



FINGAL DEVELOPMENT PLAN 2023-2029

**PROPOSED VARIATION NO.3
TO THE FINGAL DEVELOPMENT
PLAN 2023-2029**

CHIEF EXECUTIVE'S REPORT



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1. Introduction

Fingal County Council published notice of proposed Variation No. 3 to the Fingal Development Plan 2023-2029 on the 17th of July 2026. Public consultation on the proposed variation closed on the 14th August 2026.

This report has been prepared in accordance with Section 58(11) of the Planning and Development Act 2024, as amended, and lists all persons who made submissions on the proposed variation, provides a summary of all submissions received and presents the Chief Executive's response to the issues raised in the submissions.

2. Nature of Proposed Variation

The proposed variation seeks to remove 2 no. map based local objectives contained within Appendix 8 (p. 227) of the written statement and the associated maps of the Fingal Development Plan 2023-2029.

The local objectives proposed to be deleted are as follows:

Local Objective 101

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 DMSO247 Hierarchy of Light Intensities.

Local Objective 102

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 DMSO247 – Hierarchy of Light Intensities.

The objectives would also be removed from the map illustrated on Sheet No. 13 of the Fingal Development Plan 2023-2029. A copy of the proposed amended map is included with the proposed Variation.

3. Public Display and Consultation Process

The proposed Variation No. 3 to the Fingal Development Plan 2023-2029 was subject to a statutory public display between Friday 17th July 2026 and Friday 14th August 2026 in accordance with section 58(8) of the Planning and Development Act 2024, as amended.

Written submissions or observations were accepted in writing prior to a deadline of 5.00pm on Friday 14th August 2026, either by post or online via the Council's public consultation portal (<https://consult.fingal.ie/en/browse>).

A total of 37 valid submissions were received within the time period allocated. Appendix 1 contains a list of all persons and organisations that made submissions.

4. Structure of Report

The structure of this report is informed by the statutory requirements of section 58(11) of the Planning and Development Act 2024, as amended. Section 5 of this report addresses the submission received from the Office of the Planning Regulator in accordance with Section 58(11)(c) of the Planning and Development Act 2024 as amended. Section 6 summarises the issues raised in other submissions on a thematic basis in accordance with Section 58(11)(c)(IV) of the Planning and Development Act 2024 as amended. In each section, the Chief Executive's response to the issues raised is set out, taking account of the proper planning and sustainable development of the area, the statutory obligations of the local authority and relevant Government/ Ministerial policies or objectives. Section 7 summarises the Chief Executive's overall recommendation and Appendix 1 comprises a list of all persons and organisations who made submissions on the proposed Variation.

5. Submission Received from the Office of the Planning Regulator

Summary of Submission

The submission states that the Office of the Planning Regulator considers and accepts that matters relating to lighting, landscape and design are more appropriately addressed through the detailed and spatial specific provisions of the Urban Area Plan, thereby ensuring a comprehensive and integrated approach to these considerations. It goes on to state that the continued inclusion of other local objectives within the Development Plan ensures that robust protection of Dunsink Observatory House and its operational requirements are maintained, with no diminution arising from the proposed Variation. It is stated that having reviewed the proposed Variation, the Office accepts the rationale for it and is of the view that the proposed deletion of local objectives 101 and 102 does not raise any concerns in relation to consistency with the legislative and policy requirements.

Chief Executive's Response

The submission of the Office of the Planning Regulator is acknowledged and the Planning Authority welcomes its acceptance of the policy approach adopted, namely incorporating the detailing policy framework in the Dunsink Urban Area Plan. It is noted that the submission accepts the rationale for the proposed variation and does not raise any concerns in relation to consistency with legislative and policy requirements.

Chief Executive's Recommendation

No change.

6. Thematic Consideration of Submissions**6.1 Content of Variation**

A number of submissions referred to the heritage status of Dunsink Observatory, stating that it is one of Ireland's most significant scientific, cultural and historic landmarks which is included in a potential transboundary serial World Heritage Property.

References were made to the importance of access to the night sky in terms of non tangible heritage, environmental and dark sky tourism, noting the interest in the recent solar eclipse. It is stated that the preservation of dark skies forms an intrinsic component of the Observatory's scientific function and the historic setting and integrity. The contribution that Dunsink Observatory makes in terms of cultural heritage is detailed in some submissions. Agreement with the principle of the development of housing on the lands at Scribblestown/Dunsink was recognised in one submission.

Some submissions do not support the proposed variation, considering that it would represent a significant reduction in the level of policy protection afforded to one of Ireland's most important scientific and cultural assets and that the existing local objectives should be retained. A submission states that the development of Dunsink and the Proposed Urban Area Plan should respect current policy requirements and demonstrate how ambitious housing delivery and heritage can coexist. It is stated that the removal of the objectives would represent a significant reduction in the level of policy protection afforded to one of Ireland's most important scientific and cultural assets.

The view is expressed that the existing objectives provide certainty for applicants, planning authorities and third parties and represent measurable environmental outcomes unlike general lighting policy statements.

It is stated that the objectives currently provide the only spatially defined and measurable planning framework for protecting the unique night-time environment of Dunsink Observatory and the proposed variation would remove the spatial protection zones without introducing any equivalent replacement mechanism within the Development Plan.

It is stated that it will be nearly impossible to provide protection to the existing work of Dunsink Observatory, which is very sensitive to night time light pollution, without specific quantifiable measures. There are concerns raised regarding the consequence of cumulative sky glow in degrading the surrounding environment in which the observatory

operates. It is stated that Dunsink is in a special position in terms of a city observatory, sited on higher ground which provides a view across a relatively dark corridor to the Phoenix Park towards the southern horizon.

A submission queries the message that the removal of the objectives would send and the possibility of maintaining night time conditions for other sensitive areas or of recommending good energy and environmental practices to the public.

It is stated that the remaining Development Plan policy is not sufficient or adequately specific. The objectives proposed to be removed establish critical light-intensity buffer zones around Dunsink Observatory to preserve dark skies in accordance with international dark sky standards.

The view is expressed that relocating the provisions to a broader urban plan compromises the existing buffer zones and creates the possibility of encroaching artificial light pollution from future development. Protecting the dark sky environment is vital for astronomy, education and future generations.

A submission states that it is not sufficient to say that the protection will be provided in the draft Dunsink Urban Area Plan and that unless dark sky protections are to be reduced, Objectives 101 and 102 should not conflict with any future plans for Dunsink.

The submission received from the OPW states that the maintenance of the current baseline sky brightness level of 19SQM (Sky Quality Metrics) is intrinsically essential to the functioning of Dunsink Observatory as a working observatory.

Some submissions expressed the view that the replacement lighting provisions in the draft Urban Area Plan are not adequate nor do they provide data driven standards on which to base the design of the built environment or to measure the effectiveness of the strategy in use. It is stated that it is unlikely the existing baseline night sky brightness level of 19SQM will be maintained, solely with the provisions contained within the draft Dunsink UAP.

Any replacement lighting requirements should be at least as specific and enforceable as those being removed. It is also stated that the remaining Development Plan policy is not sufficient or adequately specific.

A number of submissions cross reference submissions made by other bodies including those from the Dublin Institute of Advanced Studies and the Irish Georgian Society, outlining support for the issues raised in those submissions.

Some submissions expressed the view that the proposed variation is inconsistent with broad Fingal County objectives supporting the protection of Dunsink Observatory and does not accord with the Council's commitment to support the UNESCO World Heritage Status for the Observatory.

A number of submissions also raise the issue of prematurity, considering that the development plan should not be varied ahead of the adoption of the Dunsink Urban Area Plan, and the adopted plan should contain lighting policies which are at least as specific and enforceable as the ones being removed.

