070, FIN-C453-1076, FIN-C453-1078, FIN-C453-1079, FIN-C453-1081, FIN-C453-1087, FIN-C453-1089, FIN-C453-1093, FIN-C453-1095, FIN-C453-1097, FIN-C453-1103, FIN-C453-1105, FIN-C453-1106, FIN-C453-1109, FIN-C453-1111, FIN-C453-1113, FIN-C453-1115, FIN-C453-1116, FIN-C453-1117, FIN-C453-1120, FIN-C453-1122, FIN-C453-1122, FIN-C453-1125, FIN-C453-1126, FIN-C453-1127, FIN-C453-1128, FIN-C453-1130, FIN-C453-1131, FIN-C453-1140, FIN-C453-1142, FIN-C453-1144, FIN-C453-1145, FIN-C453-1151, FIN-C453-1153, FIN-C453-1154, FIN-C453-1156, FIN-C453-1157, FIN-C453-1160, FIN-C453-1176, FIN-C453-1181, FIN-C453-1185, FIN-C453-1186, FIN-C453-1191, FIN-C453-1195, FIN-C453-1199, FIN-C453-1202, FIN-C453-1205, FIN-C453-1206, FIN-C453-1216, FIN-C453-1220, FIN-C453-1221, FIN-C453-1224, FIN-C453-1226, FIN-C453-1228, FIN-C453-1231, FIN-C453-1234, FIN-C453-1237, FIN-C453-1241, FIN-C453-1245, FIN-C453-1246, FIN-C453-1249, FIN-C453-1252, FIN-C453-1254, FIN-C453-1257, FIN-C453-1262, FIN-C453-1263, FIN-C453-1271, FIN-C453-1272, FIN-C453-1279, FIN-C453-1280, FIN-C453-1283, FIN-C453-1291, FIN-C453-1294, FIN-C453-1295, FIN-C453-1299, FIN-C453-1301, FIN-C453-1302, FIN-C453-1305, FIN-C453-1307, FIN-C453-1308, FIN-C453-1310, FIN-C453-1316, FIN-C453-1321, FIN-C453-1325, FIN-C453-1335, FIN-C453-1336, FIN-C453-1337, FIN-C453-1338, FIN-C453-1339, FIN-C453-1340, FIN-C453-1341, FIN-C453-1342, FIN-C453-1343, FIN-C453-1344, FIN-C453-1345, FIN-C453-1346, FIN-C453-1347, FIN-C453-1348, FIN-C453-1349, FIN-C453-1350, FIN-C453-1351, FIN-C453-1352, FIN-C453-1353, FIN-C453-1354, FIN-C453-1355, FIN-C453-1356, FIN-C453-1357, FIN-C453-1358, FIN-C453-1359, FIN-C453-1360, FIN-

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# **Summary of Issues Raised:**

#### **Green Infrastructure**

Many submissions and comments are supportive of the Green Infrastructure (GI) policies and objectives in the Draft Plan. It is considered that the Green Infrastructure policy framework will offer mitigation, if fully implemented, resourced and combined with Climate Action projects and Nature-Based Solutions. Concerns are expressed in relation to the resources available for the implementation of the GI policies and objectives, for public land acquisition and the need for cross departmental training in GI is highlighted.

The repositioning of Objective GINHO1-Urban Greening Plans as a policy is sought. Concerns are raised about the number and design of green spaces; rewilding; the protection of GI around the Royal Canal; access to allotments; awareness raising and the effects of development on GI. Requests are made for a necklace of green spaces around Swords; advancement of the Santry River greenway and prioritisation of grass margins, green roofs, individual trees, playground and parks particularly south of the M50.

#### **Chief Executive's Response:**

The comments are welcomed. The Draft Plan has identified Green Infrastructure as a key strategic asset for the County, and one which can aid in the creation of a climate resilient County as set out in Section 3.5.15.12 Fingal's Greenbelts; Objective CIOSO35-Variety of Open Space; Section 5.5.8. Nature-Based Solutions and Green Infrastructure; Objective CMO11-Walking and Cycling and Green Infrastructure; Objective CMO42-Roads and Street Proposals and Nature-Based Solutions; Objective CMO46-Roads and Streets and Green Infrastructure; Policy EE24-Protecting the Rural Landscape and Natural Heritage; Sections 9.0-9.5. Green Infrastructure; Policy IUP11-Multi-Disciplinary Approach; Objective IUO10-SuDS; Nature-Based Solutions; Objective IUO12-Green Roofs; Objective IUO26-Riparian Corridors; Section 14.18 Green Infrastructure & Natural Heritage and Appendix 11 Green/Blue Infrastructure for Development.

The issues raised are noted some of which pertain to the *Draft Fingal Biodiversity Action Plan* or the Annual Service Delivery Plan as opposed to the Draft County Development Plan. The *Fingal Biodiversity Action Plan* when adopted will provide a framework for biodiversity action for the next eight years with the aim of halting the loss of biodiversity in Fingal. The resourcing of biodiversity staff is to be dealt with as part of the adoption and implementation of the *Fingal Biodiversity Action Plan*.

The development of rewilding initiatives are dealt with in the *Fingal Biodiversity Action Plan*. The full extent of potential rewilding sites is not known yet and are subject to discussions with landowners. The Council is working with local tidy towns groups to identify the best sites for pollinator initiatives. The Council does intend to develop a database showing pollinator sites, but this database will only be developed once it is confirmed that the site is suitable and providing pollinator benefits based on field surveys.

There are policies and objectives that extensively address the concerns in relation to green roofs in the Draft Plan – Policy GINHP3-Greening of Developments; Objective GINHO14-Green Roofs; Objective IUO12-Green Roofs and Development Management Standards set out in Section 14.20.4 Green Roofs and Walls.

Experience with development planning to date shows that it is not possible to protect and retain every existing tree in all developments. Section 14.18.1 Tree Policy and the *Forest of Fingal-A Tree Strategy for Fingal* sets put the policies and objectives in relation to the protection of trees and hedgerows with specific Development Management Standards-Objective DMSO128-Protection of Trees and Hedgerows during Development and Objective DMSO129-Use of Native Species in New Developments. The creation of woodland, scrub and wetlands in urban developments can also be part of green infrastructure plans which are the subject of Objective DMSO1260-Integrated Green Infrastructure Plan.

Concerns in regard to the routing and impact of greenways, which are essentially hard infrastructure are considered adequately addressed by the existing policies and objectives in the Draft Plan: Objective GINHO9-Greenways and Net Gain; Policy GINHP12-Protected Sites; GINO27-National Parks and Wildlife Service; Objective GINHO28-Protection of Natural Heritage Areas; Objective HCAO49-Royal Canal; GINHO74-Coastal Way.

A number of requests are project based or adequately addressed in the Draft Plan. The brief for the Ward River Valley Regional Park Development Project which includes a requirement for the preparation of a Conservation Management Plan for the Park; The request for a necklace of open spaces around the town of Swords constitutes map Based Objective GIM17 in Appendix 8 of the Draft Plan. Santry River Restoration Project which the Council is participating in along with Dublin City Council considers the river restoration in the context of the provision of multifunctional Green Infrastructure.

#### **Allotments**

Request are made for amendments to policies and objectives in regard to agriculture and horticulture, safeguarding of allotments, access and licensing, creation of a role to support new community gardens and extension of the Powerstown allotments.

#### **Chief Executive's Response:**

The Council already works with local community groups where a demand for a community garden has been identified by the local community. Accordingly, this does not require a new role within the Council. The licensing of allotments is already safeguarded, whereby allotments are licensed on an annual basis to individual allotment holders until the no longer wish to avail of the allotment. Given the small number of people interested in growing their own food, it is not considered necessary to set a population-based target for allotment spaces in urban areas. Section 4.5.2.9.-Allotments, Community Gardens and Community Initiatives and Objective GINHO24-Allotment Strategy sets out Council policy and objectives in relation to allotments.

However, reviewing the demand for allotments, community gardens and foraging areas, identifying locations for these in new parks and green infrastructure proposals would be useful and accordingly it is proposed that GINHO10 is amended to reflect this.

### **Biodiversity**

A number of submissions welcomed the policies and objectives to protect diversity. The need for interdisciplinary teams and approaches to the design and assessment of development proposals and to ecological proposals was highlighted. Queries were received as to the implementation of policies related to Biodiversity Net Gain and measurable targets. The practice of reduced

mowing regimes in Fingal was welcomed but concern was raised that this and herbicide use (or non-use) were plan not addressed in the Draft Plan. A submission questioned the definition of rewilding and there were a number of project specific requests such as bird boxes at new schools in Rush and a wildlife education and rehabilitation centre within Turvey Nature Reserve. One submission highlighted that the text of the National Biodiversity Action Plan is under revision and that a new plan will be published in 2023.

## **Chief Executive's Response:**

The submissions are noted. The Executive notes the issues raised some of which pertain to the forthcoming Fingal Biodiversity Action Plan as opposed to the Draft Plan. The forthcoming Fingal Biodiversity Action Plan has been written with the EU Biodiversity Strategy 2030, and the National Biodiversity Action Plan 2017-2021, in mind along with other plans and policies. The concept of Biodiversity Net Gain is new to Ireland and the process clearly defined. The preparation of a guidance document is the first step towards achieving biodiversity net gain as per Policy GINHP14-Biodiversity Net Gain Guidance of the Draft Plan. The Council works crossdepartmentally to assess development proposals and Section 14.18.2.1 - Biodiversity, details the development management standard objectives that pertain to this including Objective DMSO140-Protection and Enhancement of Biodiversity; Objective DMSO141- Ecological Study; Objective DMSO142-protection of Existing landscape; Objective DMSO143-Incorporation of Habitat Features and the requirement of Integrated Green Infrastructure Plans as part of planning submission as per Objective DMSO126-Inetgrated Green Infrastructure Plan. The Fingal Biodiversity Action Plan, when adopted, will also provide a framework for biodiversity action for the next eight years with the aim of halting the loss of biodiversity in Fingal. Developments with the Ecological Network will be assessed in relation to ecological impact.

Wildflower meadows are already subject to biodiversity friendly mowing regimes, without which they would not develop into wildflower meadows. The preparation and implementation of a grassland management policy is to be provided for and incorporated as new action in the Draft Fingal Biodiversity Action Plan. Likewise, the development of a pesticide policy is one of the priority actions of the Draft Fingal Biodiversity Action Plan. This issue is also addressed in the Draft Plan by Objectives GINHO5-Pollinator Plan and GINHO29-Biodiversity and Open Space.

Under Section 9.5.2. Green Infrastructure and Planning rewilding is defined as 'the process of innovation in conservation philosophy, science and management, characterised by a desire to restore ecological processes at various scales, often through the introduction of functional species and the restoration of natural processes'. Rewilding can be defined in many different ways and the current definition is considered acceptable. However in order to make the definition more accessible to the reader the following addition to this section is proposed 'Rewilding is a progressive approach to conservation. It's about letting nature take care of itself, enabling natural processes to shape land and sea, repair damaged ecosystems and restore degraded landscapes. Through rewilding, wildlife's natural rhythms create wilder, more diverse habitats'.

Requests for bird boxes in Rush are addressed by Objective GINHP15-Biodiversity in Buildings Guidance; Objective DMSO145-Habitat Facilities for Wildlife Species. Provision of bird boxes in schools is also a recommendation in the Draft Fingal Biodiversity Action Plan. The Draft Plan already contains Objective GINHO11-Donabate Turvey Nature Reserve. It is also proposed that a new mapped objective in relation to this should be added.

#### Rare and Protected Species and their Habitats

An amendment is sought to policy relating to GINHP18-Species Protection and GINO40 Ecological Assessment

### **Chief Executive's Response:**

Any developments requiring an EIAR or NIS will include ecological impact appraisals. The requirement for an ecological impact assessment within the green infrastructure networks helps to focus the work of the biodiversity team to assess the impacts on key sites and species. The biodiversity team within the Council is not resourced to be in a position to evaluate the ecological impact on very planning application in the County.

# **Nature Development Areas**

Amendments are sought to zonings to protect Fingal's ecological network from inappropriate development. Requests are made regarding designation the Liffey Valley and River Tolka as nature reserves. Amendments are also sought to objectives relating to statutory designations including lands at Dunsink and a new policy sought for the after use of quarries post-cessation.

## **Chief Executive's Response:**

It is the role of the National Parks and Wildlife Service to designate areas as statutory nature reserves. The Council does not have the statutory powers to do so. Nature Development Areas are locations where nature conservation can be combined with activity such as farming, quarrying and recreation (e.g. golf courses). The Council will work with landowners to enhance the biodiversity value of these areas. It is therefore not considered necessary to change the zoning to protect these areas from inappropriate development. The repurposing of quarries at nature Development Areas is provided for in the Draft Biodiversity Action Plan.

Providing adequate green infrastructure to serve any future development in Dunsink as well as the surrounding areas, will be a key tenet of any future statutory landuse plan for the plan. The future development potential of lands at Dunsink, a major greenfield landbank inside the M50 ring is recognised within the RSES. Any future land use land for Dunsink will be required to consider the current designation and ensure that ample green infrastructure is provided and that the overall development of any new residential area at Dunsink is in a way which balances the provision of residential and commercial development with green infrastructure. It is recommended a further Green Infrastructure objective be included on Sheet 15 to provide a multi-functional green infrastructure corridor between Dunsink and Tolka Valley Park.

### **Ecological Buffer Zones**

There were a number of submissions in relation to the extent of buffer zones along rivers and the Royal Canal with requests for buffers zones from 15m to 200m. The submission from Inland Fisheries Ireland (IFI) requests that areas adjacent to waterways are managed in a way which will lessen impact to aquatic habitats and highlights the poor status of some water bodies including the Delvin system and the Matt River. The IFI's policy is to maintain watercourses in their open natural state in order to prevent habitat loss, preserve and enhance biological diversity and aid pollution detection. Concern is raised about the adverse effects on water quality and the move from hard engineering to nature based solutions is welcomed. The daa submission called for a revision to policy on ecological buffer zones and riparian corridors. Further submissions

suggested a floodplain zoning from the outer boundaries of wetlands, marches etc. including detailed submission on the significance of the Bog of the Ring, Fingal's only freshwater marsh, and the implementation of the Management Plan for the Rogerstown Outer Estuary.

### **Chief Executive's Response:**

The Draft Plan addresses the extent of buffer zones along river with existing Objective IUO26-Riparian Corridors and Section 14.25.5-riparian Corridors. It is proposed to increase the riparian buffer strip to 48m outside of settlement boundaries along the main water bodies of the County, in line with the IFI guidelines. It is also proposed to include a new objective in relation to development within the settlement boundaries which ensures any development within 25m of the riverbank does not result in a negative impact on the river course.

Current planning guidance for areas subject to flooding precludes certain developments within floodzones A and B. The Draft Plan also includes buffer zones around the estuaries in which developments are subject to Appropriate Assessment. The Council has no powers to restrict land uses such as agriculture and horticulture in buffer zones.

The Royal Canal is also protected through various designations, zonings and other policies and objectives. The Royal Canal is itself a protected structure and is described as a late 18<sup>th</sup> century man-made canal, including the tow paths, the canal channel with its stone and earth banks, and the canal locks (10th, 11th and 12th Lock). This affords a significant degree of protection of the structure and its setting.

The Canal is a proposed Natural Heritage Area. Proposed Natural Heritage Areas are sites of significance for wildlife and habitats. The Canal pNHA comprises the central channel and the banks on either side of it. The ecological value of the Canal lies in the diversity of species it supports along its linear habitats. Also the Royal Canal is zoned as Open Space or High Amenity (at different points over the route) and these restrictive zonings and their related policies and objectives also ensure protection of the area from inappropriate development.

The recently commenced Santry River Restoration Project which the Council is participating in along with Dublin City Council could be a model for river restoration. The management plan for Rogerstown estuary can only be completed when the coastal defence scheme is approved, as the latter has a major influence on how the estuary is to be managed into the future. The coastal defence scheme for Portrane and Rush is to be submitted to An Bord Pleanála in 2022.

Protection of the riverine assets and ecological corridors, forms a key component in Chapter 9 at Section 9.6.6-Ecological Buffer Zones and Section 9.6.8-Ecological Corridors and Stepping Stones Including Trees and Hedgerows and attendant policies and objectives as well as those in Chapter 11 including Policy IUP11-Multi-Disciplinary Approach; Objective IUO10 SuDs; Nature -Based Solutions and Objective IUO14-BufferZone for Riparian Corridors. However, following a review of the policies and objectives on the basis of the submissions received, a number of recommendations are proposed.

# **Protection of Trees and Hedgerows**

There are multiple submissions in relation to the protection of trees and hedgerows including concerns in relation to the effects of development; inappropriate hedge-cutting and tree/hedgerow removal. There is support for the promotion of tree planting; use of hedgerows

in urban and industrial areas as effective boundaries protecting wildlife; new hedgerows and tree planting in parks and open spaces and the development of native woodland areas in Garristown, Ongar, Balrothery and Knockdromin.

### **Chief Executive's Response:**

The need to protect, promote trees and hedgerows has previously been identified and acknowledged in the current Plan and Draft Plan. Sections 9.6.9-Protection of Trees and Hedgerows, 9.6.10-Protected Trees (Tree Preservation Orders), 4.2.5.7-Tree Policy, 14.18.1-Tree Policy and attendant policies and objectives set out Council policy in relation to tree and hedgerow protection. Trees provide valuable amenity and wildlife habitat while fulfilling an important role in the improvement of air quality in urban areas. The *Forest of Fingal-A Tree Strategy* for Fingal sets out the Council's policy for the planning, establishment, protection and management of trees and associated plants, individually, small groups, or under forest conditions within towns, villages, suburbs and rural areas within the County.

Tree and hedgerow protection forms a key component and is considered extensively addressed by Policies GINP21-Protection of Trees and Hedgerows; GINHP22-Tree Planting and Objectives GINO43-Hedgrow Categorisation; GINHO44-Tree Removal; GINO45-Woodland Developments Schemes; Objective SPQHO89; CMO45-Road Safety and Rural Roads; DMSO128-protection of Trees and Hedgerows during Development; DMSO130-Demarcation of Townland Boundaries.

Hedgerow preservation and management will be addressed via the Fingal Biodiversity Action Plan by means of the development of guidance notes for developers and Council staff and by working with local communities to practically get involved in the management and planting of new hedgerows where appropriate. To note the development of native woodlands in Garristown will be addressed as part of the Tidy Towns local biodiversity plan for Garristown. Issues in Ongar are being addressed through the Planning enforcement and Development Management Process. There is Nature Development are shown around Ardgillan on the Green Infrastructure Maps (Sheet 14). This relates to new Woodland Opportunity areas. A more detailed study into the feasibility and design of the new woodland in this area is to be undertaken as part of the Draft Fingal Biodiversity Action Plan. The Council has no plans to purchase Knockdromin.

# **County Geology Sites**

A single submission noted that Huntstown Quarry County Geological Site had been omitted from Section 9.6.12 and Table 9.2: and seeks that these should be amended to include Huntstown Quarry and to amend the text to 'The Geological Survey of Ireland (GSI) has identified 22 County Geological Sites in Fingal'.

#### **Chief Executive's Response:**

Huntstown Quarry is a working quarry and is not considered a geological site.

## **Views and Prospects**

Meath county Council welcomes the measures which have been put in place to ensure the special protection of views and prospects. Requests were received for the protection of the view over-looking Howth Harbour between Nos. 50 and 54, Church Street, from the vantage point of St. Lawrence's Road and the views from School Lane, R132 and Coach Road south towards the historic core of Balrothery.

#### **Chief Executive's Response:**

The additional views put forward for inclusion would require detailed assessment which is a body of work that could not be carried out in a meaningful way in the statutory time that is available for the preparation of the Chief Executive's Report on the Draft Plan. It is therefore suggested that these additional views be reviewed during the lifetime of the Plan in line with the policy as set out in Section 9.6.15 -Views and Prospects.

# **Special Amenity Areas (SAAO)**

Submissions showed strong support for to urgently re-establish the management committee for the Liffey Valley Special Amenity Area, extending the Liffey Valley Special Amenity Area. There is also strong support for the protection of the Howth SAAO and resistance to any proposals to rezone SAAO lands.

## **Chief Executive's Response:**

The strategic importance of the Special Amenity Areas has previously been identified and acknowledged in the current Plan and Draft Plan. It is considered that issues and concerns identified in submission are adequately addressed in Section 9.6.16 - Special Amenity Areas and attendant policies and objectives. The re-establishment in a timely manner of the management committee for the Liffey Valley SAAO is specifically addressed by Objective GINO60-Management Committees, as is the exploration of the possibility of extending the Liffey Valley Special Amenity Area.

# **High Amenity Zoning**

Submissions emphasises the importance of the protection of high amenity zoning for Fingal. A request was made to include the man-made landscape features, located within the HA High Amenity of Howth/Sutton area in the Record of Protected Structures.

#### **Chief Executive's Response:**

The comments are welcome. Section 9.6.17 High Amenity Zoning sets out the Councils policy in relation to the protection of high Amenity Zoning with the impact of development addressed by Objective GINHO63-Development and High Amenity Areas. Any Development Plan submissions that propose amendments to the RPS will be included in this current review of the RPS. However, it should be noted that structures can only be added where they are deemed to be of special interest under one or more of 8 criteria set out in Part IV of the Planning and Development Act 2000 (as amended). It is not sufficient for a building just to be old to be added to the RPS it must display special architectural, archaeological, artistic, cultural, historic, social, scientific or technical interest.

#### The Coast and Coastal Protection

Reference to nature-based solutions and avoidance of interference with coastal processes are welcomed. Although one submission states that the Council should commit to maximising the co-benefits of any coastal measures or infrastructure for biodiversity, whether nature-based or not. A number of submissions are concerned with the protection of Fingal's coastline. Requests were received to complete the Rogerstown Coastal Flood Relief package; Implement the management plan for the Rogerstown Outer Estuary and prioritise flood protection measures at Portrane and end the practice of beach scraping.

## **Chief Executive's Response:**

The comments are welcomed. The management plan for Rogerstown estuary can only be completed when the coastal defence scheme is approved, as the latter has a major influence on how the estuary is to be managed into the future. The coastal defence scheme for Portrane and Rush is to be submitted to An Bord Pleanála in 2022.

There is an action in the Draft Fingal Biodiversity Action Plan that will review beach cleaning operations in the context of EU designated nature conservations sites.

#### **Coastal Tourism and Recreation**

A submission from Inland Fisheries Ireland (IFI) calls for the issues of water quality, fisheries habitat and angling tourism to be given due priority in the Development Plan. Request for amendments to policies in relation to coastal recreation and harbour access were received. Another submission stated that Skerries Harbour should be optimised for use by small craft and personal watersports equipment and not used for parking yachts.

### **Chief Executive's Response:**

Coastal tourism and recreation protection forms a key component of the Draft Plan and the Council policy is set out in Section 9.7.2. It is considered the submission is extensively addressed by Objectives GINO75-Coastal Access and Appropriate Assessment; GINHO76-Appropriate Leisure Facilities; GINO78-Protection of Bathing Waters

#### **Chief Executive's Recommendations:**

#### **CE CH 9.1:**

Amend Policy GINHP1 – Resilient Design, as follows:

Resilient Design Promote an awareness of the benefits of Resilient Design and the multi-functional nature of Green Infrastructure. Apply *multi-functional* principles of Green Infrastructure to inform the development management process in terms of design and layout of new residential areas, business/industrial development and other significant projects while maximizing the multi-functional nature of Green Infrastructure by ensuring the development of synergies between Public Open Space, Biodiversity, SuDS/Water Sensitive Design, *Climate Change* and Active Travel objectives.

### **CE CH 9.2:**

Amend Policy GINHP3 - Greening of Developments, as follows:

Encourage measures for the "greening" of new developments including the use of green roofs, brown roofs, green walls and water harvesting. Where feasible require new developments to incorporate greening elements such as green roofs, brown roofs, green walls, green car parking and SuDs.

### **CE CH 9.3:**

Amend Objective GINHO1 – Urban Greening Plans, as follows:

Develop Urban Greening Plans for Balbriggan, Swords and the wider Dublin 15 area <u>within the</u> <u>lifetime of the Development Plan.</u>

#### **CE CH 9.4:**

Amend Objective GINHO6 – Agriculture and Horticulture, as follows:

Safeguard Identify and map the important agricultural and horticultural lands in the County for future food security purposes and protect these lands from development.

#### **CE CH 9.5**:

Amend Objective GINHO10-Food Production, as follows:

<u>Identify and</u> provide opportunities for Fingal residents to engage in food production through allotments, community gardens and the provision of food foraging areas in new parks and Green Infrastructure proposals where appropriate.

### **CE CH 9.6:**

Add the following text to Section 9.5.2 Green Infrastructure and Planning so it reads as follows:

Rewilding is defined as the process of innovation in conservation philosophy, science and management, characterised by a desire to restore ecological processes at various scales, often through the introduction of functional species and the restoration of natural processes.

Rewilding is a progressive approach to conservation. It's about letting nature take care of itself, enabling natural processes to shape land and sea, repair damaged ecosystems and restore degraded landscapes. Through rewilding, wildlife's natural rhythms create wilder, more diverse habitats.

#### **CE CH 9.7:**

Add a new mapped objective to Sheet 14 as per the following:

Develop Nature Education Centre and Wildlife Hospital facility at Turvey Nature Park

#### **CE CH 9.8:**

Add a new objective to Chapter 2 Dunsink, as per the following:

<u>Develop multi-functional green infrastructure corridor between Dunsink and Tolka Valley Park.</u>

### **CE CH 9.9:**

Amend Objective DMSO156 – Ecological Corridors, as follows:

Protect and enhance the ecological corridors along the following rivers in the County by ensuring that no development takes place, outside <u>urban centres</u>, <u>development boundaries</u> within a minimum distance of <u>48m</u> <u>30m</u> from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River (see Green Infrastructure Maps).

A minimum 10 m wide riparian buffer strip applies to lands within <u>urban areas</u> <u>development</u> <u>boundaries</u>. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

#### **CE CH 9.10:**

Include a new objective to follow DMSO156, New Objective – Ecological Corridors in Urban Areas

Any redevelopment of existing properties and brownfield sites within 25m from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River shall provide opportunities for multi-functional green infrastructure, including features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to: green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will not be accepted.

#### **CE CH 9.11:**

Amend Objective DMSO157 - Development Along Watercourses, as follows:

Ensure that no development, including *pathway infrastructure*, clearance and storage of materials, takes place within 10m as a minimum, measured from each bank of any river tributary or small stream or watercourse in the County (see Green Infrastructure Maps).

#### **CE CH 9.12:**

Edit Section 9.6.8 and objective IOU26 and DMSO211 to reflect the amended and new objective as per CE CH 9.9 and CE CH 9.10 above.

#### **CE CH 9.13:**

Add new Objective to existing development management standards Section 14.18.2.4 Ecological Corridors and Stepping Stones including Trees and Hedgerows to read as follows;

Any redevelopment of existing properties and brownfield sites within 25m of the river shall include features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to, green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will be not accepted.

#### **CE CH 9.14:**

Add new objective to Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows to read as follows;

Remove existing revetments and/or gabion baskets along river and streams and restore a minimum of 10m of natural streamside riparian zone, where possible. If existing hard bank structures cannot be removed, provide instream river rehabilitation works in consultation with Inland Fisheries Ireland to improve the overall habitat quality of the river.

## **CE CH 9.15:**

Add new objective to Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows to read as follows;

Set back new surface water drainage outfalls from the main rover channel on the landward edge of the floodplain or a designed wetland feature to cater for water quality improvement before the surface discharges into the river.

#### **CE CH 9.16:**

Add a new mapped objective to Sheet 15 as per the following:

<u>Prepare and implement wetland and river restoration project for the Bog of the Ring and Matt River.</u>

### **CE CH 9.17:**

Add a new mapped objective to Sheet 15 as per the following;

<u>Prepare and implement wetland and river restoration project for Delvin River in conjunction</u> with local landowners and stakeholders.

#### **CE CH 9.18:**

Amend Policy GINHP21-Protection of Trees and Hedgerows as follows;

Protect existing woodlands, trees and hedgerows which are of amenity or biodiversity vale and/or contribute to landscape character and ensure that proper provision is made for their protection and management *in line with the adopted Forest of Fingal-A Tree Strategy for Fingal.* 

#### **CE CH 9.19:**

Amend Objective GINHO23 - Policies, as follows;

Support <u>and implement</u> The Forest of Fingal-A Tree Strategy for Fingal, Keeping it Green – An Open Space Strategy for Fingal and Space for Play – A Play Policy for Fingal <u>during the entire</u> <u>lifetime of the Development Plan.</u>

#### **CE CH 9.20:**

Amend Objective GINHO44-Tree Removal as follows:

Ensure adequate justification for tree removal <u>in new developments and open space</u> <u>management</u> and require documentation and recording of <u>the</u> reason<u>s</u> where tree felling is proposed and avoid removal of trees without justification.

#### **CE CH 9.21:**

Amend Objective GINHO45-Woodland Development Schemes as follows:

Promote, **encourage** and support woodland development schemes by identifying suitable areas **and support other initiatives that aim** to establish and enhance woodlands for **biodiversity**, **climate change and** recreational purposes in partnership with local communities **in line with the adopted Forest of Fingal-A Tree Strategy for Fingal.** 

#### **CE CH 9.22:**

Add new objective to Section 9.6.9. Protection of Trees and Hedgerows to read as follows:

The Council shall comply with the requirements set out in the Wildlife Act and Roads Act in the context of its maintenance programmes and housing, recreational and infrastructure developments.

### **CE CH 9.23:**

Amend Policy GINHP31-Coastal Recreation, as follows:

Encourage <u>the enhancement of existing and development of new shared access</u> leisure and amenity type uses along the coast so long as such uses do not cause significant adverse impacts on the environment, visual amenity and heritage.

## **CE CH 9.24:**

Amend Policy GINHP32 - Coastal and Harbour Access, as follows:

Enhance and promote access to the coast and harbours, including the promotion of coastal and harbour <u>shared access</u> recreational facilities where appropriate, while also prioritising and protecting the coastal environment.

### **CE CH 9.25**

Include a new objective in Section 9.6.15

Review and update the views and prospects outlined the Development Plan in line with the policy as set out in Section 9.6.15 -Views and Prospects.

# **CHAPTER 10: Heritage, Culture and Arts**

# **Submissions Received:**

FIN-C453-2, FIN-C453-12, FIN-C453-20, FIN-C453-28, FIN-C453-81, FIN-C453-102, FIN-C453-116, FIN-C453-139, FIN-C453-153, FIN-C453-155, FIN-C453-156, FIN-C453-175, FIN-C453-189, FIN-C453-197, FIN-C453-200, FIN-C453-203, FIN-C453-209, FIN-C453-210, FIN-C453-267, FIN-C453-279, FIN-C453-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-209, FIN-C455-20 C453-287, FIN-C453-288, FIN-C453-289, FIN-C453-290, FIN-C453-291, FIN-C453-292, FIN-C453-293, FIN-C453-294, FIN-C453-295, FIN-C453-296, FIN-C453-297, FIN-C453-298, FIN-C453-299, FIN-C455-299, FIN-C455-29 C453-300, FIN-C453-302, FIN-C453-303, FIN-C453-304, FIN-C453-306, FIN-C453-307, FIN-C453-308, FIN-C453-310, FIN-C453-312, FIN-C453-313, FIN-C453-315, FIN-C453-315, FIN-C453-317, FIN-C453-317, FIN-C453-317, FIN-C453-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-319, FIN-C455-31 C453-318, FIN-C453-319, FIN-C453-321, FIN-C453-322, FIN-C453-323, FIN-C453-325, FIN-C453-328, FIN-C453-329, FIN-C453-330, FIN-C453-333, FIN-C453-335, FIN-C453-338, FIN-C453-339, FIN-C455-359, FIN-C455-359, FIN-C455-359, FIN-C455-359, FIN-C455-55, FIN-C455-C453-340, FIN-C453-341, FIN-C453-344, FIN-C453-345, FIN-C453-348, FIN-C453-349, FIN-C453-350, FIN-C453-351, FIN-C453-354, FIN-C453-356, FIN-C453-361, FIN-C453-365, FIN-C453-367, FIN-C453-367, FIN-C453-361, FIN-C453-361, FIN-C453-367, FIN-C453-367, FIN-C453-361, FIN-C453-361, FIN-C453-361, FIN-C453-367, FIN-C453-367, FIN-C453-361, FIN-C455-361, FIN-C455-36 C453-371, FIN-C453-373, FIN-C453-374, FIN-C453-375, FIN-C453-376, FIN-C453-377, FIN-C453-380, FIN-C453-381, FIN-C453-384, FIN-C453-385, FIN-C453-389, FIN-C453-391, FIN-C453-394, FIN-C453-395, FIN-C453-398, FIN-C453-401, FIN-C453-402, FIN-C453-406, FIN-C453-411, FIN-C453-416, FIN-C453-420, FIN-C453-431, FIN-C453-440, FIN-C453-477, FIN-C453-485, FIN-C453-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-487, FIN-C455-48 C453-488, FIN-C453-489, FIN-C453-499, FIN-C453-520, FIN-C453-532, FIN-C453-541, FIN-C453-546, FIN-C453-562, FIN-C453-574, FIN-C453-584, FIN-C453-591, FIN-C453-594, FIN-C453-603, FIN-C453-613, FIN-C453-616, FIN-C453-630, FIN-C453-632, FIN-C453-636, FIN-C453-638, FIN-C453-642, FIN-C453-643, FIN-C453-644, FIN-C453-646, FIN-C453-647, FIN-C453-648, FIN-C453-649, FIN-C455-649, FIN-C455-64 C453-650, FIN-C453-653, FIN-C453-654, FIN-C453-655, FIN-C453-659, FIN-C453-666, FIN-C453-670, FIN-C453-672, FIN-C453-673, FIN-C453-674, FIN-C453-675, FIN-C453-676, FIN-C453-689, FIN-C453-691, FIN-C453-691, FIN-C453-695, FIN-C453-697, FIN-C453-699, FIN-C453-700, FIN-C453-702, FIN-C453-703, FIN-C453-711, FIN-C453-714, FIN-C453-715, FIN-C453-717, FIN-C453-724, FIN-C453-750, FIN-C453-755, FIN-C453-756, FIN-C453-762, FIN-C453-765, FIN-C453-770, FIN-C453-771, FIN-C453-773, FIN-C453-776, FIN-C453-777, FIN-C453-778, FIN-C453-780, FIN-C453-788, FIN-C453-794, FIN-C453-795, FIN-C453-796, FIN-C453-808, FIN-C453-809, FIN-C453-816, FIN-C453-819, FIN-C453-827, FIN-C453-832, FIN-C453-838, FIN-C453-840, FIN-C453-842, FIN-C453-843, FIN-C453-844, FIN-C453-847, FIN-C453-849, FIN-C453-852, FIN-C453-854, FIN-C453-870, FIN-C453-885, FIN-C453-888, FIN-C453-891, FIN-C453-906, FIN-C453-912, FIN-C453-915, FIN-C453-916, FIN-C455-916, FIN-C455-91 C453-923, FIN-C453-926, FIN-C453-936, FIN-C453-939, FIN-C453-946, FIN-C453-953, FIN-C453-954, FIN-C453-956, FIN-C453-969, FIN-C453-970, FIN-C453-972, FIN-C453-973, FIN-C453-974, FIN-C453-976, FIN-C453-983, FIN-C453-984, FIN-C453-987, FIN-C453-993, FIN-C453-999, FIN-C453-1002, FIN-C453-1002, FIN-C453-1004, FIN-C453-1005, FIN-C453-1009, FIN-C453-1015, FIN-C453-1016, FIN-C453-1018, FIN-C453-1019, FIN-C453-1022, FIN-C453-1024, FIN-C453-1027, FIN-C453-1028, FIN-C453-1031, FIN-C453-1033, FIN-C453-1036, FIN-C453-1038, FIN-C453-1039, FIN-C453-1042, FIN-C453-1044, FIN-C453-1047, FIN-C453-1053, FIN-C453-1062, FIN-C453-1067, FIN-C453-1081, FIN-C453-1084, FIN-C453-1089, FIN-C453-1104, FIN-C453-1107, FIN-C453-1111, FIN-C453-1120, FIN-C453-1122, FIN-C453-1130, FIN-C453-1135, FIN-C453-1140, FIN-C453-1141, FIN-C453-1145, FIN-C453-1147, FIN-C453-1149, FIN-C453-1160, FIN-C453-1165, FIN-C453-1167, FIN-C453-1169, FIN-C453-1172, FIN-C453-1173, FIN-C453-1178, FIN-C453-1189, FIN-C453-1190, FIN-C453-1202, FIN-C453-1214, FIN-C453-1219, FIN-C453-1221, FIN-C453-1221, FIN-C453-1227, FIN-C453-1236, FIN-C453-1240, FIN-C453-1241, FIN-C453-1245, FIN-C453-1253, FIN-C453-1254, FIN-C453-1257, FIN-C453-1258, FIN-C453-1262, FIN-C453-1263, FIN-C453-1268, FIN-C453-1276, FIN-C453-

1277, FIN-C453-1278, FIN-C453-1283, FIN-C453-1292, FIN-C453-1294, FIN-C453-1295, FIN-C453-1296, FIN-C453-1299, FIN-C453-1301, FIN-C453-1307, FIN-C453-1312, FIN-C453-1313, FIN-C453-1320, FIN-C453-1539, FIN-C453-1541, FIN-C453-1543, FIN-C453-1545, FIN-C453-1548, FIN-C453-1550, FIN-C453-1779, FIN-C453-1801

# **Summary of Issues Raised:**

# **Archaeological Heritage**

The submission from the Department of Housing, Local Government and Heritage welcomes the inclusion (Section 10.5.1.4) in the Draft Development Plan of a section on underwater archaeology but recommends specific additions to this section and attendant policy objectives be made to strengthen its protection and promotion.

### **Chief Executive's Response:**

The comments are welcomed. To ensure the protection of Fingal's underwater archaeology and marine heritage additions to Section 10.5.1.4 and attendant policy objectives will be considered as set out in the Chief Executive's Recommendations section below.

### **Record of Protected Structures (RPS)**

Requests were received for the following sites to be added to the RPS; Phoenix Folly, the Temple Folly, The Walled Garden and the Wall Murals at Santry Demesne; Old 'Keane' cottage, the old RIC station as well as a number of buildings on River Road, Dublin 15; farm building Ballymadrough, Donabate; Black Man's Bridge and Reynoldstown Bridge, Naul; R.C. Chapel, Balrothery, manmade features within the High Amenity lands at Howth and the protection of the cultural and heritage features of St Margaret's village including parish hall and the old coach house.

#### **Chief Executive's Response:**

To enable the consideration of submissions for additions or deletions to the Record of Protected Structures (RPS) there is a current review of the RPS being carried out parallel to the Development Plan review. Any Development Plan submissions that propose amendments to the RPS will be included in this current review of the RPS. However, it should be noted that structures can only be added where they are deemed to be of special interest under one or more of 8 criteria set out in Part IV of the Planning and Development Act 2000 (as amended). It is not sufficient for a building just to be old to be added to the RPS it must display special architectural, archaeological, artistic, cultural, historic, social, scientific or technical interest.

## **Architectural Conservation Areas (ACAs)**

A number of submissions called for a proactive approach in the preservation of existing ACAs such as Garristown, Balrothery and Howth through support, enforcement and the prevention of clutter in the public realm. The following requests for additions to the ACA were received; Balscadden Road Howth; tramway cottages, soldier's cottage, Howth; Blanchardstown village; St Mary's Church to Clonsilla Cottages; Ward River Valley Regional Park; Reynoldstown House and area and an extension of Malahide Castle ACA to include Auburn House, Malahide.

Concern was raised in regard to the protection of current ACAs including the effects of new development on Garristown ACA; Requests for undergrounding of utility cables and decluttering of the public realm within Balrothery ACA; Removal of redundant signage poles at Howth;

Protection against loss of character from the introduction of new elements in Malahide ACA and to ensure that public elements such as street furniture etc are appropriate.

### **Chief Executive's Response:**

Of the areas proposed for ACA designation there are a number where the building types identified are too dispersed from each other to be able to delineate a cohesive boundary for them or where the buildings and built heritage elements are too varied from each other to distinguish a unified character. For some of the concentrated clusters of similar building types, alterations and changes to a large section of the group have resulted in them no longer having a consistent character of sufficient special interest under the set criteria for ACAs. For the proposed ACAs that contain protected structures the policy and objectives within the Development Plan regarding these offer a sufficient level of protection. There are policy and objectives in the Development Plan for the retention, re-use and rehabilitation of Fingal's vernacular heritage & other built heritage assets which would apply to the other proposed clusters or building types, including Policy HCAP21 Built Heritage Assets, HCAP22 Retention and Reuse of Existing Building Stock and HCAP23 Heritage-led Regeneration, Objective DMSO191 Structures Contributing to Distinctive Character & Table 14.26 Direction on Development of Vernacular Buildings or Other Built Heritage Assets. The ACAs proposed in the submissions will not be added to the Development Plan.

Under Development Management Standards Chapter Table 14.24 sets out Direction for Proposed Development within Architectural Conservation Areas which should sufficiently address the matters raised in the submissions.

Objectives HCAO40, HCAO41 and HCAO42 relate to retention of historic street furniture, care in design and location of modern street furniture, and the undergrounding of cables in historic environments. In addition, Section 3.5.2-Successful Public Realms including Town Centre First and attendant policies and objectives, sets out Council policy and objectives in relation to public realm, including the production of Public Realm Strategies where appropriate. Table 14.24 provides general direction on Public Realm Works within ACAs. These sufficiently address the issues raised in the submissions on public realm works.

## **Vernacular Heritage and Other Built Heritage Assets**

A submission called for the protection of built heritage assets such as water pump, post-box and old street lamps in Blanchardstown and another for the reuse of a vernacular building in Ballyboughal. One submission sought to ensure vernacular buildings are protected through enforcement measures.

#### **Chief Executive's Response:**

Protection of vernacular buildings and other built heritage assets forms a key component in Chapter 10 at Section 10.5.2.5. and is considered adequately addressed by Objectives HCA039-Character of Historic Townscapes; HCA040-Public Realm Works; HCA041-Modern Street Furniture; HCA042-Undergrounding Cables; HCA043-Historic Street Element Audit.

The vernacular building in Ballyboughal is not in Fingal County Council ownership.

Planning Enforcement can only be pursued where unauthorised development has taken place. Measures and policies have been introduced by national government to address vacancy and

dereliction such as *Bringing Back Homes – Manual for Re-use of Existing Buildings* and *Town Centre First Policy*. To assist with implementation of these policies new posts have or are being created in local authorities of Vacant Homes Officer and Town Regeneration Officer. The Conservation Office will work with these to encourage the re-use and rehabilitation of the county's historic and vernacular building stock.

# **Access to the Heritage Resource**

Requests were made for heritage trails for Swords, Ballyboughal, Lusk, the completion of the restoration of Swords Castle and a plan for the restoration of Shackleton's Mills. Requests were also made for linkages and development of tourism potential for Stella's Tower, Balcarrick Martello Tower, Newbridge Demesne Donabate and Drumanagh Promontory Fort, Rush.

### **Chief Executive's Response:**

The need to promote and develop the tourism of Fingal's heritage has previously been identified and acknowledged in the current Plan; the *Heritage Plan 2018-2023* and the *Fingal Tourism Strategy*. The Council has developed *Heritage Signage & Heritage Trails Guidance* which encourages an holistic approach to interpretation through the use of heritage audits and interpretation plans.

With regard to the restoration or development of any specific structure by the Council, it is considered the delivery of such location specific projects would be more appropriately considered within the context of a capital or works programme. To note Balcarrick Martello tower is in private ownership.

The programme of work to consolidate and repair Swords Castle continue on a phased basis, with works about to commence on the section fronting onto Bridge Street. An objective is not required within the Development Plan for completion of works as will be done as part of the Council's Capital Works Programme. A Conservation and Management plan for Shackleton's Mills is currently being undertaken.

Any works to Newbridge House or within/impacting the historic designed landscape need to be sensitive to the national significance of the site and be directed by Newbridge House & Demesne Conservation Plan. Routes and connections within the Donabate area into Newbridge Demesne should be directed towards existing entrances into the demesne rather than new entrances being created as the proliferation of breaks in the estate boundary would impact on and compromise the integrity of the historic designed landscape.

As a National Monument and one of the most significant Iron Age promontory forts in Ireland any proposals must be in the context of the implementation of the *Drumanagh Conservation & Management Plan* and must secure Ministerial Consent. Given the sensitivities of the site it is not suitable for traditional tourism infrastructure on the actual site, but consideration could be given for such nearby.

Access to the heritage resource forms a key component in Chapter 10 at Section 10.8 and is considered adequately addressed by Policy HCAP31-Access and Objectives HCAO53-Tourism; HCAO54-Understanding of the Heritage Resource; HCAO56-Engagement. Any tourism development of Fingal's heritage should be carefully considered and carried out in a sensitive and sympathetic manner so that it is does not negatively impact on the heritage assets.

#### **Culture**

A small number of submissions were received in relation to culture and cultural infrastructure in Fingal encompassing more diverse use of existing cultural and heritage settings to facilitate health and well-being groups; greater use of the public realm for cultural events; development of a 'Culture Near you' tool; encouraging the participation of people with disabilities as culture consumers; support for emerging artists and trends in youth culture and placing young people at the point of cultural provision in Fingal.

### **Chief Executive's Response:**

The proposals are welcome. The *Fingal County Council Arts Plan 2019-2025* addresses the detail of some of the submission including a specialist website www.fingalarts.ie and ongoing work with various cultural partners such as the Arts Council of Ireland, the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and the three other Dublin local Authorities. The provision of arts and cultural infrastructure is currently in ongoing through projects such as the Swords Cultural Quarter and Our Balbriggan, both of which will have arts and cultural facilities. Policies are inclusive to all citizens in Fingal, both in programming and grant awards including those with disabilities while Fingal's arts centres make special provision for access for the disabled. Work with young people is already taking place through Fingal's specialist Youth & Education officer, the Artist in School programme, Music Generation Fingal, Cruinniú Na nÓq, and the Room 13 schools project, and more with long-standing cross local authority partnerships on youth issues.

Culture and cultural infrastructure forms a key component in Chapter 10 at Section 10.9. and is considered adequately addressed by Policies HCAP32-Protection of Cultural Infrastructure; HCAP33-Cultural Resources and Objectives HCAO57-Arts and Culture Infrastructure Policy; HCAO59-Cultural Assets; HCAO59-Cultural Assets and HCAO60-Cultural Spaces; HCAO71-Inclusivity.

# Language Heritage

Multiple submissions expressed widespread support for the continued promotion of the Irish language and the linguistic and intangible cultural heritage of the County through the use of historic names in the naming of new developments. Greater use and visibility of the Irish language was proposed in the size of text size on signage and the displaying of names in Irish only. A number of submissions were supportive of the rezoning of lands at Coldblow that is perceived to accommodate Na Gaeil Óga and support the Irish speaking community of the area.

### **Chief Executive's Response:**

The Council is committed to the promotion of the Irish language in Fingal. The Council's fourth Irish Language scheme commenced in May 2021 and shall remain in force for the next 3 years. The Draft Plan contains a number of objectives in regard to the use of the Irish language in naming residential and mixed schemes, the bilingual use of townland names, and the use of Irish language on shopfronts. The sizing of text on signage is an operations matter. Submissions received in relation to the provision of a headquarters/facilities for Na Gaeil Óga and the Irish speaking community in North Lucan are considered in Sheet 13 of this report. Through placemaking, which is advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the development of adequate housing, retail, leisure, and employment uses, quality public realm, community facilities, design and

standards and open space throughout the County. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

Irish language forms a key component in Chapter 10 at Section 10.10. and is considered adequately addressed by Policy HCAP34-Irish Language and Objectives HCAO63-Naming of residential Schemes; HCAO64-Townland names; HCAO65-Shopfronts. As a result, amendments are suggested as set out in the Chief Executive's Recommendations for this section as included below.

#### Arts

Submissions request that the Draft Plan include requirements in relation to the provision of artist residences and studios and expresses concern as to the practical delivery and implementation of these objectives. A specific clarification was sought in regard to perceived duplication of public art provision for commercial developments.

### **Chief Executive's Response:**

The significant recognition and value given to arts and culture in the Draft Plan in a small number of submissions is welcomed. The *Fingal County Council Arts Plan 2019-2025* addresses the detail of some of the submission including the provision of arts and cultural infrastructure such as provision for artist studios in Balbriggan and Lusk.

The Council has a clear and defined role in relation to commissioning public art works under the governments Percentage for Arts Scheme (1978 / amended 1986).

Arts forms a key component in Chapter 10 at Section 10.2. and is considered adequately addressed by Policies HCAP37-Fingal Arts Plan 2019-2025 and Objective HCAO70-Artist's Spaces.

#### **Chief Executive's Recommendations:**

#### **CE CH 10.1:**

Include the following in Section 10.5.1.4 Underwater Archaeology

Fingal's offshore and coastal waters, tidal estuaries and rivers have a diverse and interesting range of features and finds piers, quay walls, fords, stepping stones. Section 3 of the National Monuments (Amendment) Act 1987 makes specific provisions for the protection of shipwrecks and underwater archaeological objects, whereby, all wrecks over 100 years old are legally protected. Wreck Inventory of Ireland Database (WIID) which holds records of over 18,000 known and potential wreck sites is used as a tool to help manage and protect historic wrecks. Development, including infrastructure responding to the mitigation of flooding resulting from climate change, within the marine, offshore and coastal waters, tidal estuaries and river areas which have the potential to impact on both known and potential terrestrial and underwater archaeology will require appropriate intertidal and underwater archaeological assessment and the Council will seek and have regard to the advice and recommendations of the Department of Housing, Local Government and Heritage relating to all developments within these environments. The Council will seek to protect, preserve and promote the marine and coastal zone archaeological, including underwater, heritage of Fingal. Where flood relief schemes are being undertaken the Council will have regard to the Archaeological Guidelines for Flood Relief Schemes (DHLGH 2022).

#### **CE CH 10.2:**

Amend Policy HCAP2 as follows:

Importance of Archaeological Resource

Recognise the importance of our archaeological resource and provide appropriate objectives to ensure its appropriate retention, *promotion* and recording.

#### **CE CH 10.3:**

Amend Policy HCAP3 as follows:

Record of Monuments and Places/Sites and Monuments Record

Safeguard archaeological sites, monuments, objects and their settings listed in the Record of Monuments and Places (RMP), Sites and Monuments Record (SMR), *underwater cultural heritage including protected wrecks* and any additional newly discovered archaeological remains.

#### **CE CH 10.4**:

Amend Objective HCAO2 Protection of RMPs/SMRs as follows:

Protect all archaeological sites and monuments, underwater archaeology, and archaeological objects, which are listed in the Record of Monuments and Places, *Wreck Inventory of Ireland* and all sites and features of archaeological and historic interest discovered subsequent to the publication of the Record of Monuments and Places, and to seek their preservation in situ (or at a minimum, preservation by record) through the planning process.

#### **CE CH 10.5:**

Amend Objective HCAO3 Management of Archaeological Resource as follows:

Encourage and promote the appropriate management and maintenance of the County's archaeological heritage, including historical burial grounds <u>and underwater cultural heritage</u> in accordance with conservation principles and best practice guidelines.

### **CE CH 10.6:**

Amend Objective HCAO9 Archaeology in the Landscape as follows:

Ensure that in general development will not be permitted which would result in the removal of archaeological monuments with above ground features, *protected wrecks* and that this will be especially the case in relation to archaeological monuments which form significant features in the landscape.

#### **CE CH 10.7:**

Amend Objective HCAO65 - Shopfronts as follows:

**<u>Actively</u>** support the use of the Irish language on shopfronts

### **CE CH 10.8:**

Amend Objective HCAO66 Promotion of Irish Language, as follows:

Promote Irish language and traditional culture in Fingal and support events celebrating *Irish as a living language* and our cultural heritage.

### **CHAPTER 11: Infrastructure and Utilities**

### **Submissions Received:**

FIN-C453-10, FIN-C453-15, FIN-C453-26, FIN-C453-47, FIN-C453-56, FIN-C453-75, FIN-C453-87, FIN-C453-87, FIN-C453-99, FIN-C453-103, FIN-C453-105, FIN-C453-108, FIN-C453-109, FIN-C453-110, FIN-C453-113, FIN-C453-114, FIN-C453-116, FIN-C453-141, FIN-C453-188, FIN-C453-203, FIN-C453-250, FIN-C453-260, FIN-C453-272, FIN-C453-277, FIN-C453-280, FIN-C453-336, FIN-C453-440, FIN-C453-504, FIN-C453-505, FIN-C453-523, FIN-C453-527, FIN-C453-539, FIN-C453-573, FIN-C455-575, FIN-C455-57 C453-623, FIN-C453-628, FIN-C453-643, FIN-C453-649, FIN-C453-658, FIN-C453-684, FIN-C453-708, FIN-C453-739, FIN-C453-761, FIN-C453-767, FIN-C453-773, FIN-C453-775, FIN-C453-787, FIN-C453-787, FIN-C453-789, FIN-C455-789, FIN-C455-78 C453-793, FIN-C453-797, FIN-C453-800, FIN-C453-801, FIN-C453-802, FIN-C453-807, FIN-C453-815, FIN-C453-822, FIN-C453-824, FIN-C453-861, FIN-C453-920, FIN-C453-958, FIN-C453-983, FIN-C453-984, FIN-C453-987, FIN-C453-990, FIN-C453-991, FIN-C453-992, FIN-C453-1001, FIN-C453-1002, FIN-C453-1005, FIN-C453-1008, FIN-C453-1010, FIN-C453-1011, FIN-C453-1015, FIN-C453-1020, FIN-C453-1079, FIN-C453-1081, FIN-C453-1087, FIN-C453-1089, FIN-C453-1092, FIN-C453-1097, FIN-C453-1103, FIN-C453-1111, FIN-C453-1120, FIN-C453-1122, FIN-C453-1126, FIN-C453-1127, FIN-C453-1128, FIN-C453-1128, FIN-C453-1131, FIN-C453-1134, FIN-C453-1136, FIN-C453-1144, FIN-C453-1156, FIN-C453-1159, FIN-C453-1165, FIN-C453-1202, FIN-C453-1207, FIN-C453-1211, FIN-C453-1215, FIN-C453-1221, FIN-C453-1231, FIN-C453-1234, FIN-C453-1247, FIN-C453-1249, FIN-C453-1262, FIN-C453-1271, FIN-C453-1273, FIN-C453-1280, FIN-C453-1295, FIN-C453-1301, FIN-C453-1671, FIN-C453-1732, FIN-C453-1747, FIN-C453-1801

# **Summary of Issues Raised:**

## **Water Services Policies and Objectives**

A number of submissions received expressed support for the policies and objectives contained within Chapter 11 and the need to promote and provide high quality physical infrastructure was emphasised in many submissions.

Submissions highlighted the need to promote and provide high quality physical infrastructure and the requirement for FCC to continue to liaise with Irish Water and other utility providers was noted, to ensure the timely delivery of sufficient water services infrastructure.

The submission from Irish Water welcomes the inclusion of many objectives in Chapter 11 of the Draft Plan and it is noted that they will support the delivery of their Irish Water plans, programmes and policies. Their submission also states that they will continue to engage with Fingal and provide updates on their plans and projects as further updates become available.

# Water Supply and Wastewater

A number of submissions highlighted infrastructure constraints within the network regarding capacity issues and the need for the upgrade of specific wastewater treatment plants, including the treatment facilities and wastewater infrastructure at Naul, Garristown, Oldtown, Ballyboughal, Malahide, Baldoyle, Sutton, Rush and Ringsend.

One submission refers to current arrangements for treating wastewater for Fingal, and notes that reports from 2020 relating to these arrangements are now out of date and that recent additional developments have further reduced capacity. The submission states that this issue has not been properly assessed by the Draft Plan or in the SEA/AA.

A number of submissions note that development is being granted in towns all over Fingal which cannot be adequately treated for wastewater and that the Regional Wastewater Treatment Plan (WWTP) will not be built in the lifetime of the plan. Submissions received also note the need for sufficient treatment capacity to be available in sewerage systems to protect the ecological integrity of receiving waters and note that the policy of granting planning permission for development with overloaded municipal treatment plants is not acceptable.

Issues with pumping stations are also noted in submissions received, with particular reference made to Sutton Pumping Station, which along with other issues could be putting further pressure on the network.

A number of submissions requested connection for existing residents / businesses / caravan parks to the mains sewerage system including lands in the Corballis/Balcarrick area, Kilhedge Lane, Lusk, Corduff Rural Cluster, Sundrive Road and lands at North Beach, Rush.

One submission makes reference to the need to upgrade the existing Naul WWTP infrastructure to cater for increased levels of organic loading and wording changes are suggested to Table 11.1 (Irish Water's Statement of Capacity) to note the need for Fingal and Irish Water to identifying a long-term solution.

Another submission seeks to 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.

Early engagement in relation to planned road and public realm projects is requested to ensure public water services are protected and enable Irish Water to plan works accordingly and ultimately minimise disruption to the public. The submission from Irish Water noted some high-level updates, which should be amended in Table 11.1 to reflect these changes, including:

- 1. Blanchardstown Regional Drainage Scheme Trunk Sewer will be completed next year.
- 2. Local sewers will be Developer led.
- 3. Baldoyle A Drainage Area Plan is being developed
- 4. Swords A Drainage Area Plan is well advanced, and some advanced solutions are currently being developed
- 5. Malahide there are constraints within the core network which includes Kinsealy North. A project is planned and currently envisaged to be completed in 2028. Kinsealy South is now connected to the North Fringe Sewer.

Irish Water notes that the information displayed in Table 11.1 is a snapshot in time and will vary greatly over the lifetime of the Development Plan. Therefore, it is submitted that it may sit better as an Appendix to the Plan rather than in the main text.

The submission from Irish Water also states that that throughout the County, general capital maintenance upgrades are on-going through Network programmes, which are based on needs. This includes rehabilitation of sewers, upgrades to pumping stations, assessment of storm water overflows and installation of telemetry in line with national programmes.

The IW submission also notes lands zoned as 'Strategic Reserve' are not serviced or nearby services are at or near capacity.

Irish Water have also made comments in relation to specific sections in the Draft Plan. These are outlined below:

- 1. Objective CSO41 & CS045 Promote and support the provision of a sewage mains connections for Corballis/Balcarrick residents. IW notes that it does not have a project in the Capital Investment Plan to support this objective during the lifetime of the CDP.
- 2. Table 11.1 Statement of Capacity:

Malahide Wastewater Network - Kinsealy Lane (south) now connected to the North Fringe Sewer and constraint is now removed. Kinsealy Lane North is still constrained. A project is planned and completed within the lifetime of the CDP.

**Under Towns & Villages:** 

- 1. Loughshinny Pumping Station is now complete and operational.
- 2. Oldtown WWTW it is planned to upgrade the plant under the National Certificate of Authorisation Programme.

## **Chief Executive's Response:**

The provision of an adequate supply of water and wastewater facilities is crucial to facilitate and sustain the growth of Fingal and the greater Dublin area. Irish Water has responsibility for the provision of water and wastewater infrastructure and Fingal will continue to work with Irish Water and the Regional Assembly to ensure that Irish Water's Investment Plan fully aligns with Fingal's Settlement Hierarchy.

It is acknowledged that the availability of quality infrastructure has long been recognised as critical to productivity and competitiveness and the location and delivery of both regional and local infrastructure is critical to ensure that Fingal's Settlement Hierarchy is successful and that its economy can thrive as part of a wider city region.

Policies and objectives contained within the *Fingal Development Plan 2023-29* will continue to facilitate development by ensuring that optimum use is made of existing drainage and wastewater treatment infrastructure in the first instance and that further strengthening of infrastructure is focused on priority locations as identified in the urban settlement hierarchy in accordance with Irish Water, the RSES and the Development Plan.

Issues relating to capacity constraints for new or existing development on future foul sewerage infrastructure are noted within a number of areas of the County, however, this is a matter for Irish Water and not for the Development Plan. Subject to there being no capacity constraints, connections to any new foul sewerage system from an existing development will be subject to the requirements of Irish Water. All new connections are required to connect to the mains, where available.

Wastewater treatment plant capacity and loading calculations are also a matter for Irish Water and Fingal County Council will follow the guidance of, and confirmation from, Irish Water on wastewater treatment plant capacity in its decision-making process. The contents of submissions relating to wastewater upgrades, treatment plants, pumping stations and drainage projects are also all noted. However, the Planning Authority has no direct control over the timing of any such upgrades or new schemes. These are made by Irish Water and their timing is established in Irish Water's Capital Investment Plans, which are updated on a regular basis.

References made to the need to upgrade existing wastewater treatment plants, including those at Naul, Ballyboughal and Oldtown is noted. This issue is a matter for Irish Water and the EPA. The upgrade of this Naul WWTP is included on Irish Water's 'Small Villages & Town Growth Programme', as highlighted in Irish Water's 'Statement of Capacity Table' (Table 11.1). We will continue to work with IW towards the delivery of this strategic infrastructure. Issues relating to loading calculations and capacity will be addressed by Irish Water and their Statement of Capacity Table will be updated on a regular basis.

It should be noted that Table 11.1 is constantly evolving and the recent submission from Irish Water notes that a revised Capacity Register is due at the end of June 2022. The Draft Plan will print the most up to date information available (at the time of publication), however, it must be noted that this Table will change and evolve over the lifetime of the Development Plan. The Irish Water submission noted some high-level updates to Table 11.1, which have now been incorporated into a revised Infrastructure Capacity Table below. It is recommended that this revised Table 11.1 be included in the Draft Development Plan.

Irish Water notes in their submission that the information displayed in Table 11.1 is a snapshot in time and will vary greatly over the lifetime of the Development Plan and request that it may sit better as an Appendix to the Plan rather than in the main text. However, we are of the view that it is more appropriate to maintain Table 11.1 within the main body of the Draft Plan (written statement), as it lists key infrastructural projects which are intended to be completed over the lifetime of the Plan, albeit with changes which may occur after publication of the Draft Plan. Major road projects and other key infrastructure projects, including lists of LAPs, Masterplans, etc, to be prepared are all listed as part of the Draft Plan written statement, so it is therefore considered appropriate that Table 11.1 should remain within Chapter 11 of the written statement.

The Irish Water submission also states that that throughout the County, general capital maintenance upgrades are on-going through Network programmes, which are based on needs. This includes rehabilitation of sewers, upgrades to pumping stations, assessment of storm water overflows and installation of telemetry in line with national programmes and this is welcomed by Fingal County Council.

The Irish Water submission also highlights that lands zoned as a 'Strategic Reserve' within our Draft Plan are not serviced and that nearby services are at or near capacity and they note that there are no current projects in the current Capital Investment Plan to service these areas. This is acknowledged by Fingal County Council. These 'long term strategic reserve lands' are located at Dunsink and Lissenhall. For the purpose of clarity, these lands are currently proposed for new urban neighbourhoods beyond the 6 year lifetime of this Plan and are designated as key development sites that are characterised by: "their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period." Fingal acknowledges that the significant scale and potential of these lands (several thousand new homes in new urban neighbourhoods), will require alignment and support from significant water services, transport and other infrastructural investment. The extended timescale needed to deliver such infrastructure requires certainty in terms of zoning status to ensure such long-term planning and investment. The scale and extent of both areas is significant and has great potential to provide high quality new housing and commercial development within the County. However, Fingal accepts that there are significant challenges in delivering such lands including

provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation. It is likely that the regeneration of these lands will occur over a much longer time frame than the Plan, hence the need to designate these lands now as a 'long term' strategic reserve. Fingal will continue to liaise with Irish Water at an early stage in relation to planned road and public realm projects to ensure public water services are protected and to enable Irish Water to plan ahead.

The submission seeking to 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 is noted. Fingal supports the location of new dwellings in close proximity to the family home, subject to compliance with land use zoning and the rural housing policy and development management objectives and this is supported by a number of existing policies and objectives throughout the Plan, with particular reference to Chapter 2, Chapter 3 and Chapter 14. Policy CSP44 and Policy SPQHP45 read as follows – 'Rural Settlement Strategy' seeks to 'Respond to rural-generated housing need by means of a rural settlement strategy which directs the demand where possible to Rural Villages and Rural Clusters and permit housing development in the countryside only for those people who have a genuine housing need in accordance with the Council's Rural Housing Policy and where sustainable drainage solutions are feasible.

#### Greater Dublin Drainage Project

It is stated that the Water Supply Project and the Greater Dublin Drainage Project are significant to the Greater Dublin Area (GDA). Their strategic importance to the growth and development of the GDA remains unchanged and IW suggests the addition of text to Policy IUP5-Greater Dublin Drainage project, to add "including any updates to the original report".

With regard to wastewater infrastructure, one submission states that while the draft Development Plan identifies the need for a regional Wastewater Treatment Plant, the written statement, SEA and NIS does not discuss the limitations that the current wastewater capacity issues have regarding the implementation of the plan.

One submission argues that the effluent from the Greater Dublin Drainage / regional wastewater treatment plant will contain pollutants not controlled by a discharge licence (such as microplastics) which will have a negative impact on seabirds, harbour porpoise and other freshwater marine mammals and that this impact has not been properly assessed in the Plan. The submission states that the Greater Dublin Drainage project has not assessed any of these issues and argues that an assessment of the compatibility of the GDD Project with the Habitats and Birds Directive must be carried out as part of the SEA and AA for the Fingal Development Plan and that if impacts are identified and cannot be mitigated, then all references to the Regional Wastewater Treatment Plant and GDD should be removed from the Development Plan.

#### **Chief Executive's Response:**

The importance of the Water Supply Project and the Greater Dublin Drainage Project is acknowledged as being a critical piece of national infrastructure under Project Ireland 2040 and will secure the long-term sustainable growth of the Greater Dublin Area. Therefore, it is recommended that we include the additional text (suggested in the Irish Water submission) in Policy IUP5 - 'Greater Dublin Drainage Project', to add "including any updates to the original report" to the end of the sentence.

The submission received highlighting that the effluent from the Greater Dublin Drainage / regional wastewater treatment plant will contain pollutants not controlled by a discharge licence is noted. Issues relating to effluent from the Greater Dublin Drainage Scheme and impacts on habitats and birds are noted. This GDD project is owned and operated by Irish Water and it will their responsibility to ensure compliance with all relevant licensing, discharge and legal requirements. It is not therefore a matter for the Development Plan. The GDDP project will develop a new regional wastewater treatment facility and associated infrastructure to serve north Dublin and parts of the surrounding counties of Kildare and Meath and Fingal supports this critical piece of national infrastructure under *Project Ireland 2040* to secure the long-term sustainable growth of the Greater Dublin Area.

Fingal is committed to continuing to work with Irish Water regarding strategic water service projects and drainage plans in the County and will continue to support efforts to improve the operational capacity of the wastewater network and sewage treatment infrastructure in line with environmental and climate resilience requirements. We will continue to work proactively with Irish Water across a number of different disciplines to progress enabling infrastructure projects throughout Fingal. We will also continue to work with Irish Water to implement the policies and recommendations included within *Irish Water's National Water Resources Plan (May 2021)*.

#### **Other Water Supply Issues**

One submission received highlighted the need for a local lake / water reservoir to serve local community's water needs and act as a community outdoor leisure space, while the need for deliver greater water storage capacity and processing capacity and build additional reservoir capacity was noted in another submission. The need for local viable aquifers to be protected to safeguard local water supply was raised in another submission.

Having regard to the issue of water abstraction, the submission from Inland Fisheries Ireland states that it is imperative that Fingal County Council maintain an abstraction register due to the potential negative impact of abstraction from rivers and streams.

A number of submissions have been received noting the importance of the circular economy and sustainability, and the need for greater water conservation which are welcomed by Fingal.

#### **Chief Executive's Response:**

The submission highlighting the need for a local lake / water reservoir to serve the local community's water needs and act as a community outdoor leisure space is noted, as is the submission requesting local viable aquifers to be protected to safeguard local water supply. Water quality, water conservation, including control and management of leakage is a matter for Irish Water and this is supported within the policies and objectives already included within the Draft Plan.

In line with the NPF and the RSES, the Draft Plan will contain policies which support Irish Water in their role in water quality, water conservation and addressing leakage. Irish Water's Water Supply Project for the Eastern and Midlands Region is supported by Fingal County Council, and it is also recommended that greater water conservation is encouraged and that exploration of alternative sources such as rainwater harvesting is promoted as part of the Draft Plan policies.

Issues relating to the maintenance of an abstraction register and water storage facilities do not fall within the scope of the Development Plan.

The submissions received noting the importance of the circular economy and sustainability are welcomed by Fingal. We will continue to support and promote the reduction in water usage and will continue to encourage people to use less domestic water through a combination of education and awareness campaigns and the Draft Plan will contain policies to reduce water and energy usage.

Climate change will also have significant future effects on the availability of water sources and on the capacity of water bodies to assimilate wastewater discharges through lower water levels in rivers and lakes in longer and drier summer periods. The impact of climate change on the water cycle and the resultant impact on water services and flooding have been addressed as part of Chapter 5 – Climate Action.

### **Surface Water and Flood Risk Management**

A number of submissions support the inclusion of policies in relation to Sustainable Urban Drainage Systems (SuDS), Flood Risk Management and policies to protect and improve rivers and streams, which should result in very positive benefits for the flora, fauna and water quality in these water courses.

### Flood Risk Management

The submission from the OPR welcomes the references in the Draft Plan to relevant Section 28 Guidelines, the preparation of a SFRA, as well as the inclusion of a number of relevant policies and objectives such as IUP13 and IUO16.

A number of submissions highlighted the need for flood protection measures and flood relief measures at a number of locations in the County including Rogerstown, Portrane, Palmer Road, Rush and Clonsilla.

To prevent flood risk or coastal erosion, one submission requests that the Development Plan includes an objective that flood prevention measures be included in the design of the dwelling and site, to mitigate the risk of flooding. It is suggested that this would be a more appropriate measure for future builds in the area.

Another submission requested the completion of the Rogerstown Coastal Flood Relief package within the lifetime of this Development Plan

### **Chief Executive's Response:**

The submissions received raising the issues of surface water runoff and pollution are noted. The removal of surface water from combined systems is a matter for Irish Water and it is Council policy that separate systems are provided in all new developments permitted and these are certifiable under Building Regulations by a project engineer / architect.

The submission noting the need for a new objective to ensure that flood prevention measures be included in the design of new dwellings is noted. The submission requesting the creation of a floodplain zoning which would act as a buffer of at least 30m from the outer boundaries of wetlands, marshes, lakes, rivers and other water bodies is also noted. However, it is considered that the existing Development Plan zoning (which includes flood risk mapping) together with the SFRA and the policies and objectives included within the Development Plan relating to flooding, buffer are sufficient to address this issue and no new objectives are required in this regard. It is recommend the objectives in relation to riparian corridors are increased.

The submission from the OPW requesting clarity of the wording of Policy IUP14 – 'OPW', to reference the relevant Flood Risk Management Plan, rather than the CFRAM programme is noted, and it is recommended that this Policy be amended accordingly. Fingal County Council will continue to work proactively with relevant authorities, such as the OPW, on the identification of flood risk and development of additional flood risk management measures where necessary.

It is acknowledged that localised flooding issues were identified in a number of submissions received. The content of these submissions is considered as part of the review and updating of SFRA as part of the preparation of the Draft Plan. Fingal will continue to protect and enhance the County's floodplains, wetlands and coastal areas as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future. This will also ensure that new development does not impact on important wetland sites within river / stream catchments. The County's floodplains are also being protected by way of technical input into forward planning processes such as the preparation of Local Area Plans, Masterplans etc.

#### **Culverts**

With regard to river crossing structures, the Inland Fisheries Ireland submission outlines the impacts of poorly designed river/stream crossing structures and recommends that the Plan should include a clear policy on the use of clear span structures on fisheries waters and that IFI should be consulted on any such proposed developments. The submission also welcomes the Draft Plan Objectives DMSO159 and DMSO212 which state the intention to de-culvert or 'daylight' existing culverts where possible.

Having regard to culverts, a number of submissions request the construction of a secondary culvert along the Channel Road to protect the properties at risk of Fluvial Flooding along the West Rush Stream as detailed on CFRAM and the *2017-2023 Strategic Flood Risk Assessment* (Fingal Development Plan 2017-2023 - Item 6.1.7 Rush).

#### **Chief Executive's Response:**

The submissions received requesting the construction of a secondary culvert along the Channel Road to protect the properties at risk of Fluvial Flooding along the West Rush Stream are noted. Specification or design of future flood relief measures lies outside the scope of a Strategic Flood Risk Assessment and the Development Plan. The SFRA will inform zoning decisions to ensure that zoning does not conflict with planned / committed flood relief scheme measures and will take account of any measures specified in CFRAM Flood Plans.

The IFI submission recommending that the Plan should include a clear policy on the use of clear span structures on fisheries waters is noted and agreed. It is considered that the existing Objective DMSO159 could be amended to include additional text in this regard.

### Sustainable Urban Drainage Systems

A number of submissions support the inclusion of Nature Based Surface Water solutions (SuDS) and highlight that these nature-based solutions should be used first in plans to mitigate the impact of coastal erosion and flooding. The submission from Irish Water strongly encourages the removal (or significant reduction, if full removal is not feasible), of surface water inflows to the wastewater system. In order to support this objective, Irish Water welcomes the inclusion of policies and objectives on the use of SuDS and Green Infrastructure in both existing and new

development areas in Fingal. Irish Water welcomes the introduction of SuDs Guidance and Fingal's commitment to reducing run-off and improving drainage. This will be of utmost importance in combined sewer areas where developments are proposed.

One submission received states that in towns and cities, the rise in impermeable surfaces such as roads, pavements and driveways has led to increased surface water run-off. It is suggested that more trees reduce surface water run-off compared to asphalt and an increase in green space could drastically reduce run-off in built-up areas.

The submissions from the OPR and the OPW recommends that a reference be included in Objective IUO10 to the recently published DHLGH 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' (November 2021) in order to further strengthen the policy framework relating to flood risk management. The OPW submission also requests changes to the land use zoning maps, Justification Tests and the sequential approach.

The submission from the OPW also welcomes the acknowledgement of the Guidelines on the Planning System and Flood Risk Management (DECLG/OPW, 2009), and the preparation of a Strategic Flood Risk Assessment (SFRA). In particular, the OPW submission welcomes the discussion, policies and objectives set out in Chapter 11 on flood risk management, surface water and flood risk management, and Nature Based Solutions, and welcomes the preparation of "Appendix-11 - FCC SUDS Guidance Document - Green Blue Infrastructure for Development".

The OPW submission also highlights that in addition to the outputs listed in Section 3.11 of the SFRA, the Guidelines also recommend that an SFRA provide guidance on the likely applicability of different SuDS techniques for managing surface water run-off at key development sites.

The submission from the OPW welcomes Policy IUP14 – 'OPW', however, it is requested that the wording of this policy might be clarified to reference the relevant Flood Risk Management Plan, rather than the CFRAM programme which was completed in 2018.

Another submission received welcomes that SUDS attenuation features can be located within public open space areas. It is noted that it is important and appropriate that urban land is made to 'work hard' and can fulfil several roles simultaneously such as drainage and recreation, if appropriately designed.

The submission from the DAA notes that Surface Water drainage is a significant contributory factor to environmental protection and sustainability at Dublin Airport given the aviation activity, presence of fuel and other potential pollutants in addition to the extent of development ongoing. This submission requests an additional policy within Section 8.5.7 for Sustainable Drainage.

#### **Chief Executive's Response:**

Fingal acknowledges the many submissions received relating to SuDS designs and the need for innovating SuDS infrastructure. There is already a suite of sustainable measures required / promoted for all new developments as part of the Council's SuDS and Water conservation policies. Fingal County Council has also recently published its SuDs Guidance document entitled 'Green/ Blue Infrastructure for Development' (December 2020), with input from across the organization and many submissions received noted support for this Guidance document.

The submissions from the OPR and the OPW recommending that a reference be included in Objective IUO10 to the recently published DHLGH 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' (November 2021) in order to further strengthen the policy framework relating to flood risk management is noted and agreed. It is recommended that Objective IUO10 - 'SuDS; Nature-Based Solutions' be updated accordingly.

Recommendations made by the OPR and OPW in relation to 'Recommendation 16 – Flood Risk Management', which request the overlaying of land use maps and flood maps and the need to carry out Justification Tests, etc, have been addressed as part of the Response to the SFRA, which is included in this report.

The submission highlighting the request for the SFRA to provide guidance on the applicability of different SuDS techniques for managing surface water run-off at key development sites is noted. Specification or design of future flood relief measures of SuDS techniques lies outside the scope of a Strategic Flood Risk Assessment. Greater emphasis on SuDs measures, including the recently prepared FCC SuDs Guidance document are included in new Draft Development Plan policies and objectives and this SuDS Guidance Document seeks to ensure the early consideration of surface water drainage management and open space provision in the development design process.

The submission from the DAA noting that surface water drainage is a significant contributory factor to environmental protection and sustainability at Dublin Airport and the request for the inclusion of an additional policy within Section 8.5.7 'Sustainable Drainage' is noted. However, it is considered that there are a number of policies and objectives promoting sustainable drainage throughout the Plan including within Chapters 4, 5, 6, 9, 11 and 14 and it is not considered necessary to introduce a new policy at this location. This issue of sustainable drainage is also comprehensively addressed within the Dublin Airport LAP, with the inclusion of Objective SWO1, SWO2, SWO3, SWO5, SWO6, SWO7, SWO8 and SWO9, which all relate to sustainable drainage in the airport area.

#### **Buffer Zone Around Pumping Stations**

One submission received expresses disappointment that the buffer zone of 35-50m around pumping stations is retained in the Draft Development Plan. It is submitted that this standard is at odds with the Irish Water requirement and is a waste of valuable urban serviced land. It is suggested that the Planning Authority adopts Irish Water standards for pumping stations.

### **Chief Executive's Response:**

The submission received expressing disappointment that the buffer zone of 35-50m around pumping stations is retained in the Draft Development Plan is noted. However, it is recommended that this buffer zone be retained in the Draft Plan and there are many developments which benefit from the inclusion of this objective, which protects nearby properties from potential noise and odour.

#### **Riparian Corridors**

There were a large number of submissions received in relation to riparian corridors with many highlighting the need to include a riparian buffer along the Royal Canal, with many stating that the proposed 10m buffer along the Royal Canal is limited and should be increased. It is stated

that it is home to a vast array of flora and fauna, and it is argued that although the Royal Canal is not a river, it is home to many of these protected species and therefore deserves the same preservation as is afforded to the country's rivers.

Submissions note concern that the Development Plan proposes to reduce the current Riparian Buffer Strip between the Royal Canal and adjacent future development to 10m and that this will mean that the ecological corridor will not be wide enough to adequately protect rich biodiversity and important visual amenity of this historic landscape. Submissions note that the Royal Canal is no longer specified in terms of a riparian buffer, and it is referred to as "an urban waterway" and given a reduced protection of only 10m - the same that is allocated to streams and drains - and that this is unacceptable. Another submission states that the riparian corridor along the Royal Canal must be increased to 50m as per the Grand Canal to ensure protection of ecology.

Many submissions requested that the buffer along the Royal Canal be increased to 15m, 30m or 50m.

The inflexible nature of Objective WQ05 – Riparian Corridors (within the current Fingal Development Plan 2017-2023) was highlighted in another submission received, which notes that a variation of this Objective DMSO156 is carried through to the current Draft Plan including a new objective DMSO211, which relates to the requirements for riparian corridors. It is requested that these Objectives should be amended to provide a more flexible and case specific approach as to what constitutes an 'appropriate' riparian corridor in the interests of the protection of biodiversity. Suggested text amendments are suggested to Objectives DMSO156 and DMSO211 in submissions received.

One submission references the recently published document (November 2020) by Inland Fisheries Ireland entitled 'Planning for Watercourses In the Urban Environment A Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning' and flags that it is considered appropriate to apply the provisions of this document to provide for uses within the 15-20m (middle zone) of a significant watercourse.

Another submission suggests the creation of a floodplain zoning which would be a buffer of at least 30m from the outer boundaries of wetlands, marshes, lakes, rivers and other water bodies which also excludes agricultural and commercial horticultural use from these newly zoned areas which should be left to rewild.

The DAA submission raises concern in relation to Section 9.6.8 of Chapter 9 relating to ecological corridors and the setting of a minimum riparian buffer strip. DAA requests a recognition within the policy provision of Section 9.6.8 that riparian ecological corridors may be incompatible with existing established land uses in specific parts of the county and flexibility is required. There are text amendments suggested for Section 9.6.8.

#### **Chief Executive's Response:**

The Draft Plan addresses the extent of buffer zones along river with existing Objective IUO26-Riparian Corridors and Section 14.25.5-riparian Corridors. It is proposed to increase the riparian buffer strip to 48m outside of development boundaries along the main water bodies of the County, in line with the IFI guidelines. It is also proposed to include a new objective in relation to

urban areas, which requires ensuring any development within 25m of the riverbank does not result in a negative impact on the river course.

Current planning guidance for areas subject to flooding precludes certain developments within floodzones A and B. The Draft Plan also includes buffer zones around the estuaries in which developments are subject to Appropriate Assessment. The Council has no powers to restrict land uses such as agriculture and horticulture in buffer zones.

The Royal Canal is also protected through various designations, zonings and other policies and objectives. The Royal Canal is itself a protected structure and is described as a late 18<sup>th</sup> century man-made canal, including the tow paths, the canal channel with its stone and earth banks, and the canal locks (10th, 11th and 12th Lock). This affords a significant degree of protection of the structure and its setting.

The Canal is a proposed Natural Heritage Area. Proposed Natural Heritage Areas are sites of significance for wildlife and habitats. The Canal pNHA comprises the central channel and the banks on either side of it. The ecological value of the Canal lies in the diversity of species it supports along its linear habitats. Also the Royal Canal is zoned as Open Space or High Amenity (at different points over the route) and these restrictive zonings and their related policies and objectives also ensure protection of the area from inappropriate development. No further changes are proposed to the Royal Canal corridor.

Protection of the riverine assets and ecological corridors, forms a key component in Chapter 9 at Section 9.6.6-Ecological Buffer Zones and Section 9.6.8-Ecological Corridors and Stepping Stones Including Trees and Hedgerows and attendant policies and objectives as well as those in Chapter 11 including Policy IUP11-Multi-Disciplinary Approach; Objective IUO10 SuDs; Nature -Based Solutions and Objective IUO14-BufferZone for Riparian Corridors.

The DAA submission noting the potential conflict between aviation and birds and the provision and maintenance of riparian corridors (as suggested in Section 9.6.8 of Chapter 9) is noted. Section 9.6.8 currently states the following: 'To be ecologically effective corridors need to be a minimum of 30m in width measured from the top of each riverbank....A buffer of a minimum width of 10m measured from each bank shall apply along small streams and drains. A minimum 10m wide riparian buffer strip measured from the top of the bank either side of all watercourses applies to lands within urban areas...Where lands encompass urban and rural areas, a transitional approach from the urban riparian requirements to the rural riparian requirements may be appropriate and will be assessed on a case-by-case basis.'

This will be updated to reflect the change in wording of the objectives, as referred to above.

It is not considered necessary to include an additional sentence at this location to acknowledge that riparian ecological corridors can be incompatible with particular land uses in specific parts of the county such as aviation and that corridors will not be required or a flexible approach will be applied – as requested in the DAA submission.

#### **Water Quality**

One submission calls for the issues of water quality, fisheries habitat and angling tourism to be given due priority in the Development Plan and reference is made to the EU Water Framework Directive which requires the protection of the ecological status of river catchments and has as a

key objective the establishment of a Framework which prevents further deterioration of and protects and enhances the status of aquatic ecosystems. The submission states that the Development Plan must recognize that protection of the aquatic environment requires the protection of water quality as well as the protection and maintenance of physical habits and hydrological processes/regimes.

Several submissions were received in relation to river water quality and the protection of rivers and streams in the County. One submission requested that the issue of poor river quality at Oldtown should be addressed. Another submission received supports Objective CSO60 to protect and manage the flood plain of the Sluice River to the south of Portmarnock and ensure that its integrity as a natural habitat is maintained.

A number of submissions were received requesting that a water quality survey to be carried out on the Brook Stream & St Catherine's Stream, Rush in the first three years of the Development Plan. Having regard to the Water Framework Directive, one submission received also states that all of Fingal's Water bodies have declined in quality, and those actions which have been put in place up to 2022 have failed to bring the status of water bodies up to the required 'Good' status. It is submitted that the Development Plan needs to do more to protect and mitigate runoff and discharges to the catchments.

One submission received states that in order to give effect to the Weser judgement, the plan should clarify that planning decisions will require the protection and improvement of water quality in all waters so that we achieve good ecological status as required by the Water Framework Directive.

Another submission mentions the Delvin River and states that this area/part of the river (known as Delvin\_020) is identified for restoration works by both Meath and Fingal County Councils under the *Draft 3rd Cycle River Basin Management Plan, Nanny-Delvin Catchment* and it is requested that a new local GI Objective is included in the new Development Plan. Another submission requested that a specific objective should be inserted into the Development Plan in relation to the WFD Objective from the RBMP on the Delvin\_20 section of the Delvin River.

#### **Chief Executive's Response:**

The content of submissions relating to the water quality of local streams, rivers and coastal waters is noted, together with the submission requesting the issue of fisheries habitats and angling tourism to be given due priority in the Development Plan. Fingal recognises the need to maintain high water quality and ecological status in the County's waterbodies. Under the Water Framework Directive, the River Basin Management Plans identify pressures on water quality and set out a programme of measures and actions to improve water quality in our rivers, lakes, estuaries and coastal waters. Fingal County Council will continue to support initiatives to improve water quality and to achieve 'good ecological' status.

The submissions received in relation to river water quality and the protection of rivers and streams at many locations in the County are noted. The submission received supporting Objective CSO60 to protect and manage the flood plain of the Sluice River to the south of Portmarnock is also welcomed.

Chapter 9 of the Draft Plan contains a range of policies and objectives promoting coastal tourism and recreation, and the Plan recognises that coastal areas have great potential for tourist related

projects including angling all along the Fingal coast. The Council recognises that these activities require a coastal location but need to be controlled and directed appropriately in view of the sensitive nature of the coast.

The submission making reference to the EU Water Framework Directive requiring the protection of the ecological status of river catchments and requesting that the Draft Plan recognizes that the protection of the aquatic environment requires the protection of water quality as well as the protection and maintenance of physical habits and hydrological processes/regimes is noted. The submission referencing the Weser Judgement and the need to achieve good ecological status as required by the Water Framework Directive is noted. Fingal will continue to support initiatives to improve water quality and to achieve 'good ecological' status in compliance with the Water Framework Directive and associated River Basin Management Plans, particularly those which employ nature-based management measures, and explore opportunities for targeted watercourse improvement interventions which are designed to deliver a wider range of environmental benefits.

It is a strategic aim of the Draft Plan (in Section 11.4) to 'ensure the implementation of water conservation and SuDS measures to reduce the level of surface water run-off, improve water quality and contribute to adaptation to climate change through natural solutions and continue to support initiatives to improve water quality and to achieve "good ecological" status in compliance with the Water Framework Directive and associated River Basin Management Plans, particularly those which employ nature-based management measures.'

Chapter 9 and Chapter 11 of the Draft Plan include a number of relevant policies and objectives regarding the maintenance and protection of surface waters, groundwater, aquifers and coastal waters, in line with the Water Framework Directive.

Policy GINHP7 – 'Protection', which seeks to 'Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses, flood plains, riparian corridors, wetlands and coastal area though long-term and liaison with relevant Prescribed Bodies where appropriate.'

Objective GINHO78– 'Protection of Bathing Waters' also seeks to 'Protect bathing waters, including those listed in the Water Framework Directive Register of Protected Areas for the Eastern River Basin District, at Sutton, Portmarnock, Malahide, Donabate, Portrane, Rush, Loughshinny, Skerries and Balbriggan in order that they meet the required bathing water standards and implement the findings and recommendations of the Quality of Bathing Water in Ireland reports as published.'

Policy IUP15 – 'Water Quality' seeks to 'Support initiatives to improve water quality and to achieve "good ecological" status in compliance with the Water Framework Directive and associated River Basin Management Plans, particularly those which employ nature-based management measures, and explore opportunities for targeted watercourse improvement interventions which are designed to deliver a wider range of environmental benefits.'

Objective IUO25 – 'River Basin Management Plans' seeks to 'Maintain, improve and enhance the environmental and ecological quality of our surface waters, groundwater and aquifers by implementing the EU Water Framework Directive through the relevant programme of measures

set out in the River Basin Management Plans and to take into consideration the River Basin Management Plan and Programme of Measures when considering new development proposals.'

It is considered that these policies and objectives adequately address the protection and enhancement of water courses through the implementation of the objectives and measures outlined in the Water Framework Directive.

The submissions received requesting that a water quality survey be carried out on the Brook Stream & St Catherine's Stream, Rush in the first three years of the Development Plan are also acknowledged. The carrying out of water quality surveys is a matter for the River Basin Management Plan (and not the Development Plan). Priority areas are identified in this RBMP and tend to include larger catchments of greater significance. The RBMP sets out and seeks to implement supporting measures to improve water quality in over 70 water bodies on a prioritised basis and identifies the actions that Ireland will take to improve water quality and achieve "good" ecological status in water bodies (rivers, lakes, estuaries and coastal waters) by 2027. Ireland is required to produce a RBMP under the Water Framework Directive (WFD). Irish Water's planned capital investment in the upgrading of wastewater treatment plants and collection systems will address the priorities set out in the RBMP.

The third cycle RBMP will be published in 2022 and will cover the period from 2022 to 2027. Recent data on the existing water quality in Fingal for the period 2013–2018 (published in 2019) shows that the majority of our river and coastal water bodies have achieved good or high status, while our lakes and transitional waters have significantly higher percentages of poor status water bodies. The inclusion of Policy IUP15 - 'Water Quality' in Chapter 11 is also noted.

The maintenance and improvement of the environmental and ecological quality of Fingal's watercourses and coastal waters pursuant to the requirements of the Water Framework Directive are acknowledged in the current Plan and policies and objectives will continue to be incorporated into the Draft Plan.

The submissions received in relation to the Delvin River and restoration works are noted. The Delvin River is acknowledged as a salmonid systems (designated pursuant to Directive 78/659/EEC) and is therefore of particular significance and this is recognised in the Draft Plan. The Delvin River is included within the OPW's 'Flood Risk Management Plan for the Nanny-Delvin River Basin' and Fingal will continue to work in close partnership with the OPW on implementing the remaining projects under both FEMFRAMS and CFRAMS as well as minor non-catchment based projects.

#### **Pollution**

A number of submissions raised pollution of watercourses and highlighted the issue of how Fingal's coast, beaches and rivers face frequent pollution due to the inadequacy of the sewer network including the pumping stations, and misconnections in the system which direct surface water into the sewers causing them to overflow. The issue of wastewater being pumped into the sea at several locations including Rush and Loughshinny and other areas was also noted in submissions received. One submission requests that FCC investigate run-off from streams and its source onto the beach and into the sea to prevent any pollution of the beach

Submissions also refer to the problem of sewer pipes being misconnected and discharging to surface water and calls for the Development Plan to commit to addressing all of the sources of sewage pollution in the County.

### **Chief Executive's Response:**

The content of the submissions relating to misconnections and subsequent pollution issues are also acknowledged. This is an operational issue and does not fall within the scope of the Development Plan. Dwellings and other buildings that have misconnections are requested to remove the misconnections within an agreed timeframe.

#### Quality of Bathing Water (Coastal) and Blue Flag Status

A number of submissions reference coastal infrastructure, amenities and facilities and request Fingal to carry out measures to attain Blue Flag Status on many beaches in the County, including South and North Beach, Rush and Loughshinny.

### **Chief Executive's Response:**

The frequency of bathing water testing and blue flag status are not a matter for the Development Plan. To make an application for a Blue Flag, the beach must meet a stringent criterion set by FEE (The Foundation for Environmental Education) in four categories of water quality, environmental management, environmental education and safety. All Blue Flag awards are at the remit of the evaluation committee each year.

However, Fingal was delighted with the recent announcement in May 2022 that two new 'blue flag' beaches have been designated in the County – at Balcarrick, Donabate and Rush South Beach. It is recommended that the text included in Section 11.5.3.1 be updated accordingly to reflect these two additions.

The Bathing Water Quality Regulations 2008 set out our obligations for bathing water quality checks and public information during the bathing season. Bathing waters are sampled on a regular basis from the end of May to mid-September every year to assess the microbiological quality of the water and to minimise any public health risk. The first bathing water quality results of the season were taken on 27th June 2022 and all identified bathing waters met the standard for 'excellent' water quality, apart from Front Strand, Balbriggan, which met the standard for 'good' water quality. The non-identified bathing water at Malahide Beach also met 'excellent' status.

Fingal County Council will continue to work with the EPA to monitor bathing water quality. The Draft Plan includes Policy IUP19 – 'Bathing Water Quality and Beaches', which seeks to 'Maintain and enhance Fingal's beaches for bathing to a high standard and protect and improve water quality and bathing facilities for them to attain "Blue Flag" standards.'

#### Other Issues

The Department also requests that the Council include a reference to 'any successor thereof' anywhere that the OREDP (Offshore Renewable Energy Development Plan) is referenced

#### **Chief Executive's Response:**

The Department of Environment, Climate and Communications request that the Council include a reference to 'any successor thereof' anywhere that the OREDP (Offshore Renewable Energy

Development Plan) is referenced, and it is recommended that Section 11.7.1 and Policy CAP15 in Chapter 5 be updated accordingly.

Other submissions were received relating to other water services issues, including the request that water fountains to facilitate hydration could be installed at a number of locations in Lusk and Rush with another submission suggested the reconnecting of the existing pumps to water to allow plant watering. Issues relating to the provision of public drinking fountains, plant watering and public water refill stations are operational functions of the Council and, therefore, are not a matter for the Development Plan.

Fingal will continue to support and promote the reduction in water usage and will continue to encourage people to use less domestic water through a combination of education and awareness campaigns and the Draft Plan will contain policies to reduce water and energy usage.

### **Waste Policies and Objectives**

#### Waste Management Facilities in Fingal

Submissions received state that existing waste management facilities in Fingal are over capacity, with one submission noting that this is resulting in Section 56 notices being issued under the *Waste Management Act* and that existing waste management capacity in the Dublin region may be displaced as part of the City Edge project.

Fingal will experience continued population growth, with resultant increase in waste generation, over the period of the Draft Plan. Another submission refers to the national policy relating to waste management. It is highlighted that the NPF, *Ireland's National Waste Policy 2020-2025*, and the RSES support the need to transition to a circular economy while continuing to invest in waste management facilities to both facilitate this transition and to manage short term growth in waste. It is submitted that Regional Waste Policy supports the development of a sustainable indigenous waste management sector to create employment and reduce reliance on waste exports. It is argued that the Draft Plan, while referring to the above documents, does not adhere to the policies outlined in same.

One submission notes that the current waste management capacity in Fingal does not currently adhere to Policy IUP22 of the *Draft Fingal Development Plan 2023-2029*, which supports self-sufficiency in waste management in Fingal. Likewise, this situation is not currently compliant with Objective IUO29 of the Draft Plan, which requires the adequate provision of waste facilities for the Fingal population.

One submission received requested the designation of a site for the development of a Sustainable/Circular Economy Campus at Naul. Such a Campus would be in line with both Fingal local policy, and National policy.

Another submission requested Fingal County Council to consult directly with their respective Regional Waste Management Planning Office regarding development of the final Development Plan.

One submission received highlighted the potentially problematic issue of incinerators and suggests that in order to avoid waste disposal and recovery development being tacked on to existing developments that Waste Disposal and Recovery Facility (High Impact) and Waste Disposal and Recovery Facility (Low Impact) uses cannot ever be considered as ancillary

development and must be assessed on their own stand-alone merits. To this end, the submission suggests the inclusion of a new Development Plan Objective.

#### **Chief Executive's Response:**

Fingal County Council's involvement in waste management is a policy making and regulatory role, which includes responsibility for creating a Local Waste Management Plan and for dealing with any instances of illegal disposal of waste in their area and taking the appropriate enforcement action. Waste Management Policy for the Region is contained in the Eastern and Midlands Region Waste Management Plan (EMRWMP) 2015 – 2021. The overall vision of this plan is to rethink the approach taken towards managing waste and that waste should be seen as a valuable material resource.

The submission received seeking to establish a Sustainable / Circular Economy Resource Campus at Naul is noted and any application for such development would be assessed under the usual development management process.

Submissions seeking the inclusion of a new local objective to allow the continuation of non-conforming uses (such as a treatment facility for end-of-life vehicles) will be addressed through the responses to the relevant Development Plan sheets. Non-conforming uses are included in Section 13.3 of the Draft Plan with Objective ZO3 supporting the reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.

