

Comhairle Contae  
Fhine Gall  
Fingal County  
Council



# FINGAL DEVELOPMENT PLAN 2023-2029

CHIEF EXECUTIVE'S REPORT  
ON PROPOSED MATERIAL  
ALTERATIONS  
CONSULTATION



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

**Chief Executive's Report on  
Proposed Material Alterations Consultation  
Process**

**Report to Council under Section 12 (8) of the  
Planning and Development Act 2000, (as  
amended).**



**Chief Executive's Report  
Proposed Material Alterations to  
the Draft Fingal Development Plan  
2023-2029**

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**15<sup>th</sup> January 2023**

# TABLE OF CONTENTS

<b>PART 1: Legislative Requirements and Consultation Process</b> .....	<b>1</b>
Introduction .....	2
Environmental Assessment .....	3
Consultation Process .....	4
Format of Report .....	6
Approach to Consideration of Submissions and Recommendations .....	6
Overview of Submissions and Chief Executive’s Recommendations .....	7
Timeline for Completion and Next Steps .....	8
<b>PART 2: Submissions from the OPR and NTA</b> .....	<b>10</b>
Submission from the Office of the Planning Regulator (OPR) .....	11
Submission from the National Transport Authority (NTA) .....	50
<b>PART 3: Submissions relating to Material Alterations to the Draft Development Plan</b>	
<b>Written Statement</b> .....	<b>58</b>
CHAPTER 1: Introduction .....	59
CHAPTER 2: Planning for Growth Core Strategy Settlement Strategy .....	62
CHAPTER 3: Sustainable Placemaking and Quality Homes .....	102
CHAPTER 4: Community Infrastructure and Open Space .....	114
CHAPTER 5: Climate Action .....	120
CHAPTER 6: Connectivity and Movement .....	127
CHAPTER 7: Employment and Economy .....	139
CHAPTER 8: Dublin Airport .....	141
CHAPTER 9: Green Infrastructure and Natural Heritage .....	146
CHAPTER 10: Heritage, Culture and Arts .....	153
CHAPTER 11: Infrastructure and Utilities .....	154
CHAPTER 12: Implementation and Monitoring .....	166
CHAPTER 13: Land Use Zoning .....	168
CHAPTER 14: Development Management Standards .....	175
APPENDICES to the Draft Plan .....	192
Matters Not Directly Related To Specific Proposed Material Alterations .....	193
<b>PART 4: Submissions relating to Material alterations to the Draft Development Plan Map</b>	
<b>Sheets</b> .....	<b>194</b>
MAP SHEET 1: County Strategy / Index .....	195
MAP SHEET 2: Fingal North .....	195
MAP SHEET 3: Fingal Central .....	195
MAP SHEET 4: Balbriggan .....	201
MAP SHEET 5: Skerries .....	204
MAP SHEET 6A: Lusk .....	209
MAP SHEET 6B: Rush .....	209
MAP SHEET 7: Donabate-Portrane .....	213

# TABLE OF CONTENTS

---

MAP SHEET 8: Swords.....	219
MAP SHEET 9: Malahide-Portmarnock .....	226
MAP SHEET 10: Baldoyle-Howth .....	235
MAP SHEET 11: Fingal South.....	238
MAP SHEET 12: Blanchardstown North .....	243
MAP SHEET 13: Blanchardstown South .....	246
MAP SHEETS 14-16: Green Infrastructure Maps.....	253
NEW MAP SHEET 17 .....	256
<b>Part 5: SEA, AA and SFRA.....</b>	<b>257</b>
Strategic Environmental Assessment (SEA).....	258
Appropriate Assessment (AA).....	260
Strategic Flood Risk Assessment (SFRA).....	262
<b>APPENDIX A: List of Submissions Received .....</b>	<b>278</b>
<b>APPENDIX B: SEA &amp; AA Review of Proposed Material Alterations.....</b>	<b>285</b>
<b>APPENDIX C: SEA Screening of Proposed Minor Modifications .....</b>	<b>300</b>

# PART 1: Legislative Requirements and Consultation Process

# PART 1

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## 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 April 2023.

Stage 3 of the plan-making process now relates to the proposed Material Alterations to the Draft Plan. The proposed Material Alterations (Amendments) originated from the consideration of the submissions received between February and May 2022 on the Draft Development Plan 2023 – 2029. This process is outlined in more detail 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 Proposed Material Alterations to the Draft Fingal Development Plan 2023-2029, to set out the Chief Executive's response to the issues raised in the submissions, and to make recommendations on the proposed alterations, as appropriate.

This Chief Executive's Report is submitted to the Members of Fingal County Council for their consideration as part of the process for the preparation of the Fingal Development Plan 2023-2029. The Report forms part of the statutory procedure for the preparation of a County Development Plan, as required by Section 12(8) of the Planning and Development Act, 2000 (as amended) (hereafter referred to as The Act). This Report will:

- List the persons or bodies who made submissions or observations on the Proposed Material Alterations to the Draft Fingal Development Plan, during the public consultation period (between 11th November and 22<sup>nd</sup> December 2022 inclusive) and the Draft Environmental Report, Draft Natura Impact Report and Strategic Flood Risk Assessment (SFRA).
- Summarise the recommendations, submissions and observations made by the Office of the Planning Regulator,
- Summarise the submissions and observations made by any other persons in relation to the proposed amendments,
- Give the response of the Chief Executive to the issues raised, taking account of any directions of the Members of the Authority under Section 11(4)(d) of the Act, 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 in the area and any relevant policies of objectives of the Government or of any Minister of the Government.

### **Legislative Background for the Material Alterations to the Draft Fingal Development Plan 2023-2029**

At the special Council meetings held in September and October 2022, the Elected Members amended the Draft Plan and the proposed amendments, and the associated environmental reports and determinations were on display from 11<sup>th</sup> November 2022 to 9<sup>th</sup> December 2022 inclusive (as per Section 12 (6) and Section 12 (7) of the Act).



# PART 1

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However, after the publication of the Proposed Material Alterations Report, errors were identified relating to typographical errors and omissions in the report and the accompanying maps and the 'Errata Document' was put on display from 24th November 2022 and accordingly, the final date for all submissions was extended to the 22nd of December 2022 at 12 noon.

Section 12 (7) invites submissions on these amendments and Section 12 (8) sets out that the Chief Executive shall prepare a report on the submissions received "*in relation to the Draft Plan in accordance with this section*", which is taken to mean submissions in relation to the proposed amendments to the Draft Plan. Therefore, the responses and recommendations set out in Parts 3, 4 and 5 of this Report relate to issues raised on the proposed amendments only.

Members have a period of 6 weeks from the date of receipt to consider the Chief Executive's Report. Following consideration of the Proposed Amendments to the Draft Development Plan and the Chief Executive's Report, the Members shall, by resolution, having considered the proposed amendments and the Chief Executive's Report, make the Plan with or without the proposed amendments, except where they decide to accept the proposed amendment, they may do so subject to any modifications to the amendment as they consider appropriate, subject to Section 12(10) (c) of the Planning and Development Act 2000 (as amended), which states:

*"(c) A further modification to the alteration –*

1. *may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,*
2. *(ii) shall not be made where it relates to –*
  - (i) *an increase in the area of land zoned for any purpose, or*
  - (ii) *an addition to or deletion from the record of Protected Structures".*

The Development Plan shall have effect 6 weeks from the day that the Plan is made. Section 12(11) of the Act states:

*"In making the Development Plan under subsection (6) or (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government."*

## Environmental Assessment

### Strategic Environmental Assessment (SEA)

The Proposed Material Alterations to the Fingal County Development Plan 2023 – 2029 were placed on public display accompanied by an Environmental Report providing information in support of the Strategic Environmental Assessment of the plan in accordance with the SEA Directive and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 / 2011.

The Strategic Environmental Assessment process has informed this Chief Executive's Report on Public Submissions on Proposed Material Alterations to the Draft Plan so that the Plan can be implemented successfully without having adverse effects on the environment.

# PART 1

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All amendments proposed to the plan have been screened for their potential to have significant environmental effects and it has been concluded that the proposed amendments to the plan do not give rise to significant / uncertain environmental effects.

Appendix B contains the SEA and AA review of all proposed Material Alterations which have been subject to a submission.

Appendix C contains SEA Screening of Proposed Minor Modifications to Proposed Material Amendments.

The SEA Environmental Report will be finalised and an SEA Statement will be prepared following Plan adoption, which will detail the SEA process undertaken for the Plan.

## **Appropriate Assessment (AA)**

The Proposed Material Alterations to the Draft Fingal Development Plan 2023 – 2029 were placed on public display accompanied by an NIR which provided information in support of the AA of the plan in accordance with Article 6 of the Habitats Directive (92/43/EEC).

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 (as amended) the amendments proposed to the draft plan have been assessed for their potential to have likely significant effects on European sites.

Following assessment, it has been concluded that the proposed amendments pose no risk to European sites. It has been concluded that following the successful implementation of mitigation measures already contained within the draft 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.

Appendix B contains the SEA and AA review of all proposed Material Alterations which have been subject to a submission.

The NIR of the draft Plan will be updated to document the accepted amendments to the Plan and a final AA Determination of the Plan will be undertaken by the Planning Authority at the adoption stage.

## **Consultation Process**

The preparation of the new Fingal Development Plan 2023-29 involves three key stages, scheduled to finish in April 2023. The Chief Executive's Draft Fingal Development Plan was prepared and circulated to the Elected Members in December 2021. This was considered and agreed by the Members in January and February 2022. The Draft Plan was then put on public display on the 24<sup>th</sup> February 2022 for a period of 12 weeks (until 12<sup>th</sup> May 2022). A total of 1,937 no. submissions and observations were received during the prescribed period in response to this stage of public consultation.

A Chief Executive's Report on submissions to the Draft Fingal Development Plan 2023 – 2029 was prepared in accordance with Section 12(4) of the Act, which summarised and detailed the submissions received on the Draft Development Plan and provided the response and

# PART 1

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recommendations of the Chief Executive to the issues raised for the Elected Members to consider. This Report was published in July 2022.

Stage 3 of the plan-making process now relates to the proposed Material Alterations to the Draft Plan. The proposed Material Alterations (Amendments) originated from the consideration of the submissions received between February and May 2022 on the Draft Development Plan 2023 - 2029. The Chief Executive prepared a report on these submissions and the Elected Members considered the report at Special Council Meetings held in September and October 2022 (September 20<sup>th</sup>, 21<sup>st</sup>, 26<sup>th</sup>, 29<sup>th</sup> and October 3<sup>rd</sup>, 4<sup>th</sup>, 7<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>), where they resolved to amend the Draft Plan.

Accordingly, the Proposed Amendments to the Draft Fingal Development Plan 2023-2029, Environmental Reports and SFRA were put on public display for a period which commenced on 11th November 2022 and was due to end on 9th December 2022 at 4:30pm.

After the publication of the proposed Material Alterations Report, errors were identified relating to typographical errors and omissions in the report and the accompanying maps. The errors in question are identified in an Errata Document which incorporated the corrected version of the Proposed Material Alterations.

This 'Errata Document' was put on display during the public consultation period for the Proposed Material Alterations to the Draft Fingal Development Plan 2023-2029 from 24th November 2022 and accordingly, the final date for all submissions was extended to the 22nd December 2022 at 12 noon.

Written submissions and / or observations, with respect to the Proposed Amendments (including Errata document) to the Draft Plan only, were invited during the consultation period. The public consultation was advertised as follows:

- A detailed public notice was placed in the Irish Independent on the 11th November 2022 advising of the consultation period, where the Draft Plan could be accessed and inviting submissions on the amendments to the Draft Plan (including the Errata Document) up to and including the closing date of 22nd December 2022.
- The proposed Material Alterations, the Environmental Report, Natura Impact Report and SFRA were available for public inspection during the consultation period:
- Online via <https://consult.fingal.ie/en/browse> or
- At both Fingal County Council offices at County Hall, Swords and Civic Offices, Blanchardstown
- Fingal Public Libraries – including Balbriggan, Baldoyle, Blanchardstown, Donabate, Garristown, Howth, Malahide, Rathbeale, Skerries and Rush Libraries.

Council staff were also available to answer queries in connection with the proposed amendments on Wednesday 16th November and Wednesday 30th November between 10am and 12pm at the main reception desk, County Hall, Main Street, Swords.

Submissions/observations in respect of the Draft Plan/Draft Environmental Report and Natura Impact Report were accommodated via hard copy or via the consultation portal.

A total of 197 no. submissions were received during this period. A full list of the valid submissions received is provided in Appendix A of this report.

# PART 1

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The Chief Executive has now prepared this report on the submissions received on the Proposed Material Alterations, the Environmental Reports, Natura Impact Report and Strategic Flood Risk Assessment. The Elected Members will consider the CE Report and will adopt the final Plan at one or more Special Council Meetings in February 2023. Meetings are currently scheduled for 15<sup>th</sup>, 17<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> February 2023.

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

## Format of Report

The legislation requires that a 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) 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 in the written statement and appendices (excluding those from the OPR, EMRA and NTA). There is an analysis of the submissions received relevant to each chapter and appendix, 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 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 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.

As noted previously, Appendix A to this document consists of a list of all valid submissions received in relation to the proposed material alterations.

## 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 relevant material alteration relating to the Development Plan written statement, maps, environmental report, Natura Impact Report and SFRA.

# PART 1

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Each Amendment, that was the subject of the Public Consultation and subject to issues being raised in the submissions, is laid out under the relevant chapter and/or sheet as it features within the Draft Plan, in Parts 3 and 4 of this report respectively. Each amendment relating to AA, SEA and SFRA, that was the subject of the Public Consultation and subject to issues being raised in the submissions, is laid out in Part 5 of this report.

The relevant summarised issues, the relevant reference number for each submitter, the Chief Executive's Response and Recommendation are placed under each individual Amendment.

It should be noted that only Amendments that were the subject of issues being raised within the 197 submissions feature in Parts 2, 3, 4 and 5 of this report.

Where the report references an amendment in the body of the Chief Executive's response and recommendation, the proposed material alteration is shown as per the amendment as displayed on the online Consult Portal as part of the Public Consultation.

For example, the original Amendment showed text additions to the Plan set out in *green type*, deletions to the text shown in *red print with a strikethrough*. Where the Chief Executive makes a recommendation for a further modification, which is minor in nature, this is shown in the recommendation section in **{purple bold}** with round brackets for insertions or **{purple bold with strikethrough}** (for text omissions).

Recommendations may also include the omission of an amendment.

Additions to the text of proposed material alterations will be indicated by text set out in purple text in round brackets while deletions will be indicated by text in purple strikethrough.

In order to make the document as user friendly as possible the issues raised have been grouped under the relevant material alteration number, which has been replicated in full, and arranged under each Chapter heading as set out in the Draft Plan.

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.

Non-material alterations such as dates of Draft Documents, updated names of Departments or any publications will also be updated and included in the final version of the Plan.

Please note that numerical data, will also be updated as necessary and that that data set out in Chapter 2 – the Core Strategy regarding the census and information from the Dublin Task Force returns will be updated prior to final publication to reflect the most up to date information available at that time.

Final amendments and updates to the zoning maps will also be made in the final publication including any necessary updates to the legend and to include all relevant SDZ, LAP, masterplan and framework plan boundaries.

## Overview of Submissions and Chief Executive's Recommendations

Of the 197 submissions and observations received during the prescribed public consultation period, issues were raised in relation to 164 of the total of 313 no. proposed material alterations.

# PART 1

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149 of the overall total of 313 no. material alterations, which were placed on public display, were not subject to submissions or observations and are not affected by the Chief Executive's recommendations.

In the case of submissions which raised issues identified as matters not immediately relevant to the proposed Material Alterations and, pursuant to Sections 12(9) and 12(10) of the Planning and Development Act 2000 (as amended), cannot be considered at this stage of the plan making process.

## **Summary**

In summary, in relation to the 164 proposed material alterations addressed in this report, it is recommended that the Development Plan:

- be made with 102 of the proposed Material Alterations as displayed;
- be made with 20 of the proposed Material Alterations as displayed subject to modification;
- be made without 42 of the proposed Material Alterations as displayed

Parts 2, 3, 4 and 5 of the report provide the summaries, responses and recommendations of the CE in relation to the issues raised.

## **Timeline for Completion and Next Steps**

The Elected Members will consider the CE Report and will adopt the final Plan at one or more Special Council Meetings, the last to be held no later than 24th February 2023.

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:

# PART 1

Dates	Description
12th March 2021	Advertisement placed in newspapers announcing the review of Development Plan and preparation of a new Development Plan
12th Mar - 12th May 2021 - Public Consultation	Submissions and observations invited from all interested persons and bodies, on what is to be included in the draft of the new plan. Consultation webinars held.
2nd July 2021	Preparation of CE's Report on submissions received between the 12th March and 12th May 2021.
10th September 2021	Councillors consider the CE's report and direct the CE regarding the preparation of the CE 's Draft Development Plan.
By 3rd December 2021	Preparation of the CE's Draft Development Plan. Chief Executive's Draft Development Plan issued on 3rd December 2021.
4th February 2022	Consideration of CE's Draft Plan by the Elected Members.
24th February 2022	Publication of Draft Development Plan
24th February - 12th May 2022 - Public Consultation	Submissions and observations on the Draft Development Plan invited from all interested persons/bodies
By 28th July 2022	Preparation of the CE's Report on all submissions received on the Draft Development Plan. CE Report issued in July 2022.
20 <sup>th</sup> Sept – 14 <sup>th</sup> Oct 2022	Councillors' consideration of the CE's Report. As the draft Development Plan is being amended, all significant amendments were required to go back out on public display.
11th November 2022	Notice of the proposed amendments published in newspapers
11th Nov - 22nd Dec 2022 Public Consultation	Second public display period (including the Errata document). Submissions invited from all interested persons/bodies.
By 15th January 2023	Preparation of CE's Report on submissions received during the display period. CE Report to issue on 15th January 2023.
February 2023	Consideration of the CE's Report by the Members
April 2023	Development Plan comes into effect 6 weeks later.

# **PART 2: Submissions from the OPR and NTA**



# PART 2

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

The submission of the Office of the Planning Regulator (OPR) (FIN-C532-157 and FIN-C532-162) relates to the evaluation and assessment of the Draft Plan under the provisions of the Planning and Development Act 2000, as amended.

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

The opening introductory section of the submission from the Office of the Planning Regulator (FIN-C532-157 and FIN-C532-162) starts by noting the section 12(5)(aa) notice issue to the OPR in November 2022 and alerting the Council to the requirement to issue a notice to the OPR within 5 working days of the making of a Development Plan.

The submission then briefly describes the function of the OPR in the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning and goes on to state that the OPR evaluated and assessed the material alterations to the Draft Plan within the context of the Office's earlier recommendations and observations.

The submission states that as outlined in the submission of the OPR to the draft Plan, the OPR considered the draft Plan to be generally consistent with policies in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly area and that it recommended changes to ensure consistency with the aforementioned national and regional policy objectives and the relevant section 28 Guidelines. The submission provides a brief explanation of:

- the status of recommendations issued by the Office which 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; and
- of observations 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.

As such, the planning authority is required to implement or address recommendation(s) made by the OPR in order to ensure consistency with the relevant policy and legislative provisions and is requested by the OPR to action an observation.

The overview section of the OPR submission starts by acknowledging the significant work undertaken by Fingal County Council in preparing and publishing the material alterations to the Draft Plan and appendices containing the associated technical and environmental reports.

The submission highlights the matters raised in subsequent sections of the submission in relation to the Strategic Flood Risk Assessment on the Draft Plan previously the subject of Recommendation 16 of the Office's submission to the draft Plan. In this regard, the submission states that if the required review finds that these issues cannot be rectified at this stage of the process this matter will be considered by the OPR in the context of its final assessment of the adopted Plan.

The submission lists a total of 7 recommendations and 2 observations made by the OPR under 6 themes as shown in the table below. This report will address and respond to each of these

# PART 2

recommendations and observations in the order in which they are presented in the OPR submission.

Key Theme	MA Recommendation	MA Observation
Core Strategy and Settlement Strategy	-	MA Observation 1
Sustainable Development	MA Recommendation 1 and 2	-
Rural Landscapes and Rural Housing	MA Recommendation 3 and 4	-
Economic Development and Employment	MA Recommendation 5	-
Sustainable Transport and Accessibility	MA Recommendation 6	MA Observation 2
Flood Risk Management	MA Recommendation 7	-

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

The contents of the OPR submission are noted. Fingal County Council acknowledges the important role the OPR plays in ensuring that Development Plans fully comply with all relevant national and regional planning policies and guidelines.

The Council welcomes the acknowledgement from the OPR that the Draft Fingal County Plan was considered by the OPR to be generally in compliance with these policies and guidelines. The Council is committed to comprehensively considering and addressing each of the recommendations and observations set out in the OPR submission in relation to the proposed material alterations to the Draft Plan.

With regard to the issue of the Strategic Flood Risk Assessment on the Draft Plan, the Council notes the comments made by the OPR and will ensure that the detailed issues raised in the submission are addressed as appropriate.

## **OPR Submission Section 1: Core Strategy and Settlement Strategy**

Section 1 of the OPR submission includes three separate sub-headings relating to:

- the Core Strategy and Settlement Strategy in general
- the Core Strategy and Housing Supply Targets
- Implementation of the Core Strategy

Each of these subsections will be summarised and addressed individually in the following pages of this report.

### ***1.1 The Core Strategy and the Settlement Strategy***

The first subsection addresses the Core Strategy and Settlement Strategy and starts by welcoming the clarity provided in the revised core strategy table 2.14 and the differentiated approach taken to provide a clearer strategy for areas within Fingal.

The submission states that the OPR is generally satisfied that the settlement hierarchy and distribution of growth across the urban and rural areas is consistent with the national and regional policy framework and that the material alterations address Recommendation 1 of the Office's submission to the Draft Plan.

# PART 2

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The submission notes that while lands zoned for residential development in the Draft Plan are generally well located, there are a number of more peripheral legacy locations which require significant public transport investment in order to avoid becoming overly car dependant commuter areas.

In this regard, the submission notes that the MASP (RPO 5.5) requires that future residential development follows a clear sequential approach with a primary focus on the consolidation of Dublin and suburbs and the development of Key Towns in the metropolitan area. The submission states that consideration of this should inform the approach to spatial planning in the county and that as such, the planning authority is advised to include reference to public transport provision in the new objective for the delivery of housing units proposed by material alteration PA CH 2.6.

Following on from this, the OPR in its submission advises the Fingal County Council to insert *"accessibility to both current and planned public transport services"* to material alteration PA CH 2.6 Objective CSOXX – Delivery of Housing Units.

This section of the OPR submission concludes by stating that it remains unclear how the additional population allocation of 20,000 under NPO 68 in respect of Swords has been integrated into the housing supply target and population growth in the core strategy table. As a result, further clarity on this within the Plan text is advised.

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

The comments of the OPR in relation to the Core Strategy and the Settlement Strategy are noted and Fingal County Council welcomes the acknowledgement from the OPR that these strategies are consistent with the national and regional policy framework and that the material alterations address Recommendation 1 of the Office's submission to the Draft Plan.

With regard to the Observation of the OPR in relation to the inclusion of additional text in proposed material alteration PA CH 2.6, the full text of this proposed amendment is as follows:

### **PA CH 2.6: Section 2.2 Core Strategy, page 52, 53**

Remove Objectives CSO2 and CSO3 and replace with new objectives as follows:

#### **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.~~

#### **Objective CSOXX – Monitoring Process for Housing Delivery**

**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**

# PART 2

delivery of necessary infrastructure is provided in a timely manner with the delivery of housing to ensure the sustainability of communities.

## Objective CSOXX – Delivery of Housing Units

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.

## Objective CSOXX – Database of Sites

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

The OPR proposes the inclusion of the following text to PA CH 2.6 "accessibility to both current and planned public transport services". Given the importance of ensuring that new development is serviced by public transport in accordance with national planning and transport policy, the Chief Executive's considers that it would be appropriate to include the additional text as proposed by the OPR to Objective CSOXX – Delivery of Housing Units as follows:

...the applicant must demonstrate to the Planning Authority that the necessary social and physical infrastructure {including accessibility to both current and planned public transport services} is in place or can be provided as part of the application to accommodate the proposed development.

With regard to the additional population allocation of 20,000 under NPO 68 in respect of Swords, it should be noted that the updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords. It is recommended a modification to draft Plan text contained in PA CH 2.3 to outline this.

## **1.2 The Core Strategy and Housing Supply Targets**

The second issue addressed in the section of OPR submission on the Core Strategy and the Settlement Strategy relates to the Core Strategy and Housing Supply Targets.

The submission outlines how, in considering the relationship between the population/ housing targets and the requirement for a sufficient supply of zoned land to deliver housing targets, the OPR considered the CE's report and the material alterations to the core strategy in the context of relevant planning policy and guidelines.

The submission states that taking account of the above and noting the anticipated housing yield and the corresponding quantum of zoned land needed to accommodate same, as set out in the

# PART 2

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revised core strategy table (Table 2.14), the OPR considers that this quantum is acceptable and reasonable.

The submission also notes that from the OPR's assessment of the Draft Plan and its context (including the Infrastructure Assessment, and the general location of zoned lands within the metropolitan area of the Greater Dublin Area) that a reasonable basis for incorporating such additional provision is evident.

This subsection of the submission concludes with a statement that the OPR generally welcomes the approach of the core strategy in seeking to provide for a consolidated urban form within existing settlements, and the revised objectives included in the material alterations to implement a monitoring process for both housing delivery and the delivery of necessary infrastructure to support sustainable communities.

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

The contents of the submission in relation to the Core Strategy and Housing supply are acknowledged. It should be noted that this subsection of the OPR submission does not include any suggested amendments to the text of any of the proposed material alterations.

Fingal County Council welcomes the acknowledgement from the OPR that the anticipated housing yield and the corresponding quantum of zoned land needed to accommodate same, as set out in the revised core strategy table (Table 2.14), is acceptable and reasonable.

The Council also welcomes the recognition by the OPR of the need to provide for a consolidated urban form within existing settlements in order to support the development of sustainable communities.

### ***1.3 Implementation of the Core Strategy***

The final subsection of the OPR's submission on the Core Strategy and the Settlement Strategy relates to the implementation of the Core Strategy. In this regard, the submission refers to Recommendation 5 of the OPR's submission to the Draft Plan which raised concerns regarding the extent of the requirements for Local Area Plans (LAPs) / masterplans in the Draft Plan.

The submission notes that the material alterations provide for a revision to the schedule of local area plans (table 2.16) and masterplans (table 2.18) as required by Recommendation 5. It also welcomes the clarity introduced by material alteration PA CH 2.16 that development areas requiring framework plans will be guided by policies of the Plan as well as national and regional planning policy. The submission also welcomes the commitment provided by PA CH 2.8 to consult and engage with the adjoining local authorities of Dublin City Council and Meath County Council where relevant.

The submission goes on to refer to the requirements of section 19(2b) of the Act that where any objective of an LAP is no longer consistent with the development plan, the planning authority must as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent. In this regard, the OPR advises in its submission that the planning authority sets out a clear timeline with respect to the commencement of the review of these LAPs. Having regard to the above, the submission includes the following OPR Observation:

# PART 2

## MA Observation 1 – Local Area Plans

Having regard to the provisions of section 19(2b) of the Planning and Development Act 2000, as amended (the Act), concerning the time limit for ensuring consistency between existing Local Area Plans and the development plan, the planning authority is advised to provide greater clarity and certainty for the public by introducing a minor modification to amend the wording proposed in material alteration PA CH 2.11 to make clear that where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.

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

The contents of the OPR submission in relation to the implementation of the Core Strategy is noted. The Chief Executive welcomes the acknowledgement that a number of proposed material alterations seek to provide additional clarity regarding the preparation and implementation of Local Area Plans, Master Plans and Framework Plans.

The Chief Executive also recognises the importance of providing as much clarity as possible to provide certainty to members of the public and potential applicants for planning permission as to how the Core Strategy is to be implemented.

Having regard to the text of OPR Observation 1, it is recommended that additional text is added at the end of PA CH 2.11 to confirm that where any objective of an LAP is no longer consistent with the Development Plan, Fingal County Council will, as soon as may be (and no later than one year after the making of the development plan) amend the LAP to ensure consistency.

Additional text will also be included in order to clarify the position with regard to LAPs which expire over the life of the Development Plan and where a new LAP is not proposed.

With regard to PA CH 2.11 as referenced in the OPR submission, the text of this proposed material alteration is provided below:

### ***PA CH 2.11: Section 2.4.1 Local Area Plans, page 56***

Amend Section 2.4.1 as follows:

~~Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources.~~ *Following adoption of the Development Plan, a list of LAPs and other strategic plans to be prepared over the lifetime of the Development Plan will be drafted by the Planning Department based on the Council's priorities and subject to resources.*

*{Where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.*

*{Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - 'Subject to Local Area Plan.' The provisions of the operational LAPs will continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.}*

# PART 2

## **OPR Submission Section 2: Sustainable Development**

Section 2 of the OPR submission includes three separate sub-headings relating to the overall issue of Sustainable Development, namely:

- Land Use Zoning;
- Map Based Objectives; and
- Compact Growth.

### **2.1 Land Use Zoning**

The first subsection relating to land use zoning starts by welcoming the proposed zoning amendments affecting education facilities which respond to Observation 2 of the Office's submission on the Draft Plan.

The submission goes on to note the decision of the planning authority not to review the extent of lands zoned in a number of the tier 5 settlements to address Recommendation 2, 3 and 4 of the Office's submission to the draft Plan and states that this matter will be considered by the Office in the context of its final assessment of the adopted Plan.

The submission refers to the updated core strategy table (table 2.14) which provides for a housing supply target for tier 5 settlements (comprising 14 settlements) of 828 units and states that the plan boundaries for these settlements provide for in excess of this provision. It goes on to contend that this could result in urban sprawl and non-sequential development remote from the village centres and that it could undermine the aim of the Core Strategy to provide for the sustainable development of upper tier settlements to achieve compact growth.

The submission then expresses concerns that the zoning of certain lands in the Draft Plan does not follow the sequential approach to zoning for residential development including the following:

- Lands to the west of the R107 in Kinsealy
- Lands to the north of the Ward River in Rivermeade, which are also partially located in Flood Zone A and B
- Lands to west of R108 at Dooroge and east of Ballyboghil Square in Ballyboghil
- Lands to east of Cloch Choirneil in Balrothery
- Lands between the R130 and Oldtown Road in the south east of Garristown
- Lands to the west of Shamrock Park in Oldtown
- Lands to the east of the R130 in Coolquay
- Lands to east of Rowlestown Meadows and lands to the west of Rowlestown National School in Rowlestown, a portion of which is also located in Flood Zone B
- Lands to the west of Flemington Road and south of Balscadden
- Lands to south of the public road at Glebe in Ballymadun.

The submission then raises further concerns regarding a number of material alterations which propose to further extend the boundaries of the settlements of Coolquay, Oldtown and Kinsealy. The submission provides the following details in relation to the material alterations in question:

- PA SH 3.2 and 3.3 to extend the boundary of Oldtown to the east and the west by 1.3 hectares and 4.6 hectares respectively. Both land parcels are located beyond the CSO boundary for the settlement.



# PART 2

- PA SH 3.5 to extend the boundary of Coolquay to the north east and south east, 11.4 hectares and 5.3 hectares respectively. These lands are also located in Flood Zone B.
- PA SH 9.6 to extend the boundaries of Kinsealy by 0.76ha beyond the CSO boundary.
- PA SH 11.5 to amend the zoning from HT High Technology to RA Residential Area at the Airport Business Campus north of Santry. These brownfield lands are surrounded by intensive commercial activity and the evidence to rezone the lands as Residential is not clear.

The submission posits that these amendments could encourage piecemeal additions to sensitive local communities that have access to limited services and infrastructure which is contrary to need to provide for secure compact forms of urban development as well as sequential and public transport and active travel centred housing delivery.

The submission concludes by stating that the amendments are, therefore, considered to be inconsistent with national and regional policy in respect of compact growth (NPO 3c and RPO 4.83) and/or with sequential residential zoning under the Development Plans Guidelines, the implementation of the core strategy, the proportionate growth of settlements (NPO 18a), and the provision of a sustainable settlement and transport strategy in accordance with section 10(2n) of the Act.

Following on from the above, the OPR submission includes a specific recommendation in relation to Tier 5 Town and Villages as set out below:

## MA Recommendation 1 - Tier 5 Towns and Villages

Having regard to national and regional policy objectives NPO 3c, NPO 18a and RPO 4.83, section 4.4.3 of the Development Plans, Guidelines for Planning Authorities (2022), and section 10(2)(n) of the Planning and Development Act 2000, as amended, the Office considers that the following settlement boundary extensions proposed under the material alterations are inconsistent with the core strategy and/or contrary to the implementation of compact growth, sequential zoning and the provision of a sustainable settlement and transport strategy. The planning authority is therefore required to make the Plan without the following material alterations:

- PA SH 3.2 Oldtown
- PA SH 3.3 Oldtown
- PA SH 3.5 Coolquay
- PA SH 9.6 Kinsealy
- PA SH 11.5 Airport Business Campus

This submission also draws the planning authority's attention to the related recommendation (MA Rec 7 Flood Risk Management) in relation to PA SH 3.5 Coolquay.

This subsection of the OPR submission concludes by noting that the land use zoning maps identify specific land use zoning objectives for Portrane, Balrothery, Loughshinney and Baskin whereas the remaining tier 5 settlements have one land use zoning objective identified as 'Rural Villages'. The submission goes on advise that a standardised zoning should be applied to all of the tier 5 settlements in order to provide a consistent approach and aid the understanding of the zoning objective by the public.



# PART 2

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

The contents of the section of the OPR submission relating to land use zoning are acknowledged.

It is noted that the OPR submission refers to “the decision of the planning authority not to review the extent of lands zoned in a number of the tier 5 settlements to address Recommendation 2, 3 and 4 of the Office’s submission to the draft Plan”. It is important to clarify that the Chief Executive’s Report on Draft Public Consultation (published in July 2022) did in fact provide a detailed and comprehensive response to the specific requirements arising from OPR recommendations 2, 3 and 4.

With regard to the reference in the OPR submission to the housing supply target for the what the 14 settlements in tier 5 settlements, it should be noted that these settlements include 6 ‘Towns and Villages’ in the Dublin Metropolitan Area and a further 8 ‘Towns and Villages’ in the Core Area. It should be noted that the housing supply target for these areas are calculated on amongst other things, the low density of housing which would be permissible in largely rural areas with often limited physical and community infrastructure.

With regard to the identification of specific sites or locations in Fingal which “do not follow the sequential approach to zoning for residential development” it is not considered appropriate to reference the current zoning status of these lands at this stage in the Development Plan process, none of which were identified as proposed material alterations to the Draft County Development Plan.

It is noted that the OPR advises that a standardised zoning should be applied to all of the tier 5 settlements in order to provide a consistent approach. While the land use zoning system has regard to the settlement tiering as required by national and regional planning policy, it also reflects circumstances on the ground in individual areas of the County. The Chief Executive considers that the Draft Development Plan is consistent in its use of land use zonings to indicate the land use objectives for all the lands within the County and map based objectives to provide additional clarification in relation to the specific locations.

Finally, with regard to the specific text of OPR “MA Recommendation 1 - Tier 5 Towns and Villages” each of the five different Proposed Material alterations listed will be considered individually below.

### **PA SH 3.2 (Oldtown RU-Rural to RV-Rural Village)**

As stated in the OPR submission the land parcel in question is located beyond the CSO boundary for the settlement. The lands are located at O’Brien’s Lane which is a narrow local road with poor alignment and lacks footpaths.

In addition to not being a suitable location intensification of residential development on this basis (and as set out in detail in Part 3 of this Chief Executive’s Report which addresses submissions received on this proposed material alteration), it is considered that, that the zoning of the lands from RU-Rural to RV-Rural Village would be contrary to the provisions of the Draft Plan relating to the protection of agricultural lands and would undermine the consolidation and strengthening of the viability of the village core of where considerable development opportunity continues to exist.

# PART 2

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The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 3.2 Oldtown.

### **PA SH 3.3 (Oldtown RU-Rural to RV-Rural Village)**

As stated in the OPR submission the land parcel in question is located beyond the CSO boundary for the settlement. The lands are east of the existing village boundary and are currently in agricultural use. Considerable development opportunity continues to exist within Oldtown Rural Village. The revised Core Strategy indicates a projected growth of 50 units for the duration of the development plan period, while there is enough land zoned for 131 units. The subject site measures 4.1 ha and the motion, which proposed this zoning, indicates that 45 units would be provided on site. This is almost double to that projected in the Core Strategy of the draft Plan.

The draft Plan seeks that villages, such as Oldtown, grows with appropriate residential, social and community uses, without resulting in growth beyond local need or creating unsustainable commuting patterns. To allow growth of almost double that projected would be contrary to the sustainable development of Oldtown.

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 protection of agricultural lands and as such, would be contrary to proper planning and sustainable development.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 3.3 Oldtown.

### **PA SH 3.5 (Coolquay RU-Rural to RV-Rural Village)**

The OPR submission PA SH 3.5 seeks to extend the boundary of Coolquay to the north east and south east, 11.4 hectares and 5.3 hectares respectively. It also notes that these lands are also located in Flood Zone B.

As set out in detail in Part 3 of this Chief Executive's Report which addresses submissions received on this proposed material alteration, the Draft Plan seeks that villages, such as Coolquay, grow 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, which demonstrates that Fingal County Council has over and above the required quantum of residential units over the plan period within its administrative area.

Considerable development opportunity continues to exist within Coolquay Rural Village and there is 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. Coolquay village, as is, comprises a number of individual dwellings, some local businesses and the national school. It is very much rural in nature and the numbers proposed in the Core Strategy are commensurate with the existing pattern and type of development.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 3.5 Coolquay.

# PART 2

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## **PA SH 9.6 (Kinsealy GB-Greenbelt to RV-Rural Village and Map Based Objective)**

As stated in the OPR submission, PA SH 9.6 seeks to extend the boundaries of Kinsealy by 0.76ha beyond the CSO boundary.

These 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.

Additionally, as set out in Part 3 of this Chief Executive's Report which addresses submissions received in relation to this proposed material alteration, the development of a care home / nursing home, 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.

As the Council is fully committed to the continued protection of the Greenbelt, it is considered that 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. The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 9.6 Kinsealy.

## **PA SH 11.5 (Airport Business Campus HT-High Technology to RA-Residential)**

The OPR submission notes that PA SH 11.5 seeks to amend the zoning from HT High Technology to RA Residential Area at the Airport Business Campus north of Santry. The submission states that these brownfield lands are surrounded by intensive commercial activity and the evidence to rezone the lands as Residential is not clear.

As set out in more detail in the section of Part 3 of this report which addresses submissions received in relation to PA SH 11.5, the Council is of the view that the original 'HT' zoning of the lands is the most appropriate as the subject lands are located in an area which provides a significant and important quantum of employment zoned lands for the County, in a strategic location at the junction of the M50 and M1 motorways.

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.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 11.5 Airport Business Campus.

## **2.2 Map Based Objectives**

The OPR submission notes that map based objectives are listed in Appendix 8 of the Draft Plan and identified on the land use zoning maps and states that there is no clear description within the Draft Plan as to the policy context and/or policy weighting that will be afforded to the map based local objectives.

The submission goes on to refer to Section 10(2)(a) of the Act relating to land use zoning and provides an interpretation of how land use zoning operates before suggesting that a number of

# PART 2

material alterations propose new map based local objectives that have the potential to cause a policy conflict and/or confusion within the Plan.

The submission then states that the OPR would question the evidence based rationale for a number of amendments. The submission lists the amendments in question as along with reasons for their selection. This forms the basis for the following OPR Recommendation regarding the material alterations to the Draft Plan:

## MA Recommendation 2 - Map Based Local Objectives

Having regard to the provisions of Section 10(2)(a) of Planning and Development Act 2000, as amended, and section 6.2 of the Development Plans Guidelines for Planning Authorities (2022), the planning authority is required to make the Plan without the following material alterations:

- PA SH 3.8 – improved connectivity between Rowlestown and Swords
- PA SH 3.10 – upgrade to Toberburr Road
- PA SH 5.1 – site specific school objective
- PA SH 12.1 – Local Objective 44 at Hollystown
- PA SH 12.2 – Dunsoghly Castle
- PA SH 12.6 – park and ride facility at Newtown, St Margaret’s
- PA SH 13.5 (and PA CH 2.17 – Knockmaroon House and Estate)
- PA SH 13.8 – connectivity across the canal and rail line in vicinity of Granard Bridge, Castleknock
- PA SH 13.10 – Canal ecological corridor
- PA SH 15.2 – wetland and river protection project for Delvin River
- PA SH 15.3 – multi function Green Infrastructure System

### **Chief Executive’s Response:**

The comments of the OPR in relation to the map-based objective are noted. With regard to the “policy context and/or policy weighting that will be afforded to the map based local objectives” as raised in the OPR submission, it is worth noting the text of the Development Plan Guidelines which emphasises that

*A fundamental task at the heart of the development plan process is to achieve a critical balance between national and local priorities in the common good, and to formulate agreed objectives in compliance with national and regional policy, that are supported by the elected members (councillors), three Regional Assemblies, and the wider community (page 2).*

It is also worth noting the discussion of the meaning of the term ‘objective’ in the context of Development Plans as set out on page 59 of the Development Plan Guidelines:

*“For the purpose of these Guidelines and reflecting the use of the term ‘objective’ in the Act, ‘objectives’ are specific, action-oriented statements that mark progress toward the more broadly defined policy goal.”*

With regard to their status in the Draft Development Plan, the map based local objectives constitute ‘Discretionary Objectives’ that may be included in the Development Plan in accordance with the Planning and Development Act. These are described in the First Schedule of the Act, “Purposes for which objectives may be indicated in Development Plan” which includes:

# PART 2

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- the Location and Pattern of Development
- the Control of Areas and Structures
- Community Facilities
- Environment and Amenities; and
- Infrastructure and Transport.

Having regard to the above, it is clear from the above, that the map based objectives included in the Draft Plan are discretionary objectives which specific, action-oriented statements that mark progress toward the more broadly defined policy goals of the Draft Development Plan.

In relation to each of the 11 no. material alterations listed in OPR Recommendation 2, the Chief Executive's response to the points raised in relation to each material alteration are set out below.

### **PA SH 3.8 (Improved Connectivity between Rowlestown and Swords)**

With regard to PA SH 3.8 to provide for improved connectivity between Rowlestown and Swords for all modes of transport, the OPR submission notes that this project is not listed in Table 6.3 Transportation Schemes in Chapter 6 of the Plan.

The Chief Executive acknowledges the need for improved connectivity between Rowlestown and Swords and many other areas of the County. To support this, the Draft Plan includes numerous policies and objectives with broad applicability to promote, support, facilitate and prioritise active travel across the County. As a result, is not considered necessary to include specific map based objectives to promote connectivity between Rowlestown and Swords

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 3.8.

### **PA SH 3.10 (Upgrade to Toberburr Road)**

With regard to PA SH 3.10 upgrade to Toberburr Road, the OPR submission notes that this upgrade is not listed in Table 6.3 Transportation Schemes. It also states that this road upgrade has the potential to conflict with an indicative road proposal to provide a western by-pass of Swords.

Having regard to the concerns expressed by the OPR in its submission as summarised above, the Chief Executive recommends that the Plan is made without material alteration PA SH 3.10.

It is noted the provision of an upgrade to the Toberburr Road is included in Table 6.6 through PA CH 6.14 and PA SH 3.9.

### **PA SH 5.1 (Map Based School Symbol at Loughshinny)**

With regard to PA SH 5.1 to insert a map based school symbol on lands which are zoned as 'Rural', the OPR submission notes that education is not a 'permitted in principle use' for this zoning objective.

While education is not a 'permitted in principle use' for this zoning objective, Chapter 13 of the Draft Plan notes 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.

# PART 2

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Planning permission was granted for a Special National School at this site under planning reference F22A/0280 on the 1<sup>st</sup> of November 2022. This permission is subject to a decision by An Bord Pleanála with regard to an access road which was permitted under F20A/0701/ABP – 312567-22. Education has therefore been considered acceptable on these lands, as per the above planning application. As such, it is considered that the map-based school symbol is not required at this location in order to fulfil the requirement for an education use at this site.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 5.1.

## **PA SH 12.1 (Remove Local Objective for Turning Space for Buses)**

With regard to PA SH 12.1 which seeks to remove local objective 44 to facilitate the provision of a turning space for public buses at Hollystown, the OPR submissions states that the Bus Connects Network Redesign project has not yet been finalised and the inclusion of this objective will ensure the successful implementation of the Bus Connects. The submission states that as a result, the OPR considers the removal of this local objective is premature pending the determination of a terminus location which will ultimately enhance the public transport provision in this area.

As set out in the later sections of this report, this analysis by the OPR is confirmed by the NTA which notes that the lands in question could provide an appropriate terminus location to ensure the successful implementation of the Bus Connects programme in the area.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 12.1 in order to ensure the reinstatement of Local Objective 44.

## **PA SH 12.2 (Conservation of Dunsoghly Castle)**

With regard to PA SH 12.2 to support the conservation of Dunsoghly Castle and the sympathetic and appropriate development in scale and quantum of the surrounding lands...’, the OPR submission notes that the map based local objective is on lands that are zoned Greenbelt where the land use zoning objective is ‘to protect and provide for a green belt’ wherein the permitted in principle uses are limited.

Having regard to the concerns expressed in the OPR submission, the Chief Executive recommends that the Plan is made without material alteration PA SH 12.2.

## **PA SH 12.6 (Newtown Road Park and Ride Facility)**

With regard to PA SH 12.6 which is to insert a map-based objective on lands at Newtown, St Margaret’s to ‘Support and facilitate a Park and Ride Facility’, the submission notes that the objective is on lands that are zoned Greenbelt where the land use objective is “to protect and provide for a green belt’ wherein the permitted in principle uses are limited and do include for such a use.

It should be noted that the proposed amendment was considered appropriate in the context of the NTA GDA Strategy towards facilitating the provision of Park and Ride. However, having regard to the issues raised in the submission by the OPR, the Chief Executive considers that the proposed map-based objective subject to this proposed amendment may not be suitable at this point in time.

# PART 2

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As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alterations PA SH 12.6.

## **PA SH 13.5 (Framework Plan for Knockmaroon House and Estate)**

With regard to PA SH 13.5 and PA CH 2.17 which relate to the undertaking of a framework plan for lands at Knockmaroon House and Estate, the submission notes that the framework plan area is on lands that are zoned high amenity where the land use zoning objective is to 'Protect and enhance high amenity areas' and that limited use classes are permitted in principle under this use.

It should be noted that (as set out in the Chief Executive's Draft Plan Public Consultation), PA SH 13.5 was introduced in order to ensure the protection and preservation of the heritage landscape and biodiversity of the Knockmaroon estate, to realise the green infrastructure, amenity, conservation and biodiversity objectives for the area and to enhance 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.

However, given the robust policies and objectives contained in the Draft Plan as well as the protected status of many of the structure on the estate and having regard to the concerns expressed by the OPR in its submission, it is considered appropriate to remove the proposed material alteration.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 13.5.

## **PA SH 13.8 (Local Objective at Granard Bridge)**

With regard to PA SH 13.8 which is to ensure connectivity across the canal and rail line in vicinity of Granard Bridge, Castleknock, the OPR submission states that there are a number of public infrastructure projects in the vicinity of this location including a greenway, established bus corridor, Dart + and that it is not clear that the objective will complement these other projects in the wider area.

The Chief Executive considers that the Draft Plan sets out a strategic framework against which future development proposals/initiatives can be guided and recognises the essential 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.

While it was considered that the proposed material alteration was considered acceptable given the specific characteristics of the location in question, the Chief Executive agrees with the point raised in the OPR submission that a lack of clarity exists as to how the objective will complement these other projects in the wider area.

As a result, the Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 13.8.

## **PA SH 13.10 (Corridor Free of New Housing Development)**

With regard to PA SH 13.10 which relates to an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal, the OPR submission states that the SEA and NIR of Plan do not include any reference or rationale of this objective and it is therefore unclear what evidence basis there is for



# PART 2

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its inclusion. The submission goes on to note that the Grand Canal is a protected structure which already affords the Canal special protection against inappropriate development.

By way of clarification, it should be noted that the text of the SEA does include reference to the proposed material alteration (SEA page A2.49 and A2.113, NIS page 1,167 and 1,272). In addition, it should be noted that PA CH 9.8 also relates to this proposed amendment as it provides for the inclusion of a new objective GINH0XX – Protection of Royal Canal, which is to “protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.”

As addressed in Part 3 of this report which addresses a number of submissions which were received in relation to PA SH 13.10, the Royal Canal is protected through various designations, zonings and other policies and objectives.

The Royal Canal is itself a protected structure, forms the basis for a proposed Natural Heritage Area (pNHA) and is also zoned as Open Space or High Amenity (at different points over the route).

Further protection against inappropriate development is provided by a specific objective HCAO49 Royal Canal and additionally, Green Infrastructure Map Based Local Objective GIM9 seeks ‘the development of the Royal canal as a significant public amenity while protecting its natural and built heritage’.

It is not considered necessary or appropriate therefore, to include a buffer against a specific form of development such as housing as provided for in the proposed material alteration.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 13.10. As outlined in a later section of this report which addresses submissions received in relation to specific proposed material alterations, the Chief Executive also recommends that the Plan is made without PA CH 9.8 which provides for a new objective in support of PA SH 13.10.

## **PA SH 15.2 (Delvin River Restoration Project)**

With regard to PA SH 15.2 – wetland and river protection project for Delvin River, the OPR submission states the objective as proposed is unclear in terms of it sets out to achieve over the plan period.

It is recognised that the proposed material alteration may not provide sufficient clarity in relation and having regard to the concerns expressed by the OPR in its submission, it is considered appropriate to make the Draft Plan without material alteration PA SH 15.2.

## **PA SH 15.3 (Swords Nature Based Corridor)**

With regard to PA SH 15.3 – multi function Green Infrastructure System, the OPR submission states the objective as proposed is unclear in terms of it sets out to achieve over the plan period.

As set out in greater detail in the Part 3 of this Chief Executive’s Report which addresses a submission received in relation to PA SH 15.3, having regard to the existing policies and objectives in the Draft Plan, it is not considered necessary or appropriate to include the new Green Infrastructure Map Objective as provided for by the proposed amendment.



# PART 2

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As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 15.3.

## **2.3 Compact Growth**

The next subsection of the OPR submission addresses the issue of compact growth. It states that while the Draft Plan sets out a range of policies and objectives to support compact growth and regeneration it has not clearly quantified in the core strategy table how the 50% compact growth target required by the NPF and the RSES will be met.

The OPR submission goes on to acknowledge the Chief Executive's response to Recommendation 6 of the Office's submission to the Draft Plan as well as the strong policy context of the Plan. However, it also reiterates the importance of identifying 'opportunity sites' within the urban centres and advises that the planning authority should consider this as part of the forthcoming preparation of LAPs and/or masterplans.

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

The contents of the OPR's submission on the issue of compact growth are noted. It is also noted that this subsection does not include specific observations or recommendations from the OPR.

With regard to the quantification 50% compact growth target required by the NPF and the RSES will be met, 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, shows that the existing capacity of the zoned Fingal lands is 79% within the Metropolitan Area and 21% in the Core.

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 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 (including that proposed by PA CH 2.5 and PA CH 2.6) which require robust monitoring of development by the Council and strong rationale from any applicant, where residential development is sought.

With regard to the identification of infill sites as part of the preparation of Local Area Plans but also Masterplans and Framework Plans, it should be noted that the background analysis and preparatory work would review the existing and potential land uses for development potential as a matter of course. It is therefore not considered necessary to further amend the text of the Draft Development Plan to address this issue.

# PART 2

## **OPR Submission Section 3: Rural Landscapes and Rural Housing**

The third section of the OPR submission relates to rural landscapes and rural housing. This section can be divided into two sub-sections, namely:

- rural landscapes; and
- rural housing.

### **3.1 Rural Landscapes**

This subsection starts by referring to the OPR's submission to the Draft Plan (Recommendation 3) which posited that the designation of 37 rural clusters within the Plan area has the potential to undermine objectives set out elsewhere in the draft Plan to redirect growth to the upper tier settlements where social and physical infrastructure is available.

The OPR submission also expresses concerns as to the extent of land included within these settlements that will further provide for residential development relative to the housing supply targets in the core strategy and the local characteristics of these settlements.

The submission notes that on the basis of the proposed material alteration, the number of Rural Clusters within the Plan area has increased from 37 to 39 and that other material alterations have been proposed which would result in the extension of the boundaries of existing rural clusters. In this regard, the submission specifically refers to:

- PA SH 5.4 to amend the zoning from HA High Amenity to RC Rural Cluster and increase the boundaries of Milverton Rural Cluster by circa 2.8 hectares.
- PA SH 6B.1 to amend zoning from RU Rural to RC Rural Cluster at Rathartan (3 hectares).
- PA SH 7.4 amend zoning from HA High Amenity to RC Rural Cluster and increase Balcarrick rural cluster by 0.3 hectares.

The submission notes that all of these land parcels are located within the 'coastal' landscape character area which is designated as 'exceptional' value and 'high sensitivity' in table 9.3- of the Draft Plan.

The submission also specifically refers to two additional proposed material alterations as follows:

- PA SH 7.3 to amend zoning from HA High Amenity to RC Rural Cluster for circa 4.5 hectares at Corballis. As stated in the submission, this land parcel is located within the 'estuary' landscape character area which is also designated as 'exceptional' value and high' sensitivity' in Table 9.3 of the Draft Plan.
- PA SH 5.5 to amend the zoning of 1 hectare of land from HA High Amenity to RU Rural at Balcunnin, Skerries Road, Lusk. As stated in the submission, this land parcel is located within the 'high lying' landscape character area which is designated as being of high value and high sensitivity.