Some submissions referred to policy provisions in the event that amendments are made to the objectives in questions, noting that any replacement provisions should provide an equivalent or enhanced level of protection by including issues such as:

- Clearly defined spatial protection zones surrounding Dunsink Observatory;
- Measurable environmental lighting standards;
- Requirements for all forms of external lighting including public, private, commercial, recreational, transport and architectural.
- Monitoring and compliance mechanisms throughout the phased development of the Dunsink lands;
- Consistency with recognised national and international best practice for dark sky protection.
- A formal heritage protection zone
- Building height limits within 500m of the observatory restricted to 2-4 storeys
- Medium – high density development to be directed to the centre of the wider Dunsink lands and away from the observatory.
- Highrise/landmark buildings to be positioned in a way not to detract from the observatory.
- Protect views to and from the observatory.
- Require Heritage Impact assessment and Visual Impact Assessment for relevant development.
- A robust Dark Skys strategy
- Ensure development proposals do not prejudice the Dunsink Observatory UNESCO world Heritage nomination.

Chief Executive's Response

The Fingal County Development Plan 2023-2029 recognises the historic origins of Dunsink Observatory as a centre for astronomical research and public engagement since its foundation. The Plan supports its designation as a UNESCO World Heritage Site with Objective CSO32 stating this. Map Based Objective No. 100 recognises the sensitivity of the Observatory to light pollution and includes protections in this regard stating:

“Protect the integrity and established historic use of Dunsink Observatory 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”.

The Observatory is also included in the Record of Protected Structures which affords protection to the site and its curtilage as supported by Development Plan policies and objectives including:

Policy HCAP12: Ensure that direct or indirect interventions to Protected Structures or adjoining development affecting them are guided by architectural conservation principles so that they are sympathetic, sensitive and appropriate to the special interest, appearance, character, and setting of the Protected Structure and are sensitively scaled and designed.

Objective HCAO24: Require proposals for any development, modification, alteration, extension or energy retrofitting affecting a Protected Structure and/or its setting or a building that contributes to the character of an ACA are sensitively sited and designed, are compatible with the special character, and are appropriate in terms of the proposed scale, mass, height, density, architectural treatment, layout, materials, impact on architectural or historic features.

Objective HCAO25: Require an Architectural Heritage Impact Statement as part of the planning documentation for development that has the potential to affect the relationship between the Protected Structure and any complex of adjoining associated buildings, designed landscape features, or designed views or vistas from or to the structure. This particularly relates to large landholdings such as country estates, institutional complexes, and industrial sites where groups of structures have a functional connection or historical relationship with the principal building

The Development Plan therefore contains robust protections which would continue to protect the Observatory; its character, setting and functionality.

It is considered appropriate to provide the detailed policy framework and design requirements relating to Dunsink Observatory and its surrounds in the Dunsink Urban Area Plan. In this regard, the Draft Urban Area Plan at Chapter 8 recognises Dunsink Observatory as a heritage asset of international, national and local significance and seeks to protect and enhance its scientific and cultural functions, while facilitating the sustainable development of the wider plan area.

The Draft Plan establishes an appropriate framework to guide future development and to protect Dunsink Observatory, its setting and heritage significance. It includes provisions to ensure that future development is compatible with the heritage significance and operational requirements of the observatory.

The Draft Plan has been prepared having regard to the emerging UNESCO nomination and provides an appropriate framework that safeguards the qualities and attributes which underpin the nomination bid. Specifically, Sections 8.3.2.1 and Sections 8.3.3 – 8.3.3.3 of the Draft Plan and objectives AACH09-AACH13 refer in this regard. They support the designation of Dunsink Observatory as a UNESCO World Heritage Site (Objective AACH10), its continued use (Objective AACH11) and the protection of the Potential Outstanding Universal Value of the site (Objective AACH12). Objective AACH13 of the Draft Plan requires that development be informed by an Architectural Heritage Impact Assessment and Visual Impact Assessment in order to protect the scientific and cultural significance of the Observatory. The Chief Executive's Report prepared for the draft Dunsink Urban Area Plan recommends that an additional requirement be added to Objective AACH13 to require 3D modelling information which would further support the assessment of development proposals which may impact on the Observatory.