The submission requesting that Fingal County Council consult directly with their respective Regional Waste Management Planning Office regarding development of the final Development Plan is noted. Fingal County Council consults directly with the Regional Waste Management Planning Office on a regular basis and the policies and objectives included within any Regional Waste Management Plan are promoted and supported in the Development Plan, through the inclusion of the following:

Policy IUP20 – Implementation of Existing Waste Management Policy: Support the implementation of existing waste management policy and promote education and awareness on all issues associated with waste management, both at industry and community level, including the promotion of waste reduction by encouraging reuse, recycling and recovery of waste. Fingal County Council will continue to promote and support the objectives of the Eastern and Midlands Region Waste Management Plan 2015–2021, or such plans as may be updated.

Objective IUO28 – Eastern Midlands Region Waste Management Plan: Implement the provisions of the Eastern Midlands Region Waste Management Plan 2015–2021 or any subsequent Waste Management Plan applicable within the lifetime of the Development Plan. All prospective developments in the County will be expected to take account of the provisions of the Regional Waste Management Plan and adhere to the requirements of that Plan.'

Chapter 5 and Chapter 11 of the Draft Plan seek to integrate a more sustainable approach to waste based on circular economy principles. National climate action policy emphasises the need to take action to address climate action across all sectors of society and the economy. In the waste sector, policy on climate action is focused on a shift towards a "circular economy" encompassing three core principles: designing out waste and pollution; keeping products and material in use; and regenerating natural systems.

Fingal County Council's approach to waste management is consistent with the EU Waste Hierarchy and the circular economy approach to waste which promotes the principles of prevention, re-use, recycling, energy recovery and sustainable disposal. The transition towards a circular economy is already well underway and the Government's *Waste Action Plan for a Circular Economy 2020 – 2025* outlines the new focus which goes beyond simple management of waste and moves towards how we look at resources more broadly, thereby capturing the maximum value of all materials.

This Waste Action Plan provides Ireland with a roadmap for waste planning and management and is supported by the Circular Economy Bill 2021 and Government Strategy to comply with EU Waste Directive obligations. Fingal will continue to facilitate the implementation of national legislation and national and regional waste management policy having regard to the waste hierarchy, including the Eastern Midlands Region Waste Management Plan 2015–2021 (EMRWMP), which informs these Development Plan policies and objectives. The implementation of the EMRWMP must ensure that European and national mandatory targets are achieved and, in doing so, that the health of communities in the region, its people and the environment are not compromised. A National Waste Management Plan for a Circular Economy is currently in preparation, and this will replace the existing Regional Waste Management Plans

### Waste Land Use Classifications and Zoning

There were several submissions received regarding the classification of waste disposal / recovery facilities within the use classes included within the Development Plan and clarity is sought as to where Authorised Treatment Facilities for End-of-Life Vehicles should be located in the County. It is also noted that such a use has an ambiguous classification as either "Waste Disposal / Recovery Facilities (Excluding High Impact)" or "Waste Disposal/Recovery Facilities (High Impact)".

Submissions referred to the classification of waste management facilities in Appendix 7 - Technical Guidance Notes' as either *Waste Disposal/Recovery Facilities (excluding High Impact)* and *Waste Disposal/Recovery facilities (High Impact)* and contends that the definition for each category is too broad, may be open to interpretation as it does not reflect operational realities and practicalities of modern integrated waste management facilities.

It is submitted that the distinction on the basis of either a low or a high potential for odour, dust, noise and other nuisances is subjective and does not account for the fact that an appropriately operated waste management facility should not create any significant impacts on sensitive receptors and that such impacts are regardless, assessed by relevant statutory bodies. A potential alternative is suggested as a means of distinction between differing types of waste management facilities and revised definitions are proposed in the submission received.

Other submissions received highlight that the land use zonings proposed in the Draft Plan are inflexible with regards to types of waste management facilities, and available zoned lands are constrained due to pre-existing uses (quarrying) on the lands. Reference is made to the applicable policies/objectives in the Draft Plan and it is argued that the land use zonings as they currently exist in the Draft Plan do not allow the sufficient implementation of these policies.

It is stated that several of the land use zoning categories are too restrictive and that only one zoning type ("GE") allows 'Waste Disposal/Recovery Facilities (Excluding High impact)' as a Permitted in Principle Use and only one zoning type ("HI") allows 'Waste Disposal/Recovery

Facilities (High impact)' as a Permitted in Principle Use. It is stated that most of this HI area is currently in operation as a quarry and is unlikely to be available for waste management uses in the future.

Submission requests the removal of the distinction between 'Waste Disposal/Recovery Facilities (High impact)' and 'Waste Disposal/Recovery Facilities (Excluding High impact)' from the Draft Fingal Development Plan 2023-2029, and / or to Zone Further Lands HI 'Heavy Industry' in the Draft Fingal Development Plan 2023-2029.

### **Chief Executive's Response:**

The submissions requesting the removal of the distinction between 'Waste Disposal/Recovery Facilities (High impact)' and 'Waste Disposal/Recovery Facilities (Excluding High impact)' and clarification of these definitions are noted, as are the submissions seeking to include waste disposal facilities in other land use zoning categories.

The 'Waste Disposal / Recovery (High Impact)' land use classification was introduced to allow for industries which have potential for nuisance and adverse visual impact to be situated away from other more sensitive activities and be concentrated in an area rather than scattered throughout the County. The most appropriate location for these waste disposal facilities is considered to be within heavy industry zoned lands. The vision for Objective "HI" (Heavy Industry) is to 'facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings. Such uses, activities and processes would be likely to produce adverse impacts, for example by way of noise, dust or visual impacts. HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses.'

The submission makes the case that the nuisance impacts can be successfully mitigated when activities are indoors. However, the EPA publish a summary of complaints received for licensed industrial and waste sites and in 2021, they received almost 1500 complaints with over 90% of these related to noise and odour. While it is acknowledged that many operators do run plants to high design and operational standard, the Council is reluctant to permit these 'high impact' uses in wider land use zoning categories, given the nature of the operations proposed and the sensitivity of surrounding land uses.

Traffic associated with waste facilities is also an issue to be considered in terms of the location of specific facilities. Waste facilities accepting putrescible waste may have a high number of waste collection vehicles arriving on site which themselves pose an odour risk which in turn could pose a nuisance to adjoining properties.

The submissions suggesting alternative wording for the definitions of high and low impact waste disposal facilities are acknowledged. However, it is considered that the suggested alternative wording is loose and the distinction between higher and lower impact waste activities is not made and the definitions do not make reference to the potential for nuisance and visual intrusion, with both definitions effectively including all waste activities.

It is recommended that the distinction be maintained between 'high impact' waste activities and other waste activities and that the 'low impact' waste activity definition continues to exclude facilities with the potential for noise, dust and particularly odour impact from putrescible waste.

The submission received highlighting the potentially problematic issue of incinerators is noted. There are no waste facilities which include incineration at present in the County. Any application of this type would most likely require an Integrated Pollution Licence or an Air Pollution Licence from the EPA and any emissions from such a facility would be carefully assessed and controlled. Any application of this type would therefore be assessed under the usual development management process and any licencing requirements necessary from the EPA and it is not considered necessary to insert a new objective in this regard.

#### Food Waste Reduction and Anaerobic Digestion

Many submissions noted the need for better education on recycling and that an educational campaign is needed to highlight sustainable food waste management options for homes and businesses. One submission requests the implementation of specific measures to tackle food waste, to include the implementation of waste prevention measures, the facilitation of community waste prevention demonstration programmes and the provision of accessible public recycling bins in public areas.

Another submission noted that it is time to look at anaerobic digesters for small scale developments as a solution for rural villages, as an alternative to large wastewater treatment plants or upgrades to existing plants that are now at capacity.

#### **Chief Executive's Response:**

Submissions highlighting the need for better education on recycling and education campaigns needed to highlight sustainable food waste management options and litter education programmes are noted and welcomed. A key component of Fingal's waste management policy is the development and delivery of a comprehensive education and awareness campaign to support and compliment the policy objectives contained within the Development Plan. Over 40 Fingal schools recently took part in a pilot project where composting and wormeries were used to recycle food waste as compost. This project was carried out in partnership with Composting Ireland, the 4 Dublin Local Authorities and the Regional Waste Management Plan Office. Fingal is also part of a national programme called 'Stop Food Waste' involving all Local Authorities.

The three Regional Waste Management Offices (RWMOs) have also developed and delivered a campaign which is focused on the use of the brown bin, where appropriate, and the correct use of the recycling bin to increase quality and reduce contamination.

Fingal County Council also employs an Environmental Educational Officer to promote Environmental Awareness Programmes within the County and the importance of promoting waste education to ensure the public are made aware of the need to segregate waste and to recycle on a day-to-day basis will be promoted throughout the Plan in updated policies and objectives. The Council, through its environmental and awareness programmes, will continue to promote reduction, re-use and recycling and Fingal will proactively address litter awareness and education through appropriate policy.

The submission referencing the need to look at anaerobic digesters for small scale developments is noted. Anaerobic digestion is not an alternative to a conventional wastewater treatment plant (aerobic) but it can be an add-on to treat sludge generated in a conventional wastewater treatment plant. It is our opinion that such a facility is not usually appropriate for small plants and is more suited to larger plant facilities, due to the complexity and supervision

required. Fingal will continue to promote the use of all renewable energy sources such as district heating, geothermal and ground heat pumps, solar power, wind turbines, biomass, anaerobic digestion and micro generation of renewable energy.

### Litter / Dumping / Street Cleaning

Illegal dumping, builder's rubble and litter are raised in a substantial number of submissions received. More proactive management of illegal dumping, litter and dog excrement is required. Dumping and litter management has been flagged at a number of locations including many of Fingal's beaches, areas at Kilhedge Lane, Lusk, Clonsilla, Porterstown, Blanchardstown, Glebe Park, Balrothery, Rush, Blanchardstown and Howth.

The issue of more regular emptying of bins was also highlighted, with many bins full and overflowing with rubbish.

The need for recycling and compost bins to be located along the promenade in Howth was noted with a request to ban the use of polystyrene containers. Another submission requested dual waste bins for general waste and mixed recycling at a number of locations in Lusk and Rush. Increased street cleaning is requested in many locations in the County, including Main Street, Rush and the need for more dog waste bins (and associated free biodegradable bags) to be provided in coastal areas and in our parks was also noted.

#### **Chief Executive's Response:**

The Council acknowledges the many submissions received relating to the problem of illegal dumping, litter, overflowing bins, dog fouling and building rubble left behind on development sites. This is an operational issue and Fingal currently employs 6 no. Litter Wardens in conjunction with the Council's Dog Wardens, who carry out daily patrols throughout the County.

The submissions highlighting the need for additional public bins and more regular emptying of bins are noted. Bin collections are conducted as and when required and additional collections are conducted at and during the high season of business and this will be maintained. The need for segregated public litter bins is noted. The provision of public recycling bins (for litter control rather than household waste) is being examined as part of ongoing waste operations in Fingal. However, it is noted that this was trialled in Dublin City in the past and was unsuccessful due to poor compliance with segregation. This is an operational issue (and not a Development Plan one) and such a scheme can be implemented as part of Fingal's Litter Management Plan

The Council actively promotes education among dog walkers and the Council has installed 'talking lamp-posts' in popular dog walking areas throughout the County. Recent Council initiatives also include the 'Green Dog Walkers' Regional Programme, which involves most of the Local Authorities in the Leinster area. It is a non-confrontational, friendly way to change attitudes about dog fouling and is a community-based scheme which volunteers in the community can adopt in their own area. Free doggie-bag dispensers are available at a number of locations in the County.

Fingal's Litter Management Plan (2019) sets out our objectives for preventing and managing litter in Fingal, and our implementation plan to meet those objectives. The Plan is action-based and focuses on the prevention, enforcement and management of litter, with the objective of a consistently cleaner environment for the citizens of Fingal. Our goal as a Council is to protect and

enhance the natural and built environment of Fingal through effective education, awareness, monitoring and enforcement of this Litter management Plan and national legislation and policy.

Issues resulting from unfinished development sites are acknowledged. However, this issue should be dealt with through the Council's enforcement section and is not a matter for the Development Plan.

#### Recycling and Bring Banks

The need for waste management to prioritise recycling and elimination of waste in the first instance was highlighted in numerous submissions received. Fingal County Council needs to further promote recycling and to provide greater penalties for littering. Several submissions support the greater focus on viewing waste as potentially beneficial and support is noted for the inclusion of Objectives IUO31- IUO36 in the Draft Plan.

The importance of recycling and bring banks and the need for additional facilities was noted in many submissions received. One submission received seeks an examination of what Bring Banks are needed in towns and villages across the County. Another submission highlights that there are only two recycling centres provided by Fingal for the whole County and it is noted that this lack of larger recycling infrastructure presents a significant barrier to people recycling and the issue should be resolved urgently.

Submissions noted the need for the Council to coordinate with local stakeholders to identify suitable locations to install such bring banks to encourage recycling and recovery of waste requests.

One submission requests that a new location for the glass recycling area and a composting area and paper /plastic recycling facilities be provided in Ballyboughal.

Another submission requests text changes to Policy IUP24- to add text to ensure that all recycling centres open for the same number of hours (to demonstrate equality across Fingal). This submission also requests an increase the number of Christmas tree collection points in Dublin 15.

#### **Chief Executive's Response:**

Fingal acknowledges the submissions received in relation to recycling centres and the need for additional facilities and extended opening hours. There are over 60 no. Bring Bank facilities in Fingal which are open 24 hours a day and glass, cans and textiles can be recycled here. Fingal currently operate two recycling centres – at Coolmine Recycling Centre, Dublin 15 and Estuary Recycling Centre, Swords. The Recycling Centres currently accept a full range of recyclable materials, bulky waste, waste electrical and electronic equipment, household hazardous waste, paint tins, etc.

The issue relating to the relocation of existing recycling facilities does not fall within the scope of the Development Plan and any proposals to relocate existing facilities is an operational issue and is not a matter for the Development Plan. The need for additional recycling facilities is acknowledged and Fingal will continue to assess the possible provision of a third recycling facility in the County, if required. Fingal will also continue to identify suitable sites for bring banks to ensure that developing settlements have ease of access to such facilities, subject to funding and

resources available, although it is acknowledged that there can be difficulties identifying suitable additional sites.

Submissions noting the need to prioritise recycling and the elimination of waste in the first instance is welcomed and it is acknowledged that the Council needs to continue to promote recycling to build on the successes of the recycling and drop centres and provide for greater penalties for littering.

Submissions relating to the opening hours of recycling centres and the need for additional Christmas tree collection points are operational functions of the Council and, therefore, are not a matter for the Development Plan.

#### **Refuse Storage in New Developments**

One submission received refers to Section 14.9.8 (Refuse Storage) of the Draft Plan which references the requirement to demonstrate appropriate space for refuse storage areas in new residential schemes and considers that it would be beneficial for clarity and consistency to cross reference with: Objective DMSO236 – 'Communal Refuse Storage Provision', and Objective DMSO237 – 'Segregation and Collection of Waste' - in order to ensure all new large-scale residential and mixed-use developments include appropriate facilities for source segregation and collection of waste.

Another submission requests that all new developments of 250 units or more make on site provision for bring bank facilities for bottle recycling.

#### **Chief Executive's Response:**

The submission referencing the need for all developments of 250 units or more to make on-site provision for bring bank facilities is noted. However, this issue is addressed within Objective DMSO235 – Provision of Bring Bank Facilities, which requires...' In conjunction with medium and large scale residential and mixed-use developments providing in excess of 10 residential units, proposals should provide recycling and bring bank facilities to serve residents and in some appropriate locations, the wider community.'

It is considered that this issue is adequately addressed within the existing Draft Plan.

The submission received noting the need for cross-referencing between Section 14.9.8 (Refuse Storage) and Section 14.20.12 (Waste Management) is noted and it is recommended that the Objectives contained within Section 14.9.8 be moved to Section 14.20.12 to maintain consistency and to ensure that all relevant Development Plan Objectives relating to waste management and refuse are located in the one place.

#### Circular Economy

The submission received from the Department of Environment, Climate and Communications draws the Council's attention to the "Whole-of-Government Circular Economy Strategy" - (December 2021), and notes that one of the main objectives of the Strategy is communicating the Circular Economy to households, communities and businesses. It is noted that County Development Plans play a key role in this messaging and, in that regard, direct references to the Strategy would be welcomed.

The submission from Gas Networks Ireland notes that the Development Plan can facilitate Fingal's transition to a low carbon society by supporting the generation and use of renewable energy and supporting circular economy projects. It is highlighted that the production of indigenous gas in Ireland supports the circular economy and sustainable agriculture.

One submission welcomes the proposal in the Draft Plan for a 'Demolition Justification Report' but calls for the Plan to include for consideration of how consistent applications are with the transition to the circular economy and to favour applications to enable sustainable production and consumption systems, the reduction of material and energy use, the reuse of objects and materials, etc. while discouraging resource intensive and linear economy processes.

#### **Chief Executive's Response:**

Fingal Development Plan 2023-29 will continue to support a move towards achieving a 'Circular Economy' which is essential if the County and wider Eastern Region is to make better use of resources and become more resource efficient. In line with the RSES and the EMRWMP, the Draft Plan embraces the circular economy approach in relation to waste management and contains specific policies in this regard. Fingal County Council's Climate Change Action Plan (2019-2024) also contains a range of measures to reduce greenhouse gas emissions and improve energy efficiency.

Promoting and delivering more sustainable forms of waste management in Fingal in line with circular economy principles will be central to the overall approach of the Draft Plan.

The Government approved the Circular Economy Bill 2021, which will implement many actions from the Government's Waste Action Plan. New legislation is being prepared to implement a circular economy which will drastically change production and consumption. The Department of Environment, Climate and Communication's submission highlighting the "Whole-of-Government Circular Economy Strategy" (December 2021), is noted and the need to communicate the main objectives of this Strategy to households, communities and businesses is acknowledged and agreed. It is recommended that the Draft Plan make direct reference to this Strategy, and it is recommended that Section 11,6 of the Plan be updated accordingly.

This new Circular Economy Strategy will involve significant changes to production and consumption by limiting single use products and clamping down on littering and dumping among other measures.

The submission welcoming the proposal in the Draft Plan for a 'Demolition Justification Report' is noted and this submission calls for the Plan to include for consideration of how consistent applications are with the transition to the circular economy. This issue has been addressed as part of the response to Chapter 5 (Climate Action). It considered that the inclusion of Policy CAP25 (Waste Management Plans for Construction and Demolition Projects) is appropriate in this regard.

### **Energy Policies and Objectives**

#### **Energy Networks**

Submissions received note that energy infrastructure should focus on renewables and sustainability and that the Council should promote wind/solar power in appropriate locations.

With so much of the County having coastal access, submissions note that the Council should look at investment in an offshore wind development network.

A number of submissions requested improvement to the electricity supply and connection with outages and interruptions reported in a number of locations around the County. One submission highlights that the pressure to the power grid from the uptake of electric vehicles in the future will be increased and future developments need to set aside land for solar panels to overcome this issue.

One submission received suggests text changes to Section 11.7 and Policy IUP29 to include businesses and local community groups and community funded energy generation projects, while changes to Policy IUP29 supports the inclusion of local community sustainable energy generation projects.

#### **Chief Executive's Response:**

The submissions received highlighting the need for an upgraded electricity and gas network to cope with increased development and economic growth (including increased EV use) in the Region is noted. It is important that the existing electricity and gas networks can be upgraded to provide appropriate capacity to facilitate development of the Region. The main energy networks currently serving Fingal and the wider Eastern Region are electricity and gas and ESB Networks and EirGrid are responsible for the electricity distribution and transmission system in Ireland. This does not fall within the responsibility of Fingal or come under the scope of the Development Plan.

Gas Networks Ireland are responsible for supply, transmission and distribution of natural gas. In an effort to reduce our carbon footprint, it is necessary to diversify our energy production systems away from fossil fuels and towards green energy such as wind, wave, solar and biomass and FCC will continue to promote the use of renewable energy sources such as district heating, geothermal and ground heat pumps, solar power, wind turbines, biomass, anaerobic digestion and micro generation of renewable energy, The submissions made by the ESB, Gas Networks Ireland and EirGrid in respect to utilities infrastructure are noted and referenced below.

The submission received suggesting text changes to Section 11.7 and Policy IUP29 to include businesses and local community groups and community funded energy generation projects is noted and agreed, and it is recommended that Section 11.7 and Policy IUP29 be amended accordingly. It is not recommended that we include the additional sentence at the end of Policy IUP29 requiring the generation of maps to show specific council areas of unused dormant land, as this is not a function of the Development Plan.

#### **Overhead Cables and Power Lines**

A number of submissions requested that overhead cables and wires be undergrounded as they are unsightly in a number of locations including Lusk, Rush and Ballyboughal.

A large number of submissions were received in relation to the EirGrid Cable which runs from North Beach to Rogerstown in Rush and it was requested in these submissions that this cable should be monitored and reports made available to ensure it complies with relevant health and safety standards.

### **Chief Executive's Response:**

The Council acknowledges submissions requiring the undergrounding of wires and cables, particularly along Main Streets. The Council will continue to encourage utility providers to provide such infrastructure underground, where appropriate. Overhead lines and ancillary development can frequently detract from the visual amenity of both urban and rural areas and Section 14.20.11.2-'Overhead Lines' of the Draft Plan contains a number of development management Objectives in this regard.

The submissions received regarding the EirGrid cable are noted. However, the maintenance and monitoring of this cable is an issue for EirGrid and is not a Development Plan issue.

### Reduction in Energy Use

Many submissions received support a reduction in energy usage and support the policies contained within the Draft Plan in this regard. One submission requests text changes to the wording of Section 11.3 - 'Opportunities' and Section 11.4 - 'Strategic Aims' which strengthen the need to increase measures for energy saving in the future and support and prioritise projects which reduce energy use.

This submission also requests text changes to Policy IUP28 which promotes energy efficient development along public transport / cycling corridors, where people can choose to use less energy intensive public transport or cycling options.

Another submission received welcomes the emphasis on emissions reduction, energy efficiency and climate resilience that forms a key strategic vision in the Draft Fingal CDP. This submission supports the proposed development and promotion of renewable energy use and generation, particularly from wind and solar energy and hydropower. This submission proposes that the Draft Plan should ensure a rapid phasing out of all fossil fuels, including gas, and that the Plan should not allow the expansion of the gas grid and should ban fracked gas in its energy mix. The submission recommends that any new large scale fossil fuel infrastructure projects must be mandated to undertake climate impact assessment to ensure they are consistent with Ireland's fair share net cumulative carbon dioxide (CO2) quota in line with the Paris Agreement.

### **Chief Executive's Response:**

The submissions supporting the inclusion of policies to reduce energy usage are welcomed and the Draft Plan includes a range of policies and objectives which promote more energy efficient development through the location of housing and employment along public transport corridors, where people can choose to use less energy intensive public transport, rather than being dependent on the car.

The submission requesting text changes to the wording of Section 11.3 - 'Opportunities' and Section 11.4 - 'Strategic Aims' to strengthen the need to increase measures for energy saving in the future and support and prioritise projects which reduce energy use, are noted and it is recommended that these text changes are incorporated into the Draft Plan.

This submission also requests text changes to Policy IUP28 which promotes energy efficient development along public transport / cycling corridors, where people can choose to use less energy intensive public transport or cycling options. It is recommended that Policy IUP28 be updated accordingly.

The submission received which welcomes the emphasis on emissions reduction, energy efficiency and climate resilience is noted. This submission proposes that the Draft Plan should ensure a rapid phasing out of all fossil fuels, including gas and that the Plan should not allow the expansion of the gas grid and should ban fracked gas in its energy mix and requests that any new large scale fossil fuel infrastructure projects must be mandated to undertake climate impact assessment to ensure they are consistent with Ireland's fair share net cumulative carbon dioxide (CO2) quota in line with the Paris agreement. This issue is addressed in response to Chapter 5 – Climate Action and it is noted that the Draft Plan has taken a positive approach to this issue by promoting renewable energy sources.

#### **Electricity And Gas Infrastructure**

The submission from the Department of Environment, Climate and Communications notes that FCC is requested to note the Government's *Policy Statement on Security of Electricity Supply* (November 2021) and requested to ensure that the Draft Plan expressly supports same where relevant.

The ESB submission highlights that the NPF and the RSES contain promoting policies in relation to Energy Infrastructure. ESB fully supports the reinforcement of those policies at a local level that will accommodate the ongoing generation, transmission and distribution of electricity. Across the Draft CDP, but most particularly in Chapter 5 Climate Action and Chapter 11 Infrastructure & Utilities, the ESB submission highlights that the Council recognises that the availability of energy is of critical importance to the continued development and expansion of employment in Fingal.

ESB welcomes the inclusion of Objective IUO44 and Policies IUP27, IUP29 and IUO30 and supports the promotion of energy infrastructure objectives and submits that they must continue to protect the County's future capacity for the development of energy generation, processing and transmission.

The submission from EirGrid highlights the strategic importance of the national electricity grid and the need for robust policies in the Draft Plan to support the development of a safe, secure and reliable supply of electricity to meet projected demand. EirGrid suggests that additional text, policy support and specific reference to the execution of 'Shaping our Electricity Future-A Roadmap to achieve our Renewable Ambition (2021)' and the development of a safe, secure and reliable supply of electricity and the development of enhanced electricity networks, would be welcomed in the plan.

The submission from EirGrid welcomes a number of policies in our Draft Plan, including Policy IUP30–Enhancement and Upgrading Of Existing Infrastructure And Networks, which will support EirGrid in executing their *'Grid Development Strategy-Your Grid, Your Tomorrow'* (2017). The successful implementation of EirGrid's Development Strategy is considered imperative to meeting national targets for electricity generation, climate change targets and security of energy supplies. In this regard, EirGrid seeks clerical changes in the text in the policy and recommends that the new version of Figure 11.1 be updated. The EirGrid submission references the East Meath-North Dublin Grid Upgrade and highlights that this will strengthen the electricity network in the east of Meath and the north of Dublin to improve the transfer of power across the existing transmission network. It is submitted that this project will add a high-capacity 400 kV underground cable electricity connection from Woodland substation near Batterstown in County

Meath to Belcamp substation near Clonshaugh in north Dublin. This upgraded network will address the increased electricity demand in East Meath and north Dublin and reduce the use of fossil fuels for electricity generation in Dublin and will support securing the electricity supply and strengthening the network in anticipation of the future development of renewable energy, onshore and offshore. EirGrid would welcome specific and explicit policy support for this project in the development plan.

One submission received requests that a strategic objective be added that recognises the need for the electricity transmission grid as both a local and regional asset in the terrestrial and marine areas.

The submission from Gas Networks Ireland suggests that the Draft Plan 2023-2029 references renewable gas wherever renewable energy sources are being listed and suggests that the Draft Plan references 'Compressed Natural Gas (CNG') and 'CNG infrastructure'. The submission notes that the rollout of a network of CNG refuelling facilities has commenced with currently seven CNG stations operational in Ireland and a further pipeline of nine stations in planning and development and CNG filling stations are being installed across the Core TEN-T road network via a project called the Causeway Study.

### **Chief Executive's Response:**

The support for the inclusion of many of the policies and objectives in Chapter 11 relating to electricity and gas infrastructure is noted and welcomed.

The submission from the Department of Environment, Climate and Communications requesting that Fingal acknowledge the Government's *Policy Statement on Security of Electricity Supply (November 2021)* is noted and it is recommended that the Draft Plan includes references to support this document. It is recommended that Policy IUP30 is updated to include reference to this Policy document.

The submission from EirGrid highlighting that additional text, policy support and specific reference to the execution of 'Shaping our Electricity Future-A Roadmap to achieve our Renewable Ambition (2021)' would be welcomed in the plan is noted and agreed. It is recommended that reference is included in the Draft Plan with the inclusion of new text within Policy IUP30.

The EirGrid submission seeking clerical changes to the text in Policy IUP30 is also noted and agreed and it is recommended that Policy IUP30 be updated accordingly. It is also recommended that Figure 11.1 - The All-Island Electricity Transmission Network, be updated to reflect the new map version (dating from March 2021).

The submission from EirGrid requesting specific and explicit policy support for the East Meath-North Dublin Grid Upgrade is noted and it is recommended that a new policy objective be included in the Draft Plan to support this project This upgraded network will address the increased electricity demand in East Meath and north Dublin and reduce the use of fossil fuels for electricity generation in Dublin and will support securing the electricity supply and strengthening the network in anticipation of the future development of renewable energy, onshore and offshore.

The submission received requesting that a strategic objective be added that recognises the need for the electricity transmission grid as both a local and regional asset in the terrestrial and

marine areas is noted. However, it is not considered necessary to include an additional Objective in this regard given the existing policies and objectives contained within both Chapter 11 and Chapter 5, including Policy IUP29, which seeks to 'work in partnership with existing service providers to facilitate required enhancement and upgrading of existing infrastructure and networks and support the development of new energy systems and transmission grids, which will be necessary for a more distributed, renewables-focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave, and solar energy.'

The submission from Gas Networks Ireland requesting that references be made to renewable gas wherever renewable energy sources are mentioned is noted. However, it is not considered necessary to specifically reference renewable gas when energy sources are mentioned throughout the Draft Plan as the references to renewable energy in the plan generally relate to a wide range of sources and do not specifically namecheck each type. It is however recommended that an amendment be made to text included within Section 5.5.3.1., Section 5.5.3.5 and Section 11.7.1 of the Plan which references renewable energy sources to now include reference to renewable gas.

Fingal will continue to promote the diversification of our energy production systems away from fossil fuels and towards green energy such as wind, wave, renewable gas, solar and biomass, together with smart energy systems.

#### **Energy Storage**

One submission received notes that there is an opportunity for FCC to support the enhancement of Ireland's energy security with the inclusion of specific policies supporting these new technologies. Similar policies to the one set out below has been implemented by planning authorities in Ireland.

"It is Council policy to promote the use of efficient energy storage systems and infrastructure that supports energy efficiency and reusable energy system optimization, in accordance with proper planning and sustainable development."

#### **Chief Executive's Response:**

This issue is addressed in more detail in the responses to Chapter 5 – Climate Action. However, it is considered that the existing policies and objectives in the Draft Plan in relation to energy networks and energy utilities allow for the provision of energy storage systems

#### Other Issues

One submission notes the need for the aviation industry to use new fuels generated by sustainable means (such as hydrogen or sustainable kerosene) to meet its climate targets and calls for this need to be acknowledged in the Development Plan.

Another submission calls for Fingal County Council to develop a publicly owned energy company aiming to provide low carbon heat to local communities, like South Dublin County Council's 'Heatworks' in an effort to tackle the energy crisis, and cost of living crisis. One submission also states that it should be an objective of Fingal to seek out opportunities to offer district heating from data centres and power plants to residents in neighbouring areas.

### **Chief Executive's Response:**

Fingal will support and promote the use of new fuels generated by sustainable means for use in the aviation industry, however, it is not considered appropriate to include a specific Development Plan policy in this regard. The Draft Development Plan and Dublin Airport LAP includes a range of policies and objectives relating to Energy & Climate Change and the Draft Plan includes policies to encourage the sustainable development of the renewable energy sector in the County due to the positive contribution it can make to the economy and to the achievement of renewable energy targets.

The Council will continue to support alternative fuel infrastructure at the airport, and it is considered that Policy DAP2 and Policy DAP4 are relevant in this regard. Policy DAP2 seeks to

'Ensure that the required infrastructure and facilities are provided at Dublin Airport, in accordance with Dublin Airport LAP 2020, or any subsequent LAP or extension of same, so that the airport can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local communities, the environment and climate change.'

Policy DAP4 seeks to: 'Ensure that all developments comply with the Climate Actions Objectives and the Circular Economy and waste Management Objectives in the Dublin Airport Local Area Plan 2020, or any subsequent LAP or extension of same.'

Fingal notes the submissions received promoting the potential of district heating as a future sustainable system to connect sources of waste heat/ power supply with areas of demand. District heating will be supported, where feasible, and this is addressed in Chapter 5 of the Draft Plan. The following Objectives are also included in the Draft Plan:

Policy CAP17 – 'Waste Heat, District Heating and Decentralised Energy': Actively encourage the development of low carbon and highly efficient district heating and decentralised energy systems across the County utilising low carbon heat sources such as renewable energy and waste heat recovery and to promote the connection of new developments to district heating networks where such systems exist/can be developed in a given area.

Policy CAP18 –'Supporting the Potential of District Heating in Fingal': Support the potential of district heating in Fingal, all Climate Action Energy Statements submitted to the Council (see Policy CAP12) shall include an assessment of the technical, environmental and economic feasibility of district or block heating or cooling, particularly where it is based entirely, or partially on energy from renewable and waste heat sources.

It is not considered necessary to insert any additional policies or objectives in this regard.

A more detailed response to District Heating is included in response to Chapter 5 – Climate Action.

# Information and Communications Technology (ICT) Policies and Objectives Broadband and Digital Infrastructure

A number of submissions received related to digital connectivity and the need for Fingal County Council to implement the National Broadband Plan (NBP). The increase in people working from home, and the need for high-speed broadband and remote work hubs is a theme in many submissions received. A number of submissions request improvements to broadband in specific

areas of the County (including Oldtown, St. Margaret's and other areas) and submissions also support the creation of remote work hubs around the County.

The submission received from Fingal Chamber is fully supportive of the Draft Development Plan's Digital Infrastructure initiative to position Fingal as a forward thinking and digitally inclusive urban and rural landscape, supporting businesses, residents and visitors. It is noted that while much work has been done in towns and villages with free WIFI spaces, charging benches etc, more needs be done to support and cover the active travel strategy areas and other parts of the County.

The Department of the Environment, Climate and Communications requests FCC to consider further specific reference to a number of policy documents, including: 'Harnessing Digital – the Digital Ireland Framework' and the 'National Development Plan 2021- 2023' – National Strategic Objective 6 which relates to enhancing Ireland's high quality international connectivity.

It is considered that national policy objectives in terms of digitalisation, 5G rollout and enhancing Ireland's national and international connectivity outlined in those policy documents can be further underlined and supported by Local Authorities via specific reference to these areas in their County Development Plans. The Department notes that reference to the National Broadband Plan in draft Policy IUP37 is supported and welcomed, as is the reference to wider telecommunications infrastructure in draft Policy IUP34. The Department requested that FCC should create a centralised telecoms unit to manage all issues relating to telecoms, access to Local Authority assets and Smart Initiatives. This would be in line with the intention of draft Policy IUP34.

For National Broadband Plan and telecoms development, the Dept would encourage a commitment to efficiently process applications for required permits and licences to the scale needed to support the National Broadband Plan deployment, and a commitment to work with operators to streamline and simplify the process.

For ducting and other assets owned by the State, the Dept would encourage a commitment to publish inventories of these assets and develop a streamlined process to allow for easy accessibility for access seekers.

#### **Chief Executive's Response:**

The Council has no direct role in the provision of Wi-Fi or in the roll out of 5G telecommunications infrastructure. However, Fingal County Council will continue to support and promote the rollout of improved digital telecommunications infrastructure in the County and will include such policies and objectives within the Draft Development Plan.

The village of Oldtown will receive an outdoor public Wi-Fi access point as part of the planned Public Wifi Roadmap. The village is also in the commercial/blue area of the National Broadband Plan, meaning that commercial operators have or plan to deliver high-speed broadband services to homes and businesses in this area. A number of designated Broadband Connection Points (BCP) have been identified throughout the County at the following locations:

- 1. Tyrellstown Community Centre
- 2. Fingal Liam Rodgers Community Centre
- 3. Luttrellstown Community Centre

- 4. Applewood Community Centre
- 5. Man O'War GFC
- 6. Fingal Ravens GFC
- 7. Newbridge House & Farm

These BCPs are an initiative of the Department of Rural and Community Development (DRCD) to support communities to access high-speed broadband while they wait for Fibre to the Home (FTTH) services under the National Broadband Plan. Each BCP will provide 150Mb high-speed broadband access to the local community and this will enable people living in the area to go to the selected location and access broadband for a range of uses including remote working, general access and keeping in touch with family and friends.

Some premises located in the area of St. Margaret's fall within the amber area (also known as the state intervention area) of the National Broadband Plan (NBP) Map. This means that commercial operators have indicated to the Department of Communications that they have no plans to provide high-speed fibre broadband to this area. The aim of the NBP is to deliver high-speed fibre broadband to areas such as this. Members of the public can view the NBP coverage map to check the estimated date for high-speed fibre broadband availability using their Eircode on the National Broadband Ireland (NBI) website: <a href="https://nbi.ie/map/">https://nbi.ie/map/</a>

Fingal County Council is committed to assisting in the rollout of the National Broadband Plan and to developing and improving the County's digital infrastructure and services. A Broadband Officer has been appointed by the Council to oversee the County's connectivity infrastructure. The FCC Broadband Officer facilitates the rollout of the National Broadband Plan and Smart Initiatives as set out under the *Fingal Digital Strategy 2020 – 2023*.

Fingal County Council will continue to facilitate the development of flexible co-working spaces and digital hubs that provide vital supports to entrepreneurs and support the local economy by enabling more workers to work and live in their local communities. It is acknowledged that remote working / blended working models are the way forward and as the third biggest local authority in the country, it is important that Fingal County Council takes the lead in being a modern and innovative organisation committed to excellence in all areas of our work. Following many months examining all aspects of the new way of working, we have now included have a series of initiatives which include the fast-forwarding of our Digital Workplace Strategy and the planning of a Workplace Spatial Strategy. These strategies are all well advanced at this stage and as an organisation, we have recently launched our Blended Working Policy and since March 2020 we have successfully implemented improved systems and processes to facilitate remote working.

The submission requesting that Fingal should create a centralised telecoms unit to manage all issues relating to telecoms, access to Local Authority assets and Smart Initiatives is noted. The need to efficiently process applications for required permits and licences to the scale needed to support the National Broadband Plan deployment, and a commitment to work with operators to streamline and simplify the process is also acknowledged. The submission noting the need for the publication of inventories of ducting and other assets to develop a streamlined process to allow for easy accessibility for access seekers is noted.

In response, it is noted that the various Council Departments are working together to ensure better efficiencies in the areas of telecoms communications, licensing and mapping. Fingal

County Council is committed to developing and improving the County's digital infrastructure and services and will continue to facilitate the coordinated provision of telecommunications / digital connectivity infrastructure at appropriate locations throughout the County and extension of telecommunications infrastructure including broadband connectivity as a means of improving economic competitiveness and enabling more flexible work practices.

The submission from the Department of the Environment, Climate and Communications requesting FCC to consider further specific reference to a number of policy documents is noted and it is recommended that reference is made to 'Harnessing Digital – the Digital Ireland Framework' (Feb 2022) and the 'National Development Plan 2021- 2023' – National Strategic Objective 6, in a new Policy to be included within the Draft Plan.

#### **Telecommunications**

The submission received from the ESB supports the approach and the view of FCC that to facilitate the provision of telecommunications services at appropriate locations within the County, the applicant must demonstrate compliance with national guidance.

The ESB submission supports the Draft Plan's requirement that applications for telecommunications development shall be consistent with the updated guidelines (PL 07/2012) that facilitate the improved development of telecommunications infrastructure and promotion of a policy of co-location. The updated Guidelines facilitate the improved development of telecommunications infrastructure and promotion of a policy of co-location. ESB's submission notes that its telecoms infrastructure in the County continues to assist in delivering enhanced communications networks through the provision of backhaul fibre and shared telecommunications towers.

In addition, the ESB submission notes that ESB Telecoms are working with ESB Networks to upgrade internal ESB Communications Networks to facilitate the roll-out of ESB's 'Smart Metering' project. The successful delivery of 'smart metering' is a central component of Ireland's plan to combat climate change through the reduction of unnecessary energy usage. Due to the extent and reach of the electricity network, additional masts may be required in some locations to ensure the delivery of 'smart metering' to all areas. ESB submit that ESB Telecoms will work within the development management standards to deliver this infrastructure. All ESB Telecoms Mast sites are open for co-location and duplication of infrastructure is reduced as a result.

ESB supports the Telecommunications policy that promotes co-location and encourages policies consistent with the Department Circular to allow for the improved development of telecommunications infrastructure, particularly broadband capability in the area.

One submission received raises concern in relation to planning applications for telecommunications infrastructure and requests that Council should aim to cease planning permissions for telecommunications masts / antennae especially near homes and schools and where there are already existing structures in place and that the use of wired technology should be prioritised and incentivised and reflected in the Fingal Development Plan.

This submission also states that such infrastructure has a negative visual impact on communities, scenic areas, sites of heritage and archaeological importance, environment/biodiversity and devalues properties. It also raises concern in relation to the health impacts of such structures. This submission requests a number of amendments to the Draft

Plan, including reference to Circular Letter PL07/20 in relation to Telecommunications Antennae and Support Structures and an amendment to Policy IUP35 in Section 11.8.5, which requests that some areas are kept free of Wi-Fi to cater for the needs of those who are adversely affected by wireless radiation.

This submission also requests the removal of Objective IU054 in Section 11.8.5 – 'Sharing and Colocation of Digital Connectivity Infrastructure', as the submission notes that the exemptions it would provide to the telecommunications industry would effectively allow all wireless technology including 5G to be installed anywhere and everywhere in our community and to beam electromagnetic radiation 24 hours a day without our knowledge or consent.

One submission received seeks the inclusion of a number of new objectives relating to the location of electricity transmission lines in non-scenic areas and to encourage the undergrounding of existing and new lines where possible. A number of suggested policies are also included relating to the location and design of overhead powerlines, the ducting of cables and telecommunications infrastructure. Reference is made to policies and objectives in other Local Authority Development Plans.

### **Chief Executive's Response:**

The ESB submission is noted and welcomed and Fingal will continue to work in partnership with existing service providers, including ESB, to facilitate the required enhancement and upgrading of existing infrastructure and networks and to support the development of new energy systems and transmission grids. There are a range of policies and objectives contained within the Draft Plan to support existing utility providers.

Chapter 11 and Chapter 14 (Section 14.20.9) of the Draft Plan contain a number of relevant policies and objectives relating to the provision of high-quality telecommunications infrastructure and the Plan highlights that the advantages of a high-quality ICT infrastructure must be balanced against the need to safeguard the rural and urban environment. Objectives are included within Chapter 14 which encourage the Co-Location of Antennae and the details required for telecommunications structures applications:

Objective DMSO223 – Co-Location of Antennae: Require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.

Objective DMSO224 – Location of Telecommunications Based Services: Encourage the location of telecommunications-based services at appropriate locations within the County, subject to environmental considerations and avoid the location of structures in fragile landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.

Objective DMSO225 – Applications for Telecommunications Structures: Require the following information with respect to telecommunications structures at application stage:

 Demonstrate compliance with Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment (1996) and Circular Letter PL 07/12 issued by the Department of the Environment and Local Government (as may be amended), and to other publications and material as may be relevant in the circumstances. "

- Demonstrate the significance of the proposed development as part of a national telecommunications network.
- Indicate on a map, the location of all existing telecommunications structures within a 2 km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulations. "
- The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc..) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements.

All policies within the Draft Development Plan are consistent with National Guidance and Circular Letters and will allow for the improved development of telecommunications infrastructure in the County. The assessment of individual proposals will be governed by the Government Guidelines and the controls scheduled in the Development Management Standards chapter of this plan (Chapter 14).

It is not considered appropriate to designate certain parts of the County as 'free of Wi-Fi to cater for the needs of those who are adversely affected by wireless radiation', as suggested in one submission received. To exclude telecommunications infrastructure from residential areas would cover a significant portion of the built-up area and would cover a range of zoning objectives. It would also mean that many mast sharing opportunities could not be explored which may result in additional unnecessary support structures. This could also have a major impact on the roll out of a viable and effective telecommunications network.

In May 2019, Regulation S.I. 190 of 2019 was signed into law to extend the functions of the EPA to cover public exposure to electromagnetic fields (EMF).

### These functions include:

- providing advice to the public and the Government on public exposure to electromagnetic fields (including on relevant standards for public protection),
- 2. monitoring scientific/technological developments likely to impact on public exposure to EMF, and
- 3. carrying out independent monitoring of public exposure to EMF to support our advisory role.

Fingal County Council will continue to follow the advice of the EPA in relation to the rollout of telecommunications infrastructure.

The submission seeking the inclusion of a number of new objectives relating to the location of electricity transmission lines in non-scenic areas and to encourage the undergrounding of existing and new lines where possible is noted. Objective DMS0224 (referenced above), together with Objective IUO53 – 'High-quality Design of Telecommunications Infrastructure' which seeks to 'Ensure a high-quality design of masts, towers, antennae and other such telecommunications infrastructure in the interests of visual amenity and the protection of sensitive landscapes in the

*County.'* are considered adequate to protect the sensitive landscapes and visual amenity of the County.

The importance of the ducting of cables and telecommunications infrastructure is acknowledged and this is also addressed through the inclusion of a number of policies and objectives, including Objective IUO52 – 'Telecommunications Infrastructure', and Objective IUO55 – 'Ducting', which seeks to 'Support greater coordination in the delivery of telecoms/ digital connectivity infrastructure and use of underground ducting asset space.'

Objective DMSO17 – 'Location of New Utility Structures' and Objective DMSO18 – 'High Quality Design of New Utility Structures' also require high quality design and maintenance of telecommunications infrastructure.

It is not considered necessary to include any additional policies and objectives in relation to telecommunications structures and existing policies and objectives are considered sufficient in this regard.

#### **Smart Cities**

A number of submissions received noted the importance of Smart Cities and improved technology. One submission states that concepts such as Smart Cities can be extremely useful in engaging the community. Data collection through citizen science can decentralize the data collection and leverage expert community knowledge in placement of monitoring sensors.

Another submission states that as a Smart Cities initiative, Fingal should have an objective to develop a sensor register where people who are collecting information, register with the council and have their information connected to a centralised system (for issues such as air quality or noise for example).

#### **Chief Executive's Response:**

The submissions noting the importance of Smart Cities and improved technology is noted and welcomed. The importance of community engagement is also acknowledged. In June 2022, Fingal County Council will be launching the 'Fingal Connect' app to support and enhance citizen engagement and shop local initiatives. 'Fingal Connect' is a free web and mobile platform designed to enable and encourage collaboration between residents of Fingal and their public services. With 'Fingal Connect' you can give your opinion, stay informed about local projects, find your local shops and amenities, take part in events in your area, share your ideas and vote for best proposals to improve your locality. The application will enable Fingal County Council residents to discover local shops and give feedback about events and projects in an innovative and fun way. Residents will be also able to participate in local surveys directly on their mobile phones and their contributions will be rewarded with points convertible for vouchers and gifts at various local partners.

Fingal County Council will continue to seek opportunities to develop further Smart Districts and pilot smart places projects to scale regionally.

Fingal County Council's Digital Fingal Unit have also been working on a number of pilot IoT sensor and citizen science projects. Work is on-going on identifying various mechanisms for encouraging the collection and publication of sensor data from a wide variety of sources

### Air, Noise, Light Policies and Objectives

### Air Quality and Noise

A number of submissions support the inclusion of policies and objectives on air quality in the County. One submission requests text changes to Objective IUO57 – 'Air Quality Monitoring'. It is submitted that the lack of enforcement of existing environmental regulations is a major factor as to why our environment is so degraded.

Another submission notes that air quality and noise pollution are two environmental 'killers' and that in Dublin 15 there is a paucity of air and noise monitoring stations and it requested that FCC adopt a more vigorous action plan to monitor and remedy unsafe air quality breaches, particularly in the vicinity of transport related air quality and noise pollution locations (roads, airport, rail, industrial).

There were a number of noise-related submissions received, relating to noise from existing road, railway and airport infrastructure. One submission expresses concern in relation to the noise impacts from the existing railway on a new development proposed near Windmill Road / Clonsilla Road and it requests that Building Regulations be changed to take account of the proximity of noise sources to people. Concern is also expressed in relation to the nearby location of a satellite tower relative to residential development and it is considered that it should be relocated.

Another submission highlights that noise pollution also needs to be considered now, more than ever, when granting planning permission with more people working / studying from home and that listening to a building site 6 days a week is unfair and unreasonable.

It is noted in another submission received that all residential units in new build developments near major roads must provide adequate noise insulation, to ensure that noise within the unit is within the WHO Noise pollution standard of 59dB.

A number of submissions were received relating to airport and aircraft noise and these are addressed within Chapter 8 (Part 3 of this report).

#### **Chief Executive's Response:**

It is acknowledged that higher levels of vehicular movement on heavily trafficked routes and construction activity associated with increased development in Fingal, will intensify the importance of maintaining air quality and the need to manage the negative environmental and public health impacts of air pollution at source. The submissions highlighting the need to ensure that noise and air quality are consistently and constantly monitored throughout Fingal and reported on/managed accordingly is noted and welcomed.

Air quality in the County is currently monitored by the EPA in cooperation with the Local Authority and current measurements are at acceptable levels and give no cause for concern. Fingal will continue to work with the EPA and other agencies to monitor the County's air quality and will also work with adjoining Local Authorities to implement measures included within the recently adopted Dublin Region Air Quality Plan 2021, which is an Air Quality Plan to improve Nitrogen Dioxide levels in the Dublin Region.

The submission received requesting that Objective IUO57 – 'Air Quality Monitoring' be amended from "promoting compliance" to "enforcing compliance" is noted. Objective IUO57 currently reads as:

Objective IUO57 – 'Air Quality Monitoring': Monitor, pro-actively manage and improve air quality in the County through integrated land use and spatial planning measures to avoid, mitigate and minimise unacceptable levels of air pollution in accordance with national and EU policy Directives on air quality and, where appropriate, promote compliance with established targets.

Air quality monitoring is carried out by the EPA in conjunction with the Local Authorities. Air pollution monitors are currently installed at a number of locations in the County and are monitored on an ongoing basis by the EPA and TII. No evidence exists to suggest any current requirement for additional air monitoring or the need to 'enforce' compliance with existing standards.

The Council will continue to work with a range of stakeholders to improve, provide and promote sustainable forms of transport such as walking, cycling and public transport as well as the use of EVs which will have a significant positive impact on air quality. Fingal will continue to engage with the EPA and will include policies and objectives in the Draft Plan to continue to monitor and improve air quality.

Having regard to noise nuisance in the County, it is acknowledged that as Fingal continues to grow, there will be an increasing requirement to proactively manage sound levels and sources of urban noise pollution to avoid adverse impacts on health, quality of life, the environment and wildlife.

The content of the submissions received highlighting noise levels associated with current and future Dublin Airport operations are noted. The Noise Action Plan for Dublin Airport (2019-23) is designed to manage noise issues and effects associated with Dublin Airport in its existing two-runway operation, and where necessary, present measures to reduce the adverse effects of aviation noise where practical. Fingal will continue to promote appropriate land use patterns in the vicinity of the airport flight paths and will resist new housing development in order to minimise the exposure of residents of such development to undesirable noise levels. This will also further reduce the potential for future conflict between airport operations and residents.

The Noise Action Plan for the County of Fingal (2019-23) is aimed at managing environmental noise from road, rail and industrial sources within the FCC administrative area but excludes noise from aircraft (which is dealt with in the above Noise Action Plan for Dublin Airport). This Noise Action Plan for the County of Fingal sets out broad principles and actions to mitigate excessive environmental noise and protect areas of good acoustical quality within the Dublin Agglomeration. This Plan is aimed at managing Environmental Noise and excludes, for the most part, noise from domestic activities, noise created by neighbours, noise at workplaces or construction noise as these can be dealt with under existing legislation such as the Environmental Protection Agency Act 1992 and Health & Safety legislation.

Complaints of noise from various sources including loud music, barking dogs, DIY, burglar alarms and noise from pubs, clubs, factories and building sites is dealt with by Fingal's Environmental Health Section.

The submission requesting that the Building Regulations be changed to take account of the proximity of noise sources to people is noted. Amendments to current Building Regulations are not a matter for the Development Plan. The design and construction of buildings is regulated under the Building Control Acts 1990 to 2014, which is outside the scope of the Development Plan. Likewise, the submission received highlighting that all residential units in new build developments near major roads must provide adequate noise insulation, to ensure that noise within the unit is within the WHO Noise pollution standard of 59dB is noted. Noise insulation in new developments must comply with the minimum standards set out in Building Regulations, and any amendments to these standards is not within the scope of the Development Plan.

The Development Plan will include policies to reduce and mitigate the adverse effects of noise pollution associated with densification, the construction / operation of development and the operation of transport infrastructure, and by identifying, protecting and creating areas of low sound levels in accordance with Fingal's Noise Action Plan (2019-2023).

It is also recommended that policies are included within the Draft Plan to address noise associated with Dublin Airport, in accordance with the Noise Action Plan for Dublin Airport (2019-23).

#### Light

A number of submissions were received requesting improved street lighting at various locations throughout the County, including along Hand's Lane in Lusk. Castle Manor, Naul, Ballyboughal Village, Rush and at Ongar Green.

Another submission requested that all street lights be changed to LED bulbs, with particular reference to Rush. Another submission received supports the rationale behind Policy IUP41 – Light Pollution, which seeks to "Promote appropriate lighting installations". It is noted that the move to softer coloured LED lights is welcomed.

A detailed submission was received from DIAS (Dublin Institute for Advanced Studies) on Dunsink Observatory. This submission makes recommendations to include a detailed map-based Objective relating to future development of the lands and to include new Zones (Zone 1 and Zone 2) which would restrict development that could impact on lighting in and around Dunsink Observatory. The submission also requests text changes to Policy CIOSP16 relating to Dunsink Planetarium, to include specific reference to the location of the Planetarium.

### **Chief Executive's Response:**

The need for improved street lighting was noted in a number of submissions and the requests to utilise 'LED bulbs' in street lighting is welcomed. Fingal will promote the adoption of lower temperature (warmer colour) lighting, which provides the best balance of cost saving, road and personal safety through better balanced light and improved perception, as well as reducing environmental impact and we will continue to have regard to best practice in public lighting.

Fingal's Climate Change Action Plan (2019-2024) contains a range of measures to reduce greenhouse gas emissions and improve energy efficiency, with one of its key aims including the conversion of all public lighting in Fingal to LED's.

The submission received in relation to Dunsink Observatory and planetarium is noted. The importance of Dunsink Observatory is recognised in a number of locations within the Draft Plan,

including Chapter 2 (page 45), which notes that Dunsink Observatory is a unique scientific and cultural asset for the future development of this area. A pedestrian link known as the 'Hamilton Way', is also now proposed, which will link the Observatory to Ashtown Train Station.

Objective CSO29 – 'Dunsink' and CIOSP16 – 'Dunsink Planetarium' are included within the Draft Plan: Objective CSO29 – 'Dunsink': 'Prepare a local statutory plan for lands at Dunsink in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area over the medium to long term.'

Policy CIOSP16 – 'Dunsink Planetarium': 'To promote the concept of a "planetarium" on the lands of Dunsink adjacent to the Observatory.'

It is submitted that the development of Dunsink Observatory and provision of a planetarium would be considered as part of any statutory plan prepared for Dunsink. It is considered premature at this stage to specify a location for a planetarium or to define specific zones around the Observatory in relation to lighting control.

Any detailed plan for these lands at Dunsink will include the Observatory and associated uses, including a planetarium. Active public engagement will be central to the preparation of any Dunsink Plan, where local communities, landowners and relevant stakeholders, including the Observatory, will be given the opportunity to contribute to the process. It is recommended, therefore, that Policy CSO29 be expanded to include specific reference to Dunsink Observatory and planetarium.

### **Chief Executive's Recommendations:**

#### **Water Services Recommendations**

#### **CE CH 11.1:**

Insert additional text to Policy IUP5 – Greater Dublin Drainage Study to now read as follows:

Policy IUP5 – Greater Dublin Drainage Study

Promote and support the implementation of the Greater Dublin Strategic Drainage Study, Dublin Region Local Authorities (2005) GDSDS, *including any updates to the original report*.

### **CE CH 11.2:**

Delete Existing Table 11.1 and insert Updated Table 11.1 as shown below:

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
Metropolitan Area	Long Term will need the Greater Dublin Drainage Project & Ringsend WWTW Upgrades	Drainage Area Plans (DAP) are underway for most Metro settlements. North Fringe Sewer (NFS) area Swords &	The Greater Dublin Area is constrained. Will need the Water Supply Project (WSP) Long term

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
	Treatment	Malahide. Proposed to start in 2022 - Balbriggan Skerries	Network
Swords	Swords WWTW - Should be sufficient headroom. However, will need a project in the longer term (full realisation of Metro North)	There are issues in some areas. DAP working on upgrade solutions. Immediate upgrades developed into projects. Fosterstown Masterplan extension to Malahide Roundabout.	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of water supply management
Blanchardstown (incl Castleknock, Clonsilla, Mulhuddart, Ongar, Hollystown & Tyrrelstown)	Ringsend upgrades underway & GDD project in the longer term	Blanchardstown Regional Drainage Scheme (BRDS) Trunk Sewer to be completed in 2023. Local sewers will be developer led. IW are developing a high level servicing plan of all development land for the fringes of the 9c catchment. Includes Barnhall SDZ. Ongar, Cherrywood, Huntstown, Hollystown, Mulhuddart, etc.	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of water supply management
Baldoyle / Sutton	Ringsend Upgrades underway	Goes to north fringe sewer - no issues.	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of

	Wastewater	Wastewater	Water Supply &
	Treatment	Network	water supply management
Howth	Ringsend Upgrades underway	Planned project for Doldrum Bay.	WS upgrades almost complete. Howth Reservoir Upgrade - Feasibility stage
Other Settlements (incl Santry,	Ringsend	North Fringe	
Donabate & Portrane	Portrane TW has headroom	Pumping Stations under construction with system upgraded to facilitate 3000 units.	Leixlip WTW. Watermain extension / Upgrade in progress
Malahide	Can accommodate this level of growth	Kinsealy Lane (south) now connected to the North Fringe Sewer. Kinsealy Lane North - A project is planned and to be completed within the lifetime of the CDP. Main Town Area- some network capacity issues. DAP will identify solutions.	WS upgrades recently completed
Portmarnock	Ringsend Upgrades underway	Planned project for P.Stn upgrade at Portmarnock Bridge. P.Stn. needs to be delivered. Existing network pumping control being	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of water supply management

	Wastewater Treatment	Wastewater Network	Water Supply & Network
		implemented to get another phase in.	
Towns & Villages (incls Coolquay, Kinsealy, Rivermeade & Rowlestown)	Issues in Oldtown, Rivermeade & Turvey.	Oldtown WWTW - it is planned to upgrade the plant under the National Certificate of Authorisation Programme No current plans for a project in Turvey or Rivermeade.  Rowlestown also needs P.Stn Upgrade	
Balbriggan	Barnageeragh WWTW has ample headroom	Quay Street upgrade planned for future development 10 year Horizon delivery 2022. New network required to get Balbriggan north area and South of Quay St to Dublin Road Pumping Station. IW developing plan of infrastructure required. DAP starting in 2022 for remainder of Agglomeration.	Bog of the Ring & Leixlip
Rush	Portrane WWTW has ample headroom	Upgraded.	Leixlip (as above)
Lusk	Portrane WWTW has ample headroom	Generally, no issues, no local concerns	Leixlip (as above)

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
Skerries & Loughshinny	Barnageeragh WWTW has ample headroom	New pumping stations at Rush Road, Skerries & Loughshinny have been completed	Leixlip (as above)
Towns & Villages	Issues in Naul, will be addressed under the Small Towns & Villages Growth Programme		
Rural	Colecot & Ballyboughal are constrained settlements	No immediate plans for upgrades.	

### **CE CH 11.3:**

Amend Objective IUO10 as follows:

Objective IUO10 - SuDS; Nature-Based Solutions

SuDS shall incorporate nature-based solutions and have regard to the objectives set out in Fingal's Guidance Document – "Green/ Blue Infrastructure for Development", as amended (Appendix 11) and 'Nature Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design Best Practice Interim Guidance Document' (November 2021, DHLGH).

#### **CE CH 11.4:**

Amend Policy IUP14 as follows:

Policy IUP14 - OPW

Continue to support and assist the OPW in implementing and delivering the relevant Catchment

Based Flood Risk Assessment and Management Programmes Flood Risk Management Plans
for rivers, coastlines and estuaries within Fingal.

### **CE CH 11.5:**

Amend Objective DMSO159 as follows:

Protect rivers and streams and maintain them in an open state capable of providing suitable habitat for fauna and flora, including fish. Deculvert or "daylight" existing culverts where appropriate and in accordance with relevant river catchment proposals restore the watercourse to acceptable ecological standards for biodiversity wherever possible improving habitat

connection and strengthening the County's GI network. <u>Clear Span structures should be used on fisheries waters, where possible.</u>

### **CE CH 11.6:**

Update references to Blue Flag status in Chapter 11:

11.5.3.1 Quality of Bathing Water (Coastal)

The Bathing Water Quality Regulations, 2008, set out our obligations for bathing water quality checks and public information during the bathing season. Fingal take 9 samples in total, 1 before and 8 during the bathing season. Samples are generally taken fortnightly during the bathing season. Bathing water quality on Fingal beaches is generally classified as "Good" or "Excellent", and water quality results for Fingal's beaches can be checked on the EPA website: https://www.beaches.ie/. If test results don't meet the necessary standards, Fingal has a process in place for notifying beach users.

Fingal currently monitors 10 identified beaches within the County for water quality, with regular updates on bathing water quality during the bathing season, which runs from 1 June to 15 September each year. Fingal will continue to support the retention of the Blue Flag status of Velvet Strand beach at Portmarnock <u>and the recently added Balcarrick, Donabate and Rush South Beach.</u>

#### **CE CH 11.7:**

Update references to the OREDP as follows in Section 11.7.1 and Policy CAP15 in Chapter 5:

Section 11.7.1

...Under the Offshore Renewable Energy Development Plan (OREDP), *and any successor thereof*, Ireland has set ambitious plans for renewable energy and offshore renewable energy resource development

### **CE CH 11.8:**

Amend Policy CAP15 as follows:

Policy CAP15 - Offshore Wind-Energy Production

Support the implementation of the 2014 "Offshore Renewable Energy Development Plan" (OREDP) *and any successor thereof*, and to facilitate infrastructure such as grid facilities on the land side of any renewable energy proposals of the offshore wind resource, where appropriate and having regard to the principles set out in the National Marine Planning Framework.

## **CE CH 11.9:**

Move Section 14.9.8 (Refuse Storage) to Section 14.20.12 (Waste Management).

### **CE CH 11.10:**

Amend Policy IUP22- 'Transition From A Waste Economy Towards A Green Circular Economy' as follows:

'Support the principles of transition from a waste economy towards a green circular economy and implement good waste management and best practices to enable Fingal to become self-sufficient in terms of resource and waste management and to enhance employment and

increase the value recovery and recirculation of resources, <u>in accordance with the "Whole-of-Government Circular Economy Strategy" -(December 2021).</u>

#### **CE CH 11.11**

Amend Section 11.6 of the Draft Plan to read as follows:

This Waste Action Plan provides Ireland with a roadmap for waste planning and management and is supported by the *'Circular Economy Bill'* (2021), and the *'Whole of Government Circular Economy Strategy'* (2021) to comply with EU Waste Directive obligations

## **Energy Recommendations**

## **CE CH 11.12**

Amend Section 11.7 - Energy Policies and Objectives as follows:

11.7 Energy Policies and Objectives

Fingal will continue to support energy utility providers, *businesses and local community groups* in their efforts to reinforce and strengthen existing utility infrastructure, transmission / distribution networks and *community funded energy generation projects and* will support new infrastructure projects and technologies with particular emphasis on renewable, alternative, and decentralised energy sources, and those which are less carbon intensive in line with the Electricity and Gas Networks Sector Climate Change Adaptation Plan (2019). We will continue to support the development of a safe, secure, and reliable supply of electricity and to support the development of enhanced electricity networks and facilitate new transmission infrastructure projects including those under EirGrid's Grid Development Strategy, to service the existing and future needs of Fingal and the wider Eastern Region and to strengthen all-island energy infrastructure and interconnection capacity.

## **CE CH 11.13**

Amend Policy IUP29 as follows:

Policy IUP29 Enhancement And Upgrading Of Existing Infrastructure And Networks

Work in partnership with existing service providers, <u>businesses and local community groups</u> to facilitate required enhancement and upgrading of existing infrastructure and networks and support the development of new energy systems, <u>local community sustainable energy</u> <u>generation projects</u> and transmission grids, which will be necessary for a more distributed, renewables-focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave, and solar energy.

### **CE CH 11.14**

Amend Section 11.3 as follows:

11.3 Opportunities

The Council will continue to tackle issues that are contributing to Ireland's greenhouse gas emissions and will facilitate the delivery of numerous gas and electricity projects providing additional energy capacity across the County, in addition to upholding quality standards in respect of environmental safety, public lighting, air quality and noise management. In an effort to reduce our carbon footprint, it will be necessary to diversify our energy production systems

<u>and increase measures for energy saving in the future, leading away</u> from fossil fuels and towards green energy such as wind, wave, solar and biomass, together with smart energy systems and the electrification of transport fleets.'

### **CE CH 11.15**

Amend Section 11.4 as follows:

11.4 Strategic Aims

... Facilitate and promote the development of energy networks to facilitate sustainable growth and economic development and support the transition to alternative, renewable, decarbonised and decentralised energy sources, technologies and infrastructure. The Council will continue to support the development of a safe, secure and reliable supply of electricity and encourage the development of enhanced electricity networks, facilitating new transmission infrastructure projects under EirGrid's Grid Development Strategy. *Projects to reduce energy use must also be prioritised, which could encompass both individual and community changes in energy habits and leverage new technologies via Smart Grids and Smart Cities. This can significantly improve the efficiency and quality of complex systems such as electricity, water, waste, energy and transport services, thereby reducing their costs while contributing to the "green economy".* 

#### **CE CH 11.16**

Amend Policy IUP28 as follows:

Policy IUP28 - Promote Energy Efficient Development

Promote more energy efficient development through the location of housing and employment along *public transport/cycling corridors, where people can choose to use less energy intensive public transport or cycling*, rather than being dependent on the car.

#### **CE CH 11.17**

Amend Policy IUP30:

Policy IUP30 - Enhancement and Upgrading Of Existing Infrastructure And Networks

Support EirGrid's Grid Development Strategy – Your Grid, Your Tomorrow (2017), Implementation Plan 2017–2022, 'Shaping our Electricity Future-A Roadmap to achieve our Renewable Ambition (2021)' and Transmission Development Plan (TDP) 2016 2020-2029, and the Government's Policy Statement on Security of Electricity Supply (November 2021) and any subsequent plans prepared during the lifetime of this Plan, to provide for the safe, secure, and reliable supply of electricity.

#### **CE CH 11.18**

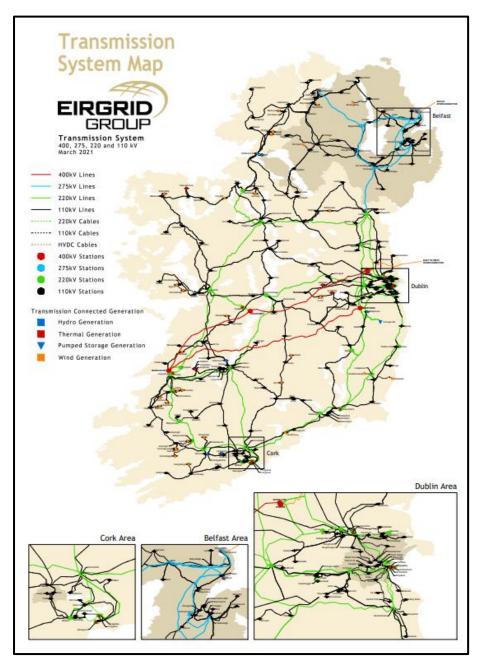
Insert new Policy after IUP30 to read as follows:

East Meath-North Dublin Grid Update

Support the development of the East Meath-North Dublin Grid Upgrade to strengthen the electricity supply network in anticipation of the future development of renewable energy, onshore and offshore.

#### **CE CH 11.19**

Update Figure 11.1 - The All-Island Electricity Transmission Network – to include new Map from March 2021



## **CE CH 11.20**

Amend Section 5.5.3.1 as follows:

'Currently within Fingal, the principle renewable energy sources include solar, wind and microrenewables, but opportunities exist for other renewable energy sources to be provided in the future <u>including renewable gas</u> and this Plan seeks to assist in the diversification of renewable energy provision in the County.'

#### **CE CH 11.21**

Amend Section 5.5.3.5 as follows:

In addition to the primary sources of renewable energy addressed above, other sources of renewable energy exist, *including renewable gas (and associated CNG infrastructure)* which have the potential to contribute to the overall goal of decarbonising the energy sector. Another source of renewable energy would be biomass, which is plant or animal material used as fuel to produce electricity or heat and examples include wood, energy crops and waste from forests, yards, or farms.

#### **CE CH 11.22**

Amend Section 11.7.1

Our Development Plan policies encourage the sustainable development of the renewable energy sector in the County (including bioenergy, wind, wave, solar, *renewable gas* etc) due to the positive contribution it can make to the economy and to the achievement of renewable energy targets (see also Chapter 5 Climate Action).

ICT RECOMMENDATIONS

#### **CE CH 11.23:**

Insert new Policy after Policy IUP 37

Promote and support the Government's Strategy 'Harnessing Digital – the Digital Ireland Framework' (Feb 2022) and the 'National Development Plan 2021- 2023' – National Strategic Objective 6, which relates to enhancing Ireland's high quality international connectivity.

### **CE CH 11.24:**

Amend Objective CSO29 – 'Dunsink' as follows:

'Prepare a local statutory plan for lands at Dunsink in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area over the medium to long term.

This plan shall include Dunsink Observatory lands and consider the provision of a Planetarium.'

## **CHAPTER 12: Implementation and Monitoring**

## **Submissions Received:**

FIN-C453-203, FIN-C453-1005, FIN-C453-1262

## **Implementation and Monitoring**

Submission received were supportive of the ambitious interlinked objectives, themes and strategic objectives of the Development Plan and support the initiative of detailing implementation and monitoring of the plan, chapter 12.

Another submission infers that the Draft Plan contains very few timelines or actions which will ensure transparent monitoring and implementation and requests that the Draft Plan should provide a list of actions to demonstrate how and when objectives will be achieved and complete a mid-term and final review of the Plan for audit.

Another submission requests that the provision of grid connection infrastructure be monitored.

### **Chief Executive's Response:**

The submissions received supporting the approach the Draft Plan providing ambitious interlinked objectives, themes and strategic objectives and the detail around implementation and monitoring are noted and welcomed.

In relation to the submission inferring that the Draft Plan contains very few timelines or actions which will ensure transparent monitoring and implementation and requests that the Draft Plan should provide a list of actions to demonstrate how and when objectives will be achieved and complete a mid-term and final review of the Plan for audit, it should be noted that the recently published Development Plans – Guidelines for Planning Authorities (June 2022) advocates setting measurable objectives rather than specific targets and states:

'Development plans will often state an overarching 'Strategic Aim' or 'Strategic Objective' which expresses the broad, strategic policy direction for a particular topic. These Strategic Objectives may, of necessity, lack detailed specifics – for example, "To co-ordinate transport and land-use planning, reducing the demand for travel and the reliance on the private car in favour of public transport, cycling and walking." However, the objectives that set out how this 'Strategic Aim' is to be realised should, where possible, be measurable and capable of being monitored. '

The Development Plan Guidelines go on to outline: 'Further developing a strategic aim or objective, a development plan could set a more specific objective to achieve mode share targets that are benchmarked against mode share data so that its impact can be tracked and measured over time, relative to the baseline level for the local authority area. Not all development plan objectives will be measurable with a simple data metric. It is entirely valid and reasonable for a development plan to set qualitative objectives, for example, to seek a 'high quality of urban design' or for developments to contribute to a 'sense of place' while acknowledging that these are not always readily measurable. Qualitative objectives are better suited to performance or criteria-based indicators. In drawing this distinction, planning authorities should endeavour to identify suitable quantitative or qualitative indicators for as many of the objectives of a development plan as possible.'

Chapter 12 of the Draft Plan relates to implementation and monitoring. This includes an implementation and monitoring system, which is intended to function as a formal feedback loop. The framework will form an evidence-based input and integrate with the review process of the subsequent Fingal Development Plan 2029–2035. This framework is also designed to assist the Planning Authority in preparing reports in meeting its statutory requirements, including:

- The 2 Year Review of the 2023–2029 Fingal Development Plan.
- Report to the Regional Assembly setting out progress made in supporting objectives of the RSES.

The Implementation and Monitoring System seeks to align, where possible, the right indicators that appropriately reflect and measure whether a policy and objective is being achieved. Given the number, complexity and long-term nature of some of the policies and objectives, it is not necessarily practical to indicate progress on each individual one. A monitoring system has been established to provide a greater level of understanding as to whether and to what extent the policies and objectives of the Plan are being realised. This system provides for the assessment of activity over the lifetime of the Plan, which includes qualitative and quantitative measures of the policies and objectives.

In relation to the submission requesting that the provision of grid connection infrastructure be monitored, attention is drawn to the Chapter 11 element of Section 12.4 (Implementation and Monitoring System) of the Draft Plan. By recording planning permissions obtained for strategic energy infrastructure, FCC will also be able to monitor the provision of grid infrastructure associated with these.

### **Chief Executive's Recommendation:**

No Change

## **CHAPTER 13: Land Use Zoning**

## **Submissions Received:**

FIN-C453-83, FIN-C453-87, FIN-C453-96, FIN-C453-102, FIN-C453-108, FIN-C453-166, FIN-C453-192, FIN-C453-193, FIN-C453-212, FIN-C453-281, FIN-C453-326, FIN-C453-393, FIN-C453-401, FIN-C453-407, FIN-C453-408, FIN-C453-409, FIN-C453-410, FIN-C453-414, FIN-C453-516, FIN-C453-521, FIN-C453-536, FIN-C453-539, FIN-C453-547, FIN-C453-556, FIN-C453-559, FIN-C453-560, FIN-C453-571, FIN-C453-683, FIN-C453-691, FIN-C453-694, FIN-C453-786, FIN-C453-787, FIN-C453-794, FIN-C453-815, FIN-C453-821, FIN-C453-863, FIN-C453-903, FIN-C453-919, FIN-C453-957, FIN-C453-971, FIN-C453-986, FIN-C453-987, FIN-C453-988, FIN-C453-990, FIN-C453-991, FIN-C453-1062, FIN-C453-1080, FIN-C453-1124, FIN-C453-1133, FIN-C453-1163, FIN-C453-1171, FIN-C453-1204, FIN-C453-1220, FIN-C453-1231, FIN-C453-1234, FIN-C453-1248, FIN-C453-1251, FIN-C453-1262, FIN-C453-1269, FIN-C453-1289, FIN-C453-1311, FIN-C453-1700, FIN-C453-1709, FIN-C453-1903

## **Summary of Issues Raised**

The primary focus of this section of the report relates to zoning objectives, vision and uses classes as well as issues relating to non-conforming uses within the context of Chapter 13 Land Use Zoning. A number of these requests occur in the context of requests for a change in zoning. It is noted that the more specific requests for a change in zoning relating to specific land parcels are dealt with in the context of the relevant Sheets associated with the Draft Plan and any other chapters where appropriate.

## **CI - Community Infrastructure Zoning Objective**

A number of requests are made in the context of the CI-Community Infrastructure zoning objective as follows:

It is highlighted that the CI-Community Infrastructure zoning objective only permits homes provided by FCC or an approved housing body which is considered too restrictive and an inefficient use of land. It is requested that this zoning objective shall cater for the provision of both public and private bespoke elderly accommodation and the definition of Community Infrastructure shall be amended accordingly.

The inclusion of a Recreational Facility and Sports Club use is requested in the Permitted in Principle category of the CI- Community Infrastructure zoning objective.

The inclusion of a Remote Work Hub use is requested in the Permitted in Principle category of the 'Cl' Community Infrastructure objective.

## **Chief Executive's Response:**

The CI-Community Infrastructure zoning objective seeks to, 'Provide for and protect civic, religious, community, education, health care and social infrastructure.'

The vision associated with the objective seeks to, 'Protect and promote an inclusive County, accessible to all members of the community, facilitating the sustainable development of necessary community, health, religious, educational, social and civic infrastructure. A wide range of different community facilities, civic facilities and social services exist within the County ranging

from those of regional importance such as education and health facilities, to those of local and neighbourhood importance such as places of worship, community centres and childcare facilities. It is important to facilitate the development and expansion of such services in order to deliver a quality environment whilst improving the quality of life for all.'

In the interests of clarity, residential development is not a permitted use in the CI zoning objective while Residential Care Home/Retirement Home and Sheltered Accommodation are the only category of residential use that are Permitted in Principle in the CI zoning objective and where no distinction currently occurs between private and public housing provision in the Draft Plan. The submission highlighting both the private and public nature of housing provision and as it specifically relates to accommodation for the elderly is welcomed. After further consideration, it is considered there is merit in the context of the CI zoning objective and vision as set out above which provides for the provision of community infrastructure and services, to apply caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI zoning objective including, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'. This is to ensure the provision of accommodation types for the elderly in accordance with the spirit of the zoning objective and vision and on a public level within CI zoned lands.

Apart from the CI zoning objective, it is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and without caveat 19 as above. Such a use is Permitted in Principle in zoning objectives including, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor

, RA and RS – Residential and RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and RV. These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature shall be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

In the interests of clarity, a Recreational/Sport facility use is not precluded in the CI-Community zoning objective but open for consideration where such a use will be assessed on a case-by-case basis in accordance with the zoning objective and associated vision as well as normal standard planning criteria through the Development Management process. This is to ensure that an appropriate mix of community uses can be achieved within the spirt of the CI zoning objective and vision.

It is considered that a Remote Work Hub use does not fall within the spirt of the zoning objective and vision relating to Community Infrastructure as set out above which is focused on the provision of community related infrastructure and services. It is also noted that a number of zoning objectives as set out in the Draft Plan permit Remote Work Hubs including zoning

objectives, MC-Major Town Centre, TC-Town and District Centre, LC-Local Centre and RV-Rural Village and with this use, open for consideration in GE-General Employment, HT-High Technology, ME-Metro Economic Corridor and RB-Rural Business zoning objectives, where proposals for this use can be assessed on a case by case basis during the Development Management process. The zoning objectives where a Remote Work Hub use is Permitted in Principle aligns with objectives as set out in Chapter 14 of the Draft Plan where such hubs shall be located in major and local town centres and rural villages with supporting services. Specifically, objective DMSO92 of the Plan requires that, 'Remote working hubs should be located in major and local town centres and rural villages. The facility should include independent working spaces, meeting rooms and communal facilities for users. Bicycle and vehicular parking provision shall be in accordance with the standards required for office development.' Objective DMSO93 supports, 'Remote Working Facilities Vacant/underused properties should be utilised for remote working hub facilities where appropriate'.

## **FP- Food Park Zoning Objective**

Concern is expressed that employment opportunities and economic synergies have not materialised on FP zoned lands due in part to the restrictive nature of the FP zoning objective and the changed nature of the economy including Brexit. In terms of Brexit it is highlighted that increased opportunities for the Irish food industry may arise with secondary food processing transferred to Ireland.

It is highlighted that ambiguity occurs between the zoning objective (which refers to mainly horticulture), the zoning vision (refers more generally to 'food sector') and the land-use zoning matrix (which refers to 'Food Park related only' permitted uses under Footnote 16) creating obstacles to the future development potential of FP zoned lands and opportunities for optimising its strategic value. The submission contends there is a lack of clarity in relation to what is acceptable in terms of food park related only uses. The FP zoning should be flexible and focussed on accommodating development to facilitate each of the stages of the food supply chain as identified in the Annual Review and Outlook for Agriculture, Food and the Marine.

It is noted that an agribusiness use is not listed as a Permitted in Principle use within the FP zoning objective and contends that such a use should be permitted in the FP zoning objective due its fundamental links to the food industry. Furthermore, it is highlighted that there are aspects of the pharma industry e.g. food supplements and nutraceuticals which are compatible with Food Park uses and considered appropriate on FP zoned lands. It is noted that Food, Drink and Flower Preparation/Processing in addition to Logistics, Warehousing, Wholesale, Industry Light are permitted in principle on GE zoned lands arising in a lack of incentives for food related companies to locate on FP zoned lands.

## **Chief Executive's Response:**

The FP-Food Park zoning objective seeks to, 'Provide for and facilitate the development of a Food Industry Park.'

The associated zoning vision seeks to, 'Facilitate the development of a state-of-the-art Food Park incorporating the growing, preparation, processing, ripening, packaging, storing, distribution and logistics relating to food, drink, flowers and related products on lands adjacent to major transport infrastructure, operating at a national and international scale and optimising its

strategic value to the regional economy. The Park will be primarily devoted to developing value added opportunities within the food sector.'

The FP-Food Park zoning objective, associated vision and use classes were designated in the FDP 2011- 2017 as a unique zoning objective to support and facilitate food park related opportunities and, in this regard, was subsequently carried through to successive Fingal Development Plans including the Draft Plan. In the interests of clarity, the zoning objective does not include a horticultural focus but facilitates the development of a food industry park at a strategic level and the associated vision is food related as it supports the primary function of the FP designation which is to support and facilitate the development of a Food Park. The associated vision is explicit in supporting and facilitating value added opportunities within the food sector. The food related caveats provide for uses related to the primary function of the zoning objective which is a designated food park.

In the interests of clarity, the FP use class matrix does not preclude food related pharma uses and proposals of this nature can be assessed on a case-by-case basis in accordance with the zoning objective and vision and normal standard planning criteria through the Development Management process.

Currently, agribusiness use is open for consideration in the FP zoning objective. Appendix 7 Technical Guidance Notes of the Draft Plan defines agribusiness as a business that is directly related to the agricultural or horticultural sector involving the processing of produce of which a significant portion is sourced locally. It may also include support services for the agriculture or horticulture sector. It is considered there is merit in allowing the agribusiness use in the Permitted in Principle category of the FP zoning objective as it accords with the spirit of the zoning objective and vision. This change will result in a change for objective EEO77 of the Draft Plan that seeks to, 'Support and facilitate the growth of agribusiness in Fingal and encourage agribusiness and support services which are directly related to the local horticultural or agricultural sectors in RB zoned areas.' This objective will now include the reference to FP zoned areas. It is noted that the employment uses in the Permitted in Principle category of the GE zoning objective provides for a wide range of employment generating uses in the context of the spirit of the GE zoning objective and vision.

## **GE- General Employment Zoning Objective**

A number of requests are made in the context of the GE-General Employment zoning objective as follows:

In the context of the supporting employment provisions of NPF and RSES and the Draft Plan as set out in Chapter 7 Employment and Economy and the changing nature of the employment environment, post-Covid and Brexit, it is requested that the GE - General Employment vision and associated use class matrix are reviewed and broadened to reflect new sustainable employment generating uses with a focus on the provision of outdoor lifestyle uses and activities as they particularly relate to self-sustaining towns within the County and that have unique economic strengths, particularly in the context of tourism and marine assets. Specifically, it is requested that outdoor lifestyle uses such as a market garden of excellence, bespoke garden centre and artisan craft enterprise uses are included in the Permitted in Principle category of the GE-General Employment zoning objective.

It is also requested that an office category of >1000 sqm be Permitted in Principle or Open for Consideration in the GE zoning objective, or alternatively an office category of >100 sqm and ≥1000 sqm be incorporated into the Permitted in Principle category of the GE zoning objective as they relate particularly to areas adjoining high-quality public transport corridors.

## **Chief Executive's Response**

The GE-General Employment zoning objective seeks to, 'Provide opportunities for general enterprise and employment'.

The zoning vision seeks to, 'Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.'

While acknowledging the supporting employment provisions at national, regional and local level and the changing nature of the post-Covid and Brexit environment from an economic perspective, the current zoning objective and vision together with supporting employment provisions set out in Chapter 7 Employment and Economy of the Draft Plan is considered sufficiently robust at strategic level to support the primary employment function of the GE-General Employment zoning objective which is to cater for employment generation related uses and activity. Chapter 7 Employment and Economy is explicit in supporting and facilitating the economic potential of Fingal's unique strengths in villages and towns within the County including designated self-sustaining towns. Specifically, policy EEP3 seeks to, 'Maximise the economic potential of Fingal's unique strengths and advantageous position within the Eastern and Midlands region.' At a more localised level and relating to self-sustaining towns within the County, objective EEO9 of the Draft Plan seeks to, 'Ensure that towns, villages and other locations within the Core Area follow policies of directional development to ensure that the required economies of scale are achieved in specific centres such as Balbriggan, and that other lower tier towns and villages perform to their economic strengths and competitive advantages such as Skerries and Rush for tourism and marine activities.'

Furthermore, the GE zoning objective does not preclude the potential for innovative sustainable employment/enterprise generating uses or activities and proposals of this nature will be assessed on a case-by-case basis in accordance with the GE zoning objective and supporting vision as well as the employment provisions of the plan and normal standard planning criteria through the Development Management process. Having regard to the foregoing, including the relevant policy context at national, regional and local level as set out in the Draft Plan at Chapter 7 which includes comprehensive supporting policy and objectives for maximising employment opportunities with a focus on sustainable employment provision and recognising the changing employment environment post-Covid and Brexit with a move towards more sustainable employment provision, the vision associated with the GE zoning objective shall be strengthened to promote an increase in the variety of the sustainable employment/enterprise offer.

It is considered appropriate that the office category of  $\geq$  1000 sqm as set out in the Draft Plan remains in the Not Permitted category of the GE zoned lands to provide for an appropriate mix of uses in the context of the GE zoning objective and vision.

## **HA-High Amenity Zoning Objective**

A number of requests are made in the context of the HA-High Amenity zoning objective as follows:

The conflict between the inclusion of a 'campsite' use in the 'Permitted in Principle' category of the HA-High Amenity zoning objective and the resistance to campsites in the context of objective GINH055 of the Draft Plan is highlighted. In this regard, the removal of the reference to campsites from this objective is requested.

In the context of the St. Ita's complex, the following is requested in the context of Note (ii) relating to St. Ita's Complex located in the 'HA' zoning objective as follows:

(ii) Appropriate uses which may include Residential, Health Centre (primary care centre), Residential Care Home, Retirement Village, Sheltered Accommodation, Office > 100 sqm, Exhibition Centre, Enterprise Centre, Conference Centre and retail less than 2,500 sqm nfa including as well as uses which also relate to and are consistent with the historic use of the complex within the demesne established prior to the foundation of the Irish State.

It is requested that a Retirement Village use and general housing provision for the elderly is included in the Permitted in Principle category of the HA-High Amenity zoning objective or alternatively allow for this use to remain Open for Consideration in the HA zoning objective in the context of the NPF, NDP, Housing for All Rebuilding Ireland, Housing Options for Our Ageing Population, Healthy and Positive Ageing Initiative, RSES and Section 28 Guidelines relating to Sustainable Residential Development and Chapter 2 and 3 of the Draft Plan relating to the provision of housing and specifically the provision of housing alternatives for the elderly. Supportive demographic figures show an ageing population and they relate to specific areas in the County. A number of submissions are opposed to the broadening of the HA zoning objective to cater for this residential use, given the sensitive environmental nature of high amenity areas within the County and the precedence this would set to the detriment of these areas.

It is also requested that residential development be included in the Permitted in Principle category of the HA zoning objective subject to a caveat where it relates to brown field sites in urban areas only. It is highlighted that the County comprises a varying degree of high amenity lands with more sensitive high amenity lands within coastal areas of the County and the Liffey Valley area with reference to St Ita's Complex and associated note (ii) as set out in the Draft plan providing for appropriate uses within these high amenity zoned lands.

## **Chief Executive's Response:**

The HA-High Amenity zoning objective seeks to, 'Protect and enhance high amenity areas'.

The associated zoning vision seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

GINHO55 seeks to, 'Resist development such as houses, forestry, masts, extractive operations, landfills, caravan parks, and campsites, and large agricultural/horticulture units which would interfere with the character of highly sensitive areas or with a view or prospect of special amenity value, which it is necessary to preserve.'

In the interests of clarity, campsites are Permitted in Principle in the HA-High Amenity zoning objective as set out in the Draft Plan subject to caveat 25 where no static mobile homes or permanent structures (unless ancillary to the operation of the campsite) shall be permitted. The submissions highlighting the inclusion of campsites in the Permitted in Principle in the HA – High Amenity zoning objective while resisted in sensitive landscape settings as set out in objective GINHO55 of the Draft Plan are welcomed. This highlights the extremely sensitive nature of HA-High Amenity lands as set out in the zoning objective and vision and the provisions of objective GINHO55 of the Draft Plan which seeks to resist various developments including campsites that are likely to have a detrimental impact on such sensitive landscape settings including high amenity areas. The importance of protecting highly sensitive landscapes from developments of this nature is fundamental to the overall protection of HA-High Amenity zoned lands in accordance with the zoning objective and vision as set out above. In this context, it is recommended that campsites are omitted from the Permitted in Principle category of the HA-High Amenity zoning objective and to remain Open for Consideration where such a use can be assessed on a case by case basis in accordance with the HA zoning objective and associated vision and relevant provisions of the plan relating to the protection of sensitive landscapes as set out principally in Chapter 9 Green Infrastructure and Natural Heritage and specifically Section 9.6.13 Landscape as well as normal standard planning criteria through the Development Management process.

In the context of the request for amendments to Note (ii) relating to St Ita's located within the High Amenity zoning objective and specifically the inclusion of various residential elements, conference/exhibition/enterprise, health care and office accommodation, it is noted that Chapter 2 of the Draft Plan relating to St. Ita's is explicit in the Council's commitment in actively supporting the implementation of the objectives laid down in the feasibility study including specifically those relating to:

- The ongoing development of modern psychiatric health care and ancillary facilities, which includes the provision of a National Forensic Mental Health Service Hospital within St. Ita's.
- The reuse of the Protected Structures for appropriate uses together with the on-going future maintenance and management of these structures.
- The on-going maintenance and management of the demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape.
- The maintenance and provision for an appropriate level of public accessibility through the site.

Specifically, objective CSO70 of the Draft Plan seeks to, 'Promote the use or reuse of all the Protected Structures at St. Ita's Hospital complex and demesne in Portrane as a priority for Fingal County Council. Notwithstanding the use class "HA" Zoning matrix, appropriate uses within the Protected Structures and within the ancillary land areas within the complex including uses which also relate to and are consistent with the historic use of the overall historic complex (established prior to the foundation of the Irish State) will be actively promoted and allowed to proceed subject to appropriate consent where such activities will secure viable sustainable re use of the complex into the future and which will provide for the proper conservation and sustainable development of St. Ita's.'

The Draft Plan is therefore explicit is not precluding any appropriate uses which secure the viable and sustainable re-use of the complex subject to appropriate appraisal and consent through the Development Management process and is therefore sufficiently robust at a strategic level to support an appropriate range of uses within the complex and based on the provisions of the relevant feasibility study with some outstanding and remaining uses.

In the context of the provision of a Retirement Village use, a housing provision use for the elderly and a residential use albeit subject to brownfield areas of the County in the Permitted in Principle category of the high amenity zoning, it is noted that the areas within the County that are covered by the HA-High Amenity zoning objective include the Garristown uplands, Naul Hills, the Liffey Valley and the Coastal Corridor including demesne landscapes. In the context of St. Ita's complex, the Draft Plan acknowledges its location within a sensitive high amenity landscape setting within the coastal corridor and is supportive of the appropriate re-use of this unique, strategic and historic complex and associated protected structures established prior to the foundation of the state through policies and objectives set in Chapter 2 and 13 of the Draft Plan.

These high amenity areas contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value. The Draft Plan within Chapter 9 Green Infrastructure and Natural Heritage and at Section 9.6.17 affords a high level of landscape value and protection to these high amenity areas. These landscape areas meet one or more of the following criteria:

- Contain scenic landscape of high quality
- Afford expansive or interesting views of surrounding areas
- Are components in important views and prospects
- Are unique or special within the County
- Are important elements in defining the coastal character of the County
- Act as a backdrop to important coastal views
- Contain important groups of trees or woodland
- Are elevated or ridge sites on which development would be obtrusive
- Provide public access to interesting attractive landscapes or to semi-natural areas.

The primary objective of the Council over successive Development Plans has been to limit housing development within the HA-High Amenity zoning objective in order to promote more sustainable settlement and protect the most sensitive parts of the County. In the high amenity areas, only housing need related to farming and exceptional health circumstances is to be facilitated with no new housing generally permitted between the sea and coast and only with the exception of extension and replacement or where all other sites are exhausted. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas. The Council will continue to concentrate efforts to protect high amenity areas and supportive policies and objectives within Chapter 9 Green Infrastructure and Natural Heritage of the Draft Plan includes Policy GINHP28 and Objective GINH063 in this regard.

It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and where these are Permitted in Principle in zoning objectives including CI-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential, RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and RV. These are zoning objectives that align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required to be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

Based on the above, including the locational controls of the Draft Plan as set out above relating to elderly accommodation types, it is not considered appropriate to include the proposed categories of residential use in the Permitted in Principle category of the HA- High Amenity zoning objective and as such would contravene the relevant zoning objective and vision and would be contrary to proper planning and sustainable development.

## **HI- Heavy Industry Zoning Objective**

A number of requests are made in the context of the HI – Heavy Industry zoning objective as follows:

The inclusion of a HGV fuel station use to serve HGV users only is requested in the Permitted in Principle category as an ancillary supporting use to the established HI zoning objective and HGV users.

The inclusion of an Open for Consideration category to cater for ancillary uses such as storage yards, ancillary warehousing for storage of materials and weighbridges associated with the HI zoning objective is also requested.

It is also requested that the HI zoning objective provides for recycling facilities.

### **Chief Executive's Response:**

The HI-Heavy Industry zoning objective seeks to, 'Provide for heavy industry' and the associated vision seeks to, 'Facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings. Such uses, activities and processes would be likely to produce adverse impacts, for example by way of noise, dust or visual impacts. HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses.'

In the interests of clarity, a HGV fuel station for HGV users and ancillary facilities such as storage yards, ancillary warehousing for storage of materials and weighbridges are not precluded in the HI zoning objective and remain open for consideration. Such uses will be assessed on a case-by-case basis in accordance with the zoning objective and associated vision as well as normal standard planning criteria through the Development Management process.

It also noted that the following note is associated with each zoning objective as set out in Chapter 13 of the Draft Plan including the HI zoning objective and where uses which are neither "Permitted in Principle" nor "Not Permitted", will be assessed in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan. In this context, it is not considered necessary to add an Open for Consideration category to the HI zoning objective.

Regarding the request for the provision of recycling facilities within the HI zoning objective, it is noted that Waste Disposal and Recovery Facility (High Impact) is Permitted in Principle in the HI zoning.

Appendix 7 Technical Guidance Notes defines Waste Disposal/Recovery Facilities (High Impact) as following: 'The use of land or buildings for facilities with high potential for odour, noise, dust and other nuisances including putrescible waste. Examples of high impact facilities are transfer stations and treatment plants for organic waste and residual waste which have a potential for odour, crushing and processing of construction and demolition waste, and facilities where waste is stored outside of buildings and which is visually intrusive or otherwise likely to be a nuisance, including scrapyards. Excludes landfills.'

It is also noted the HI-Heavy Industry zoning objective does not preclude the Waste Disposal/Recovery Facilities (Excluding High Impact) use and remains Open for Consideration where proposals of this nature can be assessed on a case-by-case basis in accordance with the zoning objective and vision and normal standard planning criteria through the Development Management process.

Appendix 7 Technical Guidance Notes defines Waste Disposal/Recovery Facilities (Excluding High Impact) as the following:

The use of land or buildings for the removal or re-use of industrial or domestic refuse which has a low potential for odour, noise, dust and other nuisances and includes non-putrescible waste. Examples of such waste management facilities may be: transfer stations, processing of dry recyclable material which are contained within buildings, short term storage of small quantities of garden waste, civic waste facilities accepting material for recycling including the acceptance of WEEE and household hazardous waste, facilities for the treatment of end of life vehicles provided there is no stacking of vehicles, processing storage of de-polluted vehicles, scrap metal or recycling residues outside of buildings. Excludes landfills and waste facilities with high potential for odour, noise, dust, fire, and other nuisances in particular operations dealing with putrescible waste.'

## **HT - High Technology Zoning Objective and Data Centre Use**

A number of submissions express concerns that the Draft Plan is overly restrictive in not including a 'Data Centre' use within the 'Permitted in Principle' category of the 'HT' Zoning Objective which is considered contrary to national and regional policies as set out in the NPF and RSES relating to the promotion of the digital economy as well as local policy as set out in the Draft Plan relating to the promotion of Data Centres, employment clustering and the added-value approach as supported at Chapter 7 in the Draft Plan. The central role of Data Centres to the economy as set out in Ireland's Economic Strategy 2018, the Study of Economic Benefits of Data Centre Investment in Ireland and the Economic and Employment Land Use Study 2021 are

cited in support of the opportunities presented by Data Centres in employment zones. It is noted that limiting Data Centres to GE and HI zoned lands only, would severely limit the potential for inward investment.