The submission goes on to reference the need to support sustainable landscape change and better promote landscape protection, management and planning as set out in, the National Landscape Strategy for Ireland 2015 – 2025 (National Landscape Strategy). It also refers to NPF National Planning Objective 14 which seeks to protect and promote the quality, character and

# PART 2

distinctiveness of the rural landscape as well as NPO 62 to strengthen the value of greenbelts and green spaces to enable enhanced connectivity to wider strategic networks.

The submission notes Section 9.7 of the Development Plans Guidelines in relation to the need to ensure that planning policies on landscape use are complementary and mutually reinforcing and that conflicting policy objectives are to be avoided and refers to policies and objectives in the Draft Plan to protect the rural landscape character with which the above mentioned material alterations would be in conflict. According to the submission, these policies include

- Policy GINHP25 which sets out to ensure the preservation of the uniqueness of the landscape character type,
- Policy GINHP24 to implement the relevant objectives and actions of the National Landscape Strategy
- SPQH57, SPQHO97 and SPQHO98 (and Section 3.5.15.12) which aim to protect greenbelt land and ‘to safeguard valuable countryside’.

In conclusion, the submission states that the OPR considers that there is no evidence to support the material alterations, which are piecemeal in nature, but have the potential to erode the character of landscapes which are designated in the Draft Plan as being the most sensitive and highly valued in the county. This is stated as being inconsistent with national policy objectives as well as conflicting with policies set out in the Draft Plan. Following on from this, the OPR submission includes the following recommendation:

### **MA Recommendation 3 - Rural Landscapes**

Having regard to section 10(2)(f) of the Planning and Development Act 2000, as amended, the National Policy Objectives NPO 14 and NPO 62 to strengthen the value of greenbelts and green spaces, and section 9.7 of the Development Plans, Guidelines for Planning Authorities (2022) the planning authority is required to make the Plan without the following material alterations:

- PA SH 5.4 – Milverton Rural Cluster
- PA SH 6B.1 – Rathartan
- PA SH 7.4 – Balcarrick
- PA SH 7.3 – Corballis
- PA SH 5.5 – Balcunnin, Skerries Road, Lusk.

### **Chief Executive’s Response:**

The contents of the submission in relation to rural landscapes are noted.

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.

As set out in the Chief Executive’s Report on Draft Plan Public Consultation published in July 2022, 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.

# PART 2

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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.

Furthermore, the Draft Plan contains a specific policy against the unsustainable ribbon development of Rural Clusters (or other forms of rural housing) in Objective SPQH052 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.

It should also be noted that the Chief Executive recommended against additional new rural cluster zonings to be included in the Draft Plan and strongly recommends against making that any proposed material alterations which provide for the creation of additional rural clusters or of all but very minor expansion of existing rural clusters.

The Chief Executive also recommends against the making of proposed material alterations which would be contrary to the overall aims of the Draft Development Plan to safeguard rural, high amenity and greenbelt areas of the County against inappropriate residential development.

In relation to each of the 5 no. material alterations listed in OPR Recommendation 3, the Chief Executive's response to the points raised in relation to each material alteration are set out below.

## **PA SH 5.4 (Milverton HA-High Amenity to RC-Rural Cluster)**

With regard to PA SH 5.4, the OPR submission notes that the proposed amendment is to amend the zoning from HA High Amenity to RC Rural Cluster and increase the boundaries of Milverton Rural Cluster by circa 2.8 hectares. The submission also notes that the subject lands are located within the 'coastal' landscape character area which is designated as 'exceptional' value and 'high sensitivity' in table 9.3 of the Draft Plan.

As outlined in more detail in a later section of this report which addresses submissions received in relation to PA SH 5.4, the change in zoning of lands to RC - Rural Cluster at this location would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. It is further considered that the proposed material alteration would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns.

In addition, it is noted that a primary objective of the Council over successive Development Plans has been to limit housing development within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County in accordance with the zoning objective and vision for these lands. As a result, it is considered that the proposed

# PART 2

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material alteration would result in an unacceptable loss of HA zoned lands of which it is Council policy to protect.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 5.4.

## **PA SH 5.5 (Balcunnin HA-High Amenity to RU-Rural)**

With regard to PA SH 5.5, the OPR submission notes that the proposed amendment is to amend the zoning of 1 hectare of land from HA High Amenity to RU Rural at Balcunnin, Skerries Road, Lusk. It also states that this land parcel is located within the 'high lying' landscape character area which is designated as being of high value and high sensitivity.

The subject lands have preserved views along the adjoining county road as designated in the current Development Plan. The Draft Plan affords a high level of landscape value and protection to 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. 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.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 5.5.

## **PA SH 6B.1 (Rathartan RU-Rural to RC-Rural Cluster)**

In relation to PA SH 6B.1, the OPR submission notes that the ca 3 hectare subject site is located within the 'coastal' landscape character area which is designated as 'exceptional' value and 'high sensitivity' in Table 9.3 of the draft Plan.

As outlined in detail in a later section of this report on submissions received in relation to PA SH 6B.1, it is considered that the rezoning of the subject lands to designate a new Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need. The rezoning of the subject lands is also likely to give rise to deficiencies in terms of the provision of basic infrastructure and public services, the creation unsustainable travel patterns and to lead to the loss of rural lands. Furthermore, the zoning of additional residential lands on the subject lands is inappropriate as there is capacity remaining in the adjoining towns of Lusk and Rush which have ample supporting infrastructure, services and amenities.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 6B.1.

## **PA SH 7.3 (Corballis HA-High Amenity to RC-Rural Cluster)**

As the OPR submission states, PA SH 7.3 is to amend zoning from HA High Amenity to RC Rural Cluster for circa 4.5 hectares Corballis. The submission notes that this land parcel is located within the 'estuary' landscape character area which is also designated as 'exceptional' value and high' sensitivity' in table 9.3 of the draft Plan.

As set out in detail later in this report in a section on submissions received on this proposed material alteration, the proposed change in zoning of these lands to provide a new Rural Cluster

# PART 2

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of significant scale would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence-based need.

Furthermore, the designation of an additional Rural Cluster while there is capacity remaining in the nearby settlements of Donabate and Portrane (all with supporting infrastructure, services and amenities) is not considered appropriate. In addition, rural clusters already exist at Turvey RC and The Quay RC with both have capacity and are appropriate to cater for demand arising for rural generated residential development without the need to rezone additional lands.

The rezoning provided for is also considered particularly inappropriate due to the fact that the subject lands are currently zoned HA-High Amenity and are situated in the 'estuary' landscape character area which is also designated as 'exceptional' value and high 'sensitivity' in Table 9.3 of the Draft Plan,

As a result, the Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 7.3.

### **PA SH 7.4 (Balcarrick HA-High Amenity to RC-Rural Cluster)**

The OPR submission notes that PA SH 7.4 is to amend zoning from HA High Amenity to RC Rural Cluster and increase Balcarrick rural cluster by 0.3 hectares. It also states that the subject lands are located within the 'coastal' landscape character area which is designated as 'exceptional' value and 'high sensitivity' in Table 9.3 of the draft Plan.

As set out later in this report in the section which addresses submissions on proposed material alterations, it is accepted that there is no merit in rezoning new RC's or extensions to existing rural clusters within the County. Given the environmental sensitivity of the area in which the subject site is situated as well as the concerns expressed by the OPR in its submission, it is considered that the proposed material alteration would not be appropriate.

The Chief Executive therefore recommends that the Plan is made without material alteration PA SH 7.4.

## **3.2 Rural Landscapes**

Moving onto rural housing policy, the OPR submission notes that PA CH 3.18 and PA CH 3.19 reduces the time period under which an applicant can demonstrate a rural generated housing need, from ten years to seven years, thereby providing for a relaxation in rural housing policy for the lands zoned Rural (RU), Greenbelt (GB), High Amenity (HA) and Rural Cluster (RC).

The submission also notes that Table 3.5 retains references to 'family ties' notwithstanding Recommendation 10 of the Office's submission to the draft Plan requiring a review of the rural housing policy in accordance with NPO 19.

The submission acknowledges the planning authority's intention (Policy CSP 40) to commence a review of the rural housing policy and local need criteria on publication of the updated Guidelines for Planning Authorities and Sustainable Rural Housing and considers that the material alterations to the rural housing policy are premature pending the review of the rural housing policy as intended by Policy CSP 40.

In light of the above, the submission includes the following recommendation:

# PART 2

## MA Recommendation 4 - Rural Housing Policy

Having regard to National Policy Objective (NPO) 19 of the National Planning Framework which requires that ‘...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 the planning authority’s intention to review its rural housing policy, the planning authority is required to make the Plan without PA CH 3.18 and PA CH 3.19 which are inconsistent with NPO 19 and premature pending a comprehensive review of the rural housing policy and the criteria for determining economic and social need.

### **Chief Executive’s Response:**

The contents of the submission in relation to rural housing policy is noted.

As outlined in the Chief Executive’s Report on Draft Development Plan consultation from July 2022, it is clear that the specified criteria for rural housing set out in the Draft Plan are linked to demonstrable social or economic ‘need’. It is not considered the case that reference to families is inappropriate given the provisions of the Guidelines for Sustainable Rural Development and 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.

With regard to the specific requirement of OPR Recommendation 4 – Rural Policy that the Plan is made without PA CH 3.18 and PA CH 3.19, the text of these proposed amendments are provided below:

### **PA CH 3.18: Section 3.5.15.2 Rural Clusters, page 127**

Amend qualifying period from **ten years** to **seven** years and update references throughout the document.

### **PA CH 3.19: Section 3.5.15.2 Rural Clusters, page 127 and Section 14.12.6 Development in Rural Clusters, page 542**

Amend the text of Section 3.5.15.2-Rural Clusters and Section 14.12.6-Development in Rural Clusters of the Draft Plan as follows:

Amend the text of Section 3.5.15.2 Rural Clusters as follows:

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 seven** years or have previously lived for a minimum of **ten-seven** continuous years, or
- Persons working continuously for the past **ten seven** years, within areas of the County currently zoned rural. These areas are zoned Rural Village (RV), Rural Cluster (RC), Rural (RU), Greenbelt (GB), or High Amenity (HA)

And amend the text of Section 14.12.6 Development in Rural Clusters Page 542 as follows:

14.12.6 Development in Rural Clusters

Applications for dwelling units within the County’s Rural Clusters will be permitted to Members of the Fingal Rural Community who can demonstrate a rural generated housing need defined as either:



# PART 2

- Persons **currently** living and who have lived continuously for the past **ten seven** years or have previously lived for a minimum of **ten seven** continuous years, or
- Persons working continuously for the past **ten seven** years, within areas of the County currently zoned rural. These areas are zoned Rural Village (RV), Rural Cluster (RC), Rural (RU), Greenbelt (GB), or High Amenity (HA)'.

The intent of the original ten year limitation which the proposed material alterations aim to reduce to 7 years, is to ensure the vitality and regeneration of rural communities by facilitating those with a genuine rural-generated housing need to live within their community. This is achieved by ensuring that the valuable and finite resource of rural Fingal is preserved and protected by permitting residential development where genuine, long-standing and verifiable connections to Fingal's rural community is demonstrated.

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 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.

It is considered that the reduction of the period from 10 to 7 years could have the impact of undermining this approach and could lead to an inappropriate increase in one-off residential development in rural parts of the County, in contravention of national planning policy on Sustainable Rural Development.

As a result, the Chief Executive agrees with the OPR submission and recommends that the Plan is made without material alterations PA SH 3.18 and 3.19.

## **OPR Submission Section 4: Economic Development and Employment**

The fourth section of the OPR submission on economic development and employment commences by referring to its previous submission on the Draft Plan.

The submission also noted that none of the employment related zoning objectives referenced in Recommendation 11 of the Office's submission to the Draft Plan had been recommended for removal from the Draft Plan and that the Section 12(5)(aa) notice issued to the OPR does not provide any robust justification for the extent of lands zoned at the following locations:

- Junction 2 on the M2 at St Margaret's;
- Lands zoned as Rural Business Cluster and Food Park south of Coolquay and south west of Corrstown Golf Club;
- Lands zoned as General Employment south of Balbriggan;
- Lands zoned as General Employment at Turvey.

Additionally, the OPR submission refers to concerns expressed by TII in their submission that the continuation of the Draft Plan proposal for the lands zoned as General Employment at Junction 2 on the M2 at St Margaret's could represent a precedent for the contravention of Spatial Planning and National Road Guidelines for Planning Authorities'.

In its submission, the Office identified a number of material alterations where the evidence and rationale underpinning the zoning is not clear or strategic in nature as per section 6.2.5 of the Development Plans Guidelines. These include:



# PART 2

- PA SH 3.1 which amends the zoning from RU Rural to RB Rural Business at Westpalstown;
- PA SH 3.4 which amends the zoning from RU Rural to RB Rural Business at Bellinstown;
- PA SH 3.6 which amends the zoning for adjoining lands from RU Rural to WD Warehousing and Distribution also at Bellinstown;
- PA SH 7.2 which amends the zoning from HA High Amenity to GE General Employment at Kilcreagh (Material alteration PA SH 7.6 also refers to this site to include a map based objective to require any development to be of a high quality design);
- PA SH 9.7 which amends the zoning from GB Greenbelt to LC Local Centre to the north east of Kinsealy.
- PA SH 11.6 which amends the zoning from HT High Technology to LC Local Centre at Airport Business Campus.
- PA SH 12.4 which amends the zoning from GB Greenbelt to GE General Employment at Newtown, St Margaret's and includes a map based local objective that any development on the lands shall be contingent on the widening and upgrading of Kilshane Road and the installation of active travel infrastructure.
- Material alteration PA SH 12.6 which inserts a new map based objective to 'support and facilitate a park and ride facility'.

In its general discussion of these material alterations the submission refers to RPO 4.82 and RPO 5.6 of the RSES which provide for a sequential approach to the zoning of employment lands, with a focus on economic development in urban areas in tandem with the provision of high quality public transport corridors. The submission notes that all of the material alterations it references are outside both the CSO boundaries of the settlements and the Dublin City and Suburbs boundary as shown on Figure 5.1 of RSES for the EMRA.

The submission states that as a result, the OPR considers that the proposed rezonings are contrary to compact growth and sequential development and would support unsustainable car dependant development at a greenfield location remote from high capacity public transport and in close proximity to a junction on the national road network. Following on from this, the submission includes the following recommendation:

## **MA Recommendation 5 - Employment Zoned Land**

Having regard to National Strategic Outcome 1 (Compact Growth) and National Policy Objectives 11 and 62 of the National Planning Framework (NPF), Regional Policy Objectives 4.82 and 5.6 of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly, and section 6.2.5 of the Development Plans, Guidelines for Planning Authorities (2022), the planning authority is required to make the Plan without the following material alterations:

- PA SH 3.1 – Westpalstown
- PA SH 3.4 and PA SH 3.6 – Bellinstown
- PA SH 7.1 – Turvey Avenue, Donabate
- PA SH 7.2 and PA SH 7.6 – Kilcreagh
- PA SH 9.7 – north east of Kinsealy
- PA SH 11.6 – Airport Business Campus
- PA SH 12.4 and PA SH 12.6 – Newtown, St Margaret's

# PART 2

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In relation to PA SH 7.1 and 7.2, the submission also draws attention to the related recommendation (MA Rec 7 Flood Risk Management) which is addressed later in this report.

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

The OPR's comments in relation to the sites previously referenced in Recommendation 11 of its previous submission on the Draft Development Plan are noted. The Chief Executive would refer to the detailed and extensive response previously provided in the report on Draft Development Plan Consultation published in July 2022.

In relation to each of the 9 no. material alterations listed in OPR Recommendation 3, the Chief Executive's response to the points raised in relation to each material alteration are set out below.

### **PA SH 3.1 (Westpalstown RU-Rural to RB-Rural Business)**

With regard to PA SH 3.1 which amends the zoning from RU Rural to RB Rural Business for 7 hectares of lands in a rural location at Westpalstown, the OPR submission states that the lands in question are isolated from any designated settlement off the R129 public road where maximum speed limits apply.

Having regard to the issues raised in the OPR submission as summarised above, the Chief Executive recommends that the Plan is made without material alteration PA SH 3.1

### **PA SH 3.4 and 3.6 (Belinstown RU-Rural to RB-Rural Business and WD-Warehousing and Distribution)**

With regard to PA SH 3.4 which amend the zoning from RU Rural to RB Rural Business for 4.6 hectares of land and PA SH 3.6 which amends the zoning for adjoining lands from RU Rural to WD Warehousing and Distribution for 5.7 hectares at Bellinstown, the OPR submission acknowledges that while there is an established commercial operation on part of the lands of PA SH 3.6, the location is isolated and a designated settlement along the R108 public road where maximum speed limits apply.

It is noted that the lands to which both of the proposed amendments relate are situated within an extensive area of RU zoned lands, located to the south of Ballyboughal and are not contiguous to any existing RB or WD zoned lands or other non-agricultural lands.

The key strategic employment aims and objectives of the Draft Plan seeks to facilitate and channel employment growth within key strategic and accessible employment areas of the County, whilst having regard to the sequential approach as advocated at national level. Given this approach and based on national and regional policy, and the absence of the sequential approach, the proposal to change RU zoned lands to RB and WD in this rural location without an adequate road network would result in an un-coordinated, ad-hoc provision of unsustainable employment lands of which there no evidence-based need and would be contrary to key employment objectives of the Draft FDP 2023-2029.

The Chief Executive therefore agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 3.4 and PA SH 3.6.

# PART 2

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## **PA SH 7.1 (Turvey Avenue RU-RU to GE-General Enterprise)**

With regard to PA SH 7.1 which is to amend zoning from RU – Rural to GE – General Enterprise at Turvey Avenue, Donabate, the submission draws attention to the related recommendation (MA Rec 7 Flood Risk Management) which is addressed later in this report.

As outlined in the section of this report which addresses submission received on this proposed material alteration, the subject lands are located in an area which is at risk of flooding and a significant part of the lands has been identified as being prone to flooding, having regard to the Fingal East Meath Flood Risk Assessment and Management Study.

A review of the planning history for the site also demonstrates that there have been numerous refusals of planning permission for development on the site by both Fingal County Council and An Bord Pleanála between 2008 and 2020.

Having regard to the foregoing, it is considered appropriate to retain the 'RU' - Rural zoning for the subject lands as provided for by the Draft Development Plan.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 7.1.

## **PA SH 7.2 and 7.6 (Kilcreagh HA-High Amenity to GE-General Employment)**

With regard to PA SH 7.2 which amends the zoning from HA High Amenity to GE General Employment for 2.6 hectares of land at Kilcreagh, the OPR submission states that these lands are located beyond the CSO boundary for Donabate, are located in Flood Zone A and B, and are located in a landscape character area which is designated as highly sensitive. The submission notes that Material alteration PA SH 7.6 provides for a map based objective to require any development to be of a high quality design also relates to this site. The submission draws attention to the related recommendation 7 Flood Risk Management in relation to PA SH 7.2.

As set out in detail in a later section of this report which addresses submission received in relation to PA SH 7.2, it is clear that the subject lands do not meet the criteria to be zoned for employment uses due to the fact that they are located outside the Donabate town development boundary and that sufficient employment zoned lands already exist in the Donabate area.

In addition, the current and Draft Plan through the HA-High Amenity zoning objective and vision is explicit in the protection of High Amenity lands. The Council will continue to concentrate efforts to protect high amenity areas. It is considered that the rezoning of these lands which are relatively close to the Malahide Estuary to GE would erode the distinctive character and identity of the lands, fragmenting and destroying this valued landscape and valuable habitat features.

The proposed GE rezoning would have further significant negative impacts due to the location of the subject lands at the gateway to Donabate opposite the entrance to one of the Council's own flagship heritage property, namely Newbridge Demesne and Newbridge House with its walled garden and gate piers, all of which are protected structures.

The site is also located within Flood Zone A. The submission from the OPW highlights the flood risk of the lands and states that the proposed "GE" zoning would not satisfy Criteria 2 of the Justification Test. The OPW recommends that the lands be re-zoned as a water compatible type zoning and it is noted that the "GE" zoning is not appropriate for these lands.

# PART 2

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The Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alterations PA SH 7.2 and 7.6.

## **PA SH 9.7 (Kinsealy GB-Greenbelt to LC-Local Centre)**

With regard to PA SH 9.7 which amends the zoning from GB Greenbelt to LC Local Centre for 1.5 hectares of lands located to the north east of Kinsealy and which includes a map based objective to require only office type development to be permitted on these lands, the OPR submission states that these amendments would extend the boundary of Kinsealy beyond that of the CSO boundary and into the Greenbelt.

It is noted that there is an existing Local Centre within Kinsealy Village, located north of the Catholic Church and south-west of the subject lands. Furthermore, the RV zoning is itself a mixed-use zoning, which allows for small scale commercial development, including offices. It is considered that the rezoning of the lands at this location to LC would undermine the existing Kinsealy RV and Malahide TC zonings, which it is policy of the Draft Plan to protect

Secondly, it is not considered that the LC land use zoning would be appropriate for the subject site/location which is part of the strategic greenbelt around Kinsealy, Portmarnock and Malahide safeguarding the innate rural value of the countryside from unsustainable settlement patterns.

Thirdly is not considered appropriate to rezone such an area of land for LC. In this regard it should be noted that the LC zoning is a mixed-use zoning objective within which residential development is permitted in principle. The quantum and location of land zoned for residential development in Fingal is directly influenced by the Development Plan's Settlement and Core Strategy which clearly sets out that there is sufficiently 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.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 9.7.

## **PA SH 11.6 (Airport Business Campus, HT-High Technology to LC-Local Centre)**

With regard to PA SH 11.6 which amends the zoning from HT High Technology to LC Local Centre at Airport Business Campus, the OPR submission notes that the land use zoning objective as set out in the draft Plan for a Local Centre is to protect, provide and/or improve local centre facilities for existing and developing communities of the County.

The OPR submission goes on to state that it is unclear why a local centre in this location is required given the significant scale of commercial uses surrounding these lands. It also notes that there is a designated 'Key Urban Village' and 'Neighbourhood Centre' located just beyond Santry Park to the south of this location (within the Dublin City Council administrative boundary).

As outlined in the section of this report which addresses submission received in relation to this proposed amendment, the 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 Council is of the view that the original 'HT' zoning of the lands is the most appropriate as the subject lands are located in an area which provides a significant and important quantum of

# PART 2

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employment zoned lands for the County, in a strategic location at the junction of the M50 and M1 motorways.

It is also noted that there is already an area of land zoned LC – Local Centre directly to the south of the subject lands on the R132 at the entrance to Santry Demesne. As a result and given that employment uses currently predominate in the area, it is not considered necessary to zone additional LC lands at this location.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 11.6.

## **PA SH 12.4 and 12.6 (Newtown, St Margaret's GB-Greenbelt to GE-General Employment)**

With regard to PA SH 12.4 which amends the zoning from GB Greenbelt to GE General Employment for 38 hectares of lands at Newtown, St Margaret's and which includes a map based local objective that any development on the lands shall be contingent on the widening and upgrading of Kilshane Road and the installation of active travel infrastructure, but also having regard to PA SH 12.6 which inserts a new map based objective to 'support and facilitate a park and ride facility', the OPR notes in its submission that the lands in question are located to the west of Dublin Airport and to the north of a substantial land bank of undeveloped lands zoned for General Employment (circa 268 hectares) located between Dublin Airport and the M50 route.

The submission goes on to state that this amendment will result in the loss of greenbelt lands which the Plan clearly seeks to protect as outlined in section 3.5.15.12, Policy SPQHP47 and Objective SPQHO97 and SPQHO98.

The submission also expresses concern that the lands are also located in close proximity to an intersection on the N2 national road and refers to Section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) in relation to 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.' The submission concludes by stating that it is not clear to the Office that the proposed rezoning satisfies the criteria in section 2.7 of the guidelines regarding development of national or strategic importance.

It should be noted that the proposed amendments were considered appropriate given the strategic importance of the subject lands and the contribution the rezoning could make to the sequential extension of the existing general employment land bank at this location. In this regard, it was 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.

However, having regard to the issues raised in the submission by the OPR, the Chief Executive considers that the rezoning of these lands may not be suitable at this point in time.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alterations PA SH 12.4 and PA SH 12.6.

# PART 2

## **OPR Submission Section 5: Sustainable Transport and Accessibility**

The section of the OPR submission on Sustainable Transport and Accessibility can be divided into a subsection on the issue of transport policy as a whole, as well as a second subsection on Dublin Airport.

### **5.1 Transport Policy**

The OPR submission welcomes the material alterations to Chapter 6 in the Draft Plan which will support the integration of land use and transport planning and will further align the Development Plan with national and regional transport policy. It also welcomes the clarity provided in the Chief Executive's Report that the Estuary Central and Estuary East lands will be incorporated into the forthcoming Swords Local Area Plan.

The submission notes the decision of the planning authority to not include baseline mode share targets in the Plan is noted and strongly advises their inclusion in the preparation of Local Area Plans and associated local transport plans to provide a clear focus for the implementation of the Council's sustainable transport strategy and facilitate the monitoring of an important key indicator over the plan period.

The submission also states that the OPR considers that the matters raised in respect of the location of certain employment zoning objectives, under MA Recommendation 5, which are located in proximity to junctions on the national road network will need to be justified with regard to their potential impact on the road network.

The submission further notes amendment PA CH 2.10 removes Belcamp from the schedule of local area plans to be commenced over the plan period. It goes on to state that given the strategic location of the lands at Belcamp and to ensure a sustainable transport and land use strategy for the area is delivered, the OPR considers that Belcamp should be listed in the schedule of masterplans to be prepared over the plan period and to which the requirement for a Local Transport Plan under Policy CMP4 applies. As a result, the submission includes the following observation:

#### **MA Observation 2 – Belcamp**

The planning authority is requested to include Belcamp in the schedule of masterplans to be commenced over the plan period as a minor modification to Table 2.18.

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

The comments of the OPR are noted. The Chief Executive welcomes the acknowledgement from the OPR that the material alterations proposed to Chapter 6 and other sections of the Draft Plan will further align the Development Plan with national and regional transport policy and will provide greater clarity.

The Chief Executive recognises the importance of monitoring key transport indicators over the plan period and as part of the preparation of local level plans and would note that proposed material alteration 6.7 requires masterplans to be prepared based on the ABTA methodology:

#### **PA CH 6.7: Section 6.5.4 Area Based Transport Assessment (ABTA), page 212**

Amend Policy CMP4 as follows:



# PART 2

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, *Framework Plans* **Local Transport Plans**, and other large-scale studies and plans as appropriate, *in consultation with the NTA and TII and other relevant stakeholders.*

With regard to the matters raised in respect of the location of certain employment zoning objectives, under MA Recommendation 5, it should be noted that this has been addressed in detail in the previous section of this Chief Executive's Report and in the later sections of this report which address submission received on submissions on proposed material alterations.

Finally, with regard to the removal of the requirement to include Belcamp in the schedule of masterplans to be commenced over the Plan period, the Chief Executive agrees with the OPR submission and recommends that Table 2.18 be amended accordingly. This will result in a minor modification to PA CH 2.12: Section 2.4.2 Masterplans, page 58 which previously amended this table to remove Estuary Central and Estuary East and to include Kilbarrack Industrial Estate.

## 5.2 Dublin Airport

The next subsection of the submission which relates to Dublin Airport refers to Section 8.5.7 of the Draft Plan which seeks to ensure environmental protection and sustainability and the Aircraft Noise Zones are set out in Table 8.1. The submission notes that these standards have been developed in compliance with relevant standards and guidance from a range of sources that includes ProPG: Planning and Noise and ICAO guidance on land-use planning and management.

The submission goes on to reference Policy DAP5 of the Draft Plan which supports the actions of any update of the noise action plan and Objective DAO15 commits to a review of the operation of noise zones in line with the legislative framework of the area whilst Policy DAP6 sets out to protect residents affected by noise aviation 'particularly night-time noise' and DAO11, DAO13, DAO16 and DAO21 set out a clear policy approach for noise monitoring and management.

This section of the submission concludes by stating that as such the OPR considers that PA CH 8.1 which seeks to include additional text on noise level standards for night time has the potential to cause a policy conflict and/or confusion within the Plan. In addition, it states that it is unclear to the OPR what evidence supports the inclusion or the requirement for additional standards. In light of the foregoing, the submission includes the following recommendation:

### MA Recommendation 6 - Noise Standards

Having regard section 10(2)(d) of the of Planning and Development Act 2000, as amended, and NPO 65 to promote pro-active management of noise and to support the Noise Action Plans, the planning authority is required to make the Plan without PA CH 8.1.

### Chief Executive's Response:

The contents of the OPR submission in relation to Dublin Airport are noted.

As set out in the section of this report which addresses submissions received on PA SH 8.1, The Chief Executive acknowledges 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.



# PART 2

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In this regard, The Aircraft Noise Competent Authority (ANCA), rather than the Planning Authority, 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.

It is acknowledged 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.

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. Policies DAP8, DAP9 and Objective DAO23 in the Draft Plan relate to community engagement.

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 considered to be beyond the scope of and not the remit of the Draft Plan to include the text as set out in the proposed material alteration, which relates to, inter alia, the adequacy or otherwise of the insulation scheme.

As a result, the Chief Executive agrees with the recommendation of the OPR that the Plan is made without material alteration PA SH 8.1.

## **OPR Submission Section 6. Flood Risk Management**

The final substantive section of the OPR submission relates to Flood Risk Management. In its submission, the OPR welcomes the updates made to the Strategic Flood Risk Assessment (SFRA) and the revision to overlay the flood zone maps on the land use zoning maps.

The submission notes the updated Justification Tests included in section 5 of the SFRA which responds directly to Recommendation 16 of the Office's submission to the draft Plan but also notes that that the plan-making Justification Test has not applied all of the criteria of Box 4.1 of The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009).

The submission states that as a result, the OPR remains concerned that lands are zoned for vulnerable uses in areas identified as within flood risk A and B where the Justification Test has not been carried out in accordance with the Flood Guidelines, that includes lands referenced in section 2.1 and section 4 of the OPR submission above, along with the following:

- Lands zoned for residential along the R127 south of Balbriggan;
- Lands zoned for rural business at Blakes Cross (north of R127);
- Lands zoned for high technology and general employment at Damastown/Macetown;
- Lands zoned for community infrastructure in Donabate (lands east of St Patrick's Boys National School and lands adjoining the community school); and
- Lands zoned for general employment at Townparks west of Skerries.

# PART 2

The submission advises that SFRA is reviewed in the context of the specific matters listed below in order to demonstrate that the identified flood risk can be adequately managed in accordance with the Flood Guidelines.

The submission lists a number of particular issues of concern relating to the different flood risk justification criteria, to the use of Preliminary Flood Risk Assessment (PFRA) data and to discrepancies in the mapping outlined in the justification tests and those to show flood zones A and B.

The OPR submission further notes that a number of material alterations have been proposed for the zoning of lands at risk of flooding for vulnerable or highly vulnerable uses at Coolquay, Kilcreagh and Turvey Avenue in Donabate, and, at Pinnock Hill Roundabout and Barrysparks in Swords, which have not passed the Justification Test and are stated as being contrary to NPO 57 to avoid inappropriate development in areas at risk of flooding. In light of this, the submission includes the following recommendation:

## **MA Recommendation 7 – Flood Risk Management**

Having regard to NPO 57 and to the provisions of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) the planning authority is required to make the Plan without the following material alterations:

- PA SH 3.5 Coolquay
- PA SH 7.1 at Turvey Avenue, Donabate
- PA SH 7.2 at Kilcreagh, Donabate
- PA SH 8.2 at Pinnock Hill Roundabout, Swords
- PA SH 8.3 at Barrysparks, Swords

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

The comments of the OPR in relation to flood risk management are welcomed. Fingal County Council welcomes the acknowledgement of the updates to the SFRA.

It is noted that the OPR has referenced lands in relation to the issue of flood risk assessment that are not subject to any proposed material alterations. As a result, it is not possible to directly consider these areas in this report which is restricted to a discussion of the proposed material alterations.

The OPR submission also raised a number of more general points in relation to the SFRA including the application of the relevant criteria for the purposes of the Plan-making justification test. In order to more fully address these matters, the SFRA document will be updated to address each of the justification test criteria as referenced by the OPR in its submission. This updated text is provided in Part 5 of this Chief Executive's Report which addresses submissions received in relation to the SFRA.

With regard to the use of Preliminary Flood Risk Assessment (PFRA) data, it is noted that PFRA mapping was included as data informing Flood Zoning decisions in all previous drafts of the SFRA and that data set improvements have occurred within the lifetime of preparing the SFRA. At the time of issuing of the draft SFRA the PFRA was considered relevant as it is used to inform flood zoning only where no other flood data exists.

# PART 2

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It should also be noted, that PFRA mapping is utilised only on small catchments where no SFRA data exists and to omit entirely would be to omit a source of predictive flood data (such that at Stage 1 / Flood Risk Identification stage, the only remaining indicator is the presence of a mapped watercourse). On review of PFRA data it is apparent that PFRA mapping is available for some watercourses that fall under the threshold for inclusion on National Indicative Fluvial Maps (NIFM) data, which OPW deems to supersede PFRA data.

Fingal County Council notes the comments of the OPR that the flood zones outlined in the Justification Tests of the SFRA are inconsistent with the Material Alterations Interactive Mapping for flood zones A and B. In the formation of the SFRA flood outline data was utilized in GIS shapefile format in February 2022, further flood data including the River Tolka Flood Study, Streamstown Flood Study and data from a number of LAPs was also made available and the SFRA flood maps included in SFRA revisions issued in July 2022 and November 2022 were updated accordingly. It was decided, prior to issuing the latest version of the SFRA in November 2022, that no updated digital data was to be issued until the SFRA was finalised. It is apparent that the flood outlines included on the Interactive Map are out of date with the material alterations and this can be addressed by updating the Flood Zone outlines shown on the Interactive Map.

Finally, in relation to each of the 5 no. material alterations listed in OPR Recommendation 7, having regard to the concerns expressed by the OPR, the Chief Executive recommends that the Plan be made without the following Proposed Material alterations:

- PA SH 3.5 (Coolquay RU-Rural to RV-Rural Village);
- PA SH 7.1 (Turvey RU-Rural to GE-General Enterprise);
- PA SH 7.2 (Kilcreagh HA-High Amenity to GE-General Employment);
- PA SH 8.2 (Pinnock Hill HT-High Technology to MRE-Metro and Rail Economic Corridor);  
and
- PA SH 8.3 (Barrysparks HT-High Technology to MRE-Metro and Rail Economic Corridor).

It should be noted that the section of this report which addresses submissions received on individual proposed material alterations also includes recommendations that the Plan is made without PA SH 3.5, PA SH 7.1, PA SH 7.2 and PA SH 8.2.

## **OPR Submission Summary Section**

The submission from the OPR concludes by providing an overview of the requirements under Section 12 of the Act for the Chief Executive's report to summarise address the recommendations of the OPR in its submission. It also outlines the procedure which must be followed at the end of the Development Plan making process including informing and providing reasons to the OPR where a decision is made not to comply with the recommendations of the OPR, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations of the OPR.

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

The concluding summary comments of the OPR in relation to the preparation of this Chief Executive's Report and the making of the Development Plan are noted. The Chief Executive confirms that Fingal County Council has had regard to, and will continue to have regard to all

# PART 2

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relevant sections of the Planning and Development Act throughout the process of preparing the Fingal County Development Plan 2023-2029.

## **Chief Executive's Recommendations in relation to the OPR Submission:**

The following section provides, in table form, a full list of the proposed material alterations addressed in the OPR submission including those which the Chief Executive recommended be made as displayed or not made.

It also provides the text of recommended modification to the following proposed amendments arising from the Chief Executive's consideration of the submission from the Office of the Planning Regulator:

- PA CH 2.6: Section 2.2 Core Strategy, page 52, 53
- PA CH 2.11: Section 2.4.1 Local Area Plans, page 56
- PA CH 2.12: Section 2.4.2 Masterplans, page 58.

# PART 2

## Summary Table of Chief Executive's Recommendations in relation to OPR Submission

Material alteration	Chief Executive's Recommendation
PA CH 2.6	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.6, as displayed <b>subject to modifications</b> .
PA CH 2.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.10, as displayed.
PA CH 2.11	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.11, as displayed <b>subject to modifications</b> .
PA CH 2.12	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.12, as displayed <b>subject to modifications</b> .
PA CH 2.17	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 2.17, as displayed.
PA CH 3.18	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 3.18, as displayed.
PA CH 3.19	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 3.19, as displayed.
PA CH 8.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 8.1, as displayed.
PA SH 3.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.1, as displayed.
PA SH 3.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.2, as displayed.
PA SH 3.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.3, as displayed.
PA SH 3.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.4, as displayed.
PA SH 3.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.5, as displayed.
PA SH 3.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.6, as displayed.
PA SH 3.8	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.8, as displayed.
PA SH 3.10	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.10, as displayed.
PA SH 5.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.1, as displayed.
PA SH 5.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.4, as displayed.
PA SH 5.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.5, as displayed.
PA SH 6B.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 6B.1, as displayed.
PA SH 7.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.1, as displayed.
PA SH 7.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.2, as displayed.

# PART 2

Material alteration	Chief Executive's Recommendation
PA SH 7.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.3, as displayed.
PA SH 7.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.4, as displayed.
PA SH 7.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.6, as displayed.
PA SH 8.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 8.2, as displayed.
PA SH 8.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 8.3, as displayed.
PA SH 9.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 9.6, as displayed.
PA SH 9.7	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 9.7, as displayed.
PA SH 11.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 11.5, as displayed.
PA SH 11.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 11.6, as displayed.
PA SH 12.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.1, as displayed.
PA SH 12.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.2, as displayed.
PA SH 12.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.4, as displayed.
PA SH 12.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.6, as displayed.
PA SH 13.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 13.5, as displayed.
PA SH 13.8	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 13.8, as displayed.
PA SH 13.10	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 13.10, as displayed.
PA SH 15.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 15.2, as displayed.
PA SH 15.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 15.3, as displayed.

### ***Text of Proposed Material alterations Recommended to be made with Modifications***

#### **PA CH 2.6: Section 2.2 Core Strategy, page 52, 53**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed subject to modifications.

Remove Objectives CSO2 and CSO3 and replace with new objectives as follows:

#### **Objective CSO2 – Monitoring Process for Housing Delivery**

# PART 2

~~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.~~

## Objective CSOXX – Monitoring Process for Housing Delivery

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 provided in a timely manner with the delivery of housing to ensure the sustainability of communities.

## Objective CSOXX – Delivery of Housing Units

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 {including accessibility to both current and planned public transport services} *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.

## Objective CSOXX – Database of Sites

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

### **PA CH 2.11: Section 2.4.1 Local Area Plans, page 56**

Amend Section 2.4.1 as follows:

~~Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources.~~ Following adoption of the Development Plan, a list of LAPs and other strategic plans to be prepared over the lifetime of the Development Plan will be drafted by the Planning Department based on the Council's priorities and subject to resources.

{Where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.

{Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - 'Subject to Local Area Plan.' The provisions of the operational LAPs will



# PART 2

continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.}

## PA CH 2.12: Section 2.4.2 Masterplans, page 58

Amend Table 2.18 as follows:

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

Garristown
Oldtown
Rowlestown
Balrothery East
<del>Estuary Central</del>
<del>Estuary East</del>
Old School House, Clonsilla
Ballyboghil
Naul
<i>Kilbarrack Industrial Estate</i>
{Belcamp}

# PART 2

## Submission from the National Transport Authority (NTA)

### Introduction

The NTA in its submission (FIN-C532-71) welcomes the opportunity to comment on the proposed Material alterations stage of the Fingal Development Plan process and includes the following recommendations in this regard:

### Local Area Plans

The NTA in its submission refers to PA CH 2.10 as follows:

#### **PA CH 2.10: Section 2.4.1, Local Area Plans, page 56:**

Amend Table 2.16 as follows:

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

<b><i>Swords</i></b>
Lissenhall East
Flemington
Coolquay
Balscadden
Ballymadun
<b>Belcamp</b>

The NTA recommends that Belcamp is re-instated in the LAP schedule as part of the finalised Plan and that its preparation is prioritised to ensure a sustainable transport and land use strategy for the area is delivered for these strategic development lands in accordance with national and regional policy.

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

The contents of the submission from the Authority relating to the requirement for the Belcamp lands to form part of the LAP schedule in the Draft Plan are noted. It is also noted that the OPR in its submission under Observation 2 contends that the Belcamp lands should be listed in the schedule of Masterplans required for the plan period and to which the requirement for a Local Transport Plan under Policy CMP4 applies, to ensure that a sustainable transport and land use strategy for these strategic development lands is delivered.

The Belcamp lands presents a substantial land bank at the southern boundary of the County with Dublin City Council, extending to approximately c. 50 ha (123 acres). Notwithstanding the existing application with An Bord Pleanála on these lands, given the strategic importance of the lands, it is considered appropriate that design matters, environmental considerations, service and infrastructure provision, phasing (as required) are examined in advance of development commencing to ensure the orderly sequential delivery of new homes and community infrastructure.

Against this context, it is considered the most appropriate vehicle to deliver a co-ordinated land-use and transportation approach is through a Masterplan to which the requirement for a Local Transport Plan under Policy CMP4 applies.

# PART 2

Masterplans will be prepared by the Council to give guidance on specific development proposals working within the relevant Development Plan parameters. 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 and 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 at Table 2.18 of the Draft Plan and subsequent planning applications will be required to adhere to the approved Masterplans. Objective CSP7 of the Draft Plan provides for co-operation with relevant stakeholders in the preparation of Masterplans.

Such plans will be subject to a public consultation process and engagement with the relevant stakeholders as well as presentation to the Elected Members for agreement as supported through the provisions of Section 2.4.2 of the Draft Plan as they specifically relate to 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.

Having consideration to the above, it is recommended that the Development Plan be made with Material Alteration PA CH 2.10 as displayed.

It is also noted, in view of Observation 2 relating to Belcamp as set out by the OPR in its submission that the Development Plan be made with the proposed Material Alteration PA CH 2.12, as displayed, subject to modifications as set out in the OPR submission response.

## **Local Transport Plan – Rush**

The NTA in its submission refers to PA CH 2.28 as follows:

### **PA CH 2.28: Section 2.7.2, Role of Each Settlement, page 84:**

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.

The NTA recommends that the reference to the potential feasibility of providing a Distributor Road to the west of Rush is removed from Objective CSO61 given that the Local Transport Plan proposed under this objective will provide a robust and holistic assessment of transport needs in Rush and include comprehensive stakeholder engagement. In this regard, reference to potential interventions at this point is not considered appropriate.

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

The contents of the submission are noted.

# PART 2

Given that objective CSO61 seeks to prepare a comprehensive and co-ordinated assessment to inform the future transportation needs of Rush in collaboration with relevant stakeholders and which includes the potential for an examination of the feasibility of a Distributor Road to the west of Rush, it is therefore recommended that the Development Plan be made with the proposed Material Alteration PA CH 2.28, as displayed.

## **Core Strategy and Housing Growth**

The Authority in its submission refers to PA CH 3.6 as follows:

### **PA CH 3.6: Section 3.5.3, Core Strategy and Housing Growth, page 101:**

Amend Objective SPQHO9 – New residential development as follows:

Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. *Active travel options should also be considered while liaising with the Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.*

The Authority recommends that this objective is reworded to include reference to the National Transport Authority given its key role in developing and implementing active travel and public transport in the Greater Dublin Area.

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

The contents of the submission are noted and the proposed objective shall be modified to specifically reference the need for consultation with the National Transport Authority.

On this basis, it is recommended that the Development Plan be made with the proposed Material Alteration PA CH 3.6, subject to modifications.

## **Local Map-Based Objective**

The Authority in its submission refers to PA SH 12.1 as follows:

### **PA SH 12.1:**

Remove Local Objective 44, ~~'Facilitate the provision of a turning space for public buses.'~~

The NTA in its submission notes that as part of the Bus Connects Network Redesign project, the terminus location for the proposed B3 Bus Connects spine route has yet to be finalised and it is considered that the subject location could be an appropriate terminus location, to ensure the successful implementation of the Bus Connects programme which will enhance the public transport provision in this area. In this regard, it is recommended that Local Objective 44 is reinstated as part of the finalised Plan and the NTA welcome consultation with Fingal County Council.

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

The contents of the submission are noted. It is also noted that OPR Recommendation 2 also requires the reinstatement of local objective 44.

# PART 2

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 acknowledges that the key strategic public transport projects such as Bus Connects 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 together with a network of high-quality walking and cycling routes 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 the NTA and OPR recommendations and to secure the successful implementation of the BusConnects scheme in consultation with relevant stakeholders, it is recommended that the Development Plan be made without the Material Alteration PA SH 12.1 as displayed.

## **Employment Zoned Lands**

The Authority in its submission refers to PA SH 12.4, the wording of which is as follows:

### **PA SH 12.4:**

Amend the zoning from GB-Greenbelt to GE-General Employment, extending from the Dublin Airport Logistics Park to the south to Kilshane Road to the north, at Newtown St. Margaret's. In addition, insert new map based local objective as follows, and insert site specific objective boundary:

**'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'.**

The NTA recommends that this land is not rezoned to General Employment and that the lands retain the Greenbelt zoning objective in the finalised Plan, given that this land is significantly removed from any existing or planned high-frequency public transport network and it is considered that any development permitted under the proposed zoning would be primarily car dependent.

In this regard, Regional Policy Objective 5.6 of the Regional Spatial and Economic Strategy for the Eastern and Midland Region is cited with regard to the location of future employment lands in the GDA,

# PART 2

“The development of future employment lands in the Dublin Metropolitan Area shall follow a sequential approach, with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas and provision of appropriate employment densities in tandem with the provision of high-quality public transport corridors”.

## **Chief Executive’s Response:**

The contents of the submission are noted. The OPR also recommend that the Plan be made without PA SH 12.4 as this proposed amendment will result in the loss of greenbelt lands which the Plan clearly seeks to protect as outlined in section 3.5.15.12, Policy SPQHP47 and Objective SPQHO97 and SPQHO98 as well as the generation of significant additional traffic with potential to impact on the national road network given its close proximity to an intersection on the N2 national road and refers to Section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) in this regard.

It should be noted that the proposed amendments were considered appropriate given the strategic importance of the subject lands and the contribution the rezoning could make to the sequential extension of the existing general employment land bank at this location. In this regard, it was 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.

However, having regard to the issues raised in the submission by the OPR, the Chief Executive considers that the rezoning of these lands is not suitable at this point in time.

As a result, the Chief Executive agrees with the recommendation of the OPR and the NTA that the Plan is made without material alterations PA SH 12.4.

## **Matters not Directly related to Proposed Material alterations**

It is noted that the Authority also outlines a number of recommendations not related to proposed material alterations as follows:

- Removal of the GE zoning objective on lands to the west of the R135 and to the east of Cherryhound and the M2 immediately southwest of the M2 Junction 2, in an area without the appropriate supporting infrastructure and specially public transport to ensure sustainable development of the area and in the absence of an LAP to guide and inform the future sustainable development of the area and as such would be contrary to the current and Draft NTA Transport Strategy for the GDA.
- Amend Objective CSO17 -Tree Lined Approaches to allow flexibility to deliver improved walking, cycling and public transport schemes as follows: Retain existing tree-lined approaches to all towns and villages to preserve their special character where possible or provide appropriate mitigation.
- 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 to ensure proper planning and sustainable development.

# PART 2

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- Include a specific objective to ensure that FCC will not install kissing gates in the County and will audit existing areas to identify existing kissing gates for removal as follows: *The installation of kissing gates will not be permitted both in Council and private developer projects in the Fingal area and an audit will be undertaken to identify existing kissing gates for removal.*
- Parking standards should be based on 'maximum' values rather than 'norm' values.

Fingal County Council should also seek to ensure, as far as practicable, that the Fingal Development Plan takes account of the Draft Greater Dublin Area Transport Strategy 2022-2042 (the "2022 Strategy"), which comprises a review and update to the 2016 Strategy, and which was published in late 2021.

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

As the issues above do not refer to any of the proposed Material Alterations and cannot be assigned to a material alteration on display, no change can be recommended at this time.

### **Chief Executive's Recommendations in relation to the NTA Submission:**

The following section provides, in table form, a full list of the proposed material alterations addressed in the NTA submission including those which the Chief Executive recommended be made as displayed or not made.

It also provides the text of recommended modification to the following proposed amendments arising from the Chief Executive's consideration of the submission from the National Transport Authority:

- PA CH 2.12: Section 2.4.2 Masterplans, page 58 (as per response to OPR submission)
- PA CH 3.6: Section 3.5.3, Core Strategy and Housing Growth, page 101



# PART 2

## Summary Table of Chief Executive's Recommendations in relation to NTA Submission

Material alteration	Chief Executive's Recommendation
PA CH 2.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.10, as displayed.
PA CH 2.12	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.12, as displayed <b>subject to modifications</b> .
PA CH 2.28	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.28, as displayed.
PA CH 3.6	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 3.6, as displayed <b>subject to modifications</b> .
PA SH 12.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.1, as displayed.
PA SH 12.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.4, as displayed.

## Text of Proposed Material alterations Recommended to be made with Modifications

### PA CH 2.12: Section 2.4.2 Masterplans, page 58

Amend Table 2.18 as follows:

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

Garristown
Oldtown
Rowlestown
Balrothery East
<del>Estuary Central</del>
<del>Estuary East</del>
Old School House, Clonsilla
Ballyboghil
Naul
<b>Kilbarrack Industrial Estate</b>
<b>{Belcamp}</b>

### PA CH 3.6: Section 3.5.3, Core Strategy and Housing Growth, page 101:

Amend Objective SPQHO9 – New residential development as follows:

Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. **Active travel options should also be considered while liaising with the {National Transport Authority and} Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.**

# PART 2

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# **PART 3: Submissions relating to Material Alterations to the Draft Development Plan Written Statement**

# PART 3

## CHAPTER 1: Introduction

### PA CH 1.2: Section 1.9.5 National Marine Planning Framework, page 22

Update all 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.*

#### **Submissions Received:**

FIN-C532-163, FIN-C532-166,

#### **Summary of Issues:**

Submissions reference the National Marine Planning Framework under PA CH 1.2 and indicate that Section 1.9.5 should also include reference to the General Scheme of the Marine Protected Areas Bill. Additional text to PA CH 1.2 is suggested.

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

The Government is in the process of developing stand-alone legislation to enable identification, designation and management of Marine Protected Areas in accordance with Ireland's national and international commitments and has approved the General Scheme of the Marine Protected Areas Bill on the 13<sup>th</sup> December 2022. It is intended that the Bill will progress through the Oireachtas in the first half of 2023. As the legislation is at Bill stage it is not considered appropriate to include reference within the Plan at this time. Reference to the General Scheme of the Marine Protected Areas Bill will be included in the SEA Environmental report.

# PART 3

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## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

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## Summary of Chief Executive's Recommendations for Chapter 1:

Material alteration	Chief Executive's Recommendation
PA CH 1.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 1.2, as displayed.

# PART 3

## CHAPTER 2: Planning for Growth Core Strategy Settlement Strategy

### PA CH 2.1: Section 2.2.11, The Core Strategy, page 41:

Insert new text directly before “Capacity of Zoned Lands Fingal Development Plan 2017–2023” as follows:

*An Infrastructural Assessment, which provides a full assessment of the larger scale infrastructural requirements for the County was undertaken having regard to the requirements of NPO 72a and Appendix 3 of the National Planning Framework as well as the Development Plan Guidelines for Local Authorities.*

*Fingal County Council is exceptional in that the entire plan area is serviced and no fundamental constraints were identified by Irish Water. In terms of transport infrastructure, all lands are located alongside existing public road routes with an extensive network of pedestrian and cycle routes and further expansion of the pedestrian and cycle network are underway. Furthermore, almost all lands are located proximate to existing and planned public transport corridors, with costings provided for the larger elements of public infrastructure provided in the Infrastructure Assessment.*

*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, including supporting infrastructure such as local pedestrian and cycling routes.*

#### **Submissions Received:**

FIN-C532-136, FIN-C532-140, FIN-C532-163, FIN-C532-166,

#### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 2.1.

Other submissions raise concerns in relation to specific text- ‘Fingal County Council is exceptional in that the entire plan area is serviced and no fundamental constraints were identified by Irish Water’. Submissions indicate that no AA or SEA have been carried out of the capacity issues at Ringsend which is overloaded and has network capacity issues/bottlenecks upstream of Ringsend. Submissions indicate that the statement incorrectly positively implies that Fingal’s wastewater services have no fundamental constraints and requests that the statement be omitted.

A submission from Irish Water requests that the text ‘entire plan area’ should be amended, noting that while the majority of settlements are serviced, the use of the term is incorrect and should be re-worded.



# PART 3

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

The contents of the submissions are noted and welcomed, including the submission from the HSE supporting the inclusion of PA CH 2.1 and the extensive network of existing and proposed cycling and pedestrian networks.

Submissions noting concerns in relation to specific extracts from PA CH 2.1 are also noted and the text will be adjusted as follows:

**Fingal County Council is exceptional in that the {entire} plan area is serviced and no fundamental constraints were identified by Irish Water. In terms of transport infrastructure, all lands are located alongside existing public road routes with an extensive network of pedestrian and cycle routes and further expansion of the pedestrian and cycle network are underway.**

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to modifications.

## **PA CH 2.2: Section 2.2.12, Strategic Long-Term Reserve, page 45:**

Amend Section 2.2.12 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. **This Development Plan fully understands that the lands at Elmgreen Golf Club are an important community recreational facility and that any development should be highly sensitive to this.**

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. **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.**

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

## PART 3

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.

### **Submissions Received:**

FIN-C532-39, FIN-C532-123, FIN-C532-140

### **Summary of Issues:**

A submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.2. Another submission from the HSE supports the inclusion of the material alteration and the development of Hamilton Way to promote walking. The opportunity to develop the closed landfill into a regional park is also supported as is the Dunsink Feasibility Study.

A further submission acknowledges the sensitivity of operations at Dunsink Observatory.

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

The content of these submissions is noted. The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.2, which includes additional text relating to light pollution (under Section 2.2.12 of the Draft Plan - Strategic Long-Term Reserve). The support from the HSE for the Hamilton Way, the development of the regional park and the preparation of the Dunsink Feasibility Study is also welcomed. Submissions acknowledging the sensitivity of operations at the observatory are noted.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 2.3: Section 2.2.The Core Strategy, page 46, 47, 48

Update specific paragraphs on pages 46-48 of Section 2 to reflect the updated table 2.14 as follows:

### Analysis

Analysis shows that the existing capacity of the zoned Fingal lands is ~~72%~~ **79%** within the Metropolitan Area and ~~27%~~ **21%** in the Core. ~~31%~~ **40%** of the capacity is within the Dublin City and Suburbs. Notwithstanding this being below the NPF goal of 50%, it is reflective of the historical approach to zoning in Fingal. The current approach advocates moving towards the NPF goal of 50% within the City and Suburbs...

...The other Metropolitan towns of Swords, Donabate, Malahide and Portmarnock and the villages account for ~~ca. 41%~~ **ca. 40%** which is above the 30% goal.

It is noted that ~~half (52%)~~ **44%** of this is allocated to Swords which is designated as a Key Town in the RSES where additional growth has been allocated in accordance with NPO 68 of the National Planning Framework and the MASP...

...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% (ca. 17%)~~ 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. This approach is necessary in line with this strategic vision and ongoing investment in the town....

...Lastly, the Core Region accounts for ~~ca. 28%~~ **ca. 21%** of the capacity. The RSES outlines the growth enablers for this area. Part of this to promote continued growth at sustainable rates, while providing for increased employment and improved local economies, services and functions to allow towns to become more self-sustaining and to create the quality of life to attract investment. In order to facilitate the achievement of compact growth in the Core Region, a target of 30% of all new homes should be within the existing built up area of settlements. The capacity for the Core Region is aligned with the target...

...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. However, in terms of deliverability from a private development perspective, the following factors have been considered:

- ~~72%~~ **79%** of the allocated unit growth is within the Metropolitan Area, and ~~28%~~ **21%** within the Core
- ~~43%~~ **51%** of the allocated growth within the Metropolitan Area is within Dublin City and Suburbs and ~~30%~~ **22%** within the Key Town of Swords.

### Submissions Received:

FIN-C532-131, FIN-C532-140, FIN-C532-141, FIN-C532-146, FIN-C532-153

# PART 3

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## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 2.3 and the Council's engagement with social and affordable housing delivery.

Submissions received refer to Proposed Material Alterations PA CH 2.3 and PA CH 2.4 and request a commitment by way of a new objective to be included in the new Plan requiring the Planning Authority to undertake a statutory variation / review of the population and housing demand projections contained in the Development Plan and Table 2.14 following the publication of the CSO Census 2022 figures.

It is also requested that the population and housing demand figures contained in Table 2.14 (as altered by No. PA CH 2.4) are amended to more fully account for the additional 20,000 population allocated to Swords by the Regional Assembly and in accordance with NPO68, and the actual demand for new housing based on existing and projected housing activity in the town.

Other submissions noting Section 2.2.7 of the Draft Plan posit that the additional population allocation of 20,000 was not applied to Swords in Table 2.14.

Submissions also comment that there are numerous problematic issues relating to relying on the data and population projections outlined in the NPF and the RSES, as the NPF and RSES population targets are derived from the 2016 census of population.

Submissions recommend Fingal County Council give consideration to amending Table 2.14 to reflect the 2022 census population figures and annual growth rates in the population projection figures, calculating the estimated 2029 population and projected housing demand units using the latest data available, thereby increasing the projected housing demand units and available residential land to better match the projected demand.

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

The content of the submissions are noted. The submission from the HSE supports the inclusion of PA CH 2.3. The support for PA CH 2.3 is acknowledged and welcomed.

With regard to the additional population allocation of 20,000 under NPO 68 in respect of Swords, it should be noted that the updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords. It is recommended a modification to draft Plan text contained in PA CH 2.3 to outline this.

With regard to the data and population projections outlined in the NPF and RSES, it should be noted that the Core Strategy figures were derived using the methodology and detailed data provided in the 'Housing Supply Target Methodology for Development Planning', Guidelines which were published in 2020'.

As stated in the guidelines, City or County development plans are required to plan for the identified population growth within NPF estimates (derived from the 2016 Census) and use them as the basis for strategic decision-making in their development plan process, including its core strategy, settlement strategy and housing policies. The guidelines, provide a series of detailed housing need tables for each Local Authority (including Fingal County Council) which formed the

# PART 3

basis for the overall housing need figures set out in the Core Strategy for the Draft Development Plan.

In addition, in preparing the Core Strategy, extensive use was made use of a wide range of robust quantitative data relating to population growth and housing supply including an analysis of the Dublin Housing Taskforce (DHTF) Returns for Fingal County Council as well as regularly updated CSO data on population, housing completions and employment figures (including the most recent CSO annual regional area population projections).

This approach ensured that the Core Strategy fully adheres to the requirements of the Planning and Development Acts with regard to population projections and compliance with relevant Section 28 Guidelines while also having regard to the latest available data on housing supply and population growth.

With respect to the use of the results of the 2022 Census, it is important to note that the full results of the Census, are not due to be made available until April 2023 with further results will be published up to December 2023. While it is not considered appropriate to update the Core Strategy at this stage, should the Minister decided to undertake any significant updates to the population projections currently used in the NPF, or in any subsequent Section 28 Guidelines based on the results of the 2022 Census, the Council will update the Core Strategy accordingly by variation, if necessary, in order to ensure its compliance with requirements of the Planning and Development Act.

### **Chief Executive's Recommendation:**

It is therefore recommended that the Development Plan be made with the proposed Material Alteration PA CH 2.3, as displayed subject to modifications.

#### **PA CH 2.3: Section 2.2.The Core Strategy, page 46, 47, 48**

Amend text as follows:

...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% ~~ca. 17%~~ 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. This approach is necessary in line with this strategic vision and ongoing investment in the town. **{The updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords.}**

# PART 3

## PA CH 2.4: Section 2.2, Core Strategy, page 51:

Update Table 2.14 as follows:

Core Strategy Areas	Settlement Type	Name	CSO Census Population 2016	Estimated 2023 Population	Estimated 2029 Growth	Estimated 2029 Population	Projected Housing Demand (Units)	Total Available Zoned Residential Land	Total Units / Potential Yields	Lands - With Permission (Extant) - Units
Metropolitan Area	(1) Dublin City and Suburbs Consolidation Area	Blanchardstown - Mulhuddart LEA, includes The Ward, Dubber, Tyrellstown, Mulhuddart, Corduff & Abbottstown	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
		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	12	600	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
	(3) Self Sustaining Growth Town	Donabate	7,443	8,187	3,039	11,226	1,643	112	3,912	532
	(4) Self Sustaining Towns	Malahide	17,053	17,906	1,623	19,528	877	46	1,610	109
		Portmarnock	9,549	10,408	1,060	11,468	573	32	1,120	230
	(5) Towns and Villages	Baskin	349	366	19	386	10	2	24	46
		Coolquay	349	366	37	404	20	37	93	-
		Kinsealy	405	425	268	693	145	11	220	41
		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	-

# PART 3

Core Strategy Areas	Settlement Type	Name	CSO Census Population 2016	Estimated 2023 Population	Estimated 2029 Growth	Estimated 2029 Population	Projected Housing Demand (Units)	Total Available Zoned Residential Land	Total Units / Potential Yields	Lands - With Permission (Extant) - Units
		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	18	180	14
	(6) Rural	Rural areas	5,446	5,555	126	5,681	68			
<b>Totals</b>			<b>296,020</b>	<b>329,289</b>	<b>30,386</b>	<b>359,675</b>	<b>16,425</b>	<b>1,014</b>	<b>35,001</b>	<b>8,782</b>

## Submissions Received:

FIN-C532-43, FIN-C532-70, FIN-C532-82, FIN-C532-85, FIN-C532-131, FIN-C532-136, FIN-C532-141, FIN-C532-153, FIN-C532-146, FIN-C532-174

## Summary of Issues:

A number of submissions, including one from the Land Development Agency, were received in relation to amended Table 2.14 included under PA CH 2.4. Several such submissions refer to the additional column included in the table which sets out the projected housing demand for the different settlements in the settlement hierarchy.

Submissions also request clarity whether the extant/permitted units column are in addition to the Projected Housing Demand and Total Units/Potential Yields figures. A submission referenced the error in relation to Donabate in the version of Table 2.14 first issued for public consultation and then subsequently corrected in the errata document which was also put on public display.

Submissions received in relation to Table 2.14 question the use of housing demand figures to prepare the Core Strategy which derived from the National Planning Framework and which are described as being out of date. Such submissions go on to request the inclusion of a commitment to review the Core Strategy upon publication of final Census figures from the 2022 Census.

A number of submissions assert that the figure of 94 units for Skerries represents an underestimation and should be amended to 500 units at a minimum, similar to other self-sustaining towns in the County. In support of this, these submissions refer to recent planning application and housing construction activity in the Skerries area, to the status of Skerries as a self-sustaining town and to its proximity to the DART line.

In addition to the case of Skerries, the submission from the LDA expresses concerns in respect of the low housing demand figure proposed to be allocated to Kinsealy Village and requests that the housing demand and residential yield figures would be increased to reflect the Kinsealy Local Area plan figure of c.375 for the remaining undeveloped land.

One submission states that the Estimated 2023 Population figure for Rush may be conservative and requests that Fingal County Council include a commitment within their core strategy to undertake a review of the population and housing demand projections contained in the draft



## PART 3

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Plan and to bring forward a variation to amend the core strategy to reflect the actual census figures. The submission seeks further clarity in relation to the 'Extant Permission' and 'lands with permission' column in Table 2.14 and requests that additional clarity be provided in the plan in relation to these figures, having regard to the most recent planning history of different areas of the County including Rush, Donabate and Skerries. A submission also calls for an amendment of the 'Projected Housing Demand (Units)' figure for Rush to at least 650 units.

A number of submissions calls for specific modifications to the text of PA CH 2.5 and PA 2.6 to include references to the consideration of the redistribution of housing and population figures between settlements at the same level of the overall hierarchy and / or next to transport corridors in Table 2.14.

The submission from the Department of Education (DOE) notes that while PA CH 2.4 reduces projected growth figure for 2029, there are increases for certain areas. It is stated that the expected school place requirement generated from the increase in Balbriggan/Balrothery can be met from existing school capacity. It is stated the increase indicated for the Blanchardstown area and environs will add to the pressure for both primary and post primary school place requirement already identified in the Departments submission to the Draft plan. As such, the Department reiterates its requirement outlined in that submission.

The DOE submission notes the increase in Donabate and it is stated that this will add to the pressure for both primary and post primary school place requirement in the area. Reference is made to the Departments submission to the Draft plan in relation to the identification of a permanent site for Gaelscoil na Mara and it is stated that the required site should be of adequate size to cater for the growth in population.

The submission also refers to Lusk, Rush, Malahide and Portmarnock and the increases projected. In relation to Portmarnock, these increases will put pressure on existing school place requirements at primary level. In Rush, Lusk and Malahide it is expected that current capacity will cater for the increase. The submission requests that there is ongoing engagement between FCC and the Dept of Education to ensure the adequate provision of sites for new school and extensions to existing schools.

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

The contents of the submissions are noted. The Core Strategy set out in Chapter 2 of the Draft Development Plan, was prepared in accordance with the legislative requirements contained in the Planning and Development Act, 2000 (as amended). The Core Strategy therefore set 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 accordance with a recommendation from the Office of the Planning Regulator, the change to Table 2.14 under proposed material alteration PA 2.4 was included in order to provide additional clarity and to have regard to the requirements of the updated Development Plan Guidelines for Planning Authorities (which were adopted in July 2022).

The revised Table 2.14 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

# PART 3

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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. 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.

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 formed baseline information for the preparation of the draft Plan. This data is for information purposes and has been updated during the development plan preparation process.

With regard to the additional population allocation for Swords, as outlined the response to the OPR submission in Part 2 of this report, it is noted that the updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords. It is recommended a modification to draft Plan text contained in PA CH 2.3 to outline this.

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.

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. 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).

It should be noted that the updated Table 2.14 under PA CH 2.4 is accompanied by supporting policy and text under PA CH 2.5 and PA CH 2.6 which outline a robust approach to the monitoring of growth and the active land management strategy. For example PA CH 2.6 provides for the inclusion of a new objective which will seek to provide for flexibility in meeting housing demands as follows:

*Objective CSOXX – Delivery of Housing Units*

## PART 3

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*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.*

In relation to the overall population growth and housing demand figures set out in Table 2.14 and to the use of data provided by government sources, it is not considered that the Core Strategy has significantly underestimated the population projection and housing demand within Fingal. This is clearly demonstrated by comparing the final population projection figures for Fingal for 2023 (329,289) as set out in the Core Strategy Table 2.14, and those provided by the preliminary Census 2022 results (329,218).

In addition to the fact that the projections used in the Core Strategy reflect the 2022 preliminary census figures, it is important to note that the Core Strategy has been prepared having regard to the NPF, RSES and all relevant Section 28 guidelines, as is legally required under the Planning and Development Act 2000, as amended.

The Core Strategy figures were derived using the methodology and detailed data provided in the 'Housing Supply Target Methodology for Development Planning', Guidelines which were published in 2020'. As stated in the guidelines, City or County development plans are required to plan for the identified population growth within NPF estimates (derived from the 2016 Census) and use them as the basis for strategic decision-making in their development plan process, including its core strategy, settlement strategy and housing policies. The guidelines, provide a series of detailed housing need tables for each Local Authority (including Fingal County Council) which formed the basis for the overall housing need figures set out in the Core Strategy for the Draft Development Plan.

In addition, in preparing the Core Strategy, extensive use was made use of a wide range of robust quantitative data relating to population growth and housing supply including an analysis of the Dublin Housing Taskforce (DHTF) Returns for Fingal County Council as well as regularly updated CSO data on population, housing completions and employment figures (including the most recent CSO annual regional area population projections).

This approach ensured that the Core Strategy fully adheres to the requirements of the Planning and Development Acts with regard to population projections and compliance with relevant Section 28 Guidelines while also having regard to the latest available data on housing supply and population growth.

With regard to the results of the 2022 Census, it is important to note that the full results of the Census, are not due to be made available until April 2023 with further results will be published up to December 2023. While it is not considered appropriate to update the Core Strategy at this stage, should the Minister decided to undertake any significant updates to the population projections currently used in the NPF, or in any subsequent Section 28 Guidelines based on the

# PART 3

results of the 2022 Census, the Council will update the Core Strategy accordingly by variation, if necessary, in order to ensure its compliance with requirements of the Planning and Development Act.

With regard to the comments from the Department of Education, it is the case that Fingal County Council has and will continue to work collaboratively with that 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.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration PA 2.4 as displayed.

### **PA CH 2.5: Section 2.2, Core Strategy, page 51, 52:**

Insert the following text directly after table 2.14:

*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 CSXX. 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.*

# PART 3

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

## ***Submissions Received:***

FIN-C532-43, FIN-C532-70, FIN-C532-82, FIN-C532-141, FIN-C532-153, FIN-C532-85, FIN-C532-163, FIN-C532-166

## ***Summary of Issues:***

A number of submissions were received in relation to the additional text included under PA CH 2.5 including some which were opposed to the inclusion of the proposed material alteration which was said to be vague and capable of being interpreted differently. Some submissions called for a modification to the text of PA CH 2.5 to include a reference to the redistribution potential between settlements at the same level in Table 2.14. Some submission

It should be noted that submissions received also requested a change to “Objective CSOXX – Delivery of Housing Units” proposed under PA CH 2.6 in order to include a reference to the redistribution of housing and population figures “between settlements at the same level in Table 2.14, for sites within public transport corridors”. Other submissions called for additional text to clarify the status of the different columns in Table 2.14 and to commit to an update of the table to align with census data.

A submission was also received from the Department of Education which notes the proposed inclusion of PA CH 2.5.

## ***Chief Executive’s Response:***

The contents of the submissions received in relation to PA CH 2.5 are noted. It is considered that the text of PA CH 2.5 currently provides for an appropriately targeted yet sufficiently flexible approach to the consideration of the redistribution of housing population figures in situations where the applicant must demonstrate to the Planning Authority that the proposal is aligned with the overall growth target for the County. It is therefore not considered necessary to include additional limiting text to PA CH 2.5 which could constrain the effective adoption of this approach.

With regard to the issue of the use of census data and the status of the different columns in Table 2.14, it is noted that these issues have been addressed in response to submissions on PA CH 2.2 and 2.4 above.

## ***Chief Executive’s Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 2.6: Section 2.2, Core Strategy, page 52, 53:

Remove Objectives CSO2 and CSO3 and replace with new objectives as follows:

**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.~~

**Objective CSOXX – Monitoring Process for Housing Delivery**

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 provided in a timely manner with the delivery of housing to ensure the sustainability of communities.

**Objective CSOXX – Delivery of Housing Units**

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.

**Objective CSOXX – Database of Sites**

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

**Submissions Received:**

FIN-C532-43, FIN-C532-70, FIN-C532-82, FIN-C532-141, FIN-C532-153

**Summary of Issues:**

A number of submissions were received in relation to the additional text included under PA CH 2.5. Submissions received, including one from the LDA requested a modification of the text of “Objective CSOXX – Delivery of Housing Units” under PA CH 2.6 to include a reference to the redistribution of housing and population figures “between settlements at the same level in Table 2.14, for sites within public transport corridors”



# PART 3

It should be noted that submissions also requested a modification to the text of PA CH 2.5 to include a reference to the redistribution potential between settlements at the same level in Table 2.14.

It is submitted that in respect to Proposed Material Alterations PA CH 2.3 and PA CH 2.4, a commitment by way of a new objective should be included in the new Plan requiring the Planning Authority to undertake a statutory variation / review of the population and housing demand projections contained in the Development Plan and Table 2.14 following the publication of the CSO Census 2022 figures.

A submission was also received from the Department of Education which notes the proposed inclusion of PA CH 2.6.

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

The contents of the submission are noted. It is considered that the text of PA CH 2.6 currently provides for an appropriately targeted yet sufficiently flexible approach to the consideration of the redistribution of housing population figures in situations where the applicant must demonstrate to the Planning Authority that the proposal is aligned with the overall growth target for the County. It is therefore not considered necessary to include additional limiting text to PA CH 2.5 which could constrain the effective adoption of this approach.

It should be noted that other related issues raised in these submissions, including the use of census data and the status of the different columns in Table 2.14, have been addressed previously in response to submissions on PA CH 2.2 and 2.4.

It should also be noted that PA CH 2.6 was referred to in the submission by the OPR which proposes the inclusion of the following text to PA CH 2.6 "accessibility to both current and planned public transport services". As stated previously, given the importance of ensuring that new development is serviced by public transport in accordance with national planning and transport policy, the Chief Executive's considers that it would be appropriate to include the additional text as proposed by the OPR.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to a minor modification.

## **PA CH 2.8: Section 2.4 Implementation and Active Land Management, page 54**

Insert the following text under 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 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.**

# PART 3

## **Submissions Received:**

FIN-C532-127

## **Summary of Issues:**

This submission from Meath County Council welcomes the publication of the Material Alterations to the Draft Plan and the inclusion of additional text as set out in PA CH 2.8.

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

The contents of the submission are noted and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 2.9: Section 2.4.1 Local Area Plans, page 55**

Include additional text directly before the heading "Operational LAPs" on page 55 of the Draft Development Plan as follows:

**Fingal County Council will seek to ensure that the mitigation measures as set out in all statutory Local Area Plans in Fingal will continue to be implemented and managed in accordance with the requirements of the LAPs"**

## **Submissions Received:**

FIN-C532-61, FIN-C532-163, FIN-C532-166

## **Summary of Issues:**

A number of submissions have been received in relation to PA CH 2.9. Clarity is sought in relation to the status of the current LAP for Portmarnock South which is due to expire in July 2023 and it is considered that LAP 9A/white hatching as denoted on accompanying maps may lead to confusion, inferring that a new LAP is required. A submission seeks the omission of Objective LAP 9A and removal of the white hatching, or where it is the Council's intention to allow the LAP to wither but the map based objective LAP 9A is to be retained, requests additional text to clarify that any further development on the lands will be guided by the provisions of the Development Plan as well as mitigation measures of the former LAP. Where a new LAP is to be prepared, it should be commenced within a short timeframe of the adoption of the Plan and Table 2.16 updated. In the interim, development should continue to be permitted subject to compliance with the mitigation measures.

Other submissions oppose amendments in relation to LAPs which have been extended and state that the local authority cannot adopt mitigation measures in LAPs without considering if the baseline data associated with the plans is in date and that issues arise in relation to lack of public consultation regarding the SEA Directive and that Development Plan SEA and AA do not comply with assessment of these mitigation measures in relation to precise and definitive scientific information. Mitigation measures set out in the Portmarnock South LAP are opposed due to non-conformity with Birds Directive and Habitats Directive.



# PART 3

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

The submissions are noted and welcomed. Clarity is provided in relation to instances where extant LAPs wither over the life of the Plan and where new LAPs are not scheduled to be provided – e.g. in instances where the local area plan lands have been substantially completed. In this regard, please refer to the response to OPR Submission Section 1: Core Strategy and Settlement Strategy PA CH 2.11: Section 2.4.1 Local Area Plans page 56. The response provides clarity with regard to ensuring consistency between extant LAP's and the Development Plan and the timeline for ensuring same. Clarity is also provided in relation to the provisions of operational local area plans.

Furthermore, it should be noted that the new objective proposed under PA CH 2.27: Self Sustaining Towns Objectives, page 84, will be modified to list mitigation measures pertaining to the Portmarnock South and Baldoyle-Stapolin LAP's referenced. Consequently, it is not considered necessary to amend PA CH 2.9 Section 2.4.1 Local Area Plans and it is recommended that the Development Plan be made with PA CH 2.9 Section 2.4.1 Local Area Plans, page 55 as displayed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with Material Alteration PA CH 2.9 as displayed

## **PA CH 2.10: Section 2.4.1, Local Area Plans, page 56:**

Amend Table 2.16 as follows:

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

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

## **Submissions Received:**

FIN-C532-46, FIN-C532-52, FIN-C532-75, FIN-C532-78, FIN-C532-131

## **Summary of Issues:**

Submissions refer to and welcome the removal of Belcamp from the Schedule of LAPs and indicate that the proposed Material alteration does not fully take into consideration the formal submission of the OPR in relation to the inclusion of an LAP for the lands in question.

Submissions were also made relating to the inclusion of Swords within Table 2.16 and the need to extend the Development boundary of the Swords LAP lands. A further submission received requests amendments to provide clarity in relation to the proposed preparation of a new Local Area Plan for Swords under Material Alteration PA CH2.10.

# PART 3

Submissions were received calling for the requirement to prepare a Local Area Plan for lands at Flemington as set out in Table 2.16 to be removed.

In support of this argument submissions outline the planning history of the site, the failure to deliver a Masterplan to date and the timeline for the inclusion. Submissions also set out the rationale for removing the requirement in order to accelerate the provision of housing.

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

The contents of the submissions are noted.

It should be noted that Issues raised in relation to the LAP boundary of Swords have been addressed as part of the response to PA SH 8.8. With regard to the overall purpose of the Swords LAP, the planning authority will take into consideration the findings and recommendations of numerous masterplans, transportation studies and other investigations undertaken to inform development in the Swords area in recent years. The masterplans will form part of the LAP, either as an appendix or reference document – to be determined during the scoping of the LAP. Detailed phasing arrangements will be examined as part of the LAP preparation process, informed by key stakeholders including national transport providers.

The requirement to prepare a Local Area Plan for Flemington is set out in Table 2.16 of the Draft Plan and presents a substantial land bank to the northern boundary of Balbriggan, located within the town's development boundary and extending to approximately c.17 hectares.

It is important therefore that a clear framework is put in place to guide and inform the future development of these lands and to ensure the early delivery of housing. In this regard, the LAP for Flemington will be tasked with examining numerous issues, including the phasing and delivery of infrastructure, provision of open space and recreational amenities, incorporation of Balbriggan Ring Road and ensuring successful integration with properties on Flemington Lane.

Accordingly, it is recommended that the requirement to prepare a Local Area Plan for Flemington continue to be included in Table 2.16.

In the context of the Belcamp lands, it is noted that the OPR in its submission under Observation 2 contends that the Belcamp lands should be listed in the schedule of Masterplans required for the plan period and to which the requirement for a Local Transport Plan under Policy CMP4 applies, to ensure that a sustainable transport and land use strategy for these strategic development lands is delivered.

In view of Observation 2 relating to Belcamp as set out by the OPR in its submission, it is recommended that the Development Plan be made with the proposed Material Alteration PA CH 2.12, as displayed, subject to modifications as set out in the OPR submission response.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 2.11: Section 2.4.1, Local Area Plans, page 56:**

Amend Section 2.4.1 as follows:

# PART 3

**Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources. Following adoption of the Development Plan, a list of LAPs and other strategic plans to be prepared over the lifetime of the Development Plan will be drafted by the Planning Department based on the Council's priorities and subject to resources.**

## **Submissions Received:**

FIN-C532-53, FIN-C532-61, FIN-C532-78

## **Summary of Issues:**

A number of submissions were received which request additional clarity in relation to the status of current LAPs which are due to expire over the life of the Plan and for which no new LAPs are proposed to be undertaken under Table 2.16. Submissions suggest that mapped objectives/white hatching as denoted on associated Map Sheets may give rise to a lack of clarity regarding the requirement or otherwise to prepare new LAPs. Submissions request the removal of such hatching/mapped objectives and seek clarity that new LAPs will be provided in a timely manner or where the extant LAP withers and is not replaced, to clarify that development will be guided by the provisions of the Development Plan, including mitigation measures.

Submissions also suggest that additional text is included to clarify that pending preparation of new LAPs, planning applications for developments within the areas covered by the proposed LAPs, will be assessed on their merits against the policies and objectives of the Development Plan.

It is requested that additional text is added to Section 2.4.1 (LAPs) under proposed Material Alteration Ref. PA CH 2.11.

It is noted proposed amendments include for the preparation of a Local Area Plan for Swords over the Plan Period, and the boundary for the LAP (which includes the lands at Fosterstown North) are indicated on Map Sheet 8 Swords. Given the uncertainty in respect of timelines for the preparation of an LAP for Swords, and to ensure this does not hinder development, a submission requests revised text for Section 2.4.1 to clarify how development should be assessed.

It is submitted that proposed Material Alteration PA CH 2.16 include additional text in respect of Urban Framework Plans (UFPs) and it is considered that similar text should be included in the Development Plan with respect to LAPs for the avoidance of any doubt, which is particularly relevant to Swords where existing services and infrastructure are in place and the issue of prematurity does not arise.

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

The content of these submissions is noted.

Clarity will be provided in relation to instances where currently extant LAPs wither over the life of the Plan and where new LAPs are not scheduled to be provided – e.g. where the Plan lands have been substantially completed, as per the OPR response to this amendment.

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

# PART 3

framework and phasing arrangements which will ensure the delivery of the required social and physical infrastructure (including schools) in an appropriate manner. 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.

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. It is recommended that Swords continues to be included in Table 2.16 - Schedule of Local Area Plans. 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 previously prepared Swords Masterplans.

The Council will as soon as is practicable following adoption of the Plan, prepare a list of priorities which will be presented to the Elected Members, scheduling the preparation of LAPs, Masterplans, Framework plans and other studies over the lifetime of the Development Plan.

Having regard to the text of OPR Observation 1, it is recommended that additional text be added at the end of PA CH 2.11 to confirm that where any objective of an LAP is no longer consistent with the Development Plan, Fingal County council will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.

Furthermore, it is also considered appropriate to include additional text to the Draft Plan in order to provide additional clarity regarding the overall status of Local Area Plans throughout the lifetime of the Development Plan (including LAPs which are due to expire shortly after the adoption of the Plan.)

In this regard, it is proposed to insert the following text:

“Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - ‘Subject to Local Area Plan.’ The provisions of the operational LAPs will continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.”

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with modifications to the proposed Material Alterations as displayed.

#### **PA CH 2.11 Section 2.4.1 Local Area Plans, page 56**

Amend Section 2.4.1 as follows:

~~Fingal County Council will prepare these plans over the lifetime of the Development Plan, subject to resources.~~ *Following adoption of the Development Plan, a list of LAPs and other strategic plans to be prepared over the lifetime of the Development Plan will be drafted by the Planning Department based on the Council’s priorities and subject to resources.*

# PART 3

{Where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.

{Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - 'Subject to Local Area Plan.' The provisions of the operational LAPs will continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.}

## PA CH 2.14: Section 2.7.2 Role of Each Settlement Page 59

Amend Policy objective CSO41 – LAPs and Framework Plans for Donabate as follows:

- Implement the existing Local Area Plan within Donabate **and**
- Prepare and implement a Framework Plan over the life of the Plan **to guide and inform future development and to include measures to improve and promote the public realm of the village**
- Promote and support the provision of a sewage mains connections for Corballis/Balcarrick residents.

### **Submissions Received:**

FIN-C532-136

### **Summary of Issues:**

Submission from Irish Water states that the Authority does not have a project in the Capital Investment Plan to support this objective during the lifetime of the Development Plan

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

The content of the submission is noted. The Framework Plan envisaged will guide and inform future development within the centre of Donabate and is anticipated to provide primarily for public realm improvement works.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 2.20: Section 2.7.2, Role of Each Settlement, page 74:

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.

### **Submissions Received:**

FIN-C532-69

# PART 3

## **Summary of Issues:**

Submission notes that the Liffey Valley, including areas in the vicinity of the lands covered by the SAAO as well as the area subject to the Order are of a high biodiversity value. The submission raises concerns to any modifications of the Plan which could result in increased development in the Liffey Valley, impacting its flora and fauna and function as an ecological corridor.

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

The content of the submission is noted. The SAAO for the Liffey Valley does not contain a buffer zone and as such reference to the same is removed by PA CH 2.20 in the interests of clarity.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 2.21: Section 2.7.2, Role of Each Settlement, page 74:**

Move Policy CIOSP16 from Section 4.5.2.9 to Section 2.7.2, after Policy CSP24 and amend as follows:

#### **[Policy CSPXX – Dunsink Planetarium](#)**

**[Promote the concept of a “planetarium” on the lands of Dunsink adjacent to the Observatory on its Meridian Line.](#)**

## **Submissions Received:**

FIN-C532-39, FIN-C532-123,

## **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.21.

A submission was received from Submission from NAMA which suggests that the objective for a planetarium should be identified as being within the Dunsink Observatory/ curtilage of the facility and its location should not be limited to the Dunsink Meridian Line as this is viewed as being overly prescriptive. The submission requests that the Plan is specific in ensuring the Planetarium is not located on lands outside the clearly defined and identifiable curtilage of the Observatory and amending text is sought.

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

The contents of the submissions are noted.

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.21, which recommends moving the Policy on Dunsink Planetarium from Section 4 to Section 2.

Concerns raised in relation to the location of a future planetarium are noted. It is considered that development proposals of this significant and nationally important complex, including the development of a planetarium, may best be examined as part of the proposed statutory plan for

# PART 3

Dunsink. Accordingly it is appropriate that the amendment is modified to allow greater flexibility for the location of a future planetarium. This would ensure that the benefits accruing from such anticipated significant investment may appropriately align with the planned delivery of social and community infrastructure in the wider area.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with modifications to the proposed Material Alterations as displayed.

### **PA CH 2.21: Section 2.7.2, Role of Each Settlement, page 74**

Move Policy CIOSP16 from Section 4.5.2.9 to Section 2.7.2, after Policy CSP24 and amend as follows:

#### [Policy CSPXX – Dunsink Planetarium](#)

[Promote the concept of a “planetarium” on the lands of Dunsink adjacent to the Observatory {on its Meridian Line}.](#)

### **PA CH 2.22: Section 2.7.2, Role of Each Settlement, page 75:**

Amend Objective CSO29 – Dunsink as follows:

Prepare a local statutory plan *for the Long Term Strategic Reserve lands* at Dunsink *during the lifetime of this Development Plan*, 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~~ *that is cognisant of and sensitive to the significant historic buildings within the area including the nationally important architectural heritage site of Dunsink Observatory. This plan shall include Dunsink Observatory lands and the provision of a Planetarium.'*

### **Submissions Received:**

FIN-C532-39, FIN-C532-123,

### **Summary of Issues:**

A submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.22.

A submission from NAMA welcomes the Council's commitment to the preparation of a statutory plan for the lands. The submission also suggests that the text should be amended to specify that the provision of the Planetarium should be within Dunsink Observatory and not located on the wider land bank zoned as a Long Term Strategic reserve. Amending text is suggested.

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

The content of the submissions is noted.

Support expressed for PA CH 2.22 is acknowledged and welcomed. Concerns raised in relation to the location of a future planetarium are noted. It is considered that development proposals for this significant and nationally important complex, including the development of a planetarium,



# PART 3

may be best examined as part of the proposed statutory plan for Dunsink. This would ensure that the benefits accruing from such anticipated significant investment may appropriately align with the planned delivery of social and community infrastructure in the wider area.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 2.23: Section 2.7.2, Role of Each Settlement, page 75:**

Insert a new objective after Objective CSO29 – Dunsink as follows:

**Objective CSOXX - Designation of Dunsink Observatory**  
**Support the designation of Dunsink Observatory as a UNESCO World Heritage Site.**

### **Submissions Received:**

FIN-C532-39, FIN C532-123,

### **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.23.

Submission from NAMA indicates that the impact of a potential UNESCO World Heritage designation at Dunsink Observatory requires careful consideration and in this regard, potential impacts may arise in relation to the operation of existing and future infrastructure and urban development. Restrictions on adjacent development from both designated and tentative UNESCO World Heritage sites is significant and could significantly impact the development objectives of the strategic land bank. Suggested amendments to the text of PA CH 2.23 are tabled.

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

The content of the submissions is noted, including support for the designation of Dunsink Observatory as a UNESCO World Heritage Site.

The Chief Executive notes the submission from NAMA in which concerns are raised in relation to the potential impacts of UNESCO World Heritage designation at Dunsink Observatory. The Planning Authority, as expressed within PA CH 2.23 will support the designation of the observatory as a UNESCO world heritage site and will, regardless of such future designations, have full regard to the historical significance of the observatory in the preparation of a statutory plan for the wider Dunsink area. The Dunsink plan, incorporating important social and community infrastructure will benefit from proximity to the observatory, while the historical complex will similarly derive multiple benefits from enhancement of its immediate environment, including provision of improved accessibility.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.



# PART 3

## PA CH 2.24: Section 2.7.2, Role of Each Settlement, page 75:

Insert a new objective after Objective CSO29 – Dunsink as follows:

**Objective CSOXX - Multi-Functional Green Infrastructure Corridor**  
**Develop multi- functional green infrastructure corridor between Dunsink and Tolka Valley Park.**

### **Submissions Received:**

FIN-C532-39, FIN-C532-140

### **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA CH 2.24. A further submission received from the HSE also supports the inclusion of PA CH 2.24 and for the multi-functional green infrastructure corridor between Dunsink and Tolka Valley Park.

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

The content of the submissions supporting the inclusion of PA CH 2.24 and the provision of a multi- functional green infrastructure corridor between Dunsink and Tolka Valley Park are acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 2.26: Section 2.7.2, Role of Each Settlement, page 83:

Insert new policy after Policy CSP37 as follows:

**Policy CSPXX – Coastal Cycleway**  
**Support the provision of a coastal cycleway between Malahide and Swords along the Broadmeadow Estuary**

### **Submissions Received:**

FIN-C532-140, FIN-C532-172

### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 2.26 and supports the provision of a coastal cycleway between Malahide and Swords along the Broadmeadow Estuary and recommends integrating it with cycling, walking and public transport networks. A further submission supports the provision of additional greenways within the county which shall be facilitated through the allocation of necessary funding.

# PART 3

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

The content of the submissions is noted. The support for PA CH 2.26 is acknowledged and welcomed.

The promotion and provision of sustainable active travel is a key strategic objective of the Draft Plan to connect towns, villages and their services and amenities. Accordingly, the Plan contains extensive policy and objectives to support an integrated walking and cycling network at a strategic level. Section 6.5.6.1 observes that the NDP 2021-2030 allocates significant annual funding for the development of walking and cycling infrastructure across the county while the delivery of location specific projects will be appropriately considered within the context of a capital or works programme.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 2.27: Self-Sustaining Towns Objectives, page 84**

Include a new objective in Chapter 2, after CSO60 as follows:

#### **Objective CSOXX- Mitigation Measures**

**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.**

## **Submissions Received:**

FIN-C532-61, FIN-C532-163, FIN-C532-166.

## **Summary of Issues:**

One submission received is supportive of PA CH 2.27 but seeks clarity in relation to the status of the current LAP for Portmarnock South which is due to expire in July 2023. The submission states that Objective LAP 9A /white hatching denoted on associated maps may lead to confusion as it infers that a new LAP is required. The submission requests the omission of Objective LAP 9A/ white hatching or where it is the Council's intention to retain, additional text should clarify that any further development on the lands will be guided by the provisions of the Development Plan as well as mitigation measures of the former LAP. The submission also suggests that where a new LAP is to be prepared, it shall be commenced in a timely manner and Table 2.16 should be updated to include Portmarnock South LAP.

Other submissions received oppose amendments in relation to LAPs that have been extended and state that the local authority cannot legally adopt mitigation measures in LAPs without considering if the baseline data associated with these plans is in date and indicates that issues arise in relation to lack of public consultation regarding the SEA Directive. The submission states that the Development Plan SEA and AA do not comply with assessment of these mitigation measures in relation to precise and definitive scientific information. Mitigation measures set out in the Portmarnock South LAP are opposed due to the measures not conforming with the Birds

# PART 3

Directive and Habitats Directive in Appendix 1. Submissions are accompanied by Appendix A: Quiet Zone History.

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

The content of the submissions are noted. As set out in the response to Section OPR Submission Section 1- Core Strategy and Settlement Strategy, clarity will be provided in relation to instances where currently extant LAPs wither over the life of the Plan and where new LAPs are not scheduled to be provided – e.g. where the local area plan lands s have been substantially completed. In this regard, please refer to the response to OPR Submission Section 1: Core Strategy and Settlement Strategy PA CH 2.11: Section 2.4.1 Local Area Plans page 56. The response provides clarity with regard to ensuring consistency between extant LAP's and the Development Plan and the timeline for confirming same. Clarity is also provided in relation to the provisions of operational local area plans.

It is considered appropriate to modify PA CH 2.27: Self Sustaining Towns Objectives, page 84 to list mitigation measures pertaining to the Portmarnock South and Baldoyle-Stapolin LAP's referenced in the Objective CSOXX- Mitigation Measures.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made **with** Material Alteration PA CH 2.27, as displayed **subject to modifications**.

PA CH 2.27: Self-Sustaining Towns Objectives, page 84

Include a new objective in Chapter 2, after CSO60 as follows:

Objective CSOXX- Mitigation Measures

**Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAP's {and other LAP's as necessary} will continue to be implemented and managed in accordance with the requirements of the LAP's {or where a LAP is no longer in place, in accordance with the following measures if not already implemented:}**

### **{Portmarnock South Area**

**The following Habitat Protection Measures agreed between the NPWS and Planning Authority shall be implemented as may be appropriate prior to the commencement of development; ensuring feeding and roosting habitat is protected and disturbance to migratory birdlife for the duration of the construction.**

- **Conservation Management Plan for the ecological buffer zone/open space lands and the high amenity lands of the 'Murragh Spit' prepared in consultation and agreement with Fingal County Council and the NPWS.**
- **The Ecological Buffer Zone within the plan lands maintained as amenity grassland, semi-natural meadow, natural grassland and scrub, pasture and arable land use including wintering crops such as linnet mix.**
- **A 'quiet zone' established to the south of the residential development area to cater for Brent Geese and wader species. The 'quiet zone' to consist of grassland pasture. This 'quiet zone' will be enclosed by a fence and hedge to prevent disturbance during the winter migratory bird season. The enclosure must be dog proof but can permit**

# PART 3

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overlooking of the 'quiet zone' e.g. 1.2 metre high fence with hedge planting of native species.

- Retention of field within the southern section of the plan lands under arable cultivation. This will support and encourage food production through community and contract farming initiatives.
  - The extensive open space within the ecological buffer zone to be managed as meadows.
  - Retain the ecological buffer zone to the estuary in a predominantly open state to support unhindered bird movement.
  - Retain the 'Murragh Spit', east of the Coast Road as a managed conservation area to protect estuarine birdlife.
  - Disposal of construction and surplus fill material to be carefully managed through the Development Management process.
  - Provision of SuDS Regional Wetland, unless otherwise agreed and subject to Appropriate Assessment screening to ensure all downstream habitats and open habitat used by qualifying interest birds are protected.
1. **Objective GI 1** Advance a green infrastructure strategy through the integration of a network of natural habitat and biodiversity supporting spaces, parkland for passive and active recreational uses, heritage features, sustainable surface water and flood risk management measures.
  2. **Objective GI 2** Promote the development of a series of green routes/green linear corridors that connect amenity and open space areas with new and established communities.
  3. **Objective GI 3** Comply with the objectives relating to biodiversity, open space and green infrastructure set out in the Fingal Development Plan. The overarching requirements of the current plan would take precedence in this respect.
  4. **Objective GI 4** Demonstrate in each planning application, how the Green Infrastructure and Landscape Strategy has influenced the layout of development and in particular, how it is reflected in the design and layout of open spaces, linear parks and green routes.
  5. **Objective GI 5** Ensure the early completion of the provisions of the Green Infrastructure and Landscape Strategy.
  6. **Objective C 1** Maintain qualifying interest habitats and species within the Baldoyle Bay SPA and SAC and other European sites where relevant at favourable conservation condition to ensure the ecological integrity of Baldoyle Bay and further ensure that the lands continue to provide supporting function for the Qualifying Interest species.
  7. **Objective C 2** Protect and conserve the natural habitats and designated status of the Sluice River Marsh and ensure that salmonid waters constraints apply to all development within the plan lands.
  8. **Objective GI 6** Require Appropriate Assessment (AA) Screening for any development, plan or project including changes to the landscape, within the Ecological Buffer Zone. This will include any changes to existing or future layout, materials or management.
  9. **Objective GI 7** Protect and enhance the function of the ecological buffer zone through appropriate mitigation and management measures as set out in Green Infrastructure and Landscape Strategy.

# PART 3

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10. **Objective GI 8** Promote the conservation and enhancement of biodiversity having regard to the objectives of the Fingal Development Plan, the Fingal Biodiversity Action Plan and the Fingal Heritage Plan while allowing for appropriate development, access and recreational activity.
11. **Objective GI 9** Protect existing trees, hedgerows, townland boundaries and watercourses which are of amenity, historic or biodiversity value and ensure that proper provision is made for their protection and management in future development proposals in accordance with a Green Infrastructure and Landscape Strategy.
12. **Objective GI 10** Protect significant and ecologically valuable watercourses and maintain them in an open state capable of providing suitable habitat for fauna and flora.
13. **Objective GI 11** Require measures for the protection and management of local biodiversity features to be submitted in any development proposals. This shall include details of how and where any surplus fill from the plan lands is to be disposed.
14. **Objective GI 12** Implementation of agreed habitat protection measures and the subsequent transfer of zoned open space lands to Fingal County Council to be completed prior to the commencement of development.
15. **Objective GI 13** Ensure that sufficient information is provided as part of development, plan or project proposals to enable Appropriate Assessment screening to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made.
16. **Objective GI 14** Ensure that future developments within the area have regard to the principles for development in coastal and estuarine character areas as set out in the Landscape Character Assessment of the Fingal Development Plan.
17. **Objective GI 15** Incorporate principal views of the surrounding area, in particular, Baldoyle Bay, Howth Head, Ireland's Eye and Lambay Island into future development schemes.
18. **Objective GI 16** Protect the following views:
  - Views from the eastern half of the area towards Baldoyle Bay, Howth Head, Ireland's Eye and Lambay Island.
  - Views southwards of the Dublin Mountains.
  - Views into the lands.
19. **Objective GI 17** Ensure that the existing topography of the lands is incorporated into the design concept and layout with minimal variations to existing ground levels, in as far as is practicable, in development schemes.
20. **Objective GI 18** Ensure trees, hedgerows and other features which demarcate townland boundaries are preserved and incorporated into the design of developments.
21. **Objective GI 19** Protect, preserve and ensure the effective management of trees and groups of trees.
22. **Objective GI 20** Implement a scheme of tree and hedgerow protection measures, in compliance with British Standard 5837 (2012), Trees in Relation to Design, Demolition and Construction to Construction - Recommendations' and in agreement with Fingal County Council, prior to commencement of development. The scheme of protection measures to be maintained in place until effective completion of all construction works.

# PART 3

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23. **Objective GI 21** Require the use of native planting where appropriate in new developments in consultation with the Council. Indigenous, non-invasive species should be considered to provide habitat for locally occurring fauna ensuring, at a minimum, there should be no net loss of the tree and hedgerow resource.
24. **Objective GI 22** Ensure sensitive and appropriate boundary treatments, respecting the estuarine nature of the landscape, in all development proposals.
25. **Objective GI 23** Require a visual impact assessment of new development on the surrounding landscape, including cross sections and photomontages at planning application stage.
26. **Objective GI 29** Provide an integrated network of open spaces, pocket parks, linear parks and green routes through the implementation of a Green Infrastructure and Landscape Strategy.
27. **Objective GI 30** Integrate public open space provision and surface water management [SuDS].
28. **Objective GI 31** Promote and facilitate the development of carefully managed access to ecologically sensitive areas.
29. **Objective GI 32** Promote connections between open spaces and amenity areas including greenways within and beyond the area.
30. **Objective GI 33** Promote and develop a combined greenway of no more than 3 metres in width for walking and cycling along the eastern edge of the plan lands and access the potential to connect with amenity lands in the adjoining Racecourse Park to the south and further amenities along the coastal corridor, in consultation with the Council's Biodiversity Officer. The coastal walkway shall be designed and sited to reflect and where appropriate integrate with its coastal setting subject to Appropriate Assessment and detailed design assessment.
31. **Objective GI 34** Assess the feasibility of establishing growing initiatives within the area.
32. **Objective GI 35** Ensure every home within a new residential scheme is located within 100 metres walking distance of a pocket park, small park, local park, urban neighbourhood park or regional park.
33. **Objective GI 36** Ensure that a minimum 10% of the proposed development site area shall be designated for use as public open space.
34. **Objective GI 37** Provide a children's playground within the proposed small park (Skylark Park).
35. **Objective GI 38** Ensure the timely completion of the open space network and green routes as set out in Green Infrastructure and Landscape Strategy through a phasing strategy for the area.
36. **Objective GI 39** Achieve best practice and innovation in SuDS design as part of development schemes including the successful co-ordination of surface water management with biodiversity features and amenity functions of open space and landscaped areas.
37. **Objective GI 40** Demonstrate compliance with the provisions of the SuDS Strategy of the Plan in the design and layout of SuDS devices in the area. Ensure as far as practical that the design of SuDS enhances the quality of open spaces. SuDS do not form part of the public open space provision, except where it contributes in a significant and positive way to the design and quality of open space. In instances where the Council



# PART 3

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determines that SuDS make a significant and positive contribution to open space, a maximum 10% of open space provision shall be taken up by SuDS.

38. **Objective GI 41** Protect the integrity of existing townland hedgerows and watercourses for their biodiversity and amenity value including surface water management. To this end, ensure that no development, including clearance and storage of materials, takes place within a minimum distance of 10-15 metres measured from each bank of any river, stream or watercourse.
39. **Objective GI 42** Developers shall have regard to the principles and standards for SuDS design.
40. **Objective GI 43** Ensure the early completion of the proposed regional SuDS wetland.
41. **Objective TM 20** Ensure that any transport and movement proposals take full account of the sensitivities of the receiving environment including biodiversity features and the conservation objectives of EU designated sites.
42. **Objective SW 2** Require all planning applications to submit details of compliance with a SuDS Strategy which include proposals for the management of surface water within sites, and runoff rates from sites, protecting the water quality of Baldoyle Bay.
43. **Objective SW 3** Require local/site specific SuDS measures in tandem with development.
44. **Objective SW 4** Require green roofs for commercial development within the area unless otherwise agreed and investigate the feasibility of green roofs for residential development.
45. **Objective SW 5** Ensure urban areas are designed to accommodate surface water flood flow at times of extreme events through the dual use of roads and pathways as flood conveyance channels and appropriate areas (parkland, car parks, large paved areas, etc.) are used as temporary flood ponding areas.
46. **Objective SW 6** Ensure that all trees planted in/adjacent to hard paved areas (footpaths, parking areas, etc.) incorporate tree root structural cell systems.
47. **Objective SW 8** Require that proposals for sustainable drainage systems include provisions for future maintenance of these systems. In this regard, maintenance plans shall be submitted with each planning application.
48. **Objective SW 9** Ensure that existing watercourses remain open and are incorporated into amenity/SuDS proposals. Culverting of streams is generally not acceptable and should be avoided
49. **Objective SW 10** Ensure that no development, including clearance and storage of materials, takes place within a minimum distance of 10-15 metres measured from each bank of any river, stream or watercourse.
50. **Objective SW 11** Require a settlement pond to allow for treatment of all surface water discharges from the development site during the construction phase. Prior consultation with the Council's Water Services Department and Biodiversity Officer is required regarding the most appropriate location for this pond.
51. **Objective SW 12** SuDS features shall be provided as part of the first phase of development and would only be considered on a phased basis where an alternative temporary solution is proposed or where phasing does not adversely impact or prejudice the delivery of the final SuDS Strategy and complies with appropriate assessment and conservation management objectives/Habitat Protection Measures.

# PART 3

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52. **Objective WQ 3** Seek the maintenance of the Sluice River and rehabilitation of the Mayne River to good water status, it's restoration as a natural amenity and protection of the riparian corridor through the area.
53. **Objective WQ 5** Implement the measures drawn up in the Pollution Reduction Programme for the Malahide Shellfish Area.
54. **Objective GW 1** Protect existing ground water sources from pollution during construction / development works
55. **Objective SP 1** Ensure that those areas of the lands that are not under construction are kept free from arisings or other materials associated with development unless otherwise agreed with the Planning Authority.
56. **Objective SP 2** Ensure that the larger undeveloped areas of the residentially zoned lands are maintained in agricultural use or are managed in such a way as to support the roosting and feeding habitat requirements of the qualifying interest species of Baldoyle Bay. Where smaller parcels of land between developments are created, they should be kept open in nature with connectivity provided between other residential areas and the railway station and small centre.

## **Baldoyle-Stapolin Area**

1. **Objective GI 1** Create a high-quality, well-connected and sustainable natural environment of green spaces and watercourses that are rich in biodiversity and promote active and healthy lifestyles.
2. **Objective GI 2** Require a high-quality design approach to all green infrastructure, which creates inviting, flexible, multifunctional places, protects and enhances local distinctiveness and character, incorporates existing features and important vistas.
3. **Objective GI 3** Maximise the opportunities for enhancing the green infrastructure resource through the provision of urban landscape features such as green corridor routes and links, swales, green roofs, trees and shrubs within the new development and public realm.
4. **Objective GI 4** Provide for the protection, conservation and enhancement of wildlife habitats and natural resources, including the existing watercourses on site and features such as ecologically important hedgerows and mature trees within the area.
5. **Objective GI 5** Develop and enhance existing green infrastructure, create new habitats where any are lost, improve physical and habitat linkages between the adjoining Baldoyle-Stapolin, Portmarnock and Clongriffin lands and develop a new high quality well landscaped public realm, connecting into the wider green network.
6. **Objective GI 6** Comply with all of the policies of the current Fingal Development Plan relating to open space, biodiversity, green infrastructure and open space provision.
7. **Objective GI 7** Ensure that plans, designs, detailed schedules and specifications of work including management plans, where privately managed, for all public open spaces and green infrastructure are integral to all planning applications.

## **Designated sites**

8. **Objective GI 8** Maintain or restore the favourable conservation condition of Annex 1 habitat(s) and/or the Annex II species for which the Baldoyle SAC has been selected: [1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonising mud and sand [1330] Atlantic salt meadows (*Glaucopuccinellietalia maritima*) [1410] Mediterranean salt meadows (*Juncetalia maritimi*)
9. **Objective GI 9** Maintain qualifying interest habitats and species within the Baldoyle Bay SPA and SAC at favourable conservation condition to ensure the ecological



# PART 3

integrity of Baldoyle Bay and further ensure that the LAP lands continue to provide supporting function for the Qualifying Interest species.

10. **Objective GI 10** Ensure that sufficient information is provided as part of development, plan or project proposals to enable Appropriate Assessment screening to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made.

#### *Racecourse Park – Mitigation with the Ecological Buffer Zone*

11. **Objective GI 11** Ensure compliance with the landscape masterplan for Racecourse Park and the Portmarnock South lands which incorporates mitigation measures for any loss of habitat for the conservation interests of Baldoyle Bay.
12. **Objective GI 12** Promote opportunities for the enhancement of local biodiversity features including the creation of new habitats through managed spaces and new water features such as pools and ponds in order to promote wildlife use associated with the existing Designated Sites. Such proposals may be subject to an Appropriate Assessment of the likely significant effects on European Sites due to the proximity of urban centres.
13. **Objective GI 13** Provide appropriately designed and located combined pedestrian and cycle routes of no wider than 3m through Racecourse Park, and minimise access points to avoid disturbance to protected habitats and species within Baldoyle Bay and Racecourse Park.
14. **Objective GI 14** Ensure the minimisation of signage within Racecourse Park to protect the visual enjoyment of the park and the integrity of the wider natural environment.
15. *Creating a Green Network – Green Corridors, Green Links and Stepping Stones*
16. **Objective GI 15** Create a cohesive network of green corridors, green routes/ links and stepping stones throughout the lands that facilitate wildlife movement between the residential areas and the surrounding landscape.
17. **Objective GI 16** Create new green links to connect publicly accessible open spaces to main destination points, such as the DART station, bus stops, village centre, proposed school, health facilities and other publicly accessible open spaces including Racecourse Park.
18. **Objective GI 17** Develop a green link along the Mayne River, where it does not conflict with the conservation objectives of the SAC, under the existing railway arches in Racecourse Park, to connect the parkland with the proposed linear park along the Mayne River within the Dublin City Council administrative area.
19. **Objective GI 18** Ensure that the design of all green corridors, links and stepping stones takes account of the sensitivities of habitats and avoids adverse impacts resulting from noise, lighting and other types of disturbance.
20. **Objective GI 19** Improve education and awareness of the importance of green corridors, links and stepping stones and ecological connectivity to help ensure their retention and management for future generations.

#### *Sustainable urban Drainage Systems (SuDS)*

21. **Objective GI 20** Require that water storage areas be designed and integrated into the development with consideration to their drainage, recreation, biodiversity and amenity value.
22. **Objective GI 21** Ensure, as far as practical, that the design of SuDS enhances the quality of open spaces and biodiversity.
23. **Objective GI 22** Promote open SuDS features, wetland and pond features in planned open spaces such as the pocket park, local parks and Racecourse Park subject to satisfactory resolution of management programmes, public safety, ease of cleansing and maintenance access.

# PART 3

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24. **Objective GI 23** Ensure that the design of swales and stormwater attenuation areas and SuDS proposals within private developments include commitments to addressing a net gain in biodiversity through the use of appropriate planting.
25. **Objective GI 24** Require that SuDS corridors alongside roads and green corridors incorporate wildlife habitat, pedestrian links and structural planting where appropriate.
26. **Objective GI 25** Require that SuDS features in Racecourse Park be designed as extensive, naturalistic open features (e.g. ponds, wetlands) of value to wildlife and local amenity. Their water quality and storage objectives shall be dealt with in combination with landscape integration, visual amenity and protection/enhancement of biological diversity.
27. **Objective GI 26** Require that where SuDS features are connected to the Mayne River best practice will apply and consultation with the relevant national bodies such as the National Parks and Wildlife Service and Inland Fisheries Ireland will take place to agree on the methodology for such works. In any event, the design of SuDS features shall not conflict with conservation management objectives of the EU Designated Sites.
28. **Objective GI 27** Ensure that green roofs are incorporated into the design of all new commercial buildings on the Plan lands.

## *Landscape*

29. **Objective GI 28** Ensure that development along the parkland edge of the residential lands is sensitively designed to reflect the 'Sensitive Landscape' designation on these lands in the current Fingal Development Plan.
30. **Objective GI 29** Ensure that any new hedgerows and tree species within the site are planted with non-invasive species which will provide alternative habitat for displaced wildlife, be compatible with local landscape values and help maintain connectivity for species which rely on such features for movement or feeding.
31. **Objective GI 30** Maximise the potential views of the surrounding area from the development lands. In particular, the views of Ireland's Eye, the coast and the higher parklands, to the north, at Portmarnock shall be protected.

## *Stapolin Square*

32. **Objective GI 31** Manage the open space at Racecourse Park and any associated lands in accordance with a Landscape Masterplan and mitigation measures and polices.
33. **Objective GI 32** Promote sustainable recreation within the lands that will allow inclusive use of the open space without causing adverse effects on the physical and biological functions of the green infrastructure and/or qualifying interest species and habitats of Designated Sites.
34. **Objective GI 33** Require Appropriate Assessment (AA) Screening for any development, including changes to the landscape, within Racecourse Park. This will include any changes to existing or future layout, materials or surfaces of pitches.
35. **Objective GI 34** Ensure the provision of adequate areas of high quality, safe and overlooked open space within residential developments, which meet the required standards for distance from homes.
36. **Objective GI 35** Facilitate the development of open spaces and civic spaces at suitable locations within the area and protect existing open spaces from inappropriate development, so as to maintain their attractiveness and role in enhancing the residential and ecological amenities of the area.
37. **Objective GI 36** Require the provision of playing pitches in the northwestern corner of the Racecourse Park, south of Mayne Road, or alternative agreed location. Any alternative location may be subject to Appropriate Assessment.

# PART 3

38. **Objective GI 37** Ensure that Stapolin Square incorporates a green core which allows for the visual and physical extension of Ireland's Eye Avenue to and from the train station.
39. **Objective GI 38** Facilitate the potential for public activities and events in Stapolin Square through the incorporation of design elements which allow for such.
40. **Objective GI 39** Facilitate the provision of an all-weather pitch as part of the proposed pitches and active recreational hub to the northwest of the lands, south of Moyne Road, subject to screening for appropriate assessment.
41. **Objective GI 40** Ensure the timely delivery of open space having regard to the open space hierarchy, the preferred masterplan layout and the phasing requirements.

#### *Surface Water Management*

42. **Objective SW 2** Require all planning applications to submit details of compliance with the SuDS Strategy which include proposals for the management of surface water within sites, and runoff rates from sites, protecting the water quality and flow regime of the River Mayne and retrofitting best practice SuDS techniques on existing sites where possible.
43. **Objective SW 3** Require local/site specific SuDS measures in tandem with development.
44. **Objective SW 4** Require green roofs for commercial development within the area unless otherwise agreed.

#### *Water Quality*

45. **Objective WQ 2** Seek the rehabilitation of the Mayne River to good water status, its restoration as a natural amenity and protection of the riparian corridor through the area.

#### *Interim measures*

46. **Objective SP 2** Ensure that construction takes place in a sequential manner in order to avoid areas of new development leap-frogging unfinished phases of development. Internal phasing arrangements will be required and conditioned as part of planning applications.
47. **Objective SP 3** Require all planning applications within the lands to include clear measures for the treatment of interim sites on lands within the ownership of the applicant/developer.
48. **Objective SP 4** Ensure that the delivery of measures to deal with undeveloped or interim lands are included by way of condition in any grant of planning permission.

## PA CH 2.29: Section 2.7.2 Role of Each Settlement, page 86, 87

Amend text in Section 2.7.2 (page 86 and 87) 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

# PART 3

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.

# PART 3

## 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.

### **Submissions Received:**

FIN-C532-82

### **Summary of Issues:**

A submission received from the LDA welcomes the inclusion of PA CH 2.29.

### **Chief Executive’s Response:**

The content of the submission is noted and welcomed.

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 2:

Material alteration	Chief Executive’s Recommendation
PA CH 2.1	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.1, as displayed <b>subject to modifications</b> .
PA CH 2.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.2, as displayed.
PA CH 2.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.3, as displayed <b>subject to modifications</b> .
PA CH 2.4	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.4, as displayed.
PA CH 2.5	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.5, as displayed.
PA CH 2.6	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.6, as displayed <b>subject to modifications</b> .
PA CH 2.8	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.8, as displayed.
PA CH 2.9	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.9, as displayed.
PA CH 2.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.10, as displayed.
PA CH 2.11	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 2.11, as displayed <b>subject to modifications</b> .
PA CH 2.14	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.14, as displayed.
PA CH 2.20	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.20, as displayed.
PA CH 2.21	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.21, as displayed, <b>subject to modifications</b> .
PA CH 2.22	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.22, as displayed.
PA CH 2.23	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.23, as displayed.
PA CH 2.24	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.24, as displayed.
PA CH 2.26	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.26, as displayed.
PA CH 2.27	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.27, as displayed, <b>subject to modifications</b> .
PA CH 2.29	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 2.29, as displayed, <b>subject to modifications</b> .



# PART 3

## ***Text of Proposed Material alterations Recommended to be made with Modifications***

### **PA CH 2.1: Section 2.2.11, The Core Strategy, page 41:**

Insert new text directly before “Capacity of Zoned Lands Fingal Development Plan 2017–2023” as follows:

***An Infrastructural Assessment, which provides a full assessment of the larger scale infrastructural requirements for the County was undertaken having regard to the requirements of NPO 72a and Appendix 3 of the National Planning Framework as well as the Development Plan Guidelines for Local Authorities.***

***Fingal County Council is exceptional in that the ~~entire~~ plan area is serviced and no fundamental constraints were identified by Irish Water. In terms of transport infrastructure, all lands are located alongside existing public road routes with an extensive network of pedestrian and cycle routes and further expansion of the pedestrian and cycle network are underway. Furthermore, almost all lands are located proximate to existing and planned public transport corridors, with costings provided for the larger elements of public infrastructure provided in the Infrastructure Assessment.***

***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, including supporting infrastructure such as local pedestrian and cycling routes.***

### **PA CH 2.3: Section 2.2. The Core Strategy, page 46, 47, 48**

Amend text as follows:

...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% ~~ca. 17%~~ 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. This approach is necessary in line with this strategic vision and ongoing investment in the town. ***{The updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords.}***

### **PA CH 2.6: Section 2.2, Core Strategy, page 52, 53:**

For the updated text of PA CH 2.6, please see Part 2 of this Report which addresses the submission from the Office of the Planning Regulator.



# PART 3

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**PA CH 2.11: Section 2.4.1, Local Area Plans, page 56:**

For the updated text of PA CH 2.6, please see Part 2 of this Report which addresses the submission from the Office of the Planning Regulator.

**PA CH 2.21: Section 2.7.2, Role of each Settlement, page 74:**

Move Policy CIOSP16 from Section 4.5.2.9 to Section 2.7.2 after Policy CSP24 and amend as follows:

Policy CSPXX- Dunsink Planetarium

Promote the concept of a “planetarium” on the lands of Dunsink adjacent to the Observatory ~~on its Meridian Line~~

PA CH 2.27: Self-Sustaining Towns Objectives, page 84

Include a new objective in Chapter 2, after CSO60 as follows:

Objective CSOXX- Mitigation Measures

**Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAP’s {and other LAP’s as necessary} will continue to be implemented and managed in accordance with the requirements of the LAP’s {or where a LAP is no longer in place, in accordance with the following measures if not already implemented:}**

[New text as outlined on page 88 – 96.](#)

# PART 3

## CHAPTER 3: Sustainable Placemaking and Quality Homes

### PA CH 3.2: Section 3.5.1 Healthy Placemaking, page 97

Amend Objective SPQHO2 – Key Principles as follows:

Support development which enhances the quality of the built environment, promotes public health, and supports the development of sustainable, resilient communities. In particular development which supports the following key principles will be supported:

- Demonstrates compliance with the Guiding Principles for the creation of healthy and attractive places as set out in Healthy Placemaking, Regional Spatial and Economic Strategy 2019–2031.
- Promotes the development of healthy and attractive places to live, work, socialise and recreate through the delivery of high-quality public realms and open spaces which encourage physical activity and support wellbeing.
- Is inclusive of all members of society, all genders, non-binary or none, irrespective of age, or levels of mobility.
- Advocates a universal design approach and is socially inclusive.
- **Prioritises sustainable active transport modes.** *Prioritise sustainable, active transport modes by e.g. providing safe cycle lanes and by facilitating public transport services in conjunction with State agencies to meet the needs of the community and to provide access to local services.*
- Encourages the development of car free neighbourhoods and streets, where appropriate.
- Contributes to our climate goals.

#### **Submissions Received:**

FIN-C532-140, FIN-C532-172

#### **Summary of Issues:**

A submission from the HSE supports the inclusion of PA CH 3.2. A further submission notes that opportunities for increased permeability should be availed of and supports the provision of additional greenways which shall be facilitated through the allocation of necessary funding.

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

The content of the submissions is noted.

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. Accordingly, extensive policy and objectives are set out in Plan to support and promote an integrated walking and cycling network at strategic level.

Section 6.5.6.1 of the Draft Plan observes that the NDP 2021-2030 allocates significant annual funding towards the development of walking and cycling infrastructure and the delivery of location specific projects will also be considered within the context of a capital or works programme.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 3.3: Section 3.5.2 Successful Public Realms including Town Centre First, page 99**

Insert new objective before SPQHO3:

**Objective SPQHOXX – Building Height Strategy and Density Study**  
**Prepare a Building Height Strategy and Density Study for the larger urban centres of the county.**

## **Submissions Received:**

FIN-C532-62

## **Summary of Issues:**

A submission was received requesting additional clarifying text to state that any absence or delay by the Council in preparing a 'Building Height Strategy and Density Study' will not prevent the favourable consideration, in principle, of planning application proposals for similar diversification of use and high density/height development at Swords Pavilions lands, during the life of the Development Plan.

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

The contents of the submission are noted.

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.

The preparation of a dedicated building height and density strategy based on the Core Strategy for Fingal will provide useful additional guidance for the public and developers as to appropriate heights and densities for development across Fingal.

It is important to note that applications for development in Fingal are assessed under the Development Management Process having regard to the relevant national, regional and local planning policies and objectives which are in effect at the time the application is being considered.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 3.5: Section 3.5.2 Successful Public Realms including Town Centre First, page 99

Amend Objective SPQHO4 as follows:

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, *climate resilient and pollinator friendly planting*, signage and the adequate provision of bins and recycling options.

### **Submissions Received:**

FIN-C532-140

### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.5.

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

The content of the submissions is noted. Support for PA CH 3.5 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 3.6: Section 3.5.3 Core Strategy and Housing Growth, page 101

Amend Objective SPQHO9 – New residential development as follows:

Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. *Active travel options should also be considered while liaising with the Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.*

### **Submissions Received:**

FIN-C532-140

### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.6 and suggests this could include access to other public services, particularly educational, recreational and leisure facilities in keeping with WHO Guidelines.

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

The content of the submission and support for PA CH 3.6 is acknowledged and welcomed.

# PART 3

In view of NTA's recommendation relating to PA CH 3.6 as set out in its submission and the requirement for active consultation with the Authority in the planning and development of active travel schemes, the proposed amendment shall be modified in this regard.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed, subject to modifications.

### **PA CH 3.6: Section 3.5.3, Core Strategy and Housing Growth, page 101:**

Amend Objective SPQHO9 – New residential development as follows:

Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. **Active travel options should also be considered while liaising with the {National Transport Authority and} Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.**

### **PA CH 3.7: Section 3.5.4 Ensuring Housing Supply, page 102**

Insert new Policy at SPQHP11 as follows:

#### **Policy SPQHPXX – Active Travel Links**

**Ensure that all necessary active travel links to access public transport, schools, amenities and neighbouring communities from new or expanded residential developments to be available where possible before the first housing units are occupied, whether the infrastructure is being provided by the Council or by a private developer.**

### **Submissions Received:**

FIN-C532-140

### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.7 and welcomes the addition of active travel links.

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

The content of the submission and support for PA CH 3.7 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 3.8: Section 3.5.6 Social Inclusion, page 105**

Amend Policy SPQHP15 – Accessibility for All as follows:

# PART 3

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, **and to consider the appointment of a dedicated Access Officer to coordinate disability issues across departments to include liaising with planning and strategic infrastructure departments**

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.8 and welcomes the appointment of a dedicated Access Officer.

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

The content of the submission and support for PA CH 3.8 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 3.9: Section 3.5.6 Social Inclusion, page 105**

Insert new objective after SPQHP15 as follows:

### **SPQHPXX – Accessibility Audit**

**To include an accessibility audit as part of urban framework plans as part of improvements to the public realm for wheelchair users and people with impaired mobility, engaging with disability groups and local organisations throughout the duration of this Development Plan.**

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.9 and welcomes the inclusion of an accessibility audit.

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

The content of the submission and support for PA CH 3.9 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 3.12: Section 3.5.9. Housing Types, page 113**

Amend Policy SPQHP32 Applications for Build to Rent Schemes and throughout the document as necessary.

# PART 3

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).

## **Submissions Received:**

FIN-C532-62

## **Summary of Issues:**

A submission relating to the Pavilions Shopping Centre provides commentary on the potential implications of a number of the proposed alterations on the shopping centre's operations and or/development potential. The submission argues that the study catchment of 3km for BTR development specified in the text of PA CH 3.12 is excessive in a major town centre location such as Swords and refers to the limitation of this study area to 1km in other Local Authority areas.

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

The content of the submission is noted. The purpose of Proposed Alteration PA CH 3.12 is to ensure a more robust policy basis that would empower Fingal County Council through the planning application process, including pre-application consultation, to clearly signal if an undue concentration of BTR was potentially arising, and to consider alternative mix of use and housing type.

It is important to note that the amended policy SPQHP32 does not seek to limit BTR development, but rather requires potential applications to submit an assessment of other permitted BTR developments. It is considered that that 3km requirement specified in the proposed alteration is appropriate due to the character and distribution of residential development across the county, which may be dispersed over a larger geographical area than in other Dublin Local Authority areas.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 3.13: Section 3.5.9 Housing Types, page 113**

Amend SPQHP28 – Housing for All, as follows:



# PART 3

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 with support from state agencies where appropriate and* the preparation of Local Authority Delivery Action Plans.

## **Submissions Received:**

FIN-C532-82

## **Summary of Issues:**

A submission was received from the LDA which welcomes the inclusion of PA CH 3.13 relating to social and affordable housing.

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

The content of the submission in relation to this proposed amendment is noted and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 3.16: Section 3.5.14.3 Land Development Agency, page 122**

Amend SPQHO48 as follows:

Continue to work in partnership with the Land Development Agency to make more effective use of publicly owned land *helping to ensure to accelerate regeneration and meet the projected housing needs over the lifetime of the plan to provide* a stable sustainable supply of housing.

## **Submissions Received:**

FIN-C532-82

## **Summary of Issues:**

A submission was received from the LDA which welcomes the inclusion of PA CH 3.16. The submission states that the proposed amendment strengthens the partnership between the Council and the LDA in housing delivery.

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

The contents of the submission in relation to this proposed amendment is noted and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 3.17: Section 3.5.15.1 Rural Villages, page 126

Amend Objective SPQHO61 School Provision as follows:

Work collaboratively with the Department of Education in identifying **demand and additional meeting increased schools provision within school place requirements in** Rural Villages.

### **Submissions Received:**

FIN-C532-70

### **Summary of Issues:**

The submission from the Department of Education notes and welcomes PA CH 3.17.

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

The content of the submission is noted and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 3.19: Section 3.5.15.2 Rural Clusters, page 24:

Amend the text of Section 3.5.15.2-Rural Clusters and Section 14.12.6-Development in Rural Clusters of the Draft Plan as follows:

Amend the text of Section 3.5.15.2 Rural Clusters as follows:

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 seven** years or have previously lived for a minimum of **ten-seven** continuous years, or
- Persons working continuously for the past **ten seven** years, within areas of the County currently zoned rural. These areas are zoned Rural Village (RV), Rural Cluster (RC), Rural (RU), Greenbelt (GB), or High Amenity (HA)

And amend the text of Section 14.12.6 Development in Rural Clusters Page 542 as follows:

14.12.6 Development in Rural Clusters

Applications for dwelling units within the County's Rural Clusters will be permitted to Members of the Fingal Rural Community who can demonstrate a rural generated housing need defined as either:

- Persons **currently** living and who have lived continuously for the past **ten seven** years or have previously lived for a minimum of **ten-seven** continuous years, or
- Persons working continuously for the past **ten seven** years, within areas of the County currently zoned rural. These areas are zoned Rural Village (RV), Rural Cluster (RC), Rural (RU), Greenbelt (GB), or High Amenity (HA)'.

# PART 3

## **Submissions Received:**

FIN-C532-38

## **Summary of Issues:**

This submission makes reference to Motion 81892 and concerns a reduction in the Rural Cluster Settlement Strategy residency requirement, which the submission indicates has decreased from 10 years to 5 years. The submission states that this change is unfair to long term Fingal residents who would previously have had an advantage over others in terms of the purchase of scarcely zoned RC-Rural Cluster land. As such the submission considers that existing long term Fingal residents will now have to compete with non-Fingal residents for this land, causing increases in both demand and land prices, along with pressure for additional RC zoned land. In conclusion, the submission requests that the 10 year Rural Cluster Settlement Strategy residency requirement is retained.

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

The content of the submission is noted.

In order to ensure that the valuable and finite resource of rural Fingal is preserved and protected, it is important to ensure that residential development is permitted where genuine, long-standing and verifiable connections to Fingal's rural community are demonstrated. In this regard, seeking to reduce the prescribed period from 10 to 7 years is not considered appropriate to establish rural generated housing need.

The Rural Housing Policy as currently in place in Fingal has been operational since adoption of Variation no. 15 of the 2005-2011 Fingal Development Plan in April 2007 and has provided a robust response to urban generated housing pressure within the county.

It is considered that the reduction of the required period would be a retrograde step and would undermine the effectiveness of the Rural Cluster policy in safeguarding rural Fingal. It should be noted that 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 when these Guidelines will be published.

As set out under Policy SQPHP46, it is proposed to commence a review of the county's Rural Housing Policy and Local Need Criteria on publication of the updated guidance.

The OPR also recommend that the Plan be made without PA CH 3.19 (OPR Recommendation 4).

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## **PA CH 3.22: Section 3.5.15 Housing in Rural Fingal, page 139**

Insert new Objective Seasonal Worker /Temporary Worker Accommodation

***Objective SPQHOXX – Seasonal Worker/Temporary Worker Accommodation***

# PART 3

*Use of land associated with a farm for seasonal / temporary workers will be considered subject to the following requirements and demonstrate the following:*

- *The farm is a working and actively managed farm with a minimum size of 25 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 quality accommodation whilst minimising visual impacts on the surrounding rural area. In this regard, new purpose-built on-site accommodation shall be single storey only.*
- *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.*
- *That Residential Accommodation for Seasonal Workers should be in line with Health and Safety at Work guidelines and accommodation and facilities should be appropriate to support the needs of the workers.*

- *Transport arrangements to allow workers ease of access to nearby towns and villages, each worker will be provided with a working bicycle or electric bicycle or shared mobility scheme and one of the following:*

- *Footpaths linking the development to the nearest town or village.*
- *Footpaths linking the development to the nearest public transport link.*
- *Provision of a private shuttle bus or car for transport to the nearest town or village.*

- *Design, height, scale and finishes shall have regard to the landscape context.*
- *Existing trees and hedgerows shall be maintained in so far as possible and new planting shall be of native species.*
- *A Landscape Plan shall accompany applications for new purpose-built accommodation.*

# PART 3

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- Sufficient drainage and wastewater infrastructural capacity to serve the development.
- Sufficient access and car-parking arrangements to serve the development.

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 3.22 and notes that single persons should be accommodated in single occupancy rooms, where possible. It is noted that the transport arrangements outlined will prevent the social isolation of workers.

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

The content of the submission is noted. Support for PA CH 3.22 from the HSE is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 3:

Material alteration	Chief Executive’s Recommendation
PA CH 3.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.2, as displayed.
PA CH 3.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.3 as displayed.
PA CH 3.5	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.5, as displayed.
PA CH 3.6	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 3.6, as displayed <b>subject to modifications</b> .
PA CH 3.7	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.7 as displayed.
PA CH 3.8	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.8 as displayed.
PA CH 3.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.9 as displayed.
PA CH 3.12	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.12 as displayed.
PA CH 3.13	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.13 as displayed.
PA CH 3.16	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.16 as displayed.
PA CH 3.17	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.17, as displayed.
PA CH 3.19	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 3.19, as displayed.
PA CH 3.22	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 3.22, as displayed.

### ***Text of Proposed Material alterations Recommended to be made with Modifications***

#### **PA CH 3.6: Section 3.5.3, Core Strategy and Housing Growth, page 101:**

Amend Objective SPQHO9 – New residential development as follows:

Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. **Active travel options should also be considered while liaising with the {National Transport Authority and} Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.**

# PART 3

## CHAPTER 4: Community Infrastructure and Open Space

### PA CH 4.1: Update All references to open space in the Draft Plan

With respect to the provision of public open space, amend all references to **15%** to provide a range of **12 to 15%**.

Update this **(and all)** reference(s) to open space in the Plan (Ch. 3, Ch. 4 & Ch. 14) with the following text in bold: Target minimum amount of 15% **(except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.)**

#### **Submissions Received:**

FIN-C532-84, FIN-C532-140

#### **Summary of Issues:**

A submission refers to PA CH 4.1 in the context of open space provision and requests that PA CH 4.5 is omitted. Requirement to provide 12% (and potentially up to 15% depending on interpretations of the alterations) on infill, brownfield and town centre sites is contrary to and inconsistent with National Planning policy and Section 28 Guidelines. A more flexible approach is required. A submission states the reasons for increasing the minimum requirement from 10% to 12% for infill/brownfield sites are unclear and it is also unclear if the target minimum of 15% will be sought in the first instance for infill/brownfield/town centre sites.

The submission from the HSE supports the inclusion of PA CH 4.1 and notes the importance of green space in terms of availability and quality.

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

The content of the submissions received is noted.

The submission in support of PA CH 4.1 from the HSE is acknowledged and welcomed.

The Open Space quantitative standards outlined in Table 4.3 and 14.12 of the Draft Plan are further clarified in terms of accessibility and qualitative standards outlined in Table 4.2 and 14.11. Objectives DMSO51, DMSO52, and DMSO53 also provide guidance on the quality and quantity of public open space provision.

The importance of open space provision, including private, public and communal facilities is acknowledged by multiple policies and objectives within the Draft Plan.

Issues of concern raised with respect PA CH 4.1 including perceived inconsistency with national guidance and the requirement for a greater degree of flexibility in application are noted. It is considered that Development Plan is consistent with national planning policy with respect to the provision of appropriate levels of public open space and through the numerous policies and objectives set out in Chapter 4, the Plan offers sufficient flexibility in bringing forward residential development, including schemes which may be categorised as comprising brownfield/infill or renewal opportunities. It is considered that the Development Plan should be made with the Material Alteration as displayed.



# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 4.2: Section 4.5.1.5 Higher and Further Education, page 159**

Amend text in Section 4.5.1.5 as follows:

Fingal is home to one third level institution, [Technological University Dublin - Blanchardstown Campus. 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.

[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), ~~Dublin Institute of Technology (DIT)~~ [TU Dublin \(City campus locations\)](#) and Trinity College Dublin (TCD).

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

A submission from the HSE supports the inclusion of PA CH 4.2 and measures to support active and public transport options to access higher and further educational institutions and to reduce the reliance on the private car.

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

The submission of support for PA CH 4.2 is acknowledged and welcomed. The Draft Plan contains numerous policies and objectives to support active and public transport use.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 4.3: Section 4.5.1.1 Community Centres, page 155**

Insert new Objective on page 155 as follows:

[Objective XX - Community Hall at Naul](#)  
[A new Community Hall centrally located be provided to service the needs of the people of the village of Naul.](#)

# PART 3

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 4.3 and suggests incorporation of an Appendix of minimum standards for new community centre development.

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

The content of the submission is noted and support for PA CH 4.3 from the HSE is acknowledged and welcomed. The Draft Plan contains numerous policies and objectives to support the development of new community centres within Fingal. It is not considered appropriate to prescribe minimum standards as each centre will vary in terms of floor space requirements, nature of facilities and specific community requirements to be accommodated.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 4.4: Section 4.5.1.1 Community Centres, page 155**

Insert new Objective on page 155 as follows:

**Objective XX – Community Hall at Ballyboughal**  
**A new Community Hall centrally located be provided to serve the needs of the people of the village of Ballyboughal.**

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 4.4 and suggests the inclusion of an Appendix to include minimum standards for new community centre developments.

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

The content of the submission is noted and support for PA CH 4.4 from the HSE is acknowledged and welcomed. The Draft Plan contains numerous policies and objectives to support the development of new community centres within Fingal. It is not considered appropriate to prescribe minimum standards as each centre will vary in terms of floor space requirements, nature of facilities and specific community requirements to be accommodated.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 4.5: Section 4.5.2.3 Quantity, page 168

Update all references in the development plan re: New residential development on infill/brownfield sites/town centre sites at 10%

To: *New residential development on infill/brownfield sites/town centre sites at 12% Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.*

### **Submissions Received:**

FIN-C532-62, FIN-C532-84, FIN-C532-140

### **Summary of Issues:**

A submission relating to the Pavilions Shopping Centre provides commentary on the potential implications of a number of the proposed alterations on the shopping centre's operations and or/development potential. The submission states that the 12-15% open space requirement specified by PA CH 4.5, is an unreasonable expectation for high density town centre lands and that 10% would be more appropriate. It also states that any figure above 10% will threaten the viability of a residential scheme on the lands and other brownfield and town centre sites in Fingal.

A submission was also received from the HSE which supports the inclusion of PA CH 4.5 and notes the importance of green space in terms of availability and quality.

A further submission requests that PA CH 4.5 is omitted and notes the requirement to provide 12% (and up to 15% depending on interpretations of the alterations) on infill, brownfield and town centre sites is contrary to and inconsistent with National Planning policy and Section 28 Guidelines. A flexible approach is required as per national planning guidance.

The submission states the reasons for increasing the minimum requirement from 10% to 12% for infill/brownfield sites is unclear and it is also unclear if the target minimum of 15% will be sought in the first instance for infill/brownfield/town centre site, with a reduction to 12% if 15% provision is not possible. The submission requests that PA CH 4.5 is omitted and the Plan revert to the minimum 10% open space requirement.

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

The contents of the submissions are noted.

The importance of open space provision, including private, public and communal facilities is acknowledged by multiple policies and objectives within the Draft Plan.

The Open Space quantitative standards outlined in Table 4.3 and 14.12 of the Draft Plan are further clarified in terms of accessibility and qualitative standards outlined in Table 4.2 and 14.11. Objectives DMSO51, DMSO52, and DMSO53 also provide guidance on the quality and quantity of public open space provision.

Issues of concern raised with respect PA CH 4.5, including perceived inconsistency with national guidance and the requirement for a greater degree of flexibility in application are noted. It is considered that Development Plan is consistent with national planning policy with respect to the provision of appropriate levels of public open space and through the numerous policies and

# PART 3

objectives set out in Chapter 4, the Plan offers sufficient flexibility in bringing forward residential development, including schemes which may be categorised as comprising brownfield/infill or renewal opportunities.

The submission in support of PA CH 4.5 is acknowledged and welcomed.

**Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 4.6: Section 4.5.2.9 Allotments, Community Gardens and Community Initiatives, page 172

Insert new Objective in Section 4.5.2.9 after Objective CIO35 (Variety of Open Space) to read as follows:

**Objective CIO35X – Increase Allotment Spaces**  
**Increase the number of allotment spaces throughout the county during the lifetime of the Development Plan"**

**Submissions Received:**

FIN-C532-140

**Summary of Issues:**

A submission from the HSE supports the inclusion of PA CH 4.6 and notes support for an increase in allotment spaces.

**Chief Executive's Response:**

The content of the submission and support for PA CH 4.6 is acknowledged and welcomed.

**Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive's Recommendations for Chapter 4:

Material alteration	Chief Executive's Recommendation
PA CH 4.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.1, as displayed.
PA CH 4.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.2, as displayed.
PA CH 4.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.3, as displayed.
PA CH 4.4	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.4, as displayed.
PA CH 4.5	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.5, as displayed.
PA CH 4.6	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 4.6, as displayed.

# PART 3

## CHAPTER 5: Climate Action

### PA CH 5.1: Throughout the Draft Plan, as appropriate

Update all references to CAP~~19~~ in the Draft Plan to CAP~~21~~ and associated changes.

#### **Submissions Received:**

FIN-C532-76, FIN-C532-121

#### **Summary of Issues:**

A submission was received from ESB welcoming PA CH 5.1, which recognises the updated Climate Action Plan 2021 and proposes to replace references to earlier versions.

This proposed amendment was also welcomed by the Department of the Environment, Climate and Communications.

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

The content of the submissions is noted. The support for PA CH 5.1 is acknowledged and welcomed.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### PA CH 5.2: Section 5.5 Policies and Objectives, page 184

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

#### **Objective CAPXX – Climate Action Legislation**

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

#### **Submissions Received:**

FIN-C532-76

#### **Summary of Issues:**

A submission received from the Department of the Environment, Climate and Communications (DECC) welcomes the inclusion of PA CH 5.2 and also recommends the addition of text to refer to "any future iterations" to the updated references to Climate Action Plan.

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

The content of the submissions is noted. The support for PA CH 5.2 is acknowledged and welcomed. As the suggested inclusion of additional text does not relate to a specific proposed material alteration it will not be possible to include at this juncture.

However, it is considered that the text of CH 5.2 provides clarity that the Plan addresses this issue as does the overall requirement for the Council to have regard to relevant climate action legislation where relevant.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 5.4: Section 5.5.3.1 Renewable Energy, page 188:**

Amend Section 5.5.3.1 as follows:

'Currently within Fingal, the principle renewable energy sources include solar, wind and micro-renewables, but opportunities exist for other renewable energy sources to be provided in the future **including green hydrogen and biofuels** and this Plan seeks to assist in the diversification of renewable energy provision in the County.'

## **Submissions Received:**

FIN-C532-10, FIN-C532-121

## **Summary of Issues:**

A submission notes support for PA CH 5.4 and welcomes the recognition set out in the amendment that in addition to the primary sources of renewable energy, other sources of renewable energy exist, including green hydrogen and biofuels which have the potential to contribute to the overall goal of decarbonising the energy sector.

A further submission notes that biomethane will play an important role in decarbonising Ireland's economy, particularly in the agriculture and energy sectors. In this context, the Government's annual production target of biomethane is provided and the submission outlines how the potential for biomethane production in Fingal is considered to be strong, having regard to its significant agricultural sector. As such, the submission suggests adding biomethane as an example of a biofuel to the amendments in section 5.5.3.1 Renewable Energy of the Draft Plan.

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

The contents of the submissions are noted, and the requested text is considered reasonable and in line with government policy on this matter.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed subject to modifications.

### **PA CH 5.4: Section 5.5.3.1 Renewable Energy, page 188:**

Amend Section 5.5.3.1 as follows:

Currently within Fingal, the principle renewable energy sources include solar, wind and micro-renewables, but opportunities exist for other renewable energy sources to be provided in the future **including green hydrogen and biofuels {such as biomethane}** and this Plan seeks to assist in the diversification of renewable energy provision in the County.



# PART 3

## **PA CH 5.5: Section 5.5.3.5 Other Sources of Renewable Energy, page 190:**

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 green hydrogen and biofuels (and associated 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.

### **Submissions Received:**

FIN-C532-10, FIN-C532-121

### **Summary of Issues:**

A submission notes support for PA CH 5.5 and welcomes the recognition set out in the amendment that in addition to the primary sources of renewable energy, other sources of renewable energy exist, including green hydrogen and biofuels which have the potential to contribute to the overall goal of decarbonising the energy sector.

A further submission notes that biomethane will play an important role in decarbonising Ireland's economy, particularly in the agriculture and energy sectors and in this context, the Government's annual production target of biomethane is provided in the submission.

The submission also outlines how the potential for biomethane production in Fingal is considered to be strong, having regard to its significant agricultural sector. As such, the submission suggests adding biomethane as an example of biofuel to Section 5.5.3.5 'Other Sources of Renewable Energy' of the Draft Plan.

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

The contents of the submissions are noted, and the requested text is considered reasonable and in line with government policy on this matter.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed subject to modifications.

## **PA CH 5.5: Section 5.5.3.5 Other Sources of Renewable Energy, page 190:**

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 green hydrogen and biofuels {such as biomethane} (and associated 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.

# PART 3

## PA CH 5.6: Section 5.5.3.5 Other Sources of Renewable Energy, page 191

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.

### ***Submissions Received:***

FIN-C532-121

### ***Summary of Issues:***

ESB welcomes PA CH 5.6 and supports the promotion of energy infrastructure objectives and submits that the ESB must continue to protect the county's future capacity for the development of energy generating, processing, transmission and transportation infrastructure whilst encouraging the sustainable development of renewable energy resources. In this context, the ESB welcomes the additional text to Policy CAP13.

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

The contents of the submission are noted. The support for PA CH 5.6 is acknowledged and welcomed.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 5.8: Section 5.5.3.5 Other Sources of Renewable Energy, page 191

Insert a new policy after Policy CAP13 (Energy from Renewable Source) as follows:

***Policy CAPXX – Wind Energy Strategy***  
***Prepare a Wind Energy Strategy.***

### ***Submissions Received:***

FIN-C532-121

### ***Summary of Issues:***

ESB welcome PA CH 5.8 which includes a commitment to prepare a Wind Energy Strategy over the lifetime of the Development Plan. This updated commitment offers an opportunity to ensure consistency with National Guidelines.

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

The contents of the submission are noted. The support for PA CH 5.8 is acknowledged and welcomed.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 5.9: Section 5.5.3.6 District Heating and Waste Heat, page 192**

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

#### **Objective CAPXX – District Heating Systems**

**Identify suitable location(s) for the delivery of district heating systems within the plan area.**

#### **Submissions Received:**

FIN-C532-76

#### **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of proposed material alterations in relation to numerous themes including District Heating. The submission welcomes PA CH 5.9.

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

The contents of the submission are noted. The support for PA CH 5.9 is acknowledged and welcomed.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 5.10: Section 5.5.4.1 Circular Economy, page 194**

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.

#### **Submissions Received:**

FIN-C532-76

#### **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) addressing a number of proposed material alterations in relation to numerous themes including the Circular Economy. The submission welcomes PA CH 5.10.

# PART 3

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

The contents of the submission are noted. The support for PA CH 5.10 is acknowledged and welcomed.

***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 5:

Material alteration	Chief Executive’s Recommendation
PA CH 5.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.1, as displayed.
PA CH 5.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.2, as displayed.
PA CH 5.4	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 5.4, as displayed <b>subject to modifications</b> .
PA CH 5.5	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 5.5, as displayed <b>subject to modifications</b> .
PA CH 5.6	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.6, as displayed.
PA CH 5.8	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.8, as displayed.
PA CH 5.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.9, as displayed.
PA CH 5.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 5.10, as displayed.

### ***Text of Proposed Material alterations Recommended to be made with Modifications***

#### **PA CH 5.4: Section 5.5.3.1 Renewable Energy, page 188:**

Amend Section 5.5.3.1 as follows:

Currently within Fingal, the principle renewable energy sources include solar, wind and micro-renewables, but opportunities exist for other renewable energy sources to be provided in the future **including green hydrogen and biofuels {such as biomethane}** and this Plan seeks to assist in the diversification of renewable energy provision in the County.

#### **PA CH 5.5: Section 5.5.3.5 Other Sources of Renewable Energy, page 190:**

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 green hydrogen and biofuels {such as biomethane} (and associated 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.

# PART 3

## CHAPTER 6: Connectivity and Movement

### PA CH 6.2: Section 6.4 Strategic Aims, page 209:

Include after the 3<sup>rd</sup> sentence in the first paragraph 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.*

#### **Submissions Received:**

FIN-C532-37, FIN-C532-151

#### **Summary of Issues:**

One submission expresses concerns regarding PA CH 6.2 relating to the National Sustainability Policy with a key focus on active travel, public transport and demand management and behavioural measures to reduce journeys by private car. Notwithstanding the proposed material alteration, the submission contends that the private car will remain the primary mode of travel for many.

Another submission recommends that text relating to PA CH 6.2 should be revised to refer to the latest government plans to reduce the volume of private car kilometres and increased road reallocation, which were announced as part of the Climate Action Plan 2023.

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

The contents of the submissions received are noted. In the context of meeting Ireland's carbon emissions targets and complying with national, regional and local policy, there is a need to reduce private car journeys. Further, given the scale of development proposed for Fingal in the medium- to long-term, the road network would not be capable of accommodating increased traffic flows without significant negative impacts.

In this regard, policy CMP1 as set out in the Draft Plan relating to the Decarbonisation of Motorised Transport seeks to, 'Support the decarbonisation of motorised transport and facilitate modal shift to walking, cycling and public transport and taking account of National and Regional policy and guidance, while supporting an efficient and effective transport system.' Policy CAP1 of the Draft Plan also seeks to support the implementation of relevant national objectives, legislation, policy and agreements on climate change including the relevant Climate Action Plan. In this regard, the text as set out in PA CH 6.2 is considered sufficient at a strategic level. Having regard to the foregoing, no changes are recommended to the proposed amendment.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 6.3: Section 6.4 Strategic Aims, page 209:

Include after the 3<sup>rd</sup> sentence in the first paragraph 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.*

### **Submissions Received:**

FIN-C532-37

### **Summary of Issues:**

This submission notes that in the context of PA CH 6.3 relating to the modal hierarchy set out in the National Investment Framework for Transport in Ireland (NIFTI), the private vehicle will still be required to be catered for through infrastructural upgrades and traffic related measures.

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

The contents of the submission are noted.

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. Accordingly, Objective CMO33 of the Draft Plan specifically 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 proposed transportation schemes listed in Table 6.3 of the Draft Plan comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable in the lifetime of the Plan. Having consideration to the foregoing, it is not considered necessary to amend the proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 6.5: Section 6.4 Strategic Aims, page 209:

Include after the 3<sup>rd</sup> sentence in the first paragraph as follows:

*'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.'*



# PART 3

## **Submissions Received:**

FIN-C532-37

## **Summary of Issues:**

This submission notes that in the context of PA CH 6.5 relating to the provision of active travel measures arising from the DMURS interim advice note 2020, local residents shall be consulted to ascertain any issues of concern, which shall be carefully considered in the overall planning and development of such schemes.

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

The contents of the submission are noted.

In the context of the planning and development of active travel schemes, 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 Fingal County Council, key stakeholders and interested parties on an ongoing basis. These schemes will also include environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues.

Accordingly, there are extensive policy and objectives set out in the Draft Plan that support and promote active travel schemes 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. Having consideration to the foregoing, it is not considered necessary to amend the proposed material alteration.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 6.8: Section 6.5.4 Area Based Transport Assessment (ABTA), page 212:**

Include a new objective after objective CMO4 as follows:

### **Objective CMOXX – Local Transport Plan**

**Prepare a Local Transport Plan for the Blanchardstown Centre, in consultation with the NTA and other relevant stakeholders.**

## **Submissions Received:**

FIN-C532-42, FIN-C532-84

## **Summary of Issues:**

The submission from TII notes PA CH 6.8 relating to a proposed Local Transport Plan for Blanchardstown Centre and requires active consultation in this regard.

A further submission requests PA CH 6.8 is omitted and notes that the amendment should refer to Blanchardstown Town Centre as the shopping centre element of the Town Centre is better known as the Blanchardstown Centre. The submission contends that PA CH 6.8 is not considered

# PART 3

necessary as the proposed alteration to Policy CMP4 includes a requirement to prepare local transport plans, masterplans, framework plans and other large-scale studies as appropriate in consultation with the NTA, TII and other relevant stakeholders. As Blanchardstown Town Centre and surrounding land to the south/south-west is identified for a Framework Plan on Sheet 13, there is a requirement for a Local Transport Plan. Therefore, a specific objective is not necessary.

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

The contents of the submissions are acknowledged. It is considered appropriate to retain the Material Alteration given the benefits of undertaking such a study for Blanchardstown. It is considered appropriate to modify the Material Alteration to specifically reference the need for consultation with TII.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed subject to modifications.

### **PA CH 6.8: Section 6.5.4 Area Based Transport Assessment (ABTA), page 212:**

Include a new objective after objective CMO4 as follows:

#### **Objective CMOXX – Local Transport Plan**

**Prepare a Local Transport Plan for the Blanchardstown Centre, in consultation with the NTA, {TII} and other relevant stakeholders.**

### **PA CH 6.9: Section 6.5.6.2, Greenway Network:**

Add to Drumnigh Road to Kinsealy to Table 6.1 Greenways/High Quality Walking and Cycling Routes.

### **Submissions Received:**

FIN-C532-172

### **Summary of Issues:**

This submission supports the provision of additional greenways which shall be facilitated through the allocation of necessary funding.

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

The content of the submission are noted. The support for PA CH 6.9 is acknowledged and welcomed. There are extensive policy and objectives set out in the Draft Plan which support and promote an integrated walking and cycling network at a 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. Section 6.5.6.1 of the Draft Plan notes that the NDP 2021-2030 allocates significant annual funding towards the development of walking and cycling infrastructure across the county.

In addition, the delivery of location specific projects will be considered within the context of a capital or works programme.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 6.10: Section 6.5.7 Public Transport, page 224:**

Include a new objective after Objective CMO28 as follows:

#### **Objective CMOXX – Cycling and Walking Links**

**Avail of the opportunities provided by any public transport infrastructure works to improve and provide new cycling and walking links, including crossings of motorways and major roads which currently represent major permeability barriers to active travel especially in South Fingal.**

## **Submissions Received:**

FIN-C532-172

## **Summary of Issues:**

This submission welcomes the proposed amendment as a mechanism to prioritise the provision of active travel options.

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

The contents of the submission are noted. The support for PA CH 6.10 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 6.11: Section 6.5.10.1 National Roads, page 229:**

Include before the first paragraph as follows:

**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.**

## **Submissions Received:**

FIN-C532-37

## **Summary of Issues:**

This submission supports PA CH 6.11 relating to high-quality national road infrastructure in the county. However, concerns are also expressed in the context of the emphasis on reducing journeys by private car in view of this quality infrastructure.

# PART 3

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

The contents of the submission are noted.

The support for PA CH 6.11 is acknowledged and welcomed. In the context of meeting Ireland's carbon emissions targets and complying with national, regional and local policy, there is a strong need to reduce private car journeys. Further, given the scale of development proposed for Fingal in the medium- to long-term, the road network would not be capable of accommodating increased traffic flows without significant negative impacts.

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.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 6.12: Section 6.5.7.3 Transport Interchange, page 225:**

Amend Policy CMP20 as follows:

Public Transport Interchange

Support and facilitate the provision of high-quality transport interchanges *including the Blanchardstown Town Centre Bus Interchange* 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 including key active travel representative stakeholders.*

## **Submissions Received:**

FIN-C532-42

## **Summary of Issues:**

This submission from the TII supports and welcomes PA CH 6.12 relating to the provision of high-quality transport interchanges. In this context, active consultation with the TII is required where such schemes interact with the national road network to ensure the protection, safety and efficiency of that network and revision is requested in this regard.

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

The contents of the submission are noted.

The support for PA CH 6.12 is acknowledged and welcomed and Policy CMP20 subject to this proposed amendment will be modified to specifically reference the need for consultation with TII.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed subject to modifications.

### **PA CH 6.12: Section 6.5.7.3 Transport Interchange, page 225:**

Amend Policy CMP20 as follows:

Public Transport Interchange

Support and facilitate the provision of high-quality transport interchanges *including the Blanchardstown Town Centre Bus Interchange* 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, {TII} and other relevant stakeholders including key active travel representative stakeholders*

### **PA CH 6.13: Section 6.5.10.2 Regional/Local Roads, page 230:**

Include at the end of the second paragraph as follows:

*In keeping with Action 231 of the Climate Action Plan 2021, the Council will 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.*

## **Submissions Received:**

FIN-C532-37, FIN-C532-172

## **Summary of Issues:**

A submission welcomes the proposed amendment as a mechanism to prioritise active travel measures. Another submission notes that in the context of PA CH 6.13 relating to active travel schemes, local residents shall be consulted to ascertain relevant local information and any issues of concern in the planning and development of such schemes.

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

The contents of the submissions are noted. The support for this proposed amendment is acknowledged and welcomed.

In the context of the planning and development of active travel schemes, 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 Fingal County Council, key stakeholders and interested parties on an ongoing basis. These schemes will also include environmental assessments such as SEA and AA where applicable and will have regard to relevant environmental issues. Accordingly, there are extensive policy and objectives set out in the Draft Plan that support and promote active travel schemes at a 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. Having consideration to the foregoing, it is not considered necessary to modify the proposed material alteration.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 6.14: Section 6.5.10.2 Regional/Local Roads, page 230:**

Include in Table 6.3 as follows:

- ***Toberburr Road Upgrade***

## **Submissions Received:**

FIN-C532-37

## **Summary of Issues:**

This submission supports the proposed material alteration PA CH 6.14 which proposes the inclusion of the Toberburr Road Upgrade in Table 6.3 of the Draft Plan. This submission would welcome additional road upgrades in this regard as well as targets for roads projects as set out during the plan period.

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

The contents of the submission are noted.

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. These will be developed in the context of the Fingal Capital Plan, a three-year delivery programme of capital projects across the County.

As set out in the Chief Executive's Report on the Draft Plan, public consultation, 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 Chief Executive therefore recommends that the Plan is made with material alteration PA CH 6.14.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 6.15: Section 6.5.10.2 Regional/Local Roads, page 230:

Include in Table 6.3 as follows:

- [Naul Road Upgrade \(M1 Junction 6 exit to the roundabout on the R122\)](#)

### **Submissions Received:**

FIN-C532-42

### **Summary of Issues:**

This submission from the TII advises Fingal County Council that proposed material alteration PA CH 6.15 to upgrade the Naul Road (R122) includes part of the M1 Junction 6 interchange over which the R122 passes via an overbridge. While the Naul Road is under the local roads authority jurisdiction, the M1 and associated structures at this junction form part of TII Motorway Maintenance and Renewals Contract (MMaRC) Network A. Therefore, any scheme at this location needs to be undertaken in accordance with the procedures and requirements outlined in TII Publications.

In addition, consultation with TII and the Motorway Maintenance and Renewals Contract Network A Contractor will be required, via the relevant road authorities, in relation to any works proposed, including signage, that affect motorway roads and associated junctions in terms of operational requirements such as timetabling. A revision is required in this regard to ensure that the Development Plan provisions advance efficient and proper planning and sustainable development where development interfaces with the national road network.

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

The content of the submission is noted. In any works being undertaken on or in the vicinity of national roads, it is a requirement for Fingal County Council to engage in consultation with TII. Accordingly, Objective CMO33 of the Draft Plan specifically 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 CMO34 of the Draft Plan relating to the 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 of the Draft Plan 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.'

Having consideration to the foregoing and comprehensive objectives which require consultation with relevant stakeholders and compliance with national guidance and other relevant policy documents relating to the protection and enhancement of the strategic roads network, it is not considered necessary to modify the proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 6.16: Section 6.5.10, Roads Network, page 231:

Include new policy after CMP32 as follows:

### *Policy CMPXX – 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.*

### **Submissions Received:**

FIN-C532-42

### **Summary of Issues:**

This submission from TII welcomes proposed material alteration PA CH 6.16 which is explicit in highlighting the M1 as part of the TEN-T network that reflects RPO 8.11 of the RSES which seeks to “Support the improvement, and protection, of the EU TEN-T network and the strategic function of the Dublin to Belfast Road network.”

### **Chief Executive’s Response:**

The contents of the submission are noted.

The support for PA CH 6.16 is acknowledged and welcomed.

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 6.18: Section 6.5.10, Roads Network, page 231:

Amend Objective 37c as follows:

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 the M4 . *Any such link must not run through the suburban areas of Fingal, Liffey Valley SAAO or St. Catherine’s Park.*

### **Submissions Received:**

FIN-C532-69

### **Summary of Issues:**

The submission notes the high biodiversity value of the Liffey Valley and welcomes PA CH 6.18 requiring that any proposed road link between the M3 and M4 must not be routed through lands subject to Liffey Valley SAAO or St Catherine’s Park. The Department expresses concern in relation to any development proposal such as the construction of a road link between the M3 and the M4 which may adversely affect the valleys’ flora and fauna, especially woodland obligate species present in St. Catherine’s Wood.



# PART 3

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

The submission from the Department of Housing, Local Government and Heritage is noted. The proposed Material Alteration provides clarity in relation to possible future connections between the M3 and M4, stipulating that any such link should not impact suburban areas of Fingal, the Liffey Valley SAAO or St. Catherine's Park. In any event, 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 Fingal County Council , key relevant stakeholders and interested parties on an ongoing basis in relation to such schemes. These schemes will also include environmental assessments such as ecological and biodiversity surveys, EIA and AA where applicable and will be required to have regard to relevant environmental issues.

## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 6:

Material alteration	Chief Executive’s Recommendation
PA CH 6.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.2, as displayed.
PA CH 6.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.3, as displayed.
PA CH 6.5	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.5, as displayed.
PA CH 6.8	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 6.8, as displayed <b>subject to modifications</b> .
PA CH 6.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.9, as displayed.
PA CH 6.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.10, as displayed.
PA CH 6.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.11, as displayed.
PA CH 6.12	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 6.12, as displayed <b>subject to modifications</b> .
PA CH 6.13	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.13, as displayed.
PA CH 6.14	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.14, as displayed.
PA CH 6.15	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.15, as displayed.
PA CH 6.16	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.16, as displayed.
PA CH 6.18	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 6.18, as displayed.

### Text of Proposed Material alterations Recommended to be made with Modifications

#### **PA CH 6.8: Section 6.5.4 Area Based Transport Assessment (ABTA), page 212:**

Include a new objective after objective CMO4 as follows:

**Objective CMOXX – Local Transport Plan**

**Prepare a Local Transport Plan for the Blanchardstown Centre, in consultation with the NTA, {TII} and other relevant stakeholders.**

#### **PA CH 6.12: Section 6.5.7.3 Transport Interchange, page 225:**

Amend Policy CMP20 as follows:

Public Transport Interchange

Support and facilitate the provision of high-quality transport interchanges **including the Blanchardstown Town Centre Bus Interchange** 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, {TII} and other relevant stakeholders including key active travel representative stakeholders**

# PART 3

## CHAPTER 7: Employment and Economy

### PA CH 7.8: Section 7.5.1.1 Green Economy, page 257

Amend Objective EEO29 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.**

#### ***Submissions Received:***

FIN-C532-76

#### ***Summary of Issues:***

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of proposed material alterations in relation to numerous themes including Telecommunications. The submission states that it welcomes PA CH 7.8.

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

The contents of the submission are noted. Support for PA CH 7.8 is acknowledged and welcomed.

#### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

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## Summary of Chief Executive's Recommendations for Chapter 7:

Material alteration	Chief Executive's Recommendation
PA CH 7.8	It is recommended that the Development Plan be made with Material Alteration PA CH 7.8, as displayed.

# PART 3

## CHAPTER 8: Dublin Airport

### PA CH 8.1: Section 8.5.7 Ensuring Environmental Protection and Sustainability, page 309:

Include the following text as a final paragraph on page 309:

*That the Development Plan recognises the inadequacy of the proposed noise insulation scheme to protect the health of those affected by aircraft noise and that in view of the increasing knowledge and scientific evidence of the serious health impact of aircraft noise on the physical health of Fingal residents that it is an objective to take measures including the expansion of noise insulation to ensure noise levels produced by aircraft during night time are reduced to below 40 DbL Night, as night-time aircraft noise above this level is associated with adverse effects including increased mortality, stress, high blood pressure and a deterioration in cardiovascular health.*

#### **Submissions Received:**

FIN-C532-36, FIN-C532-38, FIN-C532-58, FIN-C532-64, FIN-C532-65, FIN-C532-74, FIN-C532-79, FIN-C532-101, FIN-C532-105, FIN-C532-109, FIN-C532-120, FIN-C532-124, FIN-C532-134, FIN-C532-140, FIN-C532-149, FIN-C532-151, FIN-C532-152, FIN-C532-155, FIN-C532-169.

#### **Summary of Issues:**

Multiple submissions were received in respect of this proposed material alteration.

The daa does not support the material alteration, noting that it provides for policy on aviation noise, which is governed by other legislative provisions, thereby creating conflicting policy, particularly with respect to the NAO established by ANCA. It is also considered that the material alteration provides unsubstantiated opinion relating to the efficacy of the proposed noise insulation scheme. The submission also includes a Technical Note by experts in aircraft noise which concludes the material alteration is contradictory, given the 40 dB Lnight criterion normally relates to external noise levels which would be unaffected by insulation, and would require almost a complete cessation of flights at Dublin Airport in order to be achieved. If the proposed amendment relates to internal noise levels, the justification level of 40 dB Lnight is unclear. Furthermore, the submission contends the proposed material alteration would prejudice a live planning application for the Relevant Action, in that the Planning Authority does not have a role in commenting on the suitability of the insulation scheme for that application. Finally, the proposed material alteration is considered to be contrary to the statutory obligations of the Planning Authority and the provisions of 'Development Plans, Guidelines for Planning Authorities' 2022.

A submission raises concerns that economic and residential development would be effectively sterilised on lands affected by this material alteration. It is requested that such impacts of the proposed material alteration are amended or removed.

A number of submissions are critical of the daa and question the accuracy of the noise contours associated with Dublin Airport with one proposing additional text in respect of PA CH 8.1, namely that Fingal County Council undertakes its own independent noise study vis a vis the accuracy of the noise contours.

## PART 3

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Several submissions express serious concern on the adverse impact on the health, well-being and life expectancy of Fingal residents arising from aircraft noise, support the proposed amendment and inclusion of the reference to reduction of noise levels during night-time to 40DbL, as recommended by the WHO. A number of submissions refer to the noise impacts arising following the opening of the northern runway in August 2022 and consider that the text set out in the PA CH 8.1 is appropriate and will hold the airport authority to account in this regard. A number of submissions recommend measures to be taken in relation to noise impacts including removal of the privilege of air traffic, include air traffic in the framework of an overall noise load analysis (which it is stated would require revision of the Aviation Noise Act 2007), develop noise action plans with binding noise reduction targets, introduction of curfews, abusive use of slots to be sanctioned and strengthening the rights of citizens, who are affected by air traffic, to participate in decisions. Another submission in support of the proposed material alteration argues that there is no reason why metrics for night-time insulation cannot be included in the Development Plan and that it should include safeguards for public health.

The HSE submission supports implementation of measures which mitigate against excess aircraft noise, and advocates that such measures are expedited in so far as possible.

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

The content of the submissions is noted.

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), rather than the Planning Authority, 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.

It is acknowledged 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 fora 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

# PART 3

with a view to ensuring their concerns are understood and appropriate mitigation proposals implemented where required. Policies DAP8, DAP9 and Objective DAO23 in the Draft Plan relate to community engagement.

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 beyond the scope of and not the remit of the Draft Plan to include the text as set out in the proposed material alteration, which relates to, inter alia, the adequacy or otherwise of the insulation scheme.

The OPR also recommend that the Plan be made without PA CH 8.1 (OPR Recommendation 6).

It should be noted that PA CH 8.1 is the subject of OPR Recommendation 6 – Noise Standards which states that the Plan is to be made without this proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without proposed Material Alteration as displayed.

## **PA CH 8.2: Section 8.5.7 Ensuring Environmental Protection and Sustainability, page 311**

Amend Objective DAO11 as follows:

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** *the runways* are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.

### **Submissions Received:**

FIN-C532-140

### **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 8.2 and supports the development and implementation of measures which mitigate against excess aircraft noise, and advocates that such measures are expedited in so far as possible.

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

The content of the submission is noted. The submission of support for PA CH 8.2 from the HSE is acknowledged and welcomed.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 8.3: Section 8.5.7 Ensuring Environmental Protection and Sustainability, page 311**

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.

## **Submissions Received:**

FIN-C532-140

## **Summary of Issues:**

The submission from the HSE supports the inclusion of PA CH 8.3 and supports the development and implementation of measures which mitigate against excess aircraft noise, and advocates that such measures are expedited in so far as possible.

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

The content of the submissions is noted. The submission of support for PA CH 8.3 from the HSE is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.



# PART 3

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## **Summary of Chief Executive's Recommendations for Chapter 8:**

<b>Material alteration</b>	<b>Chief Executive's Recommendation</b>
<b>PA CH 8.1</b>	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 8.1, as displayed.
<b>PA CH 8.2</b>	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 8.2, as displayed.
<b>PA CH 8.3</b>	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 8.3, as displayed.

# PART 3

## CHAPTER 9: Green Infrastructure and Natural Heritage

### **PA CH 9.2: Section 9.5 Policies and Objectives, page 320:**

Amend Policy GINHP3 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.

#### **Submissions Received:**

FIN-C532-40

#### **Summary of Issues:**

This submission seeks the insertion of additional text to Policy GINHP3 specifically, as follows: 'e.g. clean water ponds fed by rainwater via downpipes.'

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

The contents of this submission are noted and the requested text is considered reasonable.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed, subject to modifications.

### **PA CH 9.2: Section 9.5 Policies and Objectives, page 320**

Amend Policy GINHP3 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 {e.g. clean water ponds fed by rainwater via downpipes}.

### **PA CH 9.8: Section 9.6.8 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 334:**

Include a new Objective after Objective GINHO41, as follows:

**Objective GINHOXX – Protection of Royal Canal**  
Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

#### **Submissions Received:**

FIN-C532-37, FIN-C532-68, FIN-C532-69, FIN-C532-72, FIN-C532-89

# PART 3

## **Summary of Issues:**

Submissions were received in support of PA CH 9.8 relating to the protection of the Royal Canal and the establishment of an ecological corridor.

Several submissions also received raise concerns in relation to the proposed amendment and resultant impacts on lands, including at Clonsilla, where it is contended that the proposal would have a disproportionate and discriminatory impact on residential development and on lands zoned for this purposes, resulting in the sterilisation for such use. Submissions highlight a number of reasons as to why PA CH 9.8 should be rejected, including the benign nature of residential development; exacerbation of the housing crisis, reduction in availability of zoned land; conflict in guidance on buffer/setbacks provided by IFI and in other local authority Development Plans; lack of similar prescribed guidance from Waterways Ireland; ability to address concerns raised under previous SHD process; and impact on the ability to secure Old School House.

Submissions indicate that while a buffer may be required it should not be prescriptive and alternative text to PA CH 9.8. is suggested or a prohibition on all development within 30m of the canal.

A submission refers to PA CH 9.8 and contends that the pNHA as indicated on Sheet 15 takes full cognisance of the natural features associated with the Royal canal, supporting and enhancing its ecological value. The implementation of a 30m buffer along the canal is at odds with other local authorities and a reduced buffer is sufficient. Amending text is suggested.

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

The contents of the submissions are noted, including support expressed for PA CH 9.8.

The submission from the OPR notes regarding PA SH 13.10 (*include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the canal*) that the rationale for the objective is unclear and MA Recommendation 2 – Map Based Local Objectives requires that the Planning Authority make the Plan without the material alteration PA SH 13.10. As such, PA CH 9.8 should be omitted.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without Material Alteration, as displayed.

### **PA CH 9.11: Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows, page 334**

Include a new objective to Section 9.6.8. as follows

***Objective GINH0XX – Streamside Riparian Zone  
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***

# PART 3

structures cannot be removed, provide instream river rehabilitation works in consultation with Inland Fisheries Ireland to improve the overall habitat quality of the river.

## **Submissions Received:**

FIN-C532-69, FIN-C532-89

## **Summary of Issues:**

A submission notes PA CH 9.11 in the context of raising concerns in relation to PA SH 13.10, PA CH 9.8, PA CH 14.15.

A submission from the Department of Housing, Local Government and Heritage welcomes PA CH 9.11 which will contribute to enhanced water quality in Fingal's water courses, preserve riparian corridors and maintain the value as wildlife corridors.

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

See response to PA SH 13.10, PA CH 9.8, and PA CH 14.15. It is contended that PA CH 9.11 should continue to apply as the matter relates to the removal of interventions such as existing revetments and gabion baskets and restoration of riparian zones. This is viewed as a positive, natural enhancement and should be retained. It is recommended that the Development Plan be made with Material Alteration PA CH 9.11, as displayed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with Material Alteration, as displayed.

## **PA CH 9.12: Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows, page 334**

Include a new objective to Section 9.6.8. as follows:

### **Objective GINH0XX – Setback of New Surface Water Drainage Outfalls**

**Set back new surface water drainage outfalls from the main river 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.**

## **Submissions Received:**

FIN-C532-69

## **Summary of Issues:**

A submission from the Department of Housing, Local Government and Housing welcomes PA CH 9.12 providing measures which should contribute to enhanced water quality in Fingal's water courses, preserve riparian corridors and maintain their value as wildlife corridors.

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

Support expressed for PA CH 9.12 is noted and welcomed.

# PART 3

## Chief Executive's Recommendation:

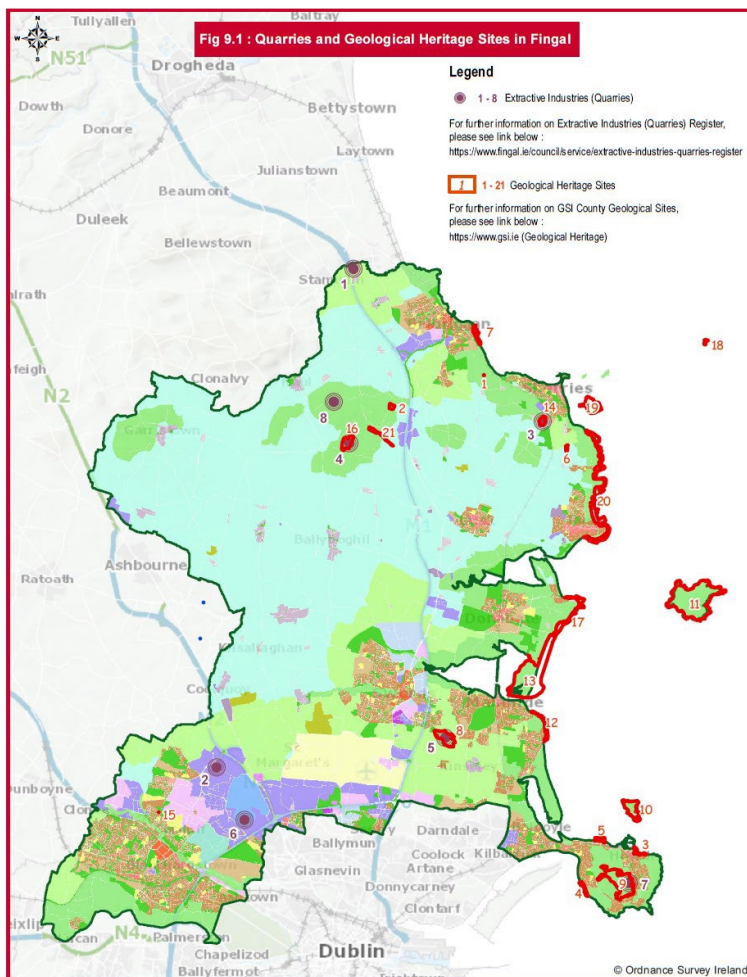
It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### PA CH 9.16: Section 9.6.12 County Geological Sites, page 336

Include new Figure "Quarries and Geological Heritage Sites in Fingal" in Section 9.6.12.

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).***



## Submissions Received:

FIN-C532-76

## Summary of Issues:

A submission received from the Department of the Environment, Climate and Communications (DECC) addresses a number of proposed material alterations in relation to numerous themes

# PART 3

including Geoheritage and Natural Resources (Minerals/Aggregates). The submission states that it welcomes PA CH 9.16.

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

The contents of the submission are noted. The support for PA CH 9.16 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 9.18: Section 9.6.16, Special Amenity Areas, page 342**

Amend objective GINHO62 Liffey Valley Regional Park Study as follows:

To carry out a study for the lands that comprise Liffey Valley inclusive of the Special Area Amenity Order (SAAO), Shackletons 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) **including a Greenway (Liffey Valley Greenway)**, 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.

### **Submissions Received:**

FIN-C532-69

### **Summary of Issues:**

A submission from the Department of Housing, Local Government and Heritage expresses concern in relation to greenway proposals for the Liffey Valley Regional Park. The submission indicates that proposals for a Liffey Greenway should avoid lands supporting rare plant species, protect against increased disturbance to areas containing the breeding or resting place of otters and should include lighting which might affect bat species.

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

The submission from the Department is noted. The Material Alteration seeks to carry out a study of the lands comprising the Liffey Valley (inclusive of the SAAO, Shackletons Mill and adjacent lands) to investigate and determine appropriate uses for this important amenity, including a suggested Liffey Valley Greenway. As such, the proposals form part of an exploratory study and any resultant recommendations, including in relation to a greenway, would be subject to full ecological appraisal.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

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## PA CH 9.19: Section 9.6.7, High Amenity Zoning, page 342

Amend objective GINHO59 as follows:

**Consider** **Prioritise** Rogerstown, Malahide and Baldoyle Estuaries for Special Amenity Area Orders.

### **Submissions Received:**

FIN-C532-69

### **Summary of Issues:**

A submission from the Department of Housing, Local Government and Heritage welcomes the aim of prioritising SAAOs for the referenced estuaries which are designated as SACs or SPAs.

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

The submission is noted and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 9:

Material alteration	Chief Executive’s Recommendation
PA CH 9.2	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 9.2, as displayed <b>subject to modifications</b> .
PA CH 9.8	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA CH 9.8, as displayed.
PA CH 9.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 9.11, as displayed.
PA CH 9.12	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 9.12, as displayed.
PA CH 9.16	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 9.16, as displayed.
PA CH 9.18	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 9.18, as displayed.
PA CH 9.19	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 9.19, as displayed.

### *Text of Proposed Material alterations Recommended to be made with Modifications*

#### **PA CH 9.2: Section 9.5 Policies and Objectives, page 320**

Amend Policy GINHP3 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 {e.g. clean water ponds fed by rainwater via downpipes}.***



# PART 3

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## CHAPTER 10: Heritage, Culture and Arts

No submissions were received which directly related to Proposed Material Alterations to Chapter 10: Heritage Culture and Arts.

# PART 3

## CHAPTER 11: Infrastructure and Utilities

### PA CH 11.3: Section 11.5.1 - Water Supply and Wastewater, page 391

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 & Malahide. Proposed to start in 2022 - Balbriggan Skerries	The Greater Dublin Area is constrained. Will need the Water Supply Project (WSP) Long term
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,	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of water supply management

# PART 3

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
		Hollystown, Mulhuddart, etc.	
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 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	WS upgrades recently completed

# PART 3

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
		capacity issues. DAP will identify solutions.	
Portmarnock	Ringsend Upgrades underway	Planned project for P.Stn upgrade at Portmarnock Bridge. P.Stn. needs to be delivered. Existing network pumping control being implemented to get another phase in.	Leixlip WTW. Water conservation and the National Leakage Reduction programme will be an important part of water supply management
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	Bog of the Ring & Leixlip

# PART 3

Draft Statement of Feasibility for Fingal to Inform the Draft CDP			
	Wastewater Treatment	Wastewater Network	Water Supply & Network
		Station. IW developing plan of infrastructure required. DAP starting in 2022 for remainder of Agglomeration.	
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)
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.	

### **Submissions Received:**

FIN-C532-47, FIN-C532-163, FIN-C532-166

### **Summary of Issues:**

A submission requests that an amendment needs to be made to Table 11.1 (under PA CH 11.3) to include work to the existing network south of Balbriggan, from the Harbour to Hampton Cove, including the Bower to address the regular sewage overflows that regularly occur into the sea, especially along the length of the Hampton Cove green.

# PART 3

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Further submissions opposes PA CH 11.3 for a number of stated reasons including that Swords is at capacity and unable to handle stormwater leading to serious overflows in breach of the Water Framework Directive; Sutton pump station has a number of issues (ref to JB Barry Recommendations March 2019 Multi-disciplinary Survey) which imply capacity constraint issues; ABP has refused permission for Portmarnock Pumping Station and a new location will need to be identified; the Greater Dublin Drainage project is not feasible in its current iteration due to impacts on Shellfish water and Rockabill to Dalkey SAC, Baldoyle Bay SAC/SPA, Ireland's Eye SAC/SPA, Lambay SAC/SPA, Tolka Estuary SPA and non-compliance with the Water Framework Directive.

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

The contents of the submissions are noted. Irish Water is the competent authority and 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.

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.

The Planning Authority has no direct control over the timing of any wastewater upgrades, pumping stations and drainage 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 and Fingal will continue to work with Irish Water towards the delivery of this strategic infrastructure.

Irish Water are also responsible for general capital maintenance upgrades, which are on-going through Network programmes, and 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.

Issues relating to loading calculations and capacity will also 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 final Draft Plan will print the most up to date information available (at the time of publication). However, it must also be noted that this Table will change and evolve over the lifetime of the Development Plan. The information displayed in Table 11.1 is therefore a snapshot in time and will vary greatly over the lifetime of the Development Plan.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## PA CH 11.6: Section 11.5.2.3 Strategic Flood Risk Assessment (SFRA), page 400

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.

### **Submissions Received:**

FIN-C532-163, FIN C532-166

### **Summary of Issues:**

A submission was received which does not agree with removal of text within PA CH 11.6. and states it is important that any flood risk assessment is tied to catchment assessment due to precautionary principle on precise scientific information. All inputs to a catchment inform the flood risk and so the terminology should remain. It also states that implications arise in terms of the thresholds for EIA assessment of flood relief works. The submission recommends that the policy remain or be amended to suggested text.

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

The contents of the submission are noted and the intent of the policy is to support and assist the OPW in carrying out its functions as the competent authority in this area. The proposed material alteration was introduced to reference the relevant Flood Risk Management Plan, rather than the CFRAM programme which was completed in 2018. Having regard to the above, it is considered appropriate to make the Plan with this proposed amendment.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 11.8: Section 11.6 Waste Policies and Objectives, page 405

Amend Section 11.6 as follows:

This Waste Action Plan provides Ireland with a roadmap for waste planning and management and is supported by the **'Circular Economy and Miscellaneous Provisions Act (2022) 'Circular Economy Bill' (2021)**, and the **'Whole of Government Circular Economy Strategy' (2021) and the National Food Loss Prevention Roadmap'** to comply with EU Waste Directive obligations.

### **Submissions Received:**

FIN-C532-76

### **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of proposed material alterations in relation

# PART 3

to numerous themes including the Circular Economy. The submission states that it welcomes PA CH 11.8.

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

The content of the submission is noted. The support for PA CH 11.8 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 11.9: Section 11.6 Waste Policies and Objectives, page 407**

Amend Policy IUP22 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, *in accordance with the "Whole-of-Government Circular Economy Strategy" -(December 2021).*'

### **Submissions Received:**

FIN-C532-76

### **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of proposed material alterations in relation to numerous themes including the Circular Economy. The submission states that it welcomes PA CH 11.9.

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

The contents of the submission are noted. The support for PA CH 11.9 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 11.11: Section 1.7 Energy Policies and Objectives page 412**

Amend Section 11.7 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



# PART 3

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.

### **Submissions Received:**

FIN-C532-76

### **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of material alterations in relation to numerous themes including the Circular Economy. The submission states that it welcomes PA CH 11.11.

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

The contents of the submission are noted. The support for PA CH 11.11 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 11.13: Section 11.7.1 Renewable Energy, page 412**

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, **green hydrogen and biofuels**, 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).

### **Submissions Received:**

FIN-C532-121

### **Summary of Issues:**

A submission notes support for PA CH 11.13 and welcomes the recognition set out in the amendment that in addition to the primary sources of renewable energy, other sources of renewable energy exist, including green hydrogen and biofuels which have the potential to contribute to the overall goal of decarbonising the energy sector.

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

The content of the submission is noted. The support for PA CH 11.13 is acknowledged and welcomed.

# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 11.15: Section 11.7.1 Renewable Energy, page 414**

Insert New Policy after IUP29 as follows:

**Policy IUPXX - Promote Low Carbon Energy Development**  
**Promote more energy-efficient development through the location of housing and employment along district heating hubs, or potential renewable energy locations, where people can connect buildings to energy efficient, low-carbon alternatives.**

## **Submissions Received:**

FIN-C532-76

## **Summary of Issues:**

A submission was received from the Department of the Environment, Climate and Communications (DECC) which addresses a number of material alterations in relation to numerous themes including District Heating. The submission states that it welcomes PA CH 11.15.

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

The content of the submission is noted. The support for PA CH 11.15 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 11.17: Section 11.7.1 Renewable Energy, page 414**

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.

## **Submissions Received:**

FIN-C532-121

# PART 3

## **Summary of Issues:**

A submission welcomes PA CH 11.17 and supports the promotion of energy infrastructure objectives and submits that the ESB must continue to protect the county's future capacity for the development of energy generating, processing, transmission and transportation infrastructure whilst encouraging the sustainable development of the county's renewable energy resources. The provision of a secure and reliable electricity transmission infrastructure and transmission grid is essential to meet the growth in demand and ensure that a reliable electricity supply is available. Fingal has a very strong electrical grid and substation network, and this system will be instrumental in supporting the development of the renewable energy industry in the county. In this regard, the submission acknowledges and supports the East Meath-North Dublin Grid Update.

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

The content of the submission is noted. The support for PA CH 11.17 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 11.18: Section 11.7.1 Renewable Energy, page 414**

Insert new Policy after IUP30 as follows:

**Policy IUPXX – 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.**

## **Submissions Received:**

FIN-C532-121

## **Summary of Issues:**

A submission from ESB welcomes PA CH 11.18 and supports the promotion of energy infrastructure objectives and submit that the ESB must continue to protect the county's future capacity for the development of energy generating, processing, transmission and transportation infrastructure whilst encouraging the sustainable development of the county's renewable energy resources. The provision of a secure and reliable electricity transmission infrastructure and transmission grid is essential to meet the growth in demand and ensure that a reliable electricity supply is available. Fingal has a very strong electrical grid and substation network, and this system will be instrumental in supporting the development of the renewable energy industry in the county. In this regard, the submission acknowledges and supports the East Meath-North Dublin Grid Update.

# PART 3

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

The content of the submission is noted. The support for PA CH 11.18 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 11.19: Section 11.8.5 Ducting and Access to Fingal County Council Assets, page 419**

Insert new Policy after Policy IUP 37 as follows:

### **Policy IUPXX – Digital Connectivity**

**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.**

## **Submissions Received:**

FIN-C532-76

## **Summary of Issues:**

A submission received from the Department of the Environment, Climate and Communications (DECC) addresses a number of material alterations in relation to numerous themes including Telecommunications. The submission states that it welcomes PA CH 11.19.

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

The content of the submission is noted. The support for PA CH 11.19 is acknowledged and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive's Recommendations for Chapter 11:

Material alteration	Chief Executive's Recommendation
PA CH 11.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.3 as displayed.
PA CH 11.6	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.6 as displayed.
PA CH 11.8	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.8 as displayed.
PA CH 11.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.9 as displayed.
PA CH 11.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.11 as displayed.
PA CH 11.13	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.13 as displayed.
PA CH 11.15	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.15 as displayed.
PA CH 11.17	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.17 as displayed.
PA CH 11.18	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.18 as displayed.
PA CH 11.19	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 11.19 as displayed.

# PART 3

## CHAPTER 12: Implementation and Monitoring

### PA CH 12.2: Section 12.4 Implementation and Monitoring System, page 437:

Include at the end of Monitoring Section relating to Policy CMP1 as follows:

*To project the potential carbon emissions from major road projects and upgrades and cross reference projections based on road monitoring data after construction.*

#### **Submissions Received:**

FIN-C532-37

#### **Summary of Issues:**

This submission does not support proposed material alteration PA CH 12.2 as it will prevent infrastructural upgrades to the strategic road network.

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

The content of the submission is noted.

Policy CMP1 as set out in the Draft Plan relating to the Decarbonisation of Motorised Transport seeks to, 'Support the decarbonisation of motorised transport and facilitate modal shift to walking, cycling and public transport and taking account of National and Regional policy and guidance, while supporting an efficient and effective transport system.'

All roads transportation projects brought forward by Fingal County Council are progressed through the standard project phases for the assessment, feasibility, planning, design and construction of road and transportation projects, using the processes set out in the Transport Infrastructure Ireland Project Manager's Manual and associated Project Management Guidelines.

This is an iterative, multi-phase approach that includes implementation and recommendations and involves key stakeholders, all of which has been developed over a number of years to be in line with statutory legal, planning and public consultation requirements and best practice nationally and internationally.

At the environmental assessment stage this includes transportation modelling and assessments of vehicle emissions over the assessment period of the project, usually 30 years. In the context of Fingal County Council's obligations under the NTA's Project Appraisal Guideline, TII's Project Appraisal Guidelines and the Public Spending Code, there is a requirement for post-project reviews to be undertaken that considers such indicators as emissions using post-implementation surveying and monitoring data. Having consideration to the above, the proposed amendment is considered acceptable.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

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## Summary of Chief Executive's Recommendations for Chapter 12:

Material alteration	Chief Executive's Recommendation
PA CH 12.2	It is recommended that the Development Plan be made with Material Alteration PA CH 12.2, as displayed.

# PART 3

## CHAPTER 13: Land Use Zoning

### PA CH 13.1: Section Zoning Objectives, Vision and Use Classes, page 452:

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'.

#### **Submissions Received:**

FIN-C532-24, FIN-C532-86, FIN-C532-138, FIN-C532-161

#### **Summary of Issues:**

A number of submissions do not support the proposed amendment given the restrictive nature of the proposed caveat which they contend is contrary to National Government Policy and the need for additional nursing home provision particularly in view of the ageing population as supported by Census 2022 data, the already limited supply of public facilities within the County, the changed nature of the care home operations post covid, requiring more facilities to meet national standards and targets and where such provision is predominantly provided at private level with supportive data submitted in this regard. The HSE model to encourage private investors to build facilities for provision of care homes in accordance with current HSE schemes is noted and where the current HSE capital plan does not include provision for building of any public Residential Care Homes in the Dublin Region or within Fingal County areas.

The proposed amendment is considered detrimental to the well-being of communities and does not accord with proper planning and sustainable development. It is requested that the proposed caveat be removed to allow the provision of care home facilities at both private and public level on CI zoned lands or additional text be inserted to facilitate nursing homes with public patients availing of the government nursing home subvention scheme in the CI zoning objective.

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

The contents of the submission are acknowledged. It is noted that the primary function of caveat 19 is to ensure the provision of a use that is public in nature in accordance with the spirit of the overall Community Infrastructure - CI zoning objective and vision.

Specifically, the CI zoning objective seeks to, *'Provide for and protect civic, religious, community, education, health care and social infrastructure.'* The associated zoning vision 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.'*

On this basis, it is considered appropriate for caveat 19 to remain in the context of its alignment with the primary function of the CI zoning objective and vision and no changes are recommended in this regard.



# PART 3

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 13.6: Section 13.5 Zoning Objectives, Vision and Use Classes, page 466:**

Delete 'Data Centre' from the 'Not Permitted' category of the HT-High Technology zoning objective, and to remain Open for Consideration.

## **Submissions Received:**

FIN-C532-144

## **Summary of Issues:**

This submission relates to a site at Orion Business Park, Ballycoolin, Dublin 15 and seeks that it is supported with a land use zoning that includes 'Data Centre' use class within the permitted in principle category of the HT-High Technology zoning objective.

The submission contends that the absence of data centres from the 'permitted in principle' use classes of the HT zoning objective has potential to restrict the future development of the subject lands, which has the benefit of planning permission for 3 data centre buildings.

The submission argues that data centres form a critical part of Ireland's high technology industry and have played and will continue to play a key role in Ireland's economy. Reference is also made to the Government's Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022). Inclusion of data centres within the permitted in principle category of the HT zoning objective is considered to align with the NPF and the RSES.

In summary the submission requests that data centres are included in the 'permitted in principle' category of the HT zoning objective.

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

The content of the submission is noted.

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 the 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

# PART 3

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 proposals for Data Centres 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 that Data Centres remain open for consideration within this zoning objective, 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. As such, the proposed material alteration is considered acceptable.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 13.10: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472 and throughout Draft Plan where relevant**

Amend the "ME" Metro Economic Corridor zoning objective to "MRE" Metro and Rail Economic Corridor throughout the Plan.

### **Submissions Received:**

FIN-C532-131, FIN-C532-146

### **Summary of Issues:**

A submission was received which states that it does not object to the proposed name change from ME–Metro Economic Corridor to "MRE" Metro and Rail Economic Corridor throughout the plan. A further submission requests clarity in relation to amendments to Metro Economic Corridor (ME) zoning to MRE Metro and Rail Economic Corridor (MEC) throughout the Plan listed under PA CH 13.11 and PA CH 13.12.

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

The contents of the submissions are noted.

The ME-Metro Economic Corridor zoning objective as set out in the current FDP and the Draft Plan 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.

# PART 3

When combined, the zoning objective and associated vision is explicit in its focus on this high-quality rail corridor. In addition, this zoning objective and vision is supported through the provisions of the Draft Plan including CMO3 relating to the integration of public transport and development.

The ME zoning objective and vision is unique in its focus on the high-quality rail corridor of the MetroLink and which is supported through integration and land-use transportation planning policy and objectives in the Draft plan. However, it is considered that the renaming of the zoning as provided for by the proposed material alteration is appropriate as it provides further clarity as to the metro and rail related focus of the zoning objective.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 13.11: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning objective as follows:

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~~ adjacent to metro, rail and light rail stations.

### **Submissions Received:**

FIN-C532-62, FIN-C532-131, FIN-C532-146

### **Summary of Issues:**

Submissions were received seeking clarity on the wording of the proposed changes to the ME zoning objective and ME zoning vision listed under PA CH13.11 and PA CH13.12. A number of submissions voiced opposition or requested changes to the modifications to 'Section 13.5 Zoning Objective as proposed by PA CH 13.11.

A further submission contends that the proposed amendment to ME zoning objective implies that residential development on ME zoned lands is required to be adjacent to metro rail and light rail stations. The submission is opposed to any change which would require residential development solely adjacent to such infrastructure and contends that this is a significant change and should be rejected and amended text is suggested

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

The content of the submissions are noted. The ME-Metro Economic Corridor zoning objective as set out in the current FDP and the Draft Plan 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.'

# PART 3

The ME (MRE) zoning objective set out in the Draft Plan is a unique zoning objective to support and facilitate high density compact growth and regeneration as well economic opportunities on lands adjoining the future strategic rail project of MetroLink and its associated rail stops.

When combined, the zoning objective and associated vision is explicit in its focus on this high-quality rail corridor. In addition, this zoning objective and vision is supported through the provisions of the Draft Plan including CMO3 relating to the integration of public transport and development.

The MRE zoning objective and vision are unique in terms of their explicit focus on the high-quality rail corridor of the MetroLink and which is supported through integration and land-use transportation planning policy and objectives in the Draft plan.

However, it is considered appropriate to include references to additional rail based transportation infrastructure in addition to Metrolink. As a result, it is recommended a minor amendment is made to the text of PA CH 13.11 to clarify that the objective relates to existing and proposed metro, rail or light rail stations.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made subject to modifications as follows:

#### **PA CH 13.11: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning objective as follows:

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~~ {adjacent to rail and light rail stations} {within the Metro and Rail Economic Corridor}

#### **PA CH 13.12: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning vision as follows:

Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink, *rail and light rails stations* within a settings 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.

### **Submissions Received:**

FIN-C532-62, FIN-C532-131 FIN-C532-146

### **Summary of Issues:**

A submission was received seeking clarity that that development proposals for Swords Pavilions will not be considered premature in advance of the delivery of BusConnects or Metrolink. Other

# PART 3

submissions seek clarity on the wording of the proposed changes to the ME zoning objective and ME zoning vision listed under PA CH13.11 and PA CH13.12. Amendments are also sought to the proposed changes to 'Section 13.5 Zoning Vision, page 472' proposed by the Elected Members to be consistent with the ME / MRE zoning objective.

A further submission contends that the proposed amendment to ME zoning implies that residential development on ME/MRE zoned lands is required to be adjacent to metro rail and light rail stations. The submission is opposed to any change which would require residential development solely adjacent to such infrastructure and contends that this is a significant change and should be rejected and amended text is suggested.

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

The contents of the submissions are noted. Firstly, it is important to note that applications for development in Fingal are assessed under the Development Management Process having regard to the relevant national, regional and local planning policies and objectives which are in effect at the time at which the application is being considered.

Applications are also assessed having regard to the particular circumstances of each application, including the current and proposed provision of transportation infrastructure such as active travel infrastructure, roads and public transportation and the potential impact of a development application on such infrastructure. As a result, the consideration of whether an application is premature is contingent on the specific location and character the proposed development which will be considered as part of the overall Development Management process.

As set out in the previous response, the ME (MRE) zoning objective set out in the Draft Plan is a unique zoning objective to support and facilitate high density compact growth and regeneration as well economic opportunities on lands adjoining the future strategic rail project of MetroLink and its associated rail stops.

However, it is considered appropriate to include references to additional rail based transportation infrastructure in addition to Metrolink. As a result, it is recommended a minor amendment is made to the text of PA CH 13.11 to clarify that the objective relates to the Metrolink but also to rail or light rail stations as follows:

#### **PA CH 13.12: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning vision as follows:

Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink, **{or} rail {and} {or} light rail{s} stations** within a settings 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.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to modifications.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 13:

Material alteration	Chief Executive’s Recommendation
PA CH 13.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 13.1, as displayed.
PA CH 13.6	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 13.6, as displayed
PA CH 13.10	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 13.10, as displayed
PA CH 13.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 13.11, as displayed, <b>subject to modifications.</b>
PA CH 13.12	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA CH 13.12, as displayed, <b>subject to modifications.</b>

### *Text of Proposed Material Alterations Recommended to be made with Modifications*

#### **PA CH 13.11: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning objective as follows:  
 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** ~~{adjacent to rail and light rail stations}~~ **{within the Metro and Rail Economic Corridor}**.

#### **PA CH 13.12: Section 13.5 Zoning Objectives, Vision and Use Classes, page 472**

Amend the ME zoning vision as follows:  
 Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink, **{or} rail {and} {or} light rail{s} stations** within a settings 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.

# PART 3

## CHAPTER 14: Development Management Standards

### PA CH 14.1: Section 14.6.5 Open Space Serving Residential Development, page 518

Amend text in Table 14.6 as follows:

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. (*Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.*)

#### **Submissions Received:**

FIN-C532-62

#### **Summary of Issues:**

A submission was received which addressed PA CH 4.5: Section 4.5.2.3 Quantity of Public Open Space, page 168 and PA CH 14.1: Section 14.6.5 Open Space Serving Residential Development (Brownfield / Town Centre Lands), stating that this is an unreasonable expectation for high density town centre lands and that 10% would be more appropriate. It is also stated that any figure above 10% will threaten the scheme viability on this and other brownfield and town centre sites in Fingal.

#### **Chief Executive’s Response:**

The importance of open space provision, including private, public and communal facilities is acknowledged by multiple policies and objectives within the Draft Plan.

The Open Space quantitative standards outlined in Table 4.3 & 14.12 of the Draft Plan are further clarified in terms of accessibility and qualitative standards outlined in Table 4.2 & 14.11. Objectives DMSO51, DMSO52, and DMSO53 also provide guidance on the quality and quantity of public open space provision.

Issues of concern raised with respect PA CH 14.1, indicating an unreasonable quantum of open space for high density town centre lands is noted. It is considered that Draft Plan is consistent with national planning policy with respect to the provision of appropriate levels of public open space and through the numerous policies and objectives set out in Chapter 4, the Plan offers sufficient flexibility in bringing forward residential development, including schemes which may be categorised as comprising brownfield/infill or renewal opportunities.

#### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.



# PART 3

## PA CH 14.3 Section 14.7.3 Internal Storage, page 522:

Amend Section 14.7.3 Internal Storage as follows:

Internal storage within an apartment unit shall be provided in accordance with the [Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34](#).

~~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.~~

### **Submissions Received:**

FIN-C532-154, FIN-C532-158, FIN-C532-159, FIN-C532-167

### **Summary of Issues:**

Support expressed for PA CH 14.3.

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

Support for PA CH 14.3 is noted and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA CH 14.5: Section 14.11.2 Age Friendly Housing, page 537:

Insert new objective after section 14.11.2 of the Draft Plan as follows:

### **Objective DMSOXX – Age Friendly Housing**

**Require new residential developments in excess of 100 units provide 10% of the units as age friendly accommodation.**

### **Submissions Received:**

FIN-C532-49, FIN-C532-154, FIN-C532-158, FIN-C532-159, FIN-C532-167

### **Summary of Issues:**

A number of submissions raise concerns in terms of the application of a blanket requirement for 10% provision of age friendly housing in new residential schemes above 100 units, as set out in PA CH 14.5 and PA CH 14.21. It is argued that the requirement to provide 10% of units in new developments of over 100 units as age friendly accommodation should be revised/removed, inter alia, for the following reasons:



# PART 3

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- (i) Existing planning policies and building regulations address the need for age friendly accommodation.
- (ii) The Objective is contrary to the NPF in terms of including blanket application of requirements on developments which will impact on design. This will also lead to restrictions on development proposals and potentially affect viability.
- (iii) Each planning application should be assessed on its own merits with age friendly housing assessed on a case by case basis, with collaboration between the Planning Authority and developer.

While in favour of the allocation of age friendly units, a number of submissions suggest that the proposed quantum of such units is considered too high and flexibility is required, especially with regard to larger developments where this requirement may not be feasible due to density constraints. Consideration should be given to Adaptable Units as an alternative to Age-Friendly units.

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

The contents of the submission are noted.

National Policy Objective 30 as set out in the NPF seeks to ensure that local planning, housing, transport/accessibility and leisure policies will 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. Best practice dictates that housing for the elderly, (including 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.

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.

Objective SPQHO18 of the Draft Plan states the following:

*Promote a range of housing options within Fingal to cater for the housing needs and care requirements of older people. This includes independent and assisted living options and to support and promote the provision of specific purpose-built accommodation, including retirement villages, 'step down' housing options and measures to ensure housing is adaptable to enable older people to continue living in their homes or in a home more suited to their needs.*

The Draft Plan is committed to planning for the housing needs of older people and to assist in achieving this aim, PA CH 14.5/PA CH 14.21 is proposed, the aim of which is to ensure and facilitate the delivery of an appropriate level of housing for older people while ensuring that such housing is fully integrated in viable, high quality, and socially diverse developments which can cater for the needs of people at different stages of their life.

# PART 3

Categories of 'age adaptable' and 'age friendly' housing both fall under the overall umbrella of universal design which seeks to ensure that housing caters for the needs of people throughout their lives as they age. This principle is illustrated in the following definition of 'age friendly homes' as set out in a recent publication by Age Friendly Ireland:

*"Age Friendly Homes incorporate Universal Design features making them suitable for everyone across the life course. They have adaptable elements to meet people's changing needs as we age" (AFI Homes Rating Checklist, 2021).*

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 14.6: Section 14.13.1 Hierarchy and Accessibility, page 551**

Insert new objective after Objective DMSO50 (Permeable and Accessible Open Space) as follows:

#### **Objective DMSOXX – Monetary Value in Lieu of Play Facilities**

**Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.**

### **Submissions Received:**

FIN-C532-84

### **Summary of Issues:**

The submission requests PA CH 14.6 is omitted. When combined with Draft Plan requirements on play facilities (DMSO70 and DMSO71) represent significant constraints particularly on infill, brownfield and town centre development sites which are generally more constrained. Requirement is not consistent with children's play needs for apartment developments as outlined in the Apartment Guidelines 2020 and is considered more relevant to lower density housing scheme rather than higher density apartment scheme as it does not allow for off sets for those units unlikely to generate a demand for play provision.

The submission also states that the monetary value in lieu is required to be in line with the Council's Development Contribution Scheme, the Scheme does not include provision of a financial contribution in lieu of play facilities which creates uncertainty for residential developers.

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

Issues raised in submission received in respect to PA CH 14.6 are noted.

The Development Plan will seek to ensure that all residential and mixed-use developments provide on-site, high quality play facilities to meet the needs of children. Where such facilities cannot be provided within a scheme, it is appropriate to seek a financial contribution in lieu to ensure they are provided at an appropriate location in proximity by way of expansion of existing play areas or development of new amenities.

# PART 3

The Fingal Development Contribution Scheme – effective from the 1<sup>st</sup> January 2021 to 31<sup>st</sup> December 2025 specifies under Appendix 11 numerous projects. The project list is indicative, and other projects may be added and funded as they arise over the course of the Scheme. Under Community and Parks, the list provides for the development of new play facilities and the redevelopment /expansion of existing play facilities.

Material Alteration PA CH 14.6 therefore continues to be appropriate and should be included in the Plan.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 14.8, Section 14.5.3 Space Extensive Developments, page 570**

Amend Objective DMSO94 as follows:

DMSO94 ~~Utilisation of Vacant Properties for Remote Working Facilities~~ Space Extensive Developments

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 overall storage capacity
- 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.
- **Have regard to** The Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022).

### **Submissions Received:**

FIN-C532-23

# PART 3

## **Summary of Issues:**

This submission seeks the removal of the proposed amendment requiring planning applications for data centres to detail overall storage capacity (PA CH 14.8 refers).

It is submitted that such a requirement inadvertently misunderstands the intrinsic nature of data centres and what they enable, and that in practice this requirement would be extremely difficult to meet. In this context, it is noted that data centres are not just repositories for data but rather provide a range of cloud services including, inter alia, computing power, data analytics, artificial intelligence and machine learning.

The submission notes that the hardware and technology at a data centre are perpetually updated, refreshed and as such the overall storage capacity could be significantly inaccurate on any given day, meaning that this information would be of little value.

The submission recommends that applications for data centres should be assessed by adherence to the Government's 'Statement on the role of Data Centres in Ireland's Enterprise Strategy' and that reference to overall storage capacity is removed.

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

The contents of the submission are noted. It is considered that this data (details of overall storage capacity) may not be useful to the planning authority when assessing applications and may place unnecessary burden on those making the planning application.

Having regard to the arguments made in the submission and the fact that storage capacity is transient, it is considered that there is merit for the removal of this requirement to present details of overall storage capacity in applications for data centres.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the Material Alteration PA CH 14.8 as displayed with modification, specifically omission of 'details of overall storage capacity,' as follows:

### **PA CH 14.8, Section 14.5.3 Space Extensive Developments, page 570**

Amend Objective DMSO94 as follows:

DMSO94 ~~Utilisation of Vacant Properties for Remote Working Facilities~~ **Space Extensive Developments**

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

# PART 3

- 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 overall storage capacity}~~
- 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.
- **Have regard to [The Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy \(July 2022\)](#).**

## PA CH 14.9, Section 14.17.2 Bicycle Parking, page 578

### Bicycle Parking At Public Transport Stations And Stops

Include the following text in Table 14.17: Bicycle Parking Standards:

**Rail, Metro, Light Rail stations and stops / - / sufficient to meet the anticipated demand for cycling when planned cycling and active travel infrastructure is in place. Where the anticipated demand for cycling to a metro/heavy rail/light rail station hasn't been estimated, a norm of 10 to 30% of trips to rail stations being made by bicycle will be used for the provision of bicycle parking. Bus stops on major bus routes/- / provision to meet estimated demand where space is available.**

### **Submissions Received:**

FIN-C532-172

### **Summary of Issues:**

This submission acknowledges proposed amendment PA CH 14.9. In this context, this submission advocates the proposed strategic transport projects such as BusConnects and MetroLink and requests that adequate walking and cycling infrastructure is provided in tandem with these strategic schemes as well as the provision of adequate, high-quality, secure and innovative bicycle parking in all new developments. The submission contends that the provision of safe cycling and walking infrastructure with other sustainable transport modes is paramount to sustainable mobility and in this regard, sustainable transport solutions shall be widely supported.

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

The contents of the submission are noted. The support for PA CH 14.9 is acknowledged and welcomed. 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.

# PART 3

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 this regard, the Draft Plan includes a number of supportive policy and objectives in this regard.

The issue of bicycle parking provision is addressed comprehensively in the Draft Plan within Chapter 14 Development Management Standards and specifically at Section 14.17.2 Bicycle Parking. The requirements for the quality and quantity of bicycle parking provision specifically relating to residential development is set out at Section 14.17.2.1. This section also requires innovative front of house bicycle storage solutions to the front of dwellings units. Bicycle Parking standards are set out in Table 14.1 of the Draft Plan.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 14.10, Section 14.17.2 Bicycle Parking and Residential Development, page 582**

Amend Objective DMSO113 as follows:

DMSO113 – Bicycle Parking Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, having regard to local, national and international best practice.

### **Submissions Received:**

FIN-C532-172

### **Summary of Issues:**

This submission acknowledges proposed amendment PA CH 14.10. In this context, this submission advocates the proposed strategic transport projects such as BusConnects and MetroLink and that adequate walking and cycling infrastructure is provided in tandem with these strategic schemes as well as the provision of adequate, high-quality, secure and innovative bicycle parking in all new developments. The submission contends that the provision of safe cycling and walking infrastructure with other sustainable transport modes is paramount to sustainable mobility and in this regard, sustainable transport solutions shall be widely supported.

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

The contents of the submission are noted. The support for PA CH 14.10 is acknowledged and welcomed. 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

# PART 3

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well as connectivity to other major towns and cities and critically facilitating the integration of land-use and transport.

The Draft Plan acknowledges that the key strategic public transport projects such as Bus Connects and MetroLink 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 together with a network of high-quality walking and cycling routes 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 this regard, the Draft Plan includes a number of supportive policy and objectives in this regard.

The issue of bicycle parking provision is addressed comprehensively in the Draft Plan within Chapter 14 Development Management Standards and specifically at Section 14.17.2 Bicycle Parking. The requirements for the quality and quantity of bicycle parking provision specifically relating to residential development is set out at Section 14.17.2.1. This section also requires innovative front of house bicycle storage solutions to the front of dwellings units. Bicycle Parking standards are set out in Table 14.1 of the Draft Plan.

To provide for a degree of flexibility in achieving the provision of high-quality bicycle parking provision, the proposed amendment shall be modified in this regard.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed, subject to modifications.

### **PA CH 14.10, Section 14.17.2 Bicycle Parking and Residential Development, page 582**

Amend Objective DMSO113 as follows:

DMSO113 – Bicycle Parking

Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, **{where feasible, practical and appropriate}**, ***having regard to local, national and international best practice.***



# PART 3

## PA CH 14.12, Section 14.17.5 Road Network and Access, page 584

Amend Objective DMSO117 as follows:

Objective DMSO117 - ~~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).~~

### **Submissions Received:**

FIN-C532-154, FIN-C532-158, FIN-C532-159, FIN-C532-167

### **Summary of Issues:**

Submissions indicate that amendment to PA CH 14.12 is unnecessarily stringent on access to national roads and may result in lands becoming undevelopable. A submission indicates that the Spatial Planning and National Roads Guidelines for Planning 2012 does not prohibit development requiring new or intensified access onto national roads. Submissions suggests amending text which does not entirely prohibit access onto such roads.

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

The content of the submission is noted. It is considered appropriate to include a modification to PA CH 14.12 in order to safeguard the capacity, efficiency and safety of the national road network and better reflect the provisions of national guidance.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alterations as displayed, subject to modifications.

## PA CH 14.12, Section 14.17.5 Road Network and Access, page 584

Amend Objective DMSO117 as follows:

Objective DMSO117 - ~~Motorway Access~~ National Road Access

~~{Restrict} {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).~~

## PA CH 14.13: Section 14.17 Connectivity and Movement, page 587

Insert new paragraph at an appropriate location in Section 14.17 of the Draft Plan as follows:

### Car Free Neighbourhoods

The provision of car free neighbourhoods and streets in accordance with Objective SPQHO2 can bring multiple benefits. Typically, such neighbourhoods and streets would allow motor



# PART 3

vehicular access for deliveries only, confining parking to a dedicated parking area at the periphery. Car free neighbourhoods are typically best suited to higher-density neighbourhoods, creating a much better quality public realm with safety, public health, and green infrastructure benefits for the community, and economic benefits for householders.

## **Submissions Received:**

FIN-C532-62

## **Summary of Issues:**

A submission was received from the owners of the Pavilions Shopping Centre which provides commentary on the potential implications of a number of the proposed alterations on the shopping centre's operations and or/development potential.

With regard to PA CH 14.13 the submission outlines current access and parking arrangements at the Shopping Centre, states that the successful operation of Swords Pavilions relies fundamentally upon ease of access and availability of car parking to support increased customer 'dwell time' and that a decrease in dwell time due to a restriction on customer car parking would significantly adversely impact the operation of Swords Pavilions. It also refers to text of the Sustainable Swords Strategy regarding the status of the centre and reiterates that Swords Pavilions must remain fully accessible by car.

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

The contents of the submission are noted. The text of the proposed alteration refers to Objective SPQHO2 of the Draft Plan which confirms that development which enhances the quality of the built environment, promotes public health and supports the development of sustainable communities will be supported. The Draft Plan sets out several principles in this regard, including the development of car free neighbourhoods.

The Council will continue to investigate opportunities to enhance public realms which may include opportunities to limit/remove car movements at suitable locations. Car free developments will be carefully considered and developed based on their receiving environmental and surrounding transportation context, and streets, where appropriate.

It should be noted that neither Objective SPQHO2 nor the additional text proposed under PA CH 14.13 represent a blanket requirement for the creation of car free neighbourhoods, but rather seek to support the provision of car free neighbourhoods where appropriate and feasible.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA CH 14.15: Section 14.18.2.4, Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596:**

Amend Objective DMSO156 as follows:

# PART 3

Protect and enhance the ecological corridors along the following rivers in the County by ensuring that no development takes place, outside **urban centres, development boundaries** within a minimum distance of **48m 30m** 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 **urban areas development boundaries**. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

## **Submissions Received:**

FIN-C532-83, FIN-C532-89

## **Summary of Issues:**

One submission requests modification to the proposed material alteration PA CH 14.15 (Objective DMSO156) as it relates to the M1 Business Park Lands.

It is submitted that the proposed change in the wording by deletion of “urban centres” and replacing with “development boundary” gives rise to an anomaly as it relates to the M1 Business Park. The M1 Business Park is zoned for general employment and a significant area of the lands have been developed for employment uses and has characteristics of an urban development. However, it is not located within a defined “development boundary” in the Draft Plan.

It is submitted that this anomaly can be addressed by a small modification to the wording to provide clarification and ensure the intent is met by the wording. This can be achieved by inserting the words “and lands zoned for employment, residential and associated uses” after the words “development boundary”.

It is also noted that the Proposed Material Alteration to widen the ecological corridors in these situations outside of development boundaries from 30 metres to 48 metres as a minimum does not arise from the submission of Inland Fisheries Ireland (IFI) or any other relevant statutory consultee in this matter. The 30m corridor should remain for rural areas in any event, as set out in the draft Development Plan.

The application of a requirement for a 48m minimum ecological corridor along the watercourses through the M1 Business Park would result in large parts of the zoned Business Park lands being undevelopable with the residual parts left highly constrained and they could not be developed in accordance with the zoning objective and therefore, the requirement would be inconsistent with the GE Zoning Objective for the subject lands in the Development Plan.

The submission highlights that it is unclear as to the rationale for the increase.

Reference is also made in the submission to Green Infrastructure Mapping and it is stated that the draft Development Plan does not reflect the Matt or Bracken Rivers, nor would it be considered a main channel as referenced in the objective. It is noted that the ecological corridor does not follow the EPA definition of these rivers, and it is unclear the baseline mapping which informed Green Infrastructure Map 2.

Another submission refers to PA CH 14.15 and DMSO156 and suggests that the minimum distances relating to the Tolka River and the additional riparian buffer zone added to the Royal canal are excessive and limit the development potential of lands south of River Road. DMSO156

# PART 3

has been adjusted to give effect to 48m buffer zone either side of main rivers including the River Tolka, however the submission notes that Section 9.6.8 of the Plan does not appear to have been adjusted where it states '*to be ecologically effective corridors need to be a minimum of 30m in width measured from the top of each riverbank*'. The submission considers that the minimum distances adjusted in Objective DMSO156 relating to the Tolka River are excessive and limit development potential. Amending text is suggested to allow some flexibility on implementation of an appropriate zone rather than a reliance on numerical off-set.

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

The contents of the submissions are noted. The Draft Plan addresses the extent of buffer zones along rivers 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. 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.

Regarding the baseline mapping for Green Infrastructure Map 2 and the ecological corridors shown, these have been identified as such since the 2011 Development Plan which first introduced the concept of Green Infrastructure. Furthermore, the EPA GIS database indicates the same route for the Matt and Bracken Rivers.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 14.16: Section 14.18.2.4, Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596:**

Include a new objective to follow DMSO156, as follows:

**Objective DMSOXX – 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.**

## **Submissions Received:**

FIN-C532-69

## **Summary of Issues:**

A submission was received which expresses support for PA CH 14.16 to maintain and enhance ecological corridors along water courses in Fingal.

# PART 3

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

The contents of the submission are noted and welcomed.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA CH 14.21 Section 14.11.2 Age Friendly Housing, page 537**

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.**

## **Submissions Received:**

FIN-C532-49, FIN-C532-154, FIN-C532-158, FIN-C532-159, FIN-C532-167

## **Summary of Issues:**

A number of submissions raise concern in terms of the application of a blanket requirement for 10% provision of age friendly housing in new residential schemes above 100 units, as set out in PA CH 14.5 and PA CH 14.21. It is argued that the requirement to provide 10% of units in new developments of over 100 units as age friendly accommodation should be revised/removed, inter alia, for the following reasons:

- (i) Existing planning policies and building regulations address the need for age friendly accommodation.
- (ii) The Objective is contrary to the NPF in terms of including blanket application of requirements on developments which will impact on design. This will also lead to restrictions on development proposals and potentially affect viability.
- (iii) Each planning application should be assessed on its own merits with age friendly housing assessed on a case by case basis, with collaboration between the Planning Authority and developer.

While in favour of the allocation of age friendly units, a number of submissions suggest that the proposed quantum of such units is considered too high and flexibility is required, especially with regard to larger developments where this requirement may not be feasible due to density constraints. Consideration should be given to Adaptable Units as an alternative to Age-Friendly units.

## **Chief Executive's Response**

The contents of the submission are noted.

National Policy Objective 30 as set out in the NPF seeks to ensure that local planning, housing, transport/accessibility and leisure policies will be developed with a focus on meeting the needs

# PART 3

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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. Best practice dictates that housing for the elderly, (including 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.

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.

Objective SPQHO18 of the Draft Plan states the following:

*Promote a range of housing options within Fingal to cater for the housing needs and care requirements of older people. This includes independent and assisted living options and to support and promote the provision of specific purpose-built accommodation, including retirement villages, ‘step down’ housing options and measures to ensure housing is adaptable to enable older people to continue living in their homes or in a home more suited to their needs.*

The Draft Plan is committed to planning for the housing needs of older people and to assist in achieving this aim, PA CH 14.5/PA CH 14.21 is proposed, the aim of which is to ensure and facilitate the delivery of an appropriate level of housing for older people while ensuring that such housing is fully integrated in viable, high quality, and socially diverse developments which can cater for the needs of people at different stages of their life.

Categories of ‘age adaptable’ and ‘age friendly’ housing both fall under the overall umbrella of universal design which seeks to ensure that housing caters for the needs of people throughout their lives as they age. This principle is illustrated in the following definition of ‘age friendly homes’ as set out in a recent publication by Age Friendly Ireland:

*“Age Friendly Homes incorporate Universal Design features making them suitable for everyone across the life course. They have adaptable elements to meet people’s changing needs as we age” (AFI Homes Rating Checklist, 2021).*

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 3

## Summary of Chief Executive’s Recommendations for Chapter 14:

Material alteration	Chief Executive’s Recommendation
PA CH 14.1	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.1, as displayed.
PA CH 14.3	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.3, as displayed.
PA CH 14.5	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.5, as displayed.
PA CH 14.6	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.6, as displayed.
PA CH 14.8	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.8, as displayed <b>subject to modifications</b> .
PA CH 14.9	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.9, as displayed.
PA CH 14.10	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.10, as displayed <b>subject to modifications</b> .
PA CH 14.12	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.12, as displayed <b>subject to modifications</b> .
PA CH 14.13	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.13, as displayed.
PA CH 14.15	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.15, as displayed.
PA CH 14.16	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.16, as displayed.
PA CH 14.21	It is recommended that the Development Plan be made <b>with</b> the proposed Material Alteration PA CH 14.21, as displayed.

### ***Text of Proposed Material alterations Recommended to be made with Modifications***

#### **PA CH 14.8, Section 14.5.3 Space Extensive Developments, page 570**

Amend Objective DMSO94 as follows:

#### DMSO94 **Utilisation of Vacant Properties for Remote Working Facilities** **Space Extensive Developments**

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

# PART 3

- 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 overall storage capacity}~~
- 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.
- ~~Have regard to~~ The Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022).

## **PA CH 14.10, Section 14.17.2 Bicycle Parking and Residential Development, page 582**

Amend Objective DMSO113 as follows:

DMSO113 – Bicycle Parking

Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, **{where feasible, practical and appropriate}**, having regard to local, national and international best practice.

## **PA CH 14.12, Section 14.17.5 Road Network and Access, page 584**

Amend Objective DMSO117 as follows:

Objective DMSO117 - ~~Motorway Access~~ National Road Access

~~{Restrict}~~ ~~{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).~~



# PART 3

## APPENDICES to the Draft Plan

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.

### PA APP 5.2: Architectural Conservation Areas (ACAs), page 133:

Designate lands in Swords as an Architectural Conservation Area (ACA) and update Appendix 5 to include the following.

ACA ID	ACA NAME	BRIEF DESCRIPTION	ACA TYPE
DF-ACA-33	<u>Swords – Church Road Historic Ecclesiastical Core</u>	<u>The Church Road Swords Historic Ecclesiastical Core ACA is centred on the monastic enclosure founded by St. Colmcille in the 6<sup>th</sup> century on an elevation position over the Ward River. The site today contains a Round Tower from c. 10<sup>th</sup> century, the Square Tower which was part of the medieval parish church and the early-19<sup>th</sup> Anglican church of St. Columba’s. The boundary of the ACA extends to include surrounding buildings that are currently or were historically linked to the church of The Rectory which is a 20<sup>th</sup> century house to the north of the graveyard, the 18<sup>th</sup> century Old Vicarage on the western side of the road (now an apartment complex), and the modern building of St. Columba’s Parish Centre &amp; Old Borough National School.</u>	<u>Historic Core of Town or Village</u>

#### Submissions Received:

FIN-C532-70

#### Summary of Issues:

The submission from the Department of Education notes PA APP 5.2.

#### Chief Executive’s Response:

The contents of the submission are noted and welcomed.

#### Chief Executive’s Recommendation:

It is recommended that the Development Plan be made with the proposed Material Alteration PA APP 5.2, as displayed.

#### Summary of Chief Executive’s Recommendations for Appendices:

Material alteration	Chief Executive’s Recommendation
PA APP 5.2	It is recommended that the Development Plan be made with Material Alteration PA APP 5.2, as displayed.



# PART 5

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## Matters Not Directly Related To Specific Proposed Material Alterations

### **Submissions Received:**

FIN-C532-1, FIN-C532-5, FIN-C532-6, FIN-C532-21, FIN-C532-33, FIN-C532-37, FIN-C532-40, FIN-C532-42, FIN-C532-53, FIN-C532-54, FIN-C532-55, FIN-C532-70, FIN-C532-71, FIN-C532-78, FIN-C532-85, FIN-C532-89, FIN-C532-96, FIN-C532-131, FIN-C532-140, FIN-C532-147, FIN-C532-154, FIN-C532-158, FIN-C532-159, FIN-C532-167, FIN-C532-170, FIN-C532-171,

### **Summary of Issues:**

A number of submissions were received which related to matters not directly related to specific proposed material alterations (as set out in the Proposed Material Alterations document).

For example, a number of submissions requested amendments to land use zoning or local objectives which were not included as proposed material alterations while others referred to or requested alterations to the text of the written statement which were not included as proposed material alterations. Other submissions refer to earlier requests to rezone lands which were considered at the previous stage of the plan, or to adjust the location of local objectives to reflect recent planning permissions.

In addition, a small number of submissions consisted of general statements in relation to the ongoing Development Plan preparation process or provided additional clarification regarding particular elements of the Draft Plan for which no proposed material alteration has been proposed.

Other submissions raised general points in relation to the overall preparation and contents of the Draft Development Plan as well as the wide range of issues addressed in the Draft Plan.

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

As the submissions above do not refer to any of the proposed Material Alterations and cannot be assigned to a material alteration on display, no change can be recommended at this time.

However, 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.

Non-material alterations such as dates of Draft Documents, updated names of Departments or any publications will also be updated and included in the final version of the Plan.

Submissions referencing earlier submissions made in relation to rezoning and other issues are noted. Earlier submissions have been considered and responded to as part of responses issued at earlier Development Plan stages and in CE Reports issued at that time.

The contents of the submission relating to the 'Errata to Material alterations document' are noted and welcomed.

### **Chief Executive's Recommendation:**

No change.

# **PART 4: Submissions relating to Material alterations to the Draft Development Plan Map Sheets**

# PART 4

## MAP SHEET 1: County Strategy / Index

No submissions were received which directly related to Proposed Material Alterations to Map Sheet 1: County Strategy / Index.

## MAP SHEET 2: Fingal North

No submissions were received which directly related to Proposed Material Alterations to Map Sheet 2: Fingal North.

## MAP SHEET 3: Fingal Central

### PA SH 3.1:

Amend zoning from RU-Rural to RB-Rural Business at Westpalstown, Oldtown.

#### ***Submissions Received:***

FIN-C532-31

#### ***Summary of Issues:***

This submission supports proposed Material Alteration: PA SH 3.1, which seeks a change in zoning from Objective 'RU' to Objective 'RB'.

This submission contends that the current rural designation of the subject lands, represents an underutilisation of a serviceable site located within an evolving and growing agri-food area, in close proximity to the existing Keogh's Farm and crisp factory.

It is submitted that the proposed rezoning demonstrates that the merits of the area for agri-food development have been recognised by Fingal County Council and that the proposed material alteration will ensure the ability of the company to continue to grow and become a major employer in the area.

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

The contents of the submission are noted. The site in question is 6.4 hectares (c. 15.82 acres) in area and is located on the southern side of R129, Westpalstown, Oldtown, approximately 1 kilometre north-east of Oldtown village centre. The site is currently used for agricultural purposes.

It is noted that the lands in question are isolated from any designated settlement off the R129 public road where maximum speed limits apply and it is therefore considered appropriate to remove this proposed material alteration.

It should be noted that PA SH 3.1 is the subject of OPR Recommendation 5 – Employment Zoned Lands' which states that the Plan is to be made without this proposed material alteration.

# PART 4

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### **PA SH 3.2:**

Amend zoning from RU-Rural to RV-Rural Village at Oldtown.

## **Submissions Received:**

FIN-C532-44, FIN-C532-145

## **Summary of Issues:**

Submissions were received in support of the zoning from RU-Rural to RV-Rural Village at O'Brien's lane in Oldtown.

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

The contents of the submissions received are noted. The subject lands are located at O'Brien's Lane, a narrow local road. The southern portion of the site appears to be in residential use while the northern portion is currently in agricultural use. This site could potentially accommodate a further 5 units – not including the existing dwelling on site. It is considered that the subject site is not a suitable location for intensification of residential development, due to the narrow nature, poor alignment and lack of footpaths along O'Brien's Lane.

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. 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 Oldtown, grows with appropriate residential, social and community uses, without resulting in growth beyond local need or creating unsustainable commuting patterns.

A key objective for Fingal's Rural Villages is the consolidation and strengthening of the viability of the village core. The Rural Settlement Strategy is not applicable to the Rural Villages and settlement is open to all. As such the RV zoning offers an alternative to one-off housing in the countryside. Considerable development opportunity continues to exist within Oldtown Rural Village. There is 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.

Furthermore, 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. 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 protection of agricultural lands and as such, would be contrary to proper planning and sustainable development

# PART 4

It should be noted that PA SH 3.2 is the subject of OPR Recommendation 1 – Tier 5 Towns and Villages’ which state that the Plan is to be made without this proposed material alteration.

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### **PA SH 3.5:**

Amend zoning from RU-Rural to RV-Rural Village at Coolquay.

### **Submissions Received:**

FIN-C532-94, FIN-C532-151

### **Summary of Issues:**

A submission welcomes the preparation of a LAP for Coolquay RV. It is noted that this is long overdue and it is submitted that this LAP should be completed before any further lands are rezoned. This submission also states that any increase in zoning in Coolquay to RV (PA SH 3.5) is not consistent with the core strategy of the development plan (ref: table 2.14 page 51).

A second submission suggests that the proposed quantum of rezoned land may need to be revisited given uncertainty around the delivery of the proposed SHD application and the question of whether the land can be developed serviced or un-serviced.

### **Chief Executive’s Response:**

The content of the submissions are noted. It is agreed that any increase in zoning in Coolquay is inconsistent with the core strategy of the Development Plan.

The Draft Plan seeks that villages, such as Coolquay, grow with appropriate residential, social and community uses, without resulting in growth beyond local need or creating unsustainable commuting patterns.

The Rural Settlement Strategy is not applicable to the Rural Villages and settlement is open to all. As such the RV zoning offers an alternative to one-off housing in the countryside. Considerable development opportunity continues to exist within Coolquay Rural Village and there is 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.

The inclusion in the Draft Plan of zoning objectives facilitating the provision of additional housing without due regard the existing environment at Coolquay and 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 protection of agricultural lands and as such, would be contrary to proper planning and sustainable development.

It should also be noted that in the context of the Strategic Flood Risk Assessment that was carried out to inform this plan, the proposed lands are included within Flood Zone B.

# PART 4

Having regard to all of the above, it is recommended that the Development Plan be made without the proposed Material Alterations as displayed.

It should be noted that PA SH 3.5 is the subject of two separate OPR Recommendations, namely Recommendation 1 – Tier 5 Towns and Villages’ and Recommendation 7 – Flood Risk Management, both of which state that the Plan is to be made without this proposed material alteration.

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alterations as displayed.

### **PA SH 3.7:**

Include new map-based local objective on lands at St Margaret’s, Co Dublin as follows:

Provide for the continuing provision of childcare facilities and education centre.

### **Submissions Received:**

FIN-C532-70

### **Summary of Issues:**

The submission from the Department of Education notes PA SH 3.7.

### **Chief Executive’s Response:**

The contents of the submission are noted. The map-based local objective is considered appropriate at this location.

### **Chief Executive’s Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA SH 3.11:**

Add indicative lines for the river greenway on the Ward River.

### **Submissions Received:**

FIN-C532-55

### **Summary of Issues:**

The submission from the OPW notes that River greenways are proposed on the Ward and Broadmeadow Rivers in Amendments No: PA SH 8.9 and PA SH 3.11. There are OPW Arterial Drainage Schemes in both of these locations. The OPW requests that a 10m wide strip be retained for ongoing access for maintenance of channels. This strip should be accessible to mechanical plant and should not be landscaped, paved or otherwise developed in a manner that

# PART 4

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would prevent access. It is also submitted that Fingal County Council should consult the OPW prior to initial design of the greenways.

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

The contents of the submission are noted. It is considered that the intention of the proposed material alteration is to provide additional clarity as to the potential route of a greenway on the Ward River. As a result, it is not considered appropriate to include detailed requirements relating to specific access and maintenance arrangements which would fall outside the scope of the proposed material alteration.

***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 4

## Summary of Chief Executive's Recommendations for Sheet 3:

Material alteration	Chief Executive's Recommendation
PA SH 3.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.1, as displayed.
PA SH 3.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.2, as displayed.
PA SH 3.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 3.5, as displayed.
PA SH 3.7	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 3.7, as displayed.
PA SH 3.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 3.11, as displayed.



# PART 4

## MAP SHEET 4: Balbriggan

### PA SH 4.1:

Amend zoning from RS-residential to MC- Major Town Centre, excluding residential properties at 1-5 Hampton Place and 1-15 Hampton Green to the east, and lands to the north of and including No. 5 Church Street, Balbriggan.

#### **Submissions Received:**

FIN-C532-80, FIN-C532-93

#### **Summary of Issues:**

A submission received supports the revised zoning and seeks its retention, noting the establishment of the Irish Institute of Music and Song (IIMS) campus in 2013, the planning history and development of a concert venue on the lands, due for completion in 2023. The submission contends that the re-zoning is acceptable and supportive of the development of Balbriggan town centre and the benefits arising to the locality.

A further submission contends that no explanation to justify a contradictory approach to re-zoning the site has been tabled and the amendment does not consider the impact on the sustainability of the existing town centre nor on the existing residential area, contending it is not sustainable to widen the existing MC zone as this will dilute the existing town centre. No consideration has been given to the impact on sustainability of the Bridge Street area nor to the block between High Street and Church Street. The submission suggests that the proposed rezoning would impact traffic on Church Street and Hampton Street leading to increased risk and congestion which would impact on residential amenities.

The submission questions the most appropriate zoning for the site, indicating that there is no rationale for a change to MC zoning since the plot is almost fully occupied and other education-related uses can be catered for under the present RS zoning. The proposal would lead to piecemeal development of the Church Street area and would not be conducive to orderly development within Balbriggan, detracting from the commercial area at Bridge Street.

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

The contents of the submissions are noted.

The lands accommodate the Irish Institute of Music and Song (IIMS) campus founded in 2013 under the Irish Academy of Music which includes the use of Bedford House. Planning permission was secured under Reg. Ref. F19A/0143 for a development comprising, inter alia, the partial demolition of the existing derelict structures to the rear of Bedford House, creation of new public plaza, renovation of remaining existing derelict buildings and construction of a new three storey music school and auditorium as part of a new campus. The application also included development at Rosscarrig, comprising a change to commercial use and all ancillary works. Previously, the application site was partially in use as St. Anthony's nursing home.

Given the historical, ongoing and intended commercial / cultural use of the lands, it is considered that a change of underlying zoning from RS to MC would be appropriate and reasonable. All applications are assessed under multiple criteria including traffic impacts, impact on adjoining land uses etc.

# PART 4

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA SH 4.2:**

Include the Naul Road Upgrade (M1 Junction 6 exit to the roundabout on the R122) as an indicative route on the relevant plan map.

## **Submissions Received:**

FIN-C532-42

## **Summary of Issues:**

This submission from the TII advises Fingal County Council that proposed material alteration PA SH4.2 relating to the upgrade the Naul Road (R122) includes part of the M1 Junction 6 interchange over which the R122 passes via an overbridge. While the Naul Road is under the local roads authority jurisdiction, the M1 and associated structures at this junction forms part of TII Motorway Maintenance and Renewals Contract (MMaRC) Network A. Therefore, any scheme at this location needs to be undertaken in accordance with the procedures and requirements outlined in TII Publications.

In addition, consultation with TII and the Motorway Maintenance and Renewals Contract Network A Contractor will be required, via the relevant road authorities, in relation to any works proposed, including signage, that affect motorway roads and associated junctions in terms of operational requirements such as timetabling. A revision is required in this regard to ensure that the Development Plan provisions advance efficient and proper planning and sustainable development where development interfaces with the national road network.

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

The contents of the submission are noted. The contents of the submission are noted. In any works being undertaken on or in the vicinity of national roads, it is a requirement for Fingal County Council to engage in close consultation with TII. Accordingly, Objective CMO33 of the Draft Plan specifically 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.' Having consideration to the foregoing, it is not considered necessary to amend the proposed material alteration.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 4

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## **Summary of Chief Executive's Recommendations for Sheet 4:**

<b>Material alteration</b>	<b>Chief Executive's Recommendation</b>
<b>PA SH 4.1</b>	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 4.1, as displayed.
<b>PA SH 4.2</b>	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 4.2, as displayed.

# PART 4

## MAP SHEET 5: Skerries

### PA SH 5.1:

Insert a map-based school symbol on lands at Loughshinny.

#### **Submissions Received:**

FIN-C532-70

#### **Summary of Issues:**

The submission from the Department of Education acknowledges and welcomes PA SH 5.1.

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

The contents of the submission are noted.

Planning permission was granted for a Special National School at this site under planning reference F22A/0280 on the 1<sup>st</sup> of November 2022. This permission is subject to a decision by An Bord Pleanála with regard to an access road which was permitted under F20A/0701/ABP – 312567-22.

While education is not a 'permitted in principle use' for this zoning objective, Chapter 13 of the Draft Plan notes 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.

Education has been considered acceptable on these lands, as per the above planning application. As such, it is considered that the map-based school symbol is not required at this location in order to fulfil the requirement for an education use at this site.

It should be noted that PA SH 5.1 is the subject of OPR Recommendation 2 – Map Based Local Objectives' which states that the Plan is to be made without this proposed material alteration.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### PA SH 5.3:

Amend zoning from HA-High Amenity to RS-Residential at Skerries.

#### **Submissions Received:**

FIN-C532-27, FIN-C532-56

#### **Summary of Issues:**

A submission is unsupportive of the change in zoning from HA-High Amenity to RS-Residential on the basis of the unsuitability of the lands for residential development due to its location in an area at risk of coastal erosion and particularly in the context of the overarching theme of the

## PART 4

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Draft Plan relating to climate action. The Draft Plan objectives DMSO164 and GINH072 are cited in this regard, which seek, inter alia, to prevent development within 100 metres of the coastline and as such would be contrary to these stated objectives and to proper planning and sustainable development.

The submission also contends there is excess capacity to accommodate the required number of residential units over the Plan period as evidenced by the Urban Capacity Assessment and as supported by the OPR. In conclusion, it is requested that the HA-High Amenity zoning is retained in respect of the subject lands.

The second submission supports the proposed amendment to facilitate local housing need for a family member on the subject lands and contends that any development would be unobtrusive in nature. The submission states that the lands have been in their small farming family for generations.

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

The contents of the submissions are noted.

As indicated in the previously, 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 and to the core principles in relation to compact, consolidated growth, as set out in the NPF and RSES.

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.

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.

Specifically, objective GINH072 (Development and Risk of Coastal Erosion) 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 the sensitive landscape setting within the coastal corridor of the County and the environmental sensitivity of the lands with vulnerability to coastal erosion, it is considered appropriate to retain the HA-High Amenity zoning for the subject lands as provided for by the Draft Development Plan.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

## PA SH 5.4:

Amend zoning from HA-High Amenity to RC-Rural Cluster at Milverton.

### **Submissions Received:**

FIN-C532-165, FIN-C532-172

### **Summary of Issues:**

One submission does not support PA SH 5.4 and suggests that it revert to its previous HA zoning. Another submission supports this proposed amendment to expand the existing rural cluster at Milverton to facilitate local housing need and also requests an enlargement of this rural cluster.

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

The contents of the submissions are noted.

The subject lands are currently zoned HA-High Amenity, within a highly sensitive landscape as designated in the current Plan with this zoning objective and landscape designation carried through to the Draft Plan.

The change in zoning of the lands to RC - Rural Cluster would be piecemeal and uncoordinated and contrary to government guidance at national level. Such a development pattern would result in deficient in terms of basic infrastructure and public service provision and would exacerbate unsustainable travel patterns and result in loss of HA zoned lands

It should be noted that PA SH 5.4 is the subject of OPR Recommendation 3 – Rural Landscapes' which states that the Plan is to be made without this proposed material alteration.

Having regard to the foregoing, it is recommended that the Development Plan be made without the proposed material alteration as displayed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## PA SH 5.7:

Delete map-based local objective 6 text 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.**~~

Replace with the following:

**Provide and facilitate the development of glamping accommodation with an ancillary service building.**

### **Submissions Received:**

FIN-C532-6, FIN-C532-95

# PART 4

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## ***Summary of Issues:***

One submission does not support this proposed material alteration on the basis of increased anti-social behaviour and destruction to wildlife at this rural coastal location. One submission supports the proposed material alteration to facilitate tourism in the area and will complement the delivery of the Fingal Coastal Way.

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

The contents of the submission are noted. Notwithstanding the proposed map-based local objective under PA SH 5.7, 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 and any required environmental assessments through the Development Management process.

## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 4

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## Summary of Chief Executive's Recommendations for Sheet 5:

Material alteration	Chief Executive's Recommendation
PA SH 5.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.1, as displayed.
PA SH 5.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.3, as displayed.
PA SH 5.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 5.4, as displayed.
PA SH 5.7	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 5.7, as displayed.



# PART 4

## MAP SHEET 6A: Lusk

No submissions were received which directly related to Proposed Material Alterations to Map Sheet 6A: Lusk.

## MAP SHEET 6B: Rush

### **PA SH 6B.1:**

Amend zoning from RU-Rural to RC-Rural Cluster at Rathartan.

#### ***Submissions Received:***

FIN-C532-45, FIN-C532-50, FIN-C532-51, FIN-C532-67, FIN-C532-87, FIN-C532-88, FIN-C532-90, FIN-C532-91, FIN-C532-92, FIN-C532-97, FIN-C532-98, FIN-C532-99, FIN-C532-100, FIN-C532-102, FIN-C532-103, FIN-C532-104, FIN-C532-106, FIN-C532-107, FIN-C532-108, FIN-C532-110, FIN-C532-112, FIN-C532-113, FIN-C532-114, FIN-C532-115, FIN-C532-116, FIN-C532-117, FIN-C532-118, FIN-C532-119, FIN-C532-122, FIN-C532-126, FIN-C532-128, FIN-C532-129, FIN-C532-132, FIN-C532-133, FIN-C532-135, FIN-C532-137, FIN-C532-142, FIN-C532-143, FIN-C532-150, FIN-C532-156, FIN-C532-165.

#### ***Summary of Issues:***

A number of submissions were received relating to the rezoning of these lands from RU to RC at Rathartan. Several submissions are opposing the material alteration PA SH 6B.1 to rezone these lands from RU to RC and request that the lands revert to their RU zoning at Rathartan.

It is submitted that there are several options available to address the housing needs of the family in question without the need to rezone a large area of rural zoned land. Reference is made to the Draft Development Plan and the requirements to be met when establishing Rural Clusters in Fingal. It is stated that the residents of Rathartan were not consulted when the submission setting out the vision for the future of the locality at Rathartan, Lusk was being developed and submitted as part of phase two of the draft Development Plan process.

It is argued that the proposed rezoning fails to meet many of the policies and objectives set out in the Draft Development Plan pertaining to Rural Clusters. It is also noted that the proposed development consists of five individual houses on 1.5 acres sites affording generous private open space for each dwelling, on an overall site of 7.9 acres, which would make the proposed development one of the largest Rural Clusters in Fingal, with an actual capacity to host seventeen houses at a location where there is no existing cluster, settlement or supporting road infrastructure.

It is also submitted that the area is not suffering from development pressure and there is no need for a Development Plan intervention to consolidate or extend development in this rural area. There is no settlement or cluster at Rathartan, the area is open countryside that is used intensively for vegetable growing and that there is only one house towards the northern end of the proposed location so the proposed Rural Cluster cannot be considered as an in-fill development. It is maintained that the proposed cluster would be an entirely new development

## PART 4

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in otherwise open countryside and because of its scale and layout it would be an incongruous and damaging imposition on Rathartan and its environs.

Reference is also made to other Rural Clusters in the area, such as Efflestown adjacent to Rush and Lusk train station and it is noted that this Rural Cluster at Efflestown has capacity and room for expansion.

The submissions received, which are opposed to the 'RC' designation at this location have also submitted images of the lands and access road, and it is noted that the adjacent lane and public road is not suitable for such development.

It is argued that the proposed rezoning breaches Draft development plan objectives regarding the maintenance of distinct physical separation of Lusk and Rush. It is also argued that policies relating to safeguarding important agricultural and horticultural lands would also be directly contravened by removing almost 8 acres of prime crop producing land to construct five houses on.

The submissions highlight that the subject family have additional lands which possibly could be utilised to address the housing need. Reference is also made to other submissions to the Draft plan (FIN-C453-967 and FIN-C453-960) made by members of the subject family which would appear more appropriate to solve the family's housing need. It is stated that it is inappropriate to be creating a new cluster 4.5 km away from where the family live when there are existing clusters adjacent to their home that could be utilised as a solution to their needs.

The submissions also refer to recommendation 3 from the OPR to the Draft development plan regarding rural villages and rural clusters and the need to consolidate and reduce the number of same. Numerous submissions have been received which support the material alteration PA SH 6B.1, including from the owners of the lands. It is argued that this rezoning will allow members of the rural community to reside in the area, meeting local needs and will offer an alternative to the single rural house. It is stated that the family members can remain working in the area and in close proximity to family, maintaining connections to local clubs, schools and organisations. Details of the subject family's links to the area and employment in the area has been provided. It is also stated that a large proportion of the subject family's land is located in High-Amenity (HA) zoned areas or otherwise deemed unsuitable.

It is also stated that the lands can connect to public water supply, have adequate drainage and soil characteristics, and is accessible to public transportation choices, with no environmental constraints. It is stated the site is in close proximity to public transport links and the towns of Rush and Lusk are also accessible by bicycle.

It is noted that the construction (on these lands) is in line with 'Housing for All' which suggests that local governments may need to zone more serviced land in their development plans than would be necessary to meet the anticipated housing demand, to give local residents a variety of sites and prevent limiting the supply of future house development. It is stated that this is a smart and sustainable change to future housing where a long-established local family can benefit. It is argued that this more consolidated form of development which is referenced as 'infill' development in some of the submissions, would be an alternative to one off housing and allow this family to continue living in this rural area.

# PART 4

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

The contents of the submissions are noted.

It is considered that such a rezoning on these lands would be inappropriate and would be contrary to the proper planning and sustainable development of the area. There are currently thirty-seven Rural Clusters within the Draft Plan to cater for rural generated housing need (with a further two proposed as material alterations). The existing Rural Cluster zoning has a combined total area of 175 hectares (432 acres). These Rural Clusters have a strong residential focus.

It is considered that the rezoning of the subject lands to designate a 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.

Furthermore, it is considered that the zoning of additional residential lands on the subject lands is inappropriate as there is capacity remaining in the adjoining towns of Lusk and Rush which have ample supporting infrastructure, services and amenities. The rezoning of the subject lands is also likely to give rise to deficiencies in terms of the provision of basic infrastructure and public services, the creation unsustainable travel patterns and to lead to the loss of rural lands.

It should be noted that 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.

In conclusion, it is considered that 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 rural lands and, as such, is considered to be contrary to the proper planning and sustainable development of the area.

It should be noted that PA SH 6B.1 is the subject of OPR Recommendation 3 – Rural Landscapes' which states that the Plan is to be made without this proposed material alteration.

## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

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## Summary of Chief Executive's Recommendations for Sheet 6B:

Material alteration	Chief Executive's Recommendation
PA SH 6B.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 6B.1, as displayed.

# PART 4

## MAP SHEET 7: Donabate-Portrane

### PA SH 7.1:

Amend zoning from RU-Rural to GE-General Enterprise at Turvey Avenue, Donabate.

#### **Submissions Received:**

FIN-C532-4, FIN-C532-22, FIN-C532-63, FIN-C532-73, FIN-C532-77, FIN-C532-111, FIN-C532-139, FIN-C532-164, FIN-C532-168.

#### **Summary of Issues:**

Several submissions are opposed to proposed amendment PA SH 7.1 which seeks to amend the zoning from RU-Rural to GE-General Employment at Turvey Avenue, Donabate, Co. Dublin.

It is noted that little consideration was afforded to the majority of residents living in the adjacent Rural Cluster and the financial loss they would incur on the value of their homes should 'GE' zoned development take place. It is also submitted that little or no consideration was given to transitional zones in order to avoid these abrupt changes between GE zoning and zones of a highly sensitive nature. Submissions also raise the issue of flooding at this location. It is also stated that these lands were originally agricultural lands and that there is sufficient lands for economic development in the area.

Previous multiple planning refusals are referenced, including Reg. Ref. F22A/0240 which is currently under appeal. It is noted that this application was refused by the Planning Authority for reasons of noise and disturbance to the adjacent Rural Cluster. It is suggested that professional expertise and reports of the EHO will help balance important decision making regarding these lands.

The submissions received note that many other issues are also relevant when considering the appropriate zoning, including increase in noise pollution, the current nature and design of Old Turvey Avenue (5m wide), its poor surface, dangerous junctions at both ends, negative effects on the environment, nature, flora and fauna, as well as impacts on residents and their dwellings.

These submissions seek support from Councillors to recommend no change to the RU-Rural zoning of the land, as set out in the Draft Plan, to ensure the residential amenities of Turvey residents will be protected and that homes will not be devalued.

A number of submissions are supportive of PA SH 7.1 which was the subject of discussions between members and the executive. It is stated that this land was zoned at the outset of the process, which it is stated, would be bad planning as it would prevent much needed and planned development at this location. It is stated that strong support as shown by members (for this material alteration) and that the adoption of a development plan is the function of elected members and the alteration should remain. Another submission supporting this alteration considers it is required and will facilitate economic development. It is stated that the lands were always zoned GE and it is argued that this should be retained.

# PART 4

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

The contents of the submissions are noted. The subject lands are located in an area which is at risk of flooding and part of the lands has been identified as being prone to flooding, having regard to the Fingal East Meath Flood Risk Assessment and Management Study.

A planning application (Reg. Ref. F22A/0240 refers) relating to the subject lands for a scaffolding storage and distribution yard was refused permission by the Planning Authority as it was considered that the proposed development would be seriously injurious to the amenities of the adjoining residential properties due to noise and disturbance. This application is currently on appeal to An Bord Pleanála.

A review of the planning history for the site also demonstrates that there have been numerous refusals of planning permission for development on the site by both Fingal County Council and An Bord Pleanála between 2008 and 2020, including the following:

- FCC Ref. F19A/0417, ABP Ref. PL06F.306013;
- FCC Ref. F11A/0127, ABP ref. PL06F.240518;
- FCC Ref. F08A/1304, ABP ref. PL06F.234146; and
- FCC Ref. F07A/0813, ABP ref. PL06F.226962

A review of reasons given by An Bord Pleanála to refuse permission in each instance indicates that areas of the subject lands are prone to flooding and that development on the subject lands could have potential impacts on the Malahide Estuary SAC and SPA which are protected European Sites.

Having regard to the foregoing and given the recent refusal of permission on these lands, it is considered appropriate to retain the 'RU' - Rural zoning for the subject lands as provided for by the Draft Development Plan. It is considered contrary to the proper planning and sustainable development of the area for the lands in question to be zoned for GE – General Enterprise.

It should be noted that PA SH 7.1 is the subject of OPR Recommendation 5 – Employment Zoned Lands' as well as OPR Recommendation OPR 7 – Flood Risk, both of which state that the Plan is to be made without this proposed material alteration.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### **PA SH 7.2:**

Amend zoning from HA-High Amenity to GE-General Employment at Kilcreagh.

## **Submissions Received:**

FIN-C532-55, FIN-C532-165

## **Summary of Issues:**

One submission does not support PA SH 7.2 and suggests that it revert to its previous HA zoning. Another submission from the OPW states that the site is fully contained within Flood Zone A and

# PART 4

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it is also noted that the proposed “GE” zoning would not satisfy Criteria 2 of the Justification Test. The OPW recommends that the lands be rezoned as a water compatible type zoning.

## ***Chief Executive’s Response:***

The contents of the submissions are noted.

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.

There is already a considerable area of employment related zoned lands in the Donabate area, including the existing TC – Town Centre lands in the centre of Donabate Town, as well as the GE – General Employment zoned lands to the west in Turvey.

As previous outlined, the subject lands do not meet the criteria to be zoned for employment uses due to the fact that they are located outside the Donabate town development boundary and that sufficient employment zoned lands already exist in the Donabate area.

In addition, the current and Draft Plan through the HA-High Amenity zoning objective and vision is explicit in the protection of High Amenity lands. The Council will continue to concentrate efforts to protect high amenity areas. It is considered that the rezoning of these lands which are relatively close to the Malahide Estuary to GE would erode the distinctive character and identity of the lands, fragmenting and destroying this valued landscape and valuable habitat features.

In this particular instance the proposed GE rezoning would have further significant negative impacts due to the location of the subject lands at the gateway to Donabate opposite the entrance to one of the Council’s own flagship heritage property, namely Newbridge Demesne and Newbridge House with its walled garden and gate piers, all of which are protected structures.

The zoning of these lands to GE cannot be justified and as such the proposed amendment is contrary to the proper planning and sustainable development of the area.

The site is also located within Flood Zone A. The submission from the OPW highlights the flood risk of the lands and states that the proposed “GE” zoning would not satisfy Criteria 2 of the Justification Test. The OPW recommends that the lands be re-zoned as a water compatible type zoning and it is noted that the “GE” zoning is not appropriate for these lands.

It should be noted that PA SH 7.2 and PA SH 7.6 are the subject of OPR Recommendation 5 – Employment Zoned Lands’. In addition, PA SH 7.2 is the subject of OPR Recommendation OPR 7 – Flood Risk. Both recommendations state that the Plan is to be made without proposed material alteration PA SH 7.2.

## ***Chief Executive’s Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

## PA SH 7.3:

Amend zoning from HA-High Amenity to RC-Rural Cluster at Corballis, south of Balcarrick Golf Club.

### **Submissions Received:**

FIN-C532-165

### **Summary of Issues:**

This submission does not support PA SH 7.3 and suggests that it revert to its previous HA zoning.

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

The contents of the submission are noted.

It is considered that the RC zoning would not be in accordance with the proper planning and sustainable development of the area.

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 within areas of high amenity in order to promote more sustainable settlement and protect the most sensitive parts of the County. 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 a Rural Cluster would gradually erode the distinctive character and identity of all high amenity areas, fragmenting and destroying this valued landscape and valuable habitat features.

Furthermore, the designation of an additional Rural Cluster 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 HA zoned lands of which it is Council policy to protect. As such, PA SH 7.3 is considered to be contrary to the proper planning and sustainable development of the County.

It should be noted that PA SH 7.3 is the subject of OPR Recommendation 3 – Rural Landscapes' which states that the Plan is to be made without this proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.



# PART 4

## PA SH 7.4:

Amend zoning from HA-High Amenity to RC-Rural Cluster at Balcarrick.

### **Submissions Received:**

FIN-C532-165

### **Summary of Issues:**

This submission does not support PA SH 7.4 and suggests that it revert to its previous HA zoning.

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

The contents of the submission are noted.

The existing Rural Cluster accommodates several dwellings on relatively large plots. Previous planning applications lodged in respect of the Rural Cluster generally relate to new dwellings or extensions to existing dwellings.

The Council considers there is no merit in rezoning new RC's or large-scale extensions to existing RC's within the County. The subject lands are located within the 'coastal' landscape character which is designated as 'exceptional' value and 'high sensitivity' in Table 9.3 of the Draft Plan.

It should be noted that PA SH 7.4 is the subject of OPR Recommendation 3 – Rural Landscapes' which state that the Plan is to be made without this proposed material alteration. Given the environmental sensitivity of the area in which the subject site is situated as well as the concerns expressed by the OPR in its submission, it is considered that the proposed material alteration would not be appropriate.

The OPR submission notes that PA SH 7.4 is to amend zoning from HA High Amenity to RC Rural Cluster and increase Balcarrick rural cluster by 0.3 hectares. It also states that the subject lands are located within the 'coastal' landscape character area which is designated as 'exceptional' value and 'high sensitivity' in table 9.3 of the draft Plan.

Given the environmental sensitivity of the area in which the subject site is situated as well as the concerns expressed by the OPR in its submission, it is considered that the proposed material alteration would not be appropriate.

The Chief Executive therefore recommends that the Plan is made without material alteration PA SH 7.4.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the Proposed Material Alteration as displayed.

# PART 4

## Summary of Chief Executive's Recommendations for Sheet 7:

Material alteration	Chief Executive's Recommendation
PA SH 7.1	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.1, as displayed.
PA SH 7.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.2, as displayed.
PA SH 7.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.3, as displayed.
PA SH 7.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 7.4, as displayed.

# PART 4

## MAP SHEET 8: Swords

### PA SH 8.2:

Amend zoning from HT-High Technology to MRE-Metro and Rail Economic Corridor at lands directly to the east of Pinnock Hill Roundabout, Swords.

#### **Submissions Received:**

FIN-C532-34

#### **Summary of Issues:**

This submission supports the zoning of these lands from Objective 'HT' - 'High Technology' to Objective 'MRE' - 'Metro & Rail Economic Corridor' as the subject site facilitates opportunities for high-density mixed use employment generating activity and commercial development, and supports the provision of an appropriate quantum of residential development adjacent to metro, rail and light rail stations.

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

The contents of the submission are noted and the support for PA SH 8.2 is acknowledged.

It should be noted this Amendment is the subject of OPR Recommendation 7 which states that the Plan is to be made without this proposed material alteration.

The lands are undeveloped and are located south of the R132, directly to the east of the Pinnock Hill roundabout, and north of the Airside Business Park. It is not considered appropriate to rezone the lands in question from HT - 'High Technology' to MRE - 'Metro and Rail Economic Corridor'. It is considered that these 'HT' lands form part of a wider area with established high technology, retail warehousing and other employment related land uses.

It is not considered appropriate to rezone such a large area of land for MRE - 'Metro and Rail Economic Corridor', given that the current levels of lands with this land zoning is related to the Draft Development Plan Core Strategy as set out in Chapter 2 of the draft Plan.

Swords is designated as a Key Town and given the proposed population growth of Swords, that comes with that designation, it is essential that high density employment generating lands are retained and developed close to the town centre and where the population of the town lives. These HT zoned lands will facilitate opportunities for high technology and advanced manufacturing, major office and research and development-based employment.

As a result, it is not considered appropriate to rezone lands which are designated for high quality office and business park uses to accommodate employment to the MRE zoning.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

## PA SH 8.5:

Include a new map-based local Objective for lands at Fosterstown as follows:

*Provide for well-designed housing at a density of 110-115 dwellings per hectare, which is in keeping with the masterplan and the enhancement of the character of the Key Town of Swords.*

### **Submissions Received:**

FIN-C532-53, FIN-C532-78

### **Summary of Issues:**

Two submissions were received relating to lands at Fosterstown and request the omission of the new map-based objective on the subject lands as referred to in PA SH 8.5 in relation to density. It is respectfully submitted that no reasoned planning or evidence-based justification for the inclusion of a map-based objective requiring a density restriction of 110-115 dwellings per hectare on the subject lands has been set out to support this PMA.

It is submitted that the Fosterstown lands are the only development site zoned 'Residential Area' in the Fingal Administrative area where such a density restriction is applied. This is an inequitable and discriminatory approach and contrary to the proper planning and sustainable development of the area, especially given the lands are in close proximity to the planned MetroLink station at Fosterstown and BusConnects proposals.

It is also submitted that ABP have already adjudicated upon the acceptability of a density of 150 dwellings per hectare (on that part of the overall Fosterstown Masterplan lands furthest removed from the proposed Fosterstown Metro station).

The submissions highlight that it would be premature to apply this objective in advance of the preparation of the Local Area Plan for Swords, the Building Height Strategy and Density Study to be completed by FCC, as required under the Draft Development Plan, all of which will provide more detailed guidance in respect of the appropriate density for the subject lands.

It is requested that the Planning Authority alter Draft Map Sheet 8 and omit the new map-based objective as referred to in PA SH 8.5. It is also noted that such a map-based objective on density would be contrary to national policy and S.28 Ministerial Guidelines.

These submissions also refer to earlier submissions made on the Draft Plan as part of the consultation in May 2022 and raised serious concerns in respect of the rezoning of part of these lands at Fosterstown North from 'RA' Residential Area to 'OS' Open Space. There is no proposed change to this zoning as part of the Proposed Material Alterations.

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

The contents of the submission are noted. These lands are located south of Swords in Fosterstown and are included within zoning Objective "RA" - Residential Area, which seeks to: *'Provide for new residential communities subject to the provision of the necessary social and physical infrastructure.'* The vision for "RA" zoned lands is to *"Ensure the provision of high quality new residential environments with good layout and design, with adequate public transport and cycle links and within walking distance of community facilities. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities".*

# PART 4

These lands are included within Fosterstown in the Swords Masterplans (included as Part C: Fosterstown, Swords Masterplans, May 2019). The envisaged density indicated in this Masterplan is a net density of 105-115 units per hectare. This will include an appropriate mix of houses and apartments to meet the needs of future residents of the area and to diversify Swords' existing housing stock. The Masterplan envisions a community that can adapt and grow with the changing needs of its residents, with a mixture of residential typologies (housing and apartments) and a mixture of bedroom sizes. This will ensure that the development can continue to grow with the population.

The Council will continue to implement the Masterplans currently in place at the time of adoption of the Development Plan and

The Council will continue to implement the Masterplans currently in place at the time of adoption of the Development Plan. This includes the subject Fosterstown Masterplan and as such, there is no requirement to replicate the objectives of the Masterplan within the Development Plan. The density limits indicated in this Material Alteration are in line with those stipulated in the Masterplan and it is therefore considered that this map-based objective is not required in this instance.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### **PA SH 8.8:**

Indicate boundary for Swords Local Area Plan associated with changes to Table 2.16.

### **Submissions Received:**

FIN-C532-29, FIN-C532-53, FIN-C532-62, FIN-C532-75, FIN-C532-78,

### **Summary of Issues:**

A submission was received which sought the extension of the proposed Swords Local Area Plan boundary westwards to include the indicative routes of the Swords Western Distributor Road and the Swords Outer Ring Road.

The rationale for the extension of the LAP boundary relates to the indicative route of the proposed Swords Western Distributor Road which passes to the west of Swords outside of the development boundary and boundary of the proposed new Local Area Plan. According to the submission, the extension of the LAP boundary to include the indicative route of the Swords Western Distributor Road would facilitate further infrastructural upgrades necessary for the implementation of the LAP.

Another submission seeks an extension of the LAP boundary to include the Uniplumo lands to the immediate west and south of the Swords Development Boundary. It is submitted that there is limited availability of residentially zoned, serviceable and available land within the Town and its environs and is submitted that the inclusion of these lands within this LAP boundary represents a logical and justifiable extension.

# PART 4

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This submission also highlights the recent publication of the 'Outline for the proposed Planning and Development Bill' by the Department of Housing, Local Government and Heritage in December 2022, which notes that the duration of Plans, such as the Fingal Development Plan 2023-2029, will be extended to a 10-year cycle, with a review after year five.

In light of this proposed amendment to the life span of Development Plans, this submission states that it is critical that a sufficient supply of appropriately zoned lands is put forward to accommodate anticipated population growth over this extended time period. It is submitted that the currently available lands within the town of Swords and its environs are simply not adequate to harbour the envisaged growth for Swords over the coming ten years. The rezoning of these lands for residential uses will aid in responding to this inevitable shortfall.

A further submission expresses concern that the requirement to prepare a Local Area Plan could potentially impact on the development and redevelopment of lands within the Swords development boundary prior to the adoption of any Local Area Plan. A number of submissions received in relation to PA SH 8.8 often in relation to the need for additional text to be included in Section 2.4.1.

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

The contents of the submission are noted. As set out in the Chief Executive's Report on the Draft Plan Public Consultation, given its designation as one of three Key Towns in the RSES, it is considered appropriate to include Swords as an area for which an LAP is to be completed during the course of the next development Plan.

This resulted in proposed material alteration to alter Tables 2.16 and Table 2.18 of the Draft Plan to include Swords in the list of areas subject to a Local Area Plan and to remove Estuary west and Estuary Central as areas for which Masterplans were to be prepared (CE OPR CH 2.4). This also resulted in a proposed material alteration to alter Sheet 8 to show the boundary for the Swords LAP (PA SH 8.8).

Reflecting the relevant sections of the Draft Plan which set out the current and future role and development of Swords (see p.49, 76 of the Draft Plan), this boundary corresponds to the existing development boundary for the town.

The development boundaries of settlements in the Draft Development Plan are significant in that they provide for the consolidation of Fingal's towns and villages in accordance with national and regional planning policy (see Section 14.5.1 Achieving Consolidation of the Draft Plan).

It is appropriate that the LAP boundary reflects the development boundary of Swords and it would be inappropriate to alter this.

It is noted that the extension of the LAP boundary as proposed would entail the inclusion of a large area of GB – Greenbelt zoned lands within the LAP boundary.

With regard to the issue of the Swords Western Distributor Road, it should be noted that the scheme is one of a number of transportation scheme as set out in Table 6.3 of the Draft Development Plan (see Section 6.5.10.2 Regional/Local Roads, p. 230). These schemes comprise the key strategic priorities for Fingal County Council and are considered realistic and achievable and will be developed in the context of the Fingal Capital Plan, a three-year delivery programme of capital projects across the County.

# PART 4

While the delivery of such infrastructure, including the Swords Western Distributor Road will be taken into account as part of the preparation of any local level plans (including LAPs, Framework Plans and Masterplans), it is not contingent on these plans as they are provided for in the Draft Development Plan as well as the Fingal Capital Plan.

As indicated previously, 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.

As a result and having regard to: the need to ensure the consolidation of Swords Key Town in line with national and regional planning policy; to the existing GB-Greenbelt zoning and character of the areas in question; and to the policies and objectives already set out in the Draft Development Plan, it is not considered necessary or appropriate to further extend the development boundary of Swords.

With regard to the issue of the requirement to prepare a Local Area Plan potentially impacting on the development and redevelopment of lands within the Swords development boundary prior to the adoption of any Local Area Plan, it is important to note that applications for development in Fingal are assessed under the Development Management Process having regard to the relevant national, regional and local planning policies and objectives which are in effect at the time at which the application is being considered.

Finally, it is noted that that the Chief Executive's response to this requests for additional text to be included in Section 2.4.1 is provided in the section of the report which addresses submissions on PA 2.11.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA SH 8.9:**

Add indicative lines for the river greenway on the Broadmeadow River to include a cycle and walking objective extending along the Broadmeadow River as far as Rolestown.

### ***Submissions Received:***

FIN-C532-55,

### ***Summary of Issues:***

The submission from the OPW notes that River greenways are proposed on the Ward and Broadmeadow Rivers in Amendments No: PA SH 8.9 and PA SH 3.11. There are OPW Arterial Drainage Schemes in both of these locations. The OPW requests that a 10m wide strip be retained for ongoing access for maintenance of channels. This strip should be accessible to mechanical plant and should not be landscaped, paved or otherwise developed in a manner that would prevent access. It is also submitted that Fingal County Council should consult the OPW prior to initial design of the greenways.

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

# PART 4

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The contents of the submission are noted. It is considered that the intention of the proposed material alteration is to provide additional clarity as to the potential route of a greenway on the Ward River. As a result, it is not considered appropriate to include detailed requirements relating to specific access and maintenance arrangements which would fall outside the scope of the proposed material alteration.

***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.



# PART 4

## Summary of Chief Executive's Recommendations for Sheet 8:

Material alteration	Chief Executive's Recommendation
PA SH 8.2	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 8.2, as displayed.
PA SH 8.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 8.5, as displayed.
PA SH 8.8	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 8.8, as displayed.
PA SH 8.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 8.9, as displayed.

# PART 4

## MAP SHEET 9: Malahide-Portmarnock

### PA SH 9.1:

Amend the boundary line between the RA-Residential Area and OS-Open Space zoning objectives at the Portmarnock South lands.

#### **Submissions Received:**

FIN-C532-61

#### **Summary of Issues:**

A submission was received which raises PA SH 9.1 in the context of seeking clarity in relation to the status of the current LAP for Portmarnock South which is due to expire in July 2023 and states that LAP 9A may lead to confusion as this may infer that a new LAP is required. The submission requests the omission of the mapped objective MAP 9A and the removal of the white hatch, or requests that where the existing LAP withers but the map-based objective is retained, that additional text should clarify that any further development on the lands will be guided by the provisions of the Development Plan as well as mitigation measures of the former LAP (no new LAP will be necessary).

The submission suggests that where a new LAP is to be prepared, it shall be commenced within a short timeframe of the adoption of the Plan

The submission also requests that Table 2.16 – Schedule of Local Area Plans to be commenced over the Plan period is updated to include Portmarnock South LAP

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

The submission is noted and welcomed. Clarity is provided in relation to instances where extant LAPs wither over the life of the Plan and where new LAPs are not scheduled to be provided – e.g. in instances where the plan lands have been substantially completed. In this regard, please refer to the response to OPR Submission Section 1: Core Strategy and Settlement Strategy PA CH 2.11: Section 2.4.1 Local Area Plans page 56. The response provides clarity with regard to ensuring consistency between extant LAP's and the Development Plan and the timeline for ensuring same. Clarity is also provided in relation to the provisions of operational local area plans.

Furthermore, it should be noted that the new objective proposed under PA CH 2.27: Self Sustaining Towns Objectives, page 84, will be modified to list mitigation measures pertaining to the Portmarnock South and Baldoy-Stapolin LAP's referenced.