The draft Dunsink Urban Area Plan recognises the sensitivity of the Observatory to light pollution. Section 12.5 of the Draft Plan provides details in respect of lighting within the Plan area which promotes a low impact light approach, with the first principle in this approach being that lighting should only be provided where necessary and should avoid unnecessary illumination. The detailed objectives have regard to the need to minimise glare and sky glow, which is of specific importance to the Observatory, for example, Objective UDF113 requires that lighting proposals minimise upward light spill, glare and sky glow through the use of appropriate luminaires, shielding and lighting design. As per Objective UDF117, proposals for development which include public lighting must be accompanied by a detailed lighting design which complies with the principles in the Plan.

The Chief Executive's Report prepared for the draft Dunsink Urban Area Plan recommends that some amendments are made to these to clarify that the lighting provisions relate to all forms of external lighting and to include two additional objectives in relation to potential impacts on the Observatory as follows:

To require a commensurate lighting impact assessment to be submitted with all applications which include external lighting to assess potential impacts associated with the proposed external lighting design including the minimisation of light spill, glare and sky glow, the protection of biodiversity and residential amenity and the safeguarding of the operational integrity of Dunsink Observatory.

Restrict the use of externally illuminated and digital advertising displays where they would result in unacceptable impacts on dark sky conditions, residential amenity, biodiversity, landscape character or the operation of Dunsink Observatory.

These amendments will further strengthen the provision of the Urban Area Plan with respect external lighting proposals. It is considered that the proposed plan provisions together with recommended measures provides a robust framework to mitigate against any potential impacts on the operational integrity of the Observatory associated with lighting proposals within the Plan lands.

Chief Executive's Recommendation

No change.

6.2 Environmental

Summary of Issues Raised

The submission received from the Environmental Protection Agency (EPA) includes links to online guidance in respect of the Strategic Environmental Assessment process, Appropriate Assessment and the EPA's 'State of the Environment Report 2024' which should be considered and integrated, as appropriate, in implementing the Plan outputs/recommendations.

It advises that if a proposed SEA determination has not been made, it should be determined whether the plan would be likely to have significant effects on the environment. The submission highlights a number of issues including the need to ensure:

- the proposed plan is consistent with the need for proper planning and sustainable development,
- adequate infrastructure is in place or required to be put in place,
- the plan aligns with national commitments on climate change mitigation and adaptation in addition to incorporating relevant recommendation in sectoral, regional and local climate adaptation plans,
- that the plan aligns with relevant higher level plans and programmes and planning policy and guidelines.

The submission states that changes to the proposed plan or modifications made following its adoption should be screened for SEA. It advises of the need to ensure that the plan complies with the requirements of the Habitats Directive. The submission advises of the prescribed bodies to consult with prior to making the SEA determination and the process associated with SEA determination.

The submission received from OPW in respect of flood risk stated that the OPW is of the view that variation no. 3 is unlikely to impact the level or nature of flood risk.

The decision that SEA and AA are not required are not accepted. The submission refers to potential impacts on biodiversity, human health and climate and the submission made by NPWS during the SEA scoping process.

Reference is made to the outcome of the Strategic Environmental Assessment process, stating that the conclusions of that process should not be considered as a basis for the variation.

Chief Executive's Response

The submission from the EPA which includes detailed guidance in relation to the SEA process is acknowledged. Full regard was taken of this guidance in the preparation of the proposed variation where relevant.

Specifically, it should be noted that the SEA and AA process for the proposed variation has been carried out having regard to best practice documents, including the EPA's 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources' guidance document.

The Appropriate Assessment Screening Report has assessed the potential impacts from the proposed Variation including in-combination effects utilising the source-pathway-receptor model.