The precedence for approved Data Centres on HT zoned lands within the County is highlighted. Serious concern is expressed that any future development proposals relating to existing Data Centres on HT lands would constitute a non-conforming use and render future development and adaptation proposals severely challenging. The provisions of ZO3 relating to non-conforming uses is not considered sufficient in this regard. Against this, it is requested that the 'Data Centre' use is omitted from the Not Permitted category and added to the 'Permitted in Principle' category within the 'HT' zoning objective. As an alternative, it is requested that Data Centres should remain 'open for consideration' on 'HT' zoned lands, with each application assessed on its own merits. Failing the above, it is requested that HT lands subject to existing, permitted and under construction Data Centres be amended to a GE-General Employment zoning objective where such a use is open for consideration. The sustainability benefits of Data Centres are also acknowledged, and it is requested that the Development Plan shall ensure that Data Centre development is directed to spatially suitable locations to ensure efficient use of the existing transmission grid network and more clarity is required in relation to energy zones. The heading relating to objective DMSO94 shall be amended to reflect its application to Data Centres.

## **Chief Executive's Response:**

The Draft Plan is explicit in acknowledging the importance of the County's high technology zoned lands in highly accessible locations and the potential for high-quality employment opportunities as set out in Chapter 7 Economy and Employment. The HT zoned lands within the County are located principally in Blanchardstown and Swords, supplemented with significant zonings at Dublin Airport and along the southern boundary of the County with Dublin City adjoining existing and planned high-quality public transport corridors with easy access to major transport corridors, ports and air networks, offering considerable high-quality employment and sustainable mobility opportunities.

In recognising the strategic locations of the large majority of the HT zoned lands along high-quality transport corridors within the County and having regard to space extensive nature of a Data Centre use and if left uncontrolled, could have undue negative environmental impacts and be contrary to the land-use and transport integration approach as well as the compact growth and regeneration approach as advocated by the Draft Plan, objective EEO4 of the Draft Plan seeks to, 'Ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within existing built-up compact growth areas.' In addition, DMSO94 sets out specific environmental and energy criteria requirements in the context of Data Centre proposals.

Having regard to the foregoing, these provisions provide a level of control on Data Centres proposals and importantly locational controls to ensure that such a use is located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to high quality public transport corridors or within existing built-up compact growth areas.

In the context of this level of locational control for employment lands adjoining high quality public corridors or within existing built-up compact growth areas and having regard to

government policy relating to the support and promotion of the digital economy as well as the precedence in the County for a such a use within HT zoned lands, it is considered appropriate to remove Data Centres from the Not Permitted category of the HT zoning objective and to remain open for consideration allowing for assessment of such proposals on a case by case basis against the relevant policy context and normal standard planning criteria through the Development Management process.

This proposed change would negate the need for a change in zoning from HT to GE-General Employment, allowing for the assessment for new, expanded or adapted Data Centre proposals on HT lands on a case-by-case basis through the Development Management process. The issue of optimum grid development solutions and energy zones is dealt with in Chapter 5 of this report. The issue relating to the amended heading for DMSO94 that relates to Data Centre criteria is dealt with in Chapter 14 of this report.

## **OS-Open Space Zoning Objective**

It is requested that a residential housing use for the elderly is permitted in the OS-Open Space zoning objective of the Draft Plan following the adequate provision of quality open space.

### **Chief Executive's Response:**

The OS-Open Space zoning objective seeks to, 'Preserve and provide for open space and recreational amenities.'

The associated zoning vision seeks to, 'Provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.'

In the interests of clarity, the OS-Open Space zoning objective does not permit residential development of any nature. The Council is fully committed to the continued protection of open space lands in accordance with the zoning objective and vision and to allow for the provision of any housing on OS zoned lands would seriously undermine the long-standing open space policy of the Council including key strategic objective 11 of the Draft Plan which seeks to protect open space areas for the benefits of quality of life, biodiversity and species and habitats, while having the potential to facilitate climate change adaptation and flood risk measures and supportive policy and objectives as set out in Chapter 3, 4 and 9 of the Draft Plan relating to the provision and enhancement of open space areas.

Specifically, Chapter 4 Community Infrastructure and Open Space of the Draft Plan recognises the wide range of benefits accruing to communities through the provision of high-quality public open spaces and opportunities to expand and improve on such spaces throughout the County. "Keeping it Green", An Open Space Strategy for Fingal provides a vision for the planning, development and sustainable management of our open spaces which will ensure high quality and sustainable spaces are provided throughout the County.

It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and where these are Permitted in Principle in zoning objectives including CI-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential, RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and

RV. These are zoning objectives that align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

Based on the above, including the required locational controls for the provision of elderly accommodation types, it is not considered appropriate to include a housing provision use for the elderly in the Permitted in Principle category of the OS-Open Space zoning objective, as such a provision, would be contrary to the zoning objective and vision to protect open space lands and provide for recreational and amenity amenities to existing and new communities as set out in the current FDP 2017-2023 and Draft Plan and having regard to the extensive provision for accommodation types for the elderly in a number of land-use zonings that align with best practice locational policy and objectives of the Draft Plan.

## 'NSC' - National Sports Campus Zoning Objective

This submission, from Sport Ireland in respect of the National Sports Campus welcomes the proposed new zoning Objective 'NSC'. It is, however, requested that a broader 'vision' be provided for the 'NSC' zoning objective that encourages a broader range of leisure activities and supporting activities and accommodation for those participating, spectating including overseas visitors, and those involved in administration of sport which is reflective of the recently completed masterplan for the lands as follows:

'Facilitate the <u>sustainable</u> development of a state-of-the-art National Sports Campus incorporating world class indoor and outdoor sporting facilities <u>in a unique environment centred</u> <u>around the athlete for the achievement of sporting excellence with</u> recreational amenities for community <u>use</u>, on lands adjacent to major transport infrastructure, operating at a National and <u>International scale and optimising its value as a centre of excellence for sport participation and the provision of supporting accommodation, activities, amenities, facilities and infrastructure for those participating, those spectating and those involved in the administration of sport and recreation as well as for tourists and occasional visitors.'</u>

It is also requested that objective Blanchardstown 16 of the current FDP 2017-2023 be carried through to the Draft Plan in the context of the NSC which seeks to, 'Facilitate the provision of sporting facilities and associated infrastructure related to the National Sports Campus incorporating appropriate office, administration, training, accommodation and other associated and ancillary development.'

The removal of the majority of caveats to control ancillary and supporting infrastructure to the primary function of the NSC zoning objective are requested in the context of their overly restrictive nature which will limit further opportunities for hotel, healthcare, education, childcare, recreation and leisure uses.

Proposed amendments as follows:

Hotel use shall be 'permitted in principle', to facilitate athletes, teams and spectators.

Current office categories within the Permitted in Principle category shall be merged to refer to 'offices' with no size requirement including the removal of Footnote 31 'Sports/Recreational related only' to allow general office use to be assessed on a case-by-case basis in accordance with the zoning objective and vision for the lands and the sustainable development of the area. It is suggested that subject to the retention of Footnote 31, this shall include reference to leisure also or alternatively, Footnote 34 could potentially be applied in this case.

Remove footnote 30 'For sporting/local working population only' associated with Childcare Facility' in Permitted in Principle category.

Remove Footnote 32 'Sports related only' associated with 'Education' in the Permitted in Principle category.

Remove Footnote 32 'Sports related only' associated with 'Exhibition Centre' in the Permitted in Principle category.

Remove Footnote 32 'Sports related only' associated with 'Health Centre' in the Permitted in Principle category

Remove Footnote 32 'Sports related only' associated with 'Health Practitioner' in the Permitted in Principle category.

Remove Footnote 32 'Sports related only associated with 'Research and Development' in the Permitted in Principle category. It is recommended that Footnote 34 or a variation on same might be better applied in this instance.

Remove Footnote 30 'For sporting/local population only' associated with 'Restaurant/Café' in the Permitted in Principle category. It is suggested Footnote 34 or variation to same could be applied in this instance.

Remove Footnote 32 'Sports related only' associated with 'Training Centre' in the Permitted in Principle category.

Concern is also expressed that the retail provision of ≤500 convenience is too restrictive and footnote 30 does not provide for visiting spectators or those involved in leisure activities. A greater retail provision beyond is required including for the sale of merchandise and the removal of any reference to convenience or a floorspace cap is requested. It is also requested that consideration of retail impact on existing retail centres be included as one of the qualifying criteria identified in Footnote 34.

It is recommended that the advisory note at the end of the NSC zoning matrix which states that, 'Uses which are neither "Permitted in Principle" nor "Not Permitted" will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan,' should be applied to permissible in principle uses in lieu of the footnotes proposed.

#### **Chief Executive's Response**

The National Sports Campus –NSC zoning objective as set out in the Draft Plan seeks to, 'Provide for and facilitate the development of a National Sports Campus.'

The zoning vision seeks to, 'Facilitate the development of a state-of-the-art National Sports Campus incorporating world class indoor and outdoor sporting facilities and recreational amenities for community use, on lands adjacent to major transport infrastructure, operating at a National and International scale and optimising its value as a centre of excellence for sport.'

The Draft Plan recognises the potential of the NSC and is explicit in supporting the continued growth of the campus rough the designation of its own unique and new zoning objective NSC. The associated vision is considered to be sufficiently robust at a strategic level to covey the strategic and primary function for the NSC zoned lands. The Draft Plan at Section 4.5.1.2 acknowledges the role of the NSC in hosting local, national and international sporting events as well as the provision of valuable amenities for the local community. Objective CIOSO14 of the Draft Plan seeks to facilitate the provision of associated ancillary infrastructure such as appropriate office, administration, training and accommodation uses based on the provisions of the previous Blanchardstown 16 objective and together with the uses in the 'Permitted in Principle' category of the NSC zoning objective, provides for supporting infrastructure and facilities to cater for athletes and spectators. These provisions will allow for the continued expansion of the campus in a sustainable manner, which will give greater scope for the provision of associated and ancillary facilities at this location. To ensure a focus on the sustainable development of the NSC campus, the zoning vision shall be amended to include reference to the sustainable development of the campus.

Regarding proposals for the removal of the majority of caveats attached to various uses within the Permitted in Principle category, the zoning objective, vision and Permitted in Principle use classes provide for the continued development and expansion of the NSC operating primarily as a sporting campus of excellence on a national and international scale and where ancillary supporting uses are considered incidental to this primary function. Their removal would seriously undermine its primary function and would be contrary to the overall zoning objective and vision for the lands and would set an undesirable precedent for uses beyond this primary function.

It is noted that a hotel use is not precluded within this zoning objective for athletes and spectators and such a use shall remain open for consideration to allow for assessment of proposals of this nature on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process. It is also considered that ample provision for office accommodation is provided for in the 'Permitted in Principle' category of the NSC zoning objective with associated caveats to ensure provision in accordance with the primary function of the zoning objective.

To acknowledge the potential for selling of merchandise associated with the nature of the NSC zoning objective and vision, it is considered appropriate to allow for additional retail at comparison level within the Permitted in Principle category of the NSC zoning objective. In this regard Retail – Comparison  $\leq$  500 sqm nfa shall be deleted from the Not Permitted category of the NSC and included in the Permitted in Principle category subject to caveats 30 and 34 to protect the primary function of the NSC zoning objective.

The request for a change in zoning from HT – High Technology to NSC in the context of the National Sports Campus is dealt with at Sheet 12.

## Non-conforming uses

A number of submissions were received in respect of non-conforming uses including those relating to commercial, retail and amenity uses in the context of the underlying zoning objective and requesting regulation in this regard, particularly through a change in zoning objectives.

### **Chief Executive's Response:**

It is noted that the current FDP 2017-2023 and Draft Plan makes provision for the assessment of any non-conforming uses, Objective ZO3 as set out in Chapter 13 of the Draft Plan seeks to, 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.' Specific requests relating to the changes in zoning objectives on the basis of non-conforming uses are dealt with in the relevant Sheets of the Draft Plan.

## **Proposed New Zoning Objectives and Use Classes**

A number of submissions request the creation of new zoning objectives and use classes to cater for the following:

# Elderly Housing and associated Use classes and Other Specific Residential and Mixed- Use Zonings

The creation of a new zoning objective for the provision of housing for the elderly is requested and this use to remain open for consideration on institutional, community and religious lands as well as the inclusion of senior living, integrated retirement communities, retirement housing with care or extra care as a new use class in the Draft Plan.

A new residential zoning objective is proposed as follows:

'RO' - Land Zoned subject to the dwellings being occupied by owner occupiers for the first 6 years within minimum 75% of units being houses.

RUL - 'Use it or Lose It' land zoned Residential but has to be substantially developed within 30 month period, otherwise zoning ceases.

The creation of a new mixed zoning objective - 'Mixed Development' relating to residential and commercial mixed use is recommended to facilitate 'live, work and play' in neighbourhoods and within 15 minute walking distance of a dwelling. Others consider that such mixed-use zoning objective developments should not be facilitated.

### **Education**

The Department of Education requests that an education zoning be applied to all existing school sites with an adequate buffer for expansion in Fingal and that they be mapped and zoned by the Local Authority. It is also requested that the proposed development of sites which have already been identified by this Department for school provision should be explicitly supported by means of an appropriate zoning and/or by a specific local objective on the subject site in the relevant Plan to enable the Department to aid the school planning function. It is also requested that education is Permitted in Principle in the GB zoning objective.

#### Green Zone

The creation of a Green Zone is required in the GB-Greenbelt zoned lands relating to existing childcare facilities to enable their expansion.

#### Rail Economic Node

The creation of a new zoning objective 'Rail Economic Node' is recommended in the context of GE-General Employment zoned lands at Howth Junction, Baldoyle and Kilbarrack Industrial Estates with the application of the use classes as per the ME – Metro Economic Corridor zoning objective to facilitate intensive employment and residential opportunities. Objective and vision proposed as follows:

Objective -'Facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and support the provision of an appropriate quantum of complementary residential development.'

Vision -'Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the adjacent railway station within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape.'

## Floodplain

The creation of a Floodplain zoning to act as a buffer of at least 30m from the outer boundaries of wetlands, marshes, lakes, rivers and other water bodies which also excludes agricultural and commercial horticultural use from these newly zoned areas to allow for rewilding is requested.

## Marine Renewable - Energy Infrastructure Development

In the context of the Maritime Area Planning Act 2021 and the National Marine Planning Framework, it is requested that terrestrial and future marine area local area plans shall provide a zoning objective to facilitate Marine Renewable Energy Infrastructure Development and energy networks.

#### Waste Management

Concern is expressed that the land-use zoning objectives in the Draft Plan do not facilitate the necessary growth in waste management facilities as required by national, regional and local policies of the Draft Plan. Clarity is required as to where such facilities can be located. It is noted that proposals for waste facilities should be assessed on its own merits as a stand-alone development.

It is suggested that the definitions for each category of waste i.e. "Waste Disposal/Recovery Facilities (Excluding High Impact)" or "Waste Disposal/Recovery Facilities (High Impact)" are too broad, open to interpretation and do not reflect operational realities and practicalities of modern integrated waste management facilities. The distinction on the basis of either a low or a high potential for odour, dust, noise and other nuisances is considered subjective and does not account for the fact that an appropriately operated waste management facility should not create any significant impacts on sensitive receptors. A suggested potential alternative is proposed as a means of distinction between differing types of waste management facilities on the basis of facility infrastructure and activity type, existing or proposed.

It is also highlighted that the use classes as set out in the Draft Plan do not make it explicit where treatment facilities for end-of-life vehicles can locate.

## Postal Facility Use

Flexibility in terms of the land-use zonings and objectives in relation to An Post's facilities and operational requirements is requested. In this regard a new use class, 'Postal Facilities' is sought with this use is Permitted in Principle or Open for Consideration' in the HT, GE, MC, ME and TC zoning objectives.

#### Convenience Retail

Flexibility in terms of land-use zoning objectives to provide for convenience retail provision in settlements across the County is requested.

### Motorhome, Glamping and Camping

A review of land-use zoning to provide for parks for motorhome, glamping and camping uses is requested.

### **Chief Executive's Response**

### **New Zoning Objectives**

Section 10(2)(a) of the Planning and Development Act 2000 (as amended) Act requires that a Development Plan shall include objectives for: "(a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space, or otherwise, or a mixture of these uses) and to such extent as the proper planning and sustainable development of the area, in the opinion of the Planning Authority, requires the uses to be indicated" The zoning of land is the primary spatial expression of the strategy of the Development Plan and is a key element of the plan-making process. The Development Plan Guidelines for Planning Authorities June 2022 notes the provision of land-use zoning within the Development Plan shall provide a degree of certainty and clarity to the community, landowners, developers and investors regarding future development. These guidelines also advocate a consistent approach in the development of zoning objectives between Local Authorities and the avoidance of overly specific or narrowly devised zoning objectives, which is not considered appropriate to the general purpose of land-use zoning. Appendix B to these Guidelines provides a list of zoning objectives that Planning Authorities may incorporate into Development Plans which allow for a degree of local variation where necessary but achieves the required standardisation on a national basis.

Appendix B of the said guidelines supports two principal residential zoning objectives for existing and new residential development. The guidelines also advocate aligning the core strategy, settlement strategy and principal residential zoning functions in a single, integrated development plan process to enable,

- i. Transparency and coherence in the decision-making process, with the full extent of residential zoning set out for the six-year period of the development plan;
- ii. Ensuring certainty by avoiding a scenario whereby lands are not zoned or inappropriately zoned in separate statutory processes;

- iii. Providing clarity, especially where there may be a risk due to the time delay in preparing a number of subsequent local area plans; Enabling planning authority resources to focus on plan implementation and monitoring;
- iv. Enabling local area plan preparation to concentrate on detailed planning for layout, design, community facilities, transport, recreational amenities, etc. at a local level.

In accordance with these provisions, the Draft Plan provides a comprehensive range of zonings objectives that supports a combination of uses, facilitates mixed-use development, compact growth, employment generation and activity within urban centres as well as the provision of community and social infrastructure. The Draft Plan includes two residential zoning objectives that align with the guidelines including RA which seeks to, 'Provide for new residential communities subject to the provision of the necessary social and physical infrastructure' and RS which seeks to, 'Provide for residential development and protect and improve residential amenity' and where these lands have been thoroughly analysed in the context of the Core Strategy, Settlement Strategy with a focus on the sequential approach.

In the context of an educational zoning objective to provide for educational facilities, it is acknowledged that Appendix B of the Development Plan guidelines provide for such an educational zoning objective while also making provision for a Community Infrastructure zoning objective to support and facilitate community infrastructure and facilities. Having regard to the guidelines which provides for a degree of local variation, the Draft Plan shows existing schools provision within the CI - Community Infrastructure zoning objective with proposed new schools shown with a specific map-based schools symbol based on extensive collaboration between FCC and the Department of Education. It is noted that educational use is currently Open for Consideration in the GB-Greenbelt zoning objective and given the zoning objection and vision to protect greenbelts lands and the critical function of the greenbelt that serves to provide a distinction between urban and rural areas, educational use shall remain Open for Consideration in the GB-Greenbelt zoning objective. Chapter 4 and Section 4.5.1.4 of the Draft Plan is explicit in supporting and facilitating schools provision in collaboration between FCC and the Department of Education and includes supportive policy and objectives in this regard including policy CIOSP9 and objective CIOSO15.

Having regard to the foregoing, the overly specific and narrowly devised zoning objectives as proposed do not align with the provisions of the said Act and specifically the government guidelines relating to Development Plans of which it is a statutory obligation of the Planning Authority to comply. Overall, the comprehensive and standardised list of zoning objectives as set out in the Draft Plan closely aligns with the provisions of the Development Plan guidelines and are considered sufficiently robust to inform and guide sustainable development and proper planning within the County. The Draft Plan also includes comprehensive strategic policies and objectives supporting and facilitating development of the nature proposed and are noted as follows,

## Accommodation Types for the Elderly

It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and are Permitted in Principle in zoning objectives including CI-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential and RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and

RV. These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required to be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

# Intensive Employment and Residential Development adjoining High-Quality Public Transport Corridors

The provisions of the Draft Plan are considered sufficiently robust in its approach at a strategic level to ensure the alignment of compact and intensive employment and residential development in locations adjoining high-quality public transport corridors and nodes advanced through plan frameworks.

Objective CMO3 of the Draft Plan specifically seeks to, 'Support and facilitate high-density, mixed-use development and trip intensive uses along public transport corridors and to ensure the integration of high-quality permeability links and public realm in conjunction with the delivery of public transport services through plan frameworks to generate and reinforce sustainable patterns of compact growth and development in the County.'

In addition, the promotion of the sequential approach ensures the appropriate and sustainable delivery of employment lands as set out in Chapter 7 Employment and Economy and specifically within policies EEP2, EEP4 and objective EEO3 of the Draft Plan.

Policy EEP4 seeks to, 'Ensure employment intensive land use zonings are located adjacent to public transport networks and active travel links.'

Objective EEO3, 'Require that proposals for economic development are served by quality supporting infrastructure with sufficient capacity. A sequential approach may be used for assessing economic developments to ensure their appropriate and sustainable delivery'.

### Surface Water and Flood Risk Management, Buffer Zones and Riparian Corridors

The existing FDP 2017-2023 and Draft Plan includes flood risk mapping together with the Strategic Flood Assessment (SFRA) that was carried out to inform the preparation of the Draft Plan including policy and objectives within the Plan relating to surface water and flood risk management, buffer zones and riparian corridors along rivers and are considered sufficiently robust at a strategic level to guide these environmental issues. Rewilding initiatives are also supported with Chapter 9 of the Draft Plan.

Specifically, Section 11.5.2 of the Plan relates to Surface Water Management and Flood Risk Management and a suite of comprehensive supporting policies and objectives including objective IUO14 relate to buffer zones and riparian corridors while objective IUO15 requires a Surface Water Management Plan as part of all new developments and Section 11.5.2.2 of the Draft Plan relates to Flood Risk Management and includes a comprehensive suite of policies and objectives in this regard. Objective GINHO26 of the Draft Plan seeks to, 'Continue to promote and support re-wilding and pollinator initiatives within the County.'

### Marine Renewable Energy Infrastructure Development

It is noted that the Draft Plan at Chapter 5 Climate Action and Chapter 11 Infrastructure and Utilities contains sufficiently robust and supportive policy and objectives at a strategic level to foster Marine Renewable Energy Infrastructure Development and energy related developments. Such policy and objectives will inform any relevant land-use plans where appropriate and includes,

Policy CAP13 seeks to, 'Actively support the production of energy from renewable sources, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations.'

Policy CAP14 seeks to, 'Support and encourage the development of small-scale wind renewable facilities / micro-renewable energy production.'

Policy CAP15 seeks to, 'Support the implementation of the 2014 "Offshore Renewable Energy Development Plan" (OREDP) and to facilitate infrastructure such as grid facilities on the land side of any renewable energy proposals of the offshore wind resource, where appropriate and having regard to the principles set out in the National Marine Planning Framework'.

Policy IUP31 seeks to, 'Continue to develop and implement climate action and energy related initiatives in Fingal and continue to support the recording and monitoring of renewable energy potential in Fingal in partnership with other stakeholders including the East Midlands Regional Assembly EMRA, the Dublin Energy Agency (Codema) and the Climate Action Regional Office (CARO).'

#### Waste Management

The 'Waste Disposal / Recovery (High Impact)' land use classification was introduced to allow for industries which have potential for nuisance and adverse visual impact to be situated away from other more sensitive activities and be concentrated in an area rather than scattered throughout the County. The most appropriate location for these waste disposal facilities is considered to be within HI-Heavy Industry zoned lands. The vision for Objective "HI" (Heavy Industry) is to 'Facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings. Such uses, activities and processes would be likely to produce adverse impacts, for example by way of noise, dust or visual impacts. HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses.'

The EPA publish a summary of complaints received for licensed industrial and waste sites and in 2021, they received almost 1500 complaints with over 90% of these related to noise and odour. While it is acknowledged that many operators do run plants to high design and operational standard, the Council is reluctant to permit these 'high impact' uses in wider land-use zoning categories, given the nature of the operations proposed and the sensitivity of surrounding land-uses.

Traffic associated with waste facilities is also an issue to be considered in terms of the location of specific facilities. Waste facilities accepting putrescible waste may have a high number of waste collection vehicles arriving on site which themselves pose an odour risk which in turn could pose a nuisance to adjoining properties.

The submissions suggesting alternative wording for the definitions of high and low impact waste disposal facilities are acknowledged. However, it is considered that the suggested alternative wording is loose and the distinction between higher and lower impact waste activities is not made and the definitions do not make reference to the potential for nuisance and visual intrusion, with both definitions effectively including all waste activities. It is recommended that the distinction be maintained between 'high impact' waste activities and other waste activities and that the 'low impact' waste activity definition continues to exclude facilities with the potential for noise, dust and particularly odour impact from putrescible waste.

It is noted that an 'end of life treatment facility' is not precluded within the list of zoning objectives in the Draft Plan and proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process. Objective ZO3 as set out in Chapter 13 of the Draft Plan seeks to, 'Generally, permit reasonable intensification of extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.'

#### **Childcare Provision in Greenbelts**

In the interests of clarity, childcare facilities are Permitted in Principle in the GB-Greenbelt zoning objective where such a use is ancillary to the use of the dwelling as a main residence. This level of control is considered necessary given the critical function of the GB-Greenbelt zoning objective which seeks to, 'Protect and provide for a Greenbelt' while the supporting vision seeks to protect and maintain its rural and undeveloped nature in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses. The Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policies CSP42, SPQHP48 and SPQHP57 and objectives SPQHO97 and SPQHO98. Any childcare proposals within GB zoned lands will be assessed against the zoning objective and vision for the lands as well as relevant policy provisions of the Plan and normal standard planning criteria through the Development Management process.

## Post Facility Use

It is noted that a postal facility use is not precluded within the list of zoning objectives in the Draft Plan and proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process.

## **Retail Convenience Provision**

Fingal County Council's retail policy a set out in Section 2.6 of the Draft Plan will continue to prioritise designated retail centres in the retail hierarchy and future retail development shall be based on a sequential approach, as indicated in the Retail Planning Guidelines. New retail development shall be directed primarily into the major town centres and town centres in the County and shall be in accordance with the type and format indicated in the retail hierarchy. It is noted that convenience retail provision of  $\leq$  500 is Permitted in Principle in multiple zoning objectives in the Draft Plan including the TC-Town Centre, LC-Local Centre, MC-Major Centre, ME-Metro Economic Corridor, NSC-National Sports Campus, RA-Residential, RV-Rural Village zoning objectives.

### Campsites, Glamping and Motorhome Parks

In the interests of clarity, campsites are Permitted in Principle in GB-Green Belt and RU-Rural zoning objectives subject to caveat 25 where no static mobile homes or permanent structures (unless ancillary to the operation of the campsite) shall be permitted. As set out earlier in this chapter, it is proposed that campsites subject to caveat 25 are to remain open in the HA-High Amenity zoning objective having regard to the environmental sensitivity of these lands. It is also noted that motor home parks, glamping and camping facilities are not precluded within the remaining zoning objectives as set out in the Draft Plan and proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process. The Draft Plan at Chapter 7 and specifically, objective EEO56 seeks to, "Support the development of appropriately located and sensitively designed campsites, with required ancillary facilities, as an alternative form of accommodation for visitors to the County.

### **Chief Executive's Recommendations:**

#### **CE CH 13.1:**

Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

#### **CE CH 13.2:**

Include agri-business in the Permitted in Principle category of the FP-Food Park zoning objective.

### **CE CH 13.3:**

Amend objective EEO77 as follows: Support and facilitate the growth of agribusiness in Fingal and encourage agribusiness and support services which are directly related to the local horticultural or agricultural sectors in RB <u>and FP</u> zoned areas.

### **CE CH 13.4:**

Amend the GE-General Employment zoning vision as follows, Facilitate opportunities for compatible industry and general employment uses *including appropriate sustainable employment and enterprise uses*, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.

### **CE CH 13.5:**

Delete campsites subject to caveat 25 from the Permitted in Principle category of the HA-High Amenity zoning objective and to remain Open for Consideration.

## **CE CH 13.6:**

Delete 'Data Centre' from the 'Not Permitted' category of the HT– High Technology zoning objective and to remain open for consideration.

## **CE CH 13.7:**

Amend the NSC – National Sports Camps zoning vision as follows, Facilitate the <u>sustainable</u> development of a state-of-the-art National Sports Campus incorporating world class indoor and

outdoor sporting facilities and recreational amenities for community use, on lands adjacent to major transport infrastructure, operating at a National and International scale and optimising its value as a centre of excellence for sport.

## **CE CH 13.8:**

Delete the Retail – Comparison ≤ 500 sqm nfa use from the Not Permitted category of the NSC zoning objective and include in the Permitted in Principle category of the NSC zoning objective subject to caveats 30 and 34.

30 For sporting/local working population only.

34 Any increase on this size will have to be justified in terms of overall zoning vision for the lands, traffic implications and public transport linkages.

#### **CHAPTER 14: Development Management Standards**

#### **Submissions received:**

FIN-C453-2, FIN-C453-10, FIN-C453-31, FIN-C453-49, FIN-C453-59, FIN-C453-69, FIN-C453-74, FIN-C453-77, FIN-C453-99, FIN-C453-109, FIN-C453-114, FIN-C453-118, FIN-C453-119, FIN-C453-120, FIN-C453-121, FIN-C453-122, FIN-C453-123, FIN-C453-124, FIN-C453-125, FIN-C453-126, FIN-C453-C453-134, FIN-C453-135, FIN-C453-140, FIN-C453-142, FIN-C453-143, FIN-C453-144, FIN-C453-153, FIN-C453-155, FIN-C453-160, FIN-C453-169, FIN-C453-170, FIN-C453-171, FIN-C453-172, FIN-C453-173, FIN-C453-188, FIN-C453-202, FIN-C453-204, FIN-C453-205, FIN-C453-206, FIN-C453-207, FIN-C453-208, FIN-C453-211, FIN-C453-213, FIN-C453-214, FIN-C453-215, FIN-C453-216, FIN-C453-217, FIN-C453-218, FIN-C453-219, FIN-C453-220, FIN-C453-221, FIN-C453-222, FIN-C453-223, FIN-C453-224, FIN-C453-225, FIN-C453-226, FIN-C453-227, FIN-C453-228, FIN-C453-229, FIN-C455-229, FIN-C455-22 C453-230, FIN-C453-231, FIN-C453-232, FIN-C453-233, FIN-C453-234, FIN-C453-235, FIN-C453-236, FIN-C453-237, FIN-C453-238, FIN-C453-239, FIN-C453-240, FIN-C453-241, FIN-C453-242, FIN-C453-241, FIN-C453-242, FIN-C453-241, FIN-C453-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-242, FIN-C455-24 C453-243, FIN-C453-244, FIN-C453-245, FIN-C453-246, FIN-C453-247, FIN-C453-248, FIN-C453-249, FIN-C453-270, FIN-C453-271, FIN-C453-273, FIN-C453-274, FIN-C453-275, FIN-C453-283, FIN-C453-284, FIN-C453-305, FIN-C453-386, FIN-C453-396, FIN-C453-401, FIN-C453-407, FIN-C453-408, FIN-C453-409, FIN-C453-410, FIN-C453-414, FIN-C453-421, FIN-C453-422, FIN-C453-423, FIN-C453-420, FIN-C455-420, FIN-C455-420, FIN-C455-420, FIN-C455-420, FIN-C455-420, FIN-C455-420, FIN-C455-420, FIN-C455-42 C453-424, FIN-C453-426, FIN-C453-427, FIN-C453-428, FIN-C453-429, FIN-C453-430, FIN-C453-432, FIN-C453-433, FIN-C453-434, FIN-C453-436, FIN-C453-438, FIN-C453-439, FIN-C453-440, FIN-C453-440, FIN-C453-439, FIN-C453-439, FIN-C453-440, FIN-C453-450, FIN-C453-440, FIN-C455-450, FIN-C455-450, FIN-C455-450, FIN-C455-450, FIN-C455-450, FIN-C455-45 C453-441, FIN-C453-442, FIN-C453-443, FIN-C453-444, FIN-C453-445, FIN-C453-446, FIN-C453-447, FIN-C453-448, FIN-C453-450, FIN-C453-451, FIN-C453-452, FIN-C453-453, FIN-C453-454, FIN-C455-454, FIN-C455-45 C453-455, FIN-C453-456, FIN-C453-458, FIN-C453-459, FIN-C453-463, FIN-C453-464, FIN-C453-465, FIN-C453-466, FIN-C453-468, FIN-C453-469, FIN-C453-470, FIN-C453-471, FIN-C453-472, FIN-C453-472, FIN-C453-471, FIN-C453-472, FIN-C455-472, FIN-C455-472, FIN-C455-472, FIN-C455-47 C453-475, FIN-C453-476, FIN-C453-478, FIN-C453-479, FIN-C453-480, FIN-C453-481, FIN-C453-482, FIN-C453-484, FIN-C453-486, FIN-C453-491, FIN-C453-497, FIN-C453-500, FIN-C453-501, FIN-C453-502, FIN-C453-503, FIN-C453-504, FIN-C453-507, FIN-C453-509, FIN-C453-510, FIN-C453-511, FIN-C453-512, FIN-C453-513, FIN-C453-514, FIN-C453-515, FIN-C453-516, FIN-C453-517, FIN-C453-518, FIN-C453-519, FIN-C453-520, FIN-C453-525, FIN-C453-526, FIN-C453-528, FIN-C453-529, FIN-C453-530, FIN-C453-532, FIN-C453-532, FIN-C453-533, FIN-C453-536, FIN-C453-537, FIN-C453-530, FIN-C455-500, FIN-C455-50 C453-538, FIN-C453-540, FIN-C453-544, FIN-C453-547, FIN-C453-549, FIN-C453-552, FIN-C453-553, FIN-C453-555, FIN-C453-561, FIN-C453-563, FIN-C453-564, FIN-C453-566, FIN-C453-569, FIN-C453-570, FIN-C453-575, FIN-C453-576, FIN-C453-578, FIN-C453-589, FIN-C455-589, FIN-C4 590, FIN-C453-592, FIN-C453-593, FIN-C453-596, FIN-C453-598, FIN-C453-600, FIN-C453-608, FIN-C453-598, FIN-C453-608, FIN-C453-598, FIN-C453-608, FIN-C455-608, FIN-C455-60 C453-609, FIN-C453-617, FIN-C453-619, FIN-C453-620, FIN-C453-621, FIN-C453-622, FIN-C453-628, FIN-C453-633, FIN-C453-634, FIN-C453-637, FIN-C453-640, FIN-C453-643, FIN-C453-649, FIN-C455-649, FIN-C455-649, FIN-C455-649, FIN-C455-649, FIN-C455-649, FIN-C455-649, FIN-C455-650, FIN-C455-650, FIN-C455-650, FIN-C455-650, FIN-C455-650, FIN-C455-65 C453-651, FIN-C453-652, FIN-C453-657, FIN-C453-658, FIN-C453-660, FIN-C453-662, FIN-C453-663, FIN-C453-667, FIN-C453-668, FIN-C453-669, FIN-C453-677, FIN-C453-680, FIN-C453-681, FIN-C453-684, FIN-C453-684, FIN-C453-686, FIN-C453-690, FIN-C453-693, FIN-C453-696, FIN-C453-718, FIN-C453-726, FIN-C453-731, FIN-C453-733, FIN-C453-742, FIN-C453-744, FIN-C453-747, FIN-C453-749, FIN-C453-751, FIN-C453-757, FIN-C453-759, FIN-C453-763, FIN-C453-768, FIN-C453-772, FIN-C453-773, FIN-C453-774, FIN-C453-783, FIN-C453-784, FIN-C453-802, FIN-C453-803, FIN-C453-804, FIN-C453-805, FIN-C453-810, FIN-C453-812, FIN-C453-820, FIN-C453-856, FIN-C453-859, FIN-C453-868, FIN-C453-871, FIN-C453-882, FIN-C453-886, FIN-C453-893, FIN-C453-903, FIN-C453-893, FIN-C455-893, FIN-C455-89 C453-919, FIN-C453-920, FIN-C453-926, FIN-C453-929, FIN-C453-932, FIN-C453-946, FIN-C453-

948, FIN-C453-950, FIN-C453-962, FIN-C453-964, FIN-C453-970, FIN-C453-980, FIN-C453-983, FIN-C453-984, FIN-C453-991, FIN-C453-1005, FIN-C453-1011, FIN-C453-1013, FIN-C453-1026, FIN-C453-1035, FIN-C453-1040, FIN-C453-1050, FIN-C453-1071, FIN-C453-1072, FIN-C453-1087, FIN-C453-1089, FIN-C453-1090, FIN-C453-1097, FIN-C453-1103, FIN-C453-1110, FIN-C453-1114, FIN-C453-1124, FIN-C453-1128, FIN-C453-1132, FIN-C453-1137, FIN-C453-1140, FIN-C453-1143, FIN-C453-1162, FIN-C453-1166, FIN-C453-1177, FIN-C453-1179, FIN-C453-1182, FIN-C453-1188, FIN-C453-1202, FIN-C453-1203, FIN-C453-1204, FIN-C453-1209, FIN-C453-1210, FIN-C453-1211, FIN-C453-1212, FIN-C453-1215, FIN-C453-1217, FIN-C453-1218, FIN-C453-1220, FIN-C453-1221, FIN-C453-1225, FIN-C453-1231, FIN-C453-1234, FIN-C453-1235, FIN-C453-1238, FIN-C453-1239, FIN-C453-1241, FIN-C453-1249, FIN-C453-1250, FIN-C453-1254, FIN-C453-1255, FIN-C453-1259, FIN-C453-1262, FIN-C453-1265, FIN-C453-1266, FIN-C453-1271, FIN-C453-1280, FIN-C453-1290, FIN-C453-1295, FIN-C453-1296, FIN-C453-1298, FIN-C453-1301, FIN-C453-1305, FIN-C453-1324, FIN-C453-1326, FIN-C453-1327, FIN-C453-1328, FIN-C453-1329, FIN-C453-1330, FIN-C453-1331, FIN-C453-1507, FIN-C453-1508, FIN-C453-1510, FIN-C453-1511, FIN-C453-1513, FIN-C453-1521, FIN-C453-1523, FIN-C453-1524, FIN-C453-1526, FIN-C453-1527, FIN-C453-1528, FIN-C453-1529, FIN-C453-1530, FIN-C453-1531, FIN-C453-1532, FIN-C453-1533, FIN-C453-1534, FIN-C453-1535, FIN-C453-1536, FIN-C453-1537, FIN-C453-1538, FIN-C453-1539, FIN-C453-1540, FIN-C453-1541, FIN-C453-1542, FIN-C453-1543, FIN-C453-1544, FIN-C453-1545, FIN-C453-1546, FIN-C453-1547, FIN-C453-1548, FIN-C453-1549, FIN-C453-1550, FIN-C453-1551, FIN-C453-1552, FIN-C453-1553, FIN-C453-1554, FIN-C453-1555, FIN-C453-1556, FIN-C453-1557, FIN-C453-1558, FIN-C453-1559, FIN-C453-1565, FIN-C453-1598, FIN-C453-1602, FIN-C453-1616, FIN-C453-1617, FIN-C453-1618, FIN-C453-1619, FIN-C453-1620, FIN-C453-1621, FIN-C453-1622, FIN-C453-1674, FIN-C453-1679, FIN-C453-1685, FIN-C453-1701, FIN-C453-1702, FIN-C453-1710, FIN-C453-1711, FIN-C453-1713, FIN-C453-1714, FIN-C453-1715, FIN-C453-1716, FIN-C453-1717, FIN-C453-1718, FIN-C453-1719, FIN-C453-1720, FIN-C453-1721, FIN-C453-1722, FIN-C453-1723, FIN-C453-1724, FIN-C453-1725, FIN-C453-1726, FIN-C453-1727, FIN-C453-1728, FIN-C453-1729, FIN-C453-1730, FIN-C453-1731, FIN-C453-1732, FIN-C453-1733, FIN-C453-1734, FIN-C453-1735, FIN-C453-1736, FIN-C453-1737, FIN-C453-1738, FIN-C453-1739, FIN-C453-1740, FIN-C453-1741, FIN-C453-1742, FIN-C453-1743, FIN-C453-1744, FIN-C453-1745, FIN-C453-1746, FIN-C453-1747, FIN-C453-1748, FIN-C453-1749, FIN-C453-1750, FIN-C453-1751, FIN-C453-1752, FIN-C453-1753, FIN-C453-1754, FIN-C453-1755, FIN-C453-1756, FIN-C453-1757, FIN-C453-1758, FIN-C453-1759, FIN-C453-1760, FIN-C453-1761, FIN-C453-1762, FIN-C453-1763, FIN-C453-1764, FIN-C453-1765, FIN-C453-1766, FIN-C453-1767, FIN-C453-1768, FIN-C453-1769, FIN-C453-1770, FIN-C453-1771, FIN-C453-1772, FIN-C453-1774, FIN-C453-1780, FIN-C453-1781, FIN-C453-1788, FIN-C453-1789, FIN-C453-1790, FIN-C453-1799, FIN-C453-1801, FIN-C453-1903

#### **Summary of Issues Raised:**

#### **Sustainable Placemaking and Quality Homes**

#### **Apartment Storage Standards**

Submissions request clarity in relation to requirements for apartment storage.

#### **Chief Executive's Response:**

It is proposed to amend Section 14.7.3 Internal Storage and to strengthen Section 14.7 Apartment Development/Standards with specific reference to SPPR 1.

#### **Residential Extensions**

A submission was received in relation to the impacts arising from single storey extensions having regard to sunlight ingress and over shadowing.

#### **Chief Executive's Response:**

Issues with respect to the assessment of ground and first floor residential extensions are addressed under Section 14.10.2.3 and Section 14.10.2.4 respectively of Chapter 14

Development Management Standards. Ground floor Extensions (rear) 'will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house'. In this regard, matters to be considered include length, height and proximity to mutual boundaries, all of which are key considerations in determining the degree of overshadowing or loss of light which may arise. As such it is not considered necessary to amend the text of Section 14.10.2.3 as the issues raised in the submission are already addressed.

#### **Employment and Economy**

A submission notes that an incorrect title is applied to Objective DMSO94 which relates to Data Centres.

#### **Chief Executive's Response:**

The incorrect title associated with Objective DMSO94 will be omitted and replaced with 'Space Extensive Developments.'

#### **Connectivity and Movement**

#### **Road Network and Access**

TII in its submission notes Section 14.17.5 of the plan relating to the road network and access and specifically the recognition of each of the national roads within and crossing Fingal. The submission contends that Objective DMSO117 relating to motorway access is too narrow in focus not recognising all national road infrastructure including the N2 and N3. the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* that sets out guidance for the assessment of development proposals on or adjacent to the national roads is also highlighted. In this context, TII recommends amendment to Objective DMSO117 to include reference to the national road network.

#### **Chief Executive's Response:**

The Draft Plan is explicit in acknowledging the need to protect the strategic function of the national road network within Section 6.5.10.1 National Roads of the plan and includes reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* within objective CMO34 as set out below and within Appendix 2 Implementation of Ministerial Guidelines and Appendix 3 Policy Context of the Draft Plan. Specifically, the following objectives as set out in the plan of relevance in this regard include:

Objective CMO29 Management of Road Network seeks to, 'Work with the TII and other relevant national transport agencies, to protect and enhance the capacity of national routes, to minimise the impacts on the management of the broader network and to support the economic competitiveness of the County.'

Objective CMO34 Strategic Roads Network seeks to, 'Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant policy documents, as required.'

Objective CMO35 seeks to, 'Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

Objective CMO36 seeks to, 'Facilitate the implementation of the demand management measures in the M50 Demand Management Study, as required.'

It is considered appropriate to amend objective DMSO117 to include the reference to national roads to ensure their protection in accordance with the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* and this is addressed by way of CE Recommendation in the context of the OPR submission.

#### Road Network and Signage

TII in its submission highlights that Sections 3.7 and 3.8 of the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, indicates that on national roads, the erection of signage needs to be firmly regulated for road safety and environmental reasons. In this context, guidance in respect of signage on national roads concerning major tourist and leisure features and facilities is outlined in the TII's Policy on the Provision of Tourist and Leisure Signage on National Roads 2011 which is available to download from the publications section of TII's website, <a href="https://www.tii.ie">www.tii.ie</a>. On this basis, TII recommends a new objective relating to the evaluation of signage proposals and national roads to ensure that signage is provided in a manner compatible with the safe and efficient operation of the national road network.

It is also requested that the Draft Plan shall include policies and objectives to reduce the visual impact of roadside signage including petrol station signage and other car orientated signage.

#### **Chief Executive's Response**

The Draft Plan contains the following objectives as set out in the Draft Plan that are relevant to the protection of the national road network in this regard including,

Objective CMO33 Management of Road Network seeks to, 'Work with the TII and other relevant national transport agencies, to protect and enhance the capacity of national routes, to minimise the impacts on the management of the broader network and to support the economic competitiveness of the County.'

Objective CMO34 Strategic Roads Network seeks to, 'Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant policy documents, as required.'

Objective CMO35 seeks to, 'Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

Fingal County Council is clear in its view of the strategic importance of the road network and in this context, as indicated by the policy objectives referenced above, as well as in the wider context of the Draft Plan and the sustainable development of the County and the wider region, the inclusion of a specific objective in relation to signage on national roads is appropriate.

This approach provides for control to signage proposals relating to the national road network. At a more localised level, the Draft Plan contains supportive policy and objectives to rationalise signage in towns and villages and is considered sufficiently robust in this regard. Supportive policy and objectives include;

Objective SPQHO4 that seeks to, 'Enhance the visual amenity of existing town and village centres, minimising unnecessary clutter and proliferation of street furniture and provide guidance on public realm design, including wirescape, shopfront design, street furniture, signage and the adequate provision of bins and recycling options.'

Objective HCAO41 seeks to, 'Sensitively design, locate and rationalise modern street furniture and elements such as utility boxes, cables, bins, bike racks, poles, wires, antenna and signage. Defunct or obsolete telephone boxes/kiosks should be removed rather than replaced.'

Objective DMSO12 seeks to, 'Evaluate signage proposals in relation to the surroundings and features of the buildings and structures on which signs are to be displayed, the number and size of signs in the area (both existing and proposed) and the potential for the creation of undesirable visual clutter.'

#### Car Parking

Several submissions request that accessible car parking spaces including for the elderly and those with a hidden disability close to retail/commercial units in towns and villages including shared spaces are prioritised over standard parking spaces. It is recommended that an initiative to facilitate access to prioritised car parking spaces by users with hidden disabilities should be piloted in public car parks. A number of submissions request additional car parking provision including more efficient parking layouts in rural villages and towns throughout the County including Ballyboughal, Garristown and Rush where adequate parking for services, schools, recreational facilities and amenities should be provided. In the context of visiting tourists and the requirement for short-stay car parking provision especially for motorhomes, FCC shall identify locations for such provision throughout the County and particularly in north County locations such as Skerries and Loughshinny. Provision of car-sharing spaces for car clubs are also requested. The identification of basement/sub-level parking alternatives to on-street parking where there is an insufficient level of car parking or high density of residential units is required. Parking regulation issues were also highlighted with a specific focus on the prevention of overnight parking for campervans near beaches within the County.

#### **Chief Executive's Response**

Fingal County Council is committed to ensuring universal access to all amenities across the County and has provided various parking initiatives such as age-friendly parking at specific locations in recent times. The Draft Plan is explicit in its support and promotion of accessible car parking within Chapter 14 Development Management Standards and specifically at Section 14.17.8 as follows:

'A minimum of 5% of car parking spaces provided should be set aside for disabled car parking in non-residential developments. Where the nature of particular developments are likely to generate a demand for higher levels of disabled car parking, the Council may require a higher proportion of parking for this purpose. Disabled car parking spaces should be provided as close as reasonably possible to building entrance points and allocated and suitably sign posted for convenient access. '

'Provision for designated Age Friendly car parking and Parent and Child car parking provision is encouraged. These parking spaces should be provided as close as reasonably possible to building entrance points and should be allocated, sign posted and appropriately managed'

As there is no specific legislative provision to provide such facilities on a statutory basis, the identification of suitable schemes will continue to be examined and implemented as required, in the context of Fingal County Council's responsibilities for on-street parking management and enforcement and through the Development Management process in accordance with the relevant provisions of the plan relating to accessible parking. This will include urban areas and rural villages.

Car-share schemes are actively encouraged and facilitated by Fingal County Council through the Development Management process, including, in particular, in higher density, urban schemes where such schemes are more appropriate and more likely to be commercially viable in the longer-term. In addition, the Draft Plan is explicit in its support and promotion of car-clubs/car-sharing schemes within Chapter 6 and specifically at Section 6.5.7.5 of the Draft Plan and through policy CMP23 which seeks to facilitate such schemes. Basement car parking is generally considered through the Development Management process. The provision of additional on-street parking to serve various amenities and recreational areas and parking regulation within the County are operational functions and, therefore, is not a matter for the Development Plan.

#### **Electric Vehicle Parking**

ESB in its submission highlights that the EU Energy Performance of Buildings Directive requires an increase to 20% for the number of parking spaces which should have provision for electric vehicle charging infrastructure in new development. In this context, the FDP 2023-2029 shall have regard to standards as set out in Statutory Instrument No. 393/2021 –European Union (Energy Performance of Buildings) Regulations 2021. A table of standards deemed to be consistent with the said regulations are requested for inclusion in Section 14.17.10 Electric Vehicle Parking of the final plan.

#### **Chief Executive's Response**

In the interests of clarity, the Draft Plan within Chapter 14 Development Management Standards and specifically Section 14.17.10 sets out the EV vehicle parking requirements and associated infrastructure which align with the relevant standards for EV parking as set out in the Energy Performance Building Regulations 2021. In addition, the Draft Plan at Policy CAP26 as set out in Chapter 5 Climate Action relating to Electric Vehicles seeks to, 'Ensure that sufficient charging points and rapid charging infrastructure are provided on existing streets where such infrastructure does not impede persons with mobility issues and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV

vehicle charging point installation, so that EV Street Charging Points are provided to every community of the County.'

#### **Car Parking Zones**

Overall, submissions welcome the car parking zones 1 and 2 as set out in Table 14.18 of the plan which includes a maximum standard of car parking provision in Zone 1. Notwithstanding, it is requested that flexibility is included to ensure that sites located proximate to high quality public transport are not precluded from a reduced car parking rate in support of sustainable mobility and a transition to sustainable modes. It is acknowledged that Section 14.17.7 of the Draft Plan states that, 'A reduced car parking provision may be acceptable where the Council is satisfied that good public transport links are already available or planned and/or a Mobility Management Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development.' It is requested that this caveat be strengthened and that further flexibility is included with discretion by the Planning Authority for sites located just outside Zone 1.

#### **Chief Executive's Response**

The Draft Plan is clear on the requirements for parking in new developments as set out in Chapter 14 Development Management Standards and the use of two zones is considered appropriate in this regard, as it allows for greater flexibility and provision of appropriate levels of parking based on proximity to public and sustainable transport. It is considered that the use of maxima values for Zone 1 and norms for Zone 2 is appropriate and allows sufficient flexibility to both applicants and the Planning Authority in relation to car parking provision.

#### Car Parking Standards

Overall, the reduction in car parking requirements is generally welcomed including the maximum standard relating to Zone 1 and the degree of flexibility in the application of car parking requirements for this zone. The inclusion of a car parking norm in the context of car parking standards is questioned and clarity is required in this regard. It is recommended that a minimum standard of car parking provision is not included in the plan.

Clarity is required to address how the parking standards and zones have been considered in the context of the Government guidelines set out in the Sustainable Urban Housing Design Standards for New Apartments 2020, and specifically where it states at Section 14.17.7 of the plan that 'the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.' In this context, it is recommended that the supporting text should recognise that the quantum of car parking for apartment developments will vary, having regard to the location in accordance with paragraphs 4.18 to 4.27 of the relevant Government guidelines.

It is also recommended that parking standards for apartment developments in close proximity to high quality public transport connections should align with car parking standards as per the *Sustainable Urban Housing Design Standards for New Apartments 2020* to enable sustainable travel patterns and achieve further alignment with objective CMO30 relating to the implementation of car parking standards. In this context, a new objective is proposed for the plan based on an extract from the relevant guidelines relating to apartments.

Concerns are also expressed regarding the reduction in car parking spaces for residential units and particularly the omission of visitor parking in Zone 1, that long stay/resident parking is now based on number of bedrooms and the proposed reduction to a maximum of ½ space per one and two bedroom dwellings and a maximum of one space for every 3 bedroom unit is considered excessively restrictive. It is suggested that one-two space per dwelling regardless of the size should be the norm, with additional provision for visitor parking and 'car club' parking.

An Post in its submission notes the essential public service it provides and, in this regard, it is suggested that car parking requirements shall only apply to the staff and visitor aspects of the service while all other vehicles used for the operation of the Irish postal service shall not be included within the parking standards. It is, therefore, requested that the plan provides flexibility with car parking standards for postal facilities which require sufficient car parking spaces to operate in an efficient manner. The submission also notes that postal facilities may require a greater quantum of car parking spaces as well as EV charging infrastructure into the future as postal trends continue to evolve, making it imperative that facilities are future proofed to ensure the long-term viability of An Post's operations.

In the context of policy CMP25 relating to the implementation of a balanced approach to the provision of car parking, the Department of Agriculture, Food and the Marine in its submission notes that this approach may not be achievable in the context of the Fisheries Harbour Centres (FHC) such as Howth due the nature of operations and car parking requirements based on these operations. In this context, regard shall be had to the nature of these operations in the context of the implementation of policy CMP25 relating to car parking management.

Concern is expressed regarding the reduction and overly rigid application of car parking requirements for hospitals, clinics and medical facilities in the Draft Plan and it is considered vital that sufficient flexibility in the application of car parking standards for medical facilities is provided in the final plan, given the unique nature of operations and the vital services offered and delays in the provision of strategic public transport projects to serve such facilities. Furthermore, the proposed reduction is not considered to be practicable or in accordance with Policy CMP25 and Objective CMO30 both of which requires a 'balanced' and 'appropriate' approach to car parking standards. It is suggested that at a minimum such flexibility should be provided for additional car parking until such time as Zone 1 public transport services become operational. The significant variation in guidance on car parking provision for medical facilities in various Development Plans throughout the Country is highlighted. In preparing a new Development Plan, it is recommended that higher car parking standards and an explicit acknowledgement of the need for flexibility in defining use classes and their application for medical and healthcare settings should be set out. In this regard, a number of recommendations relating to car parking provision in medical settings is proposed. These include additional text referencing caveats for hospitals and large scale medical facilities, allowance of car parking facilities in advance of MetroLink being delivered and amendments to Table 14.19.

#### **Chief Executive's Response:**

The issue of car parking provision is addressed comprehensively in the Draft Plan within Chapter 14 Development Management Standards and specifically at Section 14.17.7 Car Parking. The use of two different zones based on proximity to public transport, and the use of maxima and norms in this regard, all contributes to a sufficient level of flexibility whilst maintaining appropriately ambitious levels of car parking provision. The Plan period covers 2023-2029 and, accordingly, it is

appropriate that the parking standards in place over those years reflect the changing context of the transportation and built environment sector in Ireland, not least of which are increased public and sustainable transport services due to come into operation over that period, changing travel patterns, and climate change and air quality factors. In this regard, the ongoing provision of a standard two car parking spaces for every new home, irrespective of size, which has been typical in Fingal heretofore is not appropriate, especially in light of the associated negative consequences that such provision entails, such as increased car use and increased parking areas, with associated reduced provision of green spaces and play areas, for example.

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020 states that, 'The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria'. The Draft Plan is consistent with this approach.

For clarity, for commercial and industrial operations, the use of Development Plan parking standards would not be applicable to those vehicles used in the day-to-day operations of the development's core business, e.g. delivery vans.

Whilst medical settings may have a specific set of travel and parking demands, the same could probably be argued for a range of uses. The application of the standards proposed in the Draft Plan will drive a wider change in the pattern of travel behaviour to healthcare and other facilities, part of a change that has already begun to take place in Fingal and across Ireland.

#### Pay and Display

In the context pf objectives DMSO123 relating to the requirements for paid parking arrangements for over 50 no. car spaces in new and existing retail developments and DMSO124 relating to Pay and Display provisions in lieu of car parking in town and villages, concerns are expressed that such provisions are not considered acceptable given the nature of large-scale retailing operations where such a use is dependent on the car for the movement of bulky goods. It is also considered that charging in this context should not be used as a demand management measure. As such, these proposed objectives shall not be included in the plan.

#### **Chief Executive's Response:**

In Fingal, many retail uses create significant travel demand with the associated negative consequences such as traffic congestion, air pollution and carbon emissions. The requirement for paid parking is one tool that can be used to address and mitigate these issues, by encouraging those who can, to use other means, whilst still allowing those who have a specific need to drive, e.g. to collect bulky goods, to still do so.

#### **Bicycle Parking**

Many of the submissions request that bicycle parking standards including bicycle storage provisions of the plan are aligned with Government guidelines as set out in *the Sustainable Urban Housing Design Standards for New Apartments 2020.* A number of recommendations are proposed in this regard including:

• The specific text relating to the location, quantity, design and management as set out in the relevant Apartment Guidelines shall be included in the plan.

- In addition, specific text is recommended for inclusion in the plan which allows for developments to be assessed on their merits and justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement / enlargement etc. as per the Guidelines.'
- It is also requested that text regarding storage for bicycles be omitted from section 14.17.2.1,
- Table 14.17 relating to Bicycle Standards shall be edited to reflect the Guidelines and the proposed

It is also requested that Objective DMSO113 relating to Bicycle Parking is amended to acknowledge a deviation from the Apartment Guidelines may be accepted at the discretion of the Planning Authority, where justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement.

Concern is expressed regarding the over-provision of bicycle parking provision in relation to residential development and specifically apartment development where 5 no. bicycle spaces are required for 3-bedroom apartments. In this context, it is recommended that only in exceptional circumstances should 5 no. bicycle spaces be required for a 3-bed apartment. It is also noted that shared use/communal cycle parking areas can facilitate the need for additional bicycle parking. It is specifically recommended that 2 no. bicycle parking spaces per house and 1 bicycle parking space per bedroom for apartments is sufficient to cater for foreseeable bicycle parking demand particularly having regard to construction costs and the need to utilise space efficiently.

The provision of ancillary facilities such as secure bike parking facilities together with bike repair and shower facilities are requested in employment settings as well as the installation of Sheffield bike stands to front of dwellings and along roads. It is requested that the plan includes provision where bicycle parking is based on projected demand in the context of targets and not on current demand particularly around public transport hubs.

#### **Chief Executive's Response:**

The provision of poor-quality bicycle parking facilities is not consistent with the overall strategic direction of public policy in Ireland. It is clear that significantly increased levels of cycling, walking and public transport are required in order for Ireland to meet its climate change objectives, as well as for the sustainable development of Fingal. Similarly, the lack of suitable storage areas for children's equipment such as buggies, trikes and bike trailers, for example, could be a significant deterrent to young families choosing to live in higher density, sustainable apartment developments. Such facilities are the norm in other European countries and, given the context of the ongoing

transition to a low carbon, sustainable transportation network, it is wholly appropriate for the Development Plan to put in place ambitious targets. It is also worth noting that the provision of car parking is a significant cost, and the higher bicycle storage requirements go hand-in-hand with the significantly reduced car parking standards set out elsewhere in the Draft Plan, potentially resulting in an overall cost reduction in terms of development costs. Section 14.17.2.1 of the Draft Plan provides for innovative front of house bicycle storage solutions to the front of dwellings units and bicycle stand provision at Section 14.17.2 Bicycle Parking of the Draft Plan. The provision of bike parking facilities including bicycle welfare and repair facilities in employment settings is set out within Section 14.17.2 Bicycle Parking of the Draft Plan. The

approach of the Draft Plan is consistent with the provisions of the *Sustainable Urban Housing:* Design Standards for New Apartments Guidelines for Planning Authorities 2020.

#### **Heritage, Culture and Arts**

#### **Townland Boundaries**

A submission sought further clarity in relation to the removal of townland boundaries to facilitate development.

#### **Chief Executive's Response:**

The *townland* system is of Gaelic origin, pre-dating the Norman invasion and surviving townland boundaries are a valuable tangible link to the past and part of the living cultural heritage of the diverse Fingal landscape. Hedgerows often mark historic field patterns and townland boundaries and significantly enhance the landscape character of rural areas. Provision for the assessment of the impact of development on townland is provided for in Section 14.19.1.1.-Character of the Site and Objective DMSO170-Archaeological Impact Assessment. It is the approach of the Draft plan that townland boundaries should be retained as addressed by Objective DMSO130-Demarcation of Townland Boundaries and Objective DMSO173-Protection of Historic Townland Boundaries.

The Forest of Fingal - A Tree Strategy Section 4.9.4-Tree Removal provides details on the circumstances of when development requiring the loss of a protected tree or hedgerow including Townland Boundaries is permitted.

#### Height Restriction and Architectural Heritage

Concern was expressed in several submissions in relation to loss of character to traditionally low-rise areas from large scale apartment blocks and requests were received to restrict the construction of development to three storeys in Blanchardstown and Castleknock villages in order to maintain the architectural heritage of the villages.

#### **Chief Executive's Response:**

The Council are required to comply with guidance issued under Section 28 of the Planning and Development Act 2000 (as amended), including Urban Development and Building Height-Guidelines for Planning Authorities 2018. SPPR1 of the Guidelines precludes the setting of blanket numerical limitation on building height. SPPRs forming part of planning guidance under Section 28 guidance and are nationally applicable to every planning authority area.

The Draft Plan proposes a suite of LAPs, Masterplans and Framework Plans which will offer bespoke solutions to guiding development within identified settlements across Fingal. This includes 19 no. Framework Plans for numerous locations in Fingal including Castleknock, Clonsilla and Blanchardstown Village which will provide guidance on integrating future development. Active public engagement will be central to the preparation of Framework Plans, where local communities, landowners and relevant stakeholders will be given the opportunity to contribute to the process. In addition, appropriateness of a particular scheme design, including impact on its surroundings and architectural heritage, will be addressed through the Development Management process.

Furthermore, in accordance with the OPR recommendations, it is proposed to prepare a dedicated building height and density strategy based on the Core Strategy for Fingal. This will provide a useful guide for the public and developers as to appropriate heights and densities for development across the County and will also consider the architectural heritage of the County.

#### Infrastructure and Utilities

#### Refuse Storage in New Developments

One submission received refers to Section 14.9.8 (Refuse Storage) of the Draft Plan which references the requirement to demonstrate appropriate space for refuse storage areas in new residential schemes and considers that it would be beneficial for clarity and consistency to cross reference with: Objective DMSO236 – 'Communal Refuse Storage Provision', and Objective DMSO237 – 'Segregation and Collection of Waste' - in order to ensure all new large-scale residential and mixed-use developments include appropriate facilities for source segregation and collection of waste.

#### **Chief Executive's Response:**

The submission received noting the need for cross-referencing between Section 14.9.8 (Refuse Storage) and Section 14.20.12 (Waste Management) is noted and it is recommended that the Objectives contained within Section 14.9.8 be moved to Section 14.20.12 to maintain consistency and to ensure that all relevant Development Plan Objectives relating to waste management and refuse are located in the one place.

#### **Culverts**

With regard to river crossing structures, the Inland Fisheries Ireland submission outlines the impacts of poorly designed river/stream crossing structures and recommends that the Plan should include a clear policy on the use of clear span structures on fisheries waters and that IFI should be consulted on any such proposed developments. The submission also welcomes the Draft Plan Objectives DMSO159 and DMSO212 which state the intention to de-culvert or 'daylight' existing culverts where possible.

#### **Chief Executive's Response:**

The IFI submission recommending that the Plan should include a clear policy on the use of clear span structures on fisheries waters is noted and agreed. It is considered that the existing Objective DMSO159 could be amended to include additional text in this regard.

#### **Climate Action Development Standards**

Submission cautions against any overly prescriptive development standards linked to climate action and a flexible approach should therefore be taken when setting any development standards around climate action.

A submission requests that the standards as set out in Statutory Instrument No. 393/2021 – European Union (Energy Performance of Buildings) Regulations 2021 are incorporated into the Draft Plan Parking Standards

It is requested that the Plan specify that consideration of upfront (embodied) and operational greenhouse gas emissions will be incorporated into all planning decisions.

One submission welcomes the text included in section 14.2.3 relating to energy saving and generation technologies and section 14.21.3 relating to Climate Action Energy Statements but suggests that the 30 units residential threshold should be reduced to allow for more developments to be captured by this requirement.

Submission states that the Plan should provide for the refusal of applications for new or expanded fossil fuel infrastructure whether stand-alone or incorporated in buildings except where it is demonstrated that the proposal is consistent with a rapid decarbonisation trajectory.

Submission welcomes the proposal in the draft Plan for a demolition justification report but calls for the plan to include for a consideration of how consistent applications are with the transition to the circular economy and favour applications to enable sustainable production and consumption systems, the reduction of material and energy use, the reuse of objects and materials, etc. while discouraging resource intensive and linear economy processes.

In relation to draft Policy CAP12 and associated Objective DMSO260 (Climate Action Energy Statements for new developments), it would be preferred if this policy and objective were amended to infer that not only is it required that low carbon energy and heating solutions are considered in any proposed developments of the specified scales, rather that such solutions are actively pursued and required unless proven to be unfeasible or impracticable.

#### **Chief Executive's Response:**

It is considered that the proposed development standards in relation to climate action in chapter 14 of the Draft Plan are reasonable, not overly rigid and seek to highlight climate action as part of the development management process.

In relation to the request that the standards as set out in Statutory Instrument No. 393/2021– European Union (Energy Performance of Buildings) Regulations 2021 are incorporated into the Draft Plan Parking Standards, the Draft Plan within Chapter 14 Development Management Standards and specifically Section 14.17.10 sets out the EV vehicle parking requirements and associated infrastructure which align with the relevant standards for EV parking as set out in the Energy Performance Building Regulations 2021.

In addition, the Draft Plan at Policy CAP26 as set out in Chapter 5 Climate Action relating to Electric Vehicles seeks to, 'Ensure that sufficient charging points and rapid charging infrastructure are provided on existing streets where such infrastructure does not impede persons with mobility issues and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV vehicle charging point installation, so that EV Street Charging Points are provided to every community of the County'.

In relation to the request that the Plan should specify that consideration of upfront (embodied) and operational greenhouse gas emissions will be incorporated into all planning decisions, it should be noted that Objective DMSO260 (Climate Action Energy Statements) requires that all new developments involving 30 residential units and/or more than 1,000 sq. m. of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development.

The purpose of this statement is to demonstrate how low carbon energy and heating solutions have been considered as part of the overall design and planning of the proposed development. Having regard to the above, the statement, which shall be prepared by a certified engineer, shall address:

- the technical, environmental and economic feasibility of on-site renewable energy generation including solar PV and small-scale wind power;
- the technical, environmental and economic feasibility of at a minimum, the following high-efficiency alternative energy supply and heating systems:
  - decentralised energy supply systems based on energy from renewable and waste heat sources;
  - o co-generation (combined heat and power);
  - district or block heating or cooling, particularly where it is based entirely or partially on energy from renewable and waste heat sources;
  - heat pumps.

It is considered that the energy statement required as part of the above objective, particularly the environmental feasibility element, will capture these issues relating to upfront (embodied) and operational greenhouse gas emissions.

In relation to the request that the policy highlighted above (Objective DMSO260 (Climate Action Energy Statements)) be amended so the 30 units residential threshold be reduced it is considered that the existing objective is appropriate in terms of targeting larger development, but it should be noted that this objective also includes the statement *'or as otherwise required by the Planning Authority'*. As such, it is considered that through the development management process, particularly pre planning, FCC can request such statements for sub threshold developments, which may have a significant carbon footprint.

The decarbonisation of the energy sector by shifting from fossil fuels to low or zero-carbon energy sources is a key element of climate action policy. This will require the energy sector to embrace a more diverse range of low, zero-carbon and renewable energy sources and to provide for secure, resilient, decarbonised and decentralised utilities.

While the Draft Plan has taken a positive approach to this issue by promoting renewable energy sources, gas and other fossil fuels are still in use by a large number of sectors and industries. While we are moving towards a gradual phasing out of the use of fossil fuels, this is hoped to be achieved by promoting renewable energy sources. It is considered that the policies in the Draft Plan such as Policy CAP13 (Energy from Renewable Sources), which seeks to actively support the production of energy from renewable sources, such as from solar energy, hydro energy, wave/tidal energy, geothermal, wind energy, combined heat and power (CHP), heat energy distribution such as district heating/cooling systems, and any other renewable energy sources, subject to normal planning and environmental considerations and Policy CAP14 (Micro-Renewable Energy Production) which seeks to support and encourage the development of small-scale wind renewable facilities / micro-renewable energy production, are a good starting point in trying to promote renewable energy sources and phase out the use of fossil fuels.

Individual planning applications for such infrastructure will be assessed in terms of their compliance with the above policies and objectives as well as appropriate/applicable national and regional legislation.

The following policies/objectives contained in the Draft Plan are relevant to the consideration applications relative to the circular economy, sustainable production and consumption systems, the reduction of material and energy use, the reuse of objects and materials:

Policy CAP8 (Retrofitting and Reuse of Existing Buildings) Support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.

Policy CAP25 (Waste Management Plans for Construction and Demolition Projects) Have regard to existing Best Practice Guidance on Waste Management Plans for Construction and Demolition Projects as well as any future updates to these Guidelines in order to ensure the consistent application of planning requirements.

Policy CAP8 (Retrofitting and Reuse of Existing Buildings) Support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.

Objective DMSO240 (Construction and Demolition Waste Management Plan) Require that Construction and Demolition Waste Management Plans be submitted as part of any planning application for projects in excess of any of the following thresholds:

- New residential development of 10 units or more.
- New developments other than above, including institutional, educational, health and other public facilities, with an aggregate floor area in excess of 1,250 sqm
- Demolition / renovation / refurbishment projects generating in excess of 100m3 in volume of C&D waste.
- Civil engineering projects in excess of 500m3 of waste materials used for development of works on the site.

Objective DMSO241 (Guidance for Construction and Demolition Waste Management Plans) Require that Construction and Demolition Waste Management Plans include the following:

- Hours of operation. "Construction/phasing programme.
- Traffic Management Plan including employee parking and movements.
- Noise, Vibration, Air Quality and Dust Monitoring and Mitigation Measures.
- Details of any construction lighting including appropriate mitigation measures for lighting specifically designed to minimise impacts to biodiversity, including bats.
- The management of construction and demolition waste included as part of a Construction and Demolition Waste Management Plan.
- Containment of all construction-related fuel and oil within specially constructed bunds to
  ensure that fuel spillages are fully contained (such bunds shall be roofed to exclude
  rainwater).
- A water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains.

It is considered that the high level policies and objectives in relation to Retrofitting and Reuse of Existing Buildings and Waste Management Plans for Construction and Demolition Projects coupled with the detailed objectives in relation to construction and demolition waste management plans and guidance for same are sufficient to provide a framework for the development management process to assess how consistent applications are with the transition to the circular economy.

#### **Chief Executive's Recommendations:**

#### **CE CH 14.1:**

Amend Section 14.7.3 Internal Storage.

Internal storage within an apartment unit shall be provided in accordance with the <u>Sustainable</u> <u>Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.</u>

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

#### **CE CH 14.2:**

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly:

#### Mix of units (SPPR1)

Apartment Floor Area (SPPR3)

**Dual Aspect Ratios (SPPR4)** 

Floor to Ceiling Height (SPPR5)

Lift and Stair Cores (SPPR 6)

Internal Storage

Private Amenity Space (Appendix 1)

Communal Amenity Space (Appendix 1)

Children's Play Space provision (Section 4)

Bicycle Parking and Storage (Section 4)

Build to Rent Schemes (SPPR 7 & SPPR 8)

#### **CE CH 14.3:**

Amend objective DMSO94 as follows:

DMSO94 <u>Utilisation of Vacant Properties for Remote Working Facilities Space Extensive</u> <u>Developments</u>

#### **CE CH 14.4:**

Insert the following new objective at the end of Section 14.17.5 Road Network and Access of the plan as follows:

**Evaluation of Signage Proposals and National Roads** 

<u>Proposals for signage on or at national roads will be assessed against Chapter 3 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and TII Policy on the Provision of Tourist and Leisure Signage on National Roads (March 2011)</u>

#### **CE CH 14.5**:

Move Section 14.9.8 (Refuse Storage) to Section 14.20.12 (Waste Management) for consistency

#### **OTHER ISSUES / MISCELLANEOUS**

#### **Submissions Received:**

FIN-C453-864, FIN-C453-964, FIN-C453-984, FIN-C453-1234, FIN-C453-1239, FIN-C453-1254

#### **Summary of Issues Raised:**

There were a number of submissions which highlighted issues with existing developments and the need to pursue developers for unfinished housing estates and other works related to permitted development schemes within the County. Other submissions highlighted flaws with the SHD process and the planning system.

Licencing issues for coffee vendors and food trucks for the winter months at beach car parks was also noted in one submission received.

Another submission noted the need for increased seating and tables in libraries during the last month of school, due to increased demand.

Another submission requested that the Howth Sutton Peninsula be treated as one entire area.

One submission calls for the Development Plan to commit to an active approach to the dissemination of information to give people easy access to environmental information gathered by and held by the Council, in order to enable all involved to better protect the environment, in line with the duty of active dissemination in the Access to Information on the Environment Regulations.

#### **Chief Executive's Response:**

Development Management policies, standards and objectives have been reviewed as part of the Draft Plan making process and these have been updated in line with all National, Regional and Local policy guidance. The enforcement and compliance with planning regulations and conditions attaching to permissions granted is covered by statute and Fingal County Council is required to deal with such issues under the Planning and Development Act regardless of the policies contained in a Development Plan.

Compliance with conditions attaching to planning permissions is an issue for development management and the Planning Inspectorate Division of the Council and are matters not considered under the development plan process. Issues regarding enforcement and building regulation compliance and additional powers in relation to the enforcement functions of the Council are outside the scope of the Development Plan.

The submission requesting that Howth and Sutton be treated as one entire area is noted. The Council is committed to establishing clear and open channels of communication between the community it serves, its Elected Members and Executive and we will continue to engage and consult with citizens and stakeholders in a way that allows all views to be taken on board, regardless of location, through the use of both statutory and non-statutory processes. The exact boundaries of electoral areas are not within the scope of the Development Plan. However, it should be noted that Sheet 10 of the Draft Plan includes the entire Howth / Sutton peninsula and surrounding area and includes all land use zoning classifications, map-based objectives and

other relevant environmental designations for the entire Peninsula which includes Howth, Sutton and Baldoyle.

The licensing of vendors for the sale of ice cream, coffees, food etc is dealt with by the Operations Department of the Council and does not fall within the scope of the Development Plan. Likewise, issues raised relating to development contribution levies and taking in charge schemes are operational functions of the Council and, therefore, are not a matter for the Development Plan. Other issues raised in relation to the SHD process do not fall within the Development Plan process and such matters are subject to guidelines issued by the Department of Housing Local Government and Heritage under Section 28 of the Act.

The need for additional seating within libraries at exam time to accommodate students is noted. This is best dealt with at a local level with each individual library, as some may have more capacity than others. This does not fall within the scope of the Development Plan.

The importance of providing ease of access for the public to environmental information in a transparent and accessible way is recognised and acknowledged. The Strategic Environmental Assessment examines the Development Plan policies and objectives in the context of the protection and conservation of the environment, and these are assessed in detail in the SEA / AA element of this CE Report. Furthermore, the objectives of the Strategic Environmental Assessment for the Development Plan require on-going monitoring and review.

This SEA information, together with the other environmental reports and studies (including a Natura Impact Report (NIR), a Strategic Flood Risk Assessment (SFRA), Screening for Appropriate Assessment Determination and the SEA Environmental Report (NTS)) are all available to view online and form part of the overall suite of documents prepared as part of the Draft Plan review process.

#### **Chief Executive's Recommendation:**

No Change.

#### **APPENDICES**

The following section addresses submissions received in relation to the appendices which accompanied the Draft Development Plan. It should be noted that in many instances, the issues raised above have also been addressed elsewhere in Parts 2, 3 and 4 of this Chief Executive's Report.

#### **Appendix 1: Fingal Housing Strategy**

#### **Submissions Received:**

FIN-C453-211, FIN-C453-905, FIN-C453-962, FIN-C453-1046

#### **Summary of Issues Raised:**

A small number of submissions raised detailed technical and methodological issues relating to the calculation of population growth, housing supply targets, land use zoning and tier 1 and 2 lands. Submissions also referred to the findings of Appendix 1 'Fingal Housing Strategy' (which incorporated the HNDA) the Housing Strategy and HNDA as well as the supplementary 'Urban Capacity Study document with some asserting that housing targets had not been met and that the quantum of land zoned would need to be increased or decreased.

#### **Chief Executive's Response:**

Appendix 1 'Fingal Housing Strategy' as well as in the supplementary document 'Urban Capacity Study' which accompanies the Draft Development Plan are detailed, technical documents prepared by carried out by experts in housing and planning having regard to the requirements of the Planning and Development Act, all relevant national and regional planning guidelines as well as up to date data in relation to housing supply and demand in the County.

#### **Chief Executive's Recommendation:**

No Change.

## Appendix 5: Record of Protected Structures and ACAs Submissions Received:

FIN-C453-36, FIN-C453-37, FIN-C453-695, FIN-C453-936, FIN-C453-946, FIN-C453-1104

#### **Summary of Issues Raised:**

#### Additions to the Record of Protected Structures (RPS)

A number of submission relate to requests for additions to the Record of Protected Structures including the Santry Demesne structures; Old 'Keane' Cottage, Porterstown; RIC building & other buildings on River Rd, Blanchardstown; Reynoldstown Bridge & Black Man's Bridge, Naul area; Roman Catholic Chapel, School Lane, Balrothery, Former RC Chapel, School Lane; St Margaret's parish hall and old coach house; Man-made features with High Amenity lands such as field walls, boundary walls, gate posts & piers, earth banks, paths and tracks, Howth,

#### **Chief Executive's Response:**

To enable the consideration of submissions for additions, deletions or amendments to the Record of Protected Structures (RPS) there is a current review of the RPS being carried out parallel to the Development Plan review. Any Development Plan submissions that propose amendments to the RPS will be included in this current review of the RPS. However, it should be noted that structures can only be added where they are deemed to be of special interest under one or more of 8 criteria set out in Part IV of the Planning and Development Act 2000 (as amended). It is not sufficient for a building just to be old to be added to the RPS it must display special architectural, archaeological, artistic, cultural, historic, social, scientific or technical interest.

#### **Architectural Conservation Areas (ACAs)**

The following requests for additions to the ACA were received; Balscadden Road Howth; tramway cottages, soldier's cottage, Howth; Blanchardstown village; St Mary's Church to Clonsilla Cottages; Ward River Valley Regional Park; Reynoldstown House and area and an extension of Malahide Castle ACA to include Auburn House, Malahide.

#### **Chief Executive's Response:**

Of the areas proposed for ACA designation there are a number where the building types identified are too dispersed from each other to be able to delineate a cohesive boundary for them or where the buildings and built heritage elements are too varied from each other to distinguish a unified character. For some of the concentrated clusters of similar building types, alterations and changes to a large section of the group have resulted in them no longer having a consistent character of sufficient special interest under the set criteria for ACAs. For the proposed ACAs that contain protected structures the policy and objectives within the Development Plan regarding these offer a sufficient level of protection. There are policy and objectives in the Development Plan for the retention, re-use and rehabilitation of Fingal's vernacular heritage & other built heritage assets which would apply to the other proposed clusters or building types, including Policy HCAP21 Built Heritage Assets, HCAP22 Retention and Reuse of Existing Building Stock and HCAP23 Heritage-led Regeneration, Objective DMSO191 Structures Contributing to Distinctive Character & Table 14.26 Direction on Development of Vernacular Buildings or Other Built Heritage Assets. The ACAs proposed in the submissions will not be added to the Development Plan.

Under Development Management Standards Chapter Table 14.24 sets out Direction for Proposed Development within Architectural Conservation Areas which should sufficiently address the matters raised in the submissions.

Objectives HCAO40, HCAO41 and HCAO42 relate to retention of historic street furniture, care in design and location of modern street furniture, and the undergrounding of cables in historic environments. In addition, Section 3.5.2-Successful Public Realms including Town Centre First and attendant policies and objectives, sets out Council policy and objectives in relation to public realm, including the production of Public Realm Strategies where appropriate. Table 14.24 provides general direction on Public Realm Works within ACAs. These sufficiently address the issues raised in the submissions on public realm works.

#### **Conservation and Preservation Works**

A submission to Appendix 5 comprises a request for a survey of Ladyacre stone walls and the renovation of castle lodges and outhouses at Malahide Castle.

#### **Chief Executive's Response:**

Survey and renovation of heritage assets in Fingal ownership are considered in the context of operational plans, priority and resources and work plans developed accordingly.

#### **Chief Executive's Amendment**

An amendment is required to Appendix 5 Record of Protected Structures (RPS) in relation to an error within this appendix. This relates to the Baldoyle ACA and entails the inclusion of additional text in this context.

#### **Chief Executive's Response:**

The amendment is to be made to Appendix 5 as outlined above.

#### **Chief Executive's Recommendation:**

#### **CE APP 5.1:**

'Baldoyle ACA encompasses the area bounded by Dublin Street, College Street, Willie Nolan Road and Main Street, which includes the institutional complexes of St. Mary's Hospital, St. Mary's Secondary School, and the Convent of the Sisters of Charity. as well as Baldoyle Library. The boundary extends out slightly in the SE corner to include the mid-19th century Former Coast Guard Station and dwellings of Nos. 17 to 25 Strand Road, as well as the Former Constabulary Barracks (now part of Baldoyle Library) and the adjoining 19th century residence on The Mall. The core of Baldoyle village is dominated by large institution structures or complexes. The majority of residences within this core are small, single-storey terraced cottages. The modest nature of these cottages, along with the overall uniformity of their simple design, has resulted in a distinctive homogenous appearance along these streetscapes, despite alterations and modifications over the years. This juxtaposition of large institutional or community buildings alongside the low rise, small scale residential streets forms the special character of Baldoyle, reflecting the mainly 19th century layout and development of the village.'

#### Appendix 6: Recorded Monuments/Sites and Monuments Record

#### **Submissions Received:**

FIN-C453-905, FIN-C453-1254

#### **Summary of Issues Raised:**

#### In support of Howth Heritage Society and Potential Recorded Monument

A submission was made to Appendix 6 in support of all submissions made by Howth Heritage Society and a further one questioning whether a particular walled feature near Knocknagin should be included on the sites/monuments record.

#### **Chief Executive's Response:**

No submission was received from Howth Heritage Society. However, societies and their aims are supported through the Fingal Heritage Plan, the support and implementation of which is addressed in Policy HCAP1-Fingal Heritage Plan.

There is robust policy and objectives in the Draft Plan for the retention, re-use and rehabilitation of Fingal's vernacular heritage and other built heritage assets including Policy HCAP21 Built Heritage Assets, HCAP22 Retention and Reuse of Existing Building Stock and HCAP23 Heritage-led Regeneration, Objective DMSO191 Structures Contributing to Distinctive Character and Table 14.26 Direction on Development of Vernacular Buildings or Other Built Heritage Assets. In this context, it is considered that these policy and objectives are sufficiently robust to protect vernacular built heritage assets throughout the County.

#### **Chief Executive's Recommendation:**

No Change.

#### **Appendix 8: Map Based Local Objectives**

#### **Submissions Received:**

FIN-C453-87, FIN-C453-102, FIN-C453-191, FIN-C453-213, FIN-C453-252, FIN-C453-352, FIN-C453-353, FIN-C453-378, FIN-C453-401, FIN-C453-412, FIN-C453-418, FIN-C453-483, FIN-C453-520, FIN-C453-583, FIN-C453-586, FIN-C453-587, FIN-C453-679, FIN-C453-691, FIN-C453-694, FIN-C453-752, FIN-C453-753, FIN-C453-800, FIN-C453-815, FIN-C453-826, FIN-C453-827, FIN-C453-831, FIN-C453-903, FIN-C453-905, FIN-C453-926, FIN-C453-927, FIN-C453-955, FIN-C453-960, FIN-C453-961, FIN-C453-963, FIN-C453-966, FIN-C453-967, FIN-C453-971, FIN-C453-975, FIN-C453-977, FIN-C453-980, FIN-C453-985, FIN-C453-986, FIN-C453-987, FIN-C453-995, FIN-C453-1007, FIN-C453-1008, FIN-C453-1013, FIN-C453-1075, FIN-C453-1108, FIN-C453-1126, FIN-C453-1150, FIN-C453-1164, FIN-C453-1170, FIN-C453-1180, FIN-C453-1183, FIN-C453-1220, FIN-C453-1221, FIN-C453-1229, FIN-C453-1230, FIN-C453-1231, FIN-C453-1234, FIN-C453-1236, FIN-C453-1249, FIN-C453-1269, FIN-C453-1323, FIN-C453-1332, FIN-C453-1670, FIN-C453-1696, FIN-C453-1697, FIN-C453-1698, FIN-C453-1699, FIN-C453-1705

#### **Chief Executive's Response:**

There were a number of submissions received relating to the map-based local objectives on all sheets. Submissions raised covered a wide range of issues including the need for specific density restrictions relating to individual sites, the inclusion of local objectives to provide for one-off housing, the alignment of road proposals, school site objectives, the inclusion of objectives to provide for sheltered housing, swimming pools and other community facilities and many other issues.

Each of the submissions requesting the insertion of new map-based objectives, or the removal or amendment to existing map-based local objectives have been dealt with on each respective Map / Sheet.

#### **Chief Executive's Recommendation:**

Please see the recommendations in relation to each Sheet for further detail.

## PART 4: Submissions relating to the Draft Development Plan Map Sheets

CHIFF EXECUTIVE'S REPORT ON DRAFT PLAN PUBLIC CONSULTATION 28TH IIII Y 2022

# PART 4: Submissions relating to the Draft Development Plan Map Sheets

### **MAP SHEET 1: County Strategy / Index**

#### **Submission Received:**

There were no submissions received which directly referred to Map Sheet 1 of the Draft Development Plan.

#### **Summary of Issues Raised:**

There were not issues raised.

#### **Chief Executive's Response:**

No response required.

#### **Chief Executive's Recommendation:**

No change recommended.

#### **MAP SHEET 2: Fingal North**

#### **Submissions Received**

FIN-C453-10, FIN-C453-95, FIN-C453-138, FIN-C453-180, FIN-C453-189, FIN-C453-435, FIN-C453-495, FIN-C453-576, FIN-C453-635, FIN-C453-635, FIN-C453-741, FIN-C453-815, FIN-C453-866, FIN-C453-1003, FIN-C453-1026, FIN-C453-1065, FIN-C453-1126, FIN-C453-1141, FIN-C453-1177, FIN-C453-1212, FIN-C453-1290, FIN-C453-1674

#### **Summary of Issues**

#### Rezoning from RU, HA to RV and RC

A number of submissions seek to have RU-Rural and High Amenity-HA zoned lands rezoned to RV - Rural Village and RC - Rural Cluster as follows:

- RU to RV south of Naul village resulting in an extension of the Naul RV at this location on the basis that the lands are deemed a logical extension to the village.
- RU to RV further to the south of Naul village with no connection to Naul RV resulting in a new rural village to provide for additional residential development for the area.
- RU to RC to facilitate a retirement/nursing home to the east of Garristown and north of Baldwinstown RC resulting in the creation of a new rural cluster.
- HA to RC to facilitate local housing need within the Fingal Uplands at Garristown resulting in a new rural cluster further to the west of Garristown RV.
- RU to RC to the immediate south of the existing Moonlone Lane RC based on a recently permitted planning permission for a dwelling under ABP reference 311221-21 granted 25<sup>th</sup> February 2022, resulting in an extension of the existing rural cluster to facilitate this development.
- RU to RC to the immediate south of the existing Moonlone Lane RC where an existing
  out-building is deemed suitable for a home-based economic activity, resulting in an
  extension of the existing rural cluster.
- RU to RC to the north north east of the existing RC- Rural Cluster and RB-Rural Business zoned land at Hedgestown to facilitate local housing need given the existing RC is at capacity, resulting in an extension to the existing RC at this location.
- RU to RC to the west of the M1 at Nevitt, Lusk to facilitate local housing need, resulting in a new RC at this location.
- HA to RC at Man O War further to the east of the existing Man O War Public House and Restaurant to cater for c 3 no. dwelling units or alternatively provide a specific local objective to provide for low density rural housing resulting in a new rural cluster at this location.
- HA to RC or alternatively RV at Man O War Public House and Restaurant to facilitate the
  expansion of an international tourism business venture in the form of a hotel or holiday
  rental home business to complement the existing established business on lands to the
  east and west of the existing pub and restaurant.

#### **Chief Executive's Response**

**Rezoning to Rural Village:** The proposals in this context relate to an extension of the existing RV zoning to the immediate south of Naul village as well as the creation of new RV zoned lands further to the south of Naul RV within a remote location of the County.

The allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has over and above the required quantum of residential units over the plan period within its administrative area. The allocation of growth within the Rural Villages represents a fair and equitable allocation based on:

- The evidence-based approach adopted in the Core Strategy, where Fingal has a significant and sufficient quantum of zoned land to meet the HST targets for the Development Plan period.
- The capacity of the rural villages to accommodate growth without compromising their essential character, and
- The strong need to avoid any further suburbanisation of the Fingal rural villages.

A key objective for Fingal's Rural Villages is the consolidation and strengthening of the viability of the village core. Considerable development opportunity exists within the rural villages of Naul and Garristown as evidenced by the assessment that was carried out to inform the preparation of the Draft Plan. There is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands within the County, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan.

In addition, the proposals for the creation of a new rural village further to the south of Naul is located in a remote area of the County where infrastructure and services are absent or limited and lacks the essential structuring elements and standard infrastructure such as public mains drainage facilities, roads, footpaths and public lighting that would warrant a change in zoning to RV.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period. In conclusion, there is no evidence- based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-2029, the NPF, the RSES and Ministerial Guidelines. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the rural and high amenity zoning objectives and provisions of the Draft Plan relating to their protection and as such, would be contrary to proper planning and sustainable development.

**Rezoning to RC-Rural Cluster:** In this context, the majority of these proposals are for new RC's further to the east and west of Garristown RV, at the Man O War and Nevitt, Lusk with the

remainder proposing extensions to existing RC's at Moonlone Lane RC and Hedgestown for reasons set out above.

There are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites. Based on the above the function of these rural clusters is primarily residential to cater for rural generated housing. In the interests of clarity, a residential care home is not a permitted use within the RC zoning objective and extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly. Such a use is Permitted in Principle in zoning objectives including, CI- Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS - Residential and RV-Rural Village. Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and RV. These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan and specifically, objective SPQHO26 where housing provision of this nature shall be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities. It is noted that small scale home-based economic activity is Permitted in Principle within the RC zoning objective and supported by objectives set out in Chapter 7 of the Plan.

The change in zoning of lands to designated new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the Draft Plan and consider issues such as need, policy context, capacity of water, drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations. The recently published Development Plans Guidelines for Planning Authorities June 2022 relating to zoning for residential development acknowledges the spatial pattern of the growth of settlements, often along radial access routes, characterised by ribbon and low-density development, has served to 'lock-in' extremely high levels of car dependence and render settlements too spread out and incoherent to pursue active travel and has resulted in the decline of town and village centres. In undertaking the zoning function for new residential development at individual settlement scale, Planning Authorities are required to adopt a sequential approach whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently which reflects the compact growth, utilisation of existing infrastructure and regeneration based on national and regional policy guidance of the NPF and RSES. In developing land-use zoning and policies for rural areas, these guidelines also note the importance of considering the mandatory Development Plan objective in respect of climate change action under S.10(2) (n) of the Planning and Development Act, which relates to the promotion of sustainable settlement and transportation strategies in urban and rural areas to reduce energy demand.

Regarding the proposed extension to Moonlone Lane RC, in the context of the recently permitted dwelling on these lands, this small-scale extension is not warranted given the benefit of planning permission on the existing RC zoned lands with an ancillary treatment facility in the RU zoned lands subject to this RC request. In the context of extending the existing Moonlone Lane RC further to the south to facilitate home-based economic activity, this use is not precluded within the current RU zoning objective and proposals of this nature can be assessed on a case-by-case basis in accordance with the zoning objective and vision and normal standard planning criteria through the Development Management process. In the interests of clarity, the existing rural cluster at Hedgestown has remaining capacity and an extension is not warranted in this case based on the rationale set out above.

Based on the above, the zoning of these lands cannot be justified on the matters outlined and would be contrary to government guidance at national level. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of RU and HA lands of which it is Council policy to protect.

In the context of the change in zoning from HA – High Amenity zoned lands within the north County to RC or alternatively RV, the HA-High Amenity zoning objective seeks to, 'Protect and enhance high amenity areas'.

The associated zoning vision seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

It is noted that the areas within the County that are covered by the HA-High Amenity zoning objective include the Garristown uplands, Naul Hills, the Liffey Valley and the Coastal Corridor including demesne landscapes. These high amenity areas contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value. The Draft Plan within Chapter 9 Green Infrastructure and Natural Heritage and at Section 9.6.17 affords a high level of landscape value and protection to these high amenity areas.

The primary objective of the Council over successive Development Plans has been to limit housing development within the HA-High Amenity zoning objective in order to promote more sustainable settlement and protect the most sensitive parts of the County. In the high amenity areas, only housing need related to farming and exceptional health circumstances is to be facilitated with no new housing generally permitted between the sea and coast and only with the exception of extension and replacement or where all other sites are exhausted. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas. The Council will continue to concentrate efforts to protect high amenity areas and supportive policies and objectives within Chapter 9 Green Infrastructure and Natural Heritage of the Draft Plan includes

supportive policy GINHP28 and objective GINH063 in this regard. The Council is therefore fully committed to the continued protection of these high amenity lands in accordance with the zoning objective and vision as set out in the current FDP 2017-2023 and Draft Plan. In this context the zoning of these lands to RV or RC and the application of a map-based objective for low density is not considered acceptable and would be contrary to the zoning objective and vision for these lands.

While the location of the existing Public House at Man O War commercial premises on HA zoned lands is acknowledged, the Draft Plan contains supportive policy and objectives within Chapter 7 to support tourism infrastructure, including policy EEP22 which supports such infrastructure in appropriate locations and in a manner that does not have an adverse impact on the receiving environment. In addition, a hotel use is not precluded within the HA zoning objective and remains open for consideration. As such, proposals of this nature can be assessed on a case-by-case basis based on the zoning objective and vision for the lands and the relevant provisions of the plan relating to tourism as well as normal standard planning criteria through the Development Management process.

#### Rezoning from RV to OS and CI

A number of rezoning requests are made in the context of Development Areas set out in the Naul LAP relating to the RV zoning objective to reflect development in this area in recent times as follows:

- RV to OS to reflect the open space lands permitted under the Part 8 approval under reference (Part IX/008/21) relating to lands to the rear of the Seamus Ennis Centre to facilitate a park and other appropriate ancillary uses. This park is currently undeveloped.
- RV to OS to reflect open space lands under F17A/0762 relating to the Castle Manor development. It is noted that these development lands have been subject to a subsequent planning application under F19A/0399 where a grant of permission for amendments was received and it is noted that any open space lands have not been developed to date.
- RV to OS given extensive woodland on site and current steep topography.
- RV to OS to facilitate green infrastructure links in the area,
- RV to CI to reflect the Seamus Ennis Centre,
- RV to CI to reflect a permitted nursing home use under F20A/0168 relating to Castle Manor development. This development has not been constructed to date.
- RV to CI to facilitate the potential for educational provision within the area of the Castle Manor development.

#### **Chief Executive's Response:**

The lands are currently included within the RV - Rural Village zoning objective which seeks to 'Protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved Local Area Plan, and the availability of physical and community infrastructure.'

The associated vision seeks to: 'Protect and promote established villages within the rural landscape where people can settle and have access to community services. The villages are areas within the rural landscape where housing needs can be satisfied with minimal harm to the

countryside and surrounding environment. The villages will serve their rural catchment, provide local services and smaller scale rural enterprises. Levels of growth will be managed through Local Area Plans to ensure that a critical mass for local services is encouraged without providing for growth beyond local need and unsustainable commuting patterns.'

The Draft Plan requires the preparation of a new Masterplan for Naul within the plan period as set out in Table 2.18 of the Draft Plan. This is considered the most appropriate vehicle to review the mix of land-uses within Naul RV in the context of the proposals set out above to provide a coherent and co-ordinated sustainable planning framework for the future development of the existing rural village while minimising the potential adverse effects of development on the environment. The Masterplan process will involve community consultation to balance the needs and aspirations of the community with the requirements of the Planning Authority and the expectations of relevant stakeholders to promote physical and social integration and sustainable self-sufficient communities. Masterplans will also be presented to the Elected Members for consideration and agreement.

The approach of Fingal has been to zone the villages as RV, with limited other zonings outlined. These traditional village settlements, have the broad RV zoning objective which aims to protect the special character of rural villages and provide for improved village facilities and together with the required Masterplan is considered a sufficiently robust approach to guide the future sustainable development of the village.

The Draft Plan acknowledges and supports the provision of community infrastructure in both established and growing communities which offer a wide range of facilities and services including the provision of quality open space. As Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. Chapter 4: Community Infrastructure and Open space includes a wide range of relevant policies and objectives relating to the provision of community, sporting and recreational facilities, including, policy CIOSP1 which seeks to 'Promote objectives regarding the provision of appropriate community facilities across Fingal.' Objective CIOSO3 seeks to 'Comply with the aims, objectives and principles in relation to community infrastructure as outlined in the 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual - A Best Practice Guide' and any amendment thereof.' Policy CIOSP3 seeks to, 'Ensure the timely provision in conjunction with housing development of community services, resources and infrastructure, including schools, community, religious, and health facilities, required for the creation of sustainable communities.' Section 4.5.2 of Chapter 4 relating to the provision of quality open space to serve existing and new communities includes supportive policy CIOSP13 and objectives CIOSO35 and CIOSO36. In the interests of clarity, the lands comprising mature trees on the northern approach to the village is designated accordingly in the Naul LAP.

It also noted that Chapter 6 supports the development of a network of walking and cycling routes based on the provisions of the NTA GDA Cycle Network including the development of a network of strategic Greenways that link to key settlements and rural areas. Chapter 9 Green Infrastructure and Natural Heritage at Section 9.6.8 of the Draft Plan supports the development of ecological corridors as part of the Green Infrastructure Network in the County.

Based on the RV zoning approach to date and together with the required preparation of the Naul Framework Plan as set out in the Draft Plan, will inform an up to date review of various land-uses and with the supportive policies and objectives of the Plan relating to the provision of community infrastructure and open space provision as well as the RV zoning matrix which supports community and open space provision, it is not considered necessary or warranted to rezone specified RV -Rural Village lands for CI- Community Infrastructure and OS-Open Space at this time.

#### Rezoning from GB, RU to OS

A number of submissions were received requesting rezoning from GB or RU to OS as follows

- GB to OS along a route to the east of Naul to support green infrastructure links and rural connectivity in North Fingal.
- RU to OS having regard to the historical and archaeological significance of the site and possible association with St Patrick as well as its high biodiversity value, featuring a rare, isolated area of bog land to the n/n/e of Naul RV in remote agricultural lands of the north County.
- RU to OS comprising an extensive area of agricultural lands to the east of the existing GFC at Garristown to facilitate the development of additional playing and training grounds.

#### **Chief Executive's Response:**

The GB-Greenbelt and RU-Rural zoning objectives already affords a high level of protection through the current zoning objectives and associated supporting vision.

The GB zoning objective seeks to: 'Protect and provide for a Greenbelt'. The zoning vision for these lands seeks the relative control of housing development within Greenbelt lands which is necessary to protect and maintain its rural and undeveloped nature in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses.

Section 3.5.15.12 as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57, objectives SPQHO97 and SPQHO98. The subject lands form part of the strategic greenbelt within the extensive north County area, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

The RU-Rural zoning objective seeks to, 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.'

The associated vision seeks to, 'Protect and promote the value of the rural area of the County. This rural value is based on:

- Agricultural and rural economic resources.
- Visual remoteness from significant and distinctive urban influences.
- A high level of natural features.

Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.'

It is noted that recreational pursuits such as walking and cycling including open space provision is not precluded in GB zoned lands while Chapter 6 Connectivity and Movement of the Draft Plan supports the development of a network of walking and cycling routes based on the provisions of the NTA GDA Cycle Network including the development of a network of strategic Greenways that link key settlements and rural areas.

Chapter 9 Green Infrastructure and Natural Heritage at Section 9.6.8 of the Draft Plan supports the development of ecological corridors as part of the Green Infrastructure Network in the County as well as the protection of sensitive environmental landscapes. In addition, the Draft Plan is explicit in acknowledging and supporting the protection, enhancement and re-use of the County's built heritage assets for sympathetic and appropriate uses including the County's vernacular heritage. Strategic Objective 12 seeks to, 'Protect, conserve and enhance the built and cultural heritage of Fingal, through promoting awareness, utilising relevant heritage legislation and ensuring good quality urban design principles are applied to all new developments. The principle that well planned and integrated development enhances the sustainability, attractiveness and quality of an area should be at the centre of any proposal.' In this regard supportive policies and objectives are set out in Chapter 10 including policy HCAP21 relate to the protection of built heritage assets within the County.

The Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision. It is noted that a Recreational/Sports Facility is Permitted in Principle in the RU zoning objective subject to caveat 2 where it is in proximity to residential settlements and would not generate unacceptable traffic problems. Proposals for additional playing/training fields fall within the category of Recreational/Sports Facility where such a proposal can be assessed in accordance with the provisions of the RU zoning objective and vision and normal standard planning criteria through the Development Management process.

#### **Employment Rezonings**

• HA to GE relating to lands at an existing quarry at Hollywood Great, Nags Head, Naul is requested based on its strategic importance within the supply chain for the construction sector in the Greater Dublin Area where it is deemed the second largest waste facility located within Fingal. In addition, the inclusion of a specific map-based objective for a Sustainable/Circular Economy Campus is requested on the north/western section of the lands to support circular economy initiatives. Such a campus would be in line with both the national and local policy context relating to waste management and the current HA-

- High Amenity zoning objective is not considered appropriate for the existing approved operations on site, nor for any future enhanced Sustainable/Circular Economy opportunities and would potentially hinder the introduction of further processes that are in line with national and local policy. It is acknowledged that the GE zoning objective as set out in the Draft Plan already includes the Permitted in Principle' uses for such a Sustainable/Circular Economy Campus, "Waste Disposal and Recovery Facility (Excluding High Impact)", "Civic Waste Facility", and "Sustainable Energy Installation"
- RU to GE relating to lands to the south-east of the landbank of GE-General Employment zoned lands at Courtlough to ensure the consolidation of an existing employment cluster given the highly accessible location of the lands adjoining the M1 on the Dublin-Belfast Economic corridor that are serviced and with supporting roads infrastructure in the context of supporting employment provisions of the NPF, NDP, RSES and Draft Plan provisions set out in Chapter 7 relating to the promotion and support for economic development and employment, including Variation 2 of the FDP 2017-2023, specifically in the context of the growth levels shown for towns such as Balbriggan and Lusk in the context of the settlement strategy for the County, where socio-economic benefits, resulting from the re-zoning of these lands would accrue. The submission contends that the existing general employment lands are no longer preferred by FDI's, would not constitute un-coordinated ad hoc provision of unsustainable employment lands, the majority of outwardly commuting for employment is outside the County and the rezoning of these lands has the potential to reduce local traffic generation and it is noted that the subject lands are not at risk of flooding and report submitted in support and development to proceed without the requirement for a detailed flood risk assessment, resulting in a more feasible development potential. Reference to Map Based Objective 7 which related to the lands and requires that, 'Development on these lands, if any, will be restricted by the extent of flooding on the lands. Any development shall be subject to a commensurate FRA', is cited in this regard. Based on this context, contends that Fingal County Council evaluate the existing quantum of employment lands and consider rezoning parcels of land which are more appropriate for employment generating development.
- GE to RU to provide for a rural context to these lands to the east of the M1 and within the n/n/e section of the GE employment landbank of Courtlough and to the west of the R132 and where the majority of the GE zoned lands are to the west of this existing regional road.

#### **Chief Executive's Response:**

The HA zoned lands subject to the rezoning request at Hollywood, Naul equates to 53.7 ha and consists of an existing quarry located within the Naul uplands of the north County. The subject site comprises a former shale and limestone quarry dating from the 1940's. Infilling at the quarry commenced in 1988 and the quarry is currently in the process of being filled. Quarrying at the site ceased in 2007. The subject lands are zoned HA-High Amenity, and it is requested that these are rezoned GE, to allow the existing waste management facility to expand and diversify and to cater for circular economy initiatives. There is currently an extant permission under planning reference F19A/0077 for the continued filling of the former quarry for a further 15-year period with construction and demolition waste material. It is noted that the current FDP and Draft Plan makes provision for the assessment of any non-conforming uses, Objective ZO3 seeks to,

'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.' Having regard to the history of the lands, the current use at the subject site is considered acceptable at this HA location as it will facilitate the restoration of a spent quarry to its original levels/appearance and is considered to accord with the 'HA' zoning objective and vision.

To open this HA area to the full range of uses that are permitted in the GE zoning would not be appropriate at this rural location. These include: Builders Provider/Yard, Enterprise Centre Food, Drink and Flower Preparation/Processing, Fuel Depot/Fuel Storage, Manufacturing Industry, General Industry, Light Logistics, Petrol Station, Road Transport Depot, Sustainable Energy Installation, Telecommunications Structures, Training Centre, Vehicle Sales Outlet, Warehousing, Waste Disposal and Recovery Facility (Excluding High Impact). These uses which are generally road based would be inappropriate at this particular rural location, having regard to the surrounding road network alignment and capacity. It is noted that a Sustainable Energy Installation use which is ancillary to the main use at an appropriate scale is not precluded in the HA zoning objective and remains open for consideration where proposals of this nature can be assessed on a case-by-case basis in accordance with the zoning objective and vision for the lands and normal standard planning criteria through the Development Management process.

The extensive parcel of existing agricultural lands of c.42.4 ha at Courtlough are currently zoned RU and are in agricultural use and run parallel to the R132 to Balbriggan and located to the south/east of an existing landbank of employment zoned lands to the east and west of the M1. This landbank is largely undeveloped.

A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, 'To facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands'. In addition, Policy EEP2 of the Draft Plan relating to general employment lands seeks to, 'Maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible'. In this context any future zonings shall have regard to this sequential approach. The Draft Plan is explicit in its support for such an approach through Objective EEO3 where it relates to proposals for economic development. This objective requires 'that proposals for economic development are served by quality supporting infrastructure with sufficient capacity. A sequential approach may be used for assessing economic developments to ensure their appropriate and sustainable delivery.'

Table 7.1 sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors. The locations for future employment in Fingal is informed by the requirements of the NPF and the RSES. The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns. The MASP in the RSES has identified Key Strategic Development Areas in Fingal for employment and residential development. The objective of the MASP regarding

employment lands is to follow a sequential approach, with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas and the provision of appropriate employment densities in tandem with the provision of high-quality public transport corridors.

In the context of the quantum of employment zone lands within the County, there is a more than adequate quantum of employment zoned lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum and this has been thoroughly analysed in the preparation of the Draft Plan. 'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. The findings of this study shows that there is a more than adequate quantum of employment zoned lands including general employment lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond. These zoned lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors. More specifically, Table 4-16 of the Economic and Employment Land-Use Study 2021 shows that there is an undeveloped landbank of GE lands within the north County area including Courtlough and Balbriggan, equating to c. 130 ha. These figures represent a substantial provision of GE zoned lands readily available for development.

The National Transport Authority and TII in its submissions highlight the need for the continued protection of the strategic transport function of the national road network which includes the M1. The Draft Plan within Chapter 6 Connectivity and Movement is explicit in the promotion and support for the protection of strategic transport corridors including the M1 which is a vital economic corridor for Dublin, and the east coast in general, and should not be used to facilitate development of employment which would be more appropriately developed in areas well served by existing or committed high-quality public transport. Critically, the OPR in its submission emphasises the need to ensure that the location of land zoned for employment uses is consistent with the national and regional policy framework and that land is not zoned in locations where it would be in conflict with the principle of compact growth and the implementation of sustainable transportation objectives and acknowledges the substantial land banks zoned for employment generating uses isolated from any settlement or strategic transport infrastructure projects, which if developed, would appear to be entirely car dependent. In this regard, the OPR express critical concerns of this nature relating to the GE zoned employment lands at Courtlough and in this context by way of CE Recommendation, 9.9 hectares of GE zoned land at the south-eastern portion of the Courtlough employment landbank is proposed to revert back to RU-Rural zoned lands.

Having regard to the issue of flooding on the subject lands at Courtlough, it is considered that the Draft Plan (which includes flood risk mapping) together with the SFRA and the policies and objectives included within the Plan relating to surface water and flood risk management, buffer zones and riparian corridors and the requirements of the governments Flood Risk Management Guidelines in the context of new development proposals are considered sufficient to address any issues relating to flood risk.

In the absence of the sequential approach, any coherent evidence-based need or planning rationale for the proposed change in zoning in these rural locations, the proposal to change a substantial proportion of HA and RU zoned lands to GE would result in an un-coordinated, adhoc provision of unsustainable employment lands of which there no evidence-based need. The proposed zoning would be in breach of key objectives of the current FDP 2017-2023 and the Draft FDP 2023-2029 and NTA, TII, OPR policy to protect strategic transport corridors and channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure and as such is contrary to proper planning and sustainable development.

In view of the OPR comments a set out above relating to the GE zoned lands at Courtlough and based on the submission request to change the zoning from GE to RU on lands to the east of the R132 and which is considered remote from the overall employment landbank at this location, it is considered appropriate to change the zoning from GE to RU-Rural.

## **Map-Based Objectives**

### **Unfinished Cottage Dwelling**

A map-based objective is requested to cater for the completion of an unfinished cottage dwelling.

### **Chief Executive's Response:**

In the context of the request for a map-based objective to enable the completion of an unfinished cottage dwelling, Section 3.5.15 of the Draft Plan includes a section on 'Housing in Rural Fingal' which is explicit in its promotion and support for the re-use and re-rehabilitation of existing housing stock and the protection of rural buildings. In this regard, Policy SPQHP47 seeks to, 'Encourage the re-use and re-rehabilitation of existing housing stock in rural areas in preference to new build and actively promote the protection of rural buildings.' In addition, the Draft Plan is explicit in acknowledging and supporting the protection, enhancement and re-use of the County's built heritage assets for sympathetic and appropriate uses including the County's vernacular heritage. Strategic Objective 12 seeks to, 'Protect, conserve and enhance the built and cultural heritage of Fingal, through promoting awareness, utilising relevant heritage legislation and ensuring good quality urban design principles are applied to all new developments. The principle that well planned and integrated development enhances the sustainability, attractiveness and quality of an area should be at the centre of any proposal.'

More specifically, Chapter 10 Heritage, Culture and Arts of the plan is explicit in supporting and promoting the protection, sympathetic reuse and retention of the County's historic built heritage and incudes supportive policy in this regard. The policies and objectives set out above are considered sufficiently robust to support and guide the re-use and re- rehabilitation of rural buildings throughout the County in the context of the Development Management process which is considered the most appropriate vehicle to determine such a proposal in tandem with the policies and objectives set out above including normal standard planning criteria, the Rural Settlement Strategy and any required environmental assessment. In this context, a map-based objective of this nature is not considered appropriate.

### **Proposed ACA and Record of Protected Structures**

A map-based objective is requested to provide for a new ACA at Reynoldstown, Naul with two additions to the Record of Protected Structures (RPS) requested as follows; Feature No. 13: Black Man's Bridge and Feature No. 10: Reynoldstown Bridge.

### **Chief Executive's Response:**

In the context of the proposal to designate a new ACA and add to the record of protected structures, it is notes that in relation to the areas proposed for ACA designation, there are a number where the building types identified are too dispersed from each other to be able to delineate a cohesive boundary for them or where the buildings and built heritage elements are too varied from each other to distinguish a unified character. For some of the concentrated clusters of similar building types, alterations and changes to a large section of the group have resulted in them no longer having a consistent character of sufficient special interest under the set criteria for ACAs. For the proposed ACAs that contain protected structures, the policy and objectives within the Draft Plan regarding these assets offer a sufficient level of protection. There are robust policy and objectives in the Draft Plan for the retention, re-use and rehabilitation of Fingal's vernacular heritage and other built heritage assets which would apply to the other proposed clusters or building types, including Policy HCAP21 Built Heritage Assets, HCAP22 Retention and Reuse of Existing Building Stock and HCAP23 Heritage-led Regeneration, Objective DMSO191 Structures Contributing to Distinctive Character and Table 14.26 Direction on Development of Vernacular Buildings or Other Built Heritage Assets. In this context, the proposed ACA is not considered appropriate for inclusion in the Draft Plan. All submissions for proposed amendments to the Record of Protected Structures to be assessed under the parallel process to be done under Section 55 of the Planning and Development Act 2000 (as amended) of review of the Record of Protected Structures and will be incorporated into the final adopted version of the Fingal Development Plan.

### **Protection and Restoration of the Delvin River**

The following map-based objectives are requested:

'Fingal County Council will work in collaboration with Meath County Council to restore the Delvin River segment under the WFD Nanny Delvin Catchment.'

'Restore and enhance the channelised section of the Delvin River to its natural course in conjunction with Meath County Council as set out under the (Draft) Nanny-River Delvin Basin Management Plan.'

## **Chief Executive's Response:**

Regarding the requests for map-based objectives relating to the River Delvin in the context of protection and restoration, this is dealt with by way of a new CE Recommendation in Chapter 9 to facilitate its protection and restoration through a collaborative approach.

### **Provision of Community Infrastructure**

A map-based objective is requested to provide for a community hall in Naul and a public swimming pool to serve north County areas including Ballymadun, Garristown, Naul, Balscadden, Corduff, Ballyboughal and Oldtown.

### **Chief Executive's Response:**

As set above, the Draft Plan acknowledges and supports the provision of community infrastructure in both established and growing communities which offer a wide range of facilities and services including the provision of quality open space through supportive policy and objectives set out in the Draft Plan and as Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. Specifically, policy CIOSP3 seeks to, 'Ensure the timely provision in conjunction with housing development of community services, resources and infrastructure, including schools, community, religious, and health facilities, required for the creation of sustainable communities.'

Furthermore, the Community Development Department have opened a dialogue with Swim Ireland with a view to incorporating best practice on swimming facilities into a wider review of sports and recreation facilities within the Fingal County Council area. It is intended to commence the review by the middle of this year and aim to have review completed by the end of 2022. The review is being undertaken against the backdrop of a national policy by the Department of Sport whereby it is anticipated that further direction will emerge nationally on the provision and funding of swimming pool facilities. To insert such objectives relating to the provision of a community hall in Naul and a swimming pool to serve the north County area is considered premature pending the reviews relating to community infrastructure provision.

### **Chief Executive's Recommendation:**

#### **CE SH2.1:**

Rezone 2.1 ha of GE zoned lands at Courtlough to RU-Rural.

## **MAP SHEET 3: Fingal Central**

### **Submissions Received**

FIN-C453-16, FIN-C453-42, FIN-C453-82, FIN-C453-83, FIN-C453-87, FIN-C453-211, FIN-C453-212, FIN-C453-270, FIN-C453-273, FIN-C453-301, FIN-C453-314, FIN-C453-331, FIN-C453-359, FIN-C453-378, FIN-C453-386, FIN-C453-396, FIN-C453-496, FIN-C453-498, FIN-C453-504, FIN-C453-578, FIN-C453-580, FIN-C453-581, FIN-C453-586, FIN-C453-599, FIN-C453-602, FIN-C453-631, FIN-C453-760, FIN-C453-763, FIN-C453-786, FIN-C453-789, FIN-C453-799, FIN-C453-812, FIN-C453-814, FIN-C453-837, FIN-C453-857, FIN-C453-899, FIN-C453-930, FIN-C453-935, FIN-C453-940, FIN-C453-963, FIN-C453-980, FIN-C453-1007, FIN-C453-1014, FIN-C453-1132, FIN-C453-1298, FIN-C453-1311, FIN-C453-1670, FIN-C453-1697, FIN-C453-1705, FIN-C453-1781, FIN-C453-1785, FIN-C453-1786, FIN-C453-1787

## **Summary of Issues Raised:**

## Rezoning from RU to RV

A number of submissions seek to have RU-Rural zoned lands rezoned to RV - Rural Village as follows:

- RU to RV further to the west and south-east of Coolquay RV, resulting in both a new RV as
  well as extensions to the existing RV at this location to provide for extensive residential
  development albeit some at low density, as housing alternatives to serve the rural
  community.
- RU to RV further to the west and immediate north and east of Oldtown RV resulting in both a new RV and an extension of the RV at this location, without a requirement for a Masterplan and map-based objective 9 relating to the provision of vehicular and pedestrian access at the Orchard, Oldtown is cited in support, providing for additional and consolidated residential and commercial development and recreational amenities to serve the existing village and as housing alternatives to serve the rural community.
- RU to RV to the immediate north of the Rolestown RV and immediately adjoining the
  existing N.S. to provide for a post-primary school and sports grounds to serve the village,
  resulting in an extension of the RV lands.
- RV and OS zoned lands in Ballyboughal with a requirement for 4/6 housing units can cater for additional development of c. 20 units.
- Requests density criteria is set in the context of the Development Plan for the rural village of Ballyboughal with increased density of units as it relates to Development Area 1 and 12 in the north-eastern section of the LAP for the village and completion of the Masterplan for the village by 2025.

#### **Chief Executive's Response:**

The proposals in this context relate to new and extended RV zoned lands to the west and southeast of Coolquay RV, new to the west and immediate north and east of Oldtown RV, to the immediate north of Rolestown as well as issues surrounding density criteria set in the context of the LAP for Ballyboughal.

The allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan. An urban capacity

assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has over and above the required quantum of residential units over the plan period within its administrative area. The allocation of growth within the Rural Villages represents a fair and equitable allocation based on:

- The evidence-based approach adopted in the Core Strategy, where Fingal has a significant
  and sufficient quantum of zoned land to meet the HST targets for the Development Plan
  period.
- The capacity of the rural villages to accommodate growth without compromising their essential character, and
- The strong need to avoid any further suburbanisation of the Fingal rural villages.

A key objective for Fingal's Rural Villages is the consolidation and strengthening of the viability of the village core. Considerable development opportunity exists within the rural villages of Ballyboughal, Coolquay, Oldtown and Rolestown in the North County, as evidenced by the Urban Capacity assessment that was carried out to inform the preparation of the Draft Plan. Based on this assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands within the County, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan.

In addition, the proposals for the creation of a new rural villages further to the west of Coolquay and Oldtown and located in remote areas of the County where infrastructure and services are absent or limited and lacks the essential structuring elements and standard infrastructure such as public mains drainage facilities, roads, footpaths and public lighting that would warrant a change in zoning to RV.

Having regard to the above and based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period. In conclusion, there is no evidence- based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-2029, the NPF, the RSES and Ministerial Guidelines. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the RU-Rural zoning objective and provisions of the Draft Plan relating to the protection of agricultural lands and their protection and as such, would be contrary to proper planning and sustainable development.

In the context of the request to rezone RU lands immediate north of Rolestown RV to provide for a post-primary school and supporting ancillary facilities, it is noted that education is not precluded within the RU-Rural zoning objective and remains open for consideration where proposals of this nature can be assessed on a case-by-case basis through the Development Management process.

In the context of the Development Plan which is a strategic document, to specify an increased density on a village or within specific sites, without the level of analysis is not in accordance with

proper planning and sustainable development of the area. Rather, it is the required Masterplan that is the most appropriate planning vehicle in which to address any future density considerations having regard to the Core Strategy for the County. The Draft Plan requires the preparation of a new Masterplan for Ballyboughal within the plan period as set out in Table 2.18 of the Draft Plan. The Masterplan process will involve community consultation to balance the needs and aspirations of the community with the requirements of the Planning Authority and the expectations of relevant stakeholders to promote physical and social integration and sustainable self-sufficient communities. Masterplans will also be presented to the Elected Members for consideration and agreement.

## Rezoning from RV to RU

• RV to RU within the south-eastern section of Ballyboughal RV to enable the continued viability of the existing farm at this location.

### **Chief Executive's Response:**

In the interests of clarity, while the agricultural farm stead and ancillary outbuildings including a greenfield to the immediate north of the subject lands are located within the Ballyboughal RV, only the northern portion of the subject lands are shown as Development Area 11 in the Ballyboughal LAP and where the associated Village Development Framework Plan shows an indicative proposal for a limited quantum of development. Notwithstanding, the inclusion of this agricultural farmstead and ancillary lands in the RV zoning objective for Ballyboughal, the Draft Plan is explicit in the protection and promotion of the value of the rural area of Fingal and the Council is firmly committed to the continued protection of this valuable resource as set out in Chapter 7 of the Draft Plan relating to the Rural Economy and specifically policy EEP28 relating to agriculture which seeks to, 'Safeguard the agricultural identity of North Fingal, promoting the rural character of the County and supporting the agricultural/horticultural production sectors'. Furthermore, the RV zoning objective does not preclude any farm related activities on these lands and remain open for consideration where any future proposals of this nature can be assessed on a case-by-case basis through the Development Management process.

### Rezoning from RU, GB to RC

• RU to RC at Roscall, Bellinstown to the east and south of Ballyboughal, to the north of Ballymadun RV, to the west of Coolquay RV and at Brownstown to facilitate local housing need, resulting in the creation of new rural clusters at these locations.

### **Chief Executive's Response:**

In this context, these proposals relate to the creation of new RC's to the east and south of Ballyboughal, to the north of Ballymadun, to the west of Coolquay and at Brownstown to facilitate local housing need.

There are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home,

or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

The change in zoning of lands to designated new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the Draft Plan and consider issues such as need, policy context, capacity of water, drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations. The recently published Development Plans Guidelines for Planning Authorities June 2022 relating to zoning for residential development acknowledges the spatial pattern of the growth of settlements, often along radial access routes, characterised by ribbon and low density development, has served to 'lock-in' extremely high levels of car dependence and render settlements too spread out and incoherent to pursue active travel and has resulted in the decline of town and village centres. In undertaking the zoning function for new residential development at individual settlement scale, Planning Authorities are required to adopt a sequential approach whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently which reflects the compact growth, utilisation of existing infrastructure and regeneration based on national and regional policy guidance of the NPF and RSES. In developing land-use zoning and policies for rural areas, these guidelines also note the importance of considering the mandatory Development Plan objective in respect of climate change action under S.10(2) (n) of the Planning and Development Act, which relates to the promotion of sustainable settlement and transportation strategies in urban and rural areas to reduce energy demand.

Furthermore, the Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision and supportive policy and objectives set out in Chapter 7 of the Draft Plan relating to the rural economy.

The current and Draft Plan through the GB zoning objective and vision and supportive policy and objectives as set out in Chapter 3 of the Draft Plan is explicit in the protection of Greenbelt lands through Policy SPQHP57, objectives SPQHO97 and SPQHO98. The subject lands form part of the strategic greenbelt between Swords and the extensive north County area, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

The zoning of these lands cannot be justified on the matters outlined above and would be contrary to government guidance at national level. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of RU and GB zoned lands of which it is Council policy to protect.

## Rezoning from RU to CI

• RU to CI in the rural countryside in Roganstown with a specific objective to provide for a veterinary hospital.

### **Chief Executive's Response:**

The RU-Rural zoning objective seeks to, 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.'

The associated vision seeks to, 'Protect and promote the value of the rural area of the County. This rural value is based on: Agricultural and rural economic resources, visual remoteness from significant and distinctive urban influences and a high level of natural features.

Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.'

The Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision. It is noted that a Veterinary Clinic is Permitted in Principle in the RU zoning objective subject to caveat 21 only where a demonstrated need to locate in a rural environment because of the nature of the clinic required is established. Such a proposal can be assessed in accordance with the provisions of the RU zoning objective and vision and normal standard planning criteria through the Development Management process.

Critically, the CI-Community Infrastructure zoning objective seeks to, 'Provide for and protect civic, religious, community, education, health care and social infrastructure.'

The vision associated with the objective seeks to, 'Protect and promote an inclusive County, accessible to all members of the community, facilitating the sustainable development of necessary community, health, religious, educational, social and civic infrastructure. A wide range of different community facilities, civic facilities and social services exist within the County ranging from those of regional importance such as education and health facilities, to those of local and neighbourhood importance such as places of worship, community centres and childcare facilities. It is important to facilitate the development and expansion of such services in order to deliver a quality environment whilst improving the quality of life for all.'

Within this zoning objective, a veterinary clinic is not a permitted use and such a use would not accord with the zoning vision and objective and would contravene the zoning objective and vision. Furthermore, such a use is not within the spirit of the zoning objective and vision which is to cater for community infrastructure and services.

## **Rezoning from GB to General Aviation and Recreation**

A submission was received in relation to RU to General Aviation and Recreation to facilitate aviation uses in the context of aviation activities at Ballyboughal Airfield as well as recreational uses such as scouting activities.

### **Chief Executive's Response:**

The subject lands are located within the GB-Greenbelt zoning objective which affords a high level of protection through the current zoning objective and associated supporting vision and policy and objectives as set out in the current and Draft Plan. It is noted that general aviation is not a permitted use in the GB zoning objective.

The GB zoning objective seeks to: 'Protect and provide for a Greenbelt'. The zoning vision for these lands seeks to control development within Greenbelt lands which is necessary to protect and maintain its rural and undeveloped nature in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses.

Section 3.5.15.12 as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57, objectives SPQHO97 and SPQHO98. The subject lands form part of the strategic greenbelt between Swords and the extensive north County area, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

## Rezoning from RU to RS/RA

- RU to RS with a specific density of 10 houses per hectare to the immediate east of Ballyboughal RV to consolidate development of the village.
- RU to RA of an extensive land bank of RU-Rural zoned lands to the east of the M2 and west of the Coolatrath RB zoned lands to provide for residential development and recreational facilities.

#### **Chief Executive's Response:**

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy includes Housing Supply Targets in accordance with a methodology outlined in the Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas

extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

Based on the above, the inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the rural zoning objective and provisions of the Draft Plan relating to the protection of rural areas and as such, would be contrary to proper planning and sustainable development.

## **Employment Rezonings**

Submissions were received in relation to the following:

- RU to GE relating to extensive RU zoned land banks to the west and south of Coolquay and at Ballyhack, Killsallaghan to facilitate additional employment opportunities and to reflect existing commercial uses.
- FP-GE to facilitate general employment opportunities in view of the restrictive nature of the FP zoning objective, vision and use classes associated with the current FP zoning objective on lands at St. Margaret's to the north of Dublin Airport.
- RU to FP to allow for intensification and the optimum development of the established agri-business on agricultural lands further to the south-east of the established agribusiness at Westpalstown, Oldtown.
- FP to RU at Coolatrath to give the subject lands a rural context.
- RU to RB and OS relating to an existing logistics business and to reflect existing and
  recently permitted agri-business at Belinstown, Ballyboughal. It is noted that the open
  space rezoning is linked with the request for RB zoned lands at this location. In the
  context of these existing businesses, collaboratively, the provision of a rural employment
  zoning aligned with Ballyboughal RV, or a 'site specific' local objective to support non-

conforming use(s) within the rural area and/or a 'general' employment policy associated with existing non-rural based employers located within rural areas together with support for a rural enterprise cluster at these locations to foster economic clustering and further employment opportunities in the area is requested.

### **Chief Executive's Response:**

Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents. A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, to facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.

In addition, Policy EEP2 of the Draft Plan relating to general employment lands seeks to maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible. Table 7.1 of the Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors.

The locations for future employment in Fingal is informed by the requirements of the NPF and the RSES. The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns.

'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. The findings of this study shows that there is a more than adequate quantum of employment zoned lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

Having regard to the approach to employment lands adopted in the Draft Development Plan as set out above, it is considered that the proposals to change the existing land use zoning at the locations in question would result in a piecemeal, un-coordinated, ad-hoc provision of unsustainable employment lands and that the proposed zoning would be in breach of key objectives of the Draft FDP 2023-2029 to channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure.

Critically, the OPR in its submission emphasises the need to ensure that the location of land zoned for employment uses is consistent with the national and regional policy framework and that land is not zoned in locations where it would be in conflict with the principle of compact

growth and the implementation of sustainable transportation objectives and acknowledges the substantial land banks zoned for employment generating uses isolated from any settlement or strategic transport infrastructure projects, which if developed, would appear to be entirely car dependent.

It is noted that Chapter 13 of the report deals comprehensively with the issues surrounding the restrictive nature of the FP zoning objective, vision and use classes in support of a change from FP to a GE zoning objective. In addition to the response set out in Chapter 13 of this report, there is a sufficient quantum of general employment zoned to cater future employment growth in the County as set out above.

In the context of the request to change RU zoned lands to FP, it is noted that the FP-Food Park zoning objective seeks to, 'Provide for and facilitate the development of a Food Industry Park.' The associated zoning vision seeks to, 'Facilitate the development of a state-of-the-art Food Park incorporating the growing, preparation, processing, ripening, packaging, storing, distribution and logistics relating to food, drink, flowers and related products on lands adjacent to major transport infrastructure, operating at a national and international scale and optimising its strategic value to the regional economy. The Park will be primarily devoted to developing value added opportunities within the food sector.'

While the significant contribution of the existing agri-business to the local, regional and national economy is acknowledged, the proposed FP zoning objective is not based on the existing and established business but in a location removed from the core business operations further to the south-east and currently in agricultural use. Critically, the proposal to change these agricultural lands to FP does not come within the spirit of the unique FP zoning objective and associated vision which seeks to facilitate the development of a food park industry operating at a national and international scale and adjacent to major transport infrastructure. Notwithstanding, in recognition of the nature and contribution of the existing agri-business to the economy, it is considered appropriate to change the zoning of these lands to RB-Rural Business to facilitate this rural related agri-business.

In view of the rural nature of the lands at Coolatrath and critically the OPR concerns relating to these FP designated lands, this request is addressed by way of CE Recommendation to revert these lands to RU in the context of the OPR submission.

In the context of the above and the absence of the sequential approach, any coherent evidence-based need or planning rationale for the proposed change in zoning in these rural locations, the proposal to change a substantial proportion of RU zoned lands to GE would result in an uncoordinated, ad-hoc provision of unsustainable employment lands of which there no evidence-based need. The proposed zoning would be in breach of key objectives of the current FDP 2017-2023 and the Draft FDP 2023-2029 to channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure and as such is contrary to proper planning and sustainable development.

In the context of the request to change RU zoned lands to RB relating to an existing logistics business, the nature of the logistics operations do not fall with the spirit of the zoning objective and vision relating to the RB-Rural Business objective which seeks to, 'Provide for and facilitate rural-related business which has a demonstrated need for a rural location.'

The associated vision seeks to, 'Provide a location for the development of business within the rural area which is directly related to the rural location and to the agricultural or horticultural sectors. Such business involves either the processing of produce of which a significant portion is sourced locally or support services for the local agricultural or horticultural sector. Provide a balance between the need for competitiveness and efficiency within the agricultural and horticultural sectors and the need to protect and promote the values of the rural area.'

Based on the proposed collaborative approach of existing businesses to form a unique rural employment zoning objective linked to Ballyboughal RV, the existing businesses at this location are in a remote location to the south of Ballyboughal RV and where the nature of some of these businesses are not rural related. Critically, overly specific and narrowly devised zoning objectives of the nature proposed do not align with the provisions of the said Act and specifically the government guidelines relating to Development Plans of which it is a statutory obligation of the Planning Authority to comply. Overall, the comprehensive and standardised list of zoning objectives as set out in the Draft Plan closely aligns with the provisions of the Development Plan guidelines and are considered sufficiently robust to inform and guide sustainable development and proper planning within the County. The Draft Plan also includes comprehensive strategic policies and objectives supporting and facilitating development of the rural economy including the clustering approach as set out in Chapter 7 Employment and Economy of the Draft Plan.

In the context of the request to a change in zoning from RU to RB to reflect existing and permitted agri-business uses, the current FDP and Draft Plan makes provision for the assessment of any non-conforming uses through the Development Management process in accordance with Objective ZO3 which seeks to, 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.' In this context, a site-specific objective of this nature is not warranted.

The Draft Plan acknowledges and supports the provision of community infrastructure in both established and growing communities which offer a wide range of facilities and services including the provision of quality open space. As Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. Chapter 4: Community Infrastructure and Open space includes a wide range of relevant policies and objectives relating to the provision of community, sporting and recreational facilities, including, policy CIOSP1 which seeks to 'Promote objectives regarding the provision of appropriate community facilities across Fingal.' Section 4.5.2 of Chapter 4 relating to the provision of quality open space to serve existing and new communities includes supportive policy CIOSP13 and objectives CIOSO35 and CIOSO36. In the absence of the audit for community infrastructure, the proposed request for rezoning of RU zoned lands to OS is considered premature. More critically, the location of these proposed OS lands is located in a remote location away from key settlements and existing and new communities, including Ballyboughal RV further to the north.

It is also noted that the requests for rezoning from RU to GE and FP equates to a substantial land-take of RU-Rural zoned lands and the Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision and through supportive policy and objectives as set out in Chapter 7 of the Draft Plan relating to the Rural Economy and specifically policy EEP28 relating to agriculture which seeks to, 'Safeguard the agricultural identity of North Fingal,

promoting the rural character of the County and supporting the agricultural/horticultural production sectors'.

## **Proposed Map-Based Objectives**

### One-Off Housing

A map-based objective is requested to provide for sensitive and sustainably designed one-off house to facilitate local housing need at locations in the Ward and Ballyboughal areas of the County.

### **Chief Executive's Response:**

In order to protect the finite rural resources of Fingal and to ensure the sustainable growth and vitality of existing towns, Rural Villages and Clusters, the Draft Plan promotes policies necessary to restrict urban-generated "one-off" housing and only facilitates genuine and bona fide cases for new residential development within the County's rural areas in accordance with the provisions of Rural Settlement Strategy set out in the current and Draft Plan. Rural development in the first instance will be directed to Fingal's towns, Rural Villages and Rural Clusters. The Rural Housing Strategy in the Draft Development Plan reflects the policy as set out in the current FDP 2017-2023 set out in the NPF, RSES and Ministerial Guidance. Updated and revised Guidelines relating to rural housing provision are proposed by the Department of Housing, Planning and Local Government, however there is no date at present for when these Guidelines will be published. Fingal County Council is awaiting the publication of such Guidelines before carrying out a full review of its rural housing policy.

In the interim, the policy as it stands recognises the need to provide for housing for the rural community but limits the amount of housing in the open countryside and provides for alternative options within the rural area either in the villages or in rural clusters as a more sustainable and suitable location for rural generated housing. Allowing certain individuals to be excluded from this policy would contradict this overall approach and would be contrary to the proper planning and sustainable development of the area. The insertion of new local objectives to allow for single dwelling houses, if adopted, would allow the sale of sites on the open market, thereby opening up the possibility of urban-generated housing development on these sites.

The inclusion in the Draft Fingal Development Plan of specific local objectives facilitating the development of rural housing outside of the provisions of the rural housing strategy would run counter to national and regional policy, as set out in the NPF and RSES. It is also noted that the inclusion of a map based local objective, which may be at odds with (i.e. not consistent with) the policies, objectives and guidelines contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge. Therefore, the inclusion of the proposed local objective to provide for a single house at specified locations would conflict with the policy and guidance outlined above. Furthermore, the exemption of certain sites from compliance with the relevant policies and guidelines would lead to an increase in the number of houses being developed in the rural area, resulting in inappropriate and unsustainable settlement patterns and as such would be contrary to proper planning and sustainable development.

### **End-of-Life Vehicles**

A map-based objective is requested to reinstate Local Objective 19 to, 'Allow for a treatment facility for end-of-life vehicles', on lands at Wimbletown, Ballyboughal.

### **Chief Executive's Response:**

It is noted that an 'end of life treatment facility' is not precluded within the list of zoning objectives in the Draft Plan and proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process. Objective ZO3 as set out in Chapter 13 of the Draft Plan seeks to, 'Generally, permit reasonable intensification of extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.'

### Childcare Facility in the Greenbelt

A map-based objective is requested to provide for the provision of childcare facilities at an existing childcare facility in GB zoned lands within the St. Margaret's area.

### **Chief Executive's Response:**

In the interests of clarity, childcare facilities are Permitted in Principle in the GB-Greenbelt zoning objective where such a use is ancillary to the use of the dwelling as a main residence. This level of control is considered necessary given the critical function of the GB-Greenbelt zoning objective which seeks to, 'Protect and provide for a Greenbelt' while the supporting vision seeks to protect and maintain its rural and undeveloped nature in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses. The Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policies CSP42, SPQHP48 and SPQHP57 and objectives SPQHO97 and SPQHO98. Any childcare proposals within GB zoned lands will be assessed against the zoning objective and vision for the lands as well as relevant policy provisions of the Plan and normal standard planning criteria through the Development Management process.

### Feasibility Study

A map-based objective is requested to, 'Carry out a feasibility study in respect of lands at Coolquay, to the north and north-west of Coolquay Rural Village. This feasibility study shall include a full investigation of requirements in terms of infrastructure, water, access, drainage and shall provide guidance on the future development potential of the landbank and inform the future designation of these lands for development.'

### **Chief Executive's Response:**

In the context of the request for a feasibility study to inform the future designation of an extensive landbank of RU zoned lands to the north and north-west of Coolquay, a feasibility study of this nature would create an impetuous for future additional land rezoning in this rural area of which the Council is seeking to protect through the RU zoning objective, vision and supporting policy and objectives as set out in Chapter 7 of the Draft Plan relating to the protection and enhancement of the rural economy. Critically, it is not considered acceptable in the context of the evidence-based approach adopted in the Core Strategy for the County where

it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period as set out above in this section of the report.

### **Provision of Community Infrastructure**

A map-based objective is requested to provide for a community hall in Ballyboughal and a public swimming pool to serve north County areas including Ballymadun, Garristown, Naul, Balscadden, Corduff, Ballyboughal and Oldtown.

### **Chief Executive's Response:**

The Draft Plan acknowledges and supports the provision of community infrastructure in both established and growing communities which offer a wide range of facilities and services including the provision of quality open space through supportive policy and objectives set out in the Draft Plan and as Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. Specifically, policy CIOSP3 seeks to, 'Ensure the timely provision in conjunction with housing development of community services, resources and infrastructure, including schools, community, religious, and health facilities, required for the creation of sustainable communities.'

Furthermore, the Community Development Department have opened a dialogue with Swim Ireland with a view to incorporating best practice on swimming facilities into a wider review of sports and recreation facilities within the Fingal County Council area. It is intended to commence the review by the middle of this year and aim to have review completed by the end of 2022. The review is being undertaken against the backdrop of a national policy by the Department of Sport whereby it is anticipated that further direction will emerge nationally on the provision and funding of swimming pool facilities. To insert such objectives relating to the provision of a community hall in Ballyboughal and a swimming pool to serve the north County area is considered premature pending the reviews relating to community infrastructure provision.

Local Objective 36

Support expressed for local objective 36 of the Draft Plan.

### **Chief Executive's Response:**

Local Objective 36 of the Draft Plan seeks to,

'Address the 'weakness of the LAP' identified by An Bord Pleanála's report refusing the Rivermeade development planning application where they stated that the lands cannot be developed without the road infrastructure being in place either prior to or during the construction of the housing development' by completing the 2.5km upgrades required to Toberburr Road which will open up the land for much needed housing developments in a timely manner'.

The Rivermeade LAP 2018 seeks to facilitate the upgrade of the Toberburr Road to include improved forward visibility at a number of sharp bends, through verge widening, and a shared footpath and cycle lane along one side. These upgrades are necessary to improve the safety of pedestrians and cyclists and ensure that the current network would be able to deal with the additional traffic arising from the development of the LAP lands. The upgrade of the Toberburr

Road shall be facilitated by Fingal County Council during the construction of housing in the plan lands.

The support for this objective is acknowledged. However, it is considered the wording of local objective 36 is not appropriate and does not convey the intent of the objective, i.e. that the delivery of the road is required in order to facility the development of housing in the area. It is recommended the objective is reworded.

#### Chief Executive's Recommendation:

#### **CE SH 3.1:**

Amend Local Objective 36 as follows:

Address the 'weakness of the LAP' identified by An Bord Pleanála's report refusing the Rivermeade development planning application where they stated that the 'lands cannot be developed without the road infrastructure being in place either prior to or during the construction of the housing development' by completing the 2.5km upgrades required to Toberburr Road which will open up the land for much needed housing developments in a timely manner.

Facilitate the upgrade of the Toberburr Road to include improved forward visibility at a number of sharp bends, through verge widening, and a shared footpath and cycle lane along one side. Ensure delivery of this road infrastructural upgrade is phased and coordinated alongside the delivery of housing.

#### **CE SH 3.2:**

Rezone 7.3 ha from RU to RB at Westpalstown, Oldtown.

## **MAP SHEET 4: Balbriggan**

### **Submissions Received:**

FIN-C453-43, FIN-C453-267, FIN-C453-271, FIN-C453-274, FIN-C453-334, FIN-C453-347, FIN-C453-401, FIN-C453-625, FIN-C453-679, FIN-C453-715, FIN-C453-840, FIN-C453-878, FIN-C453-890, FIN-C453-895, FIN-C453-905, FIN-C453-944, FIN-C453-1006, FIN-C453-1012, FIN-C453-1015, FIN-C453-1108, FIN-C453-1164, FIN-C453-1170, FIN-C453-1191, FIN-C453-1199, FIN-C453-1236, FIN-C453-1278, FIN-C453-1292, FIN-C453-1303, FIN-C453-1707

## **Summary of Issues Raised:**

### Rezoning from RU/GB to RC and RC to RU

A s number of submissions were received which requested the rezoning of tracts of lands in various locations on Sheet 4 from their existing GB – Greenbelt and RU - Rural to RC – Rural Cluster, further submissions requested rezoning from RC to RU.

- RU to RC to the immediate west and south of the existing Blackhills RC, given the existing RC is at capacity resulting in an extension of the existing rural cluster at this location to facilitate local housing need.
- GB to RC at Tobersool Lane and further to the west of Blackhills RC, resulting in the creation of a new RC at these locations.
- RC to RU relating to the existing Grougha RC to facilitate local housing need.

#### **Chief Executive's Response:**

There are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites. It is on this basis that the proposed change from the existing RC zoning objective at Grougha to RU is not considered acceptable as this rural cluster provides an alternative to cater for rural generated housing need. It is also noted that the criteria for eligibility for a rural house in the context of the rural cluster zoning objective is considered less stringent that other rural zoning objectives regarding qualification for a rural house.

The change in zoning of lands to designated new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the Draft Plan and consider issues such as need, policy context, capacity of water, drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations. The recently published Development Plans Guidelines for Planning Authorities June 2022 relating to zoning for residential development acknowledges the spatial pattern of the growth of settlements, often along radial access routes, characterised by ribbon and low density development, has served to

'lock-in' extremely high levels of car dependence and render settlements too spread out and incoherent to pursue active travel and has resulted in the decline of town and village centres.

In undertaking the zoning function for new residential development at individual settlement scale, Planning Authorities are required to adopt a sequential approach whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently which reflects the compact growth, utilisation of existing infrastructure and regeneration based on national and regional policy guidance of the NPF and RSES. In developing land-use zoning and policies for rural areas, these guidelines also note the importance of considering the mandatory Development Plan objective in respect of climate change action under S.10(2) (n) of the Planning and Development Act, which relates to the promotion of sustainable settlement and transportation strategies in urban and rural areas to reduce energy demand.

Regarding the proposed extension to the existing Blackhills RC and while acknowledging the limited remaining capacity in this existing RC, the Council will consider small-scale incremental additions to existing clusters to facilitate rural generated housing need. Notwithstanding, the proposed extensions to the existing RC at Blackhills when combined is considered an extensive extension to this existing rural cluster and would not constitute a small-scale incremental extension within the spirit of the RC zoning objective and vision to provide for small-scale infill development.

In the context of the change in zoning from GB to RC, the current and Draft Plan through the GB zoning objective and vision and supportive policy and objectives as set out in Chapter 3 of the Draft Plan is explicit in the protection of Greenbelt lands through policy SPQHP57 and objectives SPQHO97 and SPQHO98. The subject lands form part of the strategic greenbelt between the extensive north County area and Co. Meath and between the extensive north County and Balbriggan, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

Based on the above, the zoning of these lands cannot be justified on the matters outlined and would be contrary to government guidance at national level. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of RU and GB zoned lands of which it is Council policy to protect.

## HA, GB, RU, OS to RS/RA and RS to RV

- HA to RS within the sensitive coastal corridor of the County and to the east of Fancourt Road, Balbriggan including a request for a map-based objective to provide for an access to facilitate enhanced accessibility to coastal amenities at this location.
- GB to RS to the immediate south of the Balrothery East Masterplan lands to facilitate the development of an access road to serve the development lands in the area including a request for the removal of the Masterplan requirement for these lands due to concerns

over timeframes for delivery as well as a request for the removal of the current mapbased school objective in the masterplan lands given the extent and sufficient capacity for schools provision in the overall area including Balbriggan and the unsuitability of the lands for a school.

- GB to RA within the strategic greenbelt to the north of the Balbriggan town and outside the development boundary of the town with the inclusion of a map-based objective relating to the provision of low-density housing.
- OS to RA within the Hastings residential development to the north of Balbriggan town centre to regenerate an under-utilised site at this location.
- RU to RS at Ring Commons to the west of M1 and Balbriggan to facilitate local housing need
- Support expressed for the retention of RS zoned lands within the settlement of Balrothery and RA zone lands within the north-western area of Balbriggan to facilitate the completion of permitted development. In the context of the latter, it is requested that Fingal County Council re-align the indicative route of the proposed Balbriggan Ring Road (R122 to R123 via Flemington) to negate any impacts on the existing archaeological features within the area and having regard to permitted development including roads infrastructure in the area.
- RS to RV relating to the settlement of Balrothery as the settlement is deemed to fall with the category of village and small-town population.

### **Chief Executive's Response:**

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy includes Housing Supply Targets in accordance with a methodology outlined in the Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

Based on the above, the inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and as such, would be contrary to proper planning and sustainable development.

In the interests of clarity, the RS zoning objective relating to the lands within the settlement of Balrothery and the RA zoned lands within the north-western area of Balbriggan of the current FDP 2017-2023 are carried through to the Draft Plan to facilitate residential development in these areas. The residential areas within Balrothery form part of the Core Strategy for the County providing for existing and new residential development while having careful regard to the protection and enhancement of the natural and built heritage assets within the settlement through supportive policies and objectives in the Draft Plan. In this context, it is not warranted to change the zoning of Balrothery to RV.

## **Road Realignment**

In the context of the request for the realignment of the Balbriggan Ring Road further to the west within the north-western Balbriggan area, while permitted development including roads infrastructure in the area is acknowledged, this road proposal as shown on the relevant Draft Plan map is indicative only and it is acknowledged that projects of this nature typically ae required to go through the various route options, engineering, planning and environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues including the protection of natural heritage assets and sensitive environmental sites, in order to achieve an optimum alignment.

### Masterplan/Schools/ Accessibility Requirements - Balrothery East

The RA zoned lands within Balrothery East is subject to a Masterplan requirement MP4B as set out in Table 2.18 of the Draft Plan, to be prepared over the lifetime of the plan. It is considered that this Masterplan approach is the most appropriate planning vehicle in which to address optimum future accessibility to these lands. The Masterplan process will involve community consultation to balance the needs and aspirations of the community with the requirements of the Planning Authority and the expectations of relevant stakeholders to promote physical and social integration within the area. Masterplans will also be presented to the Elected Members for consideration and agreement.

In the context of the removal of the school map-based objective relating to the Balrothery East lands, while the provision of new schools is the responsibility of the Department of Education, Fingal County Council has and will continue to work collaboratively with the Department of Education in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal. Map-based objectives relating to the location of existing and proposed schools on maps which form part of the Draft Plan have been drawn up in consultation with the Department of Education. Policies and objectives within the Plan re-affirm that Fingal will work collaboratively and engage at all times with the Department in its role in provision of educational facilities. In view of the requirements of the Department of Education and on the basis of the preparation of Masterplan for the lands at Balrothery East under the provisions of the Draft Plan, issues relating to optimum accessibility solutions for the area can be examined within the required framework plan and as such specific map-based objectives of this nature and the removal of the map-based schools objective is not considered acceptable in this regard.

## **HA-High Amenity Zoned Lands**

In the context of the change in zoning from HA to RS and the inclusion of a map-based objective to provide for access to coastal amenities at this location, in addition to the sufficient quantum of residential zoned land to meet population growth in the County over the plan period as evidenced above, the subject lands are located on the seaward side of Fancourt Road and to the east of the Bower, Balbriggan within a sensitive and scenic coastal setting and are zoned HA-High Amenity and within the Coastal Landscape Character area of the County with preserved views and designated highly sensitive landscape in the current FDP 2017-2023. These designations are carried through to the Draft Plan. Critically, the lands are within the 100m of coastline vulnerable to coastal erosion as shown on the Green Infrastructure maps appended to the Draft Plan.

The Draft Plan at Section 9.7 The Coast and Coastal Protection acknowledges Fingal's coastal areas as one of the single most important natural resources in the County together with its sensitive and changing dynamic nature and the pressing need for coastal protection and management which is a forefront and fundamental area of concern in the context of the current climate change challenge. The plan also requires that development should be set-back a sufficient distance from soft defences and erodible coastline to allow for natural processes, such as erosion and flooding, to take place in these areas. A number of areas of coastline at risk from coastal erosion have been identified in the County including the subject lands. In these areas there will be a presumption against new development unless it can be shown, based on best available scientific information, that the likelihood of coastal erosion over the lifetime of the development is minimal. This will ensure that no new development takes place in areas likely to be subject to coastal erosion in the future. As a general principle, the plan requires that development in coastal areas should be accommodated wherever possible in previously developed areas before consideration is given to development in greenfield sites. Critically, the plan prohibits new development outside urban areas within the areas indicated on Green Infrastructure maps, which are within 100m of coastline at risk from coastal erosion. The Draft Plan includes supportive objectives in this regard including, objectives GINHO63, GINHO65 and GINHO72 which seeks to,

'Prohibit new development outside urban areas within the areas indicated on Green Infrastructure maps, which are within 100m of coastline at risk from coastal erosion, unless it

can be objectively established based on the best scientific information available at the time of the application, that the likelihood of erosion at a specific location is minimal taking into account, inter alia, any impacts of the proposed development on erosion, or deposition.'

Having regard to its sensitive landscape setting and environmental sensitivity of the lands in the context of its vulnerability from coastal erosion, the proposal to change HA lands to RS would be contrary to the HA zoning vision and objective for the lands as well as provisions of the current FDP 2017-2023 and Draft Plan relating to protection of high amenity areas as well as coastal landscape protection and management and would be contrary to proper planning and sustainable development. The Draft Plan includes a range of policies and objectives to support and promote appropriate recreational development and enhanced accessibility in suitable coastal locations including,

Policy GINHP31 which seeks to 'Encourage leisure and amenity type uses along the coast so long as such uses do not cause significant adverse impacts on the environment, visual amenity and heritage'.

Policy GINP32 specifically relates to accessing coastal amenities and seeks to 'Enhance and promote access to the coast and harbours, including the promotion of coastal and harbour recreational facilities where appropriate, while also prioritising protecting the coastal environment'.

Objective GINHO71 which seeks to 'Protect beaches, and bathing areas as valuable local amenities and as a tourism resource and support the maintenance, protection and improvement of access to them'.

It is considered therefore, that the above policies and objectives are sufficiently robust to guide and inform future development proposals/initiatives for enhanced and appropriate accessibility to coastal amenities in the County without the need for a specific map-based objective of the nature proposed. Furthermore, the delivery of location-specific projects for coastal access would be more appropriately considered within the context of a capital or works programme.

#### **GB-Greenbelt Zoned Lands**

In the context of the change in zoning from GB to RS/RA, the current FDP and Draft Plan through the GB zoning objective and vision and supportive policy and objectives as set out in Chapter 3 of the Draft Plan is explicit in the protection of Greenbelt lands through policy SPQHP57 and objectives SPQHO97 and SPQHO98. The subject lands form part of the strategic greenbelt between the extensive north County area and Co. Meath and Balbriggan safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

#### **RU-Rural Zoned Lands**

In the context of a change of zoning from RU to RS in a remote rural area of the North County at Ring Commons, it is noted that there is a sufficient quantum of residential zoned lands to serve

the County for the plan period as evidenced by the Core Strategy as set out above. This area also lacks basic infrastructural elements to serve new residential development in the area. Furthermore, the Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision and through supportive policy and objectives as set out in Chapter 7 of the Draft Plan relating to the Rural Economy and specifically policy EEP28 relating to agriculture which seeks to, 'Safeguard the agricultural identity of North Fingal, promoting the rural character of the County and supporting the agricultural/horticultural production sectors'. It is noted that the Council's Rural Settlement Strategy makes provision for genuine and bona fide cases for new residential development within the County's rural areas in accordance with the provisions of Rural Settlement Strategy set out in the current and Draft Plan. In this context the change in zoning from RU to RS in not acceptable and not in accordance with proper planning and sustainable development.

## **OS-Open Space Zoned Lands**

In the context of the request to change an area of OS zoned lands to RS in an existing residential development, Section 4.5.2 of Chapter 4 as set out in the Draft Plan relating to the provision of open space to serve existing and new communities includes supportive policy CIOSP13 and objectives CIOSO35 and CIOSO36 in relation to the provision of open space to serve existing and new communities. On this basis the Council is committed to the protection of open space lands in accordance with the OS zoning objective and vision.

Based on the above, the zoning of these lands cannot be justified on the matters outlined and would be contrary to government guidance at national level. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of HA, GB, RU and OS zoned lands of which it is Council policy to protect.

## **Community Infrastructure and Open Space Zoned Lands**

- Provide for CI Community Infrastructure zoned lands to serve the western and northern areas of Balbriggan.
- RS to CI in vicinity of the Balrothery Graveyard and an extension of the graveyard to the south-west within Balrothery is requested.
- Provide for OS Open Space lands along the western edge of the western edge of the rail line, extending from Masterplan-MP4A lands to Ardgillan Demesne in the context of map-based Objective 2, 'Promote and facilitate a pedestrian over-bridge as part of an attractive walkway along Tanners Water Lane to the proposed coastal path linking to the town centre.'

### **Chief Executive's Response:**

The Draft Plan acknowledges and supports the provision of community infrastructure in both established and growing communities which offer a wide range of facilities and services including the provision of quality open space. As Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. Chapter 4: Community Infrastructure and Open space includes a wide range of relevant policies and objectives relating to the provision of community, sporting and recreational facilities, including,

policy CIOSP1 which seeks to 'Promote objectives regarding the provision of appropriate community facilities across Fingal.' Objective CIOSO3 seeks to 'Comply with the aims, objectives and principles in relation to community infrastructure as outlined in the 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual – A Best Practice Guide' and any amendment thereof.' Policy CIOSP3 seeks to, 'Ensure the timely provision in conjunction with housing development of community services, resources and infrastructure, including schools, community, religious, and health facilities, required for the creation of sustainable communities.' Section 4.5.2 of Chapter 4 relating to the provision of quality open space to serve existing and new communities includes supportive policy CIOSP13 and objectives CIOSO35 and CIOSO36.

In the interests of clarity, the lands to the west of the existing railway between Masterplan MP4A lands and Ardgillan Demesne along the western side of the railway line are zoned HA-High Amenity in the current and Draft Plan which affords a high level of protection give the sensitive nature of the landscape setting in the coastal corridor and demesne landscapes where appropriate green linkages are not precluded within this zoning objective. Chapter 6 of the Draft Plan also promotes and facilities the development of a network of walking and cycling routes including Greenways linking key settlements to natural and built heritage assets within the County through a number of supportive policy and objectives. Give the sensitive nature of the coastal and demesne landscapes within this area, the current HA zoning objective shall be retained.

The need for local cemeteries and extensions to existing facilities is acknowledged and particularly where many existing burial grounds within the County have reached or are nearing full capacity, particularly older or historic graveyards. Due to the substantial costs of developing burial grounds, FCC now favours a more regional approach to cemetery provision of larger high-quality sites and future burial requirements of the County including Columbarium walls will be accommodated in regional graveyards. Having regard to the expansion of existing burial facilities, FCC will continue to review and carry out an assessment of land availability and suitability for future graveyard provision in each area. Notwithstanding the above, there are a number of relevant objectives within the Draft Fingal which will address the provision of burial grounds across the County. The Council will also continue to facilitate and work with other bodies who wish to develop or expand burial grounds. Supportive policy and objectives include,

Policy CIOSP7 seeks to, 'Ensure the timely provision of community services, recreational facilities (including playgrounds) and resources, including schools, community, religious, burial and health facilities, required for the creation of sustainable communities.'

Objective CIOSO32 seeks to, 'Facilitate the development of extended and additional burial grounds, including green graveyards/ natural burial grounds in Fingal, bearing in mind the needs of multi-faith and non-religious communities, subject to traffic, noise and environmental considerations.'

Objective CIOSO33 seeks to, 'Facilitate the future burial requirements of the County including the provision of Columbarium walls where possible, within existing and regional graveyard.'

The policies and objectives set out above are considered sufficiently robust to provide for community infrastructure in Balrothery, open space provision and green linkages without the need for a change in zoning from RS to CI or OS.

## **Commercial Rezonings**

RS to MC to the eastern side of Church Road, Balbriggan in the context of the existing musical campus under the Irish Institute of Music and Song and having regard to the recent planning permission for a concert venue on the lands due for completion in 2023 and its strategic location adjoining the town centre of Balbriggan with good quality transport accessibility, services and amenities supported in the context of relevant national, regional and local policy.

RS/RA to TC in the vicinity of Millfield Shopping Centre.

### **Chief Executive's Response:**

The MC-Major Town Centre zoning objective seeks to, 'Protect, provide for and/or improve major town centre facilities'. The TC-Town and District Centre zoning objective seeks to, 'Protect and enhance the special physical and social character of the town and district centres and provide and/or improve urban facilities'. The RS lands to the east of Church Street adjoins the strategic landbank of the consolidated Major Town centre zoning serving Balbriggan and within an established residential area. The lands adjoining the existing Millfield Shopping Centre comprise existing RS and undeveloped RA lands to the north and east of the existing Millfield Shopping Centre which is currently zoned MC.

Key strategic objective 6 of the Draft Plan seeks the provision of strong and dynamic town centres, which is advocated by the 'town centre first' approach through supportive policy and objectives as set out in Chapter 3 of the Draft Plan. This approach seeks to revitalise towns and village centres throughout the County, fostering vibrant places to live, work, shop and do business. It is essential that the existing town centres, such as Balbriggan, are strengthened and consolidated before consideration could be given to additional town centre zonings. Having regard to the proposed location of the subject lands within an established residential area and where Church Street forms a natural boundary with the existing MC zoning objective and acknowledging that the subject lands have the benefit of planning permission and established Millfield Shopping Centre to serve adjoining residential lands, the proposed rezonings from RS/RA to MC/TC would result in an unwarranted weakening of the existing MC zoning of which is it is Council to protect and enhance through the MC zoning objective and vision and the 'town centre first' approach and as such would be contrary to proper planning and sustainable development.

## **Proposed Map-Based Objectives**

### **Rebranding of Employment Areas**

The rebranding of employment areas in Balbriggan with a specific focus on the Stephenstown employment lands is requested with Balbriggan Enterprise Zone cited as an example of this rebranding.

### **Chief Executive's Response:**

The Council is seeking to increase its employment landbank in the Stephenstown area of Balbriggan with a view to future development. In tandem with this, it is envisaged that the Council will develop an economic policy for the area which will include branding and a development strategy for this employment landbank to maximise its strategic location on the Dublin-Belfast Economic Corridor, its proximity to Dublin Airport and Dublin Port and the

national road network to foster local employment opportunities and skills development in Balbriggan. The employment lands at Stephenstown are subject to a Framework Plan requirement under FP4A and 4B as set out in Table 2.19 of the Draft Plan which will provide a guiding framework for the proper planning and sustainable development of the area.

## **Local Area Plan Requirement**

Requests that the LAP requirement 4B as required under the Draft Plan for be removed from the RA zoned lands at Flemington and revert to a Masterplan requirement as the required thresholds for the preparation of an LAP has not been achieved in the context of Planning and Development Act 2000, the significant resources required for the preparation of an LAP and timescales involved and critically the existence of a Masterplan for these lands to facilitate the short term development of these lands to meet housing supply demand and sustainable development in accordance with relevant national, regional and local policy context.

## **Chief Executive's Response:**

It is considered that the Local Area Plan approach as required under the LAP 4B requirement as set out in the Draft Plan is necessary for the subject lands to provide for a detailed design framework which best guides the development of the area within the statutory LAP process which involves public consultation to balance the needs and aspirations of the established community with the requirements of the Planning Authority and the expectations of relevant stakeholders to promote appropriate physical and social integration within the area in accordance with proper planning and sustainable development, having regard to the location of the subject lands adjoining existing low-density residential development.

## Framework Plan Requirement

Requests the removal of the Stephenstown Framework Plan requirement as set out in the Draft Plan relating to concerns over timings for preparation of the plan which may act as an obstacle to the timely development of these lands and notes the preparation of a previous Masterplan for the lands.

#### **Chief Executive's Response:**

The employment lands at Stephenstown is subject to a Framework Plan requirement under FP4A and 4B as set out in Table 2.19 of the Draft Plan. Given the significant time lapse between the preparation of the previous Stephenstown Local Area Plan 2007 and subsequent Stephenstown Masterplan 2009 for these strategic employment lands and the changed policy context at national, regional and local level and the recent new partnership formed between key stakeholders along the Dublin to Belfast Economic Corridor which includes Fingal that will foster economic growth within the corridor through the DBEC Project, it is considered appropriate to prepare a new Framework Plan to provide a guiding framework for the proper planning and sustainable development of this extensive and strategic employment land bank along this economic corridor in the context of the updated and recent and relevant policy context. The preparation of the Framework plan process will involve community consultation to balance the needs and aspirations of the community with the requirements of the Planning Authority and the expectations of relevant stakeholders for the area. Framework Plans will also be presented to the Elected Members for consideration and agreement.

## **Old Coastguard Station and Bath House**

A map-based objective is requested to return the buildings of the old Coastguard Station and Bath House, located below the Martello Tower in Balbriggan, including the slipway for use as active boat houses to facilitate various community uses and to serve existing clubs in the area.

### **Chief Executive's Response:**

Following consultation with local stakeholder groups, these buildings are currently being assessed by FCC to determine their suitability for adaptation for a range of water sports and related activities having regard to the architectural sensitivity of the structures. These assessments will be completed in the near future and will inform development proposals of this nature. Any such proposals will be considered on a case-by-case basis and assessed on their own merits in terms of compliance with the overall zoning objective and vision for the lands and relevant objectives in relation to community infrastructure as set out in the Draft Plan, including normal standard planning criteria and any required environmental, architectural and archaeological assessments, where required, through the Development Management process.

## **Eco Park/Nature Park and Green Linkages**

A map-based objective is requested for lands at Darcystown, Balrothery as follows, 'Work in collaboration with key stakeholders to bring forward development proposals for the provision of a comprehensively planned Eco Park/Nature Park on lands at Balrothery east together with a green link between Old Coach Road, Balrothery and Ardgillan Regional Park and Demesne. Proposals for development of this nature shall incorporate the provision of quality recreational facilities and pedestrian routes, shall maintain the special landscape character and cultural significance of the Demesne lands and shall increase accessibility to Argillan Castle and Demesne as one of Fingal's key cultural assets.'

### **Chief Executive's Response:**

The Draft Plan as set out in Chapter 10 and Section 10.5.2 Architectural Heritage is explicit in the protection and enhancement of Fingal's built heritage assets including existing demesne landscapes which includes Ardgillan Demesne and specifically policy HCAP8 relating to the protection of designed landscapes and historic gardens is supportive in this regard. The provision of enhanced access to Ardgillan Demesne (including access from Balrothery to Ardgillan) is being considered in the context of the Conservation Management Plan for the demesne. In this regard and pending the finalisation of the Conservation Management Plan and its associated recommendations, the proposed map-based objective of the nature proposed is considered premature pending the outcomes of this review.

### **Protection of Views**

Requests the preservation of views in the vicinity of Bremore Regional Park extending northwards towards Bremore headland/Gormanstown Beach and inclusion of these preserved views is required on the relevant plan map.

## **Chief Executive's Response:**

The Draft Plan is explicit in the protection of views throughout the County through supportive policy and objectives as set out in Section 9.6.15 Views and Prospects of the Draft Plan. The Draft Plan states that in assessing views and prospects arising from proposals through the

Development Management process, it is not proposed that this should give rise to the prohibition of development along these routes, but development, where permitted, should not hinder or obstruct these views and prospects and should be designed and located to minimise their impact. Views and prospects for protection have been identified on the Green Infrastructure Maps and zoning maps. In the interests of clarity, the Green Infrastructure Map 14 appended to the Draft Plan shows preserved views extending northwards from Balbriggan towards Bremore. In this context, provisions of the Draft Plan are considered sufficiently robust to preserve views within and extending beyond the town boundary of Balbriggan and as such the inclusion of a map-based objective in this regard is not considered necessary.

## **Balbriggan Streetscape Upgrade**

Requests a map-based objective for the upgrade of Balbriggan main streetscapes through the town.

### **Chief Executive's Response:**

The Draft Plan is explicit in the promotion and support for high-quality public realms and quality placemaking within towns and villages within the County including Balbriggan as set out in Chapter 3 of the Draft Plan. In the context of Balbriggan, Fingal County Council has prepared and is implementing "Our Balbriggan 2019–23 Rejuvenation Plan", which will transform Balbriggan Main Street and Harbour and will provide significant investment in the public realm and town centre improvements to provide a more vibrant centre to the town and will continue to be progressed through ongoing collaboration with key relevant stakeholders. Objective SPQHO7 of the Draft Plan supports the objectives arising from the Our Balbriggan plan. Furthermore, Balbriggan Historic Town Core is also included as an Architectural Conservation Area which affords a high level of protection and guides any future enhancement proposals in the area in a sensitive and appropriate manner. Any works that would have a material effect on the special character of an ACA will require planning permission. It is considered that the policies and objectives within the Draft Plan and together with the continued implementation of the Our Balbriggan plan are sufficiently robust to guide and inform future streetscape enhancements in Balbriggan and a specific map-based local objective in this regard is not required.

### **Naul Road Upgrade**

Requests a map-based objective as follows, 'To upgrade the section of Naul Road between M1 Motorway (Exit 6) and the Stephenstown Roundabout and to include provision of segregated cycle lanes within the lifetime of the current Fingal County Council Development Contribution Scheme 2021-2025, in which this project is listed.'

### **Chief Executive's Response:**

The Draft is explicit in supporting and facilitating the continued maintenance, management and operation of the existing regional and local road network in an efficient manner at a strategic level as set out in Chapter 6 and Section 6.5.10.2 of the Draft Plan. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic road transportation priorities over the plan period and are considered realistic and achievable in the lifetime of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users where appropriate. It is considered appropriate to include the upgrade of the section of the Naul Road between the M1

Junction 6 exit to the roundabout on the R122 to facilitate improved roads infrastructure to the area through its inclusion in Table 6.3 as set out in Chapter 6 of the Draft Plan.

## **Cultural and Historical Exhibition Space**

Requests a map-based objective for a cultural and historical exhibition space relating to Bells Cottage, Bremore Castle, Balbriggan.

### **Chief Executive's Response:**

The future use of Bells Cottage will be linked to and will form part of the proposals for the future use of Bremore Regional Park and its environs. It is intended to bring these proposals through the necessary planning process during the lifetime of the next Development Plan. It is considered that the policies and objectives as they particularly relate to the protection and reuse of built heritage assets within the County as set out in Chapter 10 Heritage, Culture and Arts and specifically Section 10.5.2 Architectural Heritage are sufficiently robust to guide and inform any future proposals for Bells Cottage in the context of the future development proposals for Bremore Regional Park of which Bells Cottage forms part. A specific map-based local objective of this nature is therefore not required in this regard.

## **Protection of Built Heritage**

A map-based objective is requested for FCC to carry out a survey and works plan to protect and conserve St Peter's Church during the plan period and a map-based objective to preserve the setting of the Fair Green and protect the views of St Peter's Church, Graveyard and Church Tower and Tower House in Balrothery is requested.

#### **Chief Executive's Response:**

The church building subject to this request is within the ownership of FCC. The drawing up a Works Programme/Maintenance Plan rather than a Conservation Plan is what would be most appropriate for this building. A specific map-based objective is not required to achieve this. The tower is a National Monument in state ownership. As this structure is not in the ownership of FCC it is not within the Fingal's power to produce a specific Restoration Plan. Restoration of a ruined archaeological monument may not be the most appropriate action. Consolidation of the ruined tower may be best practice approach. A specific map-based objective is not required to determine the most sensitive future approach for the site but requires engagement of key stakeholders and approval by statutory agencies. The Tower is currently protected by statutory designation of Recorded Monument, is a Protected Structure and is included within boundary of Balrothery ACA. Any works that would have a material effect on the special character of an ACA require planning permission. It is considered therefore, that the policies and objectives within the Draft Plan are sufficiently robust to guide and inform the protection and conservation of St Peter's Church and surrounds and a specific map-based objective is not required in this regard.

## **Development Plan Objectives pertaining to Balrothery**

The existing Development Plan objectives relating to Balrothery should be included in the Development Plan and updated accordingly to deliver outstanding elements of the Glebe Park Masterplan and provision of community infrastructure and enhanced accessibility to the area including feasibility of revised boundaries for the park. A map-based objective is also required to

ensure the delivery of elements of the Glebe Park Masterplan. It is also requested that Sheet 4 should make reference to Balrothery only.

### **Chief Executive's Response:**

The current FDP 2017-2023 objectives regarding Balrothery relate primarily to the protection of the natural and built heritage assets of the area including the enhancement of recreational amenities and the promotion of green linkages to serve the area. To inform the preparation of the Draft Plan, a complete review was undertaken relating to current Development Plan objectives including all map-based objectives. The Draft Plan sets out the Council's vision and strategic overview, including policies and objectives that will guide the sustainable future growth of Fingal including protection and enhancement policy and objectives relating to towns and villages within the County at a strategic level and specifically as set out in Chapters 2, 3, 9 and 10 of the Draft Plan. Chapter 10 in particular contains supportive policy and objectives to protect and enhance the County's built heritage assets while Chapter 9 includes supportive policy and objectives to protect and enhance the County's natural heritage including the development of green links. The form and content of the Draft Plan has also been informed by the 'Development Plans – Guidelines for Planning Authorities' 2022 which advocates a more streamlined and standardised approach to Development Plans.

Under a Part VIII application in 2017, permission was granted at Glebe Park for various recreational uses, enhanced carparking and accessibility and these works continue to be carried out under the 2021-2023 Capital Budget. It is considered therefore, that a works programme is in place for the future delivery of the Part VIII application within defined boundaries. In this context, the inclusion of specific Development Plan and map-based objectives of the nature proposed is not required in this regard. It is noted that Sheet 4 covers both the Balbriggan and Balrothery areas and is titled appropriately similar to the approach for other relevant Development Plan maps and existing settlements pertaining to the County.

## **Supportive Map-Based Objectives**

Support expressed for the following map-based objectives as set out in the Draft Plan,

Map-based Objective 1 'Carry out a Feasibility Study to assess the most appropriate approach to the provision of sea swimming facilities in Balbriggan.'

Map-Based Objective 2, 'Promote and facilitate a pedestrian over-bridge as part of an attractive walkway along Tanners Water Lane to the proposed coastal path linking to the town centre.'

Map-Based Objective 3 'Prepare a Conservation Management Plan for Ardgillan Demesne with consideration given to the potential for enhanced access to the Regional Park and Demesne in consultation with relevant stakeholders and landowners having regard to its sensitive landscape setting.'

#### **Chief Executive's Response:**

The support for these local objectives is acknowledged. It is noted that in view of the finalisation of the Conservation Management Plan for Ardgillan Demesne, map-based objective 3 shall be amended in this regard.

## **Chief Executive's Recommendation:**

#### **CE SH 4.1:**

Amend the wording of Local Objective 3 as follows:

'Prepare a Conservation Management Plan for Ardgillan Demesne with consideration given to the potential for enhanced access to the Regional Park and Demesne in consultation with relevant stakeholders and landowners having regard to its sensitive landscape setting.'

"The Conservation Plan for Ardgillan Castle and Demesne shall ensure that all works to Ardgillan Castle or works within/impacting the historic designed landscape are sensitive to the significance of the site and are directed by the content of the Conservation Plan."

#### **CE SH 4.2:**

Include the following in Table 6.3 within Chapter 6 of the Draft Plan as follows:

Naul Road Upgrade (M1 Junction 6 exit to the roundabout on the R122) and include an indicative road proposal for same on the relevant Development Plan map.

### **MAP SHEET 5: Skerries**

### **Submissions Received:**

FIN-C453-79, FIN-C453-167, FIN-C453-221, FIN-C453-252, FIN-C453-320, FIN-C453-397, FIN-C453-399, FIN-C453-401, FIN-C453-565, FIN-C453-705, FIN-C453-761, FIN-C453-831, FIN-C453-834, FIN-C453-839, FIN-C453-871, FIN-C453-892, FIN-C453-937, FIN-C453-960, FIN-C453-1050, FIN-C453-1060, FIN-C453-1082, FIN-C453-1088, FIN-C453-1096, FIN-C453-1182, FIN-C453-1183, FIN-C453-1203, FIN-C453-1223, FIN-C453-1235, FIN-C453-1244, FIN-C453-1255, FIN-C453-1259, FIN-C453-1266, FIN-C453-1269, FIN-C453-1286, FIN-C453-1306, FIN-C453-1322, FIN-C453-1332, FIN-C453-1333, FIN-C453-1700, FIN-C453-1706, FIN-C453-1708, FIN-C453-1712, FIN-C453-1775, FIN-C453-1776

## **Summary of Issues Raised:**

## Rezoning from HA/RU to RC

A number of submissions were received which requested the rezoning of tracts of lands around Skerries from HA and RU to RC to facilitate additional residential units in the rural area.

- HA to RC to the immediate west and east of the Milverton RC to facilitate local housing, resulting in an extension of the existing Milverton RC and the creation of a new rural cluster further to the west of the existing Milverton RC to facilitate local need, resulting in the creation of a new rural cluster at this location.
- HA to RC to the immediate north of the existing Holmpatrick RC to facilitate local housing need through infill development, resulting in an extension of this existing rural cluster.
- HA to RC at Tougher Hill, Skerries to facilitate local housing need, resulting in the creation of a new rural cluster.
- RU to RC at Collinstown to the western side of the R127 Skerries Road to facilitate local housing need, resulting in the creation of new rural cluster at this location.

#### **Chief Executive's Response:**

The proposals in this context relate to an extension of the existing Milverton RC zoning objective to the immediate east and west of the existing RC, to the immediate north of Holmpatrick RC as well as the creation of new rural clusters further to west of Milverton RC and at Collinstown and Tougher Hill, Skerries.

There are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

The change in zoning of lands to designated new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the Draft Plan and consider issues such as need, policy context, capacity of water,

drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations. The recently published Development Plans Guidelines for Planning Authorities June 2022 relating to zoning for residential development acknowledges the spatial pattern of the growth of settlements, often along radial access routes, characterised by ribbon and low-density development, has served to 'lock-in' extremely high levels of car dependence and render settlements too spread out and incoherent to pursue active travel and has resulted in the decline of town and village centres. In undertaking the zoning function for new residential development at individual settlement scale, Planning Authorities are required to adopt a sequential approach whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently which reflects the compact growth, utilisation of existing infrastructure and regeneration based on national and regional policy guidance of the NPF and RSES. In developing land-use zoning and policies for rural areas, these guidelines also note the importance of considering the mandatory Development Plan objective in respect of climate change action under S.10(2) (n) of the Planning and Development Act, which relates to the promotion of sustainable settlement and transportation strategies in urban and rural areas to reduce energy demand.

In the context of the change in zoning from HA – High Amenity zoned lands within the prominent and sensitive high amenity zoned lands to the west of Skerries to RC, the HA-High Amenity zoning objective seeks to, 'Protect and enhance high amenity areas'.

The associated zoning vision seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

It is noted that the areas within the County that are covered by the HA-High Amenity zoning objective include the Garristown uplands, Naul Hills, the Liffey Valley and the Coastal Corridor including demesne landscapes. These high amenity areas contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value. The Draft Plan within Chapter 9 Green Infrastructure and Natural Heritage and at Section 9.6.17 affords a high level of landscape value and protection to these high amenity areas.

The primary objective of the Council over successive Development Plans has been to limit housing development within the HA-High Amenity zoning objective in order to promote more sustainable settlement and protect the most sensitive parts of the County. In the high amenity areas, only housing need related to farming and exceptional health circumstances is to be facilitated with no new housing generally permitted between the sea and coast and only with the exception of extension and replacement or where all other sites are exhausted. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas. The Council will continue to concentrate efforts to protect high amenity areas and supportive policies and

objectives within Chapter 9 Green Infrastructure and Natural Heritage of the Draft Plan includes supportive policy GINHP28 and objective GINH063 in this regard. The Council is therefore fully committed to the continued protection of these high amenity lands in accordance with the zoning objective and vision as set out in the current FDP 2017-2023 and Draft Plan. In this context the zoning of these HA zoned lands to RC is not considered acceptable and would be contrary to the zoning objective and vision for these lands.

Regarding the proposed extensions to Milverton and Holmpatrick RC, and while acknowledging the limited remaining capacity in these existing rural clusters, the Council will consider small-scale incremental additions to existing clusters to facilitate rural generated housing need. Notwithstanding, the proposed extensions to the existing RC's at Milverton and Holmpatrick is considered extensive and would not constitute small-scale incremental extensions within the spirit of the RC zoning objective and vision to provide for small-scale infill development.

The zoning of these lands cannot be justified on the matters outlined above and would be contrary to government guidance at national level. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of HA zoned lands of which it is Council policy to protect.

## Rezoning from HA, RU to RS/RA, RU and OS / OS to RS/ RS to HA or GB

A substantial number of submissions were received which requested the rezoning of tracts of lands in and around Skerries from HA and RU to RS, RA RU and OS to facilitate additional residential units and amenity areas in the area. Further submissions requested RS/RA to HA and GB.

- HA/RU to RS/RA and OS to the immediate north of Loughshinny to provide for residential development and recreational amenities and at Barnageeragh Skerries to facilitate recreational use including playfields where the lands front onto the coast road within a prominent coastal setting.
- HA to RS within a prominent stretch of high amenity lands overlooking the coast at Barnageeragh.
- RS to HA or GB at Holmpatrick due to the sensitive landscape setting in the coastal corridor.
- HA to RU at Balcunnin to facilitate local housing need and provision of dog kennels.
- Support for HA zoned lands at Barnageeragh to facilitate recreational amenities in the area.
- OS to RS fronting Millers Lane to further utilise these lands which are shown to be in private ownership.
- RU to RS/RA to the immediate north of Loughshinny and to the west of the R128 at Loughshinny to facilitate new residential development.
- Opposed to RS zoned land within the Mourne View residential area and retain as OS.

### **Chief Executive's Response:**

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under

Section 28 Guidelines. In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

### **HA-High Amenity Zoned Lands**

A number of submissions request a change in zoning from HA-High Amenity to RS/RA and HA to OS to facilitate housing development and recreational amenities on existing high amenity zoned lands within the coastal corridor at Skerries and Loughshinny. A change of zoning from RS to HA or GB on lands at Holmpatrick is also requested.

In addition to the sufficient quantum of residential zoned land to meet population growth in the County over the plan period as evidenced above, the HA amenity zoned lands at Skerries and Loughshinny are located in prominent and sensitive landscape setting within the coastal corridor and within the Coastal Landscape Character area of the County with preserved views and designated highly sensitive landscape in the current FDP 2017-2023. These designations are carried through to the Draft Plan. Critically, the lands within Skerries are within the 100m of

coastline vulnerable to coastal erosion as shown on the Green Infrastructure maps appended to the Draft Plan.

The Draft Plan at Section 9.7 The Coast and Coastal Protection acknowledges Fingal's coastal areas as one of the single most important natural resources in the County together with its sensitive and changing dynamic nature and the pressing need for coastal protection and management which is a forefront and fundamental area of concern in the context of the current climate change challenge. The plan also requires that development should be set-back a sufficient distance from soft defences and erodible coastline to allow for natural processes, such as erosion and flooding, to take place in these areas. A number of areas of coastline at risk from coastal erosion have been identified in the County including the subject lands. In these areas there will be a presumption against new development unless it can be shown, based on best available scientific information, that the likelihood of coastal erosion over the lifetime of the development is minimal. This will ensure that no new development takes place in areas likely to be subject to coastal erosion in the future. As a general principle, the plan requires that development in coastal areas should be accommodated wherever possible in previously developed areas before consideration is given to development in greenfield sites. Critically, the plan prohibits new development outside urban areas within the areas indicated on Green Infrastructure maps, which are within 100m of coastline at risk from coastal erosion. The Draft Plan includes supportive objectives in this regard including objective GINHO72 which seeks to,

'Prohibit new development outside urban areas within the areas indicated on Green Infrastructure maps, which are within 100m of coastline at risk from coastal erosion, unless it can be objectively established based on the best scientific information available at the time of the application, that the likelihood of erosion at a specific location is minimal taking into account, inter alia, any impacts of the proposed development on erosion, or deposition.'

In the context of the request to change RS zoned lands to HA or GB, the subject lands at Holmpatrick equate to c. 3 ha located within a sensitive scenic coastal setting within the eastern coastal corridor at Skerries and off the R128 regional road to Rush and to the east of the existing Rural Cluster of Holmpatrick where the existing road network is limited. It is noted that the Elected Members resolved to change the zoning of these lands to RS-Residential during the previous phase of the Development Plan process. The lands are also designated as 'highly sensitive landscape' and within the Coastal Landscape Character area of the County as set out in the Draft Plan with recorded monuments shown to be located in the overall general area as set out in the Green Infrastructure Maps appended to this Draft Plan.

While the limited support for this residential zoning is noted, more critically, a number of submissions that express serious concerns regarding this residential zoning at this location is acknowledged, in the context of the prominent nature of the headland that is 'highly sensitive' landscape within the coastal corridor and proximate to the designated NHA of Skerries Islands, SAC and Annex 1 habitats and which is considered contrary to protection policies for exceptional coastal landscapes and biodiversity as set out at national and local level, as well as the absence of adequate services and infrastructure to serve the area.

In view of these concerns, it is noted that the areas within the County that are covered by the HA-High Amenity zoning objective include the Coastal Corridor of the subject lands, the Garristown uplands, Naul Hills, the Liffey Valley and demesne landscapes within the County. These high

amenity areas contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value. The Draft Plan within Chapter 9 Green Infrastructure and Natural Heritage and at Section 9.6.17 affords a high level of landscape value and protection to these high amenity areas.

The primary objective of the Council over successive Development Plans has been to limit housing development within the HA-High Amenity zoning objective in order to promote more sustainable settlement and protect the most sensitive parts of the County. In the high amenity areas, only housing need related to farming and exceptional health circumstances is to be facilitated with no new housing generally permitted between the sea and coast and only with the exception of extension and replacement or where all other sites are exhausted. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the objective and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas. The Council will continue to concentrate efforts to protect high amenity areas and supportive policies and objectives within Chapter 9 Green Infrastructure and Natural Heritage of the Draft Plan includes supportive policy GINHP28 and objective GINH063 in this regard. The Council is therefore fully committed to the continued protection of these high amenity lands in accordance with the zoning objective and vision as set out in the current FDP 2017-2023 and Draft Plan.

Having regard to the above and the sufficient quantum of residential zoned lands including strategic reserve lands in the County to meet housing demand during and plan period and beyond, the highly sensitive and prominent nature of existing high amenity lands, vulnerability from coastal erosion in specific locations and the location of the zoned RS lands at Holmpatrick that forms part of this sensitive coastal corridor and in the absence of adequate services and infrastructure to serve new residential development at this location, it is not considered appropriate to zone HA zoned lands to RS/RA, OS and RU and the RS zoned lands at Holmpatrick shall revert to HA zoned lands in accordance with proper planning and sustainable development.

### **OS-Open Space Zoned Lands**

In the context of the request to change an area of OS zoned lands to RS within an established residential area that fronts the adjoining public road in Skerries and forms part of a larger open space context, Section 4.5.2 of Chapter 4 as set out in the Draft Plan relating to the provision of open space to serve existing and new communities includes supportive policy CIOSP13 and objectives CIOSO35 and CIOSO36 in relation to the provision of open space to serve existing and new communities. On this basis the Council is committed to the protection of open space lands in accordance with the OS zoning objective and vision and a change in zoning to RS at this location is not warranted.

In the context of the request to change RS zoned lands in the Mourne View residential area to OS zoned lands, in the interests of clarity, this provision of RS zoned lands at this location is intended to facilitate a small quantum of housing while ensuring the protection of the adjoining open space and pitches.

#### **RU-Rural Zoned Lands**

In the context of a change of zoning of an extensive landbank of RU zoned to RS, it is noted that there is a sufficient quantum of residential zoned lands to serve the County for the plan period as evidenced by the Core Strategy as set out above. Furthermore, the Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision and through supportive policy and objectives as set out in Chapter 7 of the Draft Plan relating to the Rural Economy and specifically policy EEP28 relating to agriculture which seeks to, 'Safeguard the agricultural identity of North Fingal, promoting the rural character of the County and supporting the agricultural production sectors'.

Based on the above, the inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the HA, RU and OS zoning objectives and provisions of the Draft Plan relating to the protection of these zoned lands and as such, would be contrary to proper planning and sustainable development.

# Rezoning GB/RU to CI

- Requests that GB lands west of the R128 to the south of Skerries should be considered for sheltered housing for service users in support of an existing facility at this location.
- GB to CI to facilitate school provision as concern is expressed regarding the location of the school site on GB zoned within Hackettstown to the south of Skerries town centre where the GB zoning objective may prevent the delivery of such a facility.
- RU to CI on lands to the south of Featherbed Lane to the west of the settlement of Loughshinny and adjoining a nursing home facility to facilitate a replacement school for St. Michael's House in view of the recent purchase of lands by the Department of Education.

#### **Chief Executive's Response:**

The 'GB' zoning objective seeks to, 'Protect and provide for a Greenbelt.' The associated zoning vision for these lands seeks the relative control on development within Greenbelt lands which is necessary to protect and maintain the rural and undeveloped nature of the Greenbelt in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses. Section 3.5.15.12 relating to Fingal's Greenbelt lands as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57 and objective SPQHO97, and SPQHO98.

The subject lands form part of the strategic greenbelt around Skerries safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas, resulting in a significant loss of strategic Greenbelt lands and to the detriment of the rural character of the area. The Council is fully committed to the continued protection of the Greenbelt and to permit a change in zoning to facilitate sheltered housing for service users, would seriously undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and Draft Plan and as such would be contrary to proper planning and

sustainable development. It is noted that the current FDP 2017-2023 and Draft Plan makes provision for the assessment of any non-conforming uses, Objective ZO3 as set out in Chapter 13 of the Draft Plan seeks to, 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.'

It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for sheltered accommodation and are Permitted in Principle in zoning objectives including Cl-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential and RV-Rural Village. These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required to be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, Objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

Based on the above, sufficient and robust provision for sheltered accommodation types exist in the Draft Plan within multiple zoning objectives where proposals of this nature can be assessed on a case by case basis in accordance with the relevant zoning objective and vision and normal standard criteria through the Development Management process. In this context, the rezoning of lands in this regard is not warranted.

In the interests of clarity, the Draft Plan makes provision for a school map-based objective to the west of the existing FCC Allotments on GB zoned lands within the Hackettstown area and where the GB zoning objective does not preclude educational use and remains open for consideration in this zoning objective where proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process.

It is also noted that while the provision of new schools is the responsibility of the Department of Education, Fingal County Council has and will continue to work collaboratively with the Department of Education in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal. Map-based objectives relating to the location of existing and proposed schools on maps which form part of the Draft Plan have been drawn up in consultation with the Department of Education. Policies and objectives within the Plan re-affirm that Fingal will work collaboratively and engage at all times with the Department in its role in provision of educational facilities.

In view of the recent purchase of lands at Loughshinny by the Department of Education to facilitate a replacement school on RU-Rural zoned lands where educational use is open for consideration in this zoning objective and acknowledging the recent Planning Application for a school under reference Pl Ref F22A/0208 which is currently at Additional Information stage, it is considered appropriate to retain these lands as RU with the inclusion of map-based school symbol to support and facilitate school provision.

# **Employment**

 The designation of a formal and dynamic employment cluster within the GE zoned lands at Townparks, Skerries with a focus on the provision of a life-style centre hub centred on the tourism and marine assets of the area is requested.

#### **Chief Executive's Response:**

The GE-General Employment zoning objective seeks to, 'Provide opportunities for general enterprise and employment'.

The zoning vision seeks to, 'Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.'

Chapter 7 Employment and Economy of the Draft Plan is considered sufficiently robust at strategic level to support the primary employment function of the GE-General Employment zoning objective which is to cater for employment generation related uses and activity. The Draft Plan is also explicit in supporting and facilitating the economic potential of Fingal's unique strengths in villages and towns within the County including designated self-sustaining towns. Specifically, policy EEP3 seeks to, 'Maximise the economic potential of Fingal's unique strengths and advantageous position within the Eastern and Midlands region.' At a more localised level and relating to self-sustaining towns within the County, objective EEO9 of the Draft Plan seeks to, 'Ensure that towns, villages and other locations within the Core Area follow policies of directional development to ensure that the required economies of scale are achieved in specific centres such as Balbriggan, and that other lower tier towns and villages perform to their economic strengths and competitive advantages such as Skerries and Rush for tourism and marine activities.'

Furthermore, the GE zoning objective does not preclude the potential for innovative sustainable employment/enterprise generating uses or activities and proposals of this nature will be assessed on a case-by-case basis in accordance with the GE zoning objective and supporting vision as well as the employment provisions of the plan and normal standard planning criteria through the Development Management process. It is noted by way of CE Recommendation in the context of Chapter 13, the GE zoning vision has been expanded to support and facilitate the sustainable employment and enterprise offer within the County. Having regard to the foregoing, including the standardised approach to zoning objectives as set out in the Draft Plan that closely aligns with the provisions of the Development Plan guidelines and as set out above in this report, these provisions are considered sufficiently robust to inform and guide employment development within the County including Skerries without the need for a new employment designation as proposed.

# **Proposed Map-Based Objectives**

### **Map-Based Objective 13**

A submission requests that map-based objective 13 in the current FDP 2017-2023 be carried through to the Draft Plan relating to provision of a railway station on lands at Ballykea, Skerries.

### **Chief Executive's Response:**

Map-Based objective 13 as set out in the current FDP 2017-2023 seeks to, 'Facilitate, in consultation with larnród Éireann, the provision of a railway station at Ballykea.' While the inclusion of a specific map-based objective in the Draft Plan to facilitate a train station at Ballykea in conjunction with Irish Rail is noted, however, the direct provision of rail transport infrastructure is outside the remit of the Development Plan and the proposal is also contrary to national and regional policy relating to the provision of rail transport infrastructure. The provision of large-scale public transport infrastructural schemes is via national agencies including the NTA, TII and Irish Rail. The Council has close cooperation and interaction with these bodies on an ongoing basis to ensure that policy objectives are being addressed through the design process. The Draft Plan includes supportive policy and objectives in this regard within Chapter 6 Connectivity and Movement.

In addition, Development Plan policy is based on relevant national and regional guidance as set out in the NPF, RSES and the NTA's Transport Strategy. An improved sustainable transport network is a key strategic objective of the Draft Plan and includes supportive policy and objectives for the delivery of enhanced public transport infrastructure including rail infrastructure within the County. In order to achieve the Plan's strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA's Transport Strategy. It is noted that the NTA's Draft Transport Strategy 2022-2042 supports the provision a number of new rail stations in conjunction with Irish Rail within Section 12.4.12 and at key specified locations in the GDA, including the enhancement of existing train stations. In this context, a new train station at Ballykea does not form part of overall national and regional policy context.

Furthermore, the Settlement Hierarchy for the County as set out in Chapter 2 Planning for Growth clearly sets out the various settlements within the County as a priority focus for development in line with NPF and RSES policy. The inclusion of new strategic infrastructure objectives in this Draft Plan is largely focused on those areas which support this strategic objective as well as those that contribute to further sustainable development and enhance or complement the wider regional and national level policy. In this context, Ballykea is located within the rural area of the North County with the zoning objective RU-Rural and outside of identified growth areas.

To include such a map-based objective of the nature proposed is outside the remit of the Development Plan and would be contrary to national and regional policy of the NPF, RSES and NTA's Transport Strategy for the GDA and to proper planning and sustainable development.

### Glamping, Camping and Motor Home Park Provision

It is requested that a suitable location for facilities for glamping, camping and motor homes is provided in the North County area with a specific focus on lands between Skerries and Loughshinny and in this regard, inclusion of a map-based objective is requested.

#### **Chief Executive's Response:**

These lands are situated in a rural area of the County, located between Skerries and Loughshinny. The RU zoning objective seeks to, 'Protect and promote in a balanced way, the

development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.' The vision for RU zoned lands seeks to, 'Protect and promote the value of the rural area of the County. This rural value is based on:

- Agricultural and rural economic resources
- Visual remoteness from significant and distinctive urban influences,
- A high level of natural features.

Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.'

In the interests of clarity, campsites are Permitted in Principle in the RU-Rural zoning objective subject to caveat 25 where no static mobile homes or permanent structures (unless ancillary to the operation of the campsite) shall be permitted. It is considered that such a facility can be more appropriately considered through the Development Management process.

It is also noted that motor home parks, glamping and camping facilities are not precluded within the remaining zoning objectives as set out in the Draft Plan and proposals of this nature will be assessed on a case-by-case basis against the zoning objective and vision for the lands as well as normal standard planning criteria through the Development Management process. The Draft Plan at Chapter 7 and specifically, objective EEO56 seeks to, 'Support the development of appropriately located and sensitively designed campsites, with required ancillary facilities, as an alternative form of accommodation for visitors to the County.' In this context, the inclusion of a map-based objective is not warranted.

### **Nursing Home Provision**

A suitable site for a nursing home in Skerries is requested with either an appropriate zoning objective or map-based objective.

### **Chief Executive's Response:**

Section 10(2)(a) of the Planning and Development Act 2000 (as amended) Act requires that a Development Plan shall include objectives for: "(a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space, or otherwise, or a mixture of these uses) and to such extent as the proper planning and sustainable development of the area, in the opinion of the Planning Authority, requires the uses to be indicated" The zoning of land is the primary spatial expression of the strategy of the Development Plan and is a key element of the plan-making process. The Development Plan Guidelines for Planning Authorities June 2022 notes the provision of land-use zoning within the Development Plan shall provide a degree of certainty and clarity to the community, landowners, developers and investors regarding future development. These guidelines also advocate a consistent approach in the development of zoning objectives between Local Authorities and the avoidance of overly specific or narrowly devised zoning objectives, which is not considered appropriate to the general purpose of land-use zoning. Appendix B to these Guidelines provides a list of zoning objectives that Planning Authorities may incorporate into Development Plans which allow for a degree of local variation where necessary but achieves the required standardisation on a national basis.

Appendix B of the said guidelines supports two principal residential zoning objectives for existing and new residential development. The guidelines also advocate aligning the core strategy, settlement strategy and principal residential zoning functions in a single, integrated development plan process to enable,

- i. Transparency and coherence in the decision-making process, with the full extent of residential zoning set out for the six-year period of the development plan;
- ii. Ensuring certainty by avoiding a scenario whereby lands are not zoned or inappropriately zoned in separate statutory processes;
- iii. Providing clarity, especially where there may be a risk due to the time delay in preparing a number of subsequent local area plans; Enabling planning authority resources to focus on plan implementation and monitoring;
- iv. Enabling local area plan preparation to concentrate on detailed planning for layout, design, community facilities, transport, recreational amenities, etc. at a local level.

In accordance with these provisions, the Draft Plan provides a comprehensive range of zonings objectives that supports a combination of uses, facilitates mixed-use development, compact growth, employment generation and activity within urban centres as well as the provision of community and social infrastructure. The Draft Plan includes two residential zoning objectives that align with the guidelines including RA which seeks to, 'Provide for new residential communities subject to the provision of the necessary social and physical infrastructure' and RS which seeks to, 'Provide for residential development and protect and improve residential amenity' and where these lands have been thoroughly analysed in the context of the Core Strategy, Settlement Strategy with a focus on the sequential approach.

Having regard to the foregoing, the overly specific and narrowly devised zoning objectives as proposed do not align with the provisions of the said Act and specifically the government guidelines relating to Development Plans of which it is a statutory obligation of the Planning Authority to comply. Overall, the comprehensive and standardised list of zoning objectives as set out in the Draft Plan closely aligns with the provisions of the Development Plan guidelines and are considered sufficiently robust to inform and guide sustainable development and proper planning within the County. The Draft Plan also includes comprehensive strategic policies and objectives supporting and facilitating development of the nature proposed.

It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and are Permitted in Principle in zoning objectives including CI-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential and RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and RV. These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required to be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities.

Specifically, objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

Based on the above, sufficient and robust provision for accommodation types exist in the Draft Plan to cater for the elderly within multiple zoning objectives where proposals of this nature can be assessed on a case by case basis in accordance with the relevant zoning objective and vision and normal standard criteria through the Development Management process.

#### **Hotel Provision**

Requests that a site for a hotel is identified in Skerries and rezoned to an appropriate zoning and /or included as a map-based objective.

### **Chief Executive's Response:**

It is noted that extensive provision exists in the Draft Plan across multiple zonings within the Draft Plan to cater for hotel and aparthotel provision which are Permitted in Principle in zoning objectives MC-Major Town Centre, TC-Town Centre and ME-Metro Economic Corridor. Hotel and aparthotel use classes are also open for consideration across a number of zoning objectives including RV-Rural Village, RA-Residential Area and RS-Residential. It is noted that an extensive and consolidated TC-Town Centre zoning exists in Skerries where such proposals can be considered through the Development Management process.

Furthermore, the comprehensive and standardised list of zoning objectives as set out in the Draft Plan closely aligns with the provisions of the Development Plan guidelines as set out earlier in this section of the report and are considered sufficiently robust to inform and guide sustainable development and proper planning within the County. The Draft Plan also includes comprehensive strategic policies and objectives supporting and facilitating commercial and tourism development of the nature proposed in Chapter 7 Employment and Economy of the Draft Plan.

Based on the above, sufficient provision for hotel accommodation exists in the Draft Plan and proposals of this nature can be assessed on a case-by-case basis in accordance with the relevant zoning objective and vision and normal standard criteria through the Development Management process. In this context, the inclusion of a map-based objective or rezoning of this nature is not warranted.

### Map-Based Objective 6

One submission supports map-based objective 6 as set out in the Draft Plan while the vast majority of submissions are opposed to its inclusion in the Draft Plan on the basis of its location within the prominent and sensitive coastal corridor of Skerries that lacks appropriate services including roads infrastructure.

### **Chief Executive's Response:**

Map-based objective 6 seeks to, 'Provide and facilitate the development of "glamping" accommodation allowing for a permanent structure in an associated guest house and a service building.'

The subject lands are located within a sensitive scenic coastal setting within the eastern coastal corridor at Skerries and off the R128 regional road to Rush, where the existing road network is limited. The lands to which this map-based objective relate are zoned HA-'High Amenity' and are designated as a 'highly sensitive landscape' within the Draft Plan. A number of recorded

monuments are shown to be located in the overall general area as set out in the Green Infrastructure Maps appended to this Draft Plan.

The HA zoning objective seeks to, 'Protect and enhance high amenity areas'. The zoning vision seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

In the context of the sensitive and prominent landscape setting of the lands and associated zoning and landscape designations as well as the presence of recorded monuments in the area and the potential for environmental/archaeological assessment and the permanent element of the facility which would render it nugatory in the context of the underlying HA zoning objective and caveat 25 which requires, 'No static mobile homes or permanent structures (unless ancillary to the operation of the campsite shall be permitted), it is considered that map-based objective 6 should be removed from the Draft Plan.

It is noted that within the HA zoning objective, a 'glamping use' is open for consideration in the HA amenity zoning objective. It is also noted by way of CE Recommendation, a campsite use subject to caveat 25 is recommended to remain open for consideration in the HA zoning objective given the highly sensitive nature of the high amenity lands in the County. Based on this context, any development proposals of this nature will be considered on a case-by-case basis and assessed on their own merits in terms of compliance with the overall zoning objective and vision for the lands and relevant objectives in relation to tourism as set out in the Draft Plan, including normal standard planning criteria and any required environmental and archaeological assessments, where required, through the Development Management process. This is considered the most appropriate planning vehicle to assess proposals of this nature informed by a level of analysis required for such a setting.

#### **Chief Executive's Amendment**

An amendment is required to map sheet 5 in relation to an error on Draft Development Plan Map Sheet 5. This relates to a site at Townparks, Skerries and entails amending the zoning from OS to RS.

# **Chief Executive's Response:**

The amendment is to be made to Sheet 5 as outlined above.

### **Chief Executive's Recommendation:**

### **CE SH 5.1:**

Rezone 2.98 ha of RS zoned lands to HA at Holmpatrick.

#### **CE SH 5.2:**

Remove Local Objective 6 as follows:

6 Provide and facilitate the development of "glamping" accommodation allowing for a permanent structure in an associated guest house and a service building.'

#### **CE SH 5.3:**

Insert a map-based school symbol on lands at Loughshinny.

# **CE SH 5.4:**

Rezone 0.014 ha from OS to RS at Townparks, Skerries.

### **MAP SHEET 6A: Lusk**

#### **Submissions Received:**

FIN-C453-33, FIN-C453-34, FIN-C453-41, FIN-C453-62, FIN-C453-282, FIN-C453-388, FIN-C453-392, FIN-C453-505, FIN-C453-534, FIN-C453-540, FIN-C453-627, FIN-C453-629, FIN-C453-664, FIN-C453-665, FIN-C453-719, FIN-C453-720, FIN-C453-775, FIN-C453-793, FIN-C453-851, FIN-C453-873, FIN-C453-933, FIN-C453-938, FIN-C453-946, FIN-C453-998, FIN-C453-1043, FIN-C453-1101, FIN-C453-1102, FIN-C453-1134, FIN-C453-1155, FIN-C453-1186, FIN-C453-1194, FIN-C453-1282, FIN-C453-1285, FIN-C453-1293, FIN-C453-1314, FIN-C453-1321, FIN-C453-1325, FIN-C453-1696, FIN-C453-1698, FIN-C453-1699, FIN-C453-1905, FIN-C453-1907

# **Summary of Issues**

# **Residential Rezonings**

A number of submissions were received which requested the rezoning of significant tracts of lands in and around Lusk from RU - Rural to RS - Residential or RA - Residential Area to facilitate additional residential development. The submissions received related to the following sites in Lusk and the surrounding area:

- lands to the East of Lusk to Rush and Lusk Train Station
- lands to the west of Lusk at Kilhedge
- lands to the west of Lusk at Quickpenny Road
- lands to the south of Lusk at Chapel Farm
- lands to the south of Rush at Racecourse Commons
- lands to off Skerries Road at Greatcommon
- lands at Racecourse Commons.

#### **Chief Executive's Response:**

The contents of the submissions requesting rezoning to facilitate additional residential development in Lusk and the surrounding area are noted. In response, it is important to acknowledge that the quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy.

The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines.

In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning,

December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy.

An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6-year life of this Plan.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

# **Rezoning for Open Space**

Several submissions were received requesting the rezoning of an area of land in the vicinity of the Orlynn Park and the Forge Development from residential RS to OS to reflect the current use of these lands by local people. Another submission called for the rezoning of a small area of land near the Station Road roundabout in Lusk to allow for its use as a community space. A small number of other submissions called for the rezoning and reuse of an area of what are described as derelict RU lands at Dún Emer / Kilhedge Lane on the southwest edge of Lusk.

#### **Chief Executive's Response:**

The lands in the vicinity of Orlynn Park and Forge Residential Development referred to in the submission is a currently an area of flat grass lands and are lands are currently zoned RS (Residential).

These lands have been zoned for residential use since the 1999 Development Plan. Lusk, identified as a Self-Sustaining Town has grown in recent years from a village to a small town. It is important to conserve and enhance the unique character of the town core, consolidate the planned growth and ensure that the level of retail and local services concentrated in and adjacent to the town core grows to serve the expanding town population. Existing and future

development will be consolidated within well-defined town boundaries and the distinct physical separation of Rush and Lusk will be maintained.

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. The purpose of the Core Strategy is to guide the spatial direction of future development and regeneration in the County in line with the principles of compact growth.

The subject lands have been included in the Core Strategy for the Draft Plan. The subject site is appropriately located residentially zoned land which is within the defined development boundary of Lusk. The lands are adjacent to existing residential developments and Open Space. The site's location provides it with accessibility to the R127, bus routes and the town centre and would facilitate a small housing scheme providing options for families requiring social housing, right sizing and/or housing for the elderly, whilst protecting the amenity value of the adjoining open space.

With regard to the other areas of open space referred to in other submissions, the objective of land use zoning category OS – Open Space is to preserve and provide for open space and recreational amenities. The vision for this objective is to provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.

In addition, Chapter 4 of the Draft Plan 'Community Infrastructure and Open Space provides detailed information and guidance in relation to the provision of high-quality open spaces in Fingal having regard to the Council's 2015 "Keeping It Green, An Open Space Strategy for Fingal". The approach set out in the Draft Development Plan seeks to achieve high quality open space by following five principles of open space provision namely: hierarchy; accessibility; quantity; quality and private open space.

Having regard to this overall approach to open space set out in the Draft Development Plan, it is considered that the designation of small areas of open ground of the type referred to in the submissions as OS 'Open Space' would represent a piecemeal approach to the overall provision of high quality, open space and recreational amenities in the County.

### **Rural Rezonings**

A submission was received requesting the rezoning of RU - Rural zoned lands to RC - Rural Cluster use at Commons in Lusk to RC.

#### **Chief Executive's Response:**

There are currently thirty-seven existing Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide

an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

The submissions propose residential development while there is capacity remaining in the adjoining town of Lusk which has ample supporting infrastructure, services and amenities. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of greenbelt lands of which it is Council policy to protect.

Furthermore, the current FDP 2017-2023 and the Draft Plan is explicit in the protection and promotion of the value of the rural area of Fingal and the Council is firmly committed to the continued protection of this valuable resource that cannot be continually eroded. The consequential impact of the gradual erosion of the agricultural and finite resource from additional housing is discussed in detail in Chapter 3 Sustainable Placemaking and Quality Homes and at Section 3.5.15 of the Draft Plan and supportive policy and objectives are included in this regard as follows:

Based on the above, the proposed rezoning of lands from 'rural to a 'rural cluster' at t these locations are not considered acceptable and would be contrary to proper planning and sustainable development of the area. To allow this change would seriously undermine the accepted and established Rural Settlement Strategy which is considered fair and reasonable, would seriously contravene the zoning objective and vision for greenbelt lands of which it is Council policy to protect and would have serious impacts for the proper planning and sustainable development of rural Fingal.

# **Rezoning for Employment Uses**

Two submissions were received which requested amendments to the existing RU Rural land use zonings of lands in the vicinity of Ballough Rural Cluster to the west of Lusk to allow for employment uses having regard to existing uses on site. One of these called for land to be rezoned to allow for GE General Employment or FP or Food Park uses, with the other submission requesting a change to RB Rural Business zoning.

#### **Chief Executive's Response:**

Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents.

A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, to facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.

In addition, Policy EEP2 of the Draft Plan relating to general employment lands seeks to maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible.

Table 7.1 of the Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors.

The locations for future employment in Fingal is informed by the requirements of the NPF and the RSES. The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns.

'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal.

The findings of this study shows that there is a more than adequate quantum of employment zoned lands including general employment lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

Having regard to the approach to employment lands adopted in the Draft Development Plan as set out above, it is considered that the proposals to change the existing land use zoning at the locations in question would result in a piecemeal, un-coordinated, ad-hoc provision of unsustainable employment lands and that the proposed zoning would be in breach of key objectives of the Draft FDP 2023-2029 to protect channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure.

## The Ongoing Development and Growth of Lusk and Surrounding Areas

A number of submissions were received which raised general points in relation to the overall development of Lusk and the surrounding area in the context of Fingal as a whole. These submissions, including one from the Ethelstown/Rathartan Community group referred to a number of different issues including:

- the provision of sufficient housing at appropriate densities in Lusk,
- the ongoing growth of Lusk and the need to prevent sprawl and to provide sufficient community facilities and infrastructure;

#### **Chief Executive's Response:**

As set out in the Settlement Strategy for Fingal in Section 2.7 of the Draft Plan, Lusk is designated as a Self-Sustaining Town which require contained growth, focusing on driving investment in services, employment growth and infrastructure whilst balancing housing delivery. This growth is to be achieved by encouraging infill development and compact growth rather than greenfield development and by intensification at appropriately identified locations.

At the same time the Draft Development Plan recognises and seeks to protect the unique identity of the key growth towns while recognising that they require contained growth, focusing

on driving investment in services, employment growth and infrastructure while also balancing housing delivery.

With regard to sprawl and density, the Draft Development Plan seeks to guide the spatial direction of future development and regeneration in the County in line with the principles of compact growth. The Draft Plan compact growth and consolidation of Fingal's large urban areas, towns and villages and will support appropriate densities as expressed in national and regional policies NPF, RSES and the Section 28 Guidelines

Furthermore, it should be noted that the Draft Plan contains a specific policy aimed at preventing sprawl in this area in the form of Objective CSO58 – Maintenance of Distinct Physical Separation – Lusk, Rush and Malahide "Ensure that existing and future development within the settlements of Lusk, Rush and Malahide is consolidated within well-defined town boundaries to maintain their distinct physical separation.

# The Provision of Community Facilities and Infrastructure

A number of submissions were received in relation to the provision of community and recreational facilities and infrastructure in Lusk and the surrounding area as shown on Sheet 6A. These submissions included calls for the provision of additional facilities including a sports and recreation hub, a swimming pool, an athletics facility, a library, drinking fountains, playing pitches, the provision of more facilities for older and for younger people including playgrounds. Submissions also referred to the possible use of historic but underused structures in the area to provide for community facilities.

### **Chief Executive's Response:**

The content of the submissions are noted, and the Chief Executive acknowledges that community or social infrastructure within a County plays a hugely significant role in facilitating spaces where citizens can come together to meet, enjoy group activities, find social support and public information, exercise and enjoy nature amongst other uses.

Such facilities promote activity across all ages and promote inclusion, bringing together diverse groups of people from within the community. As the County grows, Fingal County Council continues to provide a range of facilities which support the provision of valuable community infrastructure in existing and new communities.

While the delivery of community and social infrastructure is the responsibility of a number of stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In addition, the Council will continue to work with public and private stakeholders to provide facilities throughout the County.

As Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area. The Council also recognises and will draw upon the work/studies that local communities carry out including the "Lusk Vision 2030: Lusk for Life' is a unique community-led action plan for Lusk town

In addition, the Draft Plan, aided by Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and

resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

It should also be noted that additional detailed responses to submissions on community and recreational infrastructure are provided in the section of this report which addresses submission on Chapters 3 and 4 of the Draft Development Plan.

# **Connectivity and Movement**

Several submissions were received in relation to transportation and mobility issues in Lusk and the surrounding area. Issues raised include the provision and operation of distributor and ring roads, bus services, traffic calming and speed bumps, road safety in general as well as the provision of cycle and pedestrian routes including greenways.

### **Chief Executive's Response:**

Chapter 6 'Connectivity and Movement' of the Draft Development Plan provides detailed information, policies and objectives relating to the transportation and mobility from spatial planning perspective. This includes details of roads and transportation schemes to be delivered across the County as well as infrastructure to enable more active and sustainable forms of travel. In the case of Lusk a key piece of such infrastructure includes the Lusk/Rush (via Rogerstown Park) greenway projects to be progressed during the lifetime of the Development Plan. Details of such projects are shown on Sheet 6A as well as on the Green Infrastructure maps which accompany the Plan.

With regard to the provision of specific projects, it should be noted that the Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided. As a result, the delivery of location specific projects are more appropriately considered within the context of a capital or works programme to be prepared by specific departments within the Council.

### Infrastructure and Utilities

A submission was received requesting the upgrading and extension of water services infrastructure in the area in order to link lands at the Corduff Rural Cluster to the southwest of Lusk the public network.

#### **Chief Executive's Response:**

Chapter 11 of the Draft Development Plan sets out a range of policies and objectives to address a wide range of supporting infrastructure and services, including improvements in water services, water quality, the promotion of sustainable waste management in our transition to a circular economy, diversity in our energy supply and improved energy efficiency, enhanced digital connectivity and SMART technologies, and a holistic approach to flood risk and surface water management, while safeguarding environmental quality and providing for climatic resilience.

Although the chapter states that the location and delivery of both regional and local infrastructure is necessary to ensure that Fingal's Settlement Strategy is successful and that its economy can thrive as part of a wider city region, it is does not fall within the scope of this

chapter of the Draft Plan as a whole to recommend specific connections to localised water supply infrastructure.

# **Map Based Objectives**

A number of submissions were received requesting the inclusion, removal or amendment of map-based objectives on Draft Development Plan Map Sheet 6A.

### Development of Community Facility at Minister's Road

A submission was received in relation to lands at Lusk/Ministers Road, requesting that Objective Lusk 11 is retained in the new Development Plan to ensure the development of a community facility at aforementioned location or in the town of Lusk.

### **Chief Executive's Response:**

The content of this submission is noted and Fingal's acknowledges the importance of having a strong network of community centres in both established and growing communities which offer a wide range of facilities and services.

It is recognised that the community or social infrastructure within a County plays a hugely significant role in facilitating spaces where citizens can come together to meet, enjoy group activities, find social support and public information, exercise and enjoy nature amongst other uses. Such facilities promote activity across all ages and promote inclusion, bringing together diverse groups of people from within the community. As the County grows, Fingal County Council continues to provide a range of facilities which support the provision of valuable community infrastructure in existing and new communities.

While the delivery of community and social infrastructure is the responsibility of a number of stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In addition, the Council will continue to work with public and private stakeholders to provide facilities throughout the County. As Fingal continues to grow in line with projected population, it is proposed over the lifetime of this Plan to undertake an audit of community infrastructure which will provide direction in terms of future investment in this area.

While there are no current plans in the Capital Budget to provide a community hall in Lusk, it should be noted that Draft Plan objective CIOSO2 – 'Community Centres' aims to support the provision of new community centres and facilitate the refurbishment and extension of facilities where there is a need for such works. Such facilities shall be accessible by a range of travel modes with an emphasis on walking, cycling and public transport use, while providing limited car parking facilities to meet anticipated demand of non-local visitors to the centre.

The policies and objectives set out in the Draft Plan are strategic in nature with broad applicably and are considered sufficiently robust to promote, support, develop and enhance the development of a community centre in Lusk. In this context, it is not considered necessary to insert a mapped based Local Objective in this regard.

#### Removal of School Objective on Lands at Station Road/Rathmore Lusk

A submission was received in relation to lands at Station Road/Rathmore, Lusk which seeks removal of map-based objective for a school. The submission states that a new school has been

constructed on northern side of R127 and suggests that the inclusion of the objective may possibly be a mapping error.

### **Chief Executive's Response:**

Due to the overall potential for growth in the settlement of Lusk and the surrounding areas, it is not considered appropriate to remove the map based objective for a school at that location. It should be noted that the overall approach to the identification of school sites, including those in Lusk has been developed in consultation with the Department of Education.

### The Provision of Additional Infill Housing on Lands at Raheny, Lusk

Three submissions were received in relation to different sites shown on maps within a larger landholding at Raheny, Lusk. The submissions request map-based objectives to provide for 'sensitively designed and located' infill housing (including one with/for 'paraplegic/disabled accessibility').

### **Chief Executive's Response:**

Rural Fingal can be classified as an area under "Strong Urban Influence" due to its location in proximity to Dublin City, major urban centres and important transport corridors. Accordingly, Fingal's Rural Housing Strategy seeks to achieve a balance in terms of promoting sustainable rural development while also ensuring the protection of Fingal's rich rural heritage, its landscapes and countryside, in line with national and regional policy.

Both the NPF and RSES (with reference to NPO 19 and RPO 4.80 respectively) require that a distinction is made between areas under urban influence i.e., within the commuter catchment of cities and large centres of employment and ensure that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans, having regard to the viability of smaller towns and rural settlements.

The Sustainable Rural Housing Guidelines for Planning Authorities published in 2005 seek to support housing development patterns in rural areas that are sustainable and require Planning Authorities to ensure that the needs of rural communities are identified through the Development Plan process.

Updated and revised Guidelines are proposed by the Department of Housing, Planning and Local Government, however there is no date at present for when these Guidelines will be published. Fingal County Council is awaiting the publication of such Guidelines before carrying out a full review of its rural housing policy.

Accordingly, in order to protect the finite rural resources of Fingal and to ensure the sustainable growth and vitality of existing towns, Rural Villages and Clusters, the Draft Plan promotes policies necessary to restrict urban-generated "one-off" housing and only facilitate genuine and bona fide cases for new residential development within the County's rural areas. Rural development in the first instance will be directed to Fingal's towns, Rural Villages and Rural Clusters.

The Rural Housing Strategy in the Draft Development Plan reflects the policy as set out in the current FDP 2017-2023 and as outlined above in the NPF, RSES and Ministerial Guidance. The policy as it stands recognises the need to provide for housing for the rural community but limits the amount of housing in the open countryside and provides for alternative options within the

rural area either in the villages or in rural clusters as a more sustainable and suitable location for rural generated housing.

Allowing certain individuals to be excluded from this policy would contradict this overall approach and would be contrary to the proper planning and sustainable development of the area. The insertion of new local objectives to allow for single dwelling houses, if adopted, would allow the sale of sites on the open market, thereby opening up the possibility of urbangenerated housing development on these sites.

The inclusion in the Draft Fingal Development Plan of specific local objectives facilitating the development of rural housing outside of the provisions of the rural housing strategy would thus run counter to national and regional policy, as set out in the NPF and RSES.

It is also noted that the inclusion of a map based Local Objective, which may be at odds with (i.e. not consistent with) the policies, objectives and guidelines contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge.

Therefore, the inclusion of the proposed local objective to provide for one dwelling house at this location would conflict with the policy and guidance outlined above. The exemption of certain sites from compliance with the relevant policies and guidelines would lead to an increase in the number of houses being developed in the rural area, resulting in inappropriate and unsustainable settlement patterns and as such would be contrary to proper planning and sustainable development.

### **Provision of Swimming Pool Facilities**

A submission was received which referred to the provision of swimming pool facilities and proposed that the new Development Plan provides for a Local Objective for a public swimming pool in the area.

#### **Chief Executive's Response:**

The need for additional community facilities including more public swimming pools is noted. However, at a strategic level it is not considered appropriate to specify or list all types of recreational and/or sporting facilities to be provided by the Council at this stage of the planmaking process or indeed to insert a new local objective for a specific use such as a swimming pool at a particular location.

The development management process allows for the assessment on a case-by-case basis the detail of a particular proposal, to ensure that the necessary infrastructure is provided at the correct location and at the most appropriate time. This is especially relevant in the provision of education facilities and large scale physical and recreational / sporting infrastructure, including swimming pools.

The Draft Plan, aided by the Local Area Plan and Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The National Sports Policy

2018- 2027 recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a long-term planned approach to facility management, investment and addressing future needs.

In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk. The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. One of the key objectives was to identify a gap and needs analysis, focusing on what is required in the study area in order to develop and maintain facilities.

A similar audit will be carried out for the remainder of the County during the lifetime of this Plan. Fingal County Council is also pioneering the provision of Active Recreational Hubs strategically located in parks and open spaces around the County. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015.

Through place-making, which is advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the development of adequate housing, retail, leisure, and employment uses, quality public realm, community facilities, design and standards and open space throughout the County. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

The Council will also continue to implement the Development Contribution Scheme as it relates to the improvement of existing recreation and leisure facilities and the funding of new recreational and leisure facilities. The need for additional and extended community facilities within the County is kept under active review, based on the findings from our Sports and Recreation Facilities Audits.

Through compact growth and in line with the Core Strategy set out in Chapter 2 of the Draft Plan, the provision of key social and leisure infrastructure will be provided at locations where they are most required. The Council will continue to provide a diverse, network of attractive, sustainably managed open spaces to enhance the quality of life of the citizens of Fingal. Given the strategic nature of the Development Plan, to identify specific sites for a swimming pool at this time would also be premature pending the preparation of a Sports and Recreation Facilities Audit for the wider area.

Furthermore, the Community Development Department have opened a dialogue with Swim Ireland with a view to incorporating best practice on swimming facilities into a wider review of sports and recreation facilities within the Fingal County Council area. It is intended to commence the review by the middle of this year and aim to have review completed by the end of 2022. The review is being undertaken against the backdrop of a potential national policy/strategy review by the Department of Sport whereby it is anticipated that further direction will emerge nationally on the provision and funding of swimming pool facilities.

### **Chief Executive's Recommendations**

No change recommended.

### **MAP SHEET 6B: Rush**

#### **Submissions Received:**

FIN-C453-84, FIN-C453-140, FIN-C453-161, FIN-C453-163, FIN-C453-164, FIN-C453-165, FIN-C453-203, FIN-C453-209, FIN-C453-213, FIN-C453-364, FIN-C453-412, FIN-C453-415, FIN-C453-418, FIN-C453-649, FIN-C453-671, FIN-C453-684, FIN-C453-687, FIN-C453-690, FIN-C453-701, FIN-C453-714, FIN-C453-721, FIN-C453-725, FIN-C453-769, FIN-C453-943, FIN-C453-946, FIN-C453-947, FIN-C453-955, FIN-C453-961, FIN-C453-967, FIN-C453-984, FIN-C453-1052, FIN-C453-1089, FIN-C453-1115, FIN-C453-1122, FIN-C453-1127, FIN-C453-1131, FIN-C453-1186, FIN-C453-1269, FIN-C453-1276, FIN-C453-1301, FIN-C453-1302, FIN-C453-1309, FIN-C453-1316, FIN-C453-1318, FIN-C453-1325, FIN-C453-1673, FIN-C453-1679, FIN-C453-1683, FIN-C453-1779, FIN-C453-1947

### **Summary of Issues**

# **Residential Rezonings**

A number of submissions were received requesting land use zoning changes to sites and lands to facilitate the residential development or to reflect existing residential uses. Several submissions requested changes to existing HA – High Amenity land use zonings to RA – Residential Area, RS, Residential or RU – Rural on a number of sites including:

- lands with an existing house at White Rock, North Beach, Rush (HA TO RA/RS/RU)
- a number of properties on lands in the South Shore Road and Linkside areas of Rush close to the coast (HA to RU)
- lands on the eastern side of the Skerries Road in the vicinity of Clifflands in northern Rush (HA to RU).

Several of the submissions relating to the change from HA zonings in the South Shore area of Rush also requested the removal of a local objective in order to facilitate infill residential development. In addition to request to change the existing HA zoning, a number of submissions were received requesting changes in existing RU – Rural zonings in relation to the following sites/locations:

- a number of sites to the north and south of Palmer Road to the west of Rush village (RU to RA/RS)
- lands at Beau Hill to the east of Rush and Lusk Train Station (RU to RA)
- lands adjacent to the existing St. Catherine's Residential Estate in Rush (RU to RS)
- lands at Channel Road, Rush (RU to RS).

Another submission relating to changes to existing zoning for additional residential development requested the rezoning of lands at Rathartan to the west of Rush from RU – Rural to RC – Rural Cluster in order to create a new Rural Cluster. Finally, several submissions were received requesting changes from the employment related RB – Rural business land use zoning to either RA – Residential Area or RS – Residential for lands at Hayestown, West of Rush.

#### Chief Executive's Response:

With regard to the requested changes from HA to RA/RS/RU, it should be noted that the Objective of 'HA' zoned lands is to 'Protect and enhance high amenity areas.' The vision for 'HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate

development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.

These high amenity areas and particularly the coastal corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value.

The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County.

With regard to the requested changes from RU to RA/RS, the RU-Rural zoning objective seeks to, 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.' The associated vision seeks to, 'Protect and promote the value of the rural area of the County. This rural value is based on: agricultural and rural economic resources, visual remoteness from significant and distinctive urban influences as well as a high level of natural features.

Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.'

The Council is fully committed to the continued protection of the agricultural sector and the preservation of agricultural land within the County in accordance with the RU zoning objective and vision.

With regard to the designation of additional Rural Clusters or the expansion of existing Rural Clusters, it should be noted that there are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need.

These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

The requested change in zoning of lands to designated new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the Draft Plan and consider issues such as need, policy context, capacity of water, drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations.

The recently published Development Plans Guidelines for Planning Authorities June 2022 relating to zoning for residential development acknowledges the spatial pattern of the growth of

settlements, often along radial access routes, characterised by ribbon and low-density development, has served to 'lock-in' extremely high levels of car dependence and render settlements too spread out and incoherent to pursue active travel and has resulted in the decline of town and village centres. In undertaking the zoning function for new residential development at individual settlement scale, Planning Authorities are required to adopt a sequential approach whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently which reflects the compact growth, utilisation of existing infrastructure and regeneration based on national and regional policy guidance of the NPF and RSES.

Finally, with regard to the provision of additional residential lands in the area, the Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at the above-mentioned locations to 'RS' or 'RA' is clearly not based on need and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-29, as set within the context of the NPF and RSES.

# **Other Rezonings**

A number of submissions were received which requested other changes to existing land use zonings as follows:

- a request to change existing HA High Amenity lands adjacent to the Martello Tower in Rush to CI Community Infrastructure (HA to CI)
- a number of requests to change lands adjacent to existing development at Palmer Avenue / Palmer Road from RS – Residential to OS – Open Space
- a number of requests to change the existing HA High Amenity and RU Rural uses at Drumanagh, Rush to allow for the development of an interpretive centre (RA/RS to CI).
- a statement from the Department of Education requesting that a site at Kenure should be zoned CI Community Infrastructure to facilitate the development of a school at that location (RA/RS to CI).

#### Chief Executive's Response:

With regard to the submission relating to the change of use of lands adjacent to the Martello Tower in Rush, it should be noted that the vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

In addition to the sensitive nature of the overall site of the Martello Tower, as a protected structure and recorded monument, the Tower itself warrants high levels of protection in order to ensure that inappropriate development does not take place in its vicinity. At the same time, the Council is aware of the potential to encourage the sensitive use of the site in the interests of the local community and has commenced a community consultation process explore the potential for the future sensitive use or reuse of the tower and the surrounding area. It is therefore not considered appropriate to include or propose any specific changes to the zoning or uses for the Martello Tower until this consultation exercise has been completed in full.

With regard to the areas of open space referred to in the submissions received, the objective of land use zoning category OS – Open Space is to preserve and provide for open space and recreational amenities. The vision for this objective is to provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.

In addition, Chapter 4 of the Draft Plan 'Community Infrastructure and Open Space provides detailed information and guidance in relation to the provision of high-quality open spaces in Fingal having regard to the Council's 2015 "Keeping It Green, An Open Space Strategy for Fingal". The approach set out in the Draft Development Plan seeks to achieve high quality open space by following five principles of open space provision namely: hierarchy; accessibility; quantity; quality and private open space.

Having regard to this overall approach to open space set out in the Draft Development Plan, it is considered that the designation of small areas of open ground of the type referred to in the submissions as OS 'Open Space' would represent a piecemeal approach to the overall provision of high quality, open space and recreational amenities in the County.

With regard to the statement from the Department of Education relating to the zoning of lands for school development in Kenure, it should be noted that the site in question has been zoned for CI – Community Infrastructure with a map-based schools objective.

# The Ongoing Development and Growth of Rush and Surrounding Areas

A significant number of submissions were received in relation to the overall issue of the ongoing development and growth of Rush and the surrounding area as shown on Map Sheet 6B. Issues raised in these submissions included:

- the overall population growth of the town and the need to provide for more housing and residentially zoned land in the area (including infill housing for older people) as well as the suitability of the area for apartment development
- the need to maintain separation between Rush and Lusk and to prevent excessive development in the vicinity of the Rush and Lusk Train Station.
- the need to protect the traditional horticultural economic activities in the area
- the need to protect the character of Main Street Rush, to combat dereliction, provide adequate numbers of bins and to support local businesses and vendors in the town.

A small number of submissions were received which raised the related issues of tourism and the economic development of Rush and the surrounding area. These submissions referenced the need to implement the recommendations of the Urban Framework Plan for Rush, the potential for the regeneration of Rush Harbour, and the possibility of organising a food festival in the area.

#### Chief Executive's Response:

As set out in the Settlement Strategy for Fingal in Section 2.7 of the Draft Plan, Rush is designated as a Self-Sustaining Town which require contained growth, focusing on driving investment in services, employment growth and infrastructure whilst balancing housing delivery. This growth is to be achieved by encouraging infill development and compact growth rather than greenfield development and by intensification at appropriately identified locations.

At the same time the Draft Development Plan recognises and seeks to protect the unique identity of the key growth towns while recognising that they require contained growth, focusing on driving investment in services, employment growth and infrastructure while also balancing housing delivery.

It should be noted that the other issues raised above are addressed in earlier sections of this Chief Executive's Report which provide responses to submissions in relation to various chapters of the Draft Development Plan including Chapter 2 'Planning for Growth', Chapter 3 'Sustainable Placemaking and Quality Homes', Chapter 7 'Employment and the Economy' and Chapter 14 'Development Management Standards'.

# **Community Infrastructure and Open Space**

A number of submissions were received relating to the provision of adequate recreational facilities (including Harbour related activities) and social and community infrastructure (including schools) to cater for the needs of all members of the local community.

Several submissions included specific recommendations relating to the development of the Harbour and other coastal amenity areas including the development of a marina for Rush, of a tidal pool for sea swimmers, of a new recreational hub, and for the provision of additional changing facilities etc. Submissions also raised the possibility of reusing Knockdromin House for community uses or the development of a recreational hub. The extension of Whitestown Cemetery was also referenced. In addition, submissions were received relating to the potential use of the existing site of St. Joseph's school for community uses.

### Chief Executive's Response:

The content of the submissions are noted, and the Chief Executive acknowledges that community or social infrastructure within a County plays a hugely significant role in facilitating spaces where citizens can come together to meet, enjoy group activities, find social support and public information, exercise and enjoy nature amongst other uses.

Such facilities promote activity across all ages and promote inclusion, bringing together diverse groups of people from within the community. As the County grows, Fingal County Council continues to provide a range of facilities which support the provision of valuable community infrastructure in existing and new communities.

While the delivery of community and social infrastructure is the responsibility of a number of stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In addition, the Council will continue to work with public and private stakeholders to provide facilities throughout the County.

In addition, the Draft Plan, aided by t Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

In this respect, it should be noted that a Sports and Recreation Facilities Audit was carried out for the local electoral areas of Balbriggan, Swords, Rush-Lusk, February 2021 to develop a

comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area,

With regard to the specific request for a masterplan for the site of St. Joseph's primary school in Rush, given the existing and ongoing school-use on site, its relatively small size and also having regard to the existing, identified sites for community infrastructure in the area, it is not considered appropriate to rezone these lands at this time.

It should also be noted that additional detailed responses to submissions on community and recreational infrastructure are provided in the section of this report which addresses submission on Chapters 3 and 4 of the Draft Development Plan.

# **Connectivity and Movement**

Submissions were received which raised the issues of connectivity and movement in and around Rush and the surrounding area as shown on Sheet 6B. Specific matters raised in these submissions include:

- existing and future traffic levels and the need for additional roads (including a western bypass road for Rush) and road upgrades, speed bumps and resurfacing in the area (including to the R128)
- the provision of routes for active travel including walkways and cycleways including walkways along the Brook Stream, a cliff walk from Loughshinny Beach to Drumanagh and the Rogerstown Cycleway
- support for and opposition to the provision of a pedestrian bridge at Brook Stream
- the provision of improved public transportation including better links to Dublin City, a new railway station as well as a shuttle bus for the area.

### Chief Executive's Response:

Chapter 6 'Connectivity and Movement' of the Draft Development Plan provides detailed information, policies and objectives relating to the transportation and mobility from spatial planning perspective. This includes details of roads and transportation schemes to be delivered across the County as well as infrastructure to enable more active and sustainable forms of travel.

With regard to the provision of specific projects, it should be noted that the Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided. As a result, the delivery of location specific projects are more appropriately considered within the context of a capital or works programme to be prepared by specific departments within the Council.

It should be noted with regard to Rush, that the Draft Development Plan includes Objective CSO61 – Assessment to Inform Future Transportation Needs of Rush which is to "carry out an assessment to inform the future transportation needs of Rush. This may include the feasibility of providing a Distributor Road to the west of Rush."

# Heritage

Submissions relating to the topic of heritage included references to the public consultation which has been ongoing in relation to the development of the Mill Bank Windmill in Rush.

Submissions have been received which expressed opposition to but also for support for the development of a viewing platform on the site.

### Chief Executive's Response:

As outlined above, the Council is aware of the potential to encourage the sensitive use of the Martello Tower and its attendant site in the interests of the local community and has commenced a community consultation process explore the potential for the future sensitive use or reuse of the tower and the surrounding area.

### Infrastructure and Utilities

The issue of coastal erosion, flooding and the construction of coastal flood protection measures was raised in a small number of submissions. These submissions include calls for the timely completion of floodwalls as well as the Rogerstown Coastal Flood Relief package.

### **Chief Executive's Response:**

Chapter 11 of the Draft Plan provides detailed information, policies and objectives relating to flooding and coastal protection in Fingal. This issue is also addressed in detail in the earlier section of this report which responds to the points raised by submissions on Chapter 11.

# **Map Based Objectives**

A number of submissions were received requesting the inclusion, removal or amendment of map-based objectives on Draft Development Plan Map Sheet 6B.

#### **Local Objective 21**

A small number of submissions were received seeking the removal of Local Objective 21 in the South Shore area of Rusk in order to reflect the established uses in the area and to provide, to facilitate residential infill and to facility the family housing needs of existing property owners.

#### **Chief Executive's Response:**

The South Shore area of Rush consists mainly of small landholdings with a mixture of market gardening and single and cluster housing. The pattern of development is increasingly residential with a road infrastructure which is limited in terms of modern requirements, but which forms part of the overall rural residential character of the area. The location also borders Rogerstown Estuary, which hosts two Natura 2000 sites, Rogerstown Estuary SAC and Rogerstown Estuary SPA. Certain areas of the South Shore are also prone to flooding and are at risk from coastal erosion.

The lands at the South Shore area are zoned Rural (RU), where the objective is to Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage. Residential development in the area is subject to Section 14.12.11 (Chapter 14) and all relevant criteria as set out in Chapter 3 (Section 3.5.15.8 - South Shore Rush)

Housing will be considered for persons who have been resident in the South Shore, or within the development boundary of Rush or within one kilometre by road of either of these areas for a minimum of ten years, subject to sustainable planning and consideration of climate change impacts.

Housing will also be considered for a mother, father, son or daughter of a resident who qualifies. Houses will be sympathetic to the rural and coastal character of the area. Given the sensitivities of the area, because of its location adjacent to the coast and to Rogerstown Estuary, there will be a requirement on applicants to demonstrate that any proposed new development will not be at risk of flooding or erosion and will not negatively impact, either directly or indirectly, the designated sites within Rogerstown Estuary.

Applications for multi-unit schemes will not be permitted. Appendix 8 of the CE Draft Development Plan contains the following Map Based Local Objective relating to the South Shore area of Rush: Objective 12 seeks to 'Ensure that any new residential development in the South Shore, indicated on the map by a boundary line, is in compliance with the specific housing policy relevant to the South Shore area'.

As such, it is considered that the removal of Local Objective 21 would be contrary to the rural housing policy for this area and therefore would not be in accordance with the proper planning and sustainable development of the area.

#### School Site at Rush

A submission was received in relation to the current inclusion of a 'Proposed School Site' objective on lands at Goldenridge, Rush. The submission states that this objective is no longer merited and provides confirmation from the Department of Education from January 2022 that the Department no longer requires a school on the site.

### **Chief Executive's Response:**

This submission requesting the removal of the proposed school site at Goldenridge is noted and agreed. It is recommended that this 'proposed school site' be removed from these lands at Goldenridge, Skerries Road, Rush.

### Construction of a New Hotel

A submission was received with regard to lands along Skerries Road, Rush requesting the inclusion of a new map based Local Objective requested to 'Facilitate the construction of a new hotel.'

#### **Chief Executive's Response:**

This submission requesting the inclusion of a new map based Local Objective to facilitate the construction of a hotel is noted. The subject lands are located north of Rush Main Street and are included within zoning objective "HA" - High Amenity, which seeks to, 'Protect and enhance high amenity areas.'

The vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The areas within the County that are covered by the HA- High Amenity zoning objective include the Coastal Corridor lands at Rush. These high amenity areas and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage.

The sensitive development and conservation of these environmental resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance must be achieved between new development and the on-going need to protect its high landscape value.

It is noted that a 'hotel use' is open for consideration within this zoning objective. In this context, any development proposals of this nature will be considered on a case-by-case basis and assessed on their own merits in terms of compliance with the overall zoning objective and vision for the lands, relevant objectives of the Draft Plan in relation to the 'town centre first' approach which is a key strategic objective of this plan to revitalise our town and villages as well as tourism objectives, and any required environmental and archaeological assessments through the Development Management process.

In the context of the zoning objective and landscape designations and relevant policy and objectives of the Draft Plan, the insertion of a local objective at this location is considered premature pending a level of analysis on an individual basis for a proposal of this nature through the Development Management process.

#### Public Car Park and Visitor Facilities

A submission was received which requests amendments to the Draft Plan to facilitate the provision of public car park and visitor facilities (including car park, visitor information centre, toilets, pedestrian routes, signage) on a site near Drumanagh Promontory Fort at Loughshinny. Although the submission does not specifically state that a map-based objective is requested, this request is addressed as such below. It should be noted that this issue is also addressed in the 'Other Rezonings' section above.

#### **Chief Executive's Response:**

This submission is seeking the provision of a car park and visitor facilities on lands near Loughshinny. The lands at this location are currently zoned Objective "RU" - Rural, which seeks to: 'Protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.' The lands to the north and south are zoned HA – High Amenity.

The vision for RU zoned lands is to: 'Protect and promote the value of the rural area of the County. The value of such lands is related to agricultural and rural economic resources, visual remoteness from significant and distinctive urban influences, a high level of natural features. agriculture and rural related resources will be employed for the benefit of the local and wider population.

Building upon the rural value requires a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.'

A car park facility (non-ancillary) is not permitted within the RU zoning objective. Certain tourist related uses may be considered to be 'open for consideration' within 'RU' zoned lands. It is considered therefore that any future application for such a use will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan and having regard to the proper planning and sustainable development of the area.

The submission makes reference to this car park and visitor facility as serving Drumanagh Promontory Fort. As a National Monument and one of the most significant Iron Age promontory forts in Ireland any proposals for such facilities must be in the context of the implementation of the Drumanagh Conservation and Management Plan and must secure Ministerial Consent.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge.

The inclusion of such a local objective to provide for a car park and visitor facility at this location cannot be justified on the matters outlined above and would be contrary to the proper planning and sustainable development of the area.

### **Chief Executive's Recommendations**

#### **CE SH 6B.1:**

Remove 'Proposed School Symbol' from lands at Golden Ridge, Skerries Road, Rush.

### MAP SHEET 7: Donabate-Portrane

### **Submissions Received:**

FIN-C453-110, FIN-C453-174, FIN-C453-193, FIN-C453-280, FIN-C453-390, FIN-C453-404, FIN-C453-410, FIN-C453-508, FIN-C453-568, FIN-C453-579, FIN-C453-588, FIN-C453-626, FIN-C453-713, FIN-C453-716, FIN-C453-729, FIN-C453-752, FIN-C453-754, FIN-C453-767, FIN-C453-768, FIN-C453-774, FIN-C453-779, FIN-C453-802, FIN-C453-924, FIN-C453-971, FIN-C453-977, FIN-C453-981, FIN-C453-986, FIN-C453-996, FIN-C453-1023, FIN-C453-1045, FIN-C453-1071, FIN-C453-1120, FIN-C453-1127, FIN-C453-1148, FIN-C453-1174, FIN-C453-1186, FIN-C453-1202, FIN-C453-1222, FIN-C453-1228, FIN-C453-1287, FIN-C453-1672, FIN-C453-1701, FIN-C453-1702, FIN-C453-1704, FIN-C453-1777, FIN-C453-1784

### **Summary of Issues:**

# **Residential Zoning Requests**

A number of submissions were received requesting changes to the land use zoning of lands in order to facilitate additional residential development. Submissions which requested changes to existing HA – High Amenity uses to RS – Residential or RA – Residential Area relate include those relating to:

- lands to the south of the Donabate distributor road and west of the railway line (HA to RA)
- lands to the west of the Longstone Park housing development and to the north of the R126 road (HA to RS)
- lands to the east of Beaverston Road, north of Donabate (HA to CI to facilitate residential accommodation for older people)
- lands to the west of the Waterleaf Housing development and to the north of Turvey Avenue opposite the Newbridge Demesne lands (HA to RA with a specific local objective to "provide care and accommodation to cater for older persons")

### **Chief Executive's Response:**

The lands referred to above are all included within zoning objective "HA" - High Amenity, which seeks to, 'Protect and enhance high amenity areas.' The vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The areas within the County that are covered by the HA- High Amenity zoning objective include the Garristown uplands, Naul Hills, the Liffey Valley and the Coastal Corridor, including lands at Donabate and the surrounding area. These high amenity areas and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage.

The sensitive development and conservation of these environmental resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance must be achieved between new development and the on-going need to protect its high landscape value.

The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within the rural areas with a HA – High Amenity zoning objective, in order to promote more sustainable settlement and protect the most sensitive parts of the County.

In the high amenity areas, only housing need related to farming and exceptional health circumstances will be facilitated. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas.

The Council will continue to concentrate efforts to protect high amenity areas. The cumulative impacts from an incremental increase in the number of new rural houses by virtue of the designation of these lands for residential development, would gradually erode the distinctive character and identity of all high amenity areas, fragmenting and destroying this valued landscape and valuable habitat features.

The contents of the submissions requesting rezoning to facilitate additional residential development in Donabate, Portrane and the surrounding area are noted. In response, it is important to acknowledge that the quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy.

The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines.

In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy.

An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6-year life of this Plan.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

With regard to the lands to the south of the Donabate distributor road and west of the railway line, it should be noted that these lands are outside the development boundary for Donabate but are within an area designated for a Local Area Plan (7.A).

As outlined in the Draft Plan, LAPs provide a framework for development of larger zoned sites, set out where Fingal's priorities for growth are and provide a development framework and phasing arrangements which will ensure the delivery of the required social and physical infrastructure in an appropriate manner. As a result, and given the current HA zoning of these lands as well as the sufficient levels of lands currently zoned for residential development in the area, any change to this zoning is not considered appropriate at present.

#### **Rural and Rural Clusters**

Submissions were received which requested changes to from existing HA – High Amenity and RU – Rural land use zoning to RC – Rural Cluster in a number of locations in the area including:

- lands at Balcarrick South to the east of Donabate (HA to RC)
- lands at Kilcrea, directly to the southwest of Donabate (HA to RC)
- lands at Corballis, to the south of Balcarrick Golf Club (HA to RC)
- lands at Ballymadrough, to the west of Donabate and to the east of Junction 4 on the M1 motorway (GB to RC).

A number of submissions were received which expressed support for the extension of the Quay Rural Cluster to the east of Seaview Park in Portrane. In addition, a submission was also received which requested an extension to the existing Balcarrick Rural Cluster by rezoning lands from HA – High Amenity to RC – Rural Cluster.

# **Chief Executive's Response:**

It can be seen that a number of the locations listed above the subject lands are included within zoning objective "HA" - High Amenity, which seeks to, 'Protect and enhance high amenity areas.' As stated previously, the vision for "HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

As was the case in relation to the rezoning requests for other residential uses addressed above, the Council will continue to concentrate efforts to protect high amenity areas. The cumulative impacts from an incremental increase in the number of new rural houses by virtue of the designation of the lands in question as Rural Clusters would gradually erode the distinctive character and identity of all high amenity areas, fragmenting and destroying this valued landscape and valuable habitat features.

Other lands listed above are located within an area zoned "GB" - Greenbelt, the Objective of which is to: 'Protect and provide for a Greenbelt'. The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages.

The rezoning of these lands from GB to RC would result in the loss of greenfield lands which currently form part of the Strategic Greenbelt in the area, which is under serious development pressure. Section 3.5.15.12 of the Draft Plan relates to Fingal's Greenbelts and the Plan contains numerous supportive policies and objectives which are explicit in their protection of Greenbelts including Policy SPQHP57 'Preservation of Greenbelts', Objective SPQHO97 and SPQHO98 and Policy CSP42.

There are currently thirty-seven existing Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

The designation of additional Rural Clusters, or extensions to existing Rural Clusters while there is capacity remaining in the nearby settlements of Donabate and Portrane (all with supporting infrastructure, services and amenities) is not considered appropriate. Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and the loss of greenbelt lands of which it is Council policy to protect.

The expressions of support for the expanded Rural Cluster Zoning are noted. This matter was the subject of a motion at a Council meeting in January 2022 and following an extensive discussion was passed by the Elected Members.

## **Employment Rezonings**

Submissions were received requesting changes to existing HA – High Amenity, GB – Greenbelt and RU – land use zonings to allow for additional GE – General Employment and other employment related land use zonings in that area covered by Draft Development Plan Map Sheet 7.

Submissions requesting rezoning from HA land uses to GE – General Employment or RB – Rural Business were received in relation to the following sites/locations:

- lands at Blake's Cross, to the south of the existing Blake's Cross RB area to the northwest of Donabate (HA to RB)
- lands at Kilcreagh to the south of Hearse Road directly adjacent to the southwestern development boundary for Donabate (HA to GE)

Submissions requesting rezoning from GB - Greenbelt land uses to GE – General Employment were received in relation to sites/locations including:

- lands to the east of junction 4 of the M1 motorway at Lissenhall (GB to GE)
- lands on Hearse Road at Ballymadrough Donabate (GB to GE).

Submissions requesting rezoning from RU - Rural land uses to GE - General Employment and to RB – Rural Business or WD - Warehousing and Distribution were received in relation to the following:

- lands including the Westview Circle K service station located on the R132 road in Lanestown to the north of junction 4 of the M1 motorway.
- lands of ca. 14.5 hectares to the west of Blake's cross and east of the M1 motorway (RU to RB/WD).

In addition, a submission was received which expressed support for the retention of GE zoning and for the removal of a masterplan objective on and for an area of land at the Staffordstown Business Park between the R132 and the M1 motorway to the west of Donabate.

Finally, several submissions were received in relation to the zoning of lands at the Turvey Rural Cluster which were previously zoned GE – General Enterprise to RU – Rural. This included submissions in favour of this change as well as those which opposed it.

#### **Chief Executive's Response:**

The responses provided above in relation to residential housing and rural and rural clusters as they relate to development in HA – High Amenity and GB – Greenbelt zoned lands also apply in relation to the lands listed above and as a result it is not considered appropriate for these lands to be rezoned for additional employment related uses.

In addition to these considerations, it should be noted that Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents.

A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, to facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.

Table 7.1 of the Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors.

The locations for future employment in Fingal is informed by the requirements of the NPF and the RSES. The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns.

'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. The findings of this study shows that there is a more than adequate quantum of employment zoned lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

Having regard to the approach to employment lands adopted in the Draft Development Plan as set out above, it is considered that the proposals to change the existing land use zoning at the locations in question would result in a piecemeal, un-coordinated, ad-hoc provision of unsustainable employment lands and that the proposed zoning would be in breach of key objectives of the Draft FDP 2023-2029 to protect channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure.

The expression of support for the retention of GE zoning and for the removal of a masterplan objective on and for an area of land at the Staffordstown Business Park between the R132 and the M1 motorway to the west of Donabate is noted. This matter is also addressed in the section of this Chief Executive's Report which respond the submission from the Office of the Planning Regulator.

With regard to the zoning status of lands directly to the south of Turvey RC, it should be noted that there was a refusal of planning permission by An Bord Pleanála (ABP-306013-19 - F19A/0417) for a development on the lands in question. Having regard to the foregoing, it is considered appropriate to maintain the RU – Rural land use zoning for the site as shown on Draft Development Plan map sheet 7.

## **Other Rezonings**

A small number of submissions requested changes to existing land use zonings which related to other land use zoning categories, specifically CI – Community Infrastructure, OS – Open Space and LC – Local Centre. The site locations referred to in these submissions include:

- lands at Ballisk Common in Donabate directly adjoining the Donabate-Portrane Educate
   Together National School (CI to RS)
- lands between Ballisk to the north, Ballymastone to the northeast and Ballalease South (OS to LC and revision to Donabate Development Boundary).

### **Chief Executive's Response:**

The Donabate-Portrane Educate Together national school, which is currently attended by approximately 450 pupils, is located on a compact site close to the centre of Donabate Village. Given the ongoing demand for high quality school facilities across Fingal, including in Donabate,

it is considered necessary to retain as much of the existing CI – Community Infrastructure Zoning at this site in the event that a future extension or expansion of classrooms or recreational space is required for the school.

The lands between Ballisk, Ballymastone and Ballalease South are currently zoned OS – Open Space, the objective for which is to preserve and provide for open space and recreational amenities. The vision for this objective is to provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.

In addition, Chapter 4 of the Draft Plan 'Community Infrastructure and Open Space provides detailed information and guidance in relation to the provision of high-quality open spaces in Fingal having regard to the Council's 2015 "Keeping It Green, An Open Space Strategy for Fingal". The approach set out in the Draft Development Plan seeks to achieve high quality open space by following five principles of open space provision namely: hierarchy; accessibility; quantity; quality and private open space.

The lands in question have been designated as OS - Open Space having careful regard to the overall approach to open space set out in the Draft Development Plan and to the needs of the Ballymastone area which has been identified as being suitable for considerable additional residential development and is subject to an objective to prepare a Local Area Plan (LAP 7A as shown on Sheet 7). As the lands in question have the potential to provide an important amenity for the existing and future residents of Donabate and Ballymastone, it is not considered appropriate to change these rezonings for any other uses.

## The Ongoing Development and Growth of Donabate and Surrounding Areas

A small number of submissions were received in relation to the overall development of Donabate and the surrounding area, including one which expressed its support for existing residential zonings in the town as well as for the continuing growth of the town.

One submission included a detailed list of requests and recommendation in relation to a range of issues including the Turvey Nature Reserve, the Donabate-Portrane Cliff Walk, the provision of Columbarium walls in cemeteries, the preparation of a new Local Area Plan, Urban Framework Plan and Traffic Management Strategy for Donabate, upgrades to local paths and roads including new pedestrian and cycle entrances.

#### **Chief Executive's Response:**

As set out in the Settlement Strategy for Fingal in Section 2.7 of the Draft Plan, Donabate is designated as a Self-Sustaining Growth Town which is defined as a settlement with a moderate level of jobs and services – includes sub-county market towns and commuter towns with good transport links and capacity for continued commensurate growth to become more self-sustaining".

The Draft Plan also states that the settlement of Donabate has experienced substantial housing development in recent years, that extensive areas of undeveloped residential zoned land remains to the east and south of the town and that future development will be carried out in accordance with the principles contained in the Donabate Local Area Plan 2016–2022 (extended to 2026).

The development strategy for the town set in Section 2.7 of the Draft Plan promotes the creation of a vibrant town core by providing a high-quality living environment for existing and future populations and provide all necessary community, commercial, cultural, and social facilities in tandem with new residential development.

At the same time the Draft Plan recognises and seeks to protect the unique identity of Donabate while also (as specified by Policy CSP31) facilitating development on zoned residential lands within the settlement boundary of Donabate as prescribed in the Donabate LAP and supporting the provision of the necessary social and community infrastructure including recreational facilities and strengthen and enhance the public realm, providing improved levels of connectivity and permeability.

It should be noted that the other specific issues raised in the detailed submission have been addressed in earlier sections of this Chief Executive's report which provide detailed responses to submission made in relation to particular chapters including Chapter 2 'Planning for Growth' Chapter 3 'Sustainable Placemaking and Quality Homes' and Chapter 9 'Green Infrastructure and Natural Infrastructure.'

## **Connectivity and Movement**

Several submissions raised issues relating to connectivity and movement in the area. Particular reference was made to the dangerous nature of the current junction layout at Blake's Cross as well as overall safety concerns for motorists, cyclist and pedestrians using Blake's Cross and Hanna's Avenue. One submission called for the provision of a new roundabout at Blake's Cross junction to improve safety.

### **Chief Executive's Response:**

Chapter 6 'Connectivity and Movement' of the Draft Development Plan provides detailed information, policies and objectives relating to the transportation and mobility from spatial planning perspective. This includes details of roads and transportation schemes to be delivered across the County as well as infrastructure to enable more active and sustainable forms of travel. Details of such projects are shown on Sheet 7 as well as on the Green Infrastructure maps which accompany the Plan.

It should also be noted that as set out in the in earlier section of this Chief Executive's report which addresses the submission received from the National Transport Authority, it is recommended that a new Map Sheet 17 will be provided to indicate all of the major transport infrastructure projects to be provided across Fingal.

With regard to the provision of specific projects, it should be noted that the Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided. As a result, the delivery of location specific projects are more appropriately considered within the context of a capital or works programme to be prepared by specific departments within the Council.

It should also be noted that the issues raised in submissions relating to Chapter 6 of the Draft Development Plan have also been comprehensively addressed in the section of this Chief Executive's Report dealing with Chapter 6 Connectivity and Movement.

## **Map Based Objectives**

A number of submissions were received requesting the inclusion, removal or amendment of map-based objectives on Draft Development Plan Map Sheet 7.

### **Accommodation for Older Persons**

As discussed in the section on Residential Zoning requests above, a submission relating to lands at Turvey, Donabate proposed a change in the zoning objective of the subject site from 'HA' to 'RA' with the inclusion of a specific objective to 'provide care and accommodation to cater for older persons.'

### **Chief Executive's Response:**

The lands in question are located within a high amenity landscape which seeks to, 'Protect and enhance high amenity areas.' The vision for "HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The "HA" zoning objective limits the uses permitted in principle and specifically excludes Retirement Village, Residential Care Home and Residential Institutional. Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic.

Chapter 3 -'Sustainable Placemaking and Quality Homes' of the Draft Plan includes supportive policy and objectives relating to the promotion and support for housing and accommodation needs for older people. There is an explicit requirement for the nature of accommodation proposed, (such as a nursing home or sheltered accommodation) to be located in towns and villages where ancillary supporting infrastructure, services and amenities are located, in the interests of social inclusion, accessibility and sustainability.

Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff members and servicing traffic.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village. A Retirement Village / Residential Care Home / Retirement Home is 'permitted in principle' in several land use zoning objectives, including: Objective "CI", Objective "LC", Objective "MC", Objective "ME", Objective "RA", Objective "RS", Objective "RV" and Objective "TC".

Any future application for a retirement village will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan.

It is important to recognise that the development of retirement villages, outside of existing towns and villages and within 'HA' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts and erode the sensitive landscape in this area.

The Council is fully committed to the continued protection of the high amenity lands at this location and to allow for sheltered accommodation / accommodation for the elderly in this area would seriously undermine the long-standing policy of protecting the coastal corridor within the County and would be contrary to the zoning objective and vision to protect high amenity lands as set out in the current FDP 2017-2023 and Draft Plan.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for accommodation for older people at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

#### Blake's Cross

As discussed in the section on Residential Zoning requests above, submissions were received calling for the rezoning of lands at Blake's Cross to facilitate additional employment related activity and for the inclusion of a specific map-based objective requiring the undertaking of a Masterplan in cooperation with adjacent landowners.

### **Chief Executive's Response:**

Table 2.18 of the Draft Development Plan outlines the Schedule of Masterplans to be commenced over the Plan Period. Masterplans provide a framework for development of larger zoned sites. The subject lands are zoned RU and are outside of the development boundary of Donabate and Lusk. The preparation of Masterplans will continue to assist in achieving quality developments in terms of, inter alia, urban design, structure, delivery of community/amenity facilities and permeability.

Masterplan areas present substantial land-banks with significant redevelopment and regeneration potential, requiring a long lead in time to develop a workable framework for delivery as well as significant social and physical infrastructure requirements.

The subject sites are currently zoned "RU" – Rural and are next to "RB" - Rural Business zoned land to the north. Having regard to the existing uses as well as the overall approach to the designation of employment lands set out in the Draft Plan. It is considered that there is no evidence-based need or planning rationale for the preparation of a Masterplan at these RU zoned lands and there is sufficient land zoned within the vicinity of the site at Blake's cross.

#### Shoreline Hotel

A submission was received which requested that a new map based local objective be included for the site of the Shoreline Hotel, Balcarrick, Donabate as follows: 'Facilitate the future expansion and redevelopment of the current hotel to incorporate an increase in height ensuring the sustainable development of the hotel and future proofing tourism and economic development in the coastal area of Donabate.'

### **Chief Executive's Response:**

The Shoreline Hotel in Donabate is a part single storey, part two storey flat roofed structure which is situated directly adjacent to the coast and to the north of Donabate beach. The subject lands are zoned High Amenity (HA) and are designated as 'highly sensitive landscape' as set out in the Green Infrastructure Maps.

The HA zoning objective seeks to, 'Protect and enhance high amenity areas', and the vision for these lands is to 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

Fingal's high amenity areas and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance must be achieved between new development and the on-going need to protect its high landscape value.

The issue of development in coastal areas is specifically addressed in Chapter 9 of the Draft Plan 'Green Infrastructure and Natural Heritage'. The Council will continue to concentrate efforts to protect high amenity areas and contains a number of supportive policies and objectives in this regard.

This submission is seeking the insertion of a new objective to facilitate the expansion and redevelopment of the current hotel on site. It is considered that the extension or redevelopment of this hotel can be more appropriately considered through the Development Management process. Hotel use is neither 'Permitted in Principle' nor 'Not Permitted' in the HA zoning and as such applications to extend this use will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan.

It is considered much of the uses associated with the hotel would therefore be open for consideration within the existing zoning. Other ancillary uses could be categorised as 'non-conforming uses' for the purposes of the land use zoning. In this regard Objective ZO3 – 'Non-Conforming Uses' is relevant: 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria'.

Any application for an extension or redevelopment of the existing hotel and associated facilities will be assessed on a case-by-case basis, in accordance with the relevant Development Plan policies and objectives taking into account the proper planning and sustainable development of the area.

It is also noted that the inclusion of a map based Local Objective, which may be at odds with (i.e. not consistent with) the policies and objectives contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge. It is therefore not considered appropriate or necessary to attach a new Local Objective to the site and, as such, would be considered to be contrary to proper planning and sustainable development of the area.

#### Walkway at Broadmeadow Estuary

A submission proposed the insertion of a map based local objective as follows to be located on lands along Broadmeadow Estuary as identified on an accompanying map: 'Enhance the existing

walkway to provide for an attractive pedestrian nature walkway and ecological corridor for the public.'

### **Chief Executive's Response:**

It is not considered necessary to insert a new Local Objective on lands along the Broadmeadow Estuary. The Fingal Biodiversity Plan includes the preparation of a Management Plan for the Malahide/Broadmeadow Estuary, and this walkway can be considered as part of that project.

This proposal would also be subject to a detailed impact assessment. The NPWS have indicated that they do not wish to see this route developed because of the potential cumulative recreational impacts on the designated site when combined with the coastal greenway along the railway linking Newbridge Demesne and Malahide Demesne.

Any potential walkway at this location will therefore be assessed as part of the Management Plan for the Malahide / Broadmeadow Estuary and it is not considered appropriate to insert a new map based local objective at this time.

#### Garden Centre, Hearse Road

A submission requested the addition of a new map based Local Objective for lands including the Jones Garden Centre, Hearse Road, Ballymadrough, Donabate as follows: 'Facilitate the future expansion of the existing commercial and retail use of the existing Garden Centre to support continued development in the rural economy of Donabate.'

## **Chief Executive's Response:**

The subject lands comprise Jones Garden Centre which is located on the R126, approximately 400m east of junction 4 of the M1. The lands are currently located within land use zoning 'GB" - Greenbelt, the Objective of which is to: 'Protect and provide for a Greenbelt'. A 'Garden Centre' is open for consideration within areas zoned 'GB'. A farm shop is 'permitted in principle', but only where the bulk of the produce is produced on the farm. A restaurant / café is 'permitted in principle' within 'GB' zoned land but only where it is ancillary to tourism uses or conversion of protected or vernacular structures where appropriate.

It is considered much of the uses associated with the garden centre would therefore be open for consideration within the existing zoning. Other ancillary uses could be categorised as 'non-conforming uses' for the purposes of the land use zoning. As a result, it is considered that Objective ZO3 – Non-Conforming Uses would apply, the text of which is to 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria'.

Any application for an extension to the existing Garden Centre and associated facilities will be assessed on a case-by-case basis, in accordance with the above policies and taking into account the proper planning and sustainable development of the area.

It is also noted that the inclusion of a map based Local Objective, which would be at odds with (i.e. not consistent with) the policies and objectives contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge.

It is therefore not considered appropriate or necessary to attach a new Local Objective to the site to facilitate the expansion of a commercial and retail use at this location.

### **Chief Executive's Amendment**

An amendment is required to map sheet 7 in relation to an error on Draft Development Plan Map Sheet 7. This relates to the Donabate UFP boundary and entails extending the boundary.

### **Chief Executive's Response:**

The amendment is to be made to Sheet 7 as outlined above.

### **Chief Executive's Recommendations**

## **CE SH 7.1:**

Extend Donabate UFP Boundary to include St Patrick's Schools and surrounding lands.

## **MAP SHEET 8: Swords**

### **Submissions Received:**

FIN-C453-6, FIN-C453-63, FIN-C453-64, FIN-C453-65, FIN-C453-66, FIN-C453-67, FIN-C453-76, FIN-C453-80, FIN-C453-91, FIN-C453-92, FIN-C453-98, FIN-C453-100, FIN-C453-149, FIN-C453-179, FIN-C455-179, FIN-C455-179, FIN-C455-179, FIN-C455-179, FIN-C455-179, FIN-C455-1 C453-181, FIN-C453-185, FIN-C453-212, FIN-C453-254, FIN-C453-255, FIN-C453-256, FIN-C453-257, FIN-C453-258, FIN-C453-259, FIN-C453-262, FIN-C453-309, FIN-C453-311, FIN-C453-316, FIN-C453-327, FIN-C453-360, FIN-C453-531, FIN-C453-582, FIN-C453-611, FIN-C453-618, FIN-C453-683, FIN-C453-694, FIN-C453-704, FIN-C453-710, FIN-C453-716, FIN-C453-727, FIN-C453-730, FIN-C453-745, FIN-C453-798, FIN-C453-807, FIN-C453-813, FIN-C453-835, FIN-C453-860, FIN-C453-875, FIN-C453-887, FIN-C453-889, FIN-C453-903, FIN-C453-904, FIN-C453-907, FIN-C453-914, FIN-C455-914, FIN-C455-914, FIN-C455-914, FIN-C455-914, FIN-C455-914, FIN-C455-914, FIN-C45-914, FIN-C45-914, FIN-C45-914, C453-931, FIN-C453-932, FIN-C453-965, FIN-C453-966, FIN-C453-975, FIN-C453-995, FIN-C453-1008, FIN-C453-1020, FIN-C453-1029, FIN-C453-1071, FIN-C453-1106, FIN-C453-1117, FIN-C453-1163, FIN-C453-1171, FIN-C453-1221, FIN-C453-1229, FIN-C453-1260, FIN-C453-1273, FIN-C453-1323, FIN-C453-1335, FIN-C453-1336, FIN-C453-1337, FIN-C453-1338, FIN-C453-1339, FIN-C453-1340, FIN-C453-1341, FIN-C453-1342, FIN-C453-1343, FIN-C453-1344, FIN-C453-1345, FIN-C453-1346, FIN-C453-1347, FIN-C453-1348, FIN-C453-1349, FIN-C453-1350, FIN-C453-1351, FIN-C453-1352, FIN-C453-1353, FIN-C453-1354, FIN-C453-1355, FIN-C453-1356, FIN-C453-1357, FIN-C453-1358, FIN-C453-1359, FIN-C453-1360, FIN-C453-1361, FIN-C453-1362, FIN-C453-1363, FIN-C453-1364, FIN-C453-1365, FIN-C453-1366, FIN-C453-1367, FIN-C453-1368, FIN-C453-1369, FIN-C453-1370, FIN-C453-1371, FIN-C453-1372, FIN-C453-1373, FIN-C453-1374, FIN-C453-1375, FIN-C453-1376, FIN-C453-1377, FIN-C453-1378, FIN-C453-1379, FIN-C453-1380, FIN-C453-1381, FIN-C453-1382, FIN-C453-1383, FIN-C453-1384, FIN-C453-1385, FIN-C453-1386, FIN-C453-1387, FIN-C453-1388, FIN-C453-1389, FIN-C453-1390, FIN-C453-1391, FIN-C453-1392, FIN-C453-1393, FIN-C453-1394, FIN-C453-1395, FIN-C453-1396, FIN-C453-1397, FIN-C453-1398, FIN-C453-1399, FIN-C453-1400, FIN-C453-1401, FIN-C453-1402, FIN-C453-1403, FIN-C453-1404, FIN-C453-1405, FIN-C453-1406, FIN-C453-1407, FIN-C453-1408, FIN-C453-1409, FIN-C453-1410, FIN-C453-1411, FIN-C453-1412, FIN-C453-1413, FIN-C453-1414, FIN-C453-1415, FIN-C453-1416, FIN-C453-1417, FIN-C453-1418, FIN-C453-1419, FIN-C453-1420, FIN-C453-1421, FIN-C453-1422, FIN-C453-1423, FIN-C453-1424, FIN-C453-1425, FIN-C453-1426, FIN-C453-1427, FIN-C453-1428, FIN-C453-1429, FIN-C453-1430, FIN-C453-1431, FIN-C453-1432, FIN-C453-1433, FIN-C453-1434, FIN-C453-1435, FIN-C453-1436, FIN-C453-1437, FIN-C453-1438, FIN-C453-1439, FIN-C453-1440, FIN-C453-1441, FIN-C453-1442, FIN-C453-1443, FIN-C453-1444, FIN-C453-1445, FIN-C453-1446, FIN-C453-1447, FIN-C453-1448, FIN-C453-1449, FIN-C453-1450, FIN-C453-1451, FIN-C453-1452, FIN-C453-1453, FIN-C453-1454, FIN-C453-1455, FIN-C453-1456, FIN-C453-1457, FIN-C453-1458, FIN-C453-1459, FIN-C453-1460, FIN-C453-1461, FIN-C453-1462, FIN-C453-1463, FIN-C453-1464, FIN-C453-1465, FIN-C453-1466, FIN-C453-1467, FIN-C453-1468, FIN-C453-1469, FIN-C453-1470, FIN-C453-1471, FIN-C453-1472, FIN-C453-1473, FIN-C453-1474, FIN-C453-1475, FIN-C453-1476, FIN-C453-1477, FIN-C453-1478, FIN-C453-1479, FIN-C453-1480, FIN-C453-1481, FIN-C453-1482, FIN-C453-1483, FIN-C453-1484, FIN-C453-1485, FIN-C453-1486, FIN-C453-1487, FIN-C453-1488, FIN-C453-1489, FIN-C453-1490, FIN-C453-1491, FIN-C453-1492, FIN-C453-1493, FIN-C453-1494, FIN-C453-1495, FIN-C453-1496, FIN-C453-1497, FIN-C453-1498, FIN-C453-1499, FIN-C453-1500, FIN-C453-1501, FIN-C453-1502, FIN-C453-1503, FIN-C453-1504, FIN-C453-1505, FIN-C453-1506, FIN-C453-1509, FIN-C453-1512, FIN-C453-1516, FIN-C453-1518, FIN-C453-1520, FIN-C453-1522, FIN-C453-1525, FIN-C453-1560, FIN-C453-1561, FIN-C453-1562, FIN-C453-1563, FIN-C453-1564, FIN-C453-1566, FIN-C453-1567, FIN-C453-1568, FIN-C453-1569, FIN-C453-1570, FIN-C453-1571, FIN-C453-1572, FIN-C453-

1573, FIN-C453-1574, FIN-C453-1575, FIN-C453-1576, FIN-C453-1577, FIN-C453-1578, FIN-C453-1579, FIN-C453-1580, FIN-C453-1581, FIN-C453-1582, FIN-C453-1583, FIN-C453-1584, FIN-C453-1585, FIN-C453-1586, FIN-C453-1587, FIN-C453-1588, FIN-C453-1589, FIN-C453-1590, FIN-C453-1591, FIN-C453-1592, FIN-C453-1593, FIN-C453-1594, FIN-C453-1595, FIN-C453-1596, FIN-C453-1597, FIN-C453-1599, FIN-C453-1600, FIN-C453-1601, FIN-C453-1603, FIN-C453-1604, FIN-C453-1605, FIN-C453-1606, FIN-C453-1607, FIN-C453-1608, FIN-C453-1609, FIN-C453-1610, FIN-C453-1611, FIN-C453-1612, FIN-C453-1613, FIN-C453-1614, FIN-C453-1615, FIN-C453-1623, FIN-C453-1624, FIN-C453-1625, FIN-C453-1626, FIN-C453-1627, FIN-C453-1628, FIN-C453-1629, FIN-C453-1630, FIN-C453-1631, FIN-C453-1632, FIN-C453-1633, FIN-C453-1634, FIN-C453-1635, FIN-C453-1636, FIN-C453-1637, FIN-C453-1638, FIN-C453-1639, FIN-C453-1640, FIN-C453-1641, FIN-C453-1642, FIN-C453-1643, FIN-C453-1644, FIN-C453-1645, FIN-C453-1646, FIN-C453-1647, FIN-C453-1648, FIN-C453-1649, FIN-C453-1650, FIN-C453-1651, FIN-C453-1652, FIN-C453-1653, FIN-C453-1654, FIN-C453-1655, FIN-C453-1656, FIN-C453-1657, FIN-C453-1658, FIN-C453-1659, FIN-C453-1660, FIN-C453-1661, FIN-C453-1662, FIN-C453-1663, FIN-C453-1664, FIN-C453-1665, FIN-C453-1666, FIN-C453-1667, FIN-C453-1668, FIN-C453-1678, FIN-C453-1680, FIN-C453-1681, FIN-C453-1682, FIN-C453-1687, FIN-C453-1688, FIN-C453-1690, FIN-C453-1703, FIN-C453-1783

## **Summary of Issues**

## **Greenbelt to Residential Zoning Requests**

A significant number of submissions were received which requested the rezoning of tracts of lands in various locations on Sheet 8 from their existing GB - Greenbelt, HA - High Amenity, Open Space - OS RU - Rural and ME - Metro Economic Corridor to RS - Residential, RA - Residential Area or to a combination of these zonings with additional OS - Open Space zoned objectives.

Due to the designation of large areas of lands on Sheet 8 as GB – Green Belt zoned lands, many of the submissions requested changes from GB to RA/RS and/or for changes to settlement boundaries to allow for residential development. Such submissions relate to lands which include the following:

- lands at Brackenstown Swords (GB to RA/RS)
- the Uniplumo Lands at Rathbeale Road, (GB to RA)
- lands adjacent on the northern site of the R106 Swords Road, opposite the Waterside Development (GB to RS)
- lands adjacent on the southern side of the R106 Swords Road, adjacent and to the east of the Waterside Development (GB to RA)
- lands at Brazil to the west of the town of Swords on the Brackenstown Road (GB to RA)
- lands at Rathbeale Cottages on the Rathbeale Road to the west of Swords (GB to RS)
- lands to the west of Parkview on the Brackenstown Road (GB to RA)
- a number of sites to the south of Holywell Meadow and north of the Kilronan Equestrian Centre (GB/HA to RS)
- lands at Forest Road and Cooks Road to the north of Dublin Airport (GB to RS, OS and GB)
- a small area of land near Magilstown Rural Cluster in the rural area north of Swords (GB to RU).

### **Chief Executive's Response:**

The current and Draft Plan through the GB zoning objective and vision and supportive policy and objectives as set out in Chapter 3 of the Draft Plan is explicit in the protection of Greenbelt lands through policy SPQHP57 and objectives SPQHO97 and SPQHO98.

The lands refer to above form part of the strategic greenbelt around Swords which safeguards the innate rural value of the Fingal countryside from unsustainable settlement patterns and prevents the undesirable agglomeration of settlements in the area. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

With regard to the principle of designated additional lands for residential development, the quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the County which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines.

In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places people work, live and make use of are interlinked.

The Core Strategy includes Housing Supply Targets in accordance with a methodology outlined in the Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period. The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town of Swords and areas classified as Dublin City and Suburbs at the top of the hierarchy.

An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the 6 year life of this Plan. Based on the evidence-based approach adopted in the Core

Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period.

It should be noted that the issue of housing targets and population growth has also been addressed in detail in the section of this Chief Executive's report which responds to recommendations and observations made on the Draft Plan by the Office of the Planning Regulator, as well as in the section of the report which responds to submissions received in relation to Chapter 2 'Planning for Growth'.

Based on the above, the inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and as such, would be contrary to proper planning and sustainable development.

## **Other Residential Zoning Requests**

A number of other submissions were received calling for changes from land uses other than GB to RA/RS including:

- a submission requesting a change the land use zoning of an area of land in and around the Emmaus Centre in Lissenhall from ME – Metro Economic Corridor to RA/RS to facilitate development
- a submission requesting the rezoning of lands on Forest Road near the corner of the Dublin Road at the southern end of Swords Main Street from HA to RS.

Finally, a submission was received requesting the reinstatement of RS zoning on parts of lands designated OS in the Draft Development Plan on a site at Fosterstown North, Dublin Road / R132, Swords.

#### **Chief Executive's Response:**

The zoning objective for the ME - Metro Economic Corridor is to "facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.

In addition to being designated ME, lands at Lissenhall have also been identified as one of two Strategic Long-Term Land Reserves in Fingal. Such areas are characterised by their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period, their significant scale and a requirement to be aligned and supported by significant water services, transport (including the Metrolink project) and other infrastructural investment.

As set out in the Draft Development Plan, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation and that it is likely that the regeneration of these lands will be over a longer time frame than the Plan. As a result, and having regard to the overall issue relating to the strategy for zoned residential lands in the Core Strategy as outlined above, it is not considered appropriate to make any changes to the existing ME zonings in the County.

With regard to the request to change an existing HA land use zoning to RS, the vision for "HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place.'

The high amenity areas identified on the Draft Development Plan maps, and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage.

The sensitive development and conservation of these environmental resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance must be achieved between new development and the on-going need to protect its high landscape value.

The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within the rural areas with a HA – High Amenity zoning objective, in order to promote more sustainable settlement and protect the most sensitive parts of the County.

In the high amenity areas, only housing need related to farming and exceptional health circumstances will be facilitated. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas.

The Council will continue to concentrate efforts to protect high amenity areas. The cumulative impacts from an incremental increase in the number of new rural houses by virtue of the designation of these lands for other uses, would gradually erode the distinctive character and identity of all high amenity areas, fragmenting and destroying this valued landscape and valuable habitat features.

The lands on Forest Street referred to above, is located in an area of Swords which is directly adjacent to the sensitive Ward River Valley Park and is also bounded to the south along Forest Road by mature trees. As indicated in the Strategic Flood Risk Assessment which accompanies the Draft Development Plan the site in question is also adjacent to a small stream and is in an area at risk of flooding. Having regard to these issues, as well as the overall approach to zoning for additional residential development set out in the Core Strategy, it is not considered appropriate to remove the existing HA zoning for the lands in question.

Finally, with regard to the designation of areas of Open Space within residentially zoned areas at Fosterstown, it should be noted that this rezoning corresponds with the approach set out in the Green Infrastructure Report for the 2019 Swords Masterplans and for the specific masterplan for Fosterstown which forms part of the Swords Masterplans. This approach seeks to provide for a central green corridor while protecting the existing waterways on the site. It is considered appropriate that these key objectives for the overall development of these lands are reflected in the overall land use zoning for the area.

## **Greenbelt to Employment Related Zoning Requests**

A number of submissions were received requesting changes in existing GB - Greenbelt land use zonings to employment related uses such as GE - General Enterprise or WD - Warehousing and Distribution. Submissions received those relating to the following sites/areas:

- lands at Fosterstown South (GB to GE/WD)
- lands at Lissenhall Little adjacent to Junction 4 on the M1 motorway (GB to GE)
- lands to the west of Knocksedan Demesne on the western side of the R108 (GB to GE)
- lands at Nevinstown, south of Swords, on the eastern side of the Dublin Road (GB to GE).

## **Chief Executive's Response:**

As was the case in relation to proposals for the rezoning of additional residential lands in the greenbelt areas shown on Sheet 8, the strategic greenbelt around Swords safeguards the innate rural value of the Fingal countryside from unsustainable settlement patterns and prevents the undesirable agglomeration of settlements in the area.

Any encroachment into this strategic Greenbelt area by employment related uses would result in coalescence and the loss of definition between urban and rural areas and loss of strategic Greenbelt lands and would seriously undermine the long-standing policy of the Council with regard to Greenbelt protection and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and in the Draft Plan.

In addition, with regard to the overall principle of rezoning to provide for addition employment related uses in this area, it should be noted that Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents.

A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, to facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.

Table 7.1 of the Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors.

'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. The findings of this study shows that there is a more than adequate quantum of employment zoned lands including general employment lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

Having regard to the approach to employment lands adopted in the Draft Development Plan as set out above, it is considered that the proposals to change the existing land use zoning at the

locations in question would result in a piecemeal, un-coordinated, ad-hoc provision of unsustainable employment lands and that the proposed zoning would be in breach of key objectives of the Draft FDP 2023-2029 to protect and channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure.

## **Other Employment Related Zoning Requests**

Several submissions were received requesting other changes relating to employment land uses in the area. Such submissions requested changes such as from HT – High Technology or Retail Warehousing to ME – Metro Economic Corridor, from OS – Open Space to GE – General Employment, from RU – Rural to RW – Retail Warehousing and from HT – High Technology to LC – Local Centre or District Centre. The submissions in question referred to the following sites and locations:

- lands at the Swords Bypass, Pinnock Hill, Swords (HT to ME)
- lands at Nevinstown Lane and the L2305 local road south of Airside Retail Park (RW to ME)
- lands at Nevinstown Lane and south of Power City and the Airside Retail Park (RW to ME)
- lands at Nevinstown East, to the southwest of Holywell Dale (OS to GE)
- lands at Holywell, south of Swords (HT to LC, LC to DC).

### **Chief Executive's Response:**

With regard to the requested rezoning of HT lands to ME, the response provided above in relation to residential rezoning requests on lands currently designated is also applicable in this instance. As stated previously, the objective for ME – Metro Economic Corridor zoned lands, as set out in Chapter 13 of the Draft Plan is to facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.

It is not considered that the ME land use zoning would be appropriate for the location referred to in the submission which forms part of an wider area to the south of Swords Main Street with established high technology, retail warehousing and other employment related land uses.

As set out in the Employment and Land Use Strategy which accompanies the Draft Development Plan, this area acts provides a significant but necessary volume of floorspace to facilitate the future development of high technology enterprises close to existing and proposed residential and commercial areas in Swords.

The area also plays an important role as an existing cluster for retail warehouse type uses which, as set out in Section 7.5.5 of Chapter 7 'Employment and Economy is an sector in which the overall demand for such lands remains significant.

In relation to the request to rezone lands at Holywell from HT – High Technology to LC – Local Centre, it can be seen from the Draft Development Plan map that the existing zoning relates to the completed development of a retail outlet on the site as well as to the overall objective for the development of HU - High Technology uses on the adjacent lands which include an objective for the preparation of a Masterplan (MP8.F) for these uses.

With regard to the request to further change the overall designation of the site to a District Centre, as set out in the retail strategy for the County in Section 7.5.5 of the Draft Plan and in

Chapter 13 'Land Use Zoning', the overall objective for the DC – District Centre zoning is to "protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities. Furthermore, the vision for this use is

- to maintain and build on the accessibility, vitality and viability of the existing Urban Centres in the County
- to develop and consolidate these Centres with an appropriate mix of commercial, recreational, cultural, leisure and residential uses, and to enhance and develop the urban fabric of these Centres in accordance with the principles of urban design, conservation and sustainable development; and
- to ensure that retail provision will be in accordance with the County Retail Strategy, enhance and develop the existing urban fabric, emphasise urban conservation, and ensure priority for public transport, pedestrians and cyclists while minimising the impact of private car-based traffic. In order to deliver this vision and to provide a framework for sustainable development.

Having regard to the above and to the retail hierarchy and overall policies relating to retail set out in Chapter 7 'Employment and Economy' of the Draft Plan, it is not considered that the designation of the existing local centre at Holywell as a District Centre would be appropriate at this time.

## **Other Rezonings**

There were a small number of submissions which requested changes to the existing land use zonings to other uses including from GB – Greenbelt CI – Community Infrastructure, from no zoning to TC –Town Centre and from HA High Amenity to RU – Rural. The sites/locations in question here include:

- lands west of Forest Road and south of Ridgewood Green on the Swords southern boundary (GB to CI)
- lands at Foster Way, south of County Hall in Swords (from Blank to TC)
- lands at a site referred to as Malindi House on lands to the west of Swords (HA to RU).

#### **Chief Executive's Response:**

The general principle relating to protection of greenbelt lands against inappropriate development as set out in the response to greenbelt to residential rezoning requests can also be seen to apply in the case of the request for a zoning of lands from GB to CI – Community Infrastructure. This issue is also addressed in more detail below in response to submissions calling for the preservation of the greenbelt around Swords.

While the request to zone currently unzoned lands in Swords Town Centre as 'Town Centre' is noted, the lands in question currently form part of the established roadway and pedestrian access area which runs parallel to the Main Street. As can be seen across the Development Plan sheets, all roadways are unzoned.

With regard to the requested changes from HA to RU, it should be noted that the Objective of 'HA' zoned lands is to 'Protect and enhance high amenity areas.' The vision for 'HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and

reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.

These high amenity areas and particularly the coastal corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value.

The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County.

## The Ongoing Development and Growth of Swords and Surrounding Areas

A small number of submissions were received which addressed the wider issue of the overall development of Swords and the surrounding areas. Such submissions included ones which listed proposals for location-based facilities and infrastructure and for new or amended map-based objectives. In general terms, many of these submissions related to requests for the provision of additional amenities and community infrastructure commensurate with Swords ongoing development in Fingal as a Key Town.

### **Chief Executive's Response:**

With regard to the ongoing and future development of Swords, the settlement is identified as one of three Key Towns in RSES within the Metropolitan area. Key towns are defined as large economically active service and/or county towns which provide employment for surrounding areas.

Key objectives for Swords include promoting and facilitating its long-term consolidation and growth as a Key Town in accordance with the relevant provisions of the NPF, RSES and the MASP, promoting the regeneration of key sites and infill opportunities as well as implementing and preparing local level plans for the areas designated in Tables 2.15 to 2.19 of the Draft Development Plan.

Policy CSP29 in the Draft Plan demonstrates sets out the vision for Swords to continue to develop as a vibrant Key Town with a thriving economy; an integrated public transport network; an attractive and highly accessible built environment with the highest standards of housing, employment, services, recreational amenities and community facilities. Numerous detailed policies and objectives are included in various chapters throughout the Draft Development Plan in order to support the achievement of the key objectives for Swords as set out above.

In addition, as set out in the response to the submission from the Office of the Planning Regulator set out in Part 2 of this Chief Executive's Report, it is recommended that a Local Area Plan is prepared for Swords in order to provide an integrated, strategy for the development of the town as a whole.

## ME Zoned Lands and the Lissenhall Strategic Development Land Reserve

Other submissions were received in relation to the current status and future development of the ME – Metro Economic Corridor lands at Lissenhall as well as ME zoned lands more generally having regard to the delivery of Metrolink. One submission requested that lands currently zoned ME in Balheary be rezoned OS to ensure the retention of playing pitches in the area.

These submissions also included requests for the retention of the ME zonings in the area and the preparation of an LAP for Lissenhall, for the reinstatement of an LAP requirement for the Lissenhall Lands at Balheary (LAP 8A) as well as for the rezoning of lands to RA/RA (see other residential zoning section above), for changes to policies in relation to the metro-economic corridor. A submission was also received relating to the overall development of ME land in the southern ME area of Swords.

### **Chief Executive's Response:**

In relation to the development of the strategic long-term reserve lands at Lissenhall, it should be noted that the Draft Development Plan identifies two major development sites – Lissenhall and Swords – have been identified as Strategic Long-Term Reserve lands which are characterised by:

- their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period;
- their significant scale; and
- a requirement to be aligned and supported by significant water services, transport (including the Metrolink project) and other infrastructural investment.

As set out in the Draft Development Plan, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation and that it is likely that the regeneration of these lands will be over a longer time frame than the Plan.

Having regard to this overall vision and timescale for the development of such lands as well as the overall approach set out in the Core Strategy, it is not considered appropriate to make additional significant amendments in relation to the strategic development reserve lands including Lissenhall or with the overall approach to local plan making for these areas.

With regard to ME – Metro Economic Corridor zoned lands, it should be noted that the objective for this land use zoning as set out in Chapter 13 of the Draft Plan is to facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.

The vision for the ME zoning is to provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.

In addition, Objective EEO13 – Metro Economic Lands as set out in Chapter 6 further reinforces the importance of protecting the integrity of the Metro Economic corridor from inappropriate forms of development and optimising development potential in a sustainable and phased manner. This policy ties in with the overall approach to ME zoned lands which is that they constitute a valuable asset for the development of Fingal in the medium to long term and that they will provide for the development of vibrant, compact mixed-use development which will include recreational and community infrastructure such as playing pitches where necessary.

#### Preservation of the Greenbelt Around Swords

In excess of 300 submissions were received calling for the preservation of the 'strategic greenbelt' around the settlement of Swords and in particular in areas such as Brackenstown, Forrest Great, Knocksedan and the Ward River Valley.

Other submissions received in relation to this area include a small number questioning the utility of maintaining the greenbelt as well as several requesting improved access to amenities such as the Ward River Valley along busy roads or through wooded areas that are currently zoned GB – Greenbelt.

### **Chief Executive's Response:**

The objective for the GB - Greenbelt land use zoning is to 'protect and provide for a Greenbelt'. The vision for such lands is to: 'Create a rural/urban Greenbelt zone that permanently demarcates the boundary

- (i) between the rural and urban areas, or
- (ii) between urban and urban areas.

Section 3.5.15.12 of the Draft Plan relates to Fingal's Greenbelts and the Plan contains numerous supportive policies and objectives which are explicit in their protection of Greenbelts including Policy SPQHP57 'Preservation of Greenbelts', Objective SPQHO97 and SPQHO98 and Policy CSP42.

The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner.

The Greenbelt will provide opportunities for countryside access and for recreation, retain attractive landscapes, improve derelict land within and around towns, secure lands with a nature conservation interest, and retain land in agricultural use. The zoning objective will have the consequence of achieving the regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas. It is clear therefore, that the overall approach to greenbelts as set out in the Draft Development Plan commits to protecting and preserving the greenbelt areas around the settlement of Swords.

The issue of walkways and pedestrian access in this area of the County is briefly addressed below and in more detail in the section of this Chief Executive's Report which responds to submissions on Chapter 6 'Connectivity and Movement'.

### **Recreational Facilities**

Several submissions were received requesting the provision of additional recreation facilities for Swords and the surrounding area such as a primary care centre, a sports facility and a swimming pool. Submissions included a small number which provided a detailed list of the facilities and infrastructure required in this regard.

### **Chief Executive's Response:**

The requests for additional recreational facilities for Swords as outlined above is noted. However, at a strategic level it is not considered appropriate to specify or list all types of recreational and/or sporting facilities to be provided by the Council at this stage of the planmaking process or indeed to insert a new local objective for a specific use such as a swimming pool at a particular location.

The development management process allows for the assessment on a case-by-case basis the detail of a particular proposal, to ensure that the necessary infrastructure is provided at the correct location and at the most appropriate time. This is especially relevant in the provision of education facilities and large scale physical and recreational / sporting infrastructure, including swimming pools.

The Draft Plan, aided by the Local Area Plan and Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The National Sports Policy 2018- 2027 recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a long-term planned approach to facility management, investment and addressing future needs.

In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk. The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. One of the key objectives was to identify a gap and needs analysis, focusing on what is required in the study area in order to develop and maintain facilities.

A similar audit will be carried out for the remainder of the County during the lifetime of this Plan. Fingal County Council is also pioneering the provision of Active Recreational Hubs strategically located in parks and open spaces around the County. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015.

The Council will also continue to implement the Development Contribution Scheme as it relates to the improvement of existing recreation and leisure facilities and the funding of new recreational and leisure facilities. The need for additional and extended community facilities within the County is kept under active review, based on the findings from our Sports and Recreation Facilities Audits.

This issue is addressed in more detail in the Section of this Chief Executive's Report which provides responses to submissions in relation to Community Infrastructure and Open Space. In

addition, the specific local objectives for recreational activity listed in a number of the submissions is addressed below in the section which responds to requests for map based objectives to be included on Sheet 8.

## **Movement and Connectivity**

A number of submissions were received which addressed the issue of movement and connectivity for Swords and the surrounding area. These submissions covered a range of specific considerations including:

- the need to provide for a safe walking and cycling network and comments in relation to the route of the Malahide to Swords Cycle route as well as the Broadmeadow Way,
- the need to ensure safer road by providing speedbumps etc.
- the development of the Swords Western Ring Road, the necessity (or otherwise) of this project and its potential impact on existing uses in areas such as Forrest Little
- the need to prepare a local transportation plans for Swords
- scepticism as to the eventual delivery of the Metrolink project.

### **Chief Executive's Response:**

Chapter 6 'Connectivity and Movement' of the Draft Development Plan provides detailed information, policies and objectives relating to the transportation and mobility from spatial planning perspective. This includes details of roads and transportation schemes to be delivered across the County as well as infrastructure to enable more active and sustainable forms of travel.

With regard to the provision of specific projects, it should be noted that the Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided. As a result, the delivery of location specific projects are more appropriately considered within the context of a capital or works programme to be prepared by specific departments within the Council.

In addition, as set out in the response to the submission from the Office of the Planning Regulator set out in Part 2 of this Chief Executive's Report, it is recommended that a Local Area Plan is prepared for Swords in order to provide an integrated, strategy for the development of the town as a whole and will address the issue of movement and connectivity.

## **Map Based Objectives**

A significant number of submissions were received requesting the inclusion, removal or amendment of map-based objectives on Draft Development Plan Map Sheet 8.

## Local Objective for Residential Development on Forest Road

A submission was received in relation to a house on Forest Road south of Swords Main Street where the author's house is on residential zoned lands while their garden is zoned 'HA.' According to the submission Local Objectives 308 and 309 in the 2005 Development Plan were removed from the sites at this location in subsequent plans and the submission requests that an alternative to these objectives is provided or that the gardens are zoned to residential.

### **Chief Executive's Response:**

As stated previously, the lands on Forest Street referred to above, is located in an area of Swords which is directly adjacent to the sensitive Ward River Valley Park and is also bounded to the south along Forest Road by mature trees. As indicated in the Strategic Flood Risk Assessment which accompanies the Draft Development Plan the site in question is also adjacent to a small stream and is in an area at risk of flooding. Having regard to these issues, as well as the overall approach to zoning for additional residential development set out in the Core Strategy, it is not considered appropriate to remove the existing HA zoning for the lands in question.

### Road Proposal South of Boroimhe

A submission was received objecting to the siting of the road proposal (ring road) as denoted on Sheet 8 of the Draft Plan, south of Boroimhe.

### **Chief Executive's Response:**

The reference to the road proposal (ring road) south of Boroimhe is noted. The road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

The road transportation objectives of the Plan shall also be presented on the new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

#### LAP Requirement at Lissenhall

A submission was received in relation to a strategic landbank located at Balheary, north of Swords. Which requested that an LAP requirement (Lissenhall LAP 8A) be reinstated for c 3.94 ha of ME zoned lands at eastern side of Balheary Road.

### **Chief Executive's Response:**

Lissenhall (and Dunsink) are identified in the Draft Plan as 'long term strategic reserve lands'. These lands are currently proposed for new urban neighbourhoods beyond the 6-year lifetime of this Plan and are designated as key development sites that are characterised by: "their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period.

Fingal acknowledges that the significant scale and potential of these lands (several thousand new homes in new urban neighbourhoods), will require alignment and support from significant water services, transport and other infrastructural investment. The extended timescale needed to deliver such infrastructure requires certainty in terms of zoning status to ensure such long-term

planning and investment. The scale and extent of both areas is significant and has great potential to provide high quality new housing and commercial development within the County.

However, Fingal accepts that there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation. It is likely that the regeneration of these lands will occur over a much longer time frame than the Plan, hence the need to designate these lands now as a 'long term' strategic reserve.

LAPs play an important role in setting the framework for the achievement of integrated and balanced communities within a specified area. They seek to provide the optimal development framework to ensure the protection and enhancement of the existing areas, key features and the environment within an area, while providing for a high-quality living environment through the use of robust urban design principles.

Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources. As such, it would be considered premature at this stage to re-instate a LAP requirement for lands at Balheary.

## **Development of Lands at Lissenhall**

A submission was received which requested that the Plan provides a specific policy objective for lands at Lissenhall as follows: "to support and actively pursue the development of the Lissenhall lands during the plan period, to accommodate a significant proportion of Fingal's future population growth contiguous to the existing built-up footprint of Dublin city."

#### **Chief Executive's Response:**

It is not considered necessary to include a specific map-based policy in relation to the Lissenhall lands. Lissenhall (and Dunsink) are identified in the Draft Plan as 'long term strategic reserve lands'. These lands are currently proposed for new urban neighbourhoods beyond the 6-year lifetime of this Plan and are designated as key development sites that are characterised by: "their potential for significant residential development to be delivered over a timescale greater than a single six-year development plan period.

Fingal acknowledges that the significant scale and potential of these lands (several thousand new homes in new urban neighbourhoods), will require alignment and support from significant water services, transport and other infrastructural investment. The extended timescale needed to deliver such infrastructure requires certainty in terms of zoning status to ensure such long-term planning and investment. The scale and extent of both areas is significant and has great potential to provide high quality new housing and commercial development within the County.

However, Fingal accepts that there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership and the challenges of implementation. It is likely that the regeneration of these lands will occur over a much longer time frame than the Plan, hence the need to designate these lands now as a 'long term' strategic reserve. Given the long term strategic nature of these lands, it is not considered appropriate to include a new map-based objective at this time.

## Swords South-Western Ring Road:

A submission was received in relation to the Swords South-western Ring Road which requested insertion of an objective in the Development Plan 'that more strongly emphasises the strategic importance of the Swords Western Ring Road and more actively promotes and encourages the more-timely delivery of this vital piece of infrastructure.'

### **Chief Executive's Response:**

The reference to the road proposal (ring road) is noted. The road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner to protect the strategic function of the national road network as well as providing for high-quality walking and cycling connections where appropriate and access and priority for public transport routes. The proposed transportation schemes listed in Table 6.3 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan including strategic road proposals for areas to serve Swords, Portmarnock, Donabate and north-County towns.

These will be developed in the context of the Fingal Capital Plan, a three-year delivery programme of capital projects across the County. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

Fingal will continue to work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.'

#### Lands at Rathbeale Road

A submission was received in relation to lands at Rathbeale Road, Swords which made the point that given that the current road objective is to be developed on/through the subject landholding, that a new policy objective should be included which would facilitate the site being included in any study to be undertaken or any residential rezoning arising in the area. The submission also requested the rezoning of the site to 'RS' if proposed road to be delivered.

#### **Chief Executive's Response:**

The reference to the road proposal at Rathbeale Road is noted. The road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

It would be considered premature at this stage to be rezoning any lands in this area until such time as the road alignment has been confirmed.

### Forrest Little Golf Club

A submission was received in relation to Forrest Little Golf Club – Lands along Forest Road, Fosterstown North, Swords which proposed a revision to the road proposal on Sheet 8, to include a map based local objective to ensure 'that no acquisition of land along the route of the road traversing the Forest Little Golf Club will be pursued until such a time as additional land is acquired to replace the land lost by the construction of the road on lands traversing Forest Little Golf Clubs ownership (as identified on map submitted).

## **Chief Executive's Response:**

The reference to the road proposal at Forest Road is noted. The road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

It would be considered premature at this stage to include any map-based objective in relation to Forest Little Golf Club until such time as the road alignment has been confirmed.

## Sports Complex at Seatown East

A submission was received regarding lands north of Malahide Road, Mountgorry /Seatown East, Swords which requested the rezoning of lands from 'HA' and 'GB' to 'OS' and the inclusion of a new local objective is included for said lands (indicated as 'Parcel A') to 'facilitate the development of an integrated sports complex.'

### **Chief Executive's Response:**

The general principle relating to protection of greenbelt and high amenity lands against inappropriate development is set above in the responses to land use zoning requests. With regard to the inclusion of a new local objective for an integrated sports complex, it should be noted that the Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The National Sports Policy 2018- 2027 recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a long-term planned approach to facility management, investment and addressing future needs.

In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk. The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. O A similar audit will be carried out for the remainder of the County during the lifetime of this Plan. Recommendations from this county-wide audit will inform Fingal County Council as we seek to identify the optimum type and location of appropriate sports and

recreational facilities in an evidence-based manner, which will be used to help secure new investment in facilities across the County.

Fingal County Council is also pioneering the provision of Active Recreational Hubs strategically located in parks and open spaces around the County. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015. Recreational Hubs include high specification, well-serviced sports facilities designed for high-intensity use, catering for a range of sporting codes and located so that they facilitate ease of access with good connectivity via active travel infrastructure.

Through place-making, which is advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the development of adequate housing, retail, leisure, and employment uses, quality public realm, community facilities, design and standards and open space throughout the County. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

RPO 9.14 specifically states that 'Local Authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the needs of the communities they serve'. Through compact growth and in line with the Core Strategy set out in Chapter 2 of the Draft Plan, the provision of key social and leisure infrastructure will be provided at locations where they are most required.

The development management process allows for the assessment on a case-by-case basis the detail of a particular proposal, to ensure that the necessary infrastructure is provided at the correct location and at the most appropriate time. The Draft Plan, aided by the Development Management process, will ensure, where possible, the timely and accessible provision and improvement of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

The Council will continue to implement the Development Contribution Scheme as it relates to the improvement of existing recreation, community and leisure facilities and the funding of new facilities. The need for additional and extended community and sporting facilities within the County is kept under active review, based on the findings from our Sports and Recreation Facilities Audits.

It is considered therefore, that the existing policies and objectives within the Draft Plan are robust enough to guide and inform future development proposals for additional sports facilities at appropriate locations in Fingal, and that the delivery of location-specific projects would be more appropriately considered within the context of a capital or works programme.

#### Lands at Drinan

A submission was received regarding lands at Drinan, Swords which requested the insertion of the following specific objectives for the subject site:

That a minimum of 10% of the zoned residential area will be dedicated to sheltered housing for older people and people with disabilities. This is in addition to the social and affordable housing requirement under part V of the Planning and Development Act, 20000, as amended.'

'Include an objective to deliver a north-south cycle and pedestrian route through the subject site to connect the Malahide Road with the Feltrim Road, linking both roads to established and planned schools, residential and recreational areas.'

### **Chief Executive's Response:**

The lands are located within an area zoned "GB" – Greenbelt. As outlined above, the Objective of which is to: 'Protect and provide for a Greenbelt'. The vision for such lands is to: 'Create a rural/urban Greenbelt zone that permanently demarcates the boundary

- (i) between the rural and urban areas, or
- (ii) between urban and urban areas.

The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner.

A 'Residential Care Home/Retirement Home' is not permitted within areas zoned 'Greenbelt'. Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home, retirement village or sheltered housing for those with disabilities. Such facilities are 'permitted in principle' in several land use zoning objectives, including: Objective "Cl", Objective "LC", Objective "MC", Objective "ME", Objective "RA", Objective "RS", Objective "RV" and Objective "TC".

Any future application for such a use will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan and taking into account the proper planning and sustainable development of the area.

It is also important to recognise that the development of such facilities, outside of existing towns and villages and within 'GB' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts and erode the greenbelt in this area. The Council is fully committed to the continued protection of the Greenbelt and to allow for such a development in this area would seriously undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current FDP 2017-2023 and Draft Plan.

Approved Housing Bodies (AHBs) have been significant partners with local authorities in social housing delivery in Fingal and will continue to have a significant role in new Local Authority Delivery Action Plans which are to be prepared by individual local authorities by December 2021 covering a five-year period.

The Plans will set out how the Local Authority will deliver their housing targets, including the delivery of affordable homes. In addition, the Dublin Housing Delivery Group, of which Fingal is a partner, has been set up to co-ordinate and drive delivery of social and affordable housing in the Dublin region.

In addition to the continued implementation of Part V of the Planning and Development Act 2000 (as amended) the Council will continue to work in partnership with the Department of Housing, Local Government, and Heritage, Approved Housing Bodies, and other key stakeholders to deliver and manage social housing.

Other mechanisms of delivery will include direct build, acquisitions, void management, long term leasing, enhanced leasing, repair to lease, and private rental (RAS and HAP). The Council is actively engaged with social and affordable housing delivery and has a strong supply pipeline which will be delivered over the Development Plan period and will provide for a significant proportion of the annual housing targets for the County.

Fingal will continue to support the delivery and provision of social and affordable housing in accordance with the Fingal Housing Strategy and the policies and objectives within the Draft Plan. The following policy is relevant having regard to housing for those with disabilities:

Policy SPQHP22 – Affordable, Social and Specialised Housing: Promote the provision of affordable and social housing and specialised housing including sheltered housing and housing for persons with disabilities.

It should also be noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for a nursing home development at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

The Objective to deliver a north-south cycle and pedestrian route through this site is noted. However, there is an NTA cycle network map-based objective already in the vicinity of this site for a cycle route connecting the Malahide and Feltrim roads. It is not considered appropriate to include an additional north-south cycle and pedestrian route at this location.

#### Roads Based Objective at Fosterstown

A submission was received in relation to lands at Fosterstown which notes the omission of the Forest Road Improvement Road Proposal Map Based Objective and requests that this map-based roads objective be reinstated within the finalised Development Plan. The submission notes that this objective was contained in previous development plans and that requests that the omission of this objective could potentially unduly restrict development in the area.

### **Chief Executive's Response:**

With regard to the Forest Road Improvement, this road is included on the NTA GDA Cycle Network and any road upgrade at this location will be undertaken in that context.

Furthermore, the road alignments shown on the Development Plan maps are indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner to protect the strategic function of the national road network as well as providing for high-quality walking and cycling connections where appropriate and access and priority for public transport routes.

The proposed transportation schemes listed in Table 6.3 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan including strategic road proposals for areas to serve Swords, Portmarnock, Donabate and north-County towns. These will be developed in the context of the Fingal Capital Plan, a three-year delivery programme of capital projects across the County.

Fingal will continue to work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives. It is not considered appropriate to insert any new map-based objectives in relation to road proposals at Fosterstown

## **List of Local Objectives**

A submission was received which requested the inclusion of a number of specific local objectives as follows:

- (i) The submission states that in the lands east of Brackenstown House in Swords there should be a local objective to support the restoration of the historic canal which dates back to the 16th century.
- (ii) The submission states that on the northern, Western and Southern boundary of Swords there should be a local objective to create a continuous open space to provide amenity, restore nature and prevent urban sprawl.
- (iii) The submission states that there should be a local objective in the centre of Swords to support the provision of a primary care centre for the town, accessible and centrally located.
- (iv) The submission states that in the Lissenhall land bank to the north of Swords there should be a local objective to support the provision of a municipal sports centre. The submission also states that this should include provision for current sporting clubs who need additional facilities and codes which do not have facilities within the town at present.
- (v) The submission states that on the Glen Ellen Rd, there should be a local objective to support the provision of 'Dutch roundabouts' to address the problem of poor walking and cycling provision along that route.
- (vi) The submission states that on the lands in the Ward River Valley immediately south of the Swords Manor pitches, there should be a local objective for the provision of a community, sports centre, and swimming pool.
- (vii) The submission states that there should be a local area objective for the Ward River Valley to provide a destination playground within the park.
- (viii) The submission states that there should be a local area objective in the Knocksedan estate, for the provision of a walking and cycling connection to the other areas of Swords.
- (ix) The submission states that there should be a local area objective to explore the archaeological significance of the Knocksedan Motte and to seek to make the area accessible to the public.

- (x) The submission states that at the site of the former barracks on the Church Rd in Swords, opposite the Old School House, there should be an objective for the provision of a new park entrance and visitor centre.
- (xi) The submission states that a special local objective should be included to provide a generous walking and cycling routes through the park for all connecting estates into the village and by the river into Main St and Town Park.
- (xii) The submission calls for the inclusion of a local objective to support access to the historical cluster of St Columba's Church the Norman and Round Tower.

## Chief Executive's Response to Item (i)

There are a number of policies and objectives within the Draft Plan to support and promote the protection and conservation of our industrial heritage within the County. The canal itself and the many bridges and other structures associated with it are an integral part of the County's architectural heritage.

Objective HCAO49 – Royal Canal seeks to: 'Protect and enhance the built and natural heritage of the Royal Canal and ensure that development along it or within its vicinity is sensitively designed and does not have a detrimental effect on the character of the Canal, its built elements and its natural heritage values. Works to the built fabric of Royal Canal should have regard to the Waterways Ireland's Heritage Plan and Guidelines for Conservation of the Built Heritage – Repair and maintenance of heritage structures on the inland waterways of Ireland (2015)'

This land is not within Council ownership and it is not therefore considered appropriate to include a map-based objective to support the restoration of the canal at this time. it is considered that the existing policies and objectives contained within the Draft Plan are sufficient to protect and enhance the built and natural heritage of the Royal Canal.

### Chief Executive's Response to Item (ii)

Planning is underway for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt (green necklace) around Swords. This will have the effect of preventing sprawl and ensuring resilient urban design.

It is anticipated that public consultation on the planned Ward River Valley Regional Park Development Project will commence during the 2nd half of 2022. This 200acre Regional Park will provide a continuous parkland corridor between Knocksedan and Main Street Swords which will be subject to the same protection as other regional parks in Fingal.

The provision of a green corridor linking the Ward River Valley Regional Park and the Open Space at Ridgewood will also be explored in the context of future development management and in line with the Council's Green Infrastructure Plans.

## Chief Executive's Response to Item (iii) and (iv)

The need for the provision of a primary care centre in Swords and the need for additional sports facilities is acknowledged. However, at a strategic level it is not considered appropriate to specify or list all types of facilities to be provided by the Council or indeed to insert a new local objective

for a specific use such as a primary care centre or a municipal sports centre at a particular location.

The development management process allows for the assessment on a case-by-case basis the detail of a particular proposal, to ensure that the necessary infrastructure is provided at the correct location and at the most appropriate time. This is especially relevant in the provision of education facilities and large scale physical and recreational / sporting infrastructure. The Draft Plan, aided by the Local Area Plan and Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, and sports and recreational facilities, as appropriate.

The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The National Sports Policy 2018- 2027 recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a long-term planned approach to facility management, investment and addressing future needs. In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk.

The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. One of the key objectives was to identify a gap and needs analysis, focusing on what is required in the study area in order to develop and maintain facilities.

Fingal County Council is also pioneering the provision of Active Recreational Hubs strategically located in parks and open spaces around the County. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015.

Recreational Hubs include high specification, well-serviced sports facilities designed for high-intensity use, catering for a range of sporting codes and located so that they facilitate ease of access with good connectivity via active travel infrastructure.

Through place-making, which is advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the development of adequate housing, retail, leisure, health and employment uses, quality public realm, community facilities, design and standards and open space throughout the County. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

RPO 9.14 specifically states that 'Local Authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the needs of the communities they serve'.

The Council will also continue to implement the Development Contribution Scheme as it relates to the improvement of existing recreation and leisure facilities and the funding of new recreational and leisure facilities. The need for additional and extended community facilities within the County is kept under active review, based on the findings from our Sports and Recreation Facilities Audits.

## Chief Executive's Response to Item (v)

This road is on the NTA GDA Cycle Network and any road upgrade will be undertaken in that context. The brief for the Ward River Valley Regional Park Development Project makes provision for the inclusion of an extensive Active Travel network providing for walking and cycling infrastructure to and from the park.

The updated GDA Cycle Network will be shown on the Plan Maps. To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the indicative routes of strategic movement and connectivity infrastructure proposals across the County.

## Chief Executive's Response to Item (vi)

The need for additional community facilities including a sports centre and swimming pools is noted. However, at a strategic level it is not considered appropriate to specify or list all types of recreational and/or sporting facilities to be provided by the Council at this stage of the planmaking process or indeed to insert a new local objective for a specific use such as a community, sports centre and swimming pool at a particular location.

The development management process allows for the assessment on a case-by-case basis the detail of a particular proposal, to ensure that the necessary infrastructure is provided at the correct location and at the most appropriate time. This is especially relevant in the provision of education facilities and large scale physical and recreational / sporting infrastructure, including swimming pools.

The Draft Plan, aided by the Local Area Plan and Development Management processes, will ensure, where possible, the timely and accessible provision of community infrastructure, facilities, services and resources, including schools, religious, and community and health facilities, sports and recreational facilities, including swimming pools, as appropriate.

The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The National Sports Policy 2018- 2027 recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a long-term planned approach to facility management, investment and addressing future needs. In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk.

The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study area. One of the key objectives was to identify a gap and needs analysis, focusing on what is required in the study area in order to develop and maintain facilities.

A similar audit will be carried out for the remainder of the County during the lifetime of this Plan. Fingal County Council is also pioneering the provision of Active Recreational Hubs strategically located in parks and open spaces around the County. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015.

Recreational Hubs include high specification, well-serviced sports facilities designed for high-intensity use, catering for a range of sporting codes and located so that they facilitate ease of access with good connectivity via active travel infrastructure. Through place-making, which is

advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the development of adequate housing, retail, leisure, and employment uses, quality public realm, community facilities, design and standards and open space throughout the County. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

RPO 9.14 specifically states that 'Local Authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the needs of the communities they serve'.

The Council will also continue to implement the Development Contribution Scheme as it relates to the improvement of existing recreation and leisure facilities and the funding of new recreational and leisure facilities. The need for additional and extended community facilities within the County is kept under active review, based on the findings from our Sports and Recreation Facilities Audits. The Draft Plan includes the following policies in relation to community facilities and also the provision of open water pools:

Policy CIOSP4 – 'Social inclusion': Ensure provision of accessible, adequate and diverse community facilities and services in new and established residential areas to provide for the well-being of residents.'

Policy CIOSP15 – 'Open seawater facilities and open water pools ': 'Promote, develop and support the provision and upgrade of "Open Seawater" facilities (to include consideration of changing and toilet facilities), including fully accessible open water public pools to the highest specifications and standards at suitable locations across the Fingal region.'

Through compact growth and in line with the Core Strategy set out in Chapter 2 of the Draft Plan, the provision of key social and leisure infrastructure will be provided at locations where they are most required.

The Council will continue to provide a diverse, network of attractive, sustainably managed open spaces to enhance the quality of life of the citizens of Fingal. Given the strategic nature of the Development Plan, to identify specific sites for a sports centre and swimming pool at this time would also be premature pending the preparation of a Sports and Recreation Facilities Audit for the wider area.

### **Chief Executive's Response to Item (vii)**

It is not considered necessary to insert a new local objective to provide for a playground at the Ward River Valley. The brief for the Ward River Valley Regional Park Development Project makes provision for the development of a significant play facilities in the park.

### **Chief Executive's Response to Item (viii)**

The updated GDA Cycle Network will be shown on the Plan Maps. To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

Planning is underway for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt (green necklace) around Swords. This will have the effect of preventing sprawl and ensuring resilient urban design.

It is anticipated that public consultation on the planned Ward River Valley Regional Park Development Project will commence during the 2nd half of 2022. This 200acre Regional Park will provide a continuous parkland corridor between Knocksedan and Main Street Swords which will be subject to the same protection as other regional parks in Fingal.

The provision of a green corridor linking the Ward River Valley Regional Park and the Open Space at Ridgewood will be explored in the context of future development management and in line with the Council's Green Infrastructure Plans.

### Chief Executive's Response to Item (ix)

There are a number of policies and objectives within the Draft Plan to support and promote the protection and conservation of areas of archaeological significance within the County.

More specifically, Chapter 10 Heritage, Culture and Arts of the plan is explicit in supporting and promoting the protection of archaeological sites and monuments and incudes supportive policy in this regard.

Objective HCAO2 – Protection of RMPs/SMRs seeks to: 'Protect all archaeological sites and monuments, underwater archaeology, and archaeological objects, which are listed in the Record of Monuments and Places and all sites and features of archaeological and historic interest discovered subsequent to the publication of the Record of Monuments and Places, and to seek their preservation in situ (or at a minimum, preservation by record) through the planning process. '

Objective HCAO3 – Management of Archaeological Resource seeks to: 'Encourage and promote the appropriate management and maintenance of the County's archaeological heritage, including historical burial grounds, in accordance with conservation principles and best practice guidelines.'

Policy HCAP7 – Community Initiatives seeks to: 'Support community initiatives and projects regarding preservation, presentation and access to archaeological heritage and underwater cultural heritage, provided such are compatible with appropriate conservation policies and standards, having regard to the guidance and advice of the Department of Housing, Local Government and Heritage.'

This complex of buildings is not within Council ownership and public access to it could cause damage to the Recorded Monument and Protected Structure (RPS No. 365)

It is not therefore considered appropriate to include a map-based objective to support access to Knocksedan motte at this time.

#### Chief Executive's Response to Item (x)

The submission states that at the site of the former barracks on the Church Rd in Swords, opposite the Old School House, there should be an objective for the provision of a new park entrance and visitor centre.

#### Chief Executive's Response to Item (xi)

The need for improved walking and cycling routes through the park and to improve connections to Main Street are noted.

The updated GDA Cycle Network will be shown on the Plan Maps. To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

Planning is underway for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt (green necklace) around Swords. This will have the effect of preventing sprawl and ensuring resilient urban design.

It is anticipated that public consultation on the planned Ward River Valley Regional Park Development Project will commence during the 2nd half of 2022. This 200acre Regional Park will provide a continuous parkland corridor between Knocksedan and Main Street Swords which will be subject to the same protection as other regional parks in Fingal.

The provision of a green corridor linking the Ward River Valley Regional Park and the Open Space at Ridgewood will be explored in the context of future development management and in line with the Council's Green Infrastructure Plans.

#### Chief Executive's Response to Item (xii)

There are a number of policies and objectives within the Draft Plan to support and promote the protection and conservation of historical structures within the County.

More specifically, Chapter 10 Heritage, Culture and Arts of the plan is explicit in supporting and promoting the protection, sympathetic reuse and retention of the County's historic built heritage and incudes supportive policy in this regard.

Policy HCAP8 seeks to, 'Ensure the conservation, management, protection and enhancement of the architectural heritage of Fingal through the designation of Protected Structures and Architectural Conservation Areas, the safeguarding of designed landscapes and historic gardens, and the recognition of structures and elements with no specific statutory designation that contribute positively to the vernacular, industrial, maritime or 20th century heritage of the County.

Policy HCAP9 seeks to, 'Champion the maintenance, repair, re-use and sensitive retro-fitting of the architectural heritage and older building stock of the County as a cornerstone of its

sustainable development policy and will require that adaptative re-use and regeneration adheres to best conservation practice.'

This complex of buildings is not within Council ownership and so access to the interior of the tower is outside the remit of the Council. Access to the St. Columba's Church is possible through the attending of services or events. It should be noted that there are no surviving internal floors or stairs to the Round Tower so access is not possible. Access to the Recorded Monument and Protected Structures of the Medieval Square Tower is complex and limited in extend and it may not be feasible for owner to provide safely to members of the public.

It is not therefore considered appropriate to include a map-based objective to support access to St Columba's Church and Tower.

#### Green Necklace

A submission was received in relation relates to the creation of a green necklace from zoned greenbelt lands in the Swords area. The submission calls for the examination of the feasibility of obtaining land as shown on an attached pdf (entitled 'Appendix 8 Map Based Local Objectives: Additional Objectives') for the purposes of creating green infrastructure and active travel linkages in the area around Knocksedan Estate, in the area around Rathingle, Ridgewood and Forrest Road, in the area around Forrest Little to the Dual Carriageway bordering Boroimhe, in the area of the N1 Retail Park, in the area around Holywell Manor, Villas, Heights, Dene, Lawn and Meadow.

#### **Chief Executive's Response:**

Planning for the provision of Regional Parks along the banks of both the Ward River and Broadmeadow River in Swords and future green corridors linking these regional parks and other open space lands on the periphery of Swords will have the effect of providing a greenbelt (green necklace) around Swords. This will have the effect of preventing sprawl and ensuring resilient urban design.

It is anticipated that public consultation on the planned Ward River Valley Regional Park Development Project will commence during the 2nd half of 2022. This 200 acre Regional Park will provide a continuous parkland corridor between Knocksedan and Main Street Swords which will be subject to the same protection as other regional parks in Fingal. The provision of a green corridor linking the Ward River Valley Regional Park and the Open Space at Ridgewood will be explored in the context of future development management and in line with the Council's Green Infrastructure Plans.

The Draft Fingal Development Plan 2023-29 includes a range of cycling and pedestrian infrastructure, including the current NTA Greater Dublin Area Cycle Network, indicative Greenways, , Sustrans routes and Public Rights of Way. This is to achieve a more focused, strategic approach to the provision of new pedestrian/cycle routes throughout the County. Such routes are supported by analysis undertaken in the context of the NTA's GDA Cycle Network, the various adopted Local Area plans, planned/permitted Greenways and an examination of existing public rights of ways.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans

routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

The updated GDA Cycle Network will be shown on the relevant Development Plan Maps.

The alignments shown on the plan maps relating to walking and cycling infrastructure are indicative only and any future infrastructure developments will be required to go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum design solution. This process typically takes a number of years and during this process consultation will be undertaken with the general public and specific stakeholders as required, including the local community and landowners.

#### **Chief Executive's Recommendations**

No recommendations.

### **MAP SHEET 9: Malahide-Portmarnock**

#### **Submissions Received:**

FIN-C453-98, FIN-C453-107, FIN-C453-186, FIN-C453-192, FIN-C453-194, FIN-C453-198, FIN-C453-215, FIN-C453-346, FIN-C453-352, FIN-C453-353, FIN-C453-403, FIN-C453-421, FIN-C453-422, FIN-C453-423, FIN-C453-424, FIN-C453-425, FIN-C453-426, FIN-C453-427, FIN-C453-428, FIN-C453-429, FIN-C453-430, FIN-C453-432, FIN-C453-433, FIN-C453-434, FIN-C453-436, FIN-C453-438, FIN-C455-458, FIN-C455-45 C453-439, FIN-C453-441, FIN-C453-442, FIN-C453-443, FIN-C453-444, FIN-C453-445, FIN-C453-446, FIN-C453-447, FIN-C453-448, FIN-C453-449, FIN-C453-450, FIN-C453-451, FIN-C453-452, FIN-C453-450, FIN-C455-450, FIN-C455-450, FIN-C455-450, FIN-C450, C453-453, FIN-C453-454, FIN-C453-455, FIN-C453-456, FIN-C453-458, FIN-C453-459, FIN-C453-463, FIN-C453-464, FIN-C453-465, FIN-C453-466, FIN-C453-468, FIN-C453-469, FIN-C453-470, FIN-C453-469, FIN-C453-469, FIN-C453-469, FIN-C453-470, FIN-C453-469, FIN-C453-469, FIN-C453-469, FIN-C453-470, FIN-C453-469, FIN-C453-469, FIN-C453-469, FIN-C453-470, FIN-C453-469, FIN-C453-469, FIN-C453-470, FIN-C455-470, FIN-C455-470, FIN-C455-470, FIN-C455-470, FIN-C455-470, FIN-C455-47 C453-471, FIN-C453-472, FIN-C453-475, FIN-C453-476, FIN-C453-479, FIN-C453-480, FIN-C453-481, FIN-C453-482, FIN-C453-483, FIN-C453-484, FIN-C453-486, FIN-C453-494, FIN-C453-497, FIN-C453-487, FIN-C453-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-489, FIN-C455-48 C453-500, FIN-C453-501, FIN-C453-502, FIN-C453-503, FIN-C453-507, FIN-C453-509, FIN-C453-510, FIN-C453-511, FIN-C453-512, FIN-C453-513, FIN-C453-514, FIN-C453-515, FIN-C453-517, FIN-C453-517, FIN-C453-517, FIN-C453-519, FIN-C455-519, FIN-C455-51 C453-518, FIN-C453-519, FIN-C453-524, FIN-C453-525, FIN-C453-526, FIN-C453-528, FIN-C453-529, FIN-C453-530, FIN-C453-533, FIN-C453-535, FIN-C453-537, FIN-C453-538, FIN-C453-544, FIN-C453-549, FIN-C453-552, FIN-C453-553, FIN-C453-555, FIN-C453-561, FIN-C453-563, FIN-C453-564, FIN-C453-569, FIN-C453-570, FIN-C453-575, FIN-C453-589, FIN-C453-590, FIN-C453-592, FIN-C453-590, FIN-C455-590, FIN-C455-59 C453-593, FIN-C453-595, FIN-C453-596, FIN-C453-598, FIN-C453-600, FIN-C453-604, FIN-C453-605, FIN-C453-608, FIN-C453-609, FIN-C453-612, FIN-C453-615, FIN-C453-617, FIN-C453-619, FIN-C453-621, FIN-C453-622, FIN-C453-633, FIN-C453-634, FIN-C453-637, FIN-C453-640, FIN-C453-645, FIN-C453-651, FIN-C453-652, FIN-C453-657, FIN-C453-660, FIN-C453-662, FIN-C453-663, FIN-C453-667, FIN-C453-669, FIN-C453-677, FIN-C453-680, FIN-C453-681, FIN-C453-686, FIN-C453-693, FIN-C453-696, FIN-C453-710, FIN-C453-718, FIN-C453-726, FIN-C453-731, FIN-C453-733, FIN-C453-734, FIN-C453-742, FIN-C453-744, FIN-C453-747, FIN-C453-749, FIN-C453-751, FIN-C453-753, FIN-C453-753, FIN-C453-757, FIN-C453-759, FIN-C453-772, FIN-C453-783, FIN-C453-785, FIN-C453-800, FIN-C453-803, FIN-C453-810, FIN-C453-818, FIN-C453-820, FIN-C453-852, FIN-C453-856, FIN-C453-882, FIN-C453-893, FIN-C453-898, FIN-C453-902, FIN-C453-921, FIN-C453-922, FIN-C453-922, FIN-C453-924, FIN-C455-924, FIN-C45-924 C453-925, FIN-C453-929, FIN-C453-942, FIN-C453-958, FIN-C453-1024, FIN-C453-1041, FIN-C453-1072, FIN-C453-1083, FIN-C453-1086, FIN-C453-1090, FIN-C453-1110, FIN-C453-1110, FIN-C453-1114, FIN-C453-1137, FIN-C453-1140, FIN-C453-1143, FIN-C453-1158, FIN-C453-1162, FIN-C453-1166, FIN-C453-1179, FIN-C453-1188, FIN-C453-1209, FIN-C453-1217, FIN-C453-1230, FIN-C453-1231, FIN-C453-1231, FIN-C453-1238, FIN-C453-1242, FIN-C453-1247, FIN-C453-1256, FIN-C453-1269, FIN-C453-1334, FIN-C453-1671, FIN-C453-1684, FIN-C453-1782

### **Summary of Issues**

#### Rezoning to RS, RA, or TC

Several of the submissions seek a RS, RA or TC zoning, in place of Greenbelt, Open Space, High Amenity, Community Infrastructure and Town Centre zonings.

- A submission requests that lands at Robswall, Malahide are rezoned from HA to RS.
- A submission requests the rezoning of lands to the rear of Balregan Lodge, Estuary Road, Malahide from HA to RS with specific density controls.
- A submission requests the rezoning of lands at 1 Hillcrest, Malahide from HA to RS.

- A submission requests the rezoning of lands at Portmarnock from HA to RS with open space provision.
- A submission requests the rezoning of land at Portmarnock Bridge from HA to RA, RS or TC.
- A submission requests rezoning of lands based between Portmarnock and Malahide from GB to RS or to a 'Mixed Use' zoning.
- A submission requests the rezoning of lands at Broomfield, Malahide from GB to RA and OS.
- A submission requests rezoning of a site adjacent to Balgriffin Cemetery from GB to RA.
- Several submissions request that lands at Streamstown, Malahide be rezoned from GB to RS or RA, with specific density controls.
- A submission requests the rezoning of lands at Seabury, Malahide from GB to RA.
- A submission requests that lands at Kinsealy Lane, Malahide are rezoned from GB to RS.
- A submission requests the rezoning of lands at St. Doolagh's, Dublin 17 from GB to RA.
- A submission requests the rezoning of Carey lands, Baskin Lane, Kinsealy from GB to RS or RA.
- A submission requests the rezoning of land at Drumnigh Road, Portmarnock from GB to RA.
- A submission requests the rezoning of lands at Kinsealy Grange Golf Centre and Driving Range, Portmarnock from GB to RA.
- A submission requests the rezoning of a plot of land at Harp Farm, Malahide Road, Kinsealy from GB to RS.
- A submission requests the rezoning of lands at Kinsealy Lane, Malahide from GB or RA or RS.
- A submission requests the rezoning of lands to the north of Kinsealy Business Park from GB to a residential zoning.
- A submission requests the rezoning of lands from GB to residential at Blackwood Lane, Malahide.
- A submission requests the rezoning of lands at Kinsealy from GB to RS with open space provision.
- A submission requests the rezoning of lands at Snugborough, Mayne Road, Balgriffin from GB to RS with open space provision.
- A submission requests the rezoning of a strip of land adjoining Seacrest, Coast Road, Portmarnock from OS to RS.
- A submission requests the rezoning of lands adjoining the R105 between Swords and Malahide from CI to RS.

#### **Chief Executive's Response:**

The Objective of 'HA' zoned lands is to 'Protect and enhance high amenity areas.' The vision for 'HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.' These high amenity areas and particularly the coastal corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the

County coincides closely with these areas of high amenity value. The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County. The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at the above-mentioned locations to 'RS' or 'RA' is clearly not based on need and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-29, as set within the context of the NPF and RSES. It is considered that no further extension of residentially zoned lands is required at these locations. Any rezoning of these lands cannot be justified on the matters outlined above and would be contrary to government guidance at national level. To allow this change would seriously undermine the accepted and established RSS which is considered fair and reasonable, would seriously contravene the zoning objective and vision for high amenity lands of which it is Council policy to protect and would have serious impacts for the proper planning and sustainable development of Fingal and its valued sensitive landscapes. Based on the above, this proposal is not considered acceptable and is contrary to proper planning and sustainable development of the area.

Furthermore, and specifically relating to the request to rezone high amenity lands at Portmarnock Bridge to TC, there is no evident need at this time to extend the existing 'TC' zoned lands at Portmarnock. It is an objective of the Plan to prepare Framework Plans for numerous areas throughout the County, including in urban, rural and industrial settings. It is envisaged that the Framework Plans will include objectives and a programme of actions to maximise the development potential of these areas and they will provide a vision for the area in question and identify local distinctiveness. Framework Plans will be advisory in nature, with a long-term vision for the future, allowing sufficient flexibility to manage change depending on the particular circumstances presenting, including societal, economic, environmental and cultural. They offer a vision for an area within the structure of the Development Plan. Active public engagement will be central to the preparation of Framework Plans, where local communities, landowners and relevant stakeholders will be given the opportunity to contribute to the process. Following the active public engagement process. Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources. Table 2.19 lists the Framework Plans to be prepared and Portmarnock is included in this list. Based on the above, the rezoning of these lands is not considered acceptable and is contrary to proper planning and sustainable development of the area.

The Council is fully committed to the continued protection of the Greenbelt and to allow for a 'RA' or 'RS' - Residential zoning at the locations would seriously undermine the long-standing Greenbelt policy of the Council. The requests, if accepted, would represent a serious encroachment and a fundamental erosion into these strategically important Greenbelts. The rezoning of additional lands to 'RA' and 'RS' would directly conflict with the Core Strategy and Settlement Strategy of the Draft Plan. These proposals are therefore not supported by any evidence-based planning rationale. The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy, which seeks to accommodate projected population growth in the County in a strategic and planned manner. The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands

within the County to meet the needs of Fingal over the Plan period. The zoning of additional lands at these locations is not required on the basis of need and would be contrary to the Core Strategy and contrary to the provisions of the NPF and RSES. Furthermore, the subject lands form part of the strategic greenbelt around Malahide, Portmarnock and Kinsealy, safeguarding the innate rural value of the countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas, resulting in a significant loss of the Strategic Greenbelt at this location which is under serious development pressure. Section 3.5.15.12 as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including the following:

'Objective SPQHO94 Strengthen greenbelt lands by identifying opportunities for infill development and consolidation of existing towns to reduce the need to zone additional greenfield lands and ensure the preservation of strategic greenbelts between our towns and villages.

Objective SPQHO95 Promote development within the Greenbelts which has a demonstrated need for such a location, and which protects and promotes the permanency of the Greenbelt, and the open and rural character of the area

Objective CSP42 'Strengthen greenbelt lands by identifying opportunities for infill development and consolidation of existing towns and villages to reduce the need to zone additional greenfield lands and ensure the preservation of strategic greenbelts to avoid coalescence of settlements. Support development within the Greenbelts which has a demonstrated need for such a location, and which protects and promotes its permanency.'

Policy SPQHP44 Preservation of Greenbelts Recognise the importance of and preserve greenbelts in Fingal in order to safeguard valuable countryside to ensure that existing urban areas within Fingal do not coalesce enabling citizens to enjoy the County's natural amenities and to strengthen and consolidate greenbelts around key settlements.'

The Council is fully committed to the continued protection of the Greenbelt and to allow for a RA or RS - Residential zoning at these locations would seriously undermine the long-standing Greenbelt policy of the Council. The zoning of these lands to 'RA' or 'RS' cannot be justified on the matters outlined above and would be contrary to government guidance at national level. Such a development pattern would result in the loss of strategic greenbelt lands, of which it is Council policy to protect and would be contrary to the Core Strategy of the Draft plan. As such the requests are not considered acceptable and are contrary to proper planning and sustainable development of the area.

Furthermore, and in relation to the request to rezone lands at Broomfield, Malahide to RA and OS to facilitate playing pitches and a school, it is noted that 'Recreational/Sports Facility' is listed as permitted in principle under the existing 'GB' zoning objective, while provision of a school is open for consideration under this zoning objective. The requests for provision of a school on lands at Broomfield are dealt with in the Map Based Objectives section below.

The requests to rezone lands zoned 'OS' to residential use are noted. The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The Council will continue to provide a diverse,

network of attractive, sustainably managed open spaces to enhance the quality of life of the citizens of Fingal.

The proposed zoning would result in the loss of zoned open space lands where residential development is not permitted and of which it is Council policy to preserve and protect. As such, there is no evidence-based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of the Draft Plan 2023-2029, the NPF and the RSES. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the open space zoning objective of the current Fingal Development Plan and the Draft Plan and as such, would be contrary to proper planning and sustainable development.

The submission requesting the rezoning of lands adjoining the R105 between Swords and Malahide from CI to RS is noted. The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at the above-mentioned locations to 'RS' or 'RA' is clearly not based on need and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-29, as set within the context of the NPF and RSES. It is considered that no further extension of residentially zoned lands is required at these locations. Any rezoning of these lands cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

### **Rezoning to General Employment (GE)**

A submission requests the rezoning of lands north of Kinsealy Co. Dublin from GB to GE to reflect the existing land-use at that location. Another submission relating to a separate site requests the rezoning of lands north-east of Kinsealy village from GB to GE.

Another submission requests the rezoning of a plot at Harp Farm, Malahide Road, Kinsealy from GB to GE to facilitate office and warehousing on the site.

#### **Chief Executive's Response:**

The subject lands are located north and north-east of Kinsealy and at Harp Farm, off Malahide Road, Kinsealy. Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents.

A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, 'To facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.' In addition, Policy EEP2 of the Draft Plan relating to general employment lands seeks to, 'Maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible.'

Table 7.1 of the Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors. The locations for future employment in Fingal are informed by the requirements of the NPF and the RSES.

The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns.

The MASP in the RSES has identified Key Strategic Development Areas in Fingal for employment and residential development. The objective of the MASP regarding employment lands is to follow a sequential approach, with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas and the provision of appropriate employment densities in tandem with the provision of high-quality public transport corridors.

'An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. The findings of this study demonstrate that there is a more than adequate quantum of employment zoned lands including general employment lands within the County to accommodate any future employment growth in readily accessible locations within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

These existing undeveloped zoned lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors. In the absence of any coherent evidence-based need or planning rationale for the proposed change in zoning at these locations and the amount of undeveloped 'GE' zoned land in the County, the proposal to change GB lands to GE would result in an un-coordinated, ad-hoc provision of unsustainable employment lands of which there is no evidence-based need or rationale for such a change.

The requested zoning would be in breach of key objectives of the Draft FDP 2023-2029 and NTA policy to protect strategic transport corridors and channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure and as such is contrary to proper planning and sustainable development.

### Rezoning to Rural Village (RV)

A number of submissions requests the rezoning of lands at Kinsaley from GB to RV. A submission requests the rezoning of lands at Abbeyville Demesne from GB to RV.

#### **Chief Executive's Response:**

The proposals in this context relate to an extension of the existing RV zoning to the west of Kinsaley rural village where infrastructure and services are absent or limited and lacks the essential structuring elements and standard infrastructure such as roads, footpaths and public lighting that would warrant a change in zoning to RV.

Critically, Fingal's Rural villages are important rural assets providing a viable alternative housing experience to the open countryside with the advantages of a rural setting as supported in Chapter 3 of the Draft Plan. A key aim of the Draft Plan is the need to control expansion to prevent excessive development so as to protect the unique identity of these villages. These villages will be allowed to grow to support sustainable development in the context of the Council's Core Strategy. The Draft Plan seeks that villages, such as Kinsaley, grows with appropriate residential, social and community uses, without resulting in growth beyond local need or creating unsustainable commuting patterns.

The allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan. The Housing Supply Targets indicates a requirement for 16,245 housing units over the Plan period. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31 designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal County Council has capacity to accommodate more than the required need over the plan period within its administrative area. The allocation of growth within the Rural Villages represents a fair and equitable allocation based on:

- The evidence-based approach adopted in the Core Strategy, where Fingal has a significant and sufficient quantum of zoned land to meet the HST targets for the Development Plan period.
- The capacity of the rural villages to accommodate growth without compromising their essential character, and
- The strong need to avoid any further suburbanisation of the Fingal rural villages.

A key objective for Fingal's Rural Villages is the consolidation and strengthening of the viability of the village core. Development opportunity exists within Kinsaley rural village as evidenced by the Urban Capacity assessment that was carried out to inform the preparation of the Draft Plan. Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period. In conclusion, there is no evidence-based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-2029, the NPF, the RSES and Ministerial Guidelines. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the rural and high amenity zoning objectives and provisions of the Draft Plan relating to the protection of rural Fingal and as such would be contrary to proper planning and sustainable development.

#### **Rezoning to Community Infrastructure (CI)**

A submission requests the rezoning of lands at Swords Road, Malahide from GB to CI to provide for a specialist epilepsy care centre.

Another submission requests the rezoning of lands at Estuary House, Malahide from HA to CI to facilitate sheltered accommodation for older people.

One submission requested the rezoning of lands at Clairville Lodge, Streamstown, Malahide from RS to CI to facilitate development of a childcare facility.

Multiple submissions request the rezoning of lands at Broomfield from GB to CI to accommodate a new school building.

#### **Chief Executive's Response:**

The submission requesting the rezoning of lands at Swords Road, Malahide from GB to CI to provide for a specialist epilepsy care centre is noted. It is considered acceptable to have such a use at this location. The proposed site is excessive to accommodate the epilepsy care centre and accommodates additional facilities, such as park and pitches which can be accommodated in the GB zoning. A reduced area of 'CI' zoning to accommodate the structures is recommended. The reduced zoning does not impact on the submitted proposed layout, as submitted. It is also considered that a map based objective for an epilepsy care centre should apply to the lands.

Turning to the submission requesting the rezoning of lands at Estuary House, Malahide to CI to facilitate sheltered accommodation for older people, it is noted that the lands are located in a coastal area close to the Malahide Estuary and are included within land use zoning objective "HA" - High Amenity, which seeks to, 'Protect and enhance high amenity areas.' The vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.' The areas within the County that are covered by the HA - High Amenity zoning objective include the Coastal Corridor, including these lands at Old Yellow Walls Road in Malahide.

These high amenity areas and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environmental resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value.

The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within the HA – High Amenity zoning objective, in order to promote more sustainable settlement and protect the most sensitive parts of the County.

The subject lands are located outside of the development boundary of Malahide. The submission is proposing that the lands are zoned from HA to CI. One of the main focuses of the Draft Plan is the provision of strong town centres, which is advocated by the Town Centre approach and Government's Town Centre First Policy published in February 2022. This approach seeks to revitalise our towns and villages, making them vibrant places to live, work, shop and do business. It is essential that the existing town centres, in towns such as Malahide are strengthened and consolidated before consideration could be given to additional zoning.

The Draft Plan contains objectives to consolidate and enhance the town of Malahide, ensuring the growth of strong town centres, sustainable communities and strengthening economic performance. The Draft Plan seeks that towns such as Malahide grows with appropriate residential, social and community uses, without creating unsustainable commuting patterns. It is essential that existing and future development is consolidated within the well-defined town boundaries and the distinct physical separation of Malahide and Portmarnock is maintained.

The requested change in land use from HA to CI at this location would result in an unwarranted weakening of the existing town centre. Furthermore, the lands are zoned HA where the Objective is to 'Protect and enhance high amenity areas. The Council is fully committed to the continued protection of the high amenity lands at this location and to allow a change in the zoning of lands at this location would seriously undermine the long-standing policy of protecting the coastal corridor within the County and would be contrary to the zoning objective and vision to protect high amenity lands as set out in the current FDP 2017-2023 and Draft Plan. Development of this kind proposed should be directed into the existing town centre to avail of infill and consolidation opportunities.

The submission requesting the rezoning of lands at Clairville Lodge, Streamstown, Malahide from residential use to CI to facilitate development of a childcare facility is noted. As set out above, one of the main focuses of the Draft Plan is the provision of strong town centres, which is advocated by the Town Centre approach and Government's Town Centre First Policy published in February 2022. This approach seeks to revitalise our towns and villages, making them vibrant places to live, work, shop and do business. It is essential that the existing town centres, in towns such as Malahide are strengthened and consolidated before consideration could be given to additional zoning. The requested change in land use from residential to CI at this location would result in an unwarranted weakening of the existing town centre. Separately it is noted that there is a current planning application lodged in respect of lands at Clairville Lodge for construction of a 2 storey childcare facility and all associated works, which is currently the subject of an additional information request (Reg. Ref. F22A/0260 refers).

The submissions requesting the rezoning of lands at Broomfield from GB to CI to accommodate a new school building are noted. Educational Facilities have an important role to play in developing sustainable and balanced communities as well as encouraging families to live in the County. Fingal County Council has and will continue to work collaboratively with the Department and with the Department of Further and Higher Education, Research, Innovation and Science in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal. 'Education' as a use class is open for consideration within the GB zoning objective and as such it is not considered necessary to rezone the subject site at Broomfield. The Department of Education has purchased this site and requests that a school site objective be attached to this site. This matter is dealt with below under the section relating to Map Based Objectives.

### **Rezoning to Local Centre (LC)**

A submission requests the rezoning of lands off Back Road, Broomfield from RA to LC.

#### **Chief Executive's Response:**

This submission is noted. Given the level of retail provision listed in the 'Permitted in Principle' category of the RA Zoning Objective it is considered that this zoning objective should be retained at this location. In this regard, the following retail use classes are permitted in principle: Retail – Local < 150 sqm nfa; Retail – Convenience  $\leq$  500 sqm nfa; Retail – Comparison  $\leq$  500 sqm nfa and Retail – Supermarket  $\leq$  2,500 sqm nfa.

### **Rezoning to Residential (RS)**

A submission requests the rezoning of residential parts of the Marina in Malahide which are zoned TC to RS.

#### **Chief Executive's Response:**

While this submission is noted, the Marina development in Malahide is located in the town centre and as such no change to the zoning objective is required.

### **Rezoning to Open Space (OS)**

A submission requests the rezoning of all lands not subject to a grant of planning permission at Maynetown, Portmarnock from RA to OS.

#### **Chief Executive's Response:**

This submission is noted. The lands at Maynetown are included within the Portmarnock South LAP 2013 which has been extended to 2023. This LAP provides a framework for the proper planning and sustainable development of the Portmarnock South lands and facilitates the delivery of housing in key locations particularly those with links to public transport. The Portmarnock South LAP together with national policy set out direction on the form of the development of the lands at this location. The Portmarnock South lands are a strategic landbank of zoned residential lands adjoining a high quality public corridor. The Draft Plan is explicit in promoting compact and consolidated residential development adjoining key transport corridors through appropriate policies including Policy CMP2 and Objective CMO3 which state the following:

Policy CMP2 – Managing Demand for Travel: Concentrate compact growth around existing and planned transport services ensuring that transport and land-use are integrated to the greatest extent possible so that the demand for travel in general and for car-based travel is reduced.

Objective CMO3 – Integration of Public Transport and Development: Support and facilitate high-density, mixed-use development and trip intensive uses along public transport corridors and to ensure the integration of high-quality permeability links and public realm in conjunction with the delivery of public transport services through plan frameworks to generate and reinforce sustainable patterns of compact growth and development in the County

As such the request to rezone residential lands to open space would be contrary to the NPF, RSES and guidance from the NTA. Residential development continues to be provided at this location as part of the Portmarnock South LAP and significant improvements will continue to be

made in the provision of active travel options building on the success of the Baldoyle Portmarnock Greenway, a vital phase in the Sutton to Malahide Greenway.

#### Other

A submission requests the adjustment of the boundary line between the 'RA' and 'OS' zoning objectives for the Portmarnock South lands, to align with the Folio Map, to ensure the full extent of both the 'RA' and 'OS' lands are accurately reflected on the Development Plan maps.

#### **Chief Executive's Response:**

The request that the boundary line between the 'RA' and 'OS' zoning objectives for the Portmarnock South lands (in the townlands of Drumnigh, Maynetown and Portmarnock) are adjusted to align with the Folio Map is accepted. This will ensure that the full extent of both the 'RA' and 'OS' lands are accurately reflected on the Development Plan maps.

### **Map Based Objectives**

A number of submissions were received requesting the inclusion, removal or amendment of map-based objectives on Draft Development Plan Map Sheet 9.

#### Lands at Baskin Lane

A submission seeks a site-specific local objective relating to lands at Baskin Lane, Kinsaley which limits development to 'elderly care and/or other appropriate local healthcare services.'

#### **Chief Executive's Response:**

The lands on the southern side of Baskin Lane are located outside of the development boundary of Kinsealy, approximately 150m from the junction with the Malahide Road. The lands are located within an area zoned "GB" - Greenbelt, the Objective of which is to: 'Protect and provide for a Greenbelt'. The vision for such lands is to: 'Create a rural/urban Greenbelt zone that permanently demarcates the boundary (i) between the rural and urban areas, or (ii) between urban and urban areas. The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner. The Greenbelt will provide opportunities for countryside access and for recreation, retain attractive landscapes, improve derelict land within and around towns, secure lands with a nature conservation interest, and retain land in agricultural use. The zoning objective will have the consequence of achieving the regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas.

A 'Residential Care Home/Retirement Home' is not permitted within areas zoned 'Greenbelt'. Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village. A Retirement Village / Residential Care Home / Retirement Home is 'permitted in principle' in several land use zoning objectives, including: Objective "CI", Objective "LC", Objective "MC", Objective "ME", Objective "RA",

Objective "RS", Objective "RV" and Objective "TC". Any future application for a retirement village will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan.

It is also important to recognise that the development of retirement villages, outside of existing towns and villages and within 'GB' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts and erode the greenbelt in this area. The Council is fully committed to the continued protection of the Greenbelt and to allow for a nursing home development in this area would seriously undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current Fingal Development Plan 2017-2023 and Draft Plan.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for a nursing home development at this location cannot be justified having regard to the matters outlined above and would be contrary to government guidance at national level.

### Moyne Road

A submission requests reinstatement of a local objective to show the Moyne Road Realignment.

#### **Chief Executive's Response:**

There is no requirement for the local objective relating to the Moyne Road Realignment to be reinstated. There are two relevant adopted Local Area Plans (LAPs) for this area - Baldoyle/Stapolin LAP and Portmarnock South and neither envisage a need to upgrade or realign the Moyne road. These LAPs are currently being implemented and no requirement for the proposed realignment has been confirmed. The Council will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan. The road transportation objectives of the Plan shall be presented on the new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

#### Estuary House, Malahide

Related to the rezoning request for Estuary House, Malahide (dealt with above) the submission on behalf of the landowner indicates their willingness to accept local objectives relating to design of the coastal path, the future transfer of lands to FCC and design criteria for the sheltered accommodation.

#### **Chief Executive's Response:**

The reference to the provision of sheltered accommodation for the elderly at Estuary House and lands at Malahide is noted. Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other

community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic. Chapter 3 -'Sustainable Placemaking and Quality Homes' of the Draft Plan includes supportive policy and objectives relating to the promotion and support for housing and accommodation needs for older people. There is an explicit requirement for the nature of accommodation proposed, (such as a nursing home or sheltered accommodation) to be located in towns and villages where ancillary supporting infrastructure, services and amenities are located, in the interests of social inclusion, accessibility and sustainability.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village. A Retirement Village / Residential Care Home / Retirement Home is 'permitted in principle' in several land use zoning objectives, including: Objective "CI", Objective "LC", Objective "MC", Objective "ME", Objective "RA", Objective "RS", Objective "RV" and Objective "TC". Any future application for a retirement village will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan.

It is important to recognise that the development of retirement villages, outside of existing towns and villages and within 'HA' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts and erode the sensitive landscape in this area. The Council is fully committed to the continued protection of the high amenity lands at this location and to allow for sheltered accommodation development in this area would seriously undermine the long-standing policy of protecting the coastal corridor within the County and would be contrary to the zoning objective and vision to protect high amenity lands as set out in the current FDP 2017-2023 and Draft Plan.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for sheltered accommodation at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

#### Abbeyville Demesne

Related to the rezoning request for lands at Abbeyville Demesne, Kinsealy, a submission requests provision of a new local objective as follows: *Encourage and support the development of an Integrated Tourism/Leisure/Recreational Complex on Abbeville Demesne, incorporating facilities which may include: Hotel/Conference Centre, Golf Course, Fitness Centre and at least one other extensive tourist/recreational facility. A strictly limited number of dwelling units, preferably grouped in a courtyard type configuration, the majority of which shall be reserved for tourism use may be considered. The development of any such facility shall also incorporate the refurbishment and re-use of the existing Abbeville House for tourism related uses, in accordance with conservation best practice. The nature and extent of the facilities to be provided shall be determined primarily by the need to protect, conserve and maintain for the long term, the house and its surroundings, which are of significant architectural importance and the special landscape character and heritage features of the demesne.'* 

Another submission relating to lands at Abbeyville Demesne requests reinstatement of a location specific objective which supports its sensitive redevelopment and to 'Encourage and support the development of a golf course and club house.'

### **Chief Executive's Response:**

It is not considered necessary to insert new Local Objectives to encourage and support the development of an Integrated Tourism / Leisure / Recreational complex to include development of a golf course and club house at Abbeyville Demesne. Section 7.5.2.1 of the Draft Plan includes a section on 'Integrated Tourism Complexes' and Abbeyville is included in the list of such complexes. It is stated in the Draft Plan that the Council 'will continue to encourage the development of integrated tourism/leisure/recreational complexes in demesne type landscapes in the County, where such uses are consistent with the retention of such landscapes. The conservation of these assets into the future is essential and the Council recognises the need for the appropriate sustainable reuse of these buildings.'

Objective EEO48 of the Draft Plan states: Objective EEO48 – Integrated Tourism Complexes: 'Facilitate, where appropriate, (those complexes as listed in 7.5.2.1 Abbeyville, Dunsoghly Castle, Roganstown, Tyrrelstown House, Hampton Demesne, Beech Park House), the conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments subject to architectural conservation best practice and proper planning and sustainable development, having regard to protecting the demesne type landscape and existing natural features, and providing improved pedestrian access, where appropriate.'

The complexes that will be considered for such proposals include Abbeyville, and as such specific Local Objectives on site are not therefore required. Any future uses on the lands will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan.

#### Lands at Baskin Lane

Related to the rezoning request for lands at Baskin Lane, Cloghran / Kinsealy (dealt with above) a submission requests inclusion of the following site specific objective: 'To deliver live-work units that respond to the growing demand to work from home and support rural enterprise, contributing to the local economy and delivering on the 15 minute concept for rural Fingal.'

#### **Chief Executive's Response:**

Turning to the request for provision of a Local Objective relating to lands at Baskin Lane, Kinsealy for live-work units to respond to the growing demand to work from home is acknowledged. It is important to recognise that the development of remote working hubs (live-work units), outside of existing towns and villages and within 'GB' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts and erode the greenbelt in this area. The Council is fully committed to the continued protection of the Greenbelt and to allow for such development in this area would seriously undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the current Fingal Development Plan 2017-2023 and Draft Plan.

The rise of new work practices, such as remote working hubs and co-working facilities will be supported by the Council as will the need to ensure that office and other commercial development is directed to town centres to avoid sprawl and to revitalise town and village centres. Depending on the size of the enterprise, office accommodation in a wide range of formats, sizes, arrangements and locations can be required. The Development Management standards outlined in Chapter 14 seek to achieve high quality design, visual continuity and pedestrian and cycle friendly environments whilst ensuring the efficient functioning of such business locations.

The Draft Plan recognises that the growth in remote working brings a new dynamic to locational decisions, including remote working hubs with the potential to improve quality of rural employment landscape. The Council continues to work with the Department of Rural & Community Development to support remote working and co-working facilities around the County. There are a number of policies and objectives included within the Draft Plan, which support remote working hubs, including the following:

Policy EEP13 – Changing Work Practices: Promote and facilitate different work practices that have developed recently and continue to support the existing co-working facilities, remote working hubs and enterprise centres throughout the County.

Objective EEO22: Support the "Making Remote Work – National Remote Work Strategy" and the provision of appropriate IT infrastructure and facilities that enable a better life-work balance enabling people to live near their place of work

Objective EEO59 Encourage the re-use of vacant and under-utilised buildings within Rural Villages as remote working hubs and/or accommodation for small and medium sized enterprises.

14.15.2 Remote Working Hubs: The growth in remote working brings a new dynamic to locational decisions, including co-working hubs.

Objective DMSO92 – Location of Remote Working Hubs: Remote working hubs should be located in major and local town centres and rural villages. The facility should include independent working spaces, meeting rooms and communal facilities for users. Bicycle and vehicular parking provision shall be in accordance with the standards required for office development.

Objective DMSO93 – Utilisation of Vacant Properties for Remote Working Facilities: Vacant/underused properties should be utilised for remote working hub facilities where appropriate.

It is not the role of the Development Plan to identify sites for specific uses, such as a remote work hub at this location.

A Remote Work Hub is 'permitted in principle' in several land use zoning objectives, including: Objective "LC", Objective "MC", Objective "RV" and Objective "TC". Any future application for a remote work hub (or live-work unit) will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan. Remote Work Hubs are "not permitted" within GB zoned lands.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for a live-work unit at this Greenbelt location cannot be justified on the matters outlined above and would be contrary to government guidance at national level and would be contrary to proper planning and sustainable development of the area.

#### Lands at Auburn House

A submission received in connection with lands at Auburn House, Little Auburn and Streamstown off the R107 Malahide Road requests inclusion of a special objective in the new County Plan that Auburn House and attendant grounds are only suited to extremely low density and limited residential development and any development to be subject to proper protection of Auburn House and Attendant Grounds.

### **Chief Executive's Response:**

The lands at Auburn House have been zoned for residential development for many years. National policy on building heights and densities set out direction on the form of the redevelopment of the lands at this location. Auburn House and lands are the subject of a live SHD Planning Application, with a decision due in August 2022 (TA06F.313360 refers). The description of development is: 'Preservation of Auburn House (a Protected Structure) and stables as 1 no. residential dwelling, conversion of stables to provide storage space for Auburn House, construction of 368 no. residential units (87 no. houses, 281 no. apartments), creche and associated site works.' It would not be appropriate to insert a new Local Objective in relation to Auburn House, while this area is subject to a live planning application.

#### Retirement village at Malahide

A submission requests that a retirement village or similar stepdown facility is identified within walking distance of Malahide village.

#### **Chief Executive's Response:**

Turning to the request that a retirement village or similar stepdown facility is identified proximate to Malahide Village, best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic.

Chapter 3 -'Sustainable Placemaking and Quality Homes' of the Draft Plan includes supportive policy and objectives relating to the promotion and support for housing and accommodation needs for older people. There is an explicit requirement for the nature of accommodation proposed, (such as a nursing home or sheltered accommodation) to be located in towns and villages where ancillary supporting infrastructure, services and amenities are located, in the interests of social inclusion, accessibility and sustainability. It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village.

A Retirement Village / Residential Care Home / Retirement Home is 'permitted in principle' in several land use zoning objectives, including: Objective "Cl", Objective "LC", Objective "MC", Objective "RA", Objective "RS", Objective "RV" and Objective "TC". It is important to

recognise that the development of retirement villages, outside of existing towns and villages would lead to inappropriate and unsustainable patterns of development. Any future application for a retirement village will be assessed on a case-by-case basis, in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan. It should also be noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge.

### **Belcamp lands**

A submission proposes removal of the LAP designation on Belcamp lands as denoted as LAP 9.B on the draft zoning map.

#### **Chief Executive's Response:**

The Council proposes 6 new LAPs to be prepared during the plan period, one of which is Belcamp. These areas present substantial land-banks with significant redevelopment and regeneration potential, requiring a long lead in time to develop a workable framework for delivery as well as requiring significant social and physical infrastructure requirements.

It is recommended that Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources, in accordance with Policy CSP6 – 'Local Area Plans' and Objective CSO7 – 'SEA & AA for Local Area Plans.'

Objective CSO30 – 'Belcamp' also seeks to facilitate the rehabilitation and preservation of Belcamp House, which form part of the overall lands at Belcamp. To ensure the future development and integration of these strategic lands at Belcamp, it is not recommended that the LAP designation be removed.

#### Kingfisher Green in Portmarnock

A submission requests inclusion of a map based objective to add Kingfisher Green in Portmarnock to the Baldoyle SPA given its location in a flood zone and that it is a primary feeding area for Brent Geese.

#### **Chief Executive's Response:**

It is not considered necessary to include a new local objective at Kingfisher Green in Portmarnock. Kingfisher Green is already part of the Baldoyle Estuary SPA and is afforded protection in this regard.

#### **Broomfield lands**

Multiple submissions seek attachment of a local objective to a site at Broomfield, Malahide for provision of a new school.

#### **Chief Executive's Response:**

Educational Facilities have an important role to play in developing sustainable and balanced communities as well as encouraging families to live in the County. The specific request for a school site to be identified at Broomfield, Malahide is noted. Indicative school site icons are identified at strategic locations within new development areas with the exact location, layout and detail to be finalised at planning application stage.

While the provision of new schools is the responsibility of the Department of Education, Fingal County Council has and will continue to work collaboratively with the Department and with the Department of Further and Higher Education, Research, Innovation and Science in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal.

Map based objectives relating to the location of existing and proposed schools on Map Sheets which form part of the Draft Plan have been drawn up in consultation with the Department of Education. Policies and Objectives within the Plan re-affirm that Fingal will work collaboratively and engage at all times with the Department in its role in provision of educational facilities.

The Code of Practice issued by the Department of Environment, Heritage and local Government in 2008 entitled 'The Provision of Schools and the Planning System,' provides guidance to planning authorities and has three core objectives for the effective integration of the school and the planning system. These include the following:

- That school's provision should be an integral part of the evolution of compact sustainable urban development and the development of sustainable communities.
- The provision of any new schools (both primary and post-primary) should be driven by and emerge from an integrated approach between the planning functions of Planning Authorities and the Department of Education and Science; and
- Local Authorities, as Planning Authorities, will support and assist the Department in ensuring the timely provision of school sites.

The Department of Education's Technical Guidance Documents/School Design Guides sets out the design requirements for school facilities, including the quantum of open spaces and play spaces to be provided and any extensions to existing facilities in urban and rural areas will be assessed on case-by-case basis in accordance with the relevant Development Management standards, taking into account the proper planning and sustainable development of the area. The Council will continue to work closely with the Department of Education to identify and procure school sites where a shortfall in school places is identified.

In the case of the lands at Broomfield in Malahide, the Department of Education has purchased this site and requests that a school site objective be attached to this site. As such it is recommended that an appropriate new map based local objective for a new primary school at this location be added.

#### **Chief Executive's Recommendations:**

#### **CE SH 9.1**

Rezone a portion of the lands south of Swords Road, Malahide from GB to CI to provide for a specialist epilepsy care centre. In addition, the portion of lands shall be subject to a map based Local Objective as follows:

'Provide for a specialist epilepsy care centre at this location.'

#### **CE SH 9.2**

Adjust the boundary line between the 'RA' and 'OS' zoning objectives for the Portmarnock South lands, to align with the Folio Map, to ensure the full extent of both the 'RA' and 'OS' lands are accurately reflected on the Development Plan maps.

### **CE SH 9.3**

Insert new map-based objective at Broomfield, Malahide, with a school symbol:

'Provide for a new primary school at this location, subject to provision of adequate access arrangements.'

### **MAP SHEET 10: Baldoyle-Howth**

#### **Submissions Received:**

FIN-C453-147, FIN-C453-182, FIN-C453-195, FIN-C453-326, FIN-C453-382, FIN-C453-545, FIN-C453-567, FIN-C453-641, FIN-C453-711, FIN-C453-746, FIN-C453-805, FIN-C453-817, FIN-C453-821, FIN-C453-821, FIN-C453-828, FIN-C453-829, FIN-C453-830, FIN-C453-869, FIN-C453-877, FIN-C453-894, FIN-C453-909, FIN-C453-917, FIN-C453-928, FIN-C453-959, FIN-C453-988, FIN-C453-994, FIN-C453-1000, FIN-C453-1013, FIN-C453-1034, FIN-C453-1057, FIN-C453-1074, FIN-C453-1091, FIN-C453-1099, FIN-C453-1104, FIN-C453-1111, FIN-C453-1161, FIN-C453-1167, FIN-C453-1172, FIN-C453-1180, FIN-C453-1198, FIN-C453-1224, FIN-C453-1234, FIN-C453-1237, FIN-C453-1243, FIN-C453-1246, FIN-C453-1304, FIN-C453-1315

### **Summary of Issues Raised:**

### Rezoning to Residential or Town and District Centre (RS, RA or TC)

Several of the submissions seek a RS or RA zoning, in place of High Amenity or Open Space zonings.

A submission requests rezoning of lands at Thormanby Road, Howth from HA to RS, with a density cap of 5 houses per hectare. Several submissions request that these lands are not rezoned and should remain undeveloped.

A submission requests that lands at Carrickbrack Road, Sutton are rezoned from HA for residential use.

A submission requests that lands adjacent to The Park House Estate, off Warehouse Road in Baldoyle, are rezoned from OS to RS. Several submissions request that this triangular area of open space (located between Turnberry Square and Park House, Baldoyle) remains zoned as OS.

Two submissions request the rezoning of lands at Howth Castle Estate. The first submission recommends the rezoning of 4.05 hectares from HA to facilitate an 'Integrated Retirement Community' facility (or alternatively map based objectives which are dealt with below). The second submission requests that 2.65 hectares are rezoned to residential use. Several submissions express opposition to the rezoning of lands for housing at Howth Castle Demesne lands.

A submission requests that lands zoned OS at Suttonians Rugby Football Club are rezoned for residential use.

A submission requests the rezoning of lands from HA to RS or TC Howth Road, Howth and/or that the area along the south side of the Howth Road at this location is examined with a view to accommodating appropriate residential/town centre development.

A submission requests the rezoning of land at Murdocks Building Providers in Kilbarrack Industrial Estate from GE to RA.

#### **Chief Executive's Response:**

The Objective of 'HA' zoned lands is to 'Protect and enhance high amenity areas.' The vision for 'HA' zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate

development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.' These high amenity areas and particularly the coastal corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. The Draft Plan affords a high level of landscape value and protection to these high amenity areas. The primary objective of the Council over successive Development Plans has been to limit housing development in particular, within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County.

The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at the above-mentioned locations to 'RS', 'RA' or 'TC' is clearly not based on need and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of both the FDP 2017-2023 and the Draft Plan 2023-29, as set within the context of the NPF and RSES.

It is considered that no further extension of residentially zoned lands is required at these locations. Any rezoning of these lands cannot be justified having regard to the issues outlined above and would be contrary to government guidance at national level. To allow this change would seriously undermine the accepted and established RSS which is considered fair and reasonable, would seriously contravene the zoning objective and vision for high amenity lands of which it is Council policy to protect and would have serious impacts for the proper planning and sustainable development of Fingal and its valued sensitive landscapes. Based on the above, this proposal is not considered acceptable and is contrary to proper planning and sustainable development of the area.

Regarding the rezoning request at Howth Castle for an 'Integrated Retirement Community' facility, it is noted that no specific land use zoning is requested. There are several requests across the Draft Plan regarding provision of housing for the elderly. It is noted that extensive provision exists in the Draft Plan across multiple zonings to cater for varying accommodation types suited to the elderly and are Permitted in Principle in zoning objectives including CI-Community Infrastructure, LC-Local Centre, MC-Major Centre, TC-Town Centre, ME-Metro Economic Corridor, RA and RS – Residential and RV-Rural Village. Specifically, Retirement Village provision is Permitted in Principle within zoning objectives MC, TC, RA, RS and RV.

These zoning objectives align with policy and objectives as set out in Chapter 3 of the Draft Plan where housing provision of this nature is required to be located in towns and villages with supporting services in the interests of social inclusion and accessibility to services and amenities. Specifically, Objective SPQHO26 seeks to, 'Require that residential care homes, retirement homes, nursing homes, retirement villages and sheltered accommodation be located in towns and villages for reasons of sustainability, accessibility, social inclusion, and proximity to the availability of services, except where a demonstrated need to locate in a rural environment because of the nature of the care required can be clearly established.'

In relation to the request to rezone lands off Thormanby Road, Howth, the lands are located east of Thomanby Road and Thormanby Lodge and are included within an area zoned High Amenity and also fall within the Howth SAAO boundary. The subject site has the added protection of the SAAO. The Council is fully committed to the continued protection of the high amenity areas and the protection of Howth SAAO and to allow for a residential zoning at this location would seriously undermine the long-standing policies of the Council. Howth has reached the limit of development expansion on the eastern side within the established development boundary and any additional development here would encroach on the high amenity and SAAO lands. There is therefore no clear and justifiable need to rezone any further lands for residential development within the Howth development boundary. This request proposes enabling further residential development beyond the outer edge of the existing built-up area of Howth, while more preferably located lands lie undeveloped within the Howth development boundary. Any further extension of the eastern Howth development boundary would fail to provide for the logical and sequential development of the town and would represent encroachment and incremental erosion.

In relation to the request to rezone lands at Howth Road, these are also included within an area zoned High Amenity, as set out above. There is no evident need at this time to extend the existing "TC" zoned lands at Howth Village. Current policy promotes the strengthening and consolidation of the existing Village. Policy CSP22 – Howth, Sutton and Baldoyle seeks to 'Consolidate the development and protect the unique identity of Howth, Sutton and Baldoyle. This includes protection against overdevelopment.'

It is an objective of this Plan to prepare Framework Plans for numerous areas throughout the County, including in urban, rural and industrial settings. It is envisaged that the Framework Plans will include objectives and a programme of actions to maximise the development potential of these areas and they will provide a vision for the area in question and identify local distinctiveness. Framework Plans will be advisory in nature, with a long-term vision for the future, allowing sufficient flexibility to manage change depending on the particular circumstances presenting, including societal, economic, environmental and cultural. They offer a vision for an area within the structure of the Development Plan.

Active public engagement will be central to the preparation of Framework Plans, where local communities, landowners and relevant stakeholders will be given the opportunity to contribute to the process. Following the active public engagement process. Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources. Table 2.19 lists the Framework Plans to be prepared and Howth is included in this list. It is envisaged that Framework Plans will include objectives and a programme of actions to maximise the development potential of the areas they are prepared for. Based on the above, the rezoning of these lands is not considered acceptable and is contrary to proper planning and sustainable development of the area.

The requests to rezone lands zoned 'OS' to residential use are noted. The Draft Plan includes a number of policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The Council will continue to provide a diverse, network of attractive, sustainably managed open spaces to enhance the quality of life of the citizens of Fingal.

The proposed zoning would result in the loss of zoned open space lands where residential development is not permitted and of which it is Council policy to preserve and protect. As such, there is no evidence-based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of the Draft Plan 2023-2029, the NPF and the RSES. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the open space zoning objective of the current Fingal Development Plan and the Draft Plan and as such, would be contrary to proper planning and sustainable development.

The request to rezone lands zoned 'GE' to 'RA' at Kilbarrack Industrial Estate is noted. The subject lands, extending to 0.62 ha relate to Murdocks Builders Merchants operating within Kilbarrack Industrial Estate. The subject lands are located on the southern side of the Howth to Sutton railway line and adjoin existing residential development to the south and east. These lands are highly accessible and as indicated above are located proximate to Howth Junction and Donaghmede train station. It is also noted that the delivery of Dart + Coastal North Project will further enhance connectivity to these lands. In this context it is considered that the rezoning of the lands to RA would be acceptable. It is also appropriate to include a masterplan designation on these lands.

### **Map Based Objectives**

#### **Howth Castle Estate**

It is requested that a map based objective applicable to indicated lands at Howth Castle Estate is included (if the subject lands are not rezoned as requested) as follows: 'To provide for the development of an Integrated Retirement Community on the Howth Estate lands.' Furthermore it is requested that a special local objective is included to provide for social and affordable homes on c 2.7 hectares of the Howth Castle Estate lands.

#### **Chief Executive's Response:**

Howth Castle lands are located within a high amenity landscape (Objective "HA"), which seeks to, 'Protect and enhance high amenity areas.' The lands are also located within the Howth SAAO Buffer Zone. The vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The Howth SAAO and its buffer zone have been specifically designated to protect these areas from certain forms of development. The "HA" zoning objective limits the uses permitted in principle and specifically excludes Retirement Village, Residential Care Home and Residential Institutional. The Howth SAAO further restricts development and includes Policy CSP23 which states 'Protect the Howth Special Amenity Area Orders (SAAO), including the Buffer zone, from residential and industrial development intended to meet urban generated demand.'

Best practice dictates that residential care, retirement and nursing homes should be located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic. Chapter 3 - 'Sustainable Placemaking and Quality Homes' of the Draft Plan includes supportive policy and objectives relating to the promotion and support for housing and accommodation needs for

older people. There is an explicit requirement for the nature of accommodation proposed, (such as a nursing home or sheltered accommodation) to be located in towns and villages where ancillary supporting infrastructure, services and amenities are located, in the interests of social inclusion, accessibility and sustainability.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village. Residential Care Home / Retirement Home is 'permitted in principle' in a number of land use zoning objectives, including Objective "CI", Objective "LC", Objective "MC", Objective "ME", Objective "RA", Objective "RS", Objective "RV" and Objective "TC". It is important to recognise that the development of the proposed retirement village, within 'HA' zoned lands, would lead to inappropriate and unsustainable patterns of development and cause serious detrimental impacts in this area. The Council is fully committed to the continued protection of the Howth SAAO and High Amenity Landscape at this location and to allow for a retirement village in this area would seriously undermine the long-standing High Amenity policy of the Council and would be contrary to the zoning objective and vision to protect these lands as set out in the current FDP 2017-2023 and Draft Plan.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for a retirement village at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

Turning to the request that a special local objective is included to provide for social and affordable homes on c 2.7 hectares of lands at Howth Castle, as set out above, the lands are located within a high amenity landscape at Howth Castle (Objective "HA"), which seeks to, 'Protect and enhance high amenity areas.' The lands are also located within the Howth SAAO Buffer Zone. The vision for "HA" zoned lands is to: 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.' The Howth SAAO and its buffer zone have been specifically designated to protect these areas from certain forms of development.

The change in zoning of these lands to residential would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. Decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the draft Plan and consider issues such as need, policy context, capacity of water, drainage and roads infrastructure, supporting infrastructure and facilities, physical suitability, sequential approach and environmental and heritage designations.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet our requirements for the Development Plan period. In conclusion, there is no evidence- based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-2029, the NPF, the RSES and Ministerial Guidelines.

The zoning of these lands cannot be justified on the matters outlined above and would be contrary to government guidance at national level. This request proposes residential

development while there is significant provision available within surrounding areas including Howth, Sutton, Baldoyle, etc. where settlement is open to all and with supporting infrastructure, services and amenities. Furthermore, it is not within the remit of the Development Plan to identify specific sites for the provision of social and affordable housing.

Given the current supply challenges, it is acknowledged that it will be necessary to continue to provide social housing via the private rental market to ensure that those who are most vulnerable in society can access support immediately. As new build supply of social housing ramps up, it is anticipated that there will be reducing reliance on assistance such as the Housing Assistance Payment (HAP) and the Rental Accommodation Scheme (RAS).

Approved Housing Bodies (AHBs) have been significant partners with local authorities in social housing delivery in Fingal and will continue to have a significant role in new Local Authority Delivery Action Plans which are to be prepared by individual local authorities by December 2021 covering a five-year period. The Plans will set out how the Local Authority will deliver their housing targets, including the delivery of affordable homes. In addition, the Dublin Housing Delivery Group, of which Fingal is a partner, has been set up to co-ordinate and drive delivery of social and affordable housing in the Dublin region.

In addition to the continued implementation of *Part V of the Planning and Development Act 2000* (as amended) the Council will continue to work in partnership with the Department of Housing, Local Government, and Heritage, Approved Housing Bodies, and other key stakeholders to deliver and manage social housing. Other mechanisms of delivery will include direct build, acquisitions, void management, long term leasing, enhanced leasing, repair to lease, and private rental (RAS and HAP). The Council is actively engaged with social and affordable housing delivery and has a strong supply pipeline which will be delivered over the Development Plan period and will provide for a significant proportion of the annual housing targets for the County. The Housing Strategy for Fingal County Council is included as Appendix 1 to the Draft Development Plan and includes a Housing Need Demand Assessment (HNDA).

The Council will continue to support the delivery and provision of social and affordable housing in accordance with the Fingal Housing Strategy and the policies and objectives within the Draft Plan, including the following:

Objective SPQHO13 – Cooperation with Stakeholders: The Council will work in cooperation and collaborate with key stakeholders including the DHLGH and the Dublin Housing Supply Co-Ordination Task Force (or any successor) to respond to the current supply challenges in the Dublin region. The Council will also support 'Active Land Management' using appropriate Exchequer funding to ensure the delivery of accessible social and affordable housing in a variety of size and tenure across Fingal County Council lands alongside open space, community and/or educational facilities, where required.

Policy SPQHP22 – Affordable, Social and Specialised Housing: Promote the provision of affordable and social housing and specialised housing including sheltered housing and housing for persons with disabilities.

Policy SPQHP29 – Social, Affordable and Cost Rental Housing: Promote the provision of social, affordable and cost rental housing in accordance with the Fingal County Council Housing Strategy, Part V of the Planning and Development Act 2000 (as amended) by the Affordable

Housing Act 2021 and government policy as outlined by the Department of Housing Local Government and Heritage Housing for All Housing Plan to 2030.

The Council is fully committed to the continued protection of the Howth SAAO and High Amenity Landscape at this location and to allow for a residential development in this area would seriously undermine the long-standing High Amenity policy of the Council and would be contrary to the zoning objective and vision to protect these lands as set out in the current FDP 2017-2023 and Draft Plan.

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for social and affordable housing at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

#### Former Baldoyle Racecourse

A submission (FIN-453-567) requests that a Specific Local Objective is reinstated at the former Baldoyle Racecourse; 'to provide for a public park and sensitively designed retirement village subject to screening under the Habitats Directive.'

#### **Chief Executive's Response:**

It is noted that the proposed Baldoyle Racecourse Park Development Project is currently under consideration by An Bord Pleanála. It is not considered necessary to reinstate Local Objective 469 from the Fingal Development Plan 2011-2017 on these lands at Baldoyle Racecourse. The proposed Baldoyle Racecourse Park Development Project consists of:

- 4.5km of new walking and cycling routes including a bridge over the Mayne river and the repair to the railway underpass;
- Public lighting along key walking and cycling routes
- Expanding the existing car park to cater for up to 161 car parking spaces;
- Upgrading and expanding the existing playground;
- A Skate park and Teenage Adventure Playground;
- A Multi use games area;
- A dog run;
- A Bowls green;
- Four grass football pitches
- A viewing platform
- Tracing of circular archaeological feature through soft landscaping and removal of existing fence;
- Extension of existing reedbed south of Mayne river and creation of new brackish grassland north of Mayne river;
- All landscaping works in the park.

These proposals have been the subject of all relevant environmental screening requirements and the inclusion of a local objective to provide for a public park at this location is not considered necessary.

The reference to the reinstatement of an old local objective to provide for a retirement village is also noted. Best practice dictates that residential care, retirement and nursing homes should be

located in built up areas, should be located close to shops and other community facilities required by the occupants and should be easily accessible to visitors, staff and servicing traffic. Chapter 3 -'Sustainable Placemaking and Quality Homes' of the Draft Plan includes supportive policy and objectives relating to the promotion and support for housing and accommodation needs for older people.

It is not the role of the Development Plan to identify sites for specific uses, such as a nursing home, residential care home, retirement home or retirement village. Residential Care Home / Retirement Home is 'permitted in principle' in a number of land use zoning objectives, including: Objective "Cl", Objective "LC", Objective "MC", Objective "ME", Objective "RA", Objective "RS", Objective "RV" and Objective "TC".

It is also noted that the inclusion of a map based Local Objective which is not consistent with the policies and objectives contained within the Development Plan or Appendices is legally flawed and open to legal challenge. The inclusion of such a local objective to provide for a retirement village at this location cannot be justified on the matters outlined above and would be contrary to government guidance at national level.

#### Balscadden Beach

A number of submissions request new wording for Local Objective 74 as follows: 'Seek to provide Universal Access to Balscadden Beach Howth.'

#### **Chief Executive's Response:**

It is acknowledged that there is a need for improved and safer access to Balscadden Beach in Howth. The access arrangements to Balscadden Beach are subject to a feasibility study, which will need to consider engineering, environmental and planning constraints at this site to determine a viable access arrangement. As such the wording the wording of Local Objective 74 will be appropriately amended.

#### **Baldoyle Stapolin lands**

In relation to lands at Baldoyle Stapolin a submission requests that LAP 10A on Sheet 10 includes a map based objective as follows: 'LAP implemented for the duration of the Plan, and thereafter Fingal Development Plan objectives and standards apply.'

#### **Chief Executive's Response:**

It is not considered necessary to include a map-based Objective in relation to the implementation of the Baldoyle / Stapolin LAP or to refer to the Fingal Development Plan objectives thereafter. The Plan sets the context and zoning designations for Local Area Plans (LAPs). LAPs play an important role in setting the framework for the achievement of integrated and balanced communities within a specified area. They seek to provide the optimal development framework to ensure the protection and enhancement of the existing areas, key features and the environment within an area, while providing for a high-quality living environment through the use of robust urban design principles. The function of a LAP is to take a detailed look at a specific area, identifying and analysing the various issues of relevance, before establishing and setting out principles for the future development of the area.

LAPs are usually required for larger greenfield sites subject to large-scale development and where a mechanism to ensure necessary social and physical infrastructure is provided in tandem

with development. The Council will continue to implement the LAPs currently in place at the time of adoption of the Development Plan. This includes Baldoyle Stapolin LAP (2013), which has now been extended to 2023. This LAP is included within the list of operational LAPs, which are listed in Table 2.15 of the Draft Plan. Any application for development on these lands will be subject to the usual Development Management process and will be assessed on a case-by-case basis, in accordance with the relevant Development Plan and LAP policies and objectives, taking into account the proper planning and sustainable development of the area.

#### Cowbooter Lane

It is requested that a local objective in the current Development Plan should be carried into the new Development Plan, namely 'That Cowbooter Lane, Howth be maintained as a pedestrian and cycle route.

### **Chief Executive's Response:**

It is agreed that a local objective relating to the maintenance of Cowbooter Lane, Howth as a pedestrian and cycle route is reinstated in the Draft Plan.

#### Bathing waters / cycle and pedestrian routes / Public rights of way

A submission requests the following:

- (i) Provision of an objective to maximise the biodiversity benefit and the amenity benefit, especially for swimming and other recreational water use, of the proposed infill behind the West Pier in Howth, including through the incorporation of structural elements conducive to marine and coastal biodiversity and through considering the provision of a major tidal pool.
- (ii) Provision of an objective to recognise High Rock/Low Rock and Balscadden Beach as Bathing Waters.
- (iii) Indicative cycle/pedestrian routes in current Plan should be included in Draft Plan.
- (iv) All public rights of way should be indicated.

#### Chief Executive's Response:

The Council recognises the coast as a hugely important resource for the citizens of the County and the wider Dublin region, and will continue to promote its sustainable development, with the Draft Plan including a range of policies to support and promote development in suitable coastal locations and coastal and environmental protection in the Draft Plan. The increase in popularity of sea swimming is noted and Chapter 9 contains a range of policies and objectives relating to Coastal Tourism and Recreation (Section 9.7.2). Our coastline is recognised as an established area of leisure and amenity, with great potential for tourist related projects. It is also noted that the infrastructure associated with such activities can conflict with the sensitive nature of the coast and it will be necessary to identify specific locations on the coast where public pools and other water-based activities can be catered for and safely accessed, without conflicting with other objectives or being contrary to the proper planning and sustainable development of the area. The Draft Plan includes a range of policies to support and promote development in suitable coastal locations and coastal and environmental protection, which include:

Policy GINHP31 seeks to 'Encourage leisure and amenity type uses along the coast so long as such uses do not cause significant adverse impacts on the environment, visual amenity and heritage'.

Objective GINHO71 seeks to 'Protect beaches, and bathing areas as valuable local amenities and as a tourism resource and support the maintenance, protection and improvement of access to them'.

Policy GINP32 specifically relates to accessing coastal amenities and states: Policy GINP32 seeks to 'Enhance and promote access to the coast and harbours, including the promotion of coastal and harbour recreational facilities where appropriate, while also prioritising protecting the coastal environment'.

Policy CIOSP15 – 'Open seawater facilities and open water pools: 'Promote, develop and support the provision and upgrade of "Open Seawater" facilities (to include consideration of changing and toilet facilities), including fully accessible open water public pools to the highest specifications and standards at suitable locations across the Fingal region.'

It is considered therefore, that the above policies and objectives are robust enough to guide and inform future development proposals for such facilities at appropriate coastal locations in Fingal, and that the delivery of location-specific projects would be more appropriately considered within the context of a capital or works programme.

Sheet 17 'Connectivity and Movement' will incorporate proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way and Recreational Routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

#### Chief Executive's Recommendation

#### **CE SH 10.1:**

Amend Local Objective 74 as follows:

74 Seek to provide <u>universal</u> access to Balscadden Beach <u>from the start of the East Pier within</u> <u>the engineering, environmental and planning constraints at this site.</u>

### **CE SH 10.2:**

Insert new Local Objective as follows:

That Cowbooter Lane, Howth be maintained as a pedestrian and cycle route.

#### **CE SH 10.3:**

Rezone lands at Kilbarrack Industrial Estate from GE to RA with a masterplan designation. Update Table 2.18 accordingly.

### **MAP SHEET 11: Fingal South**

#### **Submissions Received:**

FIN-C453-23, FIN-C453-24, FIN-C453-26, FIN-C453-29, FIN-C453-49, FIN-C453-59, FIN-C453-77, FIN-C453-118, FIN-C453-119, FIN-C453-120, FIN-C453-121, FIN-C453-122, FIN-C453-123, FIN-C453-124, FIN-C453-125, FIN-C453-126, FIN-C453-127, FIN-C453-128, FIN-C453-129, FIN-C453-130, FIN-C453-131, FIN-C453-132, FIN-C453-133, FIN-C453-134, FIN-C453-135, FIN-C453-142, FIN-C453-143, FIN-C453-144, FIN-C453-166, FIN-C453-169, FIN-C453-170, FIN-C453-171, FIN-C453-172, FIN-C453-173, FIN-C453-202, FIN-C453-204, FIN-C453-205, FIN-C453-206, FIN-C453-207, FIN-C453-208, FIN-C453-214, FIN-C453-216, FIN-C453-217, FIN-C453-218, FIN-C453-219, FIN-C453-220, FIN-C453-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-219, FIN-C455-21 C453-222, FIN-C453-223, FIN-C453-224, FIN-C453-225, FIN-C453-226, FIN-C453-227, FIN-C453-228, FIN-C453-229, FIN-C453-230, FIN-C453-231, FIN-C453-232, FIN-C453-233, FIN-C453-234, FIN-C455-234, FIN-C455-23 C453-235, FIN-C453-236, FIN-C453-237, FIN-C453-238, FIN-C453-239, FIN-C453-240, FIN-C453-241, FIN-C453-242, FIN-C453-243, FIN-C453-244, FIN-C453-245, FIN-C453-246, FIN-C453-247, FIN-C453-247, FIN-C453-245, FIN-C453-246, FIN-C453-247, FIN-C453-247, FIN-C453-246, FIN-C453-247, FIN-C455-257, FIN-C455-257, FIN-C455-257, FIN-C455-257, FIN-C455-257, FIN-C455-25 C453-248, FIN-C453-249, FIN-C453-408, FIN-C453-414, FIN-C453-457, FIN-C453-478, FIN-C453-478, FIN-C453-607, FIN-C453-639, FIN-C453-644, FIN-C453-661, FIN-C453-668, FIN-C453-694, FIN-C455-694, FIN-C455-69 C453-695, FIN-C453-748, FIN-C453-782, FIN-C453-787, FIN-C453-804, FIN-C453-806, FIN-C453-848, FIN-C453-867, FIN-C453-872, FIN-C453-881, FIN-C453-903, FIN-C453-918, FIN-C453-920, FIN-C453-926, FIN-C453-926, FIN-C453-931, FIN-C453-934, FIN-C453-951, FIN-C453-954, FIN-C453-957, FIN-C453-964, FIN-C453-1001, FIN-C453-1017, FIN-C453-1025, FIN-C453-1038, FIN-C453-1051, FIN-C453-1051, FIN-C453-1054, FIN-C453-1094, FIN-C453-1229, FIN-C453-1253, FIN-C453-1265, FIN-C453-1311, FIN-C453-1326, FIN-C453-1327, FIN-C453-1328, FIN-C453-1329, FIN-C453-1330, FIN-C453-1331, FIN-C453-1507, FIN-C453-1508, FIN-C453-1510, FIN-C453-1511, FIN-C453-1513, FIN-C453-1521, FIN-C453-1523, FIN-C453-1524, FIN-C453-1526, FIN-C453-1527, FIN-C453-1528, FIN-C453-1529, FIN-C453-1530, FIN-C453-1531, FIN-C453-1532, FIN-C453-1533, FIN-C453-1534, FIN-C453-1535, FIN-C453-1536, FIN-C453-1537, FIN-C453-1538, FIN-C453-1539, FIN-C453-1540, FIN-C453-1541, FIN-C453-1542, FIN-C453-1543, FIN-C453-1544, FIN-C453-1545, FIN-C453-1546, FIN-C453-1547, FIN-C453-1548, FIN-C453-1549, FIN-C453-1550, FIN-C453-1551, FIN-C453-1552, FIN-C453-1553, FIN-C453-1554, FIN-C453-1555, FIN-C453-1556, FIN-C453-1557, FIN-C453-1558, FIN-C453-1559, FIN-C453-1565, FIN-C453-1598, FIN-C453-1602, FIN-C453-1616, FIN-C453-1617, FIN-C453-1618, FIN-C453-1619, FIN-C453-1620, FIN-C453-1621, FIN-C453-1622, FIN-C453-1685, FIN-C453-1710, FIN-C453-1711, FIN-C453-1713, FIN-C453-1714, FIN-C453-1715, FIN-C453-1716, FIN-C453-1717, FIN-C453-1718, FIN-C453-1719, FIN-C453-1720, FIN-C453-1721, FIN-C453-1722, FIN-C453-1723, FIN-C453-1724, FIN-C453-1725, FIN-C453-1726, FIN-C453-1727, FIN-C453-1728, FIN-C453-1729, FIN-C453-1730, FIN-C453-1731, FIN-C453-1733, FIN-C453-1734, FIN-C453-1735, FIN-C453-1736, FIN-C453-1737, FIN-C453-1738, FIN-C453-1739, FIN-C453-1740, FIN-C453-1741, FIN-C453-1742, FIN-C453-1743, FIN-C453-1744, FIN-C453-1745, FIN-C453-1746, FIN-C453-1748, FIN-C453-1749, FIN-C453-1750, FIN-C453-1751, FIN-C453-1752, FIN-C453-1753, FIN-C453-1754, FIN-C453-1755, FIN-C453-1756, FIN-C453-1757, FIN-C453-1758, FIN-C453-1759, FIN-C453-1760, FIN-C453-1761, FIN-C453-1762, FIN-C453-1763, FIN-C453-1764, FIN-C453-1765, FIN-C453-1766, FIN-C453-1767, FIN-C453-1768, FIN-C453-1769, FIN-C453-1770, FIN-C453-1771, FIN-C453-1772, FIN-C453-1791, FIN-C453-1792, FIN-C453-1793, FIN-C453-1794, FIN-C453-1795, FIN-C453-1796, FIN-C453-1797, FIN-C453-1798, FIN-C453-1799, FIN-C453-1800, FIN-C453-1802, FIN-C453-1803, FIN-C453-1804, FIN-C453-1805, FIN-C453-1806, FIN-C453-1807, FIN-C453-1808, FIN-C453-1809, FIN-C453-1810, FIN-C453-1811, FIN-C453-1812, FIN-C453-1813, FIN-C453-1814, FIN-C453-1815, FIN-C453-1816, FIN-C453-1817, FIN-C453-1818, FIN-C453-1819, FIN-C453-1820, FIN-C453-

1821, FIN-C453-1822, FIN-C453-1823, FIN-C453-1824, FIN-C453-1825, FIN-C453-1826, FIN-C453-1827, FIN-C453-1828, FIN-C453-1829, FIN-C453-1830, FIN-C453-1831, FIN-C453-1832, FIN-C453-1833, FIN-C453-1834, FIN-C453-1835, FIN-C453-1836, FIN-C453-1837, FIN-C453-1838, FIN-C453-1839, FIN-C453-1840, FIN-C453-1841, FIN-C453-1842, FIN-C453-1843, FIN-C453-1844, FIN-C453-1845, FIN-C453-1846, FIN-C453-1847, FIN-C453-1848, FIN-C453-1849, FIN-C453-1850, FIN-C453-1851, FIN-C453-1852, FIN-C453-1853, FIN-C453-1854, FIN-C453-1855, FIN-C453-1856, FIN-C453-1857, FIN-C453-1858, FIN-C453-1859, FIN-C453-1860, FIN-C453-1861, FIN-C453-1862, FIN-C453-1863, FIN-C453-1864, FIN-C453-1865, FIN-C453-1866, FIN-C453-1867, FIN-C453-1868, FIN-C453-1869, FIN-C453-1870, FIN-C453-1871, FIN-C453-1872, FIN-C453-1873, FIN-C453-1874, FIN-C453-1875, FIN-C453-1876, FIN-C453-1877, FIN-C453-1878, FIN-C453-1879, FIN-C453-1880, FIN-C453-1881, FIN-C453-1882, FIN-C453-1883, FIN-C453-1884, FIN-C453-1885, FIN-C453-1886, FIN-C453-1887, FIN-C453-1888, FIN-C453-1889, FIN-C453-1890, FIN-C453-1891, FIN-C453-1892, FIN-C453-1893, FIN-C453-1894, FIN-C453-1895, FIN-C453-1896, FIN-C453-1897, FIN-C453-1898, FIN-C453-1899, FIN-C453-1900, FIN-C453-1901, FIN-C453-1902, FIN-C453-1904, FIN-C453-1906, FIN-C453-1907, FIN-C453-1909, FIN-C453-1910, FIN-C453-1911, FIN-C453-1912, FIN-C453-1913, FIN-C453-1914, FIN-C453-1915, FIN-C453-1916, FIN-C453-1917, FIN-C453-1918, FIN-C453-1919, FIN-C453-1920, FIN-C453-1921, FIN-C453-1922, FIN-C453-1923, FIN-C453-1924, FIN-C453-1925, FIN-C453-1926, FIN-C453-1927, FIN-C453-1928, FIN-C453-1929, FIN-C453-1930, FIN-C453-1931, FIN-C453-1932, FIN-C453-1933, FIN-C453-1934, FIN-C453-1935, FIN-C453-1936, FIN-C453-1937, FIN-C453-1938, FIN-C453-1939, FIN-C453-1940, FIN-C453-1941, FIN-C453-1942, FIN-C453-1943, FIN-C453-1944, FIN-C453-1945

### **Summary of Issues Raised:**

### **Rezoning from GE to HT**

A number of submissions seek to have GE lands rezoned to HT. These include:

- Requests a change in zoning from GE to HT at Woodford Business Park to the south of
  Dublin Airport to facilitate higher order office development, or alternatively requests that
  >100 sqm and >1000 sqm office use be incorporated into the permitted use class of the
  GE zoning objective and omission of >1000 sqm from the not permitted category in the
  context of the strategic location of the subject lands in close proximity to existing and
  planned public transport corridors.
- Requests the rezoning of 0.75 has from GE to HT at Coachman's Inn, Cloghran, Swords to
  the immediate north-east of Dublin Airport to facilitate a hotel use on the lands and in
  the context of the planning history and uses on site and the potential of the lands given
  its strategic location for employment and tourism uses adjoining Dublin Airport and the
  Dublin-Belfast corridor as per the relevant provisions of the NPF, RSES and local policy
  relating to economic development and tourism as set out in Chapter 7 of the draft plan.

### Chief Executive's Response

In terms of the GE zoning at Woodford Business Park, it is considered that the subject site, which is bounded by the M1/M50 to the north and is surrounded by general employment zoned lands to the east, south and west, is suitable zoned as GE.

The objective for GE zoned land is to "Provide opportunities for general enterprise and employment." And the vision for GE zoned land is to "Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical

environment. General Employment areas should be highly accessible, well designed, permeable and legible." Given the location of the subject site bounding the M1/M50, it is considered that the all the suitable uses, as stated in the vision for GE lands, can be accommodated on the subject site.

The objective for HT zoned land is to "Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment" and the vision for HT zoned land is to "Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity."

Given the location of the lands in question, surrounded by other GE lands, it is considered that opportunities to provide a location for high end, high-quality, value-added businesses and corporate headquarters is somewhat diminished and may be challenging, given the permissible uses an activities surrounding these lands.

In relation to the Coachman's site, it forms part of landbank of employment zoned lands within the South Fingal area within close proximity of Dublin Airport and adjoining the R132 to Swords. The is an existing pub and restaurant on the subject lands.

The subject lands are zoned GE-General Employment in the current FDP 2017- 2023 and this zoning objective is carried through to the Draft Plan. The lands immediately adjoin GE-General Employment zoned lands to the north and east and DA-Dublin Airport zoned lands to the west. The lands are located within Noise Zone A with a small portion of the northern subject lands within the Inner Public Safety Zone relating to Dublin Airport.

These subject lands are located in highly accessible location with direct access to the national road network and to Dublin Airport and the Dublin Tunnel via the R132 regional road to Swords which gives access to National, European and international markets. The Draft Plan is explicit in acknowledging the importance of the county's high technology zoned lands in highly accessible locations and the potential for high-quality employment opportunities as set out in Chapter 7 Economy and Employment. As such, it is considered that the rezoning of the subject site to HT (High Technology) is appropriate and reasonable.

#### Rezoning from HT to LC, HT to RA

A number of submissions seek to have HT lands rezoned to LC. These include:

- Submission relates to Circle K Clonshaugh Service Station Clonshaugh Road and states that the HT High Technology zoning objective pertaining to the subject lands poses a risk to the operation of the service station and could damage its future development prospects. The submission seeks the re-zoning of the lands to LC Local Centre.
- Submission requests that lands at Airport Business Campus be rezoned from HT to RA
  and LC. The uses permitted in principle within the HT zoning is quite limited and does not
  represent the most efficient use of these strategically serviced and located lands within
  the Metropolitan area of Dublin City. It is therefore proposed to prioritise the Tier 1
  lands, defined as Serviced Zoned Lands, which are able to connect to existing
  development services, i.e., road and footpath access including public lighting, foul sewer

drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development. The re-zoning of the area to "RA-New Residential Area and LC- Local Centre" will potentially assist in the delivery of an appropriate quantum of residential development utilising a Serviced Zoned Land, which would also be fundamental to accomplish the 30% target for new homes within the County. However, if the existing land use zoning is retained, then this potential cannot be achieved on a site that is well-connected and readily available for development.

#### Chief Executive's Response

In terms of the Clonshaugh Service Station, Petrol Station is open for consideration in both HT and LC zonings.

The objective for LC zoned land is to "Protect, provide for and/or improve local centre facilities." and the vision for LC zoned land is to "Provide a mix of local community and commercial facilities for the existing and developing communities of the County. The aim is to ensure local centres contain a range of community, recreational and retail facilities, including medical/ dental surgeries and childcare facilities, at a scale to cater for both existing residential development and zoned undeveloped lands, as appropriate, at locations which minimise the need for use of the private car and encourage pedestrians, cyclists and the use of public transport. The development will strengthen local retail provision in accordance with the County Retail Strategy.

The subject site, which is located within a wider HT landbank, far removed from any existing residential area or local centre is not considered to align with the objective or vision for LC lands in terms of providing community, recreational and retail facilities, including medical/ dental surgeries and childcare facilities.

In relation to Airport Business Campus, the subject lands are zoned HT-High Technology in the current FDP 2017-2023 and this zoning objective is carried through to the Draft Plan. The lands immediately adjoin GE-General Employment zoned lands to the north and east and immediately adjoins pockets of existing OS-Open Space lands, RS-Residential and a LC-Local Centre within the Santry Demesne area to the immediate south. The lands are located within Noise Zone C and the Outer Public Safety Zone relating to Dublin Airport.

The subject lands currently operate as part of the Airport Business Campus and comprise a number of businesses. There appears to be little undeveloped land at the subject lands.

The Council is fully committed to the continued promotion of HT zoned lands and to allow for a 'RA' - Residential zoning would undermine this policy. This submission proposes enabling further residential development, while more preferably located lands lie undeveloped close by in the ME zoning.

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy, which seeks to accommodate projected population growth in the County in a strategic and planned manner. The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the needs of Fingal

over the Plan period. The zoning of additional lands at this location is not required on the basis of need and would be contrary to the Core Strategy and contrary to the provisions of the NPF and RSES.

The HT-High Technology zoning objective seeks to, 'Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment.'

The zoning vision seeks to, 'Facilitate opportunities for high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.'

Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 Employment and Economy seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents.

Objective EEO12 of the Draft Plan relating to High technology lands seek to, 'Encourage the development of corporate offices and knowledge-based enterprise in the County on High Technology zoned lands and work with key stakeholders, relevant agencies and sectoral representatives to achieve such development.'

These subject lands are in highly accessible location with direct access to the national road network and to Dublin Airport and the Dublin Tunnel via the R132 regional road to Swords which gives access to National, European and international markets. The Draft Plan is explicit in acknowledging the importance of the County's high technology zoned lands in highly accessible locations and the high-quality employment opportunities that such lands offer and as set out in Chapter 7 Economy and Employment.

An Economic and Employment Land-Use Study' 2021 was carried out to inform the preparation of the Draft Plan and provides an evidence based quantitative analysis in relation to the economic and employment indicators, land-use and industry clustering in Fingal. This study shows that the HT zoning is one of the most important economic development zonings in Fingal with HT zoned lands located principally in Blanchardstown and Swords, supplemented with significant zonings at Dublin Airport and along the southern boundary of the County with Dublin City.

The availability of the HT zoned lands subject to this submission and zoned for high quality employment uses together with easy access to major transport corridors, ports and air networks, offer considerable high quality employment opportunities and in this context the loss of these strategically significant HT zoned lands is not considered acceptable.

In conclusion, there is no evidence- based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of the Draft Plan 2023-2029, the NPF, the RSES and Ministerial Guidelines. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the provisions of the Draft Plan relating to the

promotion and support for high technology employment opportunities within Fingal and as such, would be contrary to proper planning and sustainable Development.

### Rezoning from OS to GE, OS to RS

A number of submissions seek to have HT lands rezoned to LC. These include:

- Submission relates to a plot of land at Swords Road, close to Dardistown cemetery. The plot extends to 0.29Ha, is zoned OS and is part of a larger landholding zoned GE. The OS zoning in the current and Draft Plan is viewed as erroneous/draughting error. The lands are not functionally part of Dardistown cemetery which is zoned OS and lies adjacent. The zoning is at odds with a range of uses and activities permitted in the adopted Plan for General Employment and is contrary to number of objectives contained in the current Plan. The OS zoning is prohibitive to the owner and prevents them proceeding with an economic development that is viable or economic. Permission previously awarded for office/warehouse/industrial. F07A/0642 (not implemented). Submission requests that the lands are rezoned GE. Zoning would be consistent with CSP11 and CSO12 and CSO39.
- A submission requests the rezoning of lands at Hazelwood, North Wood, Dublin 9 from OS to RS. the subject lands present an opportunity to provide additional residential lands within the Fingal administrative boundary and more specifically the built-up area of Dublin to provide additional residential units in a community setting with excellent services. The county and the wider Dublin area is suffering from a chronic shortage in housing with the most pressing need for new homes being within the confines of the existing urban footprint of Dublin city. The rezoning of the submission lands wholly supports the principles of compact and sustainable growth and will accord with the key aims and objectives of national and regional policy. It is considered a reasonable and credible request that the subject lands are zoned for residential related uses in order to facilitate the creation of a legible high-quality residential environment which accords with the key objectives of local, regional and national planning policy. It is submitted that the provision of additional housing at this location would allow for the sustainable and sequential development of the area in line with the key objectives of the National Planning Framework and the RSES, which seek to secure the compact and sustainable growth of Dublin city and its surrounding suburban area.

#### **Chief Executive's Response:**

Regarding the submission received relating to a plot of land (0.29ha) at Swords Road, close to Dardistown cemetery, but not formally part of the cemetery, which is zoned OS, but is part of a larger landholding zoned GE, it is considered that this land parcel is not useable as open space, cannot be availed of by the cemetery and is not useable by its current owner. As such, it makes sense to consolidate the GE lands and provide clear differentiation between the GE landbank and the adjoining cemetery.

In relation to the request to rezone lands at Hazelwood from OS to RS, the proposed zoning would result in the loss of zoned open space lands where residential development is not permitted and for which it is Council policy to preserve and protect.

In addition, the proposal would be contrary to the Core Strategy which identifies the quantum and location of proposed development for the plan period, and which must be consistent with the regionally defined population targets and settlement hierarchy, and reflect the availability of existing services, planned investment, sequential development and environmental requirements. The Core

Strategy sets out the specific population targets and housing requirements across the County must demonstrate consistency with the NPF and RSES.

The Core Strategy has identified that there is a sufficient quantum of zoned lands within the County to meet demand over the Development Plan period. The zoning of additional lands at this location is not required on the basis of need and would be contrary to the Core Strategy and national and regional planning policy as set out in the NPF and RSES. The proposed rezoning would also be contrary to the core principles of the NPF and RSES in relation to compact, consolidated growth.

The proposed zoning would also result in the loss of zoned open space lands where residential development is not permitted and of which it is Council policy to preserve and protect.

In conclusion, there is no evidence- based need or planning rationale for the proposed zoning which would be in breach of the Core Strategy of the Draft Plan 2023-2029, the NPF and the RSES. The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to national and regional direction and to the open space zoning objective of the current FDP and Draft Plan and as such, would be contrary to proper planning and sustainable development.

## Rezoning from GB to GE, GB to HT

A number of submissions seek to have GB lands rezoned to GE. These include:

- This submission relates to a site comprising 27 hectares at Stockhole Lane, Cloughran, Swords, County Dublin and seeks to have a General Employment (GE) zoning for the subject site. The submission also requests that these lands be identified for Dublin's new City Bus Maintenance Depot and Charging Station. It is requested that these lands receive a zoning change during the Development Plan Review and be zoned for General Employment (GE) use in the CDP 2023-2029. Furthermore, it is suggested that the newly zoned GE landbank have its development restricted and directly controlled with the inclusion of a Map Based Objective (MBO) stating that: "Lands to be used strictly to provide a Bus Maintenance Depot and Charging Station."
- Another submission requests the rezoning of the National Show Centre, Stockhole Lane, Cloghran from GB to GE as the existing uses on site do not reflect zoning of these lands.

#### **Chief Executive's Response**

The 'GB' zoning objective seeks to: 'Protect and provide for a Greenbelt'. The zoning vision for these lands seeks the relative control on development within Greenbelt lands which is necessary to protect and maintain the rural and undeveloped nature of the Greenbelt in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide

for the continued viability of agricultural and rural uses and provide for amenity uses. Section 3.5.15.12 relating to Fingal's Greenbelt lands as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57, Objective SPQHO97 and Objective SPQHO98.

The subject lands form part of the strategic greenbelt around Swords, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas, resulting in a significant loss of strategic Greenbelt lands and to the detriment of the rural character of the area. The Council is fully committed to the continued protection of the Greenbelt and to permit a change in zoning to GE – General Employment Infrastructure would undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the Draft Plan.

In terms of the National Show Centre, which is a non-conforming use, it should be noted that throughout the County there are uses which do not conform to the zoning objective of the area. These are uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are un-authorised but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria.

In the regard Objective ZO3, which relates to Non-Conforming Uses is relevant and states: "Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria."

### Rezoning from RC and GE to RA/RS, from RC to RS

A number of submissions seek to have RC and GE lands rezoned to RA and RS. These include:

- It is requested that a site at Dubber which is indicated as being zoned 'RC' and 'GE,' be rezoned for residential development and not restricted to those with a rural generated housing need. It is noted that the site is located in a residential area with existing infrastructure and services in place which can sustain a larger community.
- Another submission received relates to Baskin Lane and requests a change from RC to RS. In order to ensure that there is no overdevelopment on the site the submission also requests the provision of a specific local objective for no more than two houses on the site.
- One submission relates to lands at Dubber House, Dubber, which is a protected structure and requests to change the Zoning Objective of the subject site from "GE" General Employment to "RS" Residential with the Specific Objective to 'Provide for 3no. additional residential dwellings'. It is submitted that the subject site is best positioned to meet various planning criteria to justify being rezoned to "RS" Residential. It is argued that the proposed site is located in an area close to services and it is within a short cycle or car ride from Finglas and Dublin City. It is stated that additional residential dwellings would allow for an increase of protection of the existing protected structure on site and provide passive protection and surveillance. The "RS" Residential zoning will create a buffer to the existing "GE" General Employment zoned lands to the rear. An indicative

site layout has been submitted, which it is argued, indicates the potential future development on the subject site upon being successfully rezoned.

### **Chief Executive's Response:**

The above submissions relate to Rural Clusters (RC) in Dubber and Baskin Lane. While one of the submissions references GE, the main issue is the rezoning from RC to a residential zoning, either RA or RS.

There are currently thirty-seven existing Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they will provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure, in proximity to their family home, by subdividing large sites.

Providing additional residential lands at these locations would be contrary to the Core Strategy which identifies the quantum and location of proposed development for the plan period and which must be consistent with the regionally defined population targets and settlement hierarchy, and reflect the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County must demonstrate consistency with the NPF and RSES.

The Core Strategy has identified that there is a sufficient quantum of zoned lands within the County to meet demand over the Development Plan period. The zoning of additional lands at this location is not required on the basis of need and would be contrary to the Core Strategy and national and regional planning policy as set out in the NPF and RSES. The proposed rezoning would also be contrary to the core principles of the NPF and RSES in relation to compact, consolidated growth.

Regarding the submission received in relation to lands at Dubber House, Dubber, which is a protected structure, requesting to change the Zoning Objective of the subject site from "GE" General Employment to "RS" Residential, the above rationale in relation to the provision of additional residential zoned land is relevant.

It should be noted that the GE zoning objective doesn't preclude extensions and renovations to the existing residence. It should also be noted that Objective HCAO26 (Use of Protected Structures) in the Draft Plan states: "where required to support active use or facilitate suitable adaptive re-use of Protected Structures the Council may in certain circumstances consider the relaxation of site zoning restrictions to secure the preservation and conservation of the Protected Structure where the use proposed is compatible with the existing structure. This will only be permitted where the development is consistent with conservation policies and the proper planning and sustainable development of the area." As such it is considered that there is reasonable flexibility within the Draft Plan to allow for the extensions and renovations to the existing residence.

Given the location of the subject in the middle of an extensive GE landbank, far removed from any other residentially zoned land and having regard to the town centre first and sequential approach to providing residentially zoned land, it is considered that the GE zoning as per the Draft Plan is appropriate.

### Rezoning from HT to ME, HT to GE

A number of submissions seek to have HT lands rezoned to ME. These include:

- Submission from Dublin City Council relating to lands at M50/R108 Junction currently zoned HT. Submission seeks the rezoning of lands from HT to ME to facilitate a more appropriate zoning in keeping with surrounding ME zoned lands. Submission refers to 351Ha of undeveloped HT zoned lands within the county, 123 Ha in the Dublin Airport/South Fringe area.
- Submission requesting the rezoning of lands at Dardistown Co. Dublin from HT to ME. The lands would be highly appropriate for high-density mixed-use development as provided for in the ME zoning objective due to its strategic location. The lands are particularly suitable for residential development as they are no longer located within Airport Noise Zone B as a result of Variation No. 1 to the current Development Plan. The lands would support compact growth as outlined in National Policy Guidance by providing high-density residential and employment uses on a site in close proximity to a high-quality, high-capacity public transport network on the planned MetroLink route.
- Submission requests that lands at Stockhole Lane, Clonshaugh be rezoned from HT to GE. This rezoning request will enable the development of these lands in the short to medium term for more space extensive developments such as industrial and warehouse uses which will utilise the existing levels of connectivity provided by the nearby road network and proximity of site to the Dublin-Belfast Economic Corridor. The rezoning of these lands to allow for less employment intensive uses will also enable the sustainable development of adjoining HT lands pending planned changes to the public transport and cycle infrastructure in the area.

#### **Chief Executive's Response**

In relation to the lands at the M50/R108 Junction currently zoned HT, the current zoning objective of these lands seeks the provision of office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment. This vison for employment uses on this site is reasonable, but the restrictive nature of permitted uses is not in keeping with the surrounding zoned lands also available for redevelopment. The provision of corporate headquarters and high-end technology-based uses works best when located within large scale campuses where synergies and connections are made with surrounding similar type uses. The subject site is relatively small in this context and is located next to retail warehousing and general employment/enterprise uses. The standalone nature of the site and the lack of potential synergies make it difficult to attract such uses and as such the land has remained undeveloped for considerable time.

The proposal for MetroLink provides a great opportunity for the subject site, and to attract business and people into the area. It is considered that the ME – Metro Economic Corridor is a more appropriate zoning for the site and is in keeping with the surrounding ME zoned lands.

Regarding the submission requesting the rezoning of lands at Dardistown Co. Dublin from HT to ME, the subject lands are located within an overall HT landbank. The nearest area of ME zoned land is directly south of the subject site, on the opposite side of the M50, which bounds the site to the south.

The objective for ME zoned lands is to "Facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor." and the vision for ME zoned lands is to "Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure."

Given the objective for ME zoned lands, which includes the provision of an appropriate quantum of residential development, it is considered that the lands in question, in the middle of a HT landbank, isolated from any other residential land uses and bounding the M50 are not an appropriate location for an isolated area of ME lands, completely separated from the ME lands to the south by the M50.

As for the request for lands at Stockhole Lane, Clonshaugh be rezoned from HT to GE, it is considered that the subject lands form part of an appropriately zoned wider HT landbank.

The objective for HT zoned land is to "Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment." and the vision for HT zoned land is to "Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity."

The objective for GE zoned land is to "Provide opportunities for general enterprise and employment." And the vision for GE zoned land is to "Facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible."

Given the vision for HT lands, with an emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity, to attract corporate headquarters, it is considered that providing a GE zoning in the corner of an overall HT landbank may negatively impact the wider HT lands given the permissible uses and activities expected in general employment (GE) zoned lands.

### Rezoning from RU to CI

A number of submissions seek to have the Parish Hall in St. Margaret's rezoned from RU to CI.

• These submissions state that this hall has been used by the community for more than 50 years for events and gatherings and that members of the community have maintained and improved the building, saving it from falling into disrepair. It is requested that the parish hall and curtilage be zoned as CI – Community Infrastructure.

#### **Chief Executive's Response:**

Is should be noted that community facility is a permissible use within the RU zoning objective in the Draft Plan. As such, the parish hall being used by the community is a permissible use within the RU zoning and a rezoning to CI is not necessary.

## Rezoning from HA to RS

A submission in relation to lands at Kettles Lane, Swords. This submission requests the rezoning of two separate parcels of land (denoted as 'A' and 'B' in the submission) from 'HA' to 'RS'. Land parcel 'A' is entirely undeveloped, while Land parcel 'B' is indicated as being brownfield in nature and comprising low density commercial use. The submission contends that the 'HA' zoning is no longer appropriate; it is noted that the lands are proximate to employment hubs and well served by public transport services. The submission considers that the rezoning proposal accords with national and regional planning policy.

### **Chief Executive's Response:**

The HA zoning objective seeks to, 'Protect and enhance high amenity areas'. The zoning vision seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The areas within the County that are covered by the HA-High Amenity zoning objective include the Garristown uplands, Naul Hills, the Liffey Valley and the Coastal Corridor. These high amenity areas and particularly the Coastal Corridor contain the County's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure within the County coincides closely with these areas of high amenity value. In this regard, a careful balance has to be achieved between new development and the on-going need to protect its high landscape value.

The Draft Plan within Chapter 9 Green Infrastructure and Natural Heritage and at Section 9.6.17 affords a high level of landscape value and protection to these high amenity areas. These landscape areas meet one or more of the following criteria:

Contain scenic landscape of high quality

- Afford expansive or interesting views of surrounding areas
- Are components in important views and prospects
- Are unique or special within the County
- Are important elements in defining the coastal character of the County
- Act as a backdrop to important coastal views
- Contain important groups of trees or woodland
- Are elevated or ridge sites on which development would be obtrusive
- Provide public access to interesting attractive landscapes or to seminatural areas

The subject lands fulfil most of these criteria. The primary objective of the Council over successive Development Plans has been to limit housing development within the HA-High Amenity zoning objective in order to promote more sustainable settlement and protect the most sensitive parts of the County.

In the high amenity areas, only housing need related to farming and exceptional health circumstances is to be facilitated with no new housing generally permitted between the sea and coast and only with the exception of extension and replacement or where all other sites are exhausted. The density of housing in high amenity areas relative to other rural areas within the County indicates the success of the policy objective, and that the objective has been relatively successful in limiting the relative land take of housing development within these High Amenity areas. The Council will continue to concentrate efforts to protect high amenity areas and supportive policies and objectives within Chapter 9 Green Infrastructure and Natural Heritage of the Draft Plan includes Policy GINHP28 and Objective GINH063 in this regard.

In addition, the Core Strategy identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the NPF and RSES.

The Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at this location is clearly not on the basis of needs and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of the Draft Plan 2023-29, as set within the context of the NPF and RSES. The proposed rezoning is contrary to the core principle of the NPF and RSES of compact, consolidated growth which results in more sustainable travel patterns and use of active transport modes, proximity to services and enhanced town centre vibrancy.

### Rezoning from GB to LC

One submission requests the rezoning of the lands at Cloghran which accommodate the National Show Centre from 'GB' Green Belt to 'LC' Local Centre. The submission notes that the current owners of the site are restricted in terms of the permissible uses on the site, having regard to the current 'GB' Zoning Objective. It is considered that the lands at this location should be rezoned for the benefit of the local community so that they can hire the venue for indoor and outdoor events.

### **Chief Executive's Response:**

The 'GB' zoning objective seeks to: 'Protect and provide for a Greenbelt'. The zoning vision for these lands seeks the relative control on development within Greenbelt lands which is necessary to protect and maintain the rural and undeveloped nature of the Greenbelt in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide

for the continued viability of agricultural and rural uses and provide for amenity uses. Section 3.5.15.12 relating to Fingal's Greenbelt lands as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57, Objective SPQHO97 and Objective SPQHO98.

The subject lands form part of the strategic greenbelt around Swords, safeguarding the innate rural value of the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas, resulting in a significant loss of strategic Greenbelt lands and to the detriment of the rural character of the area. The Council is fully committed to the continued protection of the Greenbelt and to permit a change in zoning to LC – Local Centre would undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the Draft Plan.

In addition, given that residential use us permissible within the requested LC zoning, it should be noted that the allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan. The Core Strategy has identified the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the NPF and RSES.

As demonstrated above, the Core Strategy has identified that there is a significant and sufficient quantum of zoned lands within the County to meet the future needs of the area for the Development Plan period. The zoning of additional lands at this location is clearly not on the basis of needs and would ultimately result in an amended Core Strategy that would be contrary to the Core Strategy of both the FDP 2017-2023, the Draft Plan 2023-29, as set within the context of the NPF and RSES. The proposed rezoning is contrary to the core principle of the NPF and RSES of compact, consolidated growth which results in more sustainable travel patterns and use of active transport modes, proximity to services and enhanced town centre vibrancy.

In terms of the National Show Centre, which is a non-conforming use, it should be noted that throughout the County there are uses which do not conform to the zoning objective of the area. These are uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are un-authorised but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria.

In the regard Objective ZO3, which relates to Non-Conforming Uses is relevant and states: "Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria."

### **Extension to DA zoning**

The submission from Dublin Airport Authority (daa) requested the extension of the Dublin Airport zoning objective at several locations bounding the existing Dublin Airport zoning. The rationale for this request is as follows:

- To accommodate strategically located construction security screening compounds.
- To reflect daa land ownership, its responsibilities for airport management and promote a comprehensive, cohesive and plan-led approach to the planning of all airport lands.
- Provide DA zoned land at strategic locations for other airport related development in line
  with defined airport need and in recognition of considerable constraints on much of the
  existing DA zoned lands (safety issues Public Safety Zones and Obstacle Limitation
  Surface areas; locational issues need for certain locational requirements with regard to
  roads and public transport access, landside, airside issues etc).
- Rationalise planning policy approach remove the need for unnecessary LAPs / Masterplans - and allowing for comprehensive planning of airport lands and airport needs.
- Avoid potential unnecessary requirements for material contravention or variations of the Development Plan to facilitate necessary airport / aviation development necessary to support the development of the airport as a hub and to enhance international connectivity.
- Ensure alignment with higher tiers of planning and Government policy which supports growth in connectivity as well as movements and passengers (NSO6 of the NPF and growth targets of the DTTAS, 'Review of Future Capacity Needs'.
- Promote transparency in the planning system ensuring the public and location communities are properly appraised of the extent of lands which are strategically required for the medium – long term operation and development of Dublin Airport.
- To reflect existing airport related uses (a number of existing car parks.)
- To accommodate future strategically located parking requirements for both passengers and staff.

Most of these lands identified are currently zoned objective GE – General Employment in the Draft Plan. It is submitted that the uses permissible under DA are somewhat comparable to those permissible under GE. Certainly, it is submitted, it is the case that lands which are deemed suitable for General Employment could reasonably be deemed to be suitable for Dublin Airport related uses. However, use classes 'Aerodrome/Airfield', 'General Aviation' and 'Air Transport Related Infrastructure' are specifically 'not permitted' under the GE zoning. On this basis and for the reasons listed above it is requested that the identified lands be rezoned from GE to DA. Two areas which are requested to be rezoned to DA are currently zoned 'GB Greenbelt'. It is noted that these plots are immediately adjacent to either the existing DA or GE zoned lands.

In the event that the Planning Authority is not minded to re-zone some, or all of the plots of land as requested, daa requests that, in the alternative, the Development Plan be amended to permit the use classes 'Aerodrome/Airfield', 'General Aviation' and 'Air Transport Infrastructure' on GE zoned lands in the vicinity of the airport only. This would require a reclassification of these uses from 'Not Permitted' to 'Permitted in Principle' under the GE zoning. A caveat could be attached to these use classes in the zoning tables (Section 13 of the Draft Plan) stipulating that such airport uses must be within 2km of lands zoned 'DA Dublin Airport'. This would ensure changes

to the GE zoning objective do not unduly influence development of GE land elsewhere in the county and remote from Dublin Airport.

daa requests that in the event the Planning Authority decides not to rezone the requested lands to DA, that Car Park specific objectives or map-based objectives be provided at the following locations:

- Holiday Blue long term car park
- Lands to the west of the Holiday Blue long term car park
- Dardistown, Red Express Car Park
- Existing Driving Range Lands

Submission from daa also raises concern in relation to the road proposal objective south of the Old Airport Road and the R108 Road.

### **Chief Executive's Response:**

This submission from the DAA is seeking the rezoning of lands to "DA" and requests that specific car parking objectives be included at various locations within the Airport lands.

Two of the requested areas are zoned GB – Green Belt in the Draft Plan. The 'GB' zoning objective seeks to: 'Protect and provide for a Greenbelt'. The zoning vision for these lands seeks the relative control on development within Greenbelt lands which is necessary to protect and maintain the rural and undeveloped nature of the Greenbelt in order to clearly demarcate the edge of established settlements, prevent coalesce and merging of settlements, provide for the continued viability of agricultural and rural uses and provide for amenity uses. Section 3.5.15.12 relating to Fingal's Greenbelt lands as set out in the Draft Plan is explicit in the protection of Greenbelt lands through supportive policies and objectives including Policy SPQHP57, Objective SPQHO97 and Objective SPQHO98.

The subject lands form part of the strategic greenbelt around Swords, safeguarding the Fingal countryside from unsustainable settlement patterns. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas, resulting in a significant loss of strategic Greenbelt lands and to the detriment of the rural character of the area. The Council is fully committed to the continued protection of the Greenbelt and to permit a change in zoning to DA – Dublin Airport would undermine the long-standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelt lands as set out in the Draft Plan.

The remaining areas requested to be rezoned as DA – Dublin Airport are zoned GE – General Employment in the Draft Plan. As stated in the submission from daa, the uses permissible under DA are somewhat comparable to those permissible under GE. The main difference being that use classes 'Aerodrome/Airfield', 'General Aviation' and 'Air Transport Related Infrastructure' are specifically 'not permitted' under the GE zoning. That being said, and given the similar nature of the zonings, it is considered appropriate to retain the GE zoning at these locations, as this zoning should cater sufficiently for the wider area outside the core airport area.

Car Parking Management is addressed in Section 6.5.8 of the Draft Plan. The implementation of robust car parking policy in the County will play a key role in changing travel behaviour and promoting sustainable mobility. The Draft Plan includes comprehensive car parking policies as

well as standards set out within Chapter 14 Development Management Standards of this Plan. This includes a particular emphasis on car parking as a demand management tool and a driver for behavioural change and promotes accessible car parking, car-share schemes and electrical vehicle charging both on the existing road network and in private developments through the Development Management process.

The Dublin Airport LAP (2020) provides an updated strategy for the continued growth of Dublin Airport in line with relevant aviation, planning and environmental policy within the context of a sustainable growth framework. The Dublin Airport LAP provides the principal development management tool for the Airport area and specifies the long-term disposition and mix of uses within the designated airport area together with infrastructural development necessary to support these uses.

This LAP provides a detailed planning framework to facilitate the capacity enhancements and operational improvements that are required within the short to medium term for Dublin Airport and the LAP outlines the community, environmental and supporting infrastructure and surface access measures necessary to support the Airport's growth. The LAP provides a detailed planning framework with associated policies and objectives relating to the future development of Dublin Airport and its environs. All future development proposals at the airport must comply with the LAP. This Plan therefore will not replicate the objectives cited in the LAP but will provide an account of the strategic priorities for the airport's development into the future.

Car parking is included within Chapter 8 of the Dublin Airport LAP (Section 8.6, 8.6.1 and 8.6.2) and it is noted that: 'Any provision of additional car parking requires a careful balance between meeting needs in order to accommodate future growth and undermining the economic viability of public transport routes servicing Dublin Airport. Dublin Airport has a well-established policy of supporting sustainable access to Dublin Airport which needs to work in conjunction with a sophisticated car parking strategy.'

Objective DAO6 of the Draft Development Plan also seeks to: 'Control the supply of car parking at the Airport so as to maximize as far as is practical the use of public transport and sustainable transport modes (walking / cycling) by workers and passengers and to secure the efficient use of land and safeguard the strategic function of the adjacent road network.'

It is considered that any application for car parking at the airport can be more appropriately considered through the Development Management process and any application for car parking and associated facilities will be assessed on a case-by-case basis, in accordance with the relevant Development Plan and Dublin Airport LAP policies and objectives taking into account the proper planning and sustainable development of the area.

The reference to the road proposal objective south of the Old Airport Road and the R108 Road is noted. The road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments which would include analysis of landownership and impacts on property, in order to achieve an optimum solution.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in

Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

The road transportation objectives of the Plan shall also be presented on the new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

### Rezoning from FP to GE

One submission requests the rezoning of lands from FP to GE and provides the following rationale:

- The pace of development on the 'FP' zoned lands is particularly slow on the basis that the zoning objective is restrictive and as such is a barrier to further development on the lands.
- There is ambiguity between the zoning objective (which refers to mainly horticulture), the
  Vision (refers more generally to 'food sector') and the land use zoning matrix (which
  refers to 'Food Park related only' permitted uses Footnote 16) creating difficulties for
  potential development on 'FP' zoned lands. The submission contends there is a lack of
  clarity in relation to what the Council consider to be acceptable in terms of 'foodpark
  related only' uses.
- There is evidence that the ambiguity referred to above deters companies from locating on 'FP' zoned lands. The submission also refers to a relatively recent planning application in this regard.
- It is noted that Food, Drink and Flower Preparation/Processing in addition to Logistics,
  Warehousing, Wholesale, Industry Light are 'permitted in principle' uses on 'GE' zoned
  lands and as such there is no incentive for food related companies to locate on 'FP'
  zoned lands, where there is a lack of clarity on the objective for these lands which creates
  risk.
- Agribusiness use is not listed as 'permitted in principle' use on 'FP' zoned lands however
  it should be as it is fundamentally linked to the food industry and uses associated with a
  Food Park. Furthermore there are aspects of the pharma industry e.g. food supplements
  and nutraceuticals which are compatible with Food Park uses which should be
  acknowledged as appropriate on 'FP' zoned lands.
- 'FP' zoning should be flexible and focussed on accommodating development to facilitate each of the stages of the food supply chain (as identified in the Annual Review and Outlook for Agriculture, Food and the Marine as referred to in the submission).
- In terms of Brexit there could be increased opportunities for the Irish food industry in that secondary food processing could be shifted to Ireland.

#### **Chief Executive's Response:**

The FP-Food Park zoning objective seeks to, 'Provide for and facilitate the development of a Food Industry Park.'

The associated zoning vision seeks to, 'Facilitate the development of a state-of-the-art Food Park incorporating the growing, preparation, processing, ripening, packaging, storing, distribution and

logistics relating to food, drink, flowers and related products on lands adjacent to major transport infrastructure, operating at a national and international scale and optimising its strategic value to the regional economy. The Park will be primarily devoted to developing value added opportunities within the food sector.'

The FP-Food Park zoning objective, associated vision and use classes were designated in the FDP 2011- 2017 as a unique zoning objective to support and facilitate food park related opportunities and, in this regard, was subsequently carried through to successive Fingal Development Plans including the Draft Plan. In the interests of clarity, the zoning objective does not include a horticultural focus but facilitates the development of a food industry park at a strategic level and the associated vision is food related as it supports the primary function of the FP designation which is to support and facilitate the development of a Food Park. The associated vision is explicit in supporting and facilitating value added opportunities within the food sector. The food related caveats provide for uses related to the primary function of the zoning objective which is a designated food park.

In the interests of clarity, the FP use class matrix does not preclude food related pharma uses and proposals of this nature can be assessed on a case-by-case basis in accordance with the zoning objective and vision and normal standard planning criteria through the Development Management process.

Currently, agribusiness use is open for consideration in the FP zoning objective. Appendix 7 Technical Guidance Notes of the Draft Plan defines agribusiness as a business that is directly related to the agricultural or horticultural sector involving the processing of produce of which a significant portion is sourced locally. It may also include support services for the agriculture or horticulture sector. It is considered there is merit in allowing the agribusiness use in the Permitted in Principle category of the FP zoning objective as it accords with the spirit of the zoning objective and vision. This change will result in a change for objective EEO77 of the Draft Plan that seeks to, 'Support and facilitate the growth of agribusiness in Fingal and encourage agribusiness and support services which are directly related to the local horticultural or agricultural sectors in RB zoned areas.' This objective will now include the reference to FP zoned areas. It is noted that the employment uses in the Permitted in Principle category of the GE zoning objective provides for a wide range of employment generating uses in the context of the spirit of the GE zoning objective and vision.

As such it is considered appropriate that the FP zoning designation remain at this location.

## **Retention of GE zoning designation**

The submission form the Electricity Supply Board (ESB) supports the GE zoning at their Engineering Centre at St Margaret's.

The submission also requests that inclusion of a Framework Plan (FP 11.c) for the site does not restrict the suitability of the site for ESB's operational requirements.

#### **Chief Executive's Response:**

The submission from ESB acknowledging the zoning of the subject site is noted. In relation to Framework Plans, these must have regard to the underlying and ensure that any Framework Plan aligns with the objective and vision of the underlying zoning designation.

### **Map Based Objectives**

#### **Traveller Accommodation Dubber Cross**

Several submissions received raise concern in relation to the provision of traveller accommodation at Dubber Cross and set out the following:

- Proximity of the site to the junction with the R122 raises traffic safety concerns. There are a number of such facilities in the area at present. Questions why the zoning needs to change on these lands. The existing GE zoning does not permit traveller accommodation. The objective contravenes the RC zoning objective. The proposal would conflict with the established architecture and design of the area. Reference is made to the rural settlement strategy and the onerous conditions that apply to same. It is stated that sheltered accommodation and retirement villages are not permitted in RC zoned lands. Argued that traveller accommodation does not meet the criteria for the RC. It is argued that there are alternative locations for the subject development and that Dubber residents are frustrated with difficulties obtaining planning permission and that the council can advance this objective with no apparent restriction.
- Site is not suitable and RC Zoning, is not appropriate location and would be seriously
  injurious to properties in the area and would be contrary to existing pattern and
  character of development in the area, the RC and RU zoning objectives and is located in
  Outer Noise Zone of Dublin Airport.

### **Chief Executive's Response:**

While successful and inclusive settlements, based on the principles of healthy placemaking provide the context for how we live, work, and socialise, it is individual housing units which make up our communities and upon which our sense of identity and ultimately success are dependent. Much like the population it serves, the housing market is not a homogenous entity and will need to evolve to meet changing needs as people's work, family and recreational needs become more complex. It must be flexible, capable of adaptation and fit for purpose. Increasingly, it must also provide for a broad range of typologies and tenure options as the population of our County diversifies and expands, grows older and is occupied by smaller households. The specialised needs of our community must also be addressed, including housing options catering for older members of society, members of the Traveller community, and those with disabilities.

Objective SPQHO10 – Housing Need Ensure that adequate and appropriate housing is available to meet the needs of people of all incomes and needs including marginalised groups within our communities, including but not limited to, Traveller households, older persons, people with disabilities, and the homeless, through an appropriate mix of unit types, typologies and tenures provided in appropriate locations and in a manner appropriate to specific needs.

Social inclusion is one of the four cross-cutting themes of this Plan. It is a key objective at national, regional, and local level when planning for our communities. The ultimate aim of social

inclusion is enabling participation in society for all those who desire it. Creating a more socially inclusive and cohesive society by alleviating social exclusion, poverty and deprivation is a major challenge. This is encapsulated in both placemaking and housing provision ensuring improved access for all groups within society, impacting positively on the lives of citizens. There are key groups within society which must be considered when planning and designing our communities and in relation to housing provision. These include, for example, children, older people, persons with disabilities, new ethnic communities, and the Traveller community.

The creation of a more socially inclusive, equal and culturally diverse society is a requirement of NPO 28 of the NPF which requires Councils to "plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services".

The Road Map for Social Inclusion 2020–2025 states that social inclusion is achieved when people have access to sufficient income, resources and services to enable them to play an active part in their communities. The Plan must ensure that settlements within Fingal provide for a range of housing options, including a choice of typology and tenure and adaptable housing benefiting from universal design to ensure social inclusion and integration for all members of our community. There are several groups with specific requirements in terms of housing design and accommodation needs which must be considered in the design of the built environment and their requirements are considered in this Plan.

The Traveller community accounted for 0.45% of the population in Fingal in the 2016 Census. Under Fingal's Traveller Accommodation Programme 2019–2024, it is the policy of the Council to provide group and standard housing options as well as Traveller Specific Accommodation for Travellers who are indigenous to the administrative County of Fingal in accordance with the assessment of need carried out under the provisions of the Housing (Traveller Accommodation) Act 1998 and having regard to the accommodation objectives of The National Traveller and Roma Inclusion Strategy 2017–2021.

In the 2016 Census, the Traveller population of Fingal was recorded at 1,315 persons. This represents 0.45% of the population overall. The current Traveller Accommodation Programme for Fingal sets out the strategy for the provision of Traveller accommodation and support services during the period 2019–2024. The Programme identifies annual targets for group housing (new), groups housing (refurbishment) and halting site refurbishment to 2024.

All Capital works for Traveller Specific accommodation is funded by the Department of Housing, Local Government and Heritage. The Council will continue to address the provision of accommodation appropriate to the needs of Travellers in line with the requirements of the Traveller Accommodation Programme or any review thereto over the life of the Plan.

Policy SPQHP23 – Housing for the Traveller Community Implement the Fingal Traveller Accommodation Programme 2019-2024 and any superseding Programmes agreed by Fingal County Council over the lifetime of this Plan.

There is a Traveller specific Scheme at Meakstown, Finglas comprising 8 houses and 2 Halting Site Bays. It is not envisaged that the addition of a Group Housing Scheme at Dubber comprising 5 dwellings will impact on other infrastructure in the area.

#### Residential Unit Cap

One submission requests the provision of a map-based objective on a site on a RC zoned site at Baskin Lane stating that that there should be no more than two houses on the site. The rationale for this request is to prevent overdevelopment.

### **Chief Executive's Response:**

This submission is seeking the rezoning of these lands at Baskin Lane from Objective "RC" - Rural Cluster to Objective "RS", with the attachment of a local objective restricting the development to no more than 2 no. Houses on site.

The lands are zoned Objective "RC", which seeks to: 'Provide for small scale infill development serving local needs while maintaining the rural nature of the cluster.'

The vision for these RC zoned lands is to 'Provide a viable alternative to settlement in the open countryside, and support small-scale infill development by providing the rural community with an opportunity to choose more rural-style-housing than is provided within the Rural Villages, and by facilitating the development of small scale and home-based enterprise among members of the rural community.'

The submission is seeking the rezoning of lands to "RS" and the attachment of a local objective to restrict the number of dwellings to no more than 2 no. Dwellings.

It is considered that the "RC" - rural cluster zoning provides for small scale infill development and there is no need to attach a specific local objective in this regard. Rezoning the lands to Objective "RS" - residential could potentially permit increased development on site, which would not be appropriate at this location and would not achieve the objective sought in this submission.

Furthermore, the Rural Housing Strategy in the Draft Development Plan reflects the policy as set out in the current FDP 2017-2023 and as outlined in the NPF, RSES and Ministerial Guidance. The policy as it stands recognises the need to provide for housing for the rural community but limits the amount of housing in the open countryside and provides for alternative options within the rural area either in the villages or in rural clusters as a more sustainable and suitable location for rural generated housing.

Allowing certain individuals to be excluded from this policy would contradict this overall approach and would be contrary to the proper planning and sustainable development of the area. The insertion of new local objectives to allow for single dwelling houses, if adopted, would allow the sale of sites on the open market, thereby opening up the possibility of urbangenerated housing development on these sites.

Also, it should be noted that the inclusion in the Draft Fingal Development Plan of specific local objectives facilitating the development of rural housing outside of the provisions of the rural housing strategy would thus run counter to national and regional policy, as set out in the NPF and RSES. There is a lack of an evidence-based need or planning rationale for the insertion of specific local objectives to provide for single dwelling houses at this location. It is also noted that the inclusion of a map based Local Objective, which may be at odds with (i.e. not consistent with) the policies, objectives and guidelines contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge.

Therefore, the inclusion of the proposed local objective to provide for one dwelling house at this location would conflict with the policy and guidance outlined above. The exemption of certain sites from compliance with the relevant policies and guidelines would lead to an increase in the number of houses being developed in the rural area, resulting in inappropriate and unsustainable settlement patterns and as such would be contrary to proper planning and sustainable development.

### **Light Rail Corridor Objective**

One submission requests that the Light Rail Corridor objectives illustrated on the Draft DP Zoning maps should be updated in line with the Draft Transport Strategy for the GDA 2022-2042 and the NDP. Metro West has not been identified as an objective at regional level since the 2010 RPGs. This Objective should be removed from zoning maps as it does not correspond with the contents of the Transport Strategy for the GDA 2016-35 and the Draft Transport Strategy for the GDA 2022-2042. 'Light Rail Corridor' map-based objective should therefore be removed.

### **Chief Executive's Response:**

This submission relating to the updating of the Light Rail Corridor objectives at Horizon Business Park is noted. The Draft Plan at Section 6.5.7 - 'Public Transport' is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the County, providing more efficient and reliable access to key urban centres within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport.

In relation to new public transport services, the provision of public transport and supporting ancillary infrastructure is the responsibility of the NTA and other key relevant transport providers such as TII and Irish Rail. Fingal County Council regularly consults and liaises on an ongoing basis with the NTA and other key transport providers in this regard with a view to achieving sustainable outcomes for the County. There are many policy objectives set out in the Draft Plan that are explicit in supporting and facilitating the development of a high-quality, connected and reliable sustainable transport network in collaboration with key transport providers and are considered robust in this regard.

In order to achieve the Plan's strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA's Transport Strategy. It is noted that the NTA's Draft Transport Strategy 2022-2042 supports the provision of several new rail stations in conjunction with Irish Rail within Section 12.4.12 of the strategy and at key specified locations in the GDA, including the enhancement of existing train stations in the area.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement'. This will include MetroLink, DART + and LUAS. The zoning maps of the Draft Plan will reflect the preferred routes as outlined in the Draft Transport Strategy for the GDA.

Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy.

Fingal County Council works closely with Irish Rail on a strategic and operational level and is in regular contact regarding safeguarding and enhancement of railway infrastructure. Section 6.5.9.3 of the Draft Plan acknowledges the All-Island Strategic Rail Review and, in this regard, Policy CMP29 of the plan seeks to, 'Work with Irish Rail, the NTA, TII and other stakeholders to progress a coordinated approach to improving the rail network, integrated with other public transport modes to ensure maximum public benefit and promoting sustainable passenger and freight transport and improved regional and cross-border connectivity.'

While Metro West has not been included in the NTA's Draft Strategy for GDA 2022-2042, successive Fingal Development Plans have protected this corridor and a significant amount of preliminary design work has already been carried out. It is considered prudent to maintain a corridor free from development to facilitate the delivery of a light rail transit system in the future. It is recommended the corridor should continue be protected in the Draft Plan.

### Distribution Centre Map Based Objective

The submission from Tesco Ireland Ltd relates to their distribution centre in Ballymun. The submission notes that the distribution centre is proposed to be zoned as ME - Metro Economic Corridor. The submission also notes that the established distribution centre would be considered to be a non-conforming use under the ME zoning. and that while non-conforming uses are generally addressed at Section 13.3 of the Draft, a local objective should be applied to the Tesco distribution site to allow for future alterations to the distribution centre to be considered based on the existing uses, potential intensification and operational requirements of the distribution facility in order support the wider Tesco operation.

#### **Chief Executive's Response:**

This submission is part of a larger submission received from Tesco Ireland in relation to their existing premises and land use zoning in Fingal. The request for the inclusion of a local objective to their distribution site at Old Ballymun Road is noted.

The lands at this location are currently zoned Objective "ME" - Metro Economic Corridor, which seeks to: 'Facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.'

The vision for these lands is to: 'Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.'

It is considered that the extension or redevelopment of the distribution centre at this location can be more appropriately considered through the Development Management process. It is

considered that a Distribution Centre use at this location could be categorised as a 'non-conforming use' for the purposes of the land use zoning. The following Objective is noted and is relevant:

Objective ZO3 – 'Non-Conforming Uses': 'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria'.

Any application for an extension or redevelopment of the existing Distribution Centre and associated facilities at this location will be assessed on a case-by-case basis, in accordance with the relevant Development Plan policies and objectives taking into account the proper planning and sustainable development of the area.

It is also noted that the inclusion of a map based Local Objective, which may be at odds with (i.e. not consistent with) the policies and objectives contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge. It is therefore not considered appropriate or necessary to attach a new Local Objective to the site and, as such, this would be considered to be contrary to proper planning and sustainable development of the area.

### Bus Maintenance Depot and Charging Station

A submission was received relating to a site comprising 27 hectares at Stockhole Lane, Cloughran, Swords, County Dublin and requests that these lands be identified for Dublin's new City Bus Maintenance Depot and Charging Station. It is suggested that the newly zoned GE landbank have its development restricted and directly controlled with the inclusion of a Map Based Objective (MBO) stating that: "Lands to be used strictly to provide a Bus Maintenance Depot and Charging Station."

#### **Chief Executive's Response:**

This submission requesting the designation of the site as a Bus Maintenance Depot and Charging Station is noted. It is acknowledged that this submission is also requesting the rezoning of these lands to "GE" or other such suitable zoning objective.

The lands are currently zoned as a Greenbelt – Objective "GB", which seeks to Protect and provide for a Greenbelt, while the vision for these lands is to: 'Create a rural/urban Greenbelt zone that permanently demarcates the boundary (i) between the rural and urban areas, or (ii) between urban and urban areas. The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner. The Greenbelt will provide opportunities for countryside access and for recreation, retain attractive landscapes, improve derelict land within and around towns, secure lands with a nature conservation interest, and retain land in agricultural use. The zoning objective will have the consequence of achieving the regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas.'

The Draft Plan at Section 6.5.7 Public Transport is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the County, providing more efficient and reliable access to key urban centres within the region as well as connectivity

to other major towns and cities and critically facilitating the integration of land-use and transport. The Draft Plan states that, 'The NTA's GDA Transport Strategy provides the framework for the planning and delivery of transport infrastructure and services in the GDA over the strategy period. The strategy is currently being reviewed and an updated strategy will be prepared for the period up to 2042. Fingal is set to benefit from major rail and bus projects such as MetroLink, BusConnects and DART+ and LUAS Expansion'.

The Draft Plan at Chapter 6 also acknowledges that these projects promote a high level of network integration and interchange facilities and represent key components of an integrated transport network that will bring significant economic, social and environmental benefits to Fingal and the wider Dublin region. Specifically, Chapter 6 of the Draft Plan includes policy CMP3 and objective CMO3 supporting and facilitating the integrated approach to land-use and transportation and prioritising sustainable modes of transport.

Having regard to new public transport services, the provision of public transport and supporting ancillary infrastructure, it should be noted that this is the responsibility of the NTA and other key relevant transport providers such as TII and Irish Rail and not Fingal County Council. Fingal County Council regularly consults and liaises on an on-going basis with the NTA and other key transport providers in this regard with a view to achieving sustainable outcomes for the County.

There are a large number of policy objectives set out in the Draft Plan that are explicit in supporting and facilitating the development of a high-quality, connected and reliable sustainable transport network in collaboration with key transport providers, including Policy CMP18, Objective CMO22, Objective CMO23 and Objective CMO28.

It is considered that the provision of a bus depot at this location can be more appropriately considered through the Development Management process. Any planning application lodged for such a use will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan.

It should also be noted that the inclusion of a map based Local Objective, which may be at odds with (i.e. not consistent with) the policies and objectives contained in the provisions of the relevant chapter of the Development Plan or Appendices are legally flawed and open to legal challenge. It is therefore not considered appropriate or necessary to attach a new Local Objective to this site and, as such, it would be considered to be contrary to proper planning and sustainable development of the area.

#### **Chief Executive's Recommendations:**

#### **CE SH 11.1:**

Rezone the site of the Coachman's Inn, Cloghran, Swords from GE to HT.

#### **CE SH 11.2**

Rezone the lands at the M50/R108 Junction from HT to ME

#### **CE SH 11.3:**

Rezone the plot of land at Swords Road, close to Dardistown cemetery from OS to GE.

### **MAP SHEET 12: Blanchardstown North**

### **Submissions Received:**

FIN-C453-2, FIN-C453-11, FIN-C453-13, FIN-C453-51, FIN-C453-96, FIN-C453-97, FIN-C453-102, FIN-C453-154, FIN-C453-191, FIN-C453-196, FIN-C453-200, FIN-C453-251, FIN-C453-278, FIN-C453-281, FIN-C453-342, FIN-C453-355, FIN-C453-357, FIN-C453-358, FIN-C453-379, FIN-C453-379, FIN-C453-383, FIN-C453-387, FIN-C453-405, FIN-C453-409, FIN-C453-413, FIN-C453-417, FIN-C453-419, FIN-C453-437, FIN-C453-490, FIN-C453-491, FIN-C453-520, FIN-C453-521, FIN-C453-522, FIN-C453-542, FIN-C453-548, FIN-C453-550, FIN-C453-554, FIN-C453-557, FIN-C453-559, FIN-C453-571, FIN-C453-585, FIN-C453-624, FIN-C453-656, FIN-C453-692, FIN-C453-722, FIN-C453-737, FIN-C453-740, FIN-C453-791, FIN-C453-801, FIN-C453-825, FIN-C453-826, FIN-C453-853, FIN-C453-888, FIN-C453-863, FIN-C453-874, FIN-C453-903, FIN-C453-913, FIN-C453-919, FIN-C453-926, FIN-C453-948, FIN-C453-952, FIN-C453-982, FIN-C453-1028, FIN-C453-1048, FIN-C453-1055, FIN-C453-1056, FIN-C453-1073, FIN-C453-1075, FIN-C453-1113, FIN-C453-1176, FIN-C453-1226, FIN-C453-1226, FIN-C453-1232, FIN-C453-1249, FIN-C453-1308, FIN-C453-1514, FIN-C453-1515, FIN-C453-1517, FIN-C453-1519, FIN-C453-1675, FIN-C453-1676, FIN-C453-1677, FIN-C453-1686, FIN-C453-1689, FIN-C453-1691, FIN-C453-1692, FIN-C453-1693, FIN-C453-1694, FIN-C453-1695

## **Summary of Issues Raised:**

### Residential Zoning Requests (From RU and GB to RA / RS)

A significant number of submissions were received which requested the rezoning of tracts of lands in various locations in Blanchardstown North, Sheet 12. These related to existing land use zonings such as Greenbelt (GB) and Rural (RU) to Residential (RS) or Residential Area (RA). Lands beyond the northern development boundary are predominantly Green Belt while to the west, remaining undeveloped Greenbelt and Rural lands zoned lands are limited in extent and provide limited separation from the Meath County administrative border. The submissions requesting a change to RA or RS range in size from large tracts of undeveloped land to small residential proposals. Submissions include lands at Hynestown, a land bank between Clonsilla and Clonee, lands at Hollymount Spricklestown as well as lands at Gallanstown, Kilbride.

### **Chief Executive's Response:**

The quantum and location of zoned land in the county is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the county which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places where people work, live and make use of, are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning,

December 2020. The Housing Supply Targets indicates a requirement for 16,245 no. housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31no. designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the six-year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet requirements for the Development Plan period.

Several submissions refer to the zoning of lands outside of the existing Blanchardstown Development boundary. A primary objective of the Council over successive Development Plans has been to limit development on Greenbelt lands in order to promote sustainable settlements and protect the most sensitive parts of the county. The Council is fully committed to the continued protection of the Greenbelt and to allow for 'RA' or 'RS' zonings at the locations identified would seriously undermine the long-standing policy of the Council regarding green belt protection. The requests, if accepted, would represent a serious encroachment and a fundamental erosion into these strategically important Greenbelt zoned lands.

#### **Other Residential Zonings**

Other submissions were received calling for the rezoning of lands other than GB or HA to Residential RS or RA. This includes instances where the underlying zoning includes OS, GE, TC. Instances also reference amendments to individual site boundaries/perceived zoning anomalies. Submissions include lands at Duinch Hollystown, Brookhaven Corduff, lands at Hollystown, The Oaks Hollystown, and Gaywood Industrial Estate.

Submissions in several instances refer to privately owned residential properties where the submitter has identified perceived anomalies on a portion of the site- e.g., site includes OS zoned lands.

With respect to lands at the rear of The Oaks Hollystown, submissions refer to the existing zoning as no longer applicable -Hollystown Golf Course. A planning history for the subject development has been provided.

Submissions express support for low density housing at Duinch Hollystown.

A submission at Hollystown refers to the fact that lands are presently subject to two different zonings i.e. RS and OS. The submission requests that the eastern part of the site is rezoned to

OS, while lands to the west are rezoned to RS. Restrictions applicable under the Outer Public Safety zone apply to the area and the submission seeks to maximise the potential of the site, having regard to planning history which is detailed.

Other submissions highlight concerns in relation to current zonings and suggest a range of alternatives including RS/RA such as at Gaywood Industrial Estate Mulhuddart which comprises uses including automotive repair enterprises and associated service suppliers, and which is currently zoned GE. It is suggested that the design and scale of the units has proved uneconomical for development and alternative uses are requested including residential care home.

Other submissions refer to the retention of the Greenbelt at Hollystown and request that no further residential development is permitted with undeveloped lands reverting to Greenbelt or Open Space.

#### **Chief Executive's Response**

Submissions in several instances refer to privately owned residential properties where the submitter has identified perceived anomalies on a portion of the site- e.g. site includes OS zoned lands. In many instances, while in private ownership, lands may encompass open space for numerous reasons including required setbacks from roads and footpaths, design parameters, positioning of infrastructure etc. In other instances, access to the site may not be readily available without additional lands being rezoned to facilitate.

The quantum and location of zoned land in the county is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the county which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. In accordance with the Planning Act, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the county so there is an overall integrated and coherent approach to how Fingal is planned and the places where people work, live and make use of, are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 no. housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31no. designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal has

excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the six-year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet requirements for the Development Plan period.

The incremental loss of OS zoned lands is not appropriate having regard to the amenity value derived from same and the need to ensure appropriate levels are made available to serve residential communities adjacent.

GE zoned lands seek to 'facilitate opportunities for compatible industry and general employment uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible'. As such, the rezoning of such lands in a piecemeal fashion for purposes such as residential development would have a negative impact on both the new use and the GE lands. Such rezoning runs the risk of uncoordinated land use patterns emerging with use classes which may be unsympathetic or ill-suited to the established pattern of development in the locality.

### Rezoning requests to OS and GB

Submissions received related to the re-zoning of lands at several locations to Open Space or to Green Belt. This included lands at Canterbury Gate south of the Tolka river valley. A submission indicates that the lands be rezoned to protect biodiversity given its sensitive location and also because of flood risk. Lands at Hollystown are also referenced in a submission requesting that the eastern part of the site be rezoned to 'OS', while the western part of the site is rezoned to 'RS'. Restrictions applicable under the Outer Public Safety zone apply to the area and the submission seeks to maximise the potential of the site, having regard to planning history. Submission also references lands at Powerstown Road requesting a change to Open Space.

Other submissions request that no further residential development is considered beyond Hollystown and Kilmartin LAPs and any lands not developed should revert to Greenbelt or Open Space. One submission seeks a revised plan for the area bounded by Sheet 12 (including Kilmartin, Hollystown) with the objective of preserving the status quo and improving local community facilities and public transport in the area with no further residential zoning to occur.

#### **Chief Executive's Response:**

Notwithstanding the previous applications for development at Canterbury Gate, including a recent SHD determination by An Bord Pleanála, it is considered that the current land use RS should remain.

A submission in relation to lands at Hollystown is addressed under Other Residential Zonings.

The Kilmartin LAP provides a clear guidance regarding the development of the lands in question. Fingal County Council recognises the importance of social and community infrastructure to communities and the need for additional and extended community facilities across Fingal is kept

under active review. Such ongoing evaluation and continued engagement with community stakeholders in conjunction with infrastructure audits to be undertaken for large-scale residential development, will help to inform future provision and investment in the area. While the delivery of community and social infrastructure is the responsibility of numerous stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In this regard, a collaborative approach is considered best practice.

## **Employment Zonings**

Multiple submissions were received in relation to rezoning lands for a range of employment uses including from existing employment zonings to GE and HT. These included submissions for lands at Damastown, Tyrellstown, Ballycoolin Business Park, Orion Business Park Ballycoolin, Cruiserath and IDA Blanchardstown Business and Technology Park Blanchardstown Corporate Park. Submissions were also received supporting HI land use zonings at locations such as in the townlands of Coldwinters and Huntstown. Other submissions request the rezoning of Greenbelt zoned lands to Employment Zonings. This included submissions at Broughan The Ward, Newtown St. Margaret's, Broghan The Ward/Cherryhound Interchange, Powerstown/ Kilmartin and included instances where the existing use on site is not supported by the underlying land use zoning.

Future site layouts are presented in several submissions and are accompanied by supporting technical reports/assessments.

Submissions also request rezoning from GE to HT such as at Blanchardstown Corporate Park on numerous grounds including the limitation on office space under the current zoning and on grounds that the revised zoning would offer a better fit for high technology/ office use. Submission for HT lands at Damastown requests a rezoning to GE.

Submissions also refer to a change of land use zoning from HT to GE including lands at Tyrellstown referring to compliance with NPF, RSES, and alignment with the economic vision for Dublin

Submissions seek confirmation that existing zonings indicated in the Draft Plan will be confirmed once the Plan is adopted. This includes HI zoning applicable to lands at Huntstown and Coldwinters. Submission also requests that an extended range of use classes associated with Heavy Industry are considered and flexibility is provided in infrastructure delivery.

Many submissions raise concerns in relation to the categorisation of data centres in the Not Permitted' category under the HT land use zoning and strongly oppose this measure. Others requests that the Local Authority alter the zoning matrix to omit data centres from this category or where lands are subject to existing permissions, that they be rezoned GE and not HT or other measures to ensure compatibility and avoid non-conforming uses.

Several submissions relate to non-conforming uses and refer to the need to adjust the underlying zoning to reflect the extant use.

### **Chief Executive's Response:**

The Draft Plan affords a high level of landscape value and protection of Green Belt areas and a primary objective of the Council over successive Development Plans has been to limit

development here to promote more sustainable settlement patterns and protect sensitive areas. It is not considered appropriate to rezone the subject lands to GE from GB. In many instances such re-zoning would be disjointed, non-sequential and piecemeal. This would be inconsistent with proper planning and sustainable development.

It is considered that GB zoning applicable to lands at Newtown St. Margaret's north of Dublin airport logistic park is anomalous given the somewhat isolated nature of the site relative to HT and GE zonings contiguous to the west, east and south of the site, together with its proximity to Dublin International Airport and location relative to established industrial development to the south. It is considered appropriate to rezone the lands GE given their strategic importance and contribution to the sequential extension of the existing general employment land bank at this location. In this regard, it is considered appropriate to also rezone the lands contiguous to the north of the site adjoining Kilshane Road and to ensure that development of the lands will be contingent on carriageway upgrade works including active travel infrastructure; constraints on development imposed by the Inner public Safety Zone associated with Dublin Airport and the provision of high-quality landscape proposals.

In relation to submissions relating to uses which are established and which may not reflect the underlying land use zoning, such developments may, subject to certain criteria and assessment under the Development Management process, be considered as non-conforming uses and as such should have regard to Section 13.3 of the Draft Plan where, reasonable intensification of, extensions to and improvement of premises accommodating such uses will generally be permitted subject to normal planning criteria.

The Draft Plan is explicit in acknowledging the importance of the county's high technology zoned lands in highly accessible locations and the potential for high-quality employment opportunities as set out in Chapter 7 Economy and Employment. In recognising the strategic locations of HT zoned lands along high-quality transport corridors and having regard to the space extensive nature of a Data Centre use, Objective EEO4 of the Draft Plan seeks to, 'Ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within existing built-up compact growth areas.'

In addition, DMSO94 sets out specific environmental and energy criteria requirements in the context of Data Centre proposals. Having regard to the foregoing, these provisions provide a level of control on Data Centres proposals and importantly locational controls, to ensure that such uses are appropriately located and do not compromise labour intensive opportunities on zoned lands, adjacent to high quality public transport corridors or within existing built-up compact growth areas.

In the context of this level of locational control and as set out in detail in Chapter 13, it is considered appropriate to remove Data Centres from the Not Permitted category of the HT zoning objective and to remain Open for Consideration allowing for assessment of such proposals on a case-by-case basis.

In the interests of clarity, fuel depot/fuel storage and ancillary facilities such as storage yards, ancillary plant storage weighbridges are not precluded under HI zoning. Such uses will be assessed on a case-by-case basis in accordance with the zoning objective and associated vision as well as normal standard planning under the Development Management process. Uses which

are neither "Permitted in Principle" nor "Not Permitted", will be assessed in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan. In this context, it is not considered necessary to add an Open for Consideration category to the HI zoning objective.

The vision for High Technology zoned lands is to 'facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity'.

The incremental loss of such lands to an unrelated land use would have a negative impact on this vision and would be contrary to overall aim to create high-end, high-quality environments for business and corporate headquarters. Such rezoning runs the risk of uncoordinated land use patterns emerging with use classes which may be unsympathetic or ill-suited to the established pattern of development in the locality.

Submissions expressing support for and seeking confirmation that proposed zonings as presented in the Draft Plan will be carried forward to the adopted Plan are noted. This includes submissions relating to lands at Broughan The Ward which acknowledges the support of the Elected Members. Submissions also request that the boundaries of the lands in question are adjusted. Elsewhere concerns are raised by TII in its submission which indicates that an evidence-based approach as outlined in planning policy including *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012) has not been demonstrated regarding the zoning of lands west of the R135 and the east of Cherryhound and the M2 immediately southeast of M2 Junction 2 - St. Margaret's.

### **Town and District and Local Centre rezoning requests**

Support is expressed for the zoning of lands at Charlestown to Town and District Centre and a submission requests that this is confirmed in the final Plan.

Multiple submissions seek a change in zoning from e.g., GE, HA to TC or LC zoning. These include lands at Exit 5 M50 North Road Charlestown, North Road Charlestown, Gaywood Industrial Estate Mulhuddart, Páidí Óg's Mulhuddart.

Submissions contend that GE does not reflect the existing land use pattern of specific areas and is a barrier to future development potential. It is also submitted that GE does not result in sufficiently high-quality development and is at odds with existing uses on site and by continuing with GE, this approach would not result in any marked improvement given the narrow range of uses permitted. Some submissions also reference a shift aware from small business to third party warehousing and online trade which has meant that demand for such smaller units on GE lands has dwindled.

Submission in relation Páidí Óg's in Mulhuddart refers to the HA zoning applicable to the existing car park and suggests a change to LC may be more appropriate or a derogation from the HA requirements to facilitate potential for residential development on brownfield sites in urban areas.

Submission on LC lands at Tyrellstown questions the suitability of its classification as a Local Centre and suggests that a better fit would be to classify the retail /services complex as a District Centre allowing for an increase in net convenience floor space.

### **Chief Executive's Response**

Submissions have been examined in the context of providing for additional TC or LC zoned lands at specific locations within Blanchardstown North. It is not considered appropriate to rezone land to Local Centre or Town and District Centre where in relation to the sites examined, such rezoning would result in a disjointed approach to LC/TC zoning or in an oversupply of such lands where existing undeveloped TC/LC lands are available. This non-sequential approach is damaging to existing town and local centres and contrary to proper planning and sustainable development. The quantum of lands zoned LC and TC at the locations is considered appropriate and in line with the retail hierarchy set out in Chapter 7 of the Draft Plan and in accompanying studies undertaken in the preparation of the Draft Plan

Fingal's High Amenity areas contain the county's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure coincide closely with these areas of high amenity value. The Draft Plan affords a high level of landscape value and protection to these areas. In this regard, it is not considered appropriate to re-zone lands from HA to LC at Mulhuddart, bearing in mind the sensitivity of the Tolka river valley in proximity, notwithstanding the current use of the lands. Bearing this in mind, subject to certain criteria being established and assessment under the Development Management process, the site may be considered as a non-conforming use and as such should have regard to Section 13.3 of the Draft Plan where, reasonable intensification of, extensions to and improvement of premises accommodating such uses will generally be permitted subject to normal planning criteria.

Having regard to regional planning policy and the Retail Hierarchy in Fingal as set out in Chapter 7, it is not considered appropriate to designate Tyrellstown as a Town and District Centre (TC)

Support for TC zoning at Charlestown is noted.

### **Community Infrastructure and CI Zoning Requests**

Submissions have been received in relation to lands at Hollywoodrath which highlights the proposed change in zoning from RA and map-based objective for a school in the current Plan to CI in the Draft Plan and requests that this approach is reconsidered. Given the extent of post-primary school provision in the area, it is argued that the proposed CI lands are of a sufficient size to cater for a primary school.

As part of a broader submission, it is proposed that lands at Powerstown are rezoned from GB to CI to facilitate demand for community facilities including places of worship. This is supported by number of religious organisations which are party to the submission. Other submissions request that land in D15 be rezoned to cater for the cultural, social and religious needs of communities.

Submissions also request the provision of CI zoned lands within the National Sports Campus to allow for a broader range of community facilities in the area.

A submission with respect to the National Sports Campus requests that lands are rezoned from HT to NSC. Other issues raised in a submission from Sports Ireland Ltd include a broadening of the Vision Statement, the lifting of certain restrictions on use classes and reference to public transport schemes.

#### **Chief Executive's Response:**

It is considered appropriate to retain as proposed CI zoned lands at Hollywoodrath to facilitate future community Infrastructure development.

It is noted that a Place of Worship is open for consideration under the National Sports Campus zoning while community facilities are permitted in principle. Having regard to such uses being open for consideration, together with the quantum of CI zoned lands south of Powerstown Road and lands proposed CI at Hollywoodrath, it is contended that a sufficient quantum of CI land is available to cater for the community infrastructure needs of the growing community in north Blanchardstown.

Separately, issues including an examination of use classes within the National Sports Campus, the overall vision and restrictions on use are examined under other sections of the Chief Executive's Report including Chapter 13.

It is recommended that lands are rezoned from HT to NSC to clarify the extent of the NSC.

### **Active Land Management**

Submissions refer to lands which are subject to expiring LAPs e.g. Cherryhound and/or which fall within a proposed Framework Plan. Requests are made that the Draft Plan support a review of the Public Safety Zones.

The Draft Plan should also clarify the approach where Local Area Plans are expiring and instances where a Framework Plan is proposed, bearing in mind the resources required to progress same.

Other submissions request that explanatory text for framework plans should clarify that the designation of an area for a new Framework Plan will not curtail development pending the delivery of such a framework plan, subject to demonstrating that such development is consistent with the proper planning and sustainable development of the area.

## **Chief Executive's Response**

It should be noted that although local level plans cease to have effect when they expire, they may still provide useful advisory guidance for potential applicants for the formulation of development proposals on the lands in question.

The review of Public Safety Zones does not fall within the remit of the Development Plan and is a matter for the Irish Aviation Authority to advise relevant local authorities as to the outcome of reviews undertaken in this area.

A list of proposed Framework Plans is tabled in Chapter 2. It is considered that such plans will provide bespoke guidance in relation to several site-specific areas as may be the focus of the Framework Plan and include areas such as public realm enhancement, landscaping, protection of natural features etc. In this regard Framework Plans tabled should be retained.

### Requests for Allotments and preservation of Open Space

Multiple submissions call for the existing allotments to be retained at Powerstown. Submissions, including from Powerstown Allotment Association call for lands to be re-zoned at Powerstown / Tyrellstown to OS to facilitate this use and for the local authority to double the current provision over the life of the Plan. Such facilities are of benefit to local schools, residents, churches and allotment holders and health and environmental benefits of allotments referenced.

Submissions also refer to retention of Hollystown golf club as open space.

#### **Chief Executive's Response:**

The importance of allotments is recognised and will continue to be supported in the Development Plan.

The adopted Fingal Allotment Strategy provides for the development of new community gardens and allotments in response to local demands and in consultation with local communities. Requests for additional allotments and/or community gardens will be assessed in the context of the adopted Fingal Allotment Strategy.

Submissions regarding Hollystown golf club are noted.

### **Map Based Objectives:**

Several submissions were received requesting the inclusion, removal or amendment of mapbased objectives on Draft Development Plan Map Sheet 12- Blanchardstown North. These include:

#### Facilitate Future Development

A submission was received in relation to lands north of Damastown, west of Kilmartin LAP and the Dublin Enterprise Zone requesting, in summary, a new map-based objective to protect the strategic importance of the lands for long term expansion of the Blanchardstown urban area and the Dublin Enterprise Zone by requiring all movement and infrastructure networks proposed on future Framework Plans to the south and the Kilmartin LAP area will be designed and constructed to provide adequate capacity for future connections.

#### **Chief Executive's Response**

It is not considered necessary to insert a new map based local objective as requested.

All civil infrastructure provided as part of the LAP will be designed and constructed to meet the needs of the sustainable development of the local area as well as the wider county. This will be undertaken with due regard to the planning and policy context, including likely future levels of development. Furthermore, the Draft Plan includes reference to the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* in Section 6.5.10.1 of the Draft Plan and Appendix 2 and 3 in the context of the protection of the national road network. These guidelines are also included in Section 6.4 Strategic Aims of the plan.

Fingal will continue to promote sustainable travel and the Council's strategic transportation, forward planning, active travel and development management processes generally operate with the guidance of the NTA Eastern Regional Model, which was used in the development of the NTA

Transport Strategy for the Greater Dublin Area. The Council is also informed by the various policy documents at national, regional and local level, including the Development Plan.

#### Framework Plans

A submission in relation to lands at Horizon Logistics Park and surrounding lands at St. Margaret's, Swords, Co. Dublin requests that a proposed Framework Plan Objective relating to Horizon Logistics Park be removed from Sheets 11 and 12. Submission also requests that the Light Rail Corridor objectives on the Draft Development Plan maps are updated in line with the Draft Transport Strategy for the GDA 2022-2042.

### **Chief Executive's Response**

Having regard to the scale of the land bank concerned, it is considered that the preparation of a Framework Plan would be beneficial to guide the future development of the lands and would include objectives and a programme of actions to maximise the potential of this important reserve, being informed by research and baseline data, to identify opportunities for future development and highlight constraints that may exist.

Table 2.19 includes a list of proposed Framework Plans, including Dubber (Horizons Business Park). It is not considered appropriate to remove same from Table 2.19.

The Draft Plan at Section 6.5.7 - 'Public Transport' is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the county, providing more efficient and reliable access to key urban centres as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport.

In order to achieve the Plan's strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA's Transport Strategy. It is noted that the NTA's Draft Transport Strategy 2022-2042 supports the provision of several new rail stations in conjunction with Irish Rail within Section 12.4.12 of the strategy and at key specified locations in the GDA, including the enhancement of existing train stations in the area.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement'. This will include MetroLink, DART + and LUAS. The zoning maps of the Draft Plan will reflect the preferred routes as outlined in the Draft Transport Strategy for the GDA and maps will be updated accordingly.

In terms of future public transport connectivity between the Dublin-Belfast rail line and Swords, the Airport and D15, Objective CMO25 seeks to, 'Undertake a feasibility study for the progression of an orbital public transport route linking the Dublin-Belfast rail line, Swords, Dublin Airport, Finglas, Blanchardstown and surrounding areas along the route, during the lifetime of the Plan in consultation with the NTA and other stakeholders.'

Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy.

Fingal County Council works closely with Irish Rail on a strategic and operational level and is in regular contact regarding safeguarding and enhancement of railway infrastructure. Section 6.5.9.3 of the Draft Plan acknowledges the All-Island Strategic Rail Review and, in this regard, Policy CMP29 of the plan seeks to, 'Work with Irish Rail, the NTA, TII and other stakeholders to progress a coordinated approach to improving the rail network, integrated with other public transport modes to ensure maximum public benefit and promoting sustainable passenger and freight transport and improved regional and cross-border connectivity.'

#### Expansion of RA zoned lands

Submissions received in relation to lands between Clonsilla and Clonee request the rezoning of lands to 'RA' along with inclusion of a specific objective for cross boundary collaboration with Meath County Council to provide for a linear park including pedestrian and cycle ways between Clonsilla and Dunboyne Train Station.

### **Chief Executive's Response**

The request for the inclusion of a specific objective for cross boundary collaboration with Meath County Council is noted. However, it is not considered necessary to insert a new local objective in this regard as the need for cross boundary collaboration is already well addressed with the inclusion of several policies and objectives within the Draft Plan including:

Policy CMP7 'Pedestrian and Cycling Network', Policy CMP8 'Greenway Network' and Objective CMO14 'Engagement towards Improved Access'. Fingal will work in collaboration with other Local Authorities and stakeholders to secure the development of valuable cross county infrastructure projects and network of cycling, greenways and access routes.

Objective DMSO125 'Section 48 and 49 Contributions' states that these contributions will be calculated in conjunction with adjoining Local Authorities, where appropriate.

It is not considered necessary to amend any the existing policies and objectives included within the Draft Plan in relation to working with adjoining Local Authorities as this is adequately addressed in the Development Plan. The NTA GDA cycle network also includes a link between Clonee and Dunboyne, and this will be mapped in the revised Fingal Development Plan Sheet 17.

### **Dunsoghly Castle**

Dunsoghly Castle (RPS No. 865), Co. Dublin. Proposes a map based Local Objective to 'Facilitate the development of an Artisan Agri-Food Hub' on subject lands.

### **Chief Executive's Response**

Dunsoghly Castle is a Protected Structure (RPS. 623) and a National Monument surrounded by a sensitive archaeological landscape. The reference to the development of an Artisan Agri-Food Hub is noted. Sustainable measures to ensure the recovery and promotion of the tourism sector are imperative in Fingal and policies identified in the *Tourism Statement of Strategy & Work Programme 2017 – 2022* will be promoted and supported. The Council will continue to support and facilitate existing and new rural enterprises within the county and will engage and collaborate with key stakeholders, relevant agencies, sectoral representatives and local communities to develop these rural enterprises in Fingal.

The following Draft Plan policies support the provision of food and craft markets in the county and are applicable to the subject lands:

Policy EEP25 - Markets Support outdoor and indoor markets in towns and villages in Fingal.

Objective EEO62 Support the licensed operation of local country markets at suitable locations in Towns and Rural Villages.

In addition, it is noted that Dunsoghly is included as an Integrated Tourism Complex within Section 7.5.2.1 of the Draft Plan and the following Objective is noted:

Objective EEO48 – Integrated Tourism Complexes: Facilitate, where appropriate, (those complexes as listed in 7.5.2.1 Abbeyville, Dunsoghly Castle, Roganstown, Tyrrelstown House, Hampton Demesne, Beech Park House), the conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments subject to architectural conservation best practice and proper planning and sustainable development, having regard to protecting the demesne type landscape and existing natural features, and providing improved pedestrian access, where appropriate.

The Council will continue to encourage the development of integrated tourism/leisure/recreational complexes in demesne type landscapes in the county, where such uses are consistent with the retention of such landscapes.

The conservation of these assets into the future is essential and the Council recognises the need for the appropriate sustainable reuse of these buildings.

Any application for development of an Artisan Agri-Food Hub will be assessed through the Development Management process, taking into consideration the relevant Development Plan policies and objectives and having regard to the national monument status of Dunsoghly Castle. It is therefore not considered necessary to include a specific map based local objective.

#### Site Specific Zoning Objective

A submission was received in relation to lands at Coldwinters requesting a site-specific zoning objective to facilitate the development of a wholesale HGV Fuel Station or to allow for a HGV Station under Heavy Industry land use zoning.

### **Chief Executive's Response**

The subject lands are subject to Heavy Industry, 'HI' land use zoning objective to 'Provide for heavy industry'. The Vision for 'HI' seeks to:

'Facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings. Such uses, activities and processes would be likely to produce adverse impacts, for example by way of noise, dust or visual impacts. HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses.'

The submission seeks the insertion of a new site-specific objective to allow for a Wholesale HGV Fuel Station at this location. It is considered that this is best addressed through the Development Management process, including appeal stage.

### Light Rail

Submissions request the Light Rail map-based objective indicated on the Draft Development Plan maps be omitted (on the basis that it does not correspond with the Transport Strategy for

the GDA 2016-2035 or the Draft Transport Strategy for the GDA 2022-2042). The zoning maps of the Draft Plan should reflect the emerging preferred route of Luas Finglas.

A map-based objective for a road traversing the site is welcomed.

#### **Chief Executive's Response**

The Draft Plan at Section 6.5.7 - 'Public Transport' is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the county, providing more efficient and reliable access to key urban centres within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport.

In relation to new public transport services, the provision of public transport and supporting ancillary infrastructure is the responsibility of the NTA and other key relevant transport providers such as TII and Irish Rail. Fingal County Council regularly consults and liaises on an ongoing basis with the NTA and other key transport providers in this regard with a view to achieving sustainable outcomes for the county. There are many policy objectives set out in the Draft Plan that are explicit in supporting and facilitating the development of a high-quality, connected and reliable sustainable transport network in collaboration with key transport providers and are considered robust in this regard.

In order to achieve the Plan's strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA's Transport Strategy. It is noted that the NTA's Draft Transport Strategy 2022-2042 supports the provision of several new rail stations in conjunction with Irish Rail within Section 12.4.12 of the strategy and at key specified locations in the GDA, including the enhancement of existing train stations in the area.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement'. This will include MetroLink, DART + and LUAS. The zoning maps of the Draft Plan will reflect the preferred routes as outlined in the Draft Transport Strategy for the GDA.

In terms of future public transport connectivity between the Dublin-Belfast rail line and Swords, the Airport and D15, Objective CMO25 seeks to, 'undertake a feasibility study for the progression of an orbital public transport route linking the Dublin-Belfast rail line, Swords, Dublin Airport, Finglas, Blanchardstown and surrounding areas along the route, during the lifetime of the Plan in consultation with the NTA and other stakeholders.'

Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy.

Fingal County Council works closely with Irish Rail on a strategic and operational level and is in regular contact regarding safeguarding and enhancement of railway infrastructure. Section 6.5.9.3 of the Draft Plan acknowledges the All-Island Strategic Rail Review and, in this regard,

Policy CMP29 of the plan seeks to, 'Work with Irish Rail, the NTA, TII and other stakeholders to progress a coordinated approach to improving the rail network, integrated with other public transport modes to ensure maximum public benefit and promoting sustainable passenger and freight transport and improved regional and cross-border connectivity.'

Having regard to a map-based objective for a road traversing the site, Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

The road transportation objectives of the Plan shall be presented on the new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

While Metro West has not been included in the NTA's Draft Strategy for GDA 2022-2042, successive Fingal Development Plans have protected this corridor and a significant amount of preliminary design work has already been carried out. It is considered prudent to maintain a corridor free from development to facilitate the delivery of a light rail transit system in the future.

#### Removal of LO 44

Ratoath Road, Hollystown. Remove map based local objective 44 (previously local objective): 'Facilitate the provision of a turning space for public buses.' It is stated that this is a historic Development Plan objective which is no longer required.

#### **Chief Executive's Response**

Local Objective 44 currently reads as follows: 'Facilitate the provision of a turning space for public buses.'

It is agreed that this is a historic Development Plan Objective, which is no longer required on Sheet 12.

It is recommended that Local Objective 44 be removed.

#### Removal of LO 66

A submission in relation to lands at North City Business Park refers to Local Objective 66 'Provide Road linkage between Cappagh Road and Finglas Road' and requests that it be removed from the Plan.

#### **Chief Executive's Response**

It is not recommended that Local Objective 66 is removed. The proposed objective is consistent with Fingal County Council and wider policy in terms of permeability and connectivity. It is noted that the term "road" may include a route provided for use by vehicular or non-vehicular/motorised traffic, e.g., pedestrians and cyclists.

It is therefore considered important that LO 66 remains in place to improve linkages between these two important areas.

#### Public Transport - gaps in provision

A submission requests that a specific local objective (SLO) is required to undertake and assess gaps in public transport and connectivity between TU Dublin Blanchardstown and (i) areas of disadvantage, and (ii) emerging communities.

#### **Chief Executive's Response**

The provision of public transport is the responsibility of the National Transport Authority. As such, any analysis or assessment would be more appropriately undertaken by the NTA. Fingal County Council regularly consults and liaises with the NTA in this regard and would be happy to feed into and support any future study, however it would not be appropriate for Fingal County Council to be the lead author of such an assessment.

#### School Site Hollywoodrath

Submission received in relation to lands at Hollywoodrath, Dublin 15. Reference made to permitted residential development and a school reservation which has not yet progressed. Draft Plan proposes a change in zoning from 'RA' and map-based objective for a school in current plan to 'Cl' in the Draft Plan. Requests that eastern portion of lands be rezoned to 'Cl' with a site-specific objective to provide for a school. If this approach is not considered, requests that the lands be zoned 'RS' with a specific map-based objective as follows:

'Applications for additional residential development at Hollywoodrath can be considered subject to demonstrating engagement with the Department of Education and confirmation that reservation for school provision is not required at this location'.

It is requested that the Indicative LAP Cycle Routes on Sheet 12 be amended to align with the existing/permitted road infrastructure along Bay Meadows Avenue. Sheet 12 of the Draft Plan indicates an indicative Lap Cycle Route through to the subject CI zoned lands. This reflects Map 8 Indicative Cycle/pedestrian Access route to the Kilmartin LAP. This area is through a section of the site which it is intended to reserve for the future primary school, subject to the requirements of the Department of Education. It is requested that Sheet 12 be revised to relocate the indicative cycle path along the western side of Bay Meadows Avenue, and it could be facilitated on the edge of the CI zoned lands.

#### **Chief Executive's Response**

This forms part of a broader submission which is addressed above. The specific request for a school site to be identified at Hollywoodrath is noted. Indicative school site icons are identified at strategic locations within new development areas with the exact location, layout and detail to be finalised at planning application stage.

While the provision of new schools is the responsibility of the Department of Education, Fingal County Council has and will continue to work collaboratively with the Department and with the Department of Further and Higher Education, Research, Innovation and Science in relation to the identification of suitable sites for the delivery of new and expanded educational facilities in Fingal.

Map based objectives relating to the location of existing and proposed schools on Map Sheets which form part of the Draft Plan have been drawn up in consultation with the Department of Education. Policies and Objectives within the Plan re-affirm that Fingal will work collaboratively and engage at all times with the Department in its role in provision of educational facilities.

Fingal will continue to work closely with the Department of Education to identify and procure school sites where a shortfall in school places is identified. It is not considered appropriate to

The Development Plan maps show all indicative LAP cycle routes as set out in the adopted LAPs. As such, it would be misleading to now amend them on the Development Plan maps. However, all future transportation infrastructure, including cycle schemes, footpaths, roads etc, would be required to progress through the various route options, engineering, planning and environmental assessments before any final decisions would be made on the construction and final alignment of same.

Furthermore, it should be noted that these cycle routes are denoted as being 'indicative' on the LAP and Development Plan maps and their final alignment will be subject to further detail and assessment as outlined above.

Fingal County Council has a significant infrastructural programme of works to support sustainable and active modes of transport. This ranges across commuter-focused, utilitarian urban cycling and walking routes, recreational Greenway routes and targeted measures such as Safe Routes to schools. There are extensive policy and objectives set out in the Draft Plan that support and promote an integrated walking and cycling network at strategic level within Chapter 6 including, Policy CMP7 and CMP8 in collaboration with the NTA and key stakeholders including local communities and adjoining Local Authorities.

The delivery of location specific projects would be more appropriately considered within the context of a capital or works programme or at a more localised level. The Draft Plan is a strategic document, which sets out the sets out the overall 'big picture' strategic objectives and sets out a framework against which future development proposals/initiatives can be guided.

The Draft Plan includes a range of cycling and pedestrian infrastructure, including the current NTA Greater Dublin Area Cycle Network, indicative Greenways, Sustrans routes and Public Rights of Way. This is to achieve a more focused, strategic approach to the provision of new pedestrian/cycle routes throughout the County. Such routes are supported by analysis undertaken in the context of the NTA's GDA Cycle Network, the various adopted Local Area plans, planned/permitted Greenways and an examination of existing public rights of ways.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

The updated GDA Cycle Network will be shown on the relevant Development Plan Maps.

As noted above, the alignments shown on the plan maps relating to walking and cycling infrastructure are indicative only and any future infrastructure developments will be required to

go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum design solution.

#### **Huntstown Quarry**

In context of 'Draft Map Sheet 12 –Blanchardstown North', it is noted that a road and light rail corridor are proposed just south of Huntstown Quarry. The CDP lists proposals for development of the county's transportation network in Table 6.3 Transportation Schemes. It is considered that the road proposed south of the Huntstown Quarry is the 'Cappagh Road –Huntstown R135 Link'. It also noted that a light rail corridor is proposed just south of the lands of Huntstown Quarry.

It would appear that the route proposed is that of the once proposed but for now suspended Metro West Project. The Council is kindly requested to notify Roadstone Ltd. and/or the public either in response to this submission by email or through public notification via the Council website (for instance) when further details regarding the Cappagh Road-Huntstown R135 Link and proposed Light Rail Corridor are available for public inspection.

#### **Chief Executive's Response**

The road objective shown on the map will, if the Plan is adopted, become a statutory objective of Fingal County Council. It should be noted however, that the road alignment shown on the Development Plan maps is indicative only, and any future road development would be required to go through the various route options, engineering, planning and environmental assessments, in order to achieve an optimum solution. This process typically takes a number of years and during this process detailed consultation will be undertaken with the general public and specific stakeholders as required. A similar process would be required for the progression of any future light rail proposal.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement'. This will include MetroLink, DART + and LUAS. The zoning maps of the Draft Plan will reflect the preferred routes as outlined in the Draft Transport Strategy for the GDA.

Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy.

While Metro West has not been included in the NTA's Draft Strategy for GDA 2022-2042, successive Fingal Development Plans have protected this corridor and a significant amount of preliminary design work has already been carried out. It is considered prudent to maintain a corridor free from development to facilitate the delivery of a light rail transit system in the future. It is recommended the corridor should continue be protected in the Draft Plan.

Fingal will continue to maintain, manage and operate the existing regional and local road network in an efficient and restrictive manner. The proposed transportation schemes listed in Table 6.3 of Chapter 6 comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of this Plan.

The road transportation objectives of the Plan shall also be presented on the new Sheet 17 'Connectivity and Movement' with project implementation being an operational matter outside the remit of this Plan. All road upgrade projects will be developed on a multi-modal basis to ensure high quality facilities for all users including pedestrians, cyclists and public transport users.

#### **Chief Executive's Recommendations:**

#### **CE SH 12.1:**

Remove Local Objective 44, 'Facilitate the provision of a turning space for public buses.'

#### **CE SH 12. 2:**

### **Insert new local objective stating:**

Support the conservation of Dunsoghly Castle and the sympathetic and appropriate development, in scale and quantum, of the surrounding lands where it is sensitive in design and extent to the nationally significant Protected Structure and National Monument and is also informed and directed by archaeological subsurface remains"

#### **CE SH 12.3:**

It is recommended that lands are rezoned from HT to NSC within the National Sports Campus to clarify the extent of the NSC zoning.

#### **CE SH 12. 4:**

It is recommended that lands at Newtown St. Margaret's are rezoned from GB to GE extending from the Dublin Airport logistics Park to the south to Kilshane Road to the north. In addition, the lands shall be subject to a map based Local Objective as follows:

'Any general enterprise and employment type development of the lands identified by the site specific objective boundary at Newtown St. Margaret's shall be contingent on the widening and upgrading of Kilshane Road to the northern boundary of the site, including installation of Active Travel Infrastructure; the provision of a detailed landscaping plan for the lands and subject to restrictions on development arising from the Inner Public Safety Zone'.

## **MAP SHEET 13: Blanchardstown South**

#### **Submissions Received:**

FIN-C453-1, FIN-C453-2, FIN-C453-61, FIN-C453-88, FIN-C453-102, FIN-C453-141, FIN-C453-148, FIN-C453-156, FIN-C453-157, FIN-C453-178, FIN-C453-184, FIN-C453-187, FIN-C453-190, FIN-C453-197, FIN-C453-279, FIN-C453-287, FIN-C453-288, FIN-C453-289, FIN-C453-290, FIN-C453-291, FIN-C453-292, FIN-C453-293, FIN-C453-294, FIN-C453-295, FIN-C453-296, FIN-C453-297, FIN-C453-298, FIN-C453-299, FIN-C453-300, FIN-C453-302, FIN-C453-303, FIN-C453-304, FIN-C453-306, FIN-C455-506, FIN-C455-50 C453-307, FIN-C453-308, FIN-C453-310, FIN-C453-312, FIN-C453-313, FIN-C453-315, FIN-C453-317, FIN-C453-318, FIN-C453-319, FIN-C453-321, FIN-C453-322, FIN-C453-323, FIN-C453-325, FIN-C453-319, FIN-C453-321, FIN-C455-321, FIN-C455-321, FIN-C455-321, FIN-C455-321, FIN-C455-321, FIN-C455-32 C453-328, FIN-C453-329, FIN-C453-330, FIN-C453-333, FIN-C453-335, FIN-C453-338, FIN-C453-339, FIN-C453-340, FIN-C453-341, FIN-C453-343, FIN-C453-344, FIN-C453-345, FIN-C453-348, FIN-C453-349, FIN-C453-350, FIN-C453-351, FIN-C453-354, FIN-C453-356, FIN-C453-361, FIN-C453-C453-376, FIN-C453-377, FIN-C453-380, FIN-C453-381, FIN-C453-384, FIN-C453-385, FIN-C453-389, FIN-C453-391, FIN-C453-394, FIN-C453-395, FIN-C453-398, FIN-C453-402, FIN-C453-406, FIN-C453-407, FIN-C453-411, FIN-C453-416, FIN-C453-420, FIN-C453-431, FIN-C453-477, FIN-C453-485, FIN-C453-487, FIN-C453-488, FIN-C453-489, FIN-C453-499, FIN-C453-532, FIN-C453-541, FIN-C453-543, FIN-C453-546, FIN-C453-574, FIN-C453-584, FIN-C453-591, FIN-C453-594, FIN-C453-603, FIN-C453-606, FIN-C453-613, FIN-C453-614, FIN-C453-616, FIN-C453-620, FIN-C453-632, FIN-C453-636, FIN-C453-638, FIN-C453-642, FIN-C453-646, FIN-C453-647, FIN-C453-648, FIN-C453-650, FIN-C453-653, FIN-C453-654, FIN-C453-655, FIN-C453-658, FIN-C453-659, FIN-C453-666, FIN-C453-659, FIN-C455-659, FIN-C455-65 C453-670, FIN-C453-672, FIN-C453-673, FIN-C453-674, FIN-C453-675, FIN-C453-676, FIN-C453-682, FIN-C453-688, FIN-C453-689, FIN-C453-691, FIN-C453-697, FIN-C453-698, FIN-C453-699, FIN-C453-700, FIN-C453-702, FIN-C453-703, FIN-C453-706, FIN-C453-707, FIN-C453-709, FIN-C453-712, FIN-C453-723, FIN-C453-724, FIN-C453-732, FIN-C453-736, FIN-C453-750, FIN-C453-756, FIN-C453-758, FIN-C453-762, FIN-C453-764, FIN-C453-765, FIN-C453-766, FIN-C453-770, FIN-C453-771, FIN-C453-776, FIN-C453-777, FIN-C453-778, FIN-C453-780, FIN-C453-788, FIN-C453-790, FIN-C453-792, FIN-C453-795, FIN-C453-796, FIN-C453-808, FIN-C453-809, FIN-C453-819, FIN-C453-823, FIN-C453-827, FIN-C453-832, FIN-C453-833, FIN-C453-838, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C453-843, FIN-C453-843, FIN-C453-842, FIN-C455-842, FIN-C455-84 C453-844, FIN-C453-846, FIN-C453-847, FIN-C453-849, FIN-C453-855, FIN-C453-870, FIN-C453-876, FIN-C453-879, FIN-C453-883, FIN-C453-885, FIN-C453-886, FIN-C453-891, FIN-C453-896, FIN-C455-896, FIN-C455-89 C453-900, FIN-C453-906, FIN-C453-908, FIN-C453-910, FIN-C453-912, FIN-C453-915, FIN-C453-923, FIN-C453-927, FIN-C453-936, FIN-C453-945, FIN-C453-949, FIN-C453-953, FIN-C453-956, FIN-C453-956, FIN-C453-958, FIN-C455-958, FIN-C45-958, FIN-C45-958, FIN-C45-958, C453-968, FIN-C453-968, FIN-C453-969, FIN-C453-972, FIN-C453-973, FIN-C453-974, FIN-C453-976, FIN-C453-982, FIN-C453-987, FIN-C453-993, FIN-C453-997, FIN-C453-999, FIN-C453-1002, FIN-C453-1004, FIN-C453-1005, FIN-C453-1009, FIN-C453-1016, FIN-C453-1018, FIN-C453-1019, FIN-C453-1022, FIN-C453-1027, FIN-C453-1033, FIN-C453-1039, FIN-C453-1042, FIN-C453-1044, FIN-C453-1046, FIN-C453-1049, FIN-C453-1053, FIN-C453-1058, FIN-C453-1059, FIN-C453-1062, FIN-C453-1066, FIN-C453-1067, FIN-C453-1068, FIN-C453-1070, FIN-C453-1076, FIN-C453-1077, FIN-C453-1078, FIN-C453-1093, FIN-C453-1095, FIN-C453-1100, FIN-C453-1105, FIN-C453-1107, FIN-C453-1109, FIN-C453-1112, FIN-C453-1116, FIN-C453-1119, FIN-C453-1123, FIN-C453-1125, FIN-C453-1130, FIN-C453-1135, FIN-C453-1142, FIN-C453-1145, FIN-C453-1147, FIN-C453-1149, FIN-C453-1153, FIN-C453-1157, FIN-C453-1169, FIN-C453-1173, FIN-C453-1178, FIN-C453-1181, FIN-C453-1185, FIN-C453-1189, FIN-C453-1190, FIN-C453-1195, FIN-C453-1205, FIN-C453-1206, FIN-C453-1208, FIN-C453-1214, FIN-C453-1216, FIN-C453-1219, FIN-C453-1227, FIN-C453-1239,

FIN-C453-1240, FIN-C453-1241, FIN-C453-1245, FIN-C453-1249, FIN-C453-1263, FIN-C453-1268, FIN-C453-1270, FIN-C453-1274, FIN-C453-1281, FIN-C453-1288, FIN-C453-1289, FIN-C453-1299, FIN-C453-1310, FIN-C453-1313, FIN-C453-1319, FIN-C453-1320, FIN-C453-1908, FIN-C453-1946

## **Summary of Issues Raised:**

Numerous submissions were received in relation to lands and individual sites pertinent to Sheet 13 Blanchardstown South. These ranged from re-zoning proposals for large land banks to RA/RS to multiple submissions across a range of issues, including the preservation of the golf club at Elm Green, creation of a Gaeltacht quarter at Coldblow Lucan and protection and creation of greenbelt lands. Numerous submissions were received referencing map-based objectives, many of which comprised part of much broader and wide-ranging submissions. The submissions received are summarised into categories below.

## **Residential Zoning Requests (From High Amenity and Green Belt)**

A significant number of submissions were received which requested the rezoning of tracts of lands in various locations in Blanchardstown South, Sheet 13 from existing land use zonings such as High Amenity (HA) and Greenbelt (GB) to Residential (RS) or Residential Area (RA). Some submissions requested a range of other ancillary zonings in addition to the predominant residential use including, Local Centre and Open Space. Creation of Strategic Reserves was also raised. Due to the prevalence of High Amenity or Green Belt to the west and south of the existing development boundary, the underlying zoning in many of the submissions was either GB or HA. The submissions requesting a change to RA or RS range in size from large tracts of undeveloped land to small residential proposals and amendments to individual site boundaries/perceived zoning anomalies. Numerous submissions were received with respect to the rezoning of lands for residential purposes and to either RS or RA land use zoning. Submissions were also received expressing opposition to re-zoning e.g. lands at Barnhill. The submissions received include:

- Coldblow Lucan HA to RA/LC/OS
- Barnhill GB to RA
- Lands at Dunsink HA to RA
- Lands at Scribblestown HA to RA
- Oatlands House Castleknock HA to RS
- Lands adjacent to Clonsilla Station HA to RA
- Barnhill Crossroads, Weirview Lucan HA to RS
- North of Laraghcon HA to RA
- Rugged Lane, Astagob, Porterstown HA to RS
- Castleknock College to RS.
- Kimpton Vale/Collegewood and Collegefort Castleknock OS to RS
- Coldblow HA to RA
- Lands at Ashtown House Dunsink HA to RS/RA
- North Lucan near Laraghcon HA to RA
- River Road HA to RA
- River Road Castleknock HA to RA
- Westmanstown GB to RA

#### **Chief Executive's Response:**

The quantum and location of zoned land in the county is directly influenced by the Development Plan's Settlement and Core Strategy. The role of the Core Strategy is to ensure that there is sufficient zoned and serviced land to cater for future housing demand over the plan period. The Core Strategy sets out a spatial settlement strategy for the county which is consistent with national and regional policy and Specific Planning Policy Requirements (SPPRs) required under Section 28 Guidelines. In accordance with the Planning Acts, the Core Strategy is evidence based, utilising data based on population trends and household targets. It demonstrates how land already zoned or proposed for zoning will accommodate projected housing demand. The Core Strategy also sets out details in relation to the approach of economic and retail growth for the County so there is an overall integrated and coherent approach to how the future of Fingal is planned and the places where people work, live and make use of, are interlinked.

The Core Strategy for Fingal County Council includes Housing Supply Targets, in accordance with a methodology outlined in Housing Supply Target Methodology for Development Planning, December 2020. The Housing Supply Targets indicates a requirement for 16,245 no. housing units over the Plan period.

The Fingal Settlement Hierarchy embraces the strategic approach advocated by the RSES and MASP to physically consolidate the majority of future growth into Metropolitan and Core Areas extending from rural areas, towns and villages through to the Key Town and areas classified as Dublin City and Suburbs at the top of the hierarchy. An urban capacity assessment was carried out on behalf of the Planning Department to calculate the yield of undeveloped land, specifically for the 31no. designated settlements identified in the 'Fingal Settlement Hierarchy' in the current Fingal Development Plan 2017 – 2023. The analysis undertaken demonstrates that Fingal has excess capacity to accommodate the required need of 16,245 residential units over the plan period within its administrative area.

Based on this housing capacity assessment, there is evidently sufficient zoned land to meet the needs of the population and housing targets set by the Ministerial Guidelines and the NPF for the Development Plan period. In addition to this, there are also significant long-term Strategic Reserve lands, zoned for housing/mixed use that have potential to deliver additional housing beyond the six-year life of this Plan. Based on the evidence-based approach adopted in the Core Strategy, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet requirements for the Development Plan period.

Fingal's High Amenity areas contain the county's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure coincide closely with these areas of high amenity value. The Draft Plan affords a high level of landscape value and protection to these areas. The primary objective of the Council over successive Development Plans has been to limit development on high amenity lands in order to promote sustainable settlements and protect the most sensitive parts of the county. In addition, the Council is fully committed to the continued protection of the Greenbelt and to allow for a 'RA' or 'RS' zonings at the locations identified would seriously undermine the long-standing policy of the Council regarding green belt protection. The requests, if accepted, would represent a serious encroachment and a fundamental erosion into these strategically important High Amenity and Greenbelt zoned lands.

It is vital in creating new residential areas and urban communities that an appropriately sized buffer e.g. comprised of HA or GB zoned lands is maintained at strategic locations, including between existing and future developments. This is required in order to avoid coalescence of new and proposed development, to assist in the formation of distinct neighbourhoods and sense of place and to avoid giving rise to extensive unbroken patterns of urban development with limited natural visual relief.

In the wider Dublin 15 area, the Tolka and Liffey valleys are the main landscape features. These valleys are characterised by areas of grassland along meandering the river which are well wooded and both valleys support recreational facilities along their corridors. This landscape is categorised as having a high value, due to the visual and recreation qualities contained therein and the buffer they create between the valley and more urban development. This is evident by virtue of the High Amenity zoning and SAAO designation in these areas in addition to the dense tree belts and steep river valley slopes. The river valleys also important for their ecology and biodiversity.

In particular, at Dunsink, the High Amenity zoned lands, which are within the boundary for the statutory landuse plan for the area, provide an opportunity for a green corridor for the wider area. A CE recommendation further up this report seeks to provide a multi-functional green corridor to from Dunsink to the Tolka Valley lands. The HA lands along the southern boundary of Dunsink represent a unique opportunity for the protection of the natural infrastructure, such as trees and plants, while creating a link to other mixed land uses and open spaces. This area may provide both ecological services, such as habitats and resources for urban wildlife; whilst also providing services to the new urban population such as mobility networks and access to green spaces through the provision of sustainable and active transport routes that link transport with mixed land use and open spaces.

#### **Other Residential Zonings**

Other submissions were received calling for the rezoning of lands other than GB or HA to Residential (RS or RA). This includes instances where the underlying zoning is Open Space (OS) or High Technology (HT)

- Riverwood OS to RS
- Collegewood Castlefort OS to Residential
- Barnhill OS to RS
- Navan Road HT to RA
- Mill Lane Ashtown Grove HT to RA
- Coolmine lawn OS to RS
- Diswellstown OS to RA
- Barnhill Residential rather than OS
- Windmill Porterstown OS to RS

A further submission requests that the residential zoning applicable to Coolmine train station is removed and the site does not facilitate housing.

#### **Chief Executive's Response:**

Submissions in several instances refer to privately owned residential properties where the submitter has identified perceived anomalies on a portion of the site- e.g. site includes OS zoned

lands. Other submissions refer to situations where open space is giving rise to anti-social behaviour and other concerns or where land has been rezoned to OS under the Draft Plan owing to flooding concerns identified in earlier LAPs or where such lands following an LAP process have been allocated an amenity function. Submissions, including those at Ashtown and Navan Road relate to lands currently zoned HT which are now proposed for use as residential development. In many instances, while in private ownership, lands may encompass open space for numerous reasons including required setbacks from roads and footpaths, design parameters, positioning of infrastructure etc. In other instances, access to the site may not be readily available without additional lands being rezoned to facilitate.

The vision for High Technology zoned lands is to 'facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity'. The incremental loss of such lands to an unrelated land use such as residential would have a negative impact on the above vision statement and would be contrary to overall aim of the Council to create high-end, high-quality environments for business and corporate headquarters. Such rezoning runs the risk of uncoordinated land use patterns emerging with use classes which may be unsympathetic or ill-suited to the established pattern of development in the locality.

Coolmine train station car park performs an important ancillary function to the existing train station and there are currently no proposals tabled to amend or to cease this use. As such the underlying land use zoning is acceptable.

The loss of Open Space to alternative uses is not considered appropriate having regard to the important amenity function performed.

#### OS and GB Zoning Requests

Submissions received include:

- Weavers Row Clonsilla TC to OS
- Old School House RA to OS or CI
- Balroy SHD to OS or CI
- Lands to rear of St. Mochta's to OS
- Porterstown Road

Numerous submissions were received relating to requests to rezone lands currently zoned RS, RA, TC to OS, GB or CI. These include lands within town centre locations or lands with a residential land use zoning and for which planning permission has been sought and decisions issued. Numerous other submissions while not seeking an alternative zoning, request that identified lands are maintained in their current position and the extant land use zoning upheld. Examples include Greenbelt zoning at Littlepace and the protection of current zonings associated with landholdings in and adjoining the Strawberry beds with reference made to Castleknock golf course, Luttrellstown estate, Broomfield and Knockmaroon estates. Other submissions request that no further residential development occur beyond the Kellystown and Barnhill LAPs.

#### **Chief Executive's Response:**

It is not considered appropriate to rezone lands from Town and District Centre to Open Space in Clonsilla having regard to the relatively limited extent of this zoning and the importance of achieving a high-quality retail and service function to serve the area and neighbouring communities over time. In addition, such open space would be disjointed and relatively isolated from existing amenities. Similarly, it is not considered appropriate to rezone the Old School House site in Clonsilla having regard to the importance of achieving a suitable quantum of high-quality development thereon and in tandem, the preservation of the Old School House. It is noted that Clonsilla and the Old School House site will be subject to a Framework Plan and a Masterplan respectively which will provide guidance with respect to future development of the lands in question. There is an extant permission for a Strategic Housing Development at Balroy House Carpenterstown. There are no proposals for the Council to purchase these lands by compulsory purchase. Lands to the immediate south of St. Mochta's School are zoned Open Space while lands further to the southeast of the site are subject to a current planning application with An Bord Pleanála and are appropriate zoned for residential development. Site at Porterstown road was subject to FW21A/0171.

## **Community Infrastructure and CI Zoning Requests**

- Gaeltacht Quarter Coldblow Lucan
- Scout Den Castleknock
- St Joseph's Clonsilla RA to CI. Lands to rear to be zoned OS or CI
- Dunsink Observatory

A significant number of submissions were received in relation to the provision of headquarters/facilities for Na Gaeil Óga and the Irish speaking community in North Lucan. Submissions refer to support for the rezoning of lands at Coldblow to facilitate this use and to facilitate permanent pitches and a club house. This will ensure the development of a Gaeltacht Quarter in Lucan serving the community.

Submission requests that St. Joseph's Clonsilla is rezoned from RA to CI with lands to the rear zoned OS or CI.

Submissions request the identification of sites to cater for Castleknock Scouts Den.

Submissions from the Office of Public Works and DIAS are noted with respect to the re-zoning of the Observatory lands at Dunsink as CI so that all future DIAS developments are permitted in principle by virtue of the land zoning designation, similar to other community infrastructure properties within the area. Submission notes that regarding Policy CIOSP16 - to promote the concept of a "planetarium" on the lands of Dunsink, the Observatory should be zoned Community Infrastructure and DIAS has suggested maintaining and protecting the Meridian Line aspect towards the southern horizon by designating the site to the immediate south as the location for the proposed Meridian Line Planetarium.

#### **Chief Executive's Response:**

All submissions in support of the above requests are noted in full. The Draft Plan includes several policies and objectives seeking to enhance and promote greenspaces with appropriate leisure and sporting infrastructure. The *National Sports Policy 2018- 2027* recognises the importance of developing a comprehensive, up-to-date database of facilities as the basis for a

long-term planned approach to facility management, investment and addressing future needs. In line with this, a Sports and Recreation Facilities Audit was published in February 2021 for the local electoral areas of Balbriggan, Swords, Rush-Lusk. The aim of the audit was to develop a comprehensive overview of the existing provision of recreation, leisure and sports facilities within the study. A similar audit will be carried out for the remainder of the county during the lifetime of this Plan.

Fingal County Council is also pioneering the provision of Active Recreational Hubs, strategically located in parks and open spaces around the county. This programme is in line with Council's 'Keeping It Green – Open Space Strategy' adopted in 2015. Recreational Hubs include high specification, well-serviced sports facilities designed for high-intensity use, catering for a range of sporting codes and located so that they facilitate ease of access with good connectivity via active travel infrastructure. Through placemaking, which is advocated in the NPF and the RSES, the Council will continue to ensure the development of sustainable communities by supporting the provision of housing, retail, leisure, and employment uses, quality public realm, community facilities, design and standards and open space within Fingal. The need for community infrastructure to be accessible and inclusive for a range of users is a priority and is supported by the RSES.

Fingal County Council recognises the importance of social and community infrastructure to communities and the need for additional and extended community facilities across Fingal is kept under active review. Such ongoing evaluation and continued engagement with community stakeholders in conjunction with infrastructure audits to be undertaken for large-scale residential development, will help to inform future provision and investment in the area. While the delivery of community and social infrastructure is the responsibility of a number of stakeholders, the Council will use its financial resources and/or external funding to deliver new facilities while also maximising the potential of existing quality facilities. In this regard, a collaborative approach is considered best practice.

St. Joseph's Clonsilla is located within the Hansfield SDZ and is referred to in the document as Zone 5 Hospital. The following text applies 'this zone comprises the lands of St. Joseph's Hospital (8.29ha) in the eastern sector of the SDZ. The lands are within the area of the SDZ and front onto and have access from the Hansfield Road'. As such the current land use zoning is acceptable and does not preclude the ongoing use of the site as a care facility.

The need to protect the Dunsink Observatory Campus is noted in numerous submissions, including from DIAS and the Office of Public Works. Submissions request that lands at the Observatory and to its south proposed to be zoned RA are rezoned CI which it is contended would protect the cultural heritage of the buildings while facilitating the future development.

The future scoping and assessments required for the statutory plan for Dunsink will consider, in conjunction with the relevant stakeholders, the location of all future uses, including a planetarium. Pinpointing an exact location at this juncture would be premature in advance of undertaking these additional assessments and ahead of securing all necessary consents. Regarding the submissions relating to the operation and development of observatory related uses at Dunsink, it should be noted that policy CIOSP16 – Dunsink Planetarium currently located in Chapter 4 will be relocated to Chapter 2 in the interests of clarity. In addition, it is considered

maintaining the RA zoning and the delivery of the future statutory plan represent the best approach for the protection of the cultural heritage and their future use.

## Elmgreen/Dunsink

Numerous submissions were received in relation to the rezoning of lands at Dunsink, including the rezoning of Elm Green Golf Club. Submissions refer to the importance of the Golf Club being one of the few public golf courses in Dublin and its importance in providing valuable recreation and sports facilities to 1000 members, including the Irish Special Olympics Golf team.

Submissions refer to the golf course/club according with many Development Plan objectives relating to provision of sports recreation and play amenities, green infrastructure and natural heritage and request that residential development is not facilitated, and open space is retained. Submissions also raise concerns in relation to the proposed re-zoning/long term strategic land bank of the wider Dunsink area which is viewed by some as premature and with potential to impact the social capital of the area and overload existing infrastructure and services. Concerns also raised in relation to the findings of Area Based Transport Assessments, while other submissions request that the lands facilitate a Green Belt. Other submissions suggest that the RA zoning is omitted or that provision of the necessary social and physical infrastructure is stringently enforced prior to residential delivery. Hansfield SDZ is referenced in this regard.

A submission from NAMA welcomes the recognition of the Dunsink lands in the Plan and requests that the Council pursue policies and objectives to promote compact growth and sequential development of underutilised lands. Concern is raised in relation to the long-term strategic reserve status given the land banks' ability to provide short to medium term development on a phased basis and requests the removal of this designation. Please refer to Chapter 2 in this regard.

#### **Chief Executive's Response:**

The Planning Authority has carried out a feasibility study to investigate the potential of the Dunsink lands as strategic landbank. The results of the study indicate that Dunsink can fulfil the role of a strategic landbank and in doing so, can accommodate a new urban neighbourhood. It is important to note that this is a very early step in a much longer process which will ultimately result in a statutory planning framework for the lands in question. This may include e.g., a Local Area Plan (LAP), a Strategic Development Zone (SDZ), or other relevant plan-related designation/process. This will provide for public engagement and participation as well as the preparation of detailed analysis and the carrying out of all necessary specialist studies. Considering the potential for significant residential development to be delivered and the creation of a new urban neighbourhood, alignment and support will be required from numerous stakeholders including agencies responsible for water services, transport and other infrastructural delivery. The manner in which open space, recreational amenities and green infrastructure are to be provided will also be examined.

Having regard to the extended timescale required to align and deliver the foregoing, it is considered appropriate that the lands are designated as a Strategic Long-Term Reserve, with existing land uses continuing to operate in the interim. A strategic long term reserve designation is an appropriate mechanism to achieve the goal of developing these lands and it is considered appropriate to insert a new objective to restrict development in advance of the delivery of an overall strategic plan.

## **Employment Zoning Requests**

As part of a broad submission relating to lands at North Lucan, a request is made to rezone the southern section of a large tract of HA zoned lands to General Employment. This is requested as the current zoning is not reflective of the existing uses in the southern and eastern portions of the site. The submission seeks a planning policy framework for existing commercial and employment areas currently designed as high amenity and to allow for the creation of a linear park along the Liffey.

#### **Chief Executive's Response:**

Fingal's High Amenity areas contain the county's most important EU, National and local resources in terms of natural environment, landscape and heritage. The sensitive development and conservation of these environment resources is critical to their long-term sustainability. Notably, the areas of greatest development pressure coincide closely with these areas of high amenity value. The Draft Plan affords a high level of landscape value and protection to these areas and the primary objective of the Council over successive Development Plans has been to limit development here to promote more sustainable settlement patterns and protect sensitive areas. It is not considered appropriate to rezone the subject lands to GE.

Notwithstanding the above, the uses currently in place may, subject to certain criteria and assessment under the Development Management process, be considered as non-conforming uses and as such should have regard to Section 13.3 of the Plan where, reasonable intensification of, extensions to and improvement of premises accommodating such uses will generally be permitted subject to normal planning criteria

## **Town and District Centre and Local Centre Zoning Requests.**

- Ongar- OS to LC
- Coldblow to LC
- College Road Castleknock CI and RS to TC
- Corner Blakestown Road and Lohunda Road Clonsilla RS to LC
- Junction 6 Castleknock HT to TC
- Circle K Ashtown OS to LC

A number of submissions request that lands are rezoned to facilitate Local Centre or Town and District Centre land use zonings. This includes lands in Ongar where a move from OS to LC is suggested given that the lands in question do not constitute the definition of open space-comprise a car park. A submission in relation to lands at Coldblow Lucan requests as part of a broader rezoning proposal from HA to RA that part of the lands are rezoned LC.

Submission in relation to Castleknock Village- College Road seeks the rezoning of lands partially zoned CI and RS to TC and argues that the current zoning is a legacy and should be rezoned given its ability to facilitate compact growth and consolidation of the built form.

Submission relating to lands at Blakestown Road and Lohunda Road Clonsilla requests the site is rezoned to LC as it has operated as a commercial use for many years.

Request is made to rezone lands at Junction 6 Castleknock from HT to TC and it is stated that the current uses on site are non-conforming, and the site is underutilised.

Submission in relation to Circle K petrol station at Ashtown requests that the site is rezoned from OS to LC as it comprises a non-conforming use.

#### **Chief Executive's Response:**

It is not considered appropriate to rezone land to Local Centre or Town and District Centre where in relation to the sites examined, such rezoning would result in a disjointed approach to LC/TC zoning with, in the instance of Junction 6, the TC lands being at a significant remove from lands of a similar zoning. This non-sequential approach is damaging to existing town and local centres and contrary to proper planning and sustainable development. Notwithstanding the above, the uses currently in place may, subject to certain criteria and assessment under the Development Management process, be considered as non-conforming uses. As such, as set out in Section 13.3 of the Plan where, reasonable intensification of, extensions to and improvement of premises accommodating such uses will generally be permitted subject to normal planning criteria.

#### **Integrated Tourism**

A submission in relation to lands at Beech Park House seeks to amend Objective EEO48 to incorporate a broader range of land uses to facilitate the long-term preservation of the Demesne. The submission considers it overly restrictive that tourism related residential development is to be contained within existing buildings and requests that the objective is amended. The submission also requests the definition of an Integrated Complex at Beech House as set out in the current Plan is reinstated.

#### **Chief Executive's Response:**

Submissions received in connection with Integrated Tourism Complexes are noted. An Integrated Tourism Complex is defined as follows: 'The use of a demesne grounds and buildings for tourist, leisure and recreational uses (such as, Hotel and associated facilities, conference centre, golf course, equestrian centre, trekking centre, fitness centre, indoor/outdoor water facility, fishing facility, museums, nature trails, walking routes and associated facilities) such that the conservation of the asset is achieved with the appropriate sustainable reuse of the buildings.' The conservation of heritage houses and demesnes in Fingal is essential and the Council recognises the need for the appropriate sustainable reuse of these buildings. It is considered that the range of uses identified for an Integrated Tourism Complex as described above is appropriate. It may also include tourist related residential and leisure retail ancillary to the main tourist activity. Proposed uses, if not included in the aforementioned list, will be assessed on a case-by-case basis in accordance with the applicable Zoning Objective and Vision along with the provisions for Integrated Tourism Complexes as set out in Section 7.5.2.1 of the Draft Plan.

Proposals to include residential development for sale on the open market on lands to accommodate Integrated Tourism Complexes would not accord with the objective to provide such complexes, as detailed in the Draft Plan. It is considered that the main historic house/building, the outbuildings and other ancillary structures and the historic designed landscape should all be within one ownership in order to deliver the aim of the Integrated Tourism Complex concept.

#### Connectivity

• Luttrellstown – GINHP27, GINHO61 GINHO62

• Short-term strategy to enhance walking and cycling at the Blanchardstown centre to promote walkability and active travel.

Submission in relation to Luttrellstown estate welcomes GINHO62 Liffey Valley Regional Park Study and recognition of GIM10 Anna Liffey Mills as a significant public amenity within the Liffey Valley. The submission states it is imperative that GINHP27 Howth and Liffey Valley Amenity orders, GINHO61 SAAI Management Plans, GINHO62 Liffey Valley Regional Park Study are carried through to the final plan.

Submission calls for Fingal County Council to engage with the stakeholders in the Blanchardstown Centre to create a short-term strategy to enhance walking and cycleways at the centre in order to contribute to the transition to a low carbon society, and to promote active travel and improve walkability.

Submissions also request increased connectivity along the river Liffey.

#### **Chief Executive's Response:**

Green Infrastructure and Natural Heritage Policies and Objectives continue to be supported including GINHP27 Howth and Liffey Valley Amenity orders, GINHO61 SAAI Management Plans, GINHO62 Liffey Valley Regional Park Study.

New cycling and walking routes with appropriate signage are proposed in several areas in the county including in Blanchardstown- town centre and wider D15 area, Charlestown, Meakstown, Santry, Finglas, Dunsink. In addition, the provision of a bus interchange in Blanchardstown is to support Blanchardstown Town Centre and the wider area is noted.

## **Map Based Local Objectives:**

#### Footbridge at Navan Road Parkway

Submission requests footbridge from Navan Road Parkway to Coolmine Rugby Club. Also suggests footbridge extension from Travel Lodge Inn to Connolly hospital should be examined.

#### **Chief Executive's Response:**

It is considered that the content of this submission requesting a footbridge from Navan Rd Parkway to Coolmine Rugby Club is addressed through the inclusion of Local Objective 90 on Sheet 13 in the Draft Development Plan, which states: 'Include a pedestrian bridge from Navan Road Parkway Train station, to Coolmine Rugby Club'

Any possible footbridge extension from Travel Lodge Inn to Connolly Hospital would be addressed by the Tolka greenway connection which is an objective of the Plan – Table 6.1 Greenways/High Quality Cycling and Walking Routes.

#### Cycleways at Carpenterstown

Submission received in relation to Bramley, Carpenterstown Road, Diswellstown Road which proposes amendments to Sheet 13 including deletion of the indicative greenway across an area of Class 2 area open space at Bramley Wood and new opening into Carpenterstown Road. Also requests to show the existing elevated cycle lane on Carpenterstown Avenue installed as part of the Carpenterstown QBC route in 2011 and to connect the "dots" by showing a indicative cycleway on Carpenterstown & Diswellstown Road.

#### **Chief Executive's Response:**

The Draft Plan includes a range of cycling and pedestrian infrastructure, including the current NTA Greater Dublin Area Cycle Network, indicative Greenways, indicative LAP routes, Sustrans routes and Public Rights of Way. This is to achieve a more focused, strategic approach to the provision of new pedestrian/cycle routes throughout the county. Such routes are supported by analysis undertaken in the context of the NTA's GDA Cycle Network, the various adopted Local Area plans, planned/permitted Greenways and an examination of existing public rights of ways.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan, together with the final GDA Cycle Network that will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

The updated GDA Cycle Network will be shown on the relevant Development Plan Maps, subject to its adoption. It should be noted that alignments shown on the plan maps relating to walking and cycling infrastructure are indicative only and any future infrastructure developments will require detailed assessment- route options analysis, engineering, planning and environmental assessments, in order to achieve an optimum design solution. This process will include public consultation and engagement with stakeholders as required, including local communities and landowners.

#### N3/N4 Link Road

Submission received in relation to a road link between N3 and N4 and requests inclusion of the following local objectives:

- i. Fingal County Council will collaborate with TII, the NTA and neighbouring Councils in securing the resilience of the M5O between junctions J6 and J7, the need for which is identified in Par 13.4 of the Greater Dublin Area Transport strategy 2022-2042.
- ii. To construct the overbridge over the Navan rail line from Hansfield to serve zoned lands at Barnhill and onwards to the county boundary with Kildare.

#### **Chief Executive's Response:**

It is not considered necessary to insert new local objectives, as requested by this submission. It is considered that the issues raised in No. (i) above are captured in the following objectives, which are included in the Draft Plan:

Objective CMO36: 'Facilitate the implementation of the demand management measures in the M50 Demand Management Study, as required.'

Objective CMO37c: 'Support and facilitate the TII, NTA, Meath County Council and Kildare County Council in the planning and delivery of a new link between the M3 and M4.'

In response to Item (ii) above, the Ongar-Barnhill Link Road is currently at the detailed design/procurement stage being progressed by Fingal County Council and likely to be developed within the lifetime of this Plan. This includes a bridge over the railway line, and so the insertion of a new local objective to construct an over bridge above the Navan rail line from Hansfield to serve the zoned lands at Barnhill is not considered necessary.

#### Lands at North Lucan

Submission received in relation to lands at North Lucan requests an additional Connectivity and Movement Objective as follows and which is mapped in Figure 9 of the submission: *Objective CMO37d – To support the planning and delivery of enhanced road connectivity, including pedestrian and cycle links at Lucan North in conjunction with South Dublin County Council and Kildare County Council.* 

#### **Chief Executive's Response:**

It is not considered necessary to insert a new Local Objective to support enhanced road connectivity with adjoining Local Authorities. This issue is sufficiently addressed through the inclusion of 'Objective CMO23' within the Draft Plan, which states: 'Support NTA and other stakeholders in implementing the NTA Strategy including MetroLink, BusConnects, DART +, LUAS and the GDA Cycle Network.'

The updated GDA Cycle Network will also be shown on the Plan Maps.

#### Access at Laraghcon

Submission requests a new map based Local Objective as follows 'Provide for a strategic vehicular/pedestrian/cycle link across the River Liffey from the Old Lucan Road (R835), Lucan via a new bridge to Laraghcon, North.

#### **Chief Executive's Response:**

The Draft Fingal Development Plan 2023-2029 includes a range of cycling and pedestrian infrastructure, including the current NTA Greater Dublin Area Cycle Network, indicative Greenways, Sustrans routes and Public Rights of Way. This is to achieve a more focused, strategic approach to the provision of new pedestrian/cycle routes throughout the County. Such routes are supported by analysis undertaken in the context of the NTA's GDA Cycle Network, planned/permitted Greenways and an examination of existing public rights of ways.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, a new Sheet 17 'Connectivity and Movement' shall incorporate the proposed indicative Greenways, indicative LAP Cycle routes, Public Rights of Way, Recreational Routes and Sustrans routes as per the Draft Plan, together with the final GDA Cycle Network which will be published alongside the forthcoming NTA GDA Strategy 2022-2042.

The updated GDA Cycle Network will be shown on the relevant Development Plan Maps. It should be noted that alignments shown on the plan maps relating to walking and cycling infrastructure are indicative only and any future infrastructure developments will require detailed assessment- route options analysis, engineering, planning and environmental assessments, in order to achieve an optimum design solution. This process will include public consultation and engagement with stakeholders as required, including local communities and landowners.

The design and rollout of various Active Travel schemes is underway in areas such as Hartstown, Huntstown, Ongar, Luttrellstown, Carpenterstown and Tyrellstown.

It is considered that the request is addressed by the foregoing.

#### **Anna Liffey Mills**

Submission received seeks revision and update to existing Green infrastructure Objective GIM 10 to provide for more targeted support for the development of Anna Liffey Mills and surrounding area.

#### **Chief Executive's Response:**

The Conservation Plan for the Anna Liffey (Shackleton) Mills is currently being revised and updated. This will direct future conservation works, other interventions and redevelopment proposals to the protected structure (RPS No. 724). In addition to this there is an objective in the written statement for a Liffey Valley Regional Park Study. Both documents should address the matters raised in the submission.

Objective GINHO62 - Liffey Valley Regional Park Study states: To carry out a study for the lands that comprise Liffey Valley inclusive of the Special Area Amenity Order (SAAO), Shackleton's Mill and adjacent lands so as to investigate and determine viable and appropriate uses to support and facilitate the development of a Regional Park (Liffey Valley Park), with particular emphasis on enhancing the recreation, amenity value and accessibility of the area, in accordance with the Council's published document Towards a Liffey Valley Park (2007). This new Regional Park will serve the needs of existing communities of Clonsilla, Hansfield and Ongar as well as the wider Greater Dublin area. The study will be carried out in consultation with the surrounding Local Authorities, State Agencies, existing landowners, sectoral, community and commercial interests.

It is not considered that any further amendment is required to this Objective and the content of the submission is addressed above.

#### **Barnhill Specific Objective**

As part of a broader submission in relation to Barberstown Lane South, Barnhill, Clonsilla, it is requested that the existing residential zoning in Fingal Development Plan 2017-2023 is retained with a specific Objective applied to the land as follows:

'Should infrastructure works be/have been undertaken which indicate a potential change to the flood extents in respect of these lands, underpinned and supported by new and verified information, development proposals on these lands can be examined in the context of 'Guidelines for Planning Authorities, November 2009 (The Planning System and Flood Risk Management)', including a Justification Test and other relevant statutory requirements and may subsequently inform any future analysis and/or review of the Local Area Plan.'

#### **Chief Executive's Response:**

Having regard to the issue of flooding and the removal of any potential flood risk from the site, it is considered that the existing Development Plan zoning (which includes flood risk mapping) together with the SFRA and the policies and objectives included within the Development Plan relating to flooding, buffer zones and riparian corridors are sufficient to address this issue and no new objectives are required in this regard.

#### Rugged Lane

A submission in relation to lands at Rugged Lane, Astagob, Porterstown, Dublin 15 requests rezoning of a site from 'HA' to 'RS' with a specific objective to 'Provide for 1 no. additional residential dwelling.'

#### **Chief Executive's Response:**

Rural Fingal can be classified as an area under "Strong Urban Influence" due to its location in proximity to Dublin City, major urban centres and important transport corridors. Accordingly, Fingal's Rural Housing Strategy seeks to achieve a balance in terms of promoting sustainable rural development while also ensuring the protection of Fingal's rich rural heritage, its landscapes and countryside, in line with national and regional policy. Both the NPF and RSES (with reference to NPO 19 and RPO 4.80 respectively) require that a distinction is made between areas under urban influence i.e., within the commuter catchment of cities and large centres of employment and ensure that in these areas, the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory Guidelines and plans, having regard to the viability of smaller towns and rural settlements.

The Rural Housing Strategy in the Draft Development Plan reflects the policy as set out in the current FDP 2017-2023 and as outlined above in the NPF, RSES and Ministerial Guidance. The policy as it stands recognises the need to provide for housing for the rural community but limits housing in the open countryside and provides for alternative options within the rural area, either in the villages or in rural clusters as a more sustainable and suitable location for rural generated housing.

The insertion of a new local objective to allow for a single dwelling house, if adopted, would allow the sale of sites on the open market, thereby opening up the possibility of urban-generated housing development. The inclusion in the Draft Fingal Development Plan of specific local objectives facilitating the development of rural housing outside of the provisions of the rural housing strategy would thus run counter to national and regional policy, as set out in the NPF and RSES.

There is a lack of an evidence-based need or planning rationale for the insertion of specific local objectives to provide for single dwelling houses. It is also noted that the inclusion of a map based Local Objective, which may not be consistent with the policies, objectives and guidelines contained in the provisions of the relevant chapter of the Development Plan or Appendices, are legally flawed and open to legal challenge.

The exemption of certain sites from compliance with the relevant policies and guidelines would lead to an increase in the number of houses being developed in the rural area, resulting in inappropriate and unsustainable settlement patterns and as such would be contrary to proper planning and sustainable development.

#### **Pedestrian Overbridges**

A submission from Iarnród Éireann is noted and requests that the Council note that the interventions in Local Objective 83 (new pedestrian overbridge at Hansfield) and Local Objective 90 (pedestrian bridge linking Navan Road Parkway train station to Coolmine Rugby Club) do not form the scope of DART+ West.

#### **Chief Executive's Response:**

A submission from larnród Eireann is noted. The Draft Plan at Section 6.5.7 is explicit in acknowledging that public transport is crucial in supporting future sustainable and economic growth within the county, providing more efficient and reliable access to key urban centres

within the region as well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport.

In relation to new public transport services, the Draft Plan acknowledges that the provision of public transport and supporting ancillary infrastructure is the responsibility of the NTA and other key relevant transport providers such as TII and Irish Rail. Fingal County Council regularly consults and liaises on an on-going basis with the NTA and other key transport providers in this regard with a view to achieving sustainable outcomes.

To better communicate the connectivity and movement infrastructure objectives of the Draft Plan, the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal shall be shown on a new Sheet 17 'Connectivity and Movement', including MetroLink, DART + and LUAS.

In relation to level crossing closures on the Maynooth Line, the Draft Plan includes objective CMO24 which seeks to, 'Ensure that appropriate measures are put in place to mitigate the impacts of level crossing closures on the Maynooth rail line including protection measures for public transport and increased priority for cycling and walking.'

Delivery and implementation of the Dart+ Programme will be a matter for the NTA and Irish Rail and will be subject to the statutory requirements of a Railway Order including public consultation and Environmental Impact Assessment. In this context, it is considered that the policies and objectives of the Draft Plan, are appropriate.

#### St. Mary's Church and Cottages, Clonsilla

Submission requests new ACA for St. Mary's Church & cottages, Clonsilla.

#### **Chief Executive's Response:**

The report from the Conservation Office notes that of the areas proposed for ACA designation there are a number where the building types identified are too dispersed to be able to delineate a cohesive boundary or where the buildings and built heritage elements are too varied to distinguish a unified character.

For some of the concentrated clusters of similar building types, alterations and changes to a large section of the group have resulted in them no longer having a consistent character of sufficient special interest under the set criteria for ACAs. For the proposed ACAs that contain protected structures, the policy and objectives within the Development Plan regarding these offer a sufficient level of protection.

There are policies and objectives in the Development Plan for the retention, re-use and rehabilitation of Fingal's vernacular heritage and other built heritage assets which would apply to the other proposed clusters or building types, including Policy HCAP21 Built Heritage Assets, HCAP22 Retention and Reuse of Existing Building Stock and HCAP23-Heritage-led Regeneration. Objective DMSO191 Structures Contributing to Distinctive Character and Table 14.26 Direction on Development of Vernacular Buildings, or Other Built Heritage Assets are also relevant.

There is also an existing map-based objective (No. 84) close to St. Mary's Church, Clonsilla that states 'Housing built on this site will be of a height and density appropriate to a village setting and in keeping with existing housing in the core Clonsilla Village Area'.

It is recommended that the text of Local Objective 84 should be amended from 'on this site' to 'in the historic core location' to address the concerns raised in the submissions regarding Clonsilla and the need to protect it.

#### **Dunsink Observatory**

Submissions received from Dunsink Observatory, Dublin Institute for Advanced Studies requests that the lands at Dunsink Observatory proposed to be zoned for 'RA' are rezoned for 'CI.' It is suggested that lands to the south are also zoned CI. In addition, it is requested that the following text is included as a specific objective within the 'CI' zoning:

Additional uses, which are allied to/or have an established supporting relationship with the primary use on lands in the DIAS campus such as collaborative activities with industry and student accommodation are supported.

Submission requests that Map Based Objective 82 is amended to include text which supports the future improvement and sustainable expansion of DIAS and recognises their contribution to the continued development of astronomical research and is in accordance with the DIAS Strategy 2018-2022 and future iterations.

It is also requested that 2 zones are mapped on the lands which comprise radii of 250m and 500m around the observatory and that restrictions on future development which could impact lighting, within these areas are in place. Detailed information regarding light intensity and the needs for the area to be 'intrinsically dark' has been supplied.

#### **Chief Executive's Response:**

Submissions received in relation to Dunsink Observatory and planetarium are noted. The importance of Dunsink Observatory is recognised in a number of locations within the Draft Plan, including Chapter 2 (page 45), which notes that Dunsink Observatory is a unique scientific and cultural asset for the future development of this area. A pedestrian link known as the 'Hamilton Way', is also now proposed, which will link the Observatory to Ashtown Train Station.

Objective CSO29 – 'Dunsink' and CIOSP16 – 'Dunsink Planetarium' are included within the Draft Plan:

Objective CSO29 – 'Dunsink': 'Prepare a local statutory plan for lands at Dunsink in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area over the medium to long term.'

Policy CIOSP16 – 'Dunsink Planetarium': 'To promote the concept of a "planetarium" on the lands of Dunsink adjacent to the Observatory.'

It is submitted that the development of Dunsink Observatory and provision of a planetarium would be considered as part of any statutory plan prepared for Dunsink. It is considered premature at this stage to specify a location for a planetarium or to define specific zones around the Observatory in relation to lighting control.

The strategic location and development potential of lands at Dunsink is recognised within the RSES and this Development Plan. This land area comprises 435 hectares and is located at the south-western fringe of Fingal within the M50. The lands are characterised by their current use

for predominantly astronomical and agricultural research, agricultural and recreational amenity purposes. There are also a handful of 18<sup>th</sup> or 19<sup>th</sup> century historic houses with associated historic planting schemes within the area. The Royal Canal and Tolka River Valley run to the south of the lands while Elm Green Golf Course covers a large part of the western portion of the site, with the closed landfill located to the north.

Dunsink Observatory has been a centre for astronomical research and public engagement in Ireland since its foundation in 1785 and has been home to many of Ireland's most famous scientists, including Sir William Rowan Hamilton. This unique scientific and cultural feature is an asset for the future development of the area. Due to the nature of the scientific research undertaken by the observatory it has a particular sensitivity to light pollution coming from the surrounding environment which would need to be carefully considered for any future development in the area.

The recently carried out Dunsink Feasibility Study envisaged that the lands could facilitate approximately 7,000 residential units. While recognising these lands as a potential strategic landbank for the County, it is acknowledged that this land bank will require Strategic Development Zone (SDZ) status, or other relevant planning-related designation. The area has great potential to provide high quality new housing and commercial development within the County. However, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership, the sensitivity of the historic observatory and the challenges of implementation. It is likely that the regeneration of these lands will be over a longer time frame than the Plan.

A further submission with specific reference to the Dunsink Observatory has been received from the Office of Public Works. This requests that lands are rezoned from RA to CI.

With respect to the request to carry out a landscape assessment, it is considered that this would form part of the statutory integrated plan to be prepared for the Dunsink area (Objective CSO29 – Dunsink). The commissioning of a landscape assessment at this time would be premature pending the preparation this plan and in advance of public consultation and engagement with key stakeholders including local communities and landowners. It is considered maintaining the RA zoning and the delivery of the future statutory plan represent the best approach for the protection of the cultural heritage and their future use.

It is proposed to amend and strengthen the text of Map Based Objective 82.

The description of Dunsink as it appears in Section 2.2.12 of the Draft Plan will also be updated to reflect the importance of the Observatory.

#### Co-ordinated development at Dunsink

A separate but related submission calls for the inclusion of a map-based objective in order to prevent development at Dunsink before an appropriate plan has been completed for the area.

### **Chief Executive's Response:**

While the Planning Authority has carried out a feasibility study to investigate the potential of the Dunsink lands as strategic landbank, it is important to note that this is a very early step in a much longer process which will ultimately result in a statutory planning framework for the lands in question. This may include e.g., a Local Area Plan (LAP), a Strategic Development Zone (SDZ),

or other relevant plan-related designation/process. This will provide for public engagement and participation as well as the preparation of detailed analysis and the carrying out of all necessary specialist studies. Considering the potential for significant residential development to be delivered and the creation of a new urban neighbourhood, alignment and support will be required from numerous stakeholders including agencies responsible for water services, transport and other infrastructural delivery. The manner in which open space, recreational amenities and green infrastructure are to be provided will also be examined. Having regard to the extended timescale required to align and deliver the foregoing, it is considered appropriate that the lands are designated as a Strategic Long-Term Reserve. It has also been recommended an objective is provided in the Plan which provides clarity for existing land uses which will continue to operate in the interim. As such a map-based objective to prevent development in advance of a plan to lead development is not considered necessary.

#### Knockmaroon

A submission seeks to amend Sheet 13 to include a Framework Plan boundary for lands at Knockmaroon. The estate benefits from a rich heritage with numerous Protected Structures including RPS0747a, RPS0747e, RPS 0747d, RPS0739 to RPS0746, RPS0747b and 0747c. The Framework is sought to ensure the protection and preservation of the heritage landscape and biodiversity of the estate, to realise the green infrastructure, amenity, conservation and biodiversity objectives, the ability of the estate to contribute to implementation of regional and county level objectives for the Liffey Valley SAAO objectives and Liffey Valley Regional Park.

#### **Chief Executive's Response:**

It is considered having regard to the significance and importance of the demesne lands, and the need to secure the protection and preservation of the heritage, landscape and biodiversity of the estate, it is considered appropriate to undertake a Framework Plan for the lands in question and to amend Table 2.19 of the Draft Plan accordingly.

#### **Chief Executive's Recommendation**

#### **CE SH 13.1:**

Amend the text of map-based objection No. 84 to read

Housing built on this site in the historic core location will be of a height and density appropriate to a village setting and in keeping with existing housing in the core Clonsilla Village area".

#### **CE SH 13.2:**

Amend Map Based Local Objective 82

Protect the integrity <u>and established historic use</u> of Dunsink Observatory <u>and its role in as a centre</u> of astronomical research <u>by ensuring development within its vicinity does not contribute to/or increase levels of light pollution that would impact the operation of the observatory.</u>

#### **CE SH 13.3:**

Include a map-based objective as follows:

'Undertake a Framework Plan for lands at Knockmaroon House and Estate to include all historic properties and bridges.

Amend Section 2.4.3 and Table 2.19 of the Draft Plan accordingly.

#### **CE SH 13.4:**

Include a new objective in Chapter 2 relating to the long-term strategic reserve lands:

Protect the long-term strategic reserve land banks for potential future residential growth and to restrict development except for reasonable intensification of, extensions to and improvement of premises within these areas, subject to normal planning criteria.

#### **CE SH 13.5**:

Amend Objective CSO29 Dunsink

Prepare a local statutory plan for lands at Dunsink in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area over the medium to long term <a href="that is cognisant of and sensitive to the significant buildings within the area including the nationally important architectural site of Dunsink Observatory.">Dunsink Observatory.</a>

#### **CE SH13.6:**

Amend Section 2.2.12 Dunsink Page 45 as follows:

The strategic location and development potential of lands at Dunsink is recognised within the RSES and this Development Plan. This land area comprises 435 hectares and is located at the south-western fringe of Fingal within the M50. The lands are characterised by their current use for predominantly *astronomical and* agricultural *research*, and recreational amenity purposes. *There are also a handful of 18<sup>th</sup> or 19<sup>th</sup> century historic houses with associated historic planting schemes within the area.* The Royal Canal and Tolka River Valley run to the south of the lands while Elm Green Golf Course covers a large part of the western portion of the site, with the closed landfill located to the north.

The area also includes the Dunsink Observatory which operates as part of the Astronomy & Astrophysics Section of the Dublin Institute for Advanced Studies (DIAS). Dunsink Observatory has been a centre for astronomical research and public engagement in Ireland since its foundation in 1785, and has been home to many of Ireland's most famous scientists, including Sir William Rowan Hamilton. This unique scientific and cultural feature is an asset for the future development of the area. <u>Due to the nature of the scientific research undertaken by the observatory it has a particular sensitivity to light pollution coming from the surrounding environment which would need to be carefully considered for any future development in the area.</u>

This Plan seeks to provide the Hamilton Way, a pedestrian link from the Observatory to Ashtown Train Station. Located only six kilometres from Dublin City Centre, this area provides a unique opportunity to significantly consolidate the Dublin Gateway in a sustainable manner underpinned by high quality public transport given the site benefits from close proximity to the existing heavy rail network at Ashtown and the proposed extension to the Luas to Finglas. The

closed landfill offers an opportunity for a regional park and will be a key part of the amenity facilities of any future urban neighbourhood.

The recently carried out Dunsink Feasibility Study envisaged that the lands could facilitate approximately 7,000 residential units. While recognising these lands as a potential strategic landbank for the County, it is acknowledged that this land bank will require Strategic Development Zone (SDZ) status, or other relevant planning-related designation.

The scale and extent of both areas is significant and has great potential to provide high quality new housing and commercial development within the County. However, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership, *the sensitivity of the historic observatory to increased night-time light levels*, and the challenges of implementation. It is likely that the regeneration of these lands will be over a longer time frame than the Plan and the overall impact on the Core Strategy for this Plan is non-existent.

## **MAP SHEETS 14-16: Green Infrastructure Maps**

## **Submissions Received:**

FIN-C453-1058

## **Summary of Issues Raised:**

Map sheets 14, 15 and 16 provide information in relation to the green infrastructure for the County.

No submissions were received in relation to Map Sheet 16 – Green Infrastructure Map 3.

One submission was received in relation to Map Sheets 14 and 15– Green Infrastructure Maps 1 and 2 supporting map-based objectives GIM6, GIM10, GIM11 and GIM 27 supporting and facilitating the development of recreational and natural amenities across the County.

#### **Chief Executive's Response:**

Support for the above map-based objectives is noted and welcomed.

## **Chief Executive's Recommendation**

No change recommended.

# Part 5: SEA, AA and SFRA

CHIEF EXECUTIVE'S REPORT ON DRAFT PLAN PLIBLIC CONSULTATION 28TH IIILY 2022

# Part 5: SEA, AA and SFRA

## **Strategic Environmental Assessment (SEA)**

#### **Submissions Received:**

FIN-C453-5, FIN-C453-105, FIN C453-797, FIN-C453-1140, FIN-C453-1231,

## **Summary of Issues Raised:**

A number of submissions were received in relation to Strategic Environmental Assessment. The issues raised therein are summarised below. Several submissions to the Draft Fingal Development Plan 2023-2029 were received with respect to Appropriate Assessment/NIS and Strategic Environmental Assessment. A number of submissions refer to both environmental assessments

Note: Strategic Environmental Assessment is an iterative process and is ongoing. The accompanying report will be updated at each stage of the Development Plan process.

#### **SEA Requirements**

A submission from the EPA refers to the guidance document 'SEA of Local Authority Land Use Plans- EPA recommendations and Resources' which sets out the EPA's key recommendations for integrating environmental considerations into Local Authority Land Use Plans. It is suggested that the guidance is considered and incorporated into the relevant recommendations in finalising and implementing the Plan. The submission also states that Fingal County Council should ensure that the Plan aligns with the key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.

The submission sets out the content of the Environmental Report as required by SEA Regulations and refers to guidance on SEA related monitoring available on the EPA website.

The submission refers to the State of the Environment Report – Ireland's Environment 2020 and states that the document should be considered in finalising the Plan and SEA.

Future amendments to the Plan should be screened for likely significant effects using the same method of assessment applied in the environmental assessment.

Procedure regarding the preparation of the SEA Statement once the Plan is adopted is also set out.

A detailed submission from the Department of the Environment, Climate and Communications references numerous policy areas within the Draft Plan for which it is responsible. These include; Climate Action, Electricity and Gas Infrastructure, Renewable Energy (On Shore), Offshore Energy, District Heating, Circular Economy. The submission refers to additional observations from the Geological Survey Ireland in which the agency refers to the provision of independent geological information, advice and data sets which it recommends for use when conducting EIAR, SEA, planning and scoping processes, with sourcing attributable to geological Survey Ireland. The submission continues by referencing sections of the Draft Plan referencing Geoheritage, Groundwater, Geothermal Energy, Natural Resources (Mineral/Aggregates) Marine and Coastal Unit and Coastal Vulnerability Index; referencing the use of applicable data sets where available/applicable.

A table entitled: Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes is also included in the submission.

#### **Chief Executive's Response:**

The comments received from the EPA are noted. SEA Statement will be prepared on the finalisation of the Plan.

The submission from the Department is noted. References to Climate Action Plan and Climate Action and Low Carbon Development (Amendment) Act, will be updated to 2021, as will requirements therein in respect of Local Authority Climate Action Plans. National Targets for renewable energy capacity will be noted in the Environmental Report (ER).Reference to the National Marine Planning Framework 2021 will be updated. Reference to the "Whole-of-Government Circular Economy Strategy", 2021 will be included in the updated ER. Reference to "Harnessing Digital – the Digital Ireland Framework" and NSO6 of the NDP will be included in the updated ER. Huntstown Quarry County Geological Site and reference to "Geological Heritage Guidelines for the Extractive Industry" will be added to the updated SEA Environmental Report

#### **Wastewater Treatment Plants:**

A submission refers to the SEA report and to Table 5.7 Wastewater Treatment Plants Serving Fingal. The submission states that the agglomeration P.E. for Naul and Garristown as listed relate to loading figures of the Certificate of Authorisation (COA) applications to the EPA in 2009. The loading for both plants has increased significantly over the intervening period and the figures require updating.

The submission attaches National Certification of Authorisation Programme (NCAP) Site Assessment Reports A0110 Garristown 1 2018 and A0103 Naul 2018 setting out the P.E for both settlements at that time The submission recommends that Irish Water are contacted for an updated loading P.E. for each of the plants contained in Table 5.7, prior to publication of the final SEA. The submission states that it is important that the correct Agglomeration P.E. figures are included in the report prior to final publication.

National Certificate of Authorisation Programme (NCAP) Site Assessment Reports for A0110 Garristown 1 and A0103 Naul are appended to the submission.

A further submission refers to unsustainable capacity in wastewater infrastructure and states that the Draft Plan identifies the need for a Regional Wastewater Treatment Plant, but the written SEA and NIS do not discuss the limitations of the current wastewater capacity issues in implementing the Plan. The submission refers to 2020 AER and license compliance in relation to wastewater treatment. New development permitted since the publication of the 2020 reports has reduced capacity in the plants, however the submission contends that as the Development Plan, SEA and AA have not carried out any real assessment of the wastewater issue and potential impacts on water bodies, it is not clear if the Plan has an adverse impact on sites or species protected under the Habitats Directive and Birds Directive.

The submission refers to ongoing issues with the current operation of Malahide and Ringsend Wastewater Treatment Plants and states that capacity issues at Ringsend must be taken into consideration. In this regard, the submission refers to how the issue of wastewater is addressed in the Baldoyle/Stapolin LAP and argues that development is being permitted in Baldoyle,

Swords, Howth and towns all over Fingal which cannot be adequately treated for wastewater and that the regional WWTP will not be built in the lifetime of the plan.

The submission refers to issues in Sutton/Baldoyle and in particular with the Sutton Pumping Station, which along with other issues could be putting further pressure on the network.

The submission argues that the Greater Dublin Drainage /regional wastewater treatment plant is 'integrated' into the Development Plan, provides an outline of the project and states that the effluent from the WWTP will contain pollutants not controlled by a discharge licence (such as microplastics) which will have a negative impact on seabirds, harbour porpoise and other freshwater marine mammals and that this impact has not been properly assessed in the Plan.

The submission provides detailed information on the impacts of chemicals on sea life including links to scientific papers and news articles. The submission states that the Greater Dublin Drainage project has not assessed any of these issues and argues that an assessment of the compatibility of the GDD Project with the Habitats and Birds Directive must be carried out as part of the SEA and AA for the Fingal Development Plan and that if impacts are identified and cannot be mitigated, then all references to the Regional Wastewater Treatment Plant and GDD should be removed from the Development Plan.

The submission is accompanied by two reports: 'Seastainability- Plastic Pollution on Irelands Eye'-Rebecca Flanagan and 'Citizen Science Survey of Quiet Zone for light Bellied Brent Geese Maynestown Portmarnock Winter 2019/2020' prepared for Portmarnock Community Association April 2020.

#### **Chief Executive's Response:**

The P.E. for Naul and Garristown in the SEA Environmental Report will be revised with up-to-date information.

The Draft Plan (Section 11.5.1 and, in particular, Table 11.1) sets out Irish Water's position in relation to public wastewater infrastructure capacity and upgrades in Fingal which have informed the preparation of the Draft Plan and the assessment undertaken, at the plan level, as to the potential implications of wastewater discharges in Fingal to affect European sites.

Wastewater, comprising sewage and industrial effluent (and some surface water run-off), from Fingal has historically been, and will continue to be, treated by the public wastewater infrastructure listed in Table 11.1 of the Draft Plan.

The control and operation of all public wastewater infrastructure falls within the remit of Irish Water and wastewater treatment is subject to compliance with the standards and licencing requirements for public wastewater treatment facilities set out by the EPA, as the competent authority with the responsibility for undertaking AA of those licence applications and permissions.

The cumulative pollution content of future foul water discharges across Fingal is likely to decrease in the medium to long-term as a result of the upgrades either underway, committed or planned by Irish Water (as outlined in Table 11.1 of the Draft Plan).

Furthermore, the operation of all wastewater treatment infrastructure will be subject to compliance with the protective environmental policies and objectives set out in the Draft Plan to

ensure that the development and adoption of the Draft Plan, including wastewater infrastructure policy and objectives, will not adversely affect the integrity of any European sites.

#### **Water Framework Directive**

Regarding the Water Framework Directive, a submission states that all of Fingal's Water bodies have declined, and whatever actions have been put in place up to 2022 have failed to bring the status of water bodies up to the required 'Good status'. The Development Plan needs to do more to protect and mitigate runoff and discharges to the catchments. The submission proposes that Objective WQO5 be amended to read as follows:

Establish riparian corridors free from new development along all watercourses and streams in the County. Ensure a 30 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin where a 50m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required as a minimum.

The submission also suggests the creation of a floodplain zoning which would be a buffer of at least 30m from the outer boundary of wetlands, marshes, lakes, rivers and other water bodies which also excludes agricultural and commercial horticultural use from these newly zoned areas which should be left to rewild.

#### **Chief Executive's Response:**

The Draft Plan addresses the extent of buffer zones along river with existing Objective IUO26-Riparian Corridors and Section 14.25.5-riparian Corridors. It is proposed to increase the riparian buffer strip to 48m outside of development boundaries along the main water bodies of the county, in line with the IFI guidelines. It is also proposed to include a new objective in relation to areas within the development boundaries. These changes are considered under CE CH 9.9, CE CH 9.10 and CE CH9.11.

## **Local Area Plans and other Strategies**

A detailed submission from Malahide Old Village Residents Association is submitted in which general observations as well as specific recommendations are made to the Draft Plan, particularly relating to Malahide. The submission states that the omission of legally mandated Local Area Plans invalidates the entire plan preparation process as there is a mandatory legal requirement to prepare same.

The submission references Section 1.10 of the Draft Plan – Environmental Requirements and states that assurances that plans will only be adopted if they either individually or in combination with existing and/or proposed plans or projects will not have a significant effect on a European site, is a welcome statement, the submission contends that it overlooks the reality that many functions of a local authority (such as under the Roads Act) are capable of being implemented without adoption, permission or further oversight. The submission continues by stating that experience in relation to developments in and around Malahide has illustrated that many types of FCC works and activities- such as those relating to S38 of the Roads Act are deemed to be exempt development which do not require any resolution by Elected Members, much less public notification, consultation, screening, scoping or assessment of likely effects. It is contended that these circumstances create gaps of both prior assessment and public

participation which are likely to avoid statutory requirements that give rise to the likelihood of adverse effects on the environment.

Regarding zoning at Maynetown Portmarnock, a submission requests that all lands at Maynetown not yet granted planning permission should be rezoned as Open Space and that a full reassessment be carried out as part of the AA and SEA of the Fingal Development plan as to how mitigation measures were identified and applied in order to rezone the lands residential in the original Portmarnock South LAP as adopted by the Fingal Development Plan.

The submission provides a background to AA, mitigation and compensation for the land with reference to the Bird Quiet Zone designated as part of the Portmarnock South LAP, to scientific surveys and studies, to FCC documents and the Portmarnock LAP. The submission argues that measures proposed by the Council were insufficient and in breach of the Habitats Directive for a number of reasons relating to the Bird Quiet Zone, the Murragh Spit, and the use of existing sport pitches by Brent Waders for feeding. The submission also refers to the environmental regulations as well as legal precedents in relation to mitigation measures, adverse effects on site integrity and compensation habitats. The submission argues that as such, the previous rezoning was illegal and must now be corrected with the AA and SEA for this Development plan which must under law take in the failure to compensate like for like for the loss of feeding and roosting habitat.

The submission concludes by stating that it is very clear that compensation and mitigation is still required in relation to the land take of feeding lands for the rezoning of Maynetown for the Portmarnock South LAP which means that the NIS is not complete as there are still historical impacts in the continued residential zoning of this area.

With regard to Sluice River Marsh, a submission requests, having regard to the findings of the Sluice river Marsh 2005 report, and the recent Ecology of the Sluice March 2021 commissioned by Fingal County Council (but said not to have been referenced by Scott Cawley), that the entire Sluice lands be put forward for SAC candidacy during the lifetime of this Development Plan, that a management plan for the lands be put in place and that the Development Plan should include policies to reflect this.

Regarding Kingfisher Green Portmarnock, the submission requests that there should be an objective added to the Baldoyle Estuary SPA via an expansion by Statutory Instrument as it is a flood zone and a primary feeding area for Brent Geese. It also states that Map Sheet 9 should include this as a local objective.

#### **Chief Executive's Response:**

The Draft Plan clearly sets out the land use zoning applicable to all settlements in Fingal and contains clear Policies and Objective setting out the requirements of the Local Authority with regard to the growth and development of such settlements. Where LAPs are proposed, they will be required to comply to comply with the higher order plan. This will ensure the accuracy of accompanying environmental assessments which accompany such plans.

The SEA Environmental report will be updated in relation to wastewater connection and treatment capacity.

It is recommended that the text of the Draft Plan is strengthened and a new objective is included to ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAP's will continue to be implemented and managed in accordance with the requirements of the LAP's.

#### **CE Recommendations:**

#### **CE SEA 1:**

Include a new objective in Chapter 2, after CSO60

Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAPs will continue to be implemented and managed in accordance with the requirements of the LAPs.

#### **Appropriate Assessment (AA)**

#### **Submissions Received:**

FIN-C453-797, FIN-C453-1140, FIN C453-1183, FIN-C453-1231

#### **Summary of Issues Raised:**

Several submissions to the Draft Fingal Development Plan 2023-2029 were received with respect to Appropriate Assessment/NIS and Strategic Environmental Assessment. A number of submissions refer to both environmental assessments. The issues raised therein are summarised below.

Note: Appropriate Assessment is an iterative process and is ongoing. The accompanying report will be updated at each stage of the Development Plan process.

#### **Data Sources**

A detailed submission from the Department of the Environment, Climate and Communications references numerous policy areas within the Draft Plan for which it is responsible. These include: Climate Action, Electricity and Gas Infrastructure, Renewable Energy (On Shore), Offshore Energy, District Heating, Circular Economy. The submission refers to additional observations from the Geological Survey Ireland in which the agency refers to the provision of independent geological information, advice and data sets which it recommends for use when conducting EIAR, SEA, planning and scoping processes. The submission continues by referencing sections of the Draft Plan referencing Geoheritage, Groundwater, Geothermal Energy, Natural Resources (Mineral/Aggregates) Marine and Coastal Unit and Coastal Vulnerability Index; referencing the use of applicable data sets where available/applicable.

A table entitled: Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes is also included in the submission.

#### **Chief Executive's Response:**

The submission from the Department is noted. References to Climate Action Plan and Climate Action and Low Carbon Development (Amendment) Act, will be updated to 2021, as will requirements therein in respect of Local Authority Climate Action Plans. National Targets for renewable energy capacity will be noted in the Environmental Report (ER). Reference to the National Marine Planning Framework 2021 will be updated. Reference to the "Whole-of-Government Circular Economy Strategy", 2021 will be included in the updated Environmental Report. Reference to "Harnessing Digital – the Digital Ireland Framework" and NSO6 of the NDP will be included in the updated Environmental report. Huntstown Quarry and reference to "Geological Heritage Guidelines for the Extractive Industry" will be added to the updated SEA Environmental Report.

In addition, it should be noted that issues raised by the Department are addressed in detail within the summary and response to issues arising in relation to Chapter 5 Climate Action and elsewhere within the Chief Executive's report.

#### **High Amenity Lands at Holmpatrick Skerries**

A submission refers to a Motion passed by Fingal County Council related to the future use of lands at Holmpatrick Skerries, which provided for the development of 'glamping' on the subject lands. The submission states that permitting such development in proximity to an international bird sanctuary would be appropriate and detrimental to birds and wildlife as well as residential amenities. The submission requests that a more suitable function for the lands is found.

#### **Chief Executive's Response:**

The subject lands are located within a sensitive scenic coastal setting within the eastern coastal corridor at Skerries and off the R128 regional road to Rush. The lands to which this map-based objective relate are zoned HA-'High Amenity' and are designated as a 'highly sensitive landscape' within the Draft Plan. .

The HA zoning objective seeks to, 'Protect and enhance high amenity areas'. The vision statement seeks to, 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'

The proposed Objective states 'Provide and facilitate the development of "glamping" accommodation allowing for a permanent structure in an associated guest house and a service building.'

Given the sensitive and prominent landscape setting of the lands, associated zoning and landscape designations; the presence of recorded monuments in the area and the potential for environmental/archaeological assessment; consideration of the permanent element of the facility which would render it nugatory in the context of the underlying HA zoning objective and caveat 25 which requires, 'No static mobile homes or permanent structures (unless ancillary to the operation of the campsite); it is considered that map-based Objective 6 should be removed from the Draft Plan. This is recommended as per CE SH 5.2.

#### **Wastewater Treatment Plants**

A submission refers to unsustainable capacity in wastewater infrastructure and states that the Draft Plan identifies the need for a Regional Wastewater Treatment Plant, but the written SEA and NIS do not discuss the limitations of the current wastewater capacity issues in implementing the Plan. The submission refers to 2020 AER and license compliance in relation to wastewater treatment. New development permitted since the publication of the 2020 reports has reduced capacity in the plants, however the submission contends that as the Development Plan, SEA and AA have not carried out any real assessment of the wastewater issue and potential impacts on water bodies, it is not clear if the Plan has an adverse impact on sites or species protected under the Habitats Directive and Birds Directive.

The submission refers to ongoing issues with the current operation of Malahide and Ringsend Wastewater Treatment Plants and states that capacity issues at Ringsend must be taken into consideration. In this regard, the submission refers to how the issue of wastewater is addressed in the Baldoyle/Stapolin LAP and argues that development is being permitted in Baldoyle, Swords, Howth and towns all over Fingal which cannot be adequately treated for wastewater and that the regional WWTP will not be built in the lifetime of the plan.

The submission refers to issues in Sutton/Baldoyle and in particular with the Sutton Pumping Station, which along with other issues could be putting further pressure on the network.

The submission argues that the Greater Dublin Drainage /regional wastewater treatment plant is 'integrated' into the Development Plan, provides an outline of the project and states that the effluent from the WWTP will contain pollutants not controlled by a discharge licence (such as microplastics) which will have a negative impact on seabirds, harbour porpoise and other freshwater marine mammals and that this impact has not been properly assessed in the Plan.

The submission provides detailed information on the impacts of chemicals on sea life including links to scientific papers and news articles. The submission states that the Greater Dublin Drainage project has not assessed any of these issues and argues that an assessment of the compatibility of the GDD Project with the Habitats and Birds Directive must be carried out as part of the SEA and AA for the Fingal Development Plan and that if impacts are identified and cannot be mitigated, then all references to the Regional Wastewater Treatment Plant and GDD should be removed from the Development Plan.

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#### **Chief Executive's Response:**

The Draft Plan (Section 11.5.1 and, in particular, Table 11.1) sets out Irish Water's position in relation to public wastewater infrastructure capacity and upgrades in Fingal which have informed the preparation of the Draft Plan and the assessment undertaken, at the plan level, as to the potential implications of wastewater discharges in Fingal to affect European sites.

Wastewater, comprising sewage and industrial effluent (and some surface water run-off), from Fingal has historically been, and will continue to be, treated by the public wastewater infrastructure listed in Table 11.1 of the Draft Plan.

The control and operation of all public wastewater infrastructure falls within the remit of Irish Water and wastewater treatment is subject to compliance with the standards and licencing requirements for public wastewater treatment facilities set out by the EPA, as the competent authority with the responsibility for undertaking AA of those licence applications and permissions.

The cumulative pollution content of future foul water discharges across Fingal is likely to decrease in the medium to long-term as a result of the upgrades either underway, committed or planned by Irish Water (as outlined in Table 11.1 of the Draft Plan).

Furthermore, the operation of all wastewater treatment infrastructure will be subject to compliance with the protective environmental policies and objectives set out in the Draft Plan to ensure that the development and adoption of the Draft Plan, including wastewater infrastructure policy and objectives, will not adversely affect the integrity of any European sites.

#### **Water Framework Directive**

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Establish riparian corridors free from new development along all watercourses and streams in the County. Ensure a 30 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin where a 50m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required as a minimum.

The submission also suggests the creation of a floodplain zoning which would be a buffer of at least 30m from the outer boundary of wetlands, marshes, lakes, rivers and other water bodies which also excludes agricultural and commercial horticultural use from these newly zoned areas which should be left to rewild.

#### **Chief Executive's Response:**

The Draft Plan addresses the extent of buffer zones along river with existing Objective IUO26-Riparian Corridors and Section 14.25.5-riparian Corridors. It is proposed to increase the riparian buffer strip to 48m outside of development boundaries along the main water bodies of the county, in line with the IFI guidelines. It is also proposed to include a new objective in relation to areas within the development boundaries. These changes are considered and new recommendations in relation to the provision of an increase corridor under CE CH 9.9, CE CH 9.10 and CE CH9.11.

#### **Local Area Plans and other Strategies**

A detailed submission from Malahide Old Village Residents Association is submitted in which general observations as well as specific recommendations are made to the Draft Plan, particularly relating to Malahide. The submission states that the omission of legally mandated Local Area Plans invalidates the entire plan preparation process as there is a mandatory legal requirement to prepare same.

The submission references Section 1.10 of the Draft Plan – Environmental Requirements and states that assurances that plans will only be adopted if they either individually or in combination with existing and/or proposed plans or projects will not have a significant effect on a European site, is a welcome statement, the submission contends that it overlooks the reality that many functions of a local authority (such as under the Roads Act) are capable of being implemented without adoption, permission or further oversight. The submission continues by stating that experience in relation to developments in and around Malahide has illustrated that many types of FCC works and activities- such as those relating to S38 of the Roads Act are deemed to be exempt development which do not require any resolution by Elected Members, much less public notification, consultation, screening, scoping or assessment of likely effects. It is contended that these circumstances create gaps of both prior assessment and public participation which are likely to avoid statutory requirements that give rise to the likelihood of adverse effects on the environment.

#### **Chief Executive's Response:**

The Draft Plan clearly sets out the land use zoning applicable to all settlements in Fingal and contains clear Policies and Objective setting out the requirements of the Local Authority with regard to the growth and development of such settlements. Where LAPs are proposed, they will be required to comply with the higher order plan. This will ensure the accuracy of accompanying environmental assessments which accompany such plans.

#### **Zoning at Maynestown Portmarnock**

Regarding zoning at Maynetown Portmarnock, a submission requests that all lands at Maynetown not yet granted planning permission should be rezoned as Open Space and that a full reassessment be carried out as part of the AA and SEA of the Fingal Development plan as to how mitigation measures were identified and applied in order to rezone the lands residential in the original Portmarnock South LAP as adopted by the Fingal Development Plan.

The submission provides a background to AA, mitigation and compensation for the land with reference to the Bird Quiet Zone designated as part of the Portmarnock South LAP, to scientific surveys and studies, to FCC documents and the Portmarnock LAP. The submission argues that measures proposed by the Council were insufficient and in breach of the Habitats Directive for a number of reasons relating to the Bird Quiet Zone, the Murragh Spit, and the use of existing sport pitches by Brent Waders for feeding. The submission also refers to the environmental regulations as well as legal precedents in relation to mitigation measures, adverse effects on site integrity and compensation habitats. The submission argues that as such, the previous rezoning was illegal and must now be corrected with the AA and SEA for this Development plan which must under law take in the failure to compensate like for like for the loss of feeding and roosting habitat.

The submission concludes by stating that it is very clear that compensation and mitigation is still required in relation to the land take of feeding lands for the rezoning of Maynetown for the Portmarnock South LAP which means that the NIS is not complete as there are still historical impacts in the continued residential zoning of this area.

A submission also requests, having regard to the findings of the Sluice river Marsh 2005 report, and the recent Ecology of the Sluice March 2021 commissioned by Fingal County Council (but said not to have been referenced by Scott Cawley), that the entire Sluice lands be put forward for SAC candidacy during the lifetime of this Development Plan, that a management plan for the lands be put in place and that the Development Plan should include policies to reflect this.

Regarding Kingfisher Green Portmarnock, the submission requests that there should be an objective added to the Baldoyle Estuary SPA via an expansion by Statutory Instrument as it is a flood zone and a primary feeding area for Brent Geese. It also states that Map Sheet 9 should include this as a local objective.

#### **Chief Executive's Response:**

The Draft Plan clearly sets out the land use zoning applicable to all settlements in Fingal and contains clear Policies and Objective setting out the requirements of the Local Authority with regard to the growth and development of such settlements. Where LAPs are proposed, they will be required to comply to comply with the higher order plan. This will ensure the accuracy of accompanying environmental assessments which accompany such plans.

It is recommended that the text of the Draft Plan is strengthened and a new objective is included to ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAPs will continue to be implemented and managed in accordance with the requirements of the LAPs.

#### **Chief Executive's Recommendations:**

#### **CE AA 1:**

Include a new objective in Chapter 2, after CSO60

Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAPs will continue to be implemented and managed in accordance with the requirements of the LAPs.

#### **Strategic Flood Risk Assessment (SFRA)**

#### **Submissions Received:**

FIN-C453-104, FIN-C453-110, FIN-C453-203, FIN-C453-250, FIN-C453-277, FIN-C453-588, FIN-C453-635, FIN-C453-713, FIN-C453-767, FIN-C453-824, FIN-C453-910, FIN-C453-930, FIN-C453-958, FIN-C453-984, FIN-C453-1089, FIN-C453-1136, FIN-C453-1202.

#### **Delvin River Tributaries**

Submission(s) received requested the SFRA Report is revised to accurately represent the hydromorphic nature of the Delvin River which forms a c.32km section of the county boundary at the north of the county between Dublin (Fingal) and Meath.

The tributaries of the Delvin River, both in Dublin and Meath, are important due to their contribution to river flow, which should be considered. In addition to this, there is a large impoundment on the Delvin River within the Naul RV boundary (north-eastern extremity of Naul RV Zone) which has not been mapped or acknowledged in the SFRA - Figure 4.3: Map of Reservoirs / Impounded Lakes in Fingal or Table 4.6: List of Impounded Lakes / Reservoirs in Fingal. This is highlighted as it may cause a localised flood risk.

The SFRA report notes 4 tributaries and streams of the Delvin.

This list should be revised to accurately reflect the contributing Tributaries and Streams below (in order of source to coast):

- Bartramstown River (Meath Left Bank)
- Garristown Stream (Fingal Right Bank Garistown WWTP discharges to this)
- Grallagh Stream (Fingal Right Bank)
- Curragh West Stream (Fingal Right Bank)
- Westown Stream (Fingal Right Bank)
- Fourknocks Stream (Meath Left Bank Labelled as Hodgestown)
- Hynestown River (Fingal Right Bank)
- Coolfores Stream (Fingal Right Bank)
- Gibblockstown Stream (Meath Left Bank)
- Stablestown Stream (Meath Left Bank)
- Silver Stream (Meath Left Bank)
- Balscadden Stream (Fingal Right Bank)
- Gormanston Stream (Meath Left Bank)

#### **Chief Executive's Response:**

The SFRA lists watercourse names for information purposes only and do not limit the scope of the SFRA or associated determination of Flood Zones.

Named watercourses are based on a database held by Fingal County Council which is based on an underlying EPA database and is sufficiently comprehensive to identify the primary watercourses in the Plan area. The list is noted as not exhaustive. It is acknowledged that watercourses may have multiple names. It is appropriate that a statement to this effect is included in the SFRA report. The watercourses mapped on Flood Zone maps include additional watercourses to those listed and including watercourses with no known names.

#### **Impoundments**

A very detailed submission was received in relation to the SFRA and the area around Naul.

The SFRA report includes a map which shows impounded lakes in the county, however the impounded lake within Naul RV Zone on the Delvin River is omitted from this map and the accompanying list (*Figure 4.3* and *Table 4.6*)

Furthermore, Hynestown Reservoir is listed, this is only one of the two impoundments in the Naul area.

The presence of an impounded lake is important in terms of localised flood risk. The OPW Flood Maps highlight there is a flood plain to the west of Naul and a series of floodplains downstream at Coolfores/Doolagh, Stamullen and Gormanston Demesne.

#### **Chief Executive's Response:**

The impoundment mentioned in the submission is noted, in particular the EPA Hydronet statement that "The river was artificially re-routed and impounded to form a pond". The impoundment list are based on a database held by Fingal County Council which is based on an underlying EPA database. The impoundment list in the SFRA is not exhaustive however, the impoundments mentioned in the submission will be added to the SFRA and mapping.

#### **Impounded Lake on Delvin River**

The presence of the impounded lake on the Delvin River is relevant to land use zoning in Naul, as there is a large area within Naul RV zoned 'RV', where in fact this is a waterbody and this might impact the quantum of available land in Naul Village.

This impoundment was not noted in the SFRA for the current Fingal County Development Plan 2017-2023, and is missing from the EPA GIS mapping datasets. This submission requests that SFRA is updated to reflect the true hydromorphic nature of the Delvin River, prior to the final publication of the SFRA for the Fingal County Development Plan 2023-2029.

#### **Chief Executive's Response:**

It must be noted that for the purposes of land zoning, only Flood Zones (i.e. flooding from rivers and seas) is considered. The SFRA states that site-specific FRAs should consider flooding from other sources such as impoundments / reservoirs (as well as pluvial, urban drainage, groundwater etc.). Delvin impoundment has been noted & added to the impoundment table and mapping.

#### Site Specific Submission - Channel Road

These submissions relate to the construction of a secondary culvert along the Channel Road be constructed and completed to protect the properties at risk of fluvial flooding along the West Rush Stream as detailed on CFRAM and the 2017-2023 Strategic Flood Risk assessment for Fingal Development Plan 2017-2023 item 6.1.7 Rush.

#### **Chief Executive's Response**

The Specification or design of future flood relief measures lies outside the scope of a Strategic Flood Risk Assessment. The SFRA assists in informing zoning decisions to ensure that zoning

does not conflict with planned / committed flood relief scheme measures and will take account of any measures specified in CFRAM Flood Plans.

#### Site Specific Submission - Barberstown Lane South, Barnhill & Clonsilla

This submission relates to lands at Barberstown Lane South, Barnhill, Clonsilla and infer that the site in question in not in Flood Zone A or B.

An updated Flood Risk study has been submitted in support of this submission which enables the revisiting of the lands in the context of the outcomes of this study. Notes that it is clear from a review of the SFRA and the LAP that the proposed change in zoning is due to flood risk. Enclosed evidence that this flood risk arose in the past from a poorly designed, temporary structure within the railway/ canal culvert. The Barnhill Culvert Survey Report has been submitted with the submissions. and notes the presence of a culvert at that time. This interim culvert was installed by Irish Rail as part of stabilising works following track widening.

It is stated there is little or no flood risk in this area – other supporting information has been submitted – and that the proposed OS zoning in this area be made available for residential development.

#### **Chief Executive's Response**

The area in question is shown as being affected by Flood Zone A and Flood Zone B on OPW CFRAM / FEMFRAMS flood mapping and are consistent with the existing LAP FRA. The SFRA states that site-specific FRAs can 'challenge' flooding shown with a more detailed (model based) assessment.

The SFRA Flood Zoning is consistent with the LAP and its FRA.

#### Site Specific Submission – Coolquay

Submissions received reference historic zoning and notes that lands in and around Coolquay are no longer at risk of flooding and as such are suitable for development.

#### **Chief Executive's Response**

It is noted that large areas of the Coolquay are in flood zone C with some areas to a lesser extent in flood zone B. The information in the SFRA is considered accurate and any application in the area will be subject to a site-specific FRA.

#### Site Specific Submission - Palmer Road

Submissions received relate to Palmer Road, Rush and how it has major flooding issues.

#### **Chief Executive's Response**

The SFRA only includes historic flood events that have been recorded / verified by the OPW / Fingal CC. The SFRA will acknowledge that 'other' historic flood events are likely to have occurred across the County. The SFRA is a strategic document, and it is recognised that localised flooding issues will need to be dealt with through site specific flood risk assessments through the Development Management process.

#### **Site Specific Submission - Portmarnock**

Submissions received infer that the provision of approx. 1.5km of Developer installed Flood Mitigation measures including Flood Defence Walls & Berms along Strand Road, Station Road and along the eastern boundary of the subject lands adjacent to the existing Hazel Grove and St. Anne's Square residential developments, will serve to significantly reduce the flood risk on over 100 existing properties which are currently located in Flood Zone A and Flood Zone B.

The community benefit the proposed works provides cannot be understated as without the Developer-led Flood Mitigation Measures, these homes shall remain in areas which are at High and Moderate risk of flooding. The subject lands will also benefit from the engineering solutions proposed by inc 3.1 reasing the extent of post-development Flood Zone C while the proposed access road to the subject lands off Station Road shall be raised to ensure it is not subject to flooding.

#### **Chief Executive's Response**

The SFRA does not comment on non OPW / Fingal CC led or sanctioned Flood Relief Schemes. Any proposed works would be subject to a planning application where a SSFRA would address or seek to address some of the issues raised. We would note that for the purposes of Flood Zoning, flood defences are removed so any flood defence in the area would be unlikely to significantly change the Flood Zoning in any case.

#### Map based Objective 7

Another submission seeks the removal of Map Based Objective 7, located on the GE lands at Courtlough, which requires that, 'Development on these lands, if any, will be restricted by the extent of flooding on the lands. Any development shall be subject to a commensurate FRA."

The submission notes that the 42 Hectare landholding subject to this submission has been assessed under the Fingal East Meath Flood Risk Assessment. This assessment concluded that there was no risk of any flooding on the entirety of the lands. Accordingly, development should be allowed without the requirement for a detailed flood risk assessment, resulting in a more feasible development potential.

#### **Chief Executive's Response**

The Development Management section of the SFRA stipulates that all proposed development be subject to a Site-Specific Flood Risk Assessment, regardless of what is shown on the SFRA Flood Maps and available OPW data. The SFRA makes clear that mapping upon which the SFRA is based in strategic (not site-specific) and may be refined / challenged by site-specific hydraulic modelling.

#### Office of Public Works (OPW)

A detailed submission has been received from the OPW. It infers that it is difficult to assess the zonings/sites at flood risk or if the sequential approach has been applied without the land use zoning maps overlaid with the flood zone maps. This also applies to future scenarios, whereby it would be beneficial in assessing whether development has been avoided in areas potentially prone to flooding in the future.

It is noted that highly vulnerable development is not appropriate in Flood Zones A or B unless a Plan Making Justification Test completed by the local authority can be satisfied. Lands zoned GB – Green Belt and HA – High Amenity are unlikely to satisfy all criteria of the Plan Making Justification Test. Consideration might be given to policies and objectives limiting development of inappropriate vulnerability in flood risk areas, for lands zoned as above.

Plan Making Justification Tests have been provided in section 5.2 of the SFRA. For criteria 1 a description of the area in question is provided, for criteria 2 the reasoning behind the zoning is set out, and criteria 3 is a requirement for an SSFRA at the development management stage. This is not consistent with the Justification Test as outlined in Box 4.1 of the Guidelines, and as described in Table 3.8 of the SFRA.

Proposed land use zones, some of which are classified as highly vulnerable development in the do not appear to have been assessed against the criteria of the Plan Making Justification Test.

Section 3.2 of the SFRA should be updated to clarify that zonings are only assessed against the criteria of the Plan Making Justification Test when avoidance and substitution have not been possible.

In addition to the outputs listed in section 3.11 of the SFRA, the Guidelines also recommend that an SFRA provide guidance on the likely applicability of different SuDS techniques for managing surface water run-off at key development sites.

The OPW welcomes the discussion, policies and objectives on climate action set out in Chapter 5 of the written statement and in the SFRA relating to the impacts of climate change. In particular the OPW welcomes the guidance on minimum design level requirements for fluvial and coastal flooding provided in tables 6.4 and 6.5 of the SFRA. Planning authorities can consider climate change impacts in the Plan-making Stage, such as by avoiding development in areas potentially prone to flooding in the future, and by providing space for future flood defences.

There are specific comments for specific areas on each of the Sheets as follows:

- Sheet 1 lands at M1 Business Park and Ashbourne
- Sheet 3 lands at Wyanstown RC, Coolquay RV, Ward Lower RB, Rivermeade RV
- Sheet 4 lands at Balscadden RV, Castlelands, Balbriggan
- Sheet 5 lands at Skerries, Millers Lane and Sherlock Park, Loughshinny
- Sheet 7 lands at Donabate, Turvey Lane and Blake's Cross
- Sheet 8 lands at Aspen Drive, Birchdale Close
- Sheet 9 lands at Malahide Village, Auburn House, Portmarnock, Maynestown RC, Kinsaley RV
- Sheet 11 lands at Dublin Airport

#### Chief Executive's Response:

Flood Zoning Maps: The following areas have been subject to Justification Tests as part of the SFRA. While the OPW opines that the requirements of all criteria of Plan Making Justification Tests have not been met. However, Fingal County Council is satisfied that the land use zoning is appropriate and meets the requirements of a wide range of criteria:

Map 1	M1 Business Park Ashbourne
Map 3	Coolquay Ward Lower RB (note that this zoning is subject to a proposed change)
Map 4	Castlelands (subject to LAP)
Мар 7	Turvey Blakes Cross

The following areas have been identified by the OPW as not having been subject to Plan Making Justification Tests. The Planning Authority is satisfied with the land use zoning due to reasons outlined below.

Мар 3	Wyanstown	The zoning (RV – Rural Village) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
	Rivermeade	The zoning (RV – Rural Village) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
Map 4	Balscadden	The zoning (RV – Rural Village) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
Map 5	Skerries	The areas not already covered by the Plan Making JT contained within the SFRA (RS – Residential, TC – Town Centre and District Centre) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
	Loughshinny	The zoning (LC – Local Centre) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
Мар 7	Donabate	The zoning (RA – Residential Area) is acknowledged to be in Flood Zone A / Flood Zone B but is shown to be in an area benefitting from flood defences.  Therefore, the zoning is considered appropriate subject to any future development being supported by a site-specific FRA that includes a Development Management JT that addresses the issue of being sited in a defended area.		

Map 8	Aspen Drive and Birchdale Close, north of Feltrim Road,	The zoning (RS – Residential) primarily comprises an existing developed area and any future development		
	Malahide (south) and Sleepy Hollow / Kinsealy Lane	will require to be subject to by a site-specific FRA  The zoning (RS – Residential, RA – Residential Area) primarily comprises an existing developed area and any future development will require to be subject to by a site-specific FRA		
	Portmarnock	The zoning (TC – Town Centre, CI – Community Infrastructure) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
Map 9	Maynestown RC	The zoning (RV – Rural Village) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.		
	Kinsealy	The zoning (RV – Rural Village) supports existing development but allows for limited future development. Flood Risk will be managed at Development Management stage by a site-specific FRA.  It is noted that Kinsealy has been subject to a Local Area Plan which provides further detail on land zoning and flood risk considerations.		
Map 11	Dublin Airport	The zoning (DA – Dublin Airport) supports existing key infrastructure for which no other lands are available / feasible. Flood Risk relating to any future development will be managed at Development Management stage by a site-specific FRA.		
	Northpoint NCT and Sillogue	The zoning (WD – Warehousing and Distribution, GE General Employment) supports existing development but allows for limited future development. Flood Ris relating to any future development will be managed at Development Management stage by a site-specifi FRA.		

The OPW's comments on Suds techniques are noted and the relevant SuDS reference documents are included in Section 6.6 of the SFRA.

Mid-Range Future Scenario and High-End Future Scenario climate change flood maps have been produced so are available to inform land use zoning / objective decisions. Climate Change flood modelling has been undertaken for the River Tolka since draft SFRA was published and is shall be added to the next version of the SFRA report / flood maps to allow consideration of climate change impacts along the Tolka corridor

#### **Chief Executive's Recommendation:**

#### CE SFRA 1:

Amend Section 2.2 (Coastline and Watercourses) of the SFRA as follows:

Fingal CC have provided a GIS shapefile of watercourses within the County as shown in Figure 2.2. The dataset has been compared to EPA watercourse and OPW FSU data and the Fingal CC information has been found to be consistent and more comprehensive than both. However, it is acknowledged that the Fingal CC watercourse dataset is not intended to be exhaustive and does not capture all open waterbodies within the County as there are minor streams and ditches which will not have been captured / included. The mapped watercourses do capture all watercourses with sufficient catchments to be included on Flood Zone datasets (refer to Section 4.2) and as such omission of minor watercourses from the mapped dataset is not a material consideration in terms of establishing flood zones.

#### CE SFRA 2:

Amend title of Figure 2.2 of the SFRA as follows:

Map of Fingal County Council Watercourse Datas in Fingal

#### CE SFRA 3:

Amend Section 2.2.2.1 (List of Watercourses) of the SFRA as follows:

A list of named watercourses in Fingal is provided in Table 2.1. While the list is not exhaustive, it gives an indication of the extent of the river and stream network in the County. Watercourse names are generally as per Environmental Protection Agency (EPA) designations; <u>it is acknowledged that</u> some of the streams listed may be known locally by other names. Watercourse names are shown on flood mapping included as Appendices to the SFRA. It is noted that not all watercourses shown in Figure 2.2 are named so may not be included in Table 2.1 and SFRA flood maps.

#### CE SFRA 4:

Amend Section 4.3.7.2 (Reservoirs and Dams) of the SFRA as follows:

Potential impounding (storage) reservoirs and service reservoirs either in Fingal or that drain into Fingal were identified using Ordnance Survey Ireland (OSI) mapping and the EPA's Water Framework Directive dataset of lake segment polygons. Figure 4.3 shows a map of those reservoirs assessed as being potential sources of flood risk in the event of an uncontrolled release of water due to infrastructure failure. Table 4.6 lists these reservoirs in Fingal within the Fingal area.

#### CE SFRA 5:

Add title to Figure 4.3 of the SFRA as follows:

Figure 4.3: Map of Reservoirs / Impounded Lakes in Fingal

#### CE SFRA 6:

Update Table 4.6 (List of Impounded Lakes / Reservoirs in Fingal) of the SFRA as follows:

ID	Location / Name	Location / Description	Ownership
1	South-west of Garristown	Service reservoir	ТВС
2	Naul / Lecklinstown Reservoir and Dam	Impounded Reservoir	TBC
3	Wavin Lakes (south-west of Balbriggan)	Impounded Reservoir	TBC
4	Jordanstown	Service reservoir	ТВС
5	Thomastown Service Reservoir	Service reservoir	TBC
6	Portraine Asylum Reservoir and Dam	Impounded Reservoir	TBC
7	Swords Celtic Football Club	Service reservoir	ТВС
8	Westereave Lake	Impounded Reservoir	ТВС
9	River Santry at Swords Road, Santry Park	Impounded Reservoir	TBC
10	Luttrellstown Golf Course Lakes	Impounded Reservoir	TBC
11	Leixlip Reservoir and Hydro Dam	Impounded Reservoir	TBC
<u>12</u>	<u>Delvin River in Naul</u>	Service reservoir	<u>TBC</u>

#### CE SFRA 7:

Amend Section 4.2.1 (Past Flood Event Mapping) of the SFRA as follows:

The OPW has recorded and mapped 'Past Flood Events' based on available information including flood reports, news articles, photos, Council meeting minutes and other archived information. The record is not an exhaustive record of all flooding that has occurred in Fingal *and historic flood events will have occurred that are not captured by this dataset. These* records have been reviewed as part of the SFRA along with historic flood event records provided by Fingal CC.

#### CE SFRA 8:

Amend Chapter 5 (Stage 2 - Initial Flood Risk Assessment) of the SFRA as follows:

Initial Flood Risk Assessment section to be updated as part of the new Justification Tests for any proposed new zoning, including the overlaying of land zoning and flood zoning. Amend SFRA mapping (mapping sheets 18-21) to include updated Tolka datasets including climate change. Amend mapping sheets 1 – 26 to include all climate change scenarios and improved background mapping detail.

#### CE SFRA 9:

Amend Section 4.2.2 (River Tolka Flooding Study) of the SFRA as follows:

An updated Flood Study intended to supersede the 2002 study, including new hydrological analysis and hydraulic modelling, has been undertaken to supplement and inform the SFRA and is described in Section 4.2.11. Flood data from the 2002 study therefore is not used for development of Flood Zone mapping as part of this SFRA.

intended to supersede the 2002 study new hydrological analysis and to supplement and inform Flood data from the 2002 study therefore is not used for development of Flood Zone mapping as part of this SFRA. It is noted that strategic level hydraulic modelling of the River Tolka is ongoing and flood extents will supersede the River Tolka Flooding Study at a later stage in the SFRA process.

#### **CE SFRA 10:**

Amend Table 4.1 (Sources of Primary Flood Information Summary) of the SFRA as follows:

Information Source	Year Published	Flooding Type	Used for Flood Zone Mapping?
Past Flood Events Mapping	Historical / Ongoing	Various	No
River Tolka Flooding Study	2003	Fluvial	No
Greater Dublin Strategic Drainage Study (GDSDS)	2005	Foul and drainage surface water drainage	<del>Yes (See section</del> 4.2.2) No
Preliminary Flood Risk Assessment (PFRA)	2012	Coastal, fluvial, pluvial, groundwater	Yes
Irish Coastal Protection Strategy Study (ICPSS)	2013	Coastal	No
Fingal East Meath Flood Risk Assessment and Management Study (FEM FRAMS)	2014	Coastal, fluvial	Yes
Catchment Flood Risk Assessment and Management (CFRAM) Study	2015 / 2016	Coastal, fluvial	Yes
GSI Groundwater Flooding	2020	Groundwater	No
National Indicative Fluvial Mapping (NIFM)	2021	Fluvial	Yes
National Coastal Flood Hazard Mapping (NCFHM)	2021	Coastal	Yes

Local Area Plans (LAPs) / Masterplans	Various	Various	Varies (see Table 4.5)
River Tolka Flood Study for Fingal CC SFRA (2023-2029)	2022	Fluvial	Yes

# APPENDICES: (SEE ACCOMPANYING VOLUME)

There are four additional appendices which accompany this Chief Executive's Report including

- APPENDIX A: Maps of Chief Executive's Recommendations
- APPENDIX B: Development Plan Timeline
- APPENDIX C: List of Prescribed Bodies
- APPENDIX D: List of Submissions Received.

The appendices are provided in a separate volume which accompanies this report.