Consequently, it is not considered necessary to amend PA SH 9.1 as it provides clarity on relation to the boundary between RA and OS zoned lands.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 4

## PA SH 9.2:

Amend zoning from GB-Greenbelt to CI-Community Infrastructure at Broomfield, Malahide. In addition, insert new map-based local objective with a school symbol on these lands, as follows:

Provide for a new primary school at this location, subject to provision of adequate access arrangements.

### **Submissions Received:**

FIN-C532-70

### **Summary of Issues:**

The submission from the Department of Education notes PA SH 9.2. In this regard it also refers to PA SH 9.12 and states that 2 schools may be needed due to future population growth. It states however that this demand may not be best met with 2 primary schools in such close proximity. It is stated that the preference for a new school in the immediate future is at the site of PA SH 9.2 and acknowledges the local objective for same. The change in zoning is welcomed and it is requested that the extent of same be re-examined in line with a submission by consultants (attached). It is stated that this submission outlines reasons for the extension of the CI zoning. It is requested that all lands including access roads be zoned CI and the Dept welcomes engagement with FCC in this regard. It is noted that pre-planning has advanced for this development and is requesting that FCC alter the boundary of this mapped objective (PA SH 9.2) to allow for the associated infrastructure to be included and to avoid a material contravention scenario upon lodgement of an application. It is stated that the revised access arrangements for the development would traverse a number of different mapped objectives which may need to be altered to allow a school at this location.

The submission notes the site assessments that have been conducted to date and concludes that the site can accommodate the school development. Reference is made to the engagement between the local authority and Department in this regard.

An amendment to the mapped objective is requested as the access road to the proposed school is located on lands that are zoned GB and OS. The submission requests the following: *the change in zoning of the access road lands to Objective Community Infrastructure (CI) from Objective GB and OS and the inclusion of the lands within the development boundary of Malahide.*

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

The contents of the submissions are noted.

'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 access road lands to CI. It is noted also in the images submitted by the consultant that there is a small area of OS lands along the western boundary of these lands. Notwithstanding this, it is considered premature to rezone these lands as the referred to planning application has not been lodged and may be subject to change.

Insertion of a new map-based objective with a school symbol at the site at Broomfield, Malahide, is appropriate and has been proposed under PA SH 9.2. In addition, the proposed CI zoning at this location is considered adequate.

The development boundary of Malahide will be extended to include the newly zoned lands.

# PART 4

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA SH 9.3:**

Amend zoning from OS-Open Space to CI-Community Infrastructure at a site at Clairville Lodge, Careys Lane and Streamstown Lane, Malahide.

## **Submissions Received:**

FIN-C532-7, FIN-C532-9, FIN-C532-11, FIN-C532-12, FIN-C532-13, FIN-C532-14, FIN-C532-15, FIN-C532-16, FIN-C532-17, FIN-C532-18, FIN-C532-19, FIN-C532-20, FIN-C532-26, FIN-C532-30, FIN-C532-148.

## **Summary of Issues:**

A submission welcomes this proposed material alteration on the basis that the zoning change to 'CI-Community Infrastructure' to facilitate a childcare facility on the subject lands would benefit the surrounding community and also ensure the lands are appropriately zoned, having regard to permission granted under Reg. Ref. F22A/0260.

A number of submissions express opposition to the proposed material alteration on the basis that the subject green space has been a valuable recreational and sporting amenity, extensively utilised and enjoyed by children and adults from Clairville Lodge, Streamstown Meadows and other nearby locations for a number of years, including during the Covid-19 lockdown periods.

Several submissions advise that the green space enhances health and well-being. Several submissions note that the subject green area is the only usable space available within the residential estate, given that the remaining open space is dissected by paths, features undulating hillocks/steep sides, or forms a flood relief area which is unsuitable for use during winter and spring months.

While multiple submissions acknowledge the need for childcare facilities in the area, they contend that the subject site is unsuitable for such a facility, given the lack of safe pedestrian and cycle infrastructure and the narrow configuration of Streamstown Lane which is congested and shared by agricultural machinery and HGVs. It is submitted that there are more appropriate alternative sites for childcare uses available elsewhere in Malahide, with many submissions contending that the rezoning of residential open space would not happen or be deemed acceptable in mature estates in the area.

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

The contents of the submissions are noted.

While the subject lands are zoned 'RA'-Residential Area in the current Fingal Development Plan 2017-2023, the Draft Plan zoning maps indicated that they be zoned as 'OS'-Open Space, in addition to adjoining lands. However, the material alteration seeks to amend the zoning of the subject site from OS-Open Space to CI-Community Infrastructure.

## PART 4

In this context, the planning history of the site/wider lands at this location is relevant, and includes the following:

- Reg. Ref. F22A/0260 (Subject site) - Permission granted for construction of a 2 storey childcare facility with enclosed play area, car parking and bicycle parking.
- Reg. Ref. F14A/0483 / PL.06F.245240 (Parent permission - Subject site and wider lands) - Permission granted, inter alia for construction of 32 No. detached residential dwellings, 1 No. 2 storey creche with enclosed internal play area ,all services and all other associated site development works.

While the creche building permitted on the subject site under the parent permission was not constructed, a 2 storey childcare facility was permitted recently (Reg. Ref. F22A/0260 refers). This application is presently the subject of a third party appeal to An Bord Pleanála.

Whilst the site is presently used for sports and recreation, its intended use is for the development of a purpose built creche, as originally applied for and approved under both the parent and recent planning permissions.

Having regard to the foregoing, it is considered appropriate to amend the proposed zoning of this site from OS-Open Space to CI-Community Infrastructure, which will facilitate the provision of a childcare facility, while not impacting the core strategy.

It is considered that there would be sufficient remaining open space lands within the Clairville Lodge residential development to provide for amenity and recreational spaces.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration, as displayed.

### **PA SH 9.5:**

Amend zoning from HA-High Amenity to RS-Residential at Robswall, Malahide.

### **Submissions Received:**

FIN-C532-165

### **Summary of Issues:**

This submission does not support PA SH 9.5 and suggests that it revert to its previous HA zoning.

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

The content of the submission is noted. It is not considered that PA SH 9.5 is in the interests of the proper planning and sustainable development.

Firstly, the subject lands are located at a highly environmentally sensitive area as evidenced by their 'HA – high amenity' zoning, the objective of which is to 'Protect and enhance high amenity areas.'

In addition, 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

# PART 4

period. The zoning of additional lands at the above-mentioned locations to 'RS' is clearly not based on need 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. As such, it is considered that no further extension of residentially zoned lands is required at this location.

Based on the above, PA SH 9.5 is not considered appropriate and is contrary to proper planning and sustainable development of the area.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without proposed Material Alteration as displayed.

### **PA SH 9.6:**

Amend zoning from GB-Greenbelt to RV-Rural Village at the southern side of Baskin Lane. In addition, insert new map based local objective on these lands, as follows:

*To provide a care home / nursing home*

### **Submissions Received:**

FIN-C532-35

### **Summary of Issues:**

This submission welcomes and supports this proposed amendment.

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

The contents of the submission are noted.

These 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 currently zoned "GB" – Greenbelt.

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.

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.

It is important to recognise that the development of nursing homes and other housing projects for the elderly, outside of existing towns and villages would lead to inappropriate and unsustainable patterns of development and in this case, it would cause detrimental impacts and erosion of the greenbelt lands at this location. 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 in order to protect the unique identity of these villages. These villages will be allowed to grow to

# PART 4

support sustainable development in the context of the Council's Core Strategy. The Draft Plan seeks that villages, such as Kinsealy, grows with appropriate residential, social and community uses, without resulting in growth beyond local need or creating unsustainable commuting patterns. The rezoning of the subject site to RV would permit residential development.

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, and it is essential remaining lands are completed before consideration is given to any new zonings.

In conclusion, there is no evidence-based need or planning rationale for the revised zoning which would be in breach of the Core Strategy of the Draft Plan 2023-2029,

Both the proposed amended zoning change from 'GB' to 'RV' and the inclusion of a local objective to provide for a care home / 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.

It should also be noted that PA SH 9.6 is the subject of OPR Recommendation 1 – Tier 5 Towns and Villages which states that the Plan is to be made without this proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without proposed Material Alteration as displayed.

### **PA SH 9.9:**

Remove Local Area Plan (LAP) designation from Belcamp lands.

### **Submissions Received:**

FIN-C532-60

### **Summary of Issues:**

This submission welcomes and supports this proposed amendment.

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

The contents of the submission are noted. It is also noted that Observation 2 by the OPR in its submission contends that Belcamp be included in Table 2.18 Schedule of Masterplans to be commenced over the plan period

The Belcamp lands presents a substantial land bank at the southern boundary of the County with Dublin City Council, extending to approximately c. 50 ha (123 acres). Notwithstanding the existing application with An Bord Pleanála on these lands, given the strategic importance of the lands, it is considered appropriate that design matters, environmental considerations, service and infrastructure provision, phasing (as required) are examined in advance of development commencing to ensure the orderly sequential delivery of new homes and community infrastructure. Against this context, it is considered the most appropriate vehicle to deliver a co-

## PART 4

ordinated land-use and transportation approach is through a Masterplan framework to which the requirement for a Local Transport Plan under Policy CMP4 applies.

The Planning Authority considers Masterplans as an effective means of guiding new development and providing essential supporting infrastructure in a phased and sustainable manner.

Having consideration to the above, it is recommended that the Development Plan be made with both Material Alterations PA SH 9.9 as displayed.

It is also noted, in view of Observation 2 relating to Belcamp as set out by the OPR in its submission that the Development Plan be made with the proposed Material Alteration PA CH 2.12, as displayed, subject to modifications as set out in the OPR submission response.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with proposed Material Alteration as displayed.

### **PA SH 9.11:**

Amend zoning from GB-Greenbelt to CI-Community Infrastructure at lands south of Swords Road, Malahide. In addition, insert new map-based local objective on the lands, as follows: Provide for a specialist epilepsy care centre at this location.

### ***Submissions Received:***

FIN-C532-48

### ***Summary of Issues:***

A submission was received which welcomes and supports this proposed amendment.

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

The contents of the submission are noted and acknowledged.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with proposed Material Alteration as displayed.

### **PA SH 9.12:**

Insert new map-based local objective at Back Lane, Malahide, as follows: Provide for a new primary school.

### ***Submissions Received:***

FIN-C532-70, FIN-C532-160



# PART 4

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## ***Summary of Issues:***

A submission was received which notes that the subject site at Back Lane, Malahide is privately owned and as such there is no obligation on the landowner to deliver a school at that location. The lands which are zoned for residential development are subject to a current SHD application for in excess of 400 units. It is considered that inclusion of the proposed map based local objective would sterilise the land and conflict with Government guidelines.

It is also noted that the site is proximate to a site at Broomfield, Malahide on which a map based local objective is proposed for provision of a new school (PA SH 9.2 refers). It is considered that the close proximity of the two sites which both have map based local objectives for schools would constitute over provision and would lead to significant traffic problems in this area, if two schools were constructed. The submission notes that the Department of Education's preference is to provide a school on the site identified in PA SH 9.2.

The submission requests that PA SH 9.12 is removed.

The submission from the Department of Education notes PA SH 9.12. In this regard it also refers to PA SH 9.2 and states that 2 schools may be needed due to future population growth. It states however that this demand may not be best met with 2 primary schools in such close proximity. It is stated that the preference for a new school in the immediate future is at the site of PA SH 9.2 and acknowledges the local objective for same.

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

The contents of the submissions are noted.

PA SH 9.2 relates to provision of a map based local objective on a proximate site at Broomfield, Malahide and also that the Department of Education has confirmed its intention to apply for a primary school on that site. Having regard to this, it is considered that PA SH 9.12 is superfluous.

## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made without proposed Material Alteration as displayed.

# PART 4

## Summary of Chief Executive's Recommendations for Sheet 9:

Material alteration	Chief Executive's Recommendation
PA SH 9.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 9.1, as displayed.
PA SH 9.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 9.2, as displayed.
PA SH 9.3	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 9.3, as displayed.
PA SH 9.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 9.5, as displayed.
PA SH 9.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 9.6, as displayed.
PA SH 9.9	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 9.9, as displayed.
PA SH 9.11	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 9.11, as displayed.
PA SH 9.12	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 9.12, as displayed.

# PART 4

## MAP SHEET 10: Baldoyle-Howth

### PA SH 10.1:

Amend zoning from GE-General Employment to MRE-Metro and Rail Economic Corridor with a masterplan designation at Kilbarrack Industrial Estate. Update Table 2.18 and the boundary for Framework Plan FP10.A accordingly.

#### **Submissions Received:**

FIN-C532-25, FIN C532-81

#### **Summary of Issues:**

The submissions received support and welcome the proposed rezoning of the Kilbarrack Industrial Estate from 'GE – General Employment' to 'MRE' – Metro and Rail Economic Corridor' along with the inclusion of a masterplan designation for the lands. They consider the proposed rezoning at this highly accessible location will facilitate the comprehensive redevelopment of underutilised and primely located lands, in order to accommodate higher density mixed-use development.

The submissions request that the revised 'MRE' zoning is retained and adopted as part of the final Fingal Development Plan 2023 - 2029.

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

The support for PA SH 10.1 is acknowledged and noted.

The subject lands are located on the southern side of the Howth to Sutton railway line and adjoin existing residential development to the south, east and west, and Baldoyle Industrial Estate to the north. These lands are highly accessible and 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 MRE with a masterplan designation would be appropriate. The MRE zoning objective facilitates opportunities for high-density mixed-use employment generating activity with associated commercial and residential development of an appropriate quantum, proximate to the railway station. As such, the area will form a sustainable district with a high degree of connectivity and accessibility.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material alteration as displayed.

# PART 4

## PA SH 10.2:

Amend zoning from OS-Open Space to RS-Residential at Suttonians RFC.

### ***Submissions Received:***

FIN-C532-8

### ***Summary of Issues:***

A submission was received expressing support for the zoning of these lands at Suttonians RFC, Station Road, Sutton from Objective 'OS' - Open Space to Objective 'RS' -Residential.

The submission briefly outlines the history of the Club and sets out the need to redevelop its facilities and grounds noting that the Club has collaborated in developing a Masterplan for the redevelopment of its grounds. It is considered that the sale of the subject lands for residential development will enable investment by the Club in a new facility which will ensure the future longevity of the RFC.

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

The support for PA SH 10.2 is acknowledged and noted.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made with the proposed Material alteration as displayed.

# PART 4

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## Summary of Chief Executive's Recommendations for Sheet 10:

Material alteration	Chief Executive's Recommendation
PA SH 10.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 10.1, as displayed.
PA SH 10.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 10.2, as displayed.

# PART 4

## MAP SHEET 11: Fingal South

### PA SH 11.4:

Include a new map based local objective on lands at St Margaret's Recycling Centre, Co Dublin as follows:

**St Margaret's Recycling Centre: Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating the non-conforming use, Recycling Centre, subject to normal planning criteria.**

#### **Submissions Received:**

FIN-C532-173, FIN-C532-175, FIN-C532-176, FIN-C532-177, FIN-C532-178, FIN-C532-179, FIN-C532-180, FIN-C532-181, FIN-C532-182, FIN-C532-183, FIN-C532-184, FIN-C532-185, FIN-C532-186, FIN-C532-187, FIN-C532-188, FIN-C532-189, FIN-C532-190, FIN-C532-191, FIN-C532-192, FIN-C532-193, FIN-C532-194, FIN-C532-195, FIN-C532-196, FIN-C532-197, FIN-C532-198, FIN-C532-199, FIN-C532-200, FIN-C532-201

#### **Summary of Issues:**

Many submissions were received from local businesses and landowners noting support for the retention of the new map based local objective on lands at St Margaret's Recycling Centre, Co Dublin on Sheet 11, proposed under PA SH 11.4, which seeks to generally permit reasonable intensification of and extensions to the existing recycling centre at St. Margaret's.

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

The content of the submissions is noted and the support for PA SH 11.4 is acknowledged.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### PA SH 11.5:

Amend the zoning from HT-High Technology to RA-Residential Area at Airport Business Campus.

#### **Submissions Received:**

FIN-C532-28.

#### **Summary of Issues:**

This submission is supportive of the proposed zoning change from HT-High Technology to RA-Residential Area. It notes the site is brownfield, presently under-utilised, but fully serviced, located 10 minutes from Santry Village and along a high-quality public transport corridor.

It is submitted that the subject lands are inappropriately zoned HT-High Technology, are too small to accommodate a purpose-built campus environment and that the existing buildings are at 'end of life' phase. The submission considers the proposed material alteration will help to

# PART 4

facilitate the County in achieving its population and housing targets and would comply with the RSES and the principle of compact and sustainable growth.

The submission contends the Airport Business Campus lands constitute just 0.5% of the overall HT-High Technology landbank in the County and as such the rezoning of the lands will not negatively impact on employment generation. It is submitted that the site is 'ready to go' and will deliver housing and jobs.

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

The contents of the submission are noted. The support for PA SH 11.5 is acknowledged. The Council is of the view that the original 'HT' zoning of the lands is the most appropriate as the subject lands are located in an area which provides a significant and important quantum of employment zoned lands for the County, in a strategic location at the junction of the M50 and M1 motorways.

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.

It should be noted that PA SH 11.5 is the subject of OPR Recommendation 1 – Tier 5 Towns and Villages which states that the Plan is to be made without this proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## **PA SH 11.6:**

Amend the zoning from HT-High Technology to LC-Local Centre at Airport Business Campus.

### **Submissions Received:**

FIN-C532-28.

### **Summary of Issues:**

This submission is supportive of the proposed zoning change from HT-High Technology to LC-Local Centre. It notes the lands are brownfield, presently under-utilised, but fully serviced, located 10 minutes from Santry Village and along a high-quality public transport corridor.

It is submitted that the subject lands are inappropriately zoned 'HT-High Technology', are too small to accommodate a purpose-built campus environment and that the existing buildings are at 'end of life' phase. The submission considers the proposed material alteration will facilitate the redevelopment and regeneration of these underutilised lands and that their rezoning to LC-Local Centre (coupled with the adjoining RA-Residential Area rezoning - PA SH 11.5 refers) is required in the absence of a 'regeneration' zoning in the Draft Plan. The proposed zoning change will also facilitate compact and sustainable growth.

# PART 4

The submission notes the Airport Business Campus lands constitute just 0.5% of the overall 'HT-High Technology' landbank in the County and as such the rezoning of the lands will not negatively impact on employment generation. It is submitted that the site is 'ready to go' and will deliver housing and jobs.

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

The contents of the submission are noted. The Council is of the view that the original 'HT' zoning of the lands is the most appropriate as the subject lands are located in an area which provides a significant and important quantum of employment zoned lands for the County, in a strategic location at the junction of the M50 and M1 motorways.

In support of the HT zoning being retained at this location, it is noted that there is already an area of land zoned LC – Local Centre directly to the south of the subject lands on the R132 at the entrance to Santry Demesne. As a result and given that employment uses currently predominate in the area, it is not considered necessary to zone additional LC lands at this location.

It should be noted that PA SH 11.6 was the subject of OPR Recommendation 5 – Employment Zoned Lands' which stated that the Plan was to be made without this proposed material alteration.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### **PA SH 11.7:**

Amend the zoning from DA-Dublin Airport to CI-Community Infrastructure at ALSAA.

### **Submissions Received:**

FIN-C532-36

### **Summary of Issues:**

This submission does not support the proposed material alteration for a change in zoning from DA-Dublin to CI-Community Infrastructure.

The proposed amendment is contrary to the national and regional policy and objectives of the NPF and RSES, and to Section 28 Guidelines and the Core Strategy at local level, relating to Dublin Airport, a strategic national gateway asset and specifically to the safeguarding of current and future operations at the Airport and to the careful land-use management of landside areas to facilitate the future sustainable growth and development of Dublin Airport.

The submission also contends that in the context of the already limited quantum of DA zoned lands and where a CI zoning objective would render specific airport uses as non-permitted as well as the adequate provision with the plan to cater for the continuation and intensification of non-conforming uses and the best practise approach to locating community infrastructure close to centres of population as well as its location with Noise Zone A, the proposed material alteration would be seriously injurious to the future sustainable growth of Dublin Airport and would be contrary to the requirements of the Planning and Development Act 2000, as amended



## PART 4

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relating to the making of a Development Plan and to proper planning and sustainable development. It is requested that the proposed material alteration be omitted.

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

The contents of the submission are noted.

The current FDP 2017-2023 and the Draft FDP 2023-2029 within Chapter 8 Dublin Airport is explicit in acknowledging the strategic importance of this primary gateway Airport at international, national and local level and in this regard, includes supportive policy and objectives based on the relevant national and regional policy context to facilitate the sustainable growth of Dublin Airport including objectives for safeguarding operations and the careful land-use management of public (land-side) areas to focus on the current and future needs of the Airport as key infrastructure for national and regional development.

Provision exists within the Draft Plan for the protection and expansion of non-conforming uses. Throughout the County, there are uses which do not conform to the zoning objective of the area. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria.

Objective ZO3 (Non-Conforming Uses) seeks to 'generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.' In terms of the CI zoning objective, this objective seeks to 'provide for and protect civic, religious, community, education, health care and social infrastructure.' The uses that a CI zoning designation seeks to provide such as religious, community and education uses, would typically be better utilised if they were in or close to town/village centres. The remote nature of the subject site, not directly adjacent to any urban centres is contrary to this best practice locational approach.

It should also be noted that the site is located within Airport Noise Zone A. Noise Zone A seeks to resist new provision for other noise sensitive uses. All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable.

Having consideration to the above, it is considered appropriate to retain the DA-Dublin Airport zoning objective for the subject lands.

### ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alterations as displayed.

# PART 4

## Summary of Chief Executive's Recommendations for Sheet 11:

Material alteration	Chief Executive's Recommendation
PA SH 11.4	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 11.4, as displayed.
PA SH 11.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 11.5, as displayed.
PA SH 11.6	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 11.6, as displayed.
PA SH 11.7	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 11.7, as displayed.

# PART 4

## MAP SHEET 12: Blanchardstown North

### PA SH 12.4:

Amend the zoning from GB-Greenbelt to GE-General Employment, extending from the Dublin Airport Logistics Park to the south to Kilshane Road to the north, at Newtown, St. Margaret's. In addition, insert new map based local objective as follows, and insert site specific objective boundary: '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.'

#### **Submissions Received:**

FIN-C532-59

#### **Summary of Issues:**

This submission is opposed to the change in zoning from GB-Greenbelt to GE-General Employment, as set out in PA SH 12.4.

The submission notes that two areas of land were proposed for rezoning in this area, with the rezoning of the first area being supported by a large majority of elected members; it is noted that the location of this area of land is not identified in the submission. The submission contends that Council management opposed the rezoning of this land and provided reasons for this. The submitter considers that the land, the subject of this proposed amendment, was introduced as an alternative site in the hope that members would reverse their previous decision relating to the other aforementioned site.

The submitter expresses confusion as to how this proposed amendment can be brought forward.

Referring to the new map based local objective included in the proposed amendment which the submitter acknowledges could be beneficial for Fingal, it is submitted that a CPO could be considered on the part of the lands required, without having to rezone such a large area.

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

The contents of the submission are noted.

The submission from the OPR in connection with this proposed material alteration refers to RPO 4.82 and RPO 5.6 of the RSES which provide for a sequential approach to the zoning of employment lands, with a focus on economic development in urban areas in tandem with the provision of high-quality public transport corridors. It is noted that the subject lands are outside both the CSO boundaries of the settlements and the Dublin City and Suburbs boundary as shown on Figure 5.1 of RSES for the EMRA.

It should be noted that the proposed amendment was considered appropriate given the strategic importance of the subject lands and the contribution the rezoning could make to the sequential extension of the existing general employment land bank at this location.

# PART 4

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However, having regard to the issues raised in the submission by the OPR, the Chief Executive considers that the rezoning of these lands is not suitable at this point in time.

It is noted that PA SH 12.6 is related to this proposed material alteration in that it proposes insertion of a new map based objective on lands at Newtown, St. Margaret's to 'support and facilitate a park and ride facility.'

It should be noted that PA SH 12.4 and 12.6 are the subject of OPR Recommendation 5 – Employment Zoned Lands' which state that the Plan is to be made without these proposed material alterations.

***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

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## Summary of Chief Executive's Recommendations for Sheet 12:

Material alteration	Chief Executive's Recommendation
PA SH 12.4	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 12.4, as displayed.

# PART 4

## MAP SHEET 13: Blanchardstown South

### PA SH 13.1:

Amend zoning from RS-'Residential' to LC-'Local Centre' at Blakestown Road.

#### **Submissions Received:**

FIN-C532-125

#### **Summary of Issues:**

This submission supports and welcomes PA SH 13.1 and indicates the proposed amendment is appropriate given the existing long-standing commercial use on the site, its accessibility and proximity to residential areas.

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

The content of the submission is noted and acknowledged.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with proposed Material Alteration as displayed.

### PA SH 13.2:

Amend zoning of part of lands (5ha) from RA – Residential Area to CI – Community Infrastructure at Dunsink.

#### **Submissions Received:**

FIN-C532-39

#### **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports PA SH 13.2, which amends the zoning of lands from RA – Residential to CI – Community Infrastructure on lands at Dunsink.

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

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.2, which amends the zoning of lands from RA – Residential to CI – Community Infrastructure at Dunsink.

This support for PA SH 13.2 is acknowledged and welcomed.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

# PART 4

## PA SH 13.4:

Amend text of map-based Local Objective 82 as follows:

Protect the integrity *and established historic use* of Dunsink Observatory *and its role in as a centre* of astronomical research *by ensuring development within its vicinity does not contribute to/or increase levels of light pollution that would impact the operation of the observatory.*

### **Submissions Received:**

FIN-C532-39, FIN-C532-123

### **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.4.

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

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.4, which recommends the inclusion of additional text within map-based Local Objective 82 relating to Dunsink Observatory and light pollution levels in the vicinity of the Observatory.

This support for PA SH 13.4 is acknowledged and welcomed.

A submission acknowledges the sensitivity of the operations at the Observatory.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## PA SH 13.5:

Include a new map-based Local 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.

### **Submissions Received:**

FIN-C532-41

### **Summary of Issues:**

This submission refers to a boundary survey undertaken to accurately identify the legal extent of the property under the control of Knockmaroon Estates Company and included in Appendix 1 to the submission. The submission requests that the boundary of the Framework Plan is adjusted to reflect the updated survey and legal boundaries submitted so as to ensure that all objectives of a Framework Plan can be realised.

# PART 4

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

The submission including boundary survey are noted. With regard to PA SH 13.5 and PA CH 2.17 which relate to the undertaking of a framework plan for lands at Knockmaroon House and Estate, the submission from the OPR notes that the framework plan relates to lands zoned high amenity where the land use zoning objective is to 'Protect and enhance high amenity areas' and that limited use classes are permitted in principle. OPR Recommendation 2 – Map Based Local Objectives indicates that the planning authority is required to make the Plan without the subject amendment.

It should be noted that PA SH 13.5 is the subject of OPR Recommendation 2 – Map Based Local Objectives which states that the Plan is to be made without this proposed material alteration.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made without the proposed Material Alterations as displayed.

### **PA SH 13.6:**

Include two new map-based Local Objectives at lands at Dunsink Observatory as follows:

#### **Objective XX**

**Future development on lands within a radius of 250m of the Observatory House shall demonstrate conformity with best lighting practices in minimising the impacts of these factors, as described by the International Dark Sky Association and their standards. A light intensity Zone Designation of E1: Intrinsically Dark would be implemented in accordance with Objective DMSO246 Hierarchy of Light Intensities.**

#### **Objective XX**

**Future development on lands within a radius of 500m of the Observatory House shall demonstrate conformity with best lighting practices in Fingal County Council and our standards. A light intensity Zone Designation of E2: Low District Brightness would be implemented in accordance with Objective DMSO246 – Hierarchy of Light Intensities.**

## **Submissions Received:**

FIN-C532-39, FIN-C532-123,

## **Summary of Issues:**

The submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.6.

A submission from NAMA suggests that the proposed amendment would apply blanket criteria which would significantly impact adjacent strategic lands identified for development. The submission refers to Advisory Note Appendix 1 prepared by IN2 lighting experts and which forms part of the submission. The report re-examines the objectives for Dunsink Observatory and its protection in light pollution terms within its immediate context. The submission contends, that proposed amendments to the Material Alterations suggested, more effectively achieve the required protection for the operation of the Observatory. The submission suggests



# PART 4

text changes to objectives contained under PA CH 13.6. including the application of specific values for Light Pollution rather than a blanket criterion to an area of land.

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

A submission from the Dublin Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.6, which recommends the inclusion of two new map-based Local Objectives on lands at Dunsink Observatory. These objectives request that future development on lands within the vicinity of the Observatory House shall demonstrate conformity with best lighting practices.

This support for PA SH 13.6 is acknowledged and welcomed.

The contents of the submission from NAMA with regard to the impact of the objectives contained under PA CH 13.6 are noted, including the lighting examination prepared and submitted under Appendix 1. It is not considered necessary to modify the Material Alteration and it would be anticipated that future development proposals within the identified zones are not constrained from providing such data as necessary to demonstrate compliance with DMS0246- Hierarchy of Light Intensities.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## **PA SH 13.7:**

Include a new map-based Local Objective at Dunsink as follows:

**The Council will have due regard to the FCC document 'Feasibility Study – Dunsink Lands, Co. Dublin' (February 2022) and its accompanying statements (comprising Surface Water Management Plan, Transport Appraisal and Area Based Transport Assessment) in the preparation of a local statutory plan for lands at Dunsink in order to ensure the realisation of the development vision for Dunsink set out on p.26 of the Feasibility Study as follows: "Development of a low-carbon mixed-use transit-orientated urban quarter which prioritises active travel and public transport modes both within and outside, is well connected to the wider City via high quality public transport and active travel infrastructure and seeks to protect and enhance the environmental and historic character of the area."**

### **Submissions Received:**

FIN-C532-39, FIN-C532-123

### **Summary of Issues:**

Both submissions received in respect of this amendment note their support the Proposed Material Amendment.

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

A submission from the Institute for Advanced Studies (DIAS) supports the inclusion of PA SH 13.7, which recommends the inclusion of a new map-based Local Objective on lands at Dunsink Observatory, requiring the Council to have regard to the Dunsink Feasibility Study (and associated assessments) in the preparation of the Local Statutory Place for the area. A further

# PART 4

submission also welcomes the inclusion of the map-based objective and the optionality discussed in the Feasibility Study, particularly with regard to transportation objectives

Support expressed for PA SH 13.7 is acknowledged and welcomed.

### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **PA SH 13.10:**

Include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

### **Submissions Received:**

FIN-C532-57, FIN-C532-89

### **Summary of Issues:**

A submission refers to PA SH 13.10 and raises concerns in relation to the minimum width of ecological corridor proposed to the Royal canal.

A further submission opposes the inclusion of PA SH 13.10. It is argued the proposed Material Alteration is a limited objective that solely seeks to prevent housing in Fingal, while other land uses could be permitted within the 30-metre distance that is referenced and this restricting objective does not apply to other development plans that affect the length of the Royal Canal in Kildare, Meath and Dublin. It is stated that Waterways Ireland did not propose such a submission and nor did any other Statutory Bodies that would be concerned with biodiversity and water bodies.

Reference is made to NPO 3a of the NPF which targets a significant proportion of future urban development on infill / brownfield development sites within the built footprint of existing urban areas. Reference is also made to NPO 11 and that PA SH 13.10 materially contravenes same. It is noted that there are such zoned lands adjacent to the Royal Canal that are ideal for residential development given their proximity to existing residential areas and services and also high-quality public transport, which will encourage a sustainable residential community in line with the NPF.

It is stated that the Draft plan is generally consistent with the NPF and RSES and specific reference is made to SPQHP10, SPQH08 and SPQH09 and it is argued that the proposed alteration would conflict with these objectives and would force residential development away from appropriately zoned lands that are serviced and contiguous to existing developments and public transport corridors. It is argued that if this alteration is adopted it will bring into question whether or not such an affected applicant would seek and be entitled to compensation from the Planning Authority under Section 192 of the Planning and Development Act, 2000 (as amended). It is contended that this alteration seeks to dezone by stealth large swaths of otherwise zoned land from Metropolitan Dublin and that there is no basis for such a draconian objective to be

# PART 4

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included in the Plan, particularly given the fact that there are existing objectives relating to European sites, NHA's and riparian corridors and watercourses.

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

The contents of the submissions are noted.

It is noted that the specific local objective is intrinsically linked to PA CH 9.8 which relates to the insertion of a new objective GINHOXX - Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

The Royal Canal is protected through various designations, zonings and other policies and objectives and itself a protected structure. The Canal is also a proposed Natural Heritage Area.

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.

It is considered that designations of the Royal Canal, which recognise its importance in both the built and natural heritage, together with the policies and objectives of the development plan, as well as assessment, through the development management process of proposals adjoining the canal, would provide sufficiently robust mechanisms to protect the Royal Canal.

It should be noted that PA SH 13.10 is the subject of OPR Recommendation 2 – Map Based Objectives' which states that the Plan is to be made without this proposed material alteration.

## ***Chief Executive's Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

## Summary of Chief Executive's Recommendations for Sheet 13:

Material alteration	Chief Executive's Recommendation
PA SH 13.1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 13.1, as displayed.
PA SH 13.2	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 13.2, as displayed.
PA SH 13.4	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 13.4, as displayed.
PA SH 13.5	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 13.5, as displayed.
PA SH 13.6	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 13.6, as displayed.
PA SH 13.7	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 13.7, as displayed.
PA SH 13.10	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 13.10, as displayed.

# PART 4

## MAP SHEETS 14-16: Green Infrastructure Maps

### PA SH 15.3:

Include new Green Infrastructure mapped objective (GIM 30) as follows: Implement a strategy to establish a multi-function Green Infrastructure system, promoting an extensive Nature Based green corridor to meet challenges of Climate Change, linking to existing green infrastructure in a sensitive way to provide for community/public access and expand eco-tourism potential, including a greenway with connections to Swords town centre. To promote and enhance physical and visual connections with the Fingal Uplands area and local historic landscape characteristics, while protecting green areas and Bio-diversity.

#### **Submissions Received:**

FIN-C532-151

#### **Summary of Issues:**

A submission was received which is generally supportive of the new green infrastructure mapped objective GIM 30 and favours inclusion of language in GIM 30 referring to the upcoming Swords LAP, specifically that GIM 30 will be connected to and / or implemented in parallel with the LAP. The submission recommends that the text associated with PA SH 15.3 is adjusted so that the deliverables from GIM 30 are clear.

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

The content of this submission is noted.

With regard to the overall issue of the inclusion of a new GIM as provided for by PA 15.3, it is not considered appropriate or necessary to include an additional objective relating to the implementation of a strategy to establish a multi-function Green Infrastructure system as provided for by the PA SH 15.3.

Firstly, it should be noted that Chapter 9 'Green Infrastructure and Natural Heritage' of the Draft Plan already has a range of policies and objectives relating to the protection and provision of Green Infrastructure across Fingal. In addition, the Draft Development Plan maps include three map sheets dedicated to showing existing and proposed Green Infrastructure across the County.

Secondly, with regard to the provision of a green corridor in the Swords area, it should be noted that a considerable area of land in and around the settlement of Swords has been designated as GB – Greenbelt.

The existing Greenbelt zoning designation and the policies and objectives of Chapter 9 'Green Infrastructure and Natural Heritage' allows for uses which would assist in achieving the overall objectives for such lands including multi-function Green Infrastructure systems or a nature based corridor of the type referred to in the proposed material alteration.

With reference to the role of Local Area Plans (LAPs), it is noted that they play an important role in setting the framework for the achievement of integrated and balanced communities within a specified area. 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

# PART 4

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future development of the area, including the phasing and delivery of infrastructure, provision of open space and recreational amenities.

In this context, the Swords LAP will seek to provide the optimal development framework to ensure the protection and enhancement of the existing areas, key features and the environment, while providing for a high-quality living environment through the use of robust urban design principles.

As a result, having regard to the existing policies and objectives in the Draft Plan it is not considered necessary or appropriate to include the new Green Infrastructure Map Objective as provided for by PA SH 15.3.

It should be noted that PA SH 15.3 was the subject of OPR Recommendation 2 – Map Based Objectives’ which stated that the Plan was to be made without this proposed material alteration.

***Chief Executive’s Recommendation:***

It is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

# PART 4

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## Summary of Chief Executive's Recommendations for Sheets 14-16

Material alteration	Chief Executive's Recommendation
PA SH 15.3	It is recommended that the Development Plan be made <b>without</b> Material Alteration PA SH 15.3, as displayed.

# PART 4

## NEW MAP SHEET 17

### PA SH 17.0:

Include new Sheet 17 entitled 'Connectivity and Movement'.

#### **Submissions Received:**

FIN-C532-89, FIN-C532-172

#### **Summary of Issues:**

Two submissions have been received in relation to this.

One welcomes the proposed active travel elements of the Draft FDP 2023-2029 which supports the consolidation of towns and villages through investment, to improve active travel infrastructure which in turn will lead to improved quality of life for residents. In this regard, proposed Sheet 17 set out under PA SH 17.0 is welcomed, which highlights the active travel proposals for the County and with a focus on sustainable public transport provision to facilitate carbon neutrality.

The second submission raises concerns in relation to the alignment of Tyrellstown LUAS extension on Sheet 17 and requests that the route align with the Draft Transport Strategy for the Greater Dublin Area (2022-2042).

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

The contents of the submission are noted.

The support for PA SH 17.0 is acknowledged and welcomed.

The alignment shown in the Draft Plan is partly based on the alignment shown in the NTA Draft Strategy for the Greater Dublin Area 2022-2042, with changes to reflect the local receiving environment. In any event, both alignments are indicative at this stage pending significant future studies, analysis and assessment.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### **Summary of Chief Executive's Recommendations for Sheet 17:**

Material alteration	Chief Executive's Recommendation
PA SH 17.0	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA SH 17.0, as displayed.



## Part 5: SEA, AA and SFRA

# PART 5

## Strategic Environmental Assessment (SEA)

### PA SEA 1: Self-Sustaining Towns Objectives, page 84:

Include a new objective in Chapter 2, after CSO60 as follows:

**Mitigation Measures - 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.**

#### **Submissions Received:**

FIN-C532-3, FIN-C532-5, FIN- C532-61, FIN-C532-163, FIN-C532-166

#### **Summary of Issues:**

A submission received is supportive of PA SEA 1 and seeks clarity in relation to the status of the current LAP for Portmarnock South which is due to expire in July 2023. The submission states that the specific objective/annotated hatching on the map sheet may lead to confusion as this may infer that a new LAP is required. There is no direct reference in the Draft Plan to the making of a new Local Area Plan for Portmarnock once the current Plan withers and as such, the submission requests the omission of Objective LAP 9A and the removal of the map annotation. Where the existing LAP withers but the map-based objective is to be retained, additional text to clarify that any further development on the lands will be guided by the provisions of the Development Plan as well as mitigation measures of the former LAP is requested. The submission requests that where a new LAP is to be provided, this should be done in a timely manner.

Submissions received also oppose amendments in relation to extended LAP's and reference is made to PA CH 2.9 and PA CH 2.27

Another submission refers to Wastewater Treatment Plants Serving Fingal - Table 5.7. The author refers to an initial submission during Stage 2 of the Development Plan process, highlighting that the Irish Water Infrastructure capacity figures provided in the *SEA Report* were incorrect, and that the issue has not been addressed.

An extract from that initial submission is included which notes that the agglomeration P.E. for Naul and Garristown. The submission attaches National Certification of Authorisation Programme (NCAP) Site Assessment Reports A0110 and A0103 for Garristown and Naul respectively and recommends that Irish Water are contacted for updated loading P.E. for the plants in these areas.

A submission from the EPA was also received and sets out the role of the agency as one of the statutory environmental authorities under the Strategic Environmental Assessment Regulations. The submission states that the Council should ensure consistency with proper planning and sustainable development and that adequate and appropriate critical service infrastructure should be in place or required to be put in place to service any development proposed and authorised. Furthermore, consideration should be given to the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans. The Plan should also align with key relevant higher-level plans and programmes.

# PART 5

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

The content of the submissions received is welcomed and noted, together with the need to provide clarity with regard to issues arising.

In this regard, please refer to modifications proposed to PA CH 2.11 as referenced in the response to the OPR submission.

Irish Water is the competent authority with respect to the provision and operation of water supply and wastewater infrastructure

The Planning Authority has no direct control over the timing of any wastewater upgrades, pumping stations and drainage 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 and Fingal will continue to work with Irish Water towards the delivery of this strategic infrastructure.

Irish Water are also responsible for general capital maintenance upgrades, which are on-going through Network programmes, and 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.

As per the recommendation for PA CH 2.27: Self Sustaining Towns Objectives, it is considered appropriate to modify the objective to list mitigation measures pertaining to the Portmarnock South and Baldoyle-Stapolin LAP's as referenced in Objective CSOXX- Mitigation Measures. These mitigation measures will also be included in SEA Environmental Report.

## **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with Material Alteration PA SEA 1, as displayed, **subject to modifications**.

## **Summary of Chief Executive's Recommendations for SEA:**

<b>Material alteration</b>	<b>Chief Executive's Recommendation</b>
<b>PA SEA 1</b>	It is recommended that the Development Plan be made with Material Alteration PA SEA 1, as displayed, <b>subject to modifications</b>

**Modifications, as per PA CH 2.27: Self Sustaining Towns Objectives, page 84**

# PART 5

## Appropriate Assessment (AA)

### PA AA 1: Self Sustaining Towns Objectives, page 84

Include a new objective in Chapter 2, after CSO60 as follows:

**Mitigation Measures - 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.**

#### **Submissions Received:**

FIN-C532-61, FN-C532-163, FIN C532-166

#### **Summary of Issues:**

A submission was received which is supportive of PA AA 1.

A submission seeks clarity in relation to the status of the current LAP for Portmarnock South which is due to expire in July 2023. The submission states that the specific objective /annotated hatching may lead to confusion as this may infer that a new LAP is required. There is no direct reference in the Draft Plan to the making of a new Local Area Plan for Portmarnock South once the current Plan withers and as such, the submission requests the omission of Objective LAP 9A and the removal of the white hatch or where the existing LAP withers but the map based objective is to be retained, additional text to clarify that any further development on the lands will be guided by the provisions of the Development Plan as well as mitigation measures of the former LAP is requested. The submission suggests that where a new LAP is to be prepared in a timely manner.

A submission also requests that Table 2.16 – Schedule of Local Area Plans to be commenced over the Plan period is updated to include Portmarnock South LAP.

Submissions received also oppose amendments in relation to extended LAP's and reference is made to PA CH 2.9 and PA CH 2.27.

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

The contents of the submission are noted.

The importance of providing clarity in relation to the issues raised in the submission is accepted. In this regard, please refer to modifications proposed to PA CH 2.11 as referenced in the response to the OPR submission.

As per the recommendation for PA CH 2.27: Self Sustaining Towns Objectives, it is considered appropriate to modify the objective to list mitigation measures pertaining to the Portmarnock South and Baldoyle-Stapolin LAP's as referenced in Objective CSOXX- Mitigation Measures. These mitigation measures will also be included in AA Natura Impact Report.

#### **Chief Executive's Recommendation:**

It is recommended that the Development Plan be made with Material Alteration PA AA 1, as displayed, **subject to modifications.**

# PART 5

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## Summary of Chief Executive's Recommendations for AA:

Material alteration	Chief Executive's Recommendation
PA AA 1	It is recommended that the Development Plan be made <b>with</b> Material Alteration PA AA 1, as displayed <b>subject to modifications</b>

**Modifications, as per PA CH 2.27: Self Sustaining Towns Objectives, page 84**

# PART 5

## Strategic Flood Risk Assessment (SFRA)

### ***Submissions Received:***

FIN-C532-55

### ***Summary of Issues:***

A submission was received from the OPW which addressed a number of points in relation to the Draft Development Plan, including the Strategic Flood Risk Assessment. It also specifically addresses a number of proposed material alterations relating primarily to land use zoning.

Please note that this section of the Chief Executive's report will provide an overall summary and response to the main points raised in the OPW submission relating to SFRA. Individual proposed material alterations are discussed in the Part 4 of this report which addresses submissions on specific proposed amendments.

### **Preliminary Flood Risk Assessment**

The first point raised in the OPR submission refers to the introduction of new guidance on the usage of preliminary flood risk assessment (PFRA). In this regard, it references the use of PFRA as the data source for flood zones in a number of specified settlements. It goes on to state that PFRA is not suitable for Stage 2 Initial Flood Risk Assessment and that Fingal County Council will have to carry out its own Flood Risk Assessment where PFRA mapping can no longer be used.

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

PFRA mapping was included as data informing Flood Zoning decisions in all previous drafts of the SFRA. The OPW in its consultation dated May 2022 did not indicate any concern in relation to use of PFRA data and no other concern was expressed in any previous meeting / correspondence with the OPW / Fingal County Council prior to their December 2022 submission. It is apparent therefore that the submission sets out a change of policy / position on behalf of the OPW that has occurred within the lifetime of preparing the SFRA and CDP.

At the time of issuing of the draft SFRA the PFRA was still considered relevant and formed part of the data used for Flood Zoning for the County. Limitation of the data were/are acknowledged at Section 4.2.3 of the SFRA which makes clear that PFRA data is used to inform flood zoning only where no other flood data exists. In relation to Justification tests, the SFRA makes clear that PFRA data is suitable for Stage 1 assessment only.

It should also be noted, that PFRA mapping is utilised only on small catchments where no SFRA data exists and to omit entirely would be to omit a source of predictive flood data (such that at Stage 1 / Flood Risk Identification stage, the only remaining indicator is the presence of a mapped watercourse), which in the context of development planning is deemed by Fingal Co. Co. as being contrary to the precautionary approach advocated in relation to flood risk assessment."

### **Material Alterations**

The second section of the OPW submission goes on to reference material alterations in general terms without providing details as to the specific proposed material alteration which is being provided for. In this regard it refers to amendments which would allow for dwelling houses in zonings such as RU-Rural, GB-Green Belt and HA-High Amenity and calls for consideration to be given to policies and objectives limiting development of inappropriate vulnerability in flood risk

# PART 5

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areas. Similarly, it refers to the possible provision of essential infrastructure on lands affected by floods. It also calls for the addition of text to provide for access strips to be retained along greenways for the maintenance of channels with specific reference to PA SH 3.11 and PA SH 8.9.

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

It should be noted that the submission does not reference specific proposed material alterations (with the exception of PA SH 3.11 and PA SH 8.9 in relation to greenways) but instead highlights specific concerns in relation to specific zonings as well as the plan-making justification tests.

In this regard, reference is made to the Chief Executive's response to the issues raised by the OPR in Section 6 of its submission on Flood Risk. In summary, it can be seen that this response provides for the SFRA to be updated to address all of the necessary criteria in the justification test are considered.

With regard to greenways, as outlined in the section of this report which addressed submissions on specific proposed material alterations, the Chief Executive does not consider it appropriate to include detailed requirements relating to specific access and maintenance arrangements which would fall outside the scope of the general objective to provide for greenways.

## **Justification Tests:**

The next section of the OPW submission related to the plan-making justification tests included in the SFRA document on foot of previous submissions from the OPW on the Draft Plan. The submission provides detailed commentary in relation to the application of justification tests and includes a recommendation that undeveloped lands in flood risk areas are rezoned as water compatible type zonings. The submission provides additional detailed comments in relation to specific land use zonings, criteria 2 and 3 of the justification test as well as zonings that are in developed areas of towns and cities.

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

As was the case for the section of the OPW submission on material alterations above, it is noted that the Chief Executive's response to similar issues raised by the OPR in the section of its submission on flood risk. Amongst other things, this response provides for modifications to be made to ensure that all of the justification test have been considered in the SFRA.

With regard to greenways, as outlined in the section of this report which addressed submissions on specific proposed material alterations, the Chief Executive does not consider it appropriate to include detailed requirements relating to specific access and maintenance arrangements which would fall outside the scope of the general objective to provide for greenways.

## **Comments on Specific Areas:**

The next section of the OPW submission provides detailed commentary in relation to specific areas including:

- Balbriggan;
- Blake's Cross (Lusk) and Coolatrath/Coolquay;
- Courtlough (M1 Business Park);
- Damastown . Macetown / Clonee;
- Donabate (including Kilcreagh)
- Dublin Airport;

# PART 5

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- Lanestown / Turvey
- Malahide
- Portmarnock; and
- Skerries.

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

It should be noted that of the areas listed, only Kilcreagh and Turvey can be seen to relate to proposed material alterations, namely PA SH 7.2 for Kilcreagh and PA SH 7.1 for Turvey. As outlined previously, it is not possible to directly discuss these areas in this report which is restricted to a discussion of the proposed material alterations.

With regard to PA SH 7.1, Turvey, which has been addressed in the part of this report which addresses submissions on proposed material alterations, it is recognised that the site is located within Flood Zone A and that having regard to the concerns of the OPW and the OPR, that it is recommended that the Plan is to be made without this proposed amendment.

In relation to PA SH 7.2 Kilcreagh, which is also addressed earlier in this report, it is also recognised that due to its location in flood zone A, and that having regard to the concerns of the OPW and the OPR, that it is recommended that the Plan is to be made without the proposed amendment.

It should also be noted, that as set out in the section of this report which addresses the submission from the Office of the Planning Regulator, that it is recommended that Plan is made without the following proposed material alterations having regard to the concerns expressed by the OPR in relation to flood risk, amongst other issues:

- PA SH 3.5 Coolquay
- PA SH 7.1 at Turvey Avenue, Donabate
- PA SH 7.2 at Kilcreagh, Donabate
- PA SH 8.2 at Pinnock Hill Roundabout, Swords
- PA SH 8.3 at Barrysparks, Swords.

## **Chief Executive's Recommendation:**

It is recommended that the SFRA document is updated to address each of the criteria required by the plan-making justification test as outlined in the Chief Executive's response to Section of the submission received from the Office of the Planning Regulator.

The text of the proposed amendments to Strategic Flood Risk Assessment to address criteria 2 of the justification test for each relevant site is provided below.

### **5.2.2 Balbriggan - Sheet 4**

#### **Criteria 2:**

**Balbriggan has developed as a major residential town with a young and expanding population of 20,000 which has more than doubled over the past 20 years. Major infrastructural projects involving upgrades to the water supply, foul drainage and roads infrastructure have been carried out throughout the town and its environs.**

**Balbriggan is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local**



# PART 5

Area Plan process, providing opportunities for the establishment of sustainable rural communities. The town is essential as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- is essential to facilitate regeneration and/or expansion of the centre of the urban settlement
- comprises significant previously developed and/or under-utilised lands
- is within or adjoining the core of an established or designated urban settlement
- will be essential in achieving compact and sustainable urban growth
- {there are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}.

## 5.2.3 Balgriffin – Sheet 9

Criteria 2:

Balgriffin is located proximate to the administrative boundary with Dublin City Council and has experienced significant growth in recent years, comprising a mix of residential and expanding employment. Transformative change is ongoing at Balgriffin and adjacent to the northern extent of Dublin City Council’s operational area, where new residential communities continue to be formed focussed largely on multi-storey, multi-unit schemes benefitting from proximity to DART rail access.

The zoning of the lands for the particular use or development type is required to achieve the proper planning and sustainable and in particular:

- Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement.
- Comprises significant previously developed and/or under-utilised lands.
- Is within or adjoining the core of an established or designated urban settlement.
- Is essential in achieving compact and sustainable urban growth.
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}.

## 5.2.4 Ballough – Sheet 6

Criteria 2:

The zoning of the lands for the particular use or development type is required to achieve the proper planning and sustainable and in particular is:

- {essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

# PART 5

## 5.2.5 Ballyboughal – Sheet 3

### Criteria 2:

Ballyboughal is located at the crossroads of the R108 and the R129 linking Swords to Naul and Blakes Cross to Oldtown and is part of the network of rural villages functioning as small local service centres for the surrounding rural hinterland.

Ballyboughal is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. It is also vital as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement};
- Comprises significant previously developed and/or under-utilised lands
- {Is within or adjoining the core of an established or designated urban settlement};
- Will be essential in achieving compact and sustainable urban growth
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}

## 5.2.6 Ballymadun – Sheet 3

### Criteria 2:

Ballymadun is located approximately 3.5km east of Ashbourne, in Co. Meath and is part of the network of rural villages functioning as small local service centres for the surrounding rural hinterland. General Employment zoned lands located to the south- west of Ballymadun, on the border with County Meath and to the east of Ashbourne and the N2 in proximity to similarly zoned lands across the border with Meath County Council, a 'strategic employment site' which will be subject to a Masterplan as per the requirements of the recently adopted Development Plan for Meath. As such these lands are necessary to provide employment growth and employment opportunities in the area.

Ballymadun is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities and is vital in achieving the compact and sustainable growth of employment uses and employment opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement};
- Comprises significant previously developed and/or under-utilised lands

# PART 5

- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential in achieving compact and sustainable urban growth
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.7 Balscadden – Sheet 4

### Criteria 2:

Balscadden is located to the north west of Balbriggan and just south of the County Meath border. Balscadden, along with the other towns and villages in the Core region, has potential for appropriate levels of growth and consolidation. Balscadden is listed in Table 2.16 of the Draft Development Plan as an area which will be subject to a Local Area Plan over the Plan Period. Balscadden is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under-utilised lands
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential in achieving compact and sustainable urban growth
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement/}

## 5.2.8 Barnhill – Sheet 13

### Criteria 2:

The lands lie within the development boundary of Blanchardstown which is situated within the Dublin City and Suburbs Consolidation area and benefits from proximity to high-capacity rail transport linkages. The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement
- Comprises significant previously developed and/or under-utilised lands
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential in achieving compact and sustainable urban growth
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}

## 5.2.9 Blake's Cross (Lusk) – Sheet 7

### Criteria 2:

Blakes Cross is a long-established commercial area located to the south of Lusk, along the R132. Blakes Cross provides a local employment area where the retention of existing

# PART 5

enterprises and the promotion of new local employment opportunities will be encouraged. This area is a long-established area, and the zoning is necessary to provide for some employment for the local rural population.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under-utilised lands
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential in achieving compact and sustainable urban growth.
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.10 Coolatrath/Coolquay – Sheet 3

### Criteria 2:

Coolquay is a linear settlement focused on the junction of the R135 and the R130. Lands to the south of the village zoned as Rural Business and Food Park are located to the east of the R135 to Ashbourne and the M2 and provides for employment growth and employment opportunities specifically related to food and rural related business.

Coolquay is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. It is also vital as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under-utilised lands
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential in achieving compact and sustainable urban growth
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.11 Courtlough (M1 Business Park) – Sheet 2

### Criteria 2:

Courtlough (M1 Business Park) is a small commercial area located to the South of Balbriggan. It is a long-established area. Courtlough (M1 Business Park) is zoned GE- General Employment and provides opportunities for local employment where the retention of existing enterprises and the promotion of new local employment opportunities will be encouraged, in accordance with the RSES and the Draft Plan. The

# PART 5

area is already established with a number of existing premises. Courtlough (M1 Business Park) is within the core of an established employment uses and will be essential in achieving the compact and sustainable growth of employment uses.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- {Will be essential to achieving compact and sustainable urban growth; and}
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement/}

## 5.2.12 Damastown / Macetown / Clonee – Sheet 12

### Criteria 2:

Blanchardstown forms part of Dublin City and Suburbs/Core Area/Metropolitan Area within the Settlement Hierarchy of the EMRA Regional Spatial and Economic Strategy.

General Industrial and High Technology lands at Damastown and Macetown to the west of and within the development boundary of Blanchardstown provide a strong local employment base where the retention of existing enterprises and the promotion of new local employment opportunities will be encouraged.

Industrial development at this location has been established for some time and the lands provide an important employment function both locally and outside of Fingal.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.13 Donabate – Sheet 7

### Criteria 2:

Donabate is a Self-Sustaining Growth Town which is defined by the RSES as a town which contains a reasonable level of jobs and services which adequately caters for the people of its service catchment. Such towns offer potential for increased residential densities at high quality public transport hubs and can accommodate average or above average growth to provide for natural increase, service and/or employment growth where appropriate

# PART 5

The zoning or designation of the lands for residential, open space, community infrastructure and town and district centre use in Donabate is required to achieve the proper planning and sustainable development of the urban settlement in that it:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- {Comprises significant previously developed and/or under utilised lands;}
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.14 Dublin Airport – Sheet 11

Criteria 2:

The existing zoning is in line with the long-established Airport use.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- {Will be essential to achieving compact and sustainable urban growth; and}
- There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement

## 5.2.15 Howth / Baldoyle / Sutton – Sheet 10

Criteria 2:

Howth, Baldoyle and Sutton are long established, historical settlements with distinct character and sense of place which contribute significantly to the character of Fingal. Integral to their character and exceptional amenity offer is their coastal environment including coastal walks, nature reserves, beaches, Racecourse Park, Howth SAAO, Deer Park Castle & Grounds, Irelands Eye, Howth Marina & strong built heritage including the presence of Architectural Conservation Areas in both Baldoyle & Howth Villages as well as excellent public transport accessibility.

The zoning of the lands for the particular use or development type is required to achieve the proper planning and sustainable and in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

# PART 5

## 5.2.16 Lanestown / Turvey – Sheet 7

### Criteria 2:

Lanestown/Turvey is a small commercial area located to the west of Donabate, along the R132. It is a long-established local employment area where the retention of existing enterprises and the promotion of new local employment opportunities will be encouraged. These lands will facilitate regeneration and / or expansion of the existing employment uses in the area.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.17 Loughshinny – Sheet 5

### Criteria 2:

Loughshinny, along with the other towns and villages in the Core region, have potential for appropriate levels of growth and consolidation. In order to realise consolidation within these towns and villages, development will be encouraged to be delivered 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. Loughshinny is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.18 Malahide – Sheet 9

### Criteria 2:

It is envisaged that Malahide will develop as a self-sustaining centre through the provision of a range of facilities to support existing and new populations. For this to be achieved, it



# PART 5

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is vital that the urban role of Malahide is strengthened, and development consolidated within the town.

The zoning of the lands for the particular use or development type is required to achieve the proper planning and sustainable and in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}/

## 5.2.19 Mulhuddart / Blanchardstown – Sheet 12/13

### Criteria 2:

Mulhuddart forms part of Dublin City and Suburbs/Core Area/Metropolitan Area within the Settlement Hierarchy of the EMRA Regional Spatial and Economic Strategy.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.20 National Sports Campus – Sheet 12/13: PC

### Criteria 2:

The National Sports Campus at Abbottstown provides specialised, state of the art indoor and outdoor sporting facilities at national and international level while also providing recreational amenities for the local community.

The Tolka river valley is zoned High Amenity and is available for recreational uses.

Connolly Hospital Blanchardstown is a major teaching and health promoting hospital providing a range of services to a diverse population covering the communities of West Dublin, North Kildare and South County Meath. These services include a 24-hour Emergency Department, acute medical and surgical services, acute psychiatric services, day care, out-patient care plus diagnostic and therapeutic and support services.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:



# PART 5

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement

## 5.2.21 Naul - Sheet 2

### Criteria 2:

Naul is a small rural village in the very north of Fingal, within the Core Area and bounded to the north by the River Delvin which forms the boundary to County Meath. It is located 30km north of Dublin at the crossroads of the R108, the historic Dublin to Drogheda road, and the R122 which links Finglas to Balbriggan and intersects the M1 motorway, now the main arterial route to Dublin. Naul is included in the schedule of Masterplans to be commenced over the Plan period.

Naul, along with the other towns and villages in the Core region, have potential for appropriate levels of growth and consolidation. In order to realise consolidation within these towns and villages, development will be encouraged to be delivered 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.

Naul is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.22 Oldtown / Wynnstown - Sheet 3

### Criteria 2:

Oldtown is located approximately 10km north of Swords and 6km east of Ashbourne, in Co. Meath and is part of the network of rural villages functioning as small local service centres for the surrounding rural hinterland. Wynnstown is a rural cluster within the Core area of the County, located to the north of Oldtown, which provides an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters.

# PART 5

Oldtown is essential to provide viable housing alternatives to housing in the open countryside with the level of growth within rural villages managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. It is also vital as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement}

## 5.2.23 Portmarnock / Kinsealy – Sheet 9

### Criteria 2:

The zoning of the lands for the particular use or development type is required to achieve the proper planning and sustainable and in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.24 Portrane – Sheet 7

### Criteria 2:

Portrane is a village which lies along the coast, north of Donabate. It is an old established settlement with a range of local service and employment functions. Portrane is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and

# PART 5

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- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.25 Rivermeade – Sheet 3

### Criteria 2:

Rivermeade is located approximately 7km to the west of Swords and 8km north of Finglas.

Rivermeade is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. It is also vital as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.26 Rolestown – Sheet 3

### Criteria 2:

Rowlestown is located on the main Swords to Ashbourne Road (R125).

Rolestown is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. It is also vital as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- {Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;}
- Comprises significant previously developed and/or under utilised lands;
- {Is within or adjoining the core of an established or designated urban settlement;}
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

# PART 5

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## 5.2.27 Rush – Sheet 6

### Criteria 2:

Rush is a linear town focused on its long Main Street with a significant tradition of market gardening in and around the town. The development strategy is to expand the town centre as a commercial, retail, employment and services centre serving the expanding community in line with Rush's designation as a Self-Sustaining Town. The strategy includes opportunities for local rural business and general industry employment. In this regard, lands are zoned for the development of market gardening/rural business and more general employment/business development to the west of the town. Proposed new road systems together with existing roads form part of the overall strategy.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.28 Santry Close – Sheet 11

### Criteria 2:

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

The existing zoning remains compatible with the long-established use and existing residential developments.

## 5.2.29 Skerries – Sheet 5

### Criteria 2:

Skerries is a compact coastal town served by a railway station. Benefiting from a well-defined town centre and access to coastal amenities and a regional park, it is considered that future residential development would be managed through a master-planning process. The development strategy reflects its status as a self-sustaining town, and the need to protect the character of the historic core, to consolidate development within well-defined boundaries and provide retail at an appropriate level for the town's needs.

# PART 5

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Skerries is essential to provide viable housing alternatives to housing in the open countryside with the level of growth managed through the Core Strategy and the Local Area Plan process, providing opportunities for the establishment of sustainable rural communities. The town is essential as a local driver to provide a range of functions for their resident population and their surrounding catchments including housing, employment, services and retail and leisure opportunities.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable of the urban settlement and in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## 5.2.30 Swords (incl. Airside Retail Park) – Sheet 8

### Criteria 2:

The RSES recognises the strategic location of Swords, in proximity to Dublin City, Dublin Airport, the national road network and Metrolink and it is specifically identified as one of three “Key Towns” in the MASP area. These Key Metropolitan Towns have the capacity and future potential to accommodate above average growth in the Region with the requisite investment in employment creation, services, amenities and sustainable transport.

Swords is home to a range of land uses including residential, town centre, open space, community infrastructure and metro and rail economic corridor. It also includes a commercial and industrial area to the south of Swords town in the form of the Airside Retail Park. Like much of the rest of the town, this is a long-established area and well-developed area.

The existing zoning remains compatible with the long-established use and existing residential developments.

The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular:

- Is essential to facilitate the regeneration and/or expansion of the centre of the urban settlement;
- Comprises significant previously developed and/or under utilised lands;
- Is within or adjoining the core of an established or designated urban settlement;
- Will be essential to achieving compact and sustainable urban growth; and
- {There are no suitable alternative lands for the particular use in areas at lower risk of flooding within or adjoining the core of the urban settlement.}

## APPENDIX A: List of Submissions Received

# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-1</a>	Brian Foley	
<a href="#">FIN-C532-3</a>	Ian Lennon	
<a href="#">FIN-C532-4</a>	Turvey Residents Group	
<a href="#">FIN-C532-5</a>	Environmental Protection Agency (EPA)	
<a href="#">FIN-C532-6</a>	Olive Sarsfield	
<a href="#">FIN-C532-7</a>	Matthew Shepherd	
<a href="#">FIN-C532-8</a>	Suttonians RFC	Hughes Planning and Development Consultants
<a href="#">FIN-C532-9</a>	Nicole Jung-Murphy	
<a href="#">FIN-C532-10</a>	Gas Networks Ireland	
<a href="#">FIN-C532-11</a>	Breda and Jonathan Heffernan and Lynch	
<a href="#">FIN-C532-12</a>	David Murphy	
<a href="#">FIN-C532-13</a>	Dr. Declan O'Malley	
<a href="#">FIN-C532-14</a>	JOHN E O'Shea	
<a href="#">FIN-C532-15</a>	Karen O'Malley	
<a href="#">FIN-C532-16</a>	Lisa Hughes	
<a href="#">FIN-C532-17</a>	Jonathan Lynch	
<a href="#">FIN-C532-18</a>	Sandra McCusker Ismail	
<a href="#">FIN-C532-19</a>	Michael McLeod	
<a href="#">FIN-C532-20</a>	David & Jennifer Byrne	
<a href="#">FIN-C532-21</a>	Health & Safety Authority	
<a href="#">FIN-C532-22</a>	John Lalor	
<a href="#">FIN-C532-23</a>	Cloud Infrastructure Ireland	
<a href="#">FIN-C532-24</a>	Mc Peake Auctioneers	
<a href="#">FIN-C532-25</a>	Murdock Builders Merchants (Ireland)	Hughes Planning and Development Consultants
<a href="#">FIN-C532-26</a>	Karl Richardson	
<a href="#">FIN-C532-27</a>	Ronan Dunphy	
<a href="#">FIN-C532-28</a>	Quanta Capital	Downey Planning
<a href="#">FIN-C532-29</a>	Brazil (Developments) UC	Downey Planning
<a href="#">FIN-C532-30</a>	Charlie's Childcare Ltd	Downey Planning
<a href="#">FIN-C532-31</a>	Keogh's Crisps	Hughes Planning and Development Consultants
<a href="#">FIN-C532-33</a>	Irish Aviation Authority	
<a href="#">FIN-C532-34</a>	October Investments	Brock McClure Planning and Development Consultants
<a href="#">FIN-C532-35</a>	Brooklands Nursing Homes (Ireland) Ltd	
<a href="#">FIN-C532-36</a>	DAA plc.	RPS
<a href="#">FIN-C532-37</a>	Louise Waters	
<a href="#">FIN-C532-38</a>	Clr Darragh Butler	

# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-39</a>	The Dublin Institute for Advanced Studies	MKO
<a href="#">FIN-C532-40</a>	An Taisce	
<a href="#">FIN-C532-41</a>	Knockmaroon Estates Company	Declan Brassil & Co.
<a href="#">FIN-C532-42</a>	Transport Infrastructure Ireland	
<a href="#">FIN-C532-43</a>	The Noonan Construction Co. Limited	John Spain Associates
<a href="#">FIN-C532-44</a>	Pat & Suzanne McDonnell	
<a href="#">FIN-C532-45</a>	Rathartan and Effelstown Residents Group	
<a href="#">FIN-C532-46</a>	The Smith & Jones Families	John Smith
<a href="#">FIN-C532-47</a>	Sean Barry	
<a href="#">FIN-C532-48</a>	Epilepsy Care Foundation	Downey Planning
<a href="#">FIN-C532-49</a>	Downey Planning	
<a href="#">FIN-C532-50</a>	Conor McGuinness	
<a href="#">FIN-C532-51</a>	Conor Moran	
<a href="#">FIN-C532-52</a>	Orchid Homes Ltd. & Geraldine Sweetman	Downey Planning
<a href="#">FIN-C532-53</a>	MKN Properties Ltd.	John Spain Associates
<a href="#">FIN-C532-54</a>	Silveroak Properties	
<a href="#">FIN-C532-55</a>	Office of Public Works	
<a href="#">FIN-C532-56</a>	Andrew O'Rourke	
<a href="#">FIN-C532-57</a>	Downey Planning	
<a href="#">FIN-C532-58</a>	Stephen Smyth	
<a href="#">FIN-C532-59</a>	Cllr. Jimmy Guerin	
<a href="#">FIN-C532-60</a>	Gerard Gannon Properties	Downey Planning
<a href="#">FIN-C532-61</a>	Portmarnock Real Estate Developments Ltd.	Stephen Little & Associates
<a href="#">FIN-C532-62</a>	The Hammerson ICAV	Stephen Little & Associates
<a href="#">FIN-C532-63</a>	Cllr. Jimmy Guerin	
<a href="#">FIN-C532-64</a>	Pearse & Evelyn Sutton	
<a href="#">FIN-C532-65</a>	Michael O Rourke	
<a href="#">FIN-C532-67</a>	Aoife Gaughan	
<a href="#">FIN-C532-68</a>	Santiago Capital DAC	Cunnane Stratton Reynolds
<a href="#">FIN-C532-69</a>	Department of Housing, Local Government and Heritage	
<a href="#">FIN-C532-70</a>	Department of Education	
<a href="#">FIN-C532-71</a>	National Transport Authority	
<a href="#">FIN-C532-72</a>	Debbie Gallagher	
<a href="#">FIN-C532-73</a>	Donal Lawless	
<a href="#">FIN-C532-74</a>	Georgina Gaughan	
<a href="#">FIN-C532-75</a>	Uniplumo Ireland Ltd.	Hughes Planning and Development Consultants



# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-76</a>	Department of the Environment, Climate and Communications	
<a href="#">FIN-C532-77</a>	Scafftex Limited	Jim Brogan
<a href="#">FIN-C532-78</a>	J. Murphy (Developments) Limited	John Spain Associates
<a href="#">FIN-C532-79</a>	Alan Lynch	
<a href="#">FIN-C532-80</a>	Irish Institute of Music and Song	Hughes Planning and Development Consultants
<a href="#">FIN-C532-81</a>	Greg Martin Crash Repair Centre	Hughes Planning and Development Consultants
<a href="#">FIN-C532-82</a>	Land Development Agency	
<a href="#">FIN-C532-83</a>	Vida M1 Limited	John Spain Associates
<a href="#">FIN-C532-84</a>	Blanche Retail Nominee Limited	John Spain Associates
<a href="#">FIN-C532-85</a>	Glenmont Properties Limited	John Spain Associates
<a href="#">FIN-C532-86</a>	Hibernia Senior Living	
<a href="#">FIN-C532-87</a>	Mark Browne	
<a href="#">FIN-C532-88</a>	Michael Browne	
<a href="#">FIN-C532-89</a>	Castlethorn	Stephen Little & Associates
<a href="#">FIN-C532-90</a>	Alanna McGuinness	
<a href="#">FIN-C532-91</a>	Seamus McGuinness	
<a href="#">FIN-C532-92</a>	Annmarie McGuinness	
<a href="#">FIN-C532-93</a>	Arthur O'Hare	
<a href="#">FIN-C532-94</a>	Robert Beyer	
<a href="#">FIN-C532-95</a>	Alison Ryan	
<a href="#">FIN-C532-96</a>	Sinead Murphy	
<a href="#">FIN-C532-97</a>	Colin Farrell	
<a href="#">FIN-C532-98</a>	Aaron Purcell	
<a href="#">FIN-C532-99</a>	Jamie Farrell	
<a href="#">FIN-C532-100</a>	Karen Browne	
<a href="#">FIN-C532-101</a>	Lily Walsh	
<a href="#">FIN-C532-102</a>	Maria Browne	
<a href="#">FIN-C532-103</a>	Frances Boylan	
<a href="#">FIN-C532-104</a>	Eoin Wilde	
<a href="#">FIN-C532-105</a>	Cassandra Lottering	
<a href="#">FIN-C532-106</a>	Kieran & Roisin Sweetman	
<a href="#">FIN-C532-107</a>	Michael O'Reilly	
<a href="#">FIN-C532-108</a>	Roisin McGuinness	
<a href="#">FIN-C532-109</a>	Niamh Maher	
<a href="#">FIN-C532-110</a>	Helen Browne	
<a href="#">FIN-C532-111</a>	Geraldine Foley	
<a href="#">FIN-C532-112</a>	Andre Berg	
<a href="#">FIN-C532-113</a>	Eoin Fletcher	

# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-114</a>	John Fynes	
<a href="#">FIN-C532-115</a>	Ruairi Kelly	
<a href="#">FIN-C532-116</a>	Eadaoin McGuinness	
<a href="#">FIN-C532-117</a>	Sinead Cardiff	
<a href="#">FIN-C532-118</a>	Anthony McGuinness	
<a href="#">FIN-C532-119</a>	Ivan Wilde	
<a href="#">FIN-C532-120</a>	Florentina Ispas	
<a href="#">FIN-C532-121</a>	ESB	
<a href="#">FIN-C532-122</a>	Patricia Carrick	
<a href="#">FIN-C532-123</a>	NAMA	
<a href="#">FIN-C532-124</a>	Eugen Dumitras	
<a href="#">FIN-C532-125</a>	Packside Ltd	Downey Planning
<a href="#">FIN-C532-126</a>	Alison Kelly	
<a href="#">FIN-C532-127</a>	Meath County Council	
<a href="#">FIN-C532-128</a>	Padraig McGuinness	
<a href="#">FIN-C532-129</a>	Daniel Butterly	
<a href="#">FIN-C532-131</a>	Cairn Homes PLC.	McCutcheon Halley Chartered Planning Consultants
<a href="#">FIN-C532-132</a>	Louise O'Reilly	
<a href="#">FIN-C532-133</a>	Christine McGuinness	
<a href="#">FIN-C532-134</a>	Mary Bryllert	
<a href="#">FIN-C532-135</a>	McGuinness Family	CWPA Planning & Architecture
<a href="#">FIN-C532-136</a>	Irish Water	
<a href="#">FIN-C532-137</a>	Gemma Thorne	
<a href="#">FIN-C532-138</a>	Downey Planning	
<a href="#">FIN-C532-139</a>	Kieran Foley	
<a href="#">FIN-C532-140</a>	HSE Environmental Health	
<a href="#">FIN-C532-141</a>	MKN Properties Limited	John Spain Associates
<a href="#">FIN-C532-142</a>	Roisin Kiely	
<a href="#">FIN-C532-143</a>	Shauna McGuinness	
<a href="#">FIN-C532-144</a>	South Dublin Routing 4 Limited	Tom Phillips + Associates
<a href="#">FIN-C532-145</a>	Pat & Suzanne McDonnell	
<a href="#">FIN-C532-146</a>	Iapetus LP	McCutcheon Halley Chartered Planning Consultants
<a href="#">FIN-C532-147</a>	Royal Institute of the Architects of Ireland (RIAI)	
<a href="#">FIN-C532-148</a>	Caoimhe Shepherd	
<a href="#">FIN-C532-149</a>	Jonas Bryllert	
<a href="#">FIN-C532-150</a>	Mark Kelly	
<a href="#">FIN-C532-151</a>	Cllr. Ian Carey	
<a href="#">FIN-C532-152</a>	Angela Ryan	

# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-153</a>	J. Murphy (Developments) Limited	John Spain Associates
<a href="#">FIN-C532-154</a>	Glenveagh Properties Ltd.	AKM Design
<a href="#">FIN-C532-155</a>	Mary Kiernan	
<a href="#">FIN-C532-156</a>	Lisa Kehoe	
<a href="#">FIN-C532-157</a>	Office of the Planning Regulator	
<a href="#">FIN-C532-158</a>	Glenveagh Properties Ltd.	AKM Design
<a href="#">FIN-C532-159</a>	Glenveagh Properties Ltd.	AKM Design
<a href="#">FIN-C532-160</a>	Birchwell Developments Ltd	Downey Planning
<a href="#">FIN-C532-161</a>	ClIr Tom OLeary	
<a href="#">FIN-C532-162</a>	Office of the Planning Regulator	
<a href="#">FIN-C532-163</a>	Sabrina Joyce-Kemper	
<a href="#">FIN-C532-164</a>	Annette Golding	
<a href="#">FIN-C532-165</a>	ClIr Daniel Whooley & ClIr Pamela Conroy	ClIr Daniel Whooley
<a href="#">FIN-C532-166</a>	Sabrina Joyce-Kemper	
<a href="#">FIN-C532-167</a>	Glenveagh Properties Ltd.	AKM Design
<a href="#">FIN-C532-168</a>	Alan, Angela & Pacelli McGowan	Alan McGowan
<a href="#">FIN-C532-169</a>	Liam O' Gradaigh	
<a href="#">FIN-C532-170</a>	Mary Horan	
<a href="#">FIN-C532-171</a>	Gerald Horan	
<a href="#">FIN-C532-172</a>	John Bermingham	
<a href="#">FIN-C532-173</a>	Irish Metal Refineries	
<a href="#">FIN-C532-174</a>	Aledo Donabate Ltd	Declan Brassil & Co.
<a href="#">FIN-C532-175</a>	Blue Steel Stockholders LTD	
<a href="#">FIN-C532-176</a>	Boylan Consulting Ltd	
<a href="#">FIN-C532-177</a>	N2 Auto Salvage Ltd	
<a href="#">FIN-C532-178</a>	GT Group	
<a href="#">FIN-C532-179</a>	First Ireland	
<a href="#">FIN-C532-180</a>	Setanta Vehicle Sales North Ltd.	
<a href="#">FIN-C532-181</a>	Thorntons Recycling	
<a href="#">FIN-C532-182</a>	Westlink Recovery Services LTD	
<a href="#">FIN-C532-183</a>	St. Margarets Metal Recycling	
<a href="#">FIN-C532-184</a>	Lime Displays	
<a href="#">FIN-C532-185</a>	Wilton Scrap Metals Ltd	
<a href="#">FIN-C532-186</a>	Fleet Plan Hire Ltd	
<a href="#">FIN-C532-187</a>	O'Reilly Recycling LTD	
<a href="#">FIN-C532-188</a>	Shanowen Plant Hire Ltd	
<a href="#">FIN-C532-189</a>	Linde Material Handling Ireland	
<a href="#">FIN-C532-190</a>	John J Duffy Construction Ltd	
<a href="#">FIN-C532-191</a>	Breffni Group	
<a href="#">FIN-C532-192</a>	M50GSE	

# APPENDIX A

SUBMISSION LINK	INDIVIDUAL/ORGANISATION	AGENT
<a href="#">FIN-C532-193</a>	Electraction Ltd	
<a href="#">FIN-C532-194</a>	Gemma Hughes	
<a href="#">FIN-C532-195</a>	David Reilly	
<a href="#">FIN-C532-196</a>	Keith Mulligan & Sandra Kinahan	
<a href="#">FIN-C532-197</a>	Caroline Kinahan	
<a href="#">FIN-C532-198</a>	Orla Regan	
<a href="#">FIN-C532-199</a>	Peter Lyons	
<a href="#">FIN-C532-200</a>	Dane O'Connor	
<a href="#">FIN-C532-201</a>	First Ireland	

# **APPENDIX B: SEA & AA Review of Proposed Material Alterations**

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 1.2	TO BE MADE AS DISPLAYED	Reference to Marine Protected Areas Bill will be included in the SEA Environmental Report	No Implications for AA	No Change. SEA not required.
PA CH 02.01	TO BE MADE WITH MODIFICATIONS	Insertion / deletion: 'exceptional in that the <b>entire</b> plan area is serviced...	No implications for AA and No AA arise from text changes - Screens Out	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 02.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.03	TO BE MADE WITH MODIFICATIONS	<p>...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, <b>{Accordingly, the designation of 21% ca. 17% of the overall units to Swords is appropriate and}</b> 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. This approach is necessary in line with this strategic vision and ongoing investment in the town. <b>{Having regard to the additional population allocation of 20,000 under NPO 68 in respect of Swords, it should be noted that the updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords}</b></p>	No Implications for AA and no AA issues arise from text changes - Screens Out	Clarification. No likely significant environmental effects. SEA not required
PA CH 02.04	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.05	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.06	TO BE MADE WITH MODIFICATIONS	the applicant must demonstrate to the Planning Authority that the necessary social and physical infrastructure <b>{including accessibility to both current and planned public transport services}</b> is in place or can be provided...	No implications for AA and no AA issues arise from text changes - Screens Out	Minor clarification. No likely significant environmental effects. SEA not required

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 02.08	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.09	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.10	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.11	TO BE MADE WITH MODIFICATIONS	<p>Include the following text after PA CH 2.11  <b>{Where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.</b></p> <p><b>Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - 'Subject to Local Area Plan.' The provisions of the operational LAPs will continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.}</b></p>	No Implications for AA and no AA issues arise from text changes - Screens Out	Clarification. No likely significant environmental effects. SEA not required
PA CH 02.12	TO BE MADE WITH MODIFICATIONS	Add <b>Belcamp</b> to Table 2.12	No Implications for AA and no AA issues arise from text changes to Table - Screens out.	Masterplans will be subject to the requirement for screening for SEA. No likely significant environmental effects. SEA not required
PA CH 02.14	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.17	TO BE MADE WITHOUT		No AA issues arise from deletion - Screens out.	Removes requirement for Framework Plan on high amenity zoned lands. Reverts to Draft Plan position. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 02.20	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required
PA CH 02.21	TO BE MADE WITH MODIFICATIONS	...concept of a planetarium on the lands of Dunsink adjacent to the Observatory <b>{on-its Meridian-Line}</b>	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required
PA CH 02.22	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required
PA CH 02.23	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required
PA CH 02.24	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required
PA CH 02.26	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required
PA CH 02.27	TO BE MADE WITH MODIFICATIONS	Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAP's <b>{and other LAPs as necessary}</b> will continue to be implemented and managed in accordance with the requirements of the LAP's <b>{or where a LAP is no longer in place, in accordance with following measures, if not already implemented:}</b>  - Refer to CE's Report for full text.	No AA issues arise owing to text change - Screens out.	Clarification. No likely significant environmental effects. SEA not required
PA CH 02.28	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 02.29	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 03.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 03.03	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.



# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
<b>PA CH 03.05</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.06</b>	TO BE MADE WITH MODIFICATIONS	<i>also be considered while liaising with the {National Transport Authority and}</i>	No AA Issues arise from text change - Screens out	Minor clarification. No likely significant environmental effects. SEA not required
<b>PA CH 03.07</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.08</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.09</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.12</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.13</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.16</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.17</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 03.18</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA CH 03.19</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA CH 03.22</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 04.01</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 04.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 04.03	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 04.04	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 04.05	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 04.06	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 05.01	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 05.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 05.04	TO BE MADE WITH MODIFICATIONS	<i>including hydrogen and biofuels {such as biomethane}</i>	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 05.05	TO BE MADE WITH MODIFICATIONS	<i>and biofuels {such as biomethane} (and</i>	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 05.06	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 05.08	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 05.09	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 05.10	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.03	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.05	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.08	TO BE MADE WITH MODIFICATIONS	<i>in consultation with the NTA, {TII} and</i>	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 06.09	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.10	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.11	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.12	TO BE MADE WITH MODIFICATIONS	<i>with the NTA, {TII} and other</i>	No AA issues arise owing to text change - Screens out.	Clarification. No likely significant environmental effects. SEA not required.
PA CH 06.13	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.14	TO BE MADE AS DISPLAYED	Link to OPR submission on Toberburr	No Implications for AA	No Change. SEA not required.
PA CH 06.15	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 06.16	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 6.18	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 07.08	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 08.01	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Removed to avoid potential policy conflict. Reverts to Draft Plan position. SEA not required.
PA CH 08.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 08.03	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 09.02	TO BE MADE WITH MODIFICATIONS	and SuDs {e.g. clean water ponds fed by rainwater via downpipes}.	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 09.08	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	No Change. SEA not required.
PA CH 09.11	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 09.12	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 09.16	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
<b>PA CH 09.18</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 09.19</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.03</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.06</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.08</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.09</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.11</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.13</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.15</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.17</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.18</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 11.19</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA CH 12.02</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 13.01	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 13.06	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 13.10	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 13.11	TO BE MADE WITH MODIFICATIONS	Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development <b>within the Metro Economic Corridor {adjacent to rail and light rail stations} {within the Metro and Rail Economic Corridor}</b>	No AA issues arise owing to text change - Screens out.	Minor clarification / deletion. No likelihood for significant environmental effects. SEA not required.
PA CH 13.12	TO BE MADE WITH MODIFICATIONS	Amend the ME zoning vision as follows: Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink, <b>{or} rail {and} {or} light rail{s} stations</b> within <b>a</b> settings 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.	No AA issues arise owing to text change - Screens out.	Minor clarification / deletion. No likelihood for significant environmental effects. SEA not required.
PA CH 14.01	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.03	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.05	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA CH 14.06	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.08	TO BE MADE WITH MODIFICATIONS	remove bullet point <b>{Details-of-overall-storage capacity}</b>	No AA issues arise owing to text change - Screens out.	Minor clarification / deletion. No likelihood for significant environmental effects. SEA not required.
PA CH 14.09	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.10	TO BE MADE WITH MODIFICATIONS	quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, <b>{where feasible, practical and appropriate}</b> , having regard to local, national and international best practice.	No AA issues arise owing to text change - Screens out.	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 14.12	TO BE MADE WITH MODIFICATIONS	<b>{Restrict} {Prohibit} development</b>	No AA issues arise owing to text change - Screens out.	Clarification. No likely significant environmental effects. SEA not required.
PA CH 14.13	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.15	TO BE MADE AS DISPLAYED	confirmed by RB 10/10/23	No Implications for AA	No Change. SEA not required.
PA CH 14.16	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA CH 14.21	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA APP 5.2	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
PA SH 03.01	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.02	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.03	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.04	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.05	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.06	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.07	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA SH 03.08	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.10	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 03.11	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA SH 04.01	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA SH 04.02	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
PA SH 05.01	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 05.03	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
PA SH 05.04	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.



# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
<b>PA SH 05.05</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 05.07</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 06B.01</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 07.01</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 07.02</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 07.03</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 07.04</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 07.06</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 08.02</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 08.03</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 08.05</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 08.08</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 08.09</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 09.01</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 09.02</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 09.03</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
<b>PA SH 09.05</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 09.06</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 09.07</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 09.09</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 09.11</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 09.12</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 10.01</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 10.02</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 11.04</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 11.05</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 11.06</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 11.07</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 12.01</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 12.02</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 12.04</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 12.06</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.

# APPENDIX B

PA	Chief Executive's Recommendation	Notes	AA Review	SEA Review
<b>PA SH 13.01</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 13.02</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 13.04</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 13.05</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 13.06</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 13.07</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SH 13.08</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 13.10</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 15.02</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 15.03</b>	TO BE MADE WITHOUT		No AA issues arise owing to deletion - Screens out.	Reverts to Draft Plan position. SEA not required.
<b>PA SH 17.00</b>	TO BE MADE AS DISPLAYED		No Implications for AA	No Change. SEA not required.
<b>PA SEA 1</b>		Mitigation measures for Portmarnock South and Baldoyle-Stapolin LAP's to be included in SEA Environmental Report. Refer also to proposed modification to PA CH 2.27.	No Implications for AA	Clarification. No likely significant environmental effects. SEA not required.
<b>PA AA 1</b>		Mitigation measures for Portmarnock South and Baldoyle-Stapolin LAP's to be included in AA Natura Impact Report. Refer also to proposed modification to PA CH 2.27.	No Implications for AA	Clarification. No likely significant environmental effects. SEA not required.

# **APPENDIX C: SEA Screening of Proposed Minor Modifications**

# APPENDIX C

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Draft Fingal Development Plan 2023-2029  
SEA Screening of Proposed Minor  
Modifications to Proposed Material  
Amendments

Strategic  
Assessment  
**Built  
Environment**

Client:

Fingal County Council

Date:

13 January 2023

DOCUMENT CONTROL SHEET

6900\_RPMM01\_SEA Screening of Proposed Minor Modifications to Proposed Material Amendments

Project No. 6900  
Client: Fingal County Council  
Project Name: Draft Fingal Development Plan 2023-2029  
Report Name: SEA Screening of Proposed Minor Modifications to Proposed Material Amendments  
Document No. RPMM01  
Issue No. 02  
Date: 13/01/2023

This document has been issued and amended as follows:

Issue	Status	Date	Prepared	Checked
01	Draft	13 Jan 2023	TB	TB
02	Final	13 Jan 2023	TB	TB



**Contents**

- 1 Introduction .....4
  - 1.1 Purpose.....4
  - 1.2 The Process so far .....4
- 2 SEA screening of proposed minor modifications .....5
  - 2.1 Introduction .....5
  - 2.2 Strategic Flood Risk Assessment (SFRA) .....5
  - 2.3 Appropriate Assessment.....5
  - 2.4 SEA screening analysis of proposed minor modifications .....5
  - 2.5 Schedule 2A Assessment.....11
- 3 SEA Screening Conclusion ..... 14





# 1 Introduction

## 1.1 Purpose

This is the Strategic Environmental Assessment (SEA) Screening Report for the proposed minor modifications to the Proposed Material Alterations (PMA) to the Draft Fingal Development Plan 2023-2029 (Draft FDP).

The purpose of this report is to inform whether or not the proposed minor modifications to the PMA to the Draft Fingal Development Plan would require SEA. This report should be read in conjunction with other associated documents including the:

- Draft Fingal Development Plan 2023-2029;
- Proposed Material Alterations to the Draft Fingal Development Plan 2023-2029;
- SEA Environmental Report for the Draft Fingal Development Plan 2023-2029 (as updated to include the PMA);
- Strategic Flood Risk Assessment (SRFA) for the Draft Fingal Development Plan 2023-2029 (as updated to include the PMA); and
- Appropriate Assessment (AA) Natura Impact Report (NIR) for the Draft Fingal Development Plan 2023-2029 (as updated to include the PMA);

## 1.2 The Process so far

The preparation of the Draft Fingal Development Plan has progressed in compliance with Section 12 of the Planning and Development Act 2000, as amended. SEA was undertaken on and has informed the preparation of the Draft Plan in order to comply with the SEA Directive<sup>1</sup> and transposing Regulations. The SEA Environmental Report (SEA ER) that accompanied the Draft Fingal Development Plan on public display contains the findings of the assessment.

AA was also undertaken on the Draft Plan (informing both the Plan and the SEA) in order to comply with the Habitats Directive and transposing Regulations. An AA Natura Impact Report (NIR) was prepared and contains the findings of the assessment. The Draft Plan and associated SEA and AA documents were placed on public display between 24 February and 12 May 2022 and submissions and observations were invited.

One thousand, nine hundred and thirty-seven submissions and observations to the Draft Plan and associated documentation were received. A Chief Executive's (CE's) Report (July 2022) on the submissions and observations was prepared in accordance with Section 12(4) of the Planning and Development Act 2000 (as amended), which summarised and detailed the submissions and provided the response and recommendations of the Chief Executive to the issues raised for the Elected Members to consider.

The Members of Fingal County Council considered the CE's Report and resolved to amend the Draft Plan by means of Proposed Material Alterations (PMA). The PMA together with an updated SEA Environmental Report, SRFA and NIR, were placed on public display between 11 November and 22 December 2022.

One hundred and ninety-seven submissions and observations to the PMA and associated documentation were received. These have been summarised and detailed responses and recommendations have been provided to the issues raised in the Chief Executive's Report (January 2023) for the Elected Members to consider. The CE's Report includes recommendations for proposed minor modifications to the PMA. These proposed minor modifications have been subject to Screening for SEA (this report) and to Screening for SFRA and AA. The CE's Report and Draft Plan, including the PMA and proposed minor modifications, will be considered by the Members of Fingal County

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<sup>1</sup> Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment

Council and the new Fingal Development Plan 2023-2029 is scheduled for adoption at Council meeting in February 2023.

## 2 SEA screening of proposed minor modifications

### 2.1 Introduction

This section examines whether the proposed minor modifications to the PMA to the Draft Fingal Development Plan would be likely to have significant environmental effects (and thus would warrant the undertaking of SEA). This examination takes account of relevant criteria set out in Schedule 2A ‘Criteria for determining whether a plan is likely to have significant effects on the environment’ of the Planning and Development (SEA) Regulations, as amended, (see Section 2.5).

### 2.2 Strategic Flood Risk Assessment (SFRA)

SFRA is being undertaken to inform the preparation of the Draft Plan. It is confirmed that:

- The proposed minor modifications are not contrary to the requirements of “*The Planning System and Flood Risk Management Guidelines for Planning Authorities*” (DEHLG / OPW, 2009); and
- The proposed minor modifications do not require consideration under a ‘Justification Test’.

### 2.3 Appropriate Assessment

AA is an impact assessment process relating to Natura 2000, or European, sites - these sites have been designated or proposed for designation by virtue of their ecological importance. The Habitats Directive<sup>2</sup>, its transposing Birds and Natural Habitats Regulations 2011 (as amended) and the Planning and Development Act 2000 (as amended) provide for the requirement to screen for effects on European Sites. If the effects are deemed to be significant or potentially significant or uncertain, then Stage 2 AA must be undertaken.

The Draft FDP is been subject to Stage 2 AA and a Natura Impact Report was placed on public display alongside the Draft Plan its associated PMA.

An AA screening process has also been undertaken on the proposed minor modifications and has determined that they would not affect the integrity of the Natura 2000 network of sites and therefore a Stage 2 AA for the proposed minor modifications is not necessary.

### 2.4 SEA screening analysis of proposed minor modifications

The detail of the proposed minor modifications is set out in the Chief Executive’s Report of January 2023. Table 2.1 below examines whether the proposed minor modifications would be likely to have significant environmental effects (and thus would warrant the undertaking of Strategic Environmental Assessment).

Potential effects encompass the full range of effects, including those arising cumulatively – such as those potentially arising as a result of interactions with other proposed minor modifications, the provisions of the Draft Plan and other plans and programmes. The examination takes account of the relevant criteria as set out in Schedule 2A ‘Criteria for determining whether a plan is likely to have significant effects on the environment’ of the SEA Regulations, as amended.

It is the recommendation of the Chief Executive (CE) that the majority of Proposed Material Amendments (PMA) are ‘to be made as displayed’. Therefore, the potential environmental effects, if any, of these PMA have been addressed in the SEA Environmental Report, AA Natura Impact Report and SFRA which accompanied the PMA during

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<sup>2</sup> Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

## Draft Fingal Development Plan 2023-2029

### SEA Screening of Proposed Minor Modifications to Proposed Material Amendments

their public display period (11 November to 22 December 2022). As no further changes are recommended for these PMA in the CE's Report (January 2023) they are not considered further in Table 2.1.

In addition, it is the recommendation of the CE that the new Plan is 'made without' a number of the Proposed Material Amendments. In this instance the change means that the subject reverts to the situation as presented at Draft Plan stage (placed on public display between 24 February and 12 May 2022). Therefore, the potential environmental effects, if any, has been addressed in the SEA Environmental Report, AA Natura Impact Report and SFRA which accompanied the Draft Plan on the public display. As no further changes are recommended for these PMA in the CE's Report (January 2023) they are not considered further in Table 2.1. It is recommended that the Plan is made without the following PMA:

- Chapter 2: PA CH 2.17;
- Chapter 3: PA CH 3.18; PA CH 3.19;
- Chapter 8: PA CH 8.1;
- Chapter 9: PA CH 9.8;
- Sheet 3: PA SH 3.1; PA SH 3.2; PA SH 3.3; PA SH 3.4; PA SH 3.5; PA SH 3.6; PA SH 3.8; PA SH 3.10;
- Sheet 5: PA SH 5.1; PA SH 5.3; PA SH 5.4; PA SH 5.5;
- Sheet 6: PA SH 6B.1;
- Sheet 7: PA SH 7.1; PA SH 7.2; PA SH 7.3; PA SH 7.4; PA SH 7.6;
- Sheet 8: PA SH 8.2; PA SH 8.3; PA SH 8.5
- Sheet 9: PA SH 9.5; PA SH 9.6; PA SH 9.7; PA SH 9.12;
- Sheet 11: PA SH 11.5; PA SH 11.6; PA SH 11.7;
- Sheet 12: PA SH 12.1; PA SH 12.2; PA SH 12.4; PA SH 12.6;
- Sheet 13: PA SH 13.5; PA SH 13.8; PA SH 13.10;
- Sheet 15: PA SH 15.2; PA SH 15.3.

In the following table retained text is shown in *green bold italic*, deleted text is shown in ~~blue bold strikethrough~~ and inserted text is shown in **magenta bold**.

**Table 2.1 Screening Analysis of proposed minor modifications**

PMA Ref.	Proposed Modification (refer to Chief Executive's Report (January 2023) for detail)	SEA Screening Consideration
<b>Chapter 2 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 2.1	<p><b>Section 2.2.11 Core Strategy1y, page 41:</b></p> <p><b>Infrastructural Assessment Text</b></p> <p>Recommended modification:</p> <p>Insert / delete as follows: '<i>Fingal County Council is exceptional in that the <del>entire</del> plan area is serviced</i>'</p>	<p>Minor clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 2.3	<b>Section 2.2. The Core Strategy, page 46, 47, 48</b>	Clarification

PMA Ref.	Proposed Modification (refer to Chief Executive’s Report (January 2023) for detail)	SEA Screening Consideration
	<p><b>Core Strategy Metro and Core Areas</b></p> <p>Recommended modification:</p> <p><i>...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% ea. 17% 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. This approach is necessary in line with this strategic vision and ongoing investment in the town. the updated Table 2.14 shows the projected population growth and housing supply for Swords. This has been calculated, having regard to EMRA allocation for the town to 2031, its designation as a Key Town and the total figures available across the County. Accordingly, 20% of the Projected Housing Demand (3,285) have been allocated to Swords</i></p>	<p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 2.6	<p><b>Section 2.2 Core Strategy, page 52 / 53:</b></p> <p><b>Core Strategy Monitoring Objectives</b></p> <p>Recommended modification:</p> <p><i>...the applicant must demonstrate to the Planning Authority that the necessary social and physical infrastructure including accessibility to both current and planned public transport services is in place or can be provided..</i></p>	<p>Minor clarification</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 2.11	<p><b>Section 2.4.1 Local Area Plans, page 56:</b></p> <p><b>LAP text re Adoption</b></p> <p>Recommended modification:</p> <p>Insert following after PA CH 2.11:</p> <p><i>Where any objective of an LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.</i></p>	<p>Clarification</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>

PMA Ref.	Proposed Modification (refer to Chief Executive’s Report (January 2023) for detail)	SEA Screening Consideration
	<p>The following additional text will also be included in order to clarify the position with regard to LAP's which expire over the life of the Development Plan and where a new LAP is not proposed.</p> <p><b>Table 2.15 outlines the operational LAPs, which are also shown as a Specific Objective on Map Sheets - ‘Subject to Local Area Plan.’ The provisions of the operational LAPs will continue to apply up to the expiration of the LAP, thereafter the provisions of the Development Plan will pertain.</b></p>	
PA CH 2.12	<p><b>Section 2.4.2 Masterplans, page 58:</b></p> <p><b>List of Masterplans</b></p> <p>Recommended modification:</p> <p>Add <b>Belcamp</b> to Table 2.12 (List of Masterplans)</p>	<p>Masterplans will be subject to the requirement for screening for SEA.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 2.21	<p><b>Section 2.7.2, Role of Each Settlement, page 74</b></p> <p><b>Planetarium</b></p> <p>Recommended modification:</p> <p>Insert...<i>concept of a planetarium on the lands of Dunsink adjacent to the Observatory on its Meridian Line</i></p>	<p>Minor clarification</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 2.27	<p><b>Self-Sustaining Towns Objectives, page 84:</b></p> <p><b>Mitigation Measures for LAPs</b></p> <p>Recommended modification:</p> <p><i>Ensure that the mitigation measures as set out in the Portmarnock South and Baldoyle Stapolin LAP's and other LAPs as necessary will continue to be implemented and managed in accordance with the requirements of the LAP's or where a LAP is no longer in place, in accordance with following measures, if not already implemented:</i></p> <p>- Refer to CE's Report for full text.</p>	<p>Clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
<b>Chapter 3 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 3.6	<p><b>Section 3.5.3 Core Strategy and Housing Growth, page 101:</b></p> <p><b>Active Travel Options</b></p> <p>Recommended modification:</p>	<p>Minor clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>

PMA Ref.	Proposed Modification (refer to Chief Executive’s Report (January 2023) for detail)	SEA Screening Consideration
	Insert ‘... <i>also be considered while liaising with the National Transport Authority and...</i> ’	
<b>Chapter 5 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 5.4	Section 5.5.3.1 Renewable Energy, page 188: <b>Green Hydrogen and Biofuels</b> Recommended modification: Insert ‘... <i>including hydrogen and biofuels, such as biomethane...</i> ’	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 5.5	Section 5.5.3.5 Other Sources of Renewable Energy, page 190: <b>Green Hydrogen and Biofuels</b> Recommended modification: Insert ‘... <i>and biofuels, such as biomethane and...</i> ’	Minor clarification. No likely significant environmental effects. SEA not required.
<b>Chapter 6 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 6.8	Section 6.8 Area Based Transport Assessment (ABTA), page 212: <b>ABTA and TII</b> Recommended modification: Insert ‘... <i>in consultation with the NTA, TII and...</i> ’	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 6.12	Section 6.5.10.2 Regional/Local Roads, page 230: <b>Transport Interchange TII</b> Recommended modification: Insert ‘... <i>with the NTA, TII and other...</i> ’	Minor clarification. No likely significant environmental effects. SEA not required.
<b>Chapter 9 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 9.2	Section 9.5 Policies and Objectives, page 320: <b>Green Roofs</b> Recommended modification: Insert ‘... <i>and SuDS e.g. clean water ponds fed by rainwater via downpipes.</i> ’	Minor clarification. No likely significant environmental effects. SEA not required.
PA CH 13.11	Section 13.5 Zoning Objectives, Vision and Use Classes, page 472 Recommended modification:	Minor clarification. No likely significant environmental effects. SEA not required.

PMA Ref.	Proposed Modification (refer to Chief Executive’s Report (January 2023) for detail)	SEA Screening Consideration
	Insert / delete as follows ‘... <del>adjacent to rail and light rail stations</del> within the Metro and Rail Economic Corridor’	
PA CH 13.12	<p><b>Section 13.5 Zoning Objectives, Vision and Use Classes, page 472</b></p> <p>Recommended modification:</p> <p>Insert / delete as follows ‘the MetroLink, <del>or rail and</del> <i>or light rail stations</i>’</p>	<p>Minor clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required</p>
<b>Chapter 14 of the Written Statement of the Draft Fingal Development Plan 2023-2029</b>		
PA CH 14.8	<p><b>Section 14.5.3 Space Extensive Developments, page 570:</b></p> <p><b>Space Extensive Developments</b></p> <p>Recommended modification:</p> <p>Delete bulletpoint <del>Details of overall storage capacity.</del></p>	<p>Minor clarification / deletion.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 14.10	<p><b>Section 14.17.2.1 Bicycle Parking and Residential Development, page 582</b></p> <p><b>Bicycle Parking at Residential Developments</b></p> <p>Recommended modification:</p> <p>Delete / Insert as follows: ‘...<i>quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, where feasible, practical and appropriate, having regard to local, national and international best practice.</i>’</p>	<p>Minor clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
PA CH 14.12	<p><b>Section 14.17.5, page 584</b></p> <p><b>Road Network and Access</b></p> <p>Recommended modification:</p> <p>Insert / delete ‘<del>Restrict Prohibit</del> <i>development...</i>’</p>	<p>Clarification.</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>
<b>SEA / AA</b>		
PA SEA 1	Mitigation measures for Portmarnock South and Baldoye-Stapolin LAP's to be included in SEA Environmental Report. Refer also to proposed modification to PA CH 2.27.	<p>Clarification</p> <p>No likely significant environmental effects.</p> <p>SEA not required.</p>



PMA Ref.	Proposed Modification (refer to Chief Executive’s Report (January 2023) for detail)	SEA Screening Consideration
PA AA 1	Mitigation measures for Portmarnock South and Baldoyle-Stapolin LAP’s to be included in AA Natura Impact Report. Refer also to proposed modification to PA CH 2.27.	Clarification No likely significant environmental effects. SEA not required.

## 2.5 Schedule 2A Assessment

### 2.5.1 Part 1

1. The characteristics of the plan having regard, in particular, to: the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.

The proposed minor modifications do not change or effect the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources, and would not be likely to result in significant environmental effects (see responses under Table 2.1 above and Schedule 2A Part 2 below).

2. The characteristics of the plan having regard, in particular, to: the degree to which the plan influences other plans, including those in a hierarchy.

The proposed minor modifications do not change or effect the degree to which the plan influences other plans, including those in a hierarchy and would not be likely to result in significant environmental effects (see responses under Table 2.1 above and Schedule 2A Part 2 below).

3. The characteristics of the plan having regard, in particular, to: the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.

The proposed minor modifications do not change or effect the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development and would not be likely to result in significant environmental effects (see responses under Table 2.1 above and Schedule 2A Part 2 below).

4. The characteristics of the plan having regard, in particular, to: environmental problems relevant to the plan.

The proposed minor modifications do not change or effect environmental problems relevant to the plan and would not be likely to result in significant environmental effects (see responses under Table 2.1 above and Schedule 2A Part 2 below).

5. The characteristics of the plan having regard, in particular, to: the relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).

The proposed minor modifications do not change or effect the relevance of the plan for the implementation of European Union legislation on the environment and would not be likely to result



in significant environmental effects (see responses under Table 2.1 above and Schedule 2A Part 2 below).

## 2.5.2 Part 2

1. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the probability, duration, frequency and reversibility of the effects.

The proposed minor modifications do not change or effect the probability, duration, frequency and reversibility of effects and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the cumulative nature of the effects.

The proposed minor modifications do not change or effect the cumulative nature of effects and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

3. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the transboundary nature of the effects.

The proposed minor modifications do not change or effect transboundary nature of effects and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

4. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the risks to human health or the environment (e.g. due to accidents).

The proposed minor modifications do not change or effect risks to human health or the environment and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

5. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).

The proposed minor modifications do not change or effect the magnitude or spatial extent of effects and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

6. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the value and vulnerability of the area likely to be affected due to:

a) special natural characteristics or cultural heritage;

The proposed minor modifications do not change or effect special natural characteristics or cultural heritage and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

b) exceeded environmental quality standards or limit values;

The proposed minor modifications do not change or effect environmental quality standards or limit values and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

c) intensive land-use.

The proposed minor modifications do not notably change or effect intensive land use and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

7. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the effects on areas or landscapes which have a recognised national, European Union or international protection status.

The proposed minor modifications do not effect areas or landscape of recognised national, European or international protection status, other than in ensuring their protection, and would not be likely to result in significant environmental effects (see responses under Table 2.1 and Schedule 2A Part 1 above).

### 3 SEA Screening Conclusion

This screening for the requirement for SEA for the proposed minor modifications takes into account relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the Planning and Development (SEA) Regulations 2004 (as amended).

Taking into account the content of the proposed minor modifications and the measures that have already been integrated into the Draft Fingal Development Plan 2023-2029 that contribute towards environmental protection, environmental management and sustainable development, it is determined that potential effects arising from the proposed minor modifications will not result in significant environmental impacts.

Therefore, it is determined that Strategic Environmental Assessment is not required for the proposed minor modifications to the PMA to the Draft Fingal Development Plan 2023-2029.

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