The Fingal County Development Plan 2023-2029 contains extensive provisions with respect to lighting and managing impacts from lighting on the environment and biodiversity and requiring the use of energy efficient luminaries and energy saving strategies. These include:

Policy IUP44: Promote appropriate lighting installations, availing of best practice as published by the relevant authority, designed to minimise light pollution / unwanted environmental effects while maximising the light reaching the public realm.

Objective IUO64: Require that the design of lighting schemes minimises the incidence of light spillage or pollution into the surrounding environment and new schemes shall ensure that there is no unacceptable adverse impact on neighbouring development, visual amenity and biodiversity in the surrounding areas.

Objective IUO65: Require that new developments are appropriately lit and that all public and external lighting in new residential and commercial developments use highly energy efficient luminaires, with the use of energy saving strategies (such as dimming in line with nationally agreed tariffs) encouraged.

The proposed Variation has no effect on these existing provisions. Rather the proposal relates to the specific map based objectives for the land up to 500m around the Dunsink Observatory and the SEA Screening has been carried out for the specific proposal in the Variation.

The submission with respect to the outcome of the SEA process being utilised as a basis for the proposed variation is noted. The rationale for the proposed variation was set out in the accompanying documentation to the Variation and is based on providing a detailed policy framework for development of lands at Dunsink in the Urban Area Plan for the area.

It is agreed that the proposed variation is unlikely to have implications in respect of flood risk.

Chief Executive's Recommendation

No change recommended.

6.3 Other Issues

Summary of Issues Raised

A number of submissions were received from statutory bodies, including Uisce Éireann, Meath County Council, Transport Infrastructure Ireland and the Health and Safety Authority, which advised that the organisation had no comment on the proposed variation.

Chief Executive's Response

The responses from the statutory bodies advising that there were no specific comments to make are noted.

Chief Executive's Recommendation

No change recommended.

6.4 Out of Scope

Summary of Issues Raised

A number of submissions were received which related to the development of the Dunsink area, the preparation of the draft Dunsink Urban Area Plan and the content of the draft Plan.

Some submissions expressed support for the development of lands at Dunsink.

Other submissions detailed concerns regarding the proposed development of the area and content of the draft Urban Area Plan in terms of:

- Traffic impact.
- Negative impacts on biodiversity.
- The need to protect the Tolka Valley Park and Scribblestown Lane.
- Impact on quality of life of existing and future residents.
- Impact of development on the structural integrity, dark skies, setting and character of Dunsink Observatory.
- Concerns regarding development on historic landfill and the need for an environmental assessment and long term monitoring of the effects of the landfill on the surrounding area.
- Lack of existing community facilities and delivery of local services and amenities in conjunction with residential units.
- Delivery of planned public transport ahead of/alongside residential development.
- Incorporation of safe neighbourhood design principles.
- Loss of the existing golf course at Elm Green and pony club.
- Impact of proposed building heights on the residential amenity of existing properties.
- Lack of clarity on future population of the plan area.
- Requirement for a services capacity audit to be carried out.
- Request for funding commitments to be agreed with the HSE regarding healthcare capacity.
- Insufficient car parking provision.
- Support for provisions in the plan to secure a mix of tenures in future development.
- Requirement to ensure the protection of the Tolka Valley Park and other green spaces as part of the plan.
- Traditional vernacular architecture should play a role in design policy.
- Lack of an integrated green infrastructure network.
- Inappropriate scale and form of development proposed in the draft Plan.
- Insufficient facilities for teenagers and young adults.
- Absence of accommodation and care facilities for older people.

- Over-reliance on public transport links to the city centre which do not reflect existing commuting patterns.
- Contradictions between commitments to retain mature hedgerows, biodiversity corridors and green infrastructure with the overall proposal for development which will fundamentally transform the landscape.
- The proposed policy to accept financial contributions in lieu of providing open space which is not considered appropriate.

A submission also outlined the need for an Environmental Impact Assessment Report and Natura Impact Statement to be carried out before development proceeds.

The view was expressed that consultation with the adjoining community regarding the draft Urban Area Plan was inadequate.

The submission from The Heritage Council refers to the observation that the organisation made on the draft Dunsink Urban Area Plan in which the comprehensive framework of the document was welcomed but it was also believed that a greater description was needed of how the potential Outstanding Universal Value of the tentative World Heritage Site, had informed the approach to development specifically key design considerations such as block layout, heights and lighting.

A number of submissions referred to the impact of development in Dunsink on the traveller community and concerns regarding consultation with the Traveller community residing on Dunsink Lane, requesting further briefings regarding future arrangements.

The submission received from the Department of Transport advised that there was no direct observation to make regarding the proposed variation and stated that the submission made in respect of the draft Dunsink Urban Area Plan should be taken into account in this instance.

Chief Executive's Response

These issues related to matters which are outside the scope of proposed Variation No. 3. The draft Dunsink Urban Area plan has been subject to public consultation in accordance with the statutory requirements set out in the Planning and Development Act 2024 as amended.

It is noted that consultation was undertaken directly with the members of the Traveller community as part of the consultation process for the draft Dunsink Urban Area Plan.

Chief Executive's Recommendation

No change.

7. Conclusion

Having regard to the submissions received, and the Chief Executive's response and recommendations to the matters raised as set out previously, it is recommended that the proposed Variation No. 3 of the Fingal Development Plan 2023-2029 be made.

Appendix 1 List of Submissions Received

The table below lists the submissions received in relation to the Draft Dunsink Urban Area Plan. The table provides the unique reference number assigned to the submission by the Council's online portal and the name of the person or organisation making the submission. Each submission may be viewed online at:

Submission Number	Name	Type	On behalf of
FIN-C981-1	Cian McGuire	Individual	
FIN-C981-2	Christine Monahan	Individual	
FIN-C981-3	Wayne Mulligan	Individual	
FIN-C981-4	Michelle Tobin	Individual	
FIN-C981-5	Jennifer Brereton	Individual	
FIN-C981-6	Transport Infrastructure Ireland	Organisation	
FIN-C981-7	Laura Farrell	Individual	
FIN-C981-8	Royal Canal Park Community Association	Organisation	
FIN-C981-9	CLlr Anthony Connaghan	Individual	
FIN-C981-10	Mary Lyons	Individual	
FIN-C981-11	Aditi Kulkarni	Individual	
FIN-C981-12	Sarah Spence	Individual	
FIN-C981-13	John O'Neill	Individual	
FIN-C981-14	CCPS - Health and Safety Authority	Organisation	
FIN-C981-15	Office of Public Works	Organisation	
FIN-C981-16	Aidan Kelly	Individual	
FIN-C981-17	Community Campaigner David Barton	Individual	
FIN-C981-18	David Cotter	Individual	
FIN-C981-19	Margaret Donnelly	Individual	
FIN-C981-20	Elizabeth Gageby Bell	Individual	
FIN-C981-21	Office of the Planning Regulator	Organisation	
FIN-C981-22	Carmel McLoughlin	Individual	
FIN-C981-23	Dylan Joyce	Individual	
FIN-C981-24	Camilla Moran	Individual	
FIN-C981-25	EPA	Organisation	
FIN-C981-26	The Heritage Council	Organisation	
FIN-C981-27	Uisce Éireann	Organisation	
FIN-C981-28	Sharon Campbell-Shaw	Individual	
FIN-C981-29	Clonsilla and Porterstown Heritage Society	Organisation	
FIN-C981-30	Dublin Institute for Advanced Studies	Organisation	
FIN-C981-31	Ana Faerman	Individual	
FIN-C981-32	Office of Public Works	Organisation	
FIN-C981-33	Meath County Council	Organisation	

FIN-C981-34	Cllr Patrick Quinlan	Individual	
FIN-C981-35	Department of Transport	Organisation	
FIN-C981-36	Stephen Redmond, National Party	Individual	
FIN-C981-37	Dark Sky Ireland	Organisation	