

Proposed Material Alterations to the  
Draft Fingal Development Plan 2017-2023

# Chief Executive's Report

9th January 2017



**Fingal Development  
Plan 2017-2023**

**Comhairle Contae  
Fhine Gall**  
Fingal County  
Council



# DEVELOPMENT PLAN TIMELINE AMCHLÁR AN PHLEAN FORBARTHA

Visit/Féach: [www.fingal.ie/devplan](http://www.fingal.ie/devplan)

<b>A</b>	<b>Weeks/Seachtain 1 - 8</b> Initial Public Consultation <i>Réamhchomhairliúcháin Poiblí</i>
<b>B</b>	<b>Weeks/Seachtain 8 - 16</b> Chief Executive's Report on Submissions <i>Tuarascáil an phríomhfhifheidhmeannaigh ar aighneachtaí</i>
<b>C</b>	<b>Weeks/Seachtain 16 - 38</b> Preparation of Draft Development Plan <i>An Dréachtphlean Forbartha a Ullmhú</i>
<b>D</b>	<b>Weeks/Seachtain 38 - 46</b> Councillors Consider Draft Development Plan <i>Breithnionn Comhairleoirí ar an Dréachtphlean Forbartha</i>
<b>E</b>	<b>Weeks/Seachtain 46 - 48</b> Prepare Draft For Public Consultation <i>Dréachtphlean Forbartha a Ullmhú ionas go mBreithneoidh an Pobal é</i>
<b>F</b>	<b>Weeks/Seachtain 48 - 58</b> First Public Consultation of Draft Development Plan <i>An Chéad Breithniúcháin Poiblí ar an Dréachtphlean Forbartha</i>
<b>G</b>	<b>Weeks/Seachtain 58 - 70</b> Chief Executive's Report on Submissions to Draft <i>Tuarascáil an phríomhfhifheidhmeannaigh ar aighneachtaí ar an dréacht</i>
<b>H</b>	<b>Weeks/Seachtain 70 - 82</b> Councillors Consider Chief Executive's Report <i>Breithnionn Comhairleoirí Tuarascáil an Bhainisteora</i>
<b>I</b>	<b>Weeks/Seachtain 82 - 85</b> Prepare Amended Draft Development Plan <i>Dréachtphlean Forbartha Leasaithe a Ullmhú</i>
<b>J</b>	<b>Weeks/Seachtain 85 - 89</b> Second Public Consultation on Amendments <i>Dara Comhairliúcháin Poiblí ar Leasuithe</i>
<b>K</b>	<b>Weeks/Seachtain 89 - 93</b> Chief Executive's Report on Submissions <i>Tuarascáil an phríomhfhifheidhmeannaigh ar aighneachtaí</i>
<b>L</b>	<b>Weeks/Seachtain 93 - 99</b> Councillors consider Chief Executive's Report <i>Breithnionn Comhairleoirí tuarascáil an príomhfhifheidhmeannaigh</i>
<b>M</b>	<b>Week/Seachtain 99</b> Councillors Adopt Plan - Into effect in 4 Weeks <i>Glacann Comhairleoirí leis an bPlan - i bhfeidhm i 4 seachtaine</i>

Consultation Period  
Tréimse Comhairliúcháin



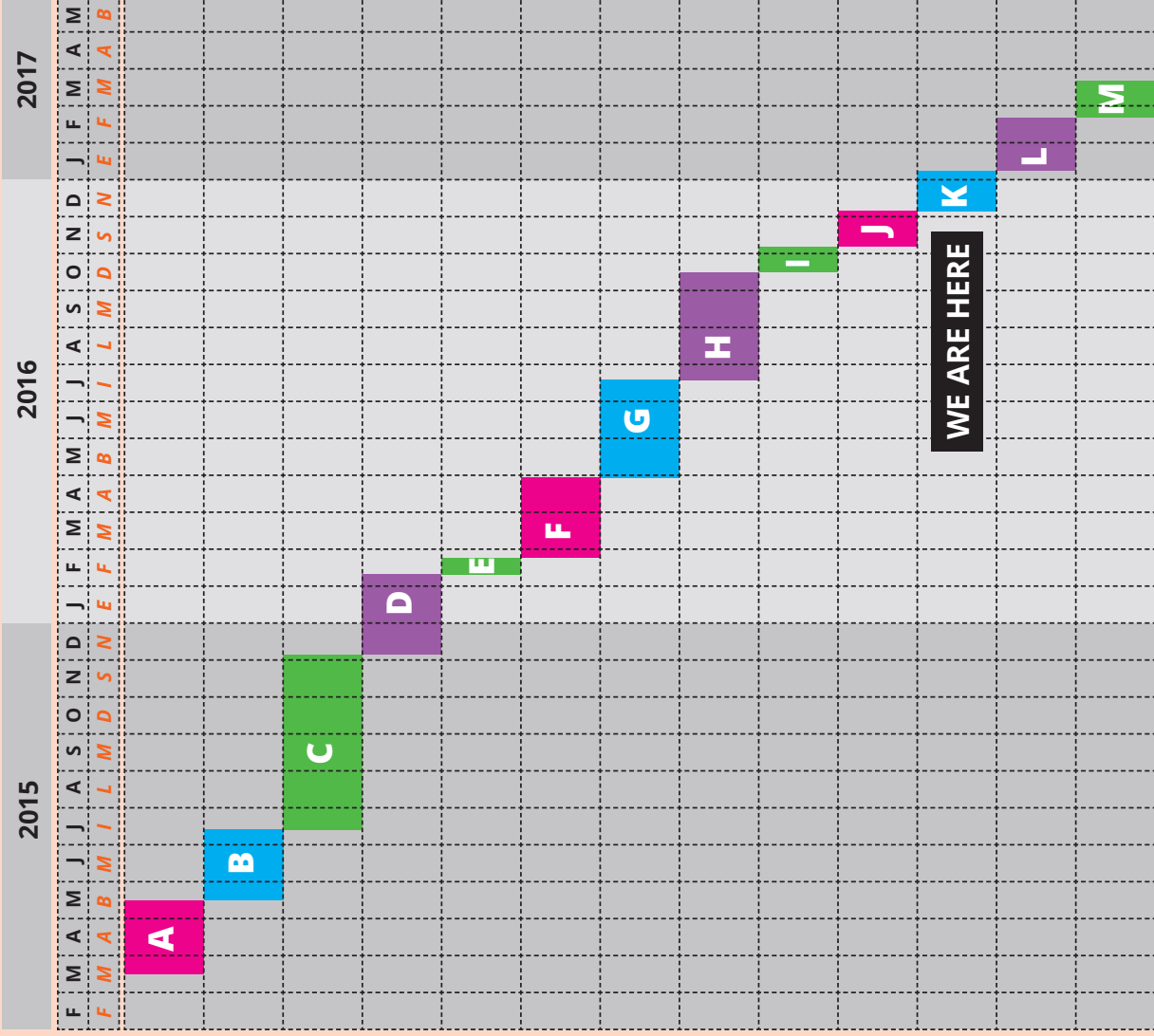
Report on Submissions  
Tuarascáil ar Aighneachtaí



Plan Preparation Period  
Tréimse Ullmhúcháin an Phlean



Councillors Considerations  
Breithnithe na gComhairleoirí



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**Proposed Material Alterations to the  
Draft Fingal Development Plan 2017-2023**

**Chief Executive's Report**

**9th January 2017**

**Chief Executive**  
Paul Reid

**Director of Services**  
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## **Context And Process**



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# PART ONE

## An Explanation of the Legislative Requirements & Chief Executive's Report

### Purpose And Contents 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, set out the Chief Executive's response to the issues raised in the submissions, and to make recommendations on the proposed alterations, as appropriate. The report forms part of the statutory procedure for the preparation of a new Development Plan.

Pursuant to Section 12 of the *Planning and Development Act 2000* (as amended), notice of the preparation of Proposed Material Alterations to the Draft Fingal Development Plan, 2017 - 2023 was given on 4<sup>th</sup> November 2016. Submissions or observations with regard to the Proposed Material Alterations and/or the Addendum Environmental Report only, were invited for a period of 4 weeks from 4<sup>th</sup> November 2016 to 2<sup>nd</sup> December 2016 inclusive.

Pursuant to Section 12(8)(b) of the *Planning and Development Act 2000* (as amended), this Chief Executive's Report provides details of submissions and observations received in relation to the proposed Material Alterations as follows:

- Lists the persons or bodies who made submissions or observations during the prescribed public consultation period;
- Summarises the issues raised by the persons or bodies under the submissions or observations received during the prescribed public consultation period;
- Gives the response of the Chief Executive to the issues raised, taking account of:
  - Directions of the members of the authority regarding the preparation of the Draft Development Plan
  - The proper planning and sustainable development of the area
  - The statutory obligations of the Local Authority
  - Any relevant policies or objectives of the Government or of any Minister of the Government.

This Chief Executive's Report on submissions or observations received in relation to the proposed Material Alterations to the Draft Development Plan is hereby submitted to the members of the Planning Authority for consideration.

**Part One** of this report consists of a description of the structure of the report, the process and next steps in making the new Fingal Development Plan, and a report on the consultation undertaken for the Proposed Material Alterations to the Draft Plan which resulted in 80 no. submissions during the statutory public consultation stage (Stage 3).

**Part Two** covers the Written Statement/Appendices/Accompanying Documents and Maps respectively. There is an analysis of the submissions received relevant to each sheet and chapter, followed by the Chief Executive's opinion on these issues and recommendations.

### Legislative Background for the Fingal Development Plan 2017-2023

The prescribed process for a County Development Plan is set out in the *Planning and Development Act 2000*, (as amended). It gives a ninety-nine week period for adoption of the Plan. The timetable for the preparation of the Fingal Development Plan 2017-2023 is outlined on the inside of the front cover of this report.

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

In accordance with Article 13A of the *Planning and Development (Strategic Environmental Assessment) Regulations 2004* (S.I. 436 of 2004), the Council must carry out a Strategic Environmental Assessment (SEA) before the Plan may be adopted. The SEA is an integral part in the development of the Plan.

A Strategic Flood Risk Assessment (SFRA) was undertaken for the plan area having regard to the Ministerial Planning Guidelines on *The Planning System and Flood Risk Management*. Flood Risk assessment has integrated into the SEA process. The Strategic Flood Risk Assessment is been published as a separate document in conjunction with the Draft Plan.

In accordance with European and National legislation, the Council carried out a *Strategic Environmental Assessment (SEA)* and an *Appropriate Assessment (AA)* under the Habitats Directive, which informed the preparation of this Draft Plan. These assessments are undertaken so the impact of the proposed Draft Plan objectives on the environment can be evaluated, and used to inform the direction of the Draft Plan to ensure that our built environment responds to the sensitivities and requirements of the wider national environment.

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

## **Form and Contents of the Draft Fingal Development Plan 2017 - 2023**

The Draft Development Plan consists of a Written Statement, Appendices, Maps and Accompanying Documents.

The Written Statement is divided into 12 separate chapters, listed below, with Chapters 1 and 2 setting out the vision, strategic context, aims, goals and the settlement and core strategies for the County. Chapters 3 to 10 set out the policies, objectives and actions required under a range of topics including placemaking, urban and rural Fingal, economic development, infrastructure and movement, green infrastructure, and natural and cultural heritage. Chapters 11 and 12 set out the land use zoning policies and development management standards for the County. The accompanying documents comprise the SEA, NIR and SFRA.

- Chapter 1: Introduction & Strategic Context
- Chapter 2: Core Strategy and Settlement Strategy
- Chapter 3: Placemaking
- Chapter 4: Urban Fingal
- Chapter 5: Rural Fingal
- Chapter 6: Economic Development
- Chapter 7: Infrastructure and Movement
- Chapter 8: Green Infrastructure
- Chapter 9: Natural Heritage

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Chapter 10: Cultural Heritage  
Chapter 11: Land Use Zoning Objectives  
Chapter 12: Development Management Standards

Appendix 1: Fingal Housing Strategy  
Appendix 2: Record of Protected Structures  
Appendix 3: Recorded Monuments  
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Appendix 5: Implementation of Ministerial Guidelines  
Appendix 6: Map Based Local Objectives

Strategic Environmental Assessment  
Natura Impact Report  
Strategic Flood Risk Assessment

The Maps provide a graphic representation of the proposals of the Draft Plan indicating land use zoning and other objectives of the Council. They do not purport to be accurate survey maps from which site dimensions or other survey data can be determined.

## **Preliminary Consultation Process: Pre Draft Plan**

The preliminary consultation process, the Pre-Draft consultation stage, ran from the 20<sup>th</sup> March 2015 to the 15<sup>th</sup> May 2015. A plain language Consultation Booklet '*Fingal Development Plan 2017-2023 - Be part of it / Plean Forbartha Fhine Gall 2017-2023 Bi pairteach ann*' was published, in both English and Irish, which formed the basis for the public consultation process. The booklet was distributed to households in Fingal as well as made available in libraries, community centres and Council Offices throughout the County.

The Chief Executive's Report: Pre-Draft Consultation was issued to the elected members on 10<sup>th</sup> July 2015. The Report was considered at Council Meetings held on 4<sup>th</sup> and 11<sup>th</sup> September 2015 and the elected members directed the Chief Executive to prepare the Draft Development Plan.

The Chief Executive's Draft Plan was subsequently prepared and considered by elected members at a series of meetings held in January and February 2016. Following these meetings the Draft Plan was duly prepared and Stage 2, of public consultation began on 19<sup>th</sup> February 2016.

## **Draft Plan Consultation Process**

The *Planning and Development Act 2000* (as amended) requires that the Draft Plan is put on Display for not less than 10 weeks. The Stage 2 Draft Plan consultation period ran from 19<sup>th</sup> February 2016 to the 29<sup>th</sup> April 2016.

During the public consultation period in excess of 450 persons attended the 7 Public Information Days. There were in excess of 22,970 'hits' on [www.fingal.ie/devplan](http://www.fingal.ie/devplan) with unique page views of 15,037. There was also regular activity on Facebook and Twitter. There were 897 no. submissions received during this public consultation period.

In accordance with Section 12(4) of the *Planning and Development Act 2000*, (as amended), not later than 22 weeks after the notice of the Draft going on display, the Chief Executive prepared a report listing the submissions, summarising the issues and giving recommendations. Under Section 12(5) of the *Planning and Development Act 2000*, (as amended), the members considered

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the Draft and the Chief Executive's Report. This consideration was completed within 12 weeks and the members voted to materially amend the Draft Plan.

## **Current Consultation Process**

Consultation on the Proposed Material Alterations to the Draft Fingal Development Plan 2017-2023 and the Addendum Environmental Report was carried out for a period of 4 weeks from 4<sup>th</sup> November 2016 to 2<sup>nd</sup> December 2016 inclusive. The key elements of the consultation programme are set out below:

- Notices of the Proposed Material Alterations to the Draft Fingal Development Plan were published in the Irish Independent and the Fingal Independent on 4th November 2016. The notices included information on how to make a submission on the Proposed Material Alterations and Addendum Environmental Report together with information on their display. A press release was also issued via the Council's Website.
- Notices of the Proposed Material Alterations together with information on public consultation were posted to prescribed bodies.
- Public displays were placed at County Hall Swords, Civic Offices Blanchardstown and at all Council libraries.
- The Fingal website included details of the consultation on the Proposed Material Alterations including information on how to make a submission by post or via an online submission system. All display material on the Proposed Material Alterations was uploaded to the website.
- Council staff were made available every Wednesday afternoon to answer queries from members of the public at County Hall, Swords. Additional queries were taken at the planning counter in County Hall, by e-mail and by phone.
- Notice of the Proposed Material Alterations and updates were issued via Fingal County Council's social media accounts.

80 submissions were received during the Proposed Material Alterations consultation period. Under the *Planning and Development Act 2000*, (as amended), the final (third) phase of public consultation is solely limited to the Proposed Material Alterations to the Draft Plan.

A list of all the persons/bodies that made submissions or observations during the prescribed consultation period is provided in Appendix A.

## **Next Stages**

The Elected Members have up to 6 weeks to consider this Chief Executive's Report in combination with the Proposed Material Alterations to the Draft Fingal Development Plan 2017 – 2023. During this six week period the members must make the Development Plan

Special Development Plan meetings of Fingal County Council will be held between 14<sup>th</sup> and 20<sup>th</sup> February 2017. Pursuant to Section 12(17) of the *Planning and Development Act 2000* (as amended), a Development Plan made under this section shall have effect 4 weeks from the day that it is made.

Pursuant to Sections 12(9) and 12(10) of the *Planning and Development Act 2000* (as amended), following consideration of the proposed Material Alterations to the Draft Development Plan and the Chief Executive's Report, the Members shall, by resolution, make the Development Plan with or without the proposed Material Alterations except where it is decided to make a modification to a proposed Material Alteration where it is considered appropriate.

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A further modification to a Proposed Material Alteration 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

A further modification to a proposed Material Alteration shall not be made where it relates to:

- An increase in the area of land zoned for any purpose, or
- An addition to or deletion from the Record of Protected Structures

Editorial changes and updating of the Draft Plan will be carried out and minor typographical or graphical errors or discrepancies will be amended.

## **Approach to Consideration of Submissions**

Following the initial recording and scanning of all submissions, each submission was read first to allocate the issues raised to the appropriate Proposed Material Alteration of the Draft Development Plan. Some submissions received included issues not relevant to the Proposed Material Alterations and such points cannot be considered in the Chief Executive's report.

Of the 80 submissions and observations received during the prescribed public consultation period, a total of 262 issues were identified in relation to 132 of the 296 proposed Material Alterations.

A further 4 issues were identified in relation to matters not 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.

In summary, this report recommends that the Development Plan:

- be made with 89 of the proposed Material Alterations as displayed;
- be made with 16 of the proposed Material Alterations as displayed subject to modification;
- be made without 27 of the proposed Material Alterations as displayed.

It is recommended the remaining 164 Proposed Material Alterations be made as displayed unless otherwise provided for in accordance with the Planning & Development Act 2000, as amended.

## **Recommended Modifications to Proposed Material Alterations**

Proposed Material Alterations to the Draft Plan, as originally displayed in November 2016, are identified through the use of **green print** for additional text, deletions to text are shown in **red print with strikethrough**, and any text relocated within the Draft Plan is identified through the use of **blue print**.

In terms of modifications to Proposed Material Alterations, as recommended under this report, the omission of any text from a proposed Material Alterations is shown in its original colour text as displayed with strikethrough, with any modifications in the form of additional text to the proposed Material Alterations shown in *italics green print and underlined*, for example:

### Proposed Amendment CH 7.6

Having consideration to the above, it is recommended that the Development Plan be made with the minor modification to the proposed material alteration, to include the proposed rewording as follows;

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Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders.~~ within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve: Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.

## Proposed Material Alterations Not Subject to Submissions or Observations

As indicated above, a total of 132 Proposed Material Alterations were the subject of submissions. Recommendations in relation to each of these Proposed Material Alterations are contained in this report.

This leaves a large number of Proposed Material Alterations that were not subject to submissions/observations and are not affected by recommendations. The Members may make the Development Plan with or without such Proposed Material Alterations or modify such Proposed Material Alterations.

## WRITTEN STATEMENT/APPENDICES/ACCOMPANYING DOCUMENTS

CHAPTER	TITLE	RELEVANT SUBMISSIONS
1	Introduction & Strategic Context	8
2	Core Strategy and Settlement Strategy	2
3	Placemaking	5
4	Urban Fingal	15
5	Rural Fingal	25
6	Economic Development	14
7	Infrastructure and Movement	34
8	Green Infrastructure	2
9	Natural Heritage	8
10	Cultural Heritage	5
11	Land Use Zoning Objectives	22
12	Development Management Standards	3
Appendix 1	Fingal Housing Strategy	0
Appendix 2	Record of Protected Structures	0
Appendix 3	Recorded Monuments	0
Appendix 4	Technical Guidance Notes	2
Appendix 5	Implementation of Ministerial Guidelines	0
Accompanying Documents	Appropriate Assessment, Screening and Natural Impact Report, SEA	1
	OTHER	2

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Submissions were received relating to the following Sheets / Maps;

## MAP SHEETS

<b>SHEET NO</b>	<b>AREA</b>	<b>RELEVANT SUBMISSIONS</b>
Sheet 1	County Strategy	0
Sheet 2	Fingal North	0
Sheet 3	Fingal Central	2
Sheet 4	Balbriggan	2
Sheet 5	Skerries	2
Sheet 6	Lusk (6A) & Rush (6B)	3
Sheet 7	Donabate - Portrane	11
Sheet 8	Swords	12 & KNOCKSEDAN 18
Sheet 9	Malahide - Portmarnock	20
Sheet 10	Baldoyle - Howth	0
Sheet 11	Fingal South	15
Sheet 12	Blanchardstown North	19
Sheet 13	Blanchardstown South	4
Sheet 14	Green Infrastructure 1	6
Sheet 15	Green Infrastructure 2	0
Sheet 16	Green Infrastructure 3	0

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# Analysis and Summary of the Issues Raised in the Submissions Received by the Council by Written Statement Chapters/Appendices & Accompanying Documents

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## INTRODUCTION

Submissions received from the Department of Housing, Planning, Community and Local Government and the National Transport Authority.	11
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# PART TWO

## Department of Housing Planning, Community and Local Government (DoHPCLG)

### Summary of Issues

#### Overview:

The Department of Housing Planning, Community and Local Government (DoHPCLG's) submission notes that many of their comments submitted on the Draft Plan have been acknowledged and addressed in the Draft Plan as proposed material alterations. The submission, however, raises a number of further issues for consideration in respect of the proposed amendments as follows:

#### Lissenhall and Dunsink Lands

The submission refers to Proposed Amendment CH 2.2 relating to the long term development of Swords and specifically the Lissenhall lands.

Proposed Amendment CH 2.2:

Amend text at Section 2.6 Housing Land Capacity under the 2011-2017 Development Plan, New Residential Zoning Lissenhall, Swords

*'Swords is identified as a 'Primary Economic Growth Town' within the polycentric gateway under the Regional Planning Guidelines for the GDA and a driver within the core of the Greater Dublin Area, for sustained international and regional economic development and growth. In order to fulfil this role and in light of the emerging role that settlements such as Swords will be required to play in maintaining the success of the GDA, a long term, adequately planned vision is necessary. In this regard, the long term strategic vision for Swords is to create a sustainable city with a commensurate level of jobs and services and infrastructure to support a potential population of 100,000. In endeavouring to achieve this vision of an emerging green city with a thriving economy it is critical that adequate lands are zoned in the future to accommodate the full range of needs of the city's residential population, business community and visitors. Within the current development envelope of Swords, even allowing for the introduction of possible new intensive mixed use zonings along the Metro line, Swords would have the capacity only to reach a population of circa 65-70,000.'*

*There is potential for the proposed new Metro North to extend into the lands at Lissenhall and therefore, the zoning must be appropriate for the area. Furthermore, a substantial portion of these lands will be within 1km of the agreed Estuary Stop. Lissenhall is an expansive, low-lying, rural landscape comprising approximately 240 hectares. The area, in broad terms, is bound by the M1 and R132 to the east, the Broadmeadow River to the south and south west, and the proposed route of the Swords Western Ring Road to the north. These lands are adjacent to the M1 and Belfast-Dublin corridor.*

*By identifying Lissenhall as a key future development area, the Council is seeking to maximize the opportunities created by the delivery of this key piece of strategic infrastructure in accordance with best planning practice and the principles of sustainable development. The development of the area, following the sequential development of the existing Swords envelope, is also consistent with the Council's long term strategic vision for Swords to develop as a sustainable city. It is envisaged that this area could accommodate the development of a significant mixed use urban district providing for a significant level of employment in addition to approximately 6,000 – 7,000 residential units. A Local Area Plan will be prepared for these lands to provide a framework for development. Lissenhall is detailed further in Chapter 4 Urban Fingal, in the context of Swords.'*

Proposed Amendment CH 4.1:

Insert additional text after paragraph 3, Section 4.2.

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*The Plan will also promote lands at Lissenhall, through the preparation of a Local Area Plan, to provide for the longer term strategic development of the area to **provide for facilitate** the long term development in Swords as required. It is envisaged that in the long term this area, subject to infrastructural improvements, could in the future accommodate the development of a planned sustainable mixed use urban district providing for a significant level of employment and residential development. **Development of these lands will only be considered following the prioritisation of development in the Swords area, subject to a detailed phasing program for the release of development in a sequential manner within the lands themselves and subject to other policies contained within the Plan.***

The Department acknowledges the rationale for identifying the Lissenhall lands and welcomes the proposed amendments clarifying that these lands will be developed 'following the sequential development of the existing Swords envelope...'(Proposed Amendment CH 2.2) and will be subject to a detailed sequential development phasing arrangement [Proposed Amendment CH 4.1] In view of the proposed amendments, coupled with the existing Development Plan policies, the Department indicate that while the rationale for the identification and future development of the lands at Lissenhall is reasonable, the above amendment should include a reiteration that the lands identified in the Swords area be sequentially developed in advance of the Lissenhall lands similar to that set out at Proposed Amendment CH 2.2.

Proposed Amendment CH 4.8:

~~Replace Objective Blanchardstown 12 **Prepare a comprehensive study for the strategic landbank at Dunsink. The study shall include detailed analysis of the physical infrastructure required to enable the lands to fulfil their full potential. The study shall investigate mitigation measures that may be required to address the impact on the site of the adjacent former landfill area.**~~

*To carry out a feasibility study of lands at Dunsink to include a full investigation of requirements in terms of infrastructure, water, access, drainage and any remedial measures associated with the former landfill area to inform the future designation of these lands for development. This will be carried out in consultation with necessary statutory agencies and appropriate stakeholders to facilitate the orderly and appropriate release of lands at Dunsink.*

In relation to CH 4.8 above, the submission notes the strategic location of these lands proximate to the City Centre and heavy rail connections. Specifically, it is noted that Proposed Amendment CH 4.8 positively strengthens the previous study objective relating to the development of Dunsink. It is, however, requested that a clear time commitment be given to identifying the parameters for considering the strategic zoning of these lands.

## **Retail Warehousing**

Proposed Amendment CH 6.5:

Insert new text at Section 6.8, subsection Retail Warehousing and Retail Parks

*'Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.'*

In relation to Proposed Amendment CH 6.5, above, the submission requests clarification as to compliance with statutory guidance as set out in Section 4.11.2 of the *Retail Planning Guidelines for Planning Authorities*. The proposed amendment should reflect the current requirements in

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relation to such development as set out in the *Retail Planning Guidelines for Planning Authorities* under Section 28 of the Planning and Development Act 2000 (as amended).

Proposed Amendment CH 11.10:

*Delete the uses Retail-Hypermarket > 5000-sqm and Retail – Factory Outlet Centre from the 'Not Permitted' category within the RW - Retail Warehouse zoning objective.*

Concern is expressed regarding the proposal to delete Retail - Hypermarket >5000 sq.m and Retail Factory Outlet Centre from the 'Not Permitted' category within the Retail Warehouse zoning objective. Clarification of compliance with the statutory Section 28 guidance on retailing is requested.

## **Loss of Greenbelt Lands**

Proposed Amendment SH 12.1:

*Amend zoning from GB 'Greenbelt' to GE 'General Employment' at Cherryhound, and*

Proposed Amendment SH 12.3:

*Amend zoning from GB 'Greenbelt' to WD 'Warehousing and Distribution' and Include Local Objective as follows: 'Widen road from St. Margaret's By Pass at the Kilshane junction to provide an extended left turning lane'.*

Concern is expressed that there is no evidence based approach for the proposed zonings having consideration to the requirements of the *Development Plans Guidelines for Planning Authorities* (2007) which seeks, inter alia, a spatially sequential and evidence based approach to development zoning and to the *Spatial Planning and National Roads Guidelines* (2012) which seeks to ensure the avoidance of any adverse impact on the national road infrastructure from inappropriate new development. The Council is advised to delete the above zonings related to Proposed Amendments SH 12.1 and 12.3 on the basis they conflict with the relevant Ministerial Guidelines aforementioned.

## **Flood Risk Assessment**

Proposed Amendment SH 12.8:

*Amend zoning from HA 'High Amenity' to LC 'Local Centre' in Mulhuddart Village.*

The Department requests that full compliance with the requirements of the *Flood Risk Management Guidelines for Planning Authorities* be clearly undertaken for this proposal.

## **Compliance with Government Policy and Guidelines**

The Planning Authority should have regard to any observations made by the various prescribed bodies. In this regard, Fingal County Council must be satisfied that it has met the relevant requirements as appropriate and that the Draft Fingal Development Plan 2017-2023 is fully compliant with its obligations under planning legislation.

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

### **Lissenhall and Dunsink Lands**

The comments regarding Proposed Amendments CH 2.2 and CH 4.1 and specifically the requirement for a clear statement for the sequential development of the Swords development area prior to the Lissenhall lands are welcomed. To address the Departments concerns, Proposed Amendment CH 4.1 should be amended to reiterate that the lands identified in the Swords envelope shall be sequentially developed in advance of the Lissenhall lands.

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The comments regarding Proposed Amendment CH 4.8 and specifically the request for a clear time commitment for the preparation of the proposed feasibility study to inform the designation of the Dunsink lands are welcomed. Having consideration to the strategic nature of the lands in question it is considered reasonable that, Proposed Amendment CH 4.8 should be amended to include a time commitment of three years from the date of the adoption of this Development Plan for the identification of the parameters for considering the strategic zoning of these lands.

## Retail Warehousing

The Guidelines for Planning Authorities – Retail Planning were published by the then Department of Environment, Community and Local Government in 2012. These Guidelines state, inter alia, very large single outlet retail warehouses addressing a regional, if not national, catchment, may be considered in larger cities including the NSS Gateways of Dublin, Cork, Galway, Limerick/Shannon and Waterford. The Guidelines further outline in Section 4.11.2 Exceptional provision for certain types of large-scale retail warehouses. The proposed amendment acknowledges and reiterates this element of the Guidelines. However, it is considered the proposed amendment would benefit from a modification to the text.

The Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses. However, they also indicate large convenience stores comprising of supermarkets, superstores and hypermarkets are now an accepted element of retailing in cities and large towns. These units should be located in city or town centres or in district centres or on the edge of these centres and be of a size which supports and adds variety and vitality to existing shopping areas and also to facilitate access by public transport for shoppers. In relation to outlet centres, the Guidelines indicate the most appropriate location for outlet centres is where commercial synergy can be achieved between an outlet centre and an urban centre which would lead to economic benefits for the overall area and should not be permitted in more remote out-of-town locations

Having regard to the information contained within the Retail Planning Guidelines in relation to these types of retail formats, it is considered that the Development Plan should be made without proposed amendment CH11.10 which seeks to *'Delete the uses Retail-Hypermarket > 5000-sqm and Retail – Factory Outlet Centre from the 'Not Permitted' category within the RW - Retail Warehouse zoning objective'*.

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (CH6.5) as displayed subject to the following modification:

Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.

*As per the Retail Planning Guidelines, 2012, in order to be acceptable from a planning perspective, any proposal for an individual large scale retail warehouse with a floorspace in excess of 6,000sqm gross in the locations above must demonstrate that the proposal:*

- a. Will accommodate predominantly bulky goods under one roof, together with a range of customer facilities (e.g. restaurant, crèche), on a scale which requires a regional, if not a national, population catchment;*
- b. Is in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the*

# PART TWO

*national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking account of the opportunities for encouraging a modal shift towards more sustainable travel modes;*

- c. Will be served by existing or planned public transport services;*
- d. Will make adequate provision for those opting for home delivery of goods other than by private car;*
- e. Will be accompanied by a traffic impact assessment, demonstrating compliance with the above criteria; and*
- f. Will take account of the vitality/viability criteria in respect of city/town centres set out in these Guidelines and avoid the incorporation of uses and activities, as part of the development, which are more appropriate to city and town centre locations.*

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Amendment (CH11.10) as displayed.

## **Loss of Greenbelt Lands**

Proposed Amendment SH 12.1 relates to the rezoning of lands from 'GB' to 'GE' at Cherryhound. These lands are located outside the development boundary of Blanchardstown and comprise largely undeveloped greenfields with a small number of businesses in the area. These lands are currently un-serviced.

To maximise the effectiveness of existing infrastructure provision and promote sustainability, a logical sequential approach as advocated in the DoHPCLG's *Development Plans Guidelines for Planning Authorities* (2007) must be applied to the zoning of land for development. In this regard, areas to be zoned should be contiguous to existing zoned development lands, a strong emphasis should be placed on encouraging infill opportunities and better use of under-utilised lands and zoning should extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. leapfrogging to more remote areas should be avoided). Any future re-zonings should have regard to this sequential approach.

Fingal County Council's Economic Strategy set out in the Draft Plan seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents. The 'Economic Development Zonings' within the Draft Plan indicate that there are 1829.7 ha's of land zoned for 'GE' purposes within the County, with approximately 1218 ha's currently available for development. Much of this 'GE' zoned land is located in highly accessible strategic locations including lands to the Motorway and National road network off the M50 and M1 corridors and at Damastown. The M50 corridor alone has an available and accessible landbank of c. 399 ha's of undeveloped GE zoned lands. The Cherryhound LAP area has 240 ha's of 'GE' zoned land, most of which is undeveloped and within close proximity to the subject lands.

Given the location of the subject lands in close proximity to the largely undeveloped 'GE' zoned lands within the Cherryhound LAP area and the remaining quantum of existing zoned lands identified for employment uses within the Draft Plan, particularly in strategic and serviced locations of the County, the Council considers there is no immediate demand for additional 'GE' zoned lands at this location. Furthermore, this zoning represents an undesirable precedent for encroachment into the Greenbelt at this location in an area with existing infrastructural deficits.

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Proposed Amendment SH 12.3 relates to the rezoning of lands from 'GB' to 'WD' at Newtown, Kilshane Cross. The area is un-serviced in terms of drainage infrastructure and lacks adequate accessibility as Kilshane Cross is currently subject to congestion for long periods of the day. Dublin Airport Logistics Park is located to the southeast of the subject lands, with approximately 100 acres of undeveloped lands available for economic development including warehouse uses. Proposed Amendment SH 12.4 also recommends the rezoning of these lands at Dublin Airport Logistics Park from 'WD' to 'GE' which are suitable to accommodate high density development including many uses that are permitted within a 'WD' zoning such as warehouse development. In this context, it is not considered that further loss of greenbelt lands to facilitate additional zoning of this nature is appropriate at this location.

To permit these proposed zonings would be detrimental to the existing rural character of the area, would undermine the integrity of the greenbelt and its function which serves as a buffer between urban and rural areas and would set an undesirable precedent for encroachment into the greenbelt at this location. This view is supported by the SEA assessment. The greenbelt lands in this area adjoining the Blanchardstown development boundary is one of the most critical in the County safeguarding the innate rural value of the Fingal countryside from unsustainable development patterns. Fingal County Council is fully committed to the protection of the greenbelt and to allow for any additional employment uses into these greenbelt locations would seriously undermine the long standing greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect greenbelts as set out in the current FDP 2011-2017 and the Draft Plan.

Based on these aforementioned considerations, it is recommended that the Development Plan be made without Proposed Amendments SH 12.1 and SH 12.3 as displayed.

## **Flood Risk Assessment**

The request for full compliance with the flood risk guidelines relating to the rezoning of lands from 'HA' to 'LC' at Mulhuddart Village in close proximity to the Tolka under Proposed Amendment 12.8 is noted. This proposed rezoning relates to lands under long standing commercial use and contains a public house and a car park. Having consideration to the location of the subject lands within an identified flood zone A, having regard to the *Planning System and Flood Risk Management Guidelines for Planning Authorities*, it is recommended that the Development Plan be made without Proposed Amendment SH 12.8 as displayed.

## **Compliance with Government Policy and Guidelines**

The Draft Plan has been prepared in accordance with the requirements of the *Planning and Development Act 2000* (as amended). The Act set out the mandatory requirements for inclusion in a Development Plan. These consist of, inter alia, objectives for the zoning of land, the provision of infrastructure, the conservation and protection of the environment, and the integration of the planning and sustainable development with the social, community and cultural requirements of the area and its population. It also includes the requirement to prepare a 'core strategy' for the County, which must be consistent, as far as practicable, with National and Regional development objectives as set out in the *National Spatial Strategy (NSS)* and *Regional Planning Guidelines for the Greater Dublin Area (RPGs)*.

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



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(as amended). This also includes consultation with the various prescribed bodies and statutory agencies.

## **Recommendations:**

### **Proposed Amendment CH 4.1**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification:

Insert additional text after paragraph 3, Section 4.2.

The Plan will also promote lands at Lissenhall, through the preparation of a Local Area Plan, to provide for the longer term strategic development of the area to **facilitate** the long term development in Swords as required. It is envisaged that in the long term this area, subject to infrastructural improvements, could in the future accommodate the development of a planned sustainable mixed use urban district providing for a significant level of employment and residential development. **Development of these lands will only be considered following the prioritisation of development in the Swords area, the sequential development of the existing Swords envelope and** subject to a detailed phasing program for the release of development in a sequential manner within the lands themselves and subject to other policies contained within the Plan.'

### **Proposed Amendment CH 4.8**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification:

Replace Objective Blanchardstown 12

**'To carry out a feasibility study of lands at Dunsink within three years of the adoption of this Development Plan to include a full investigation of requirements in terms of infrastructure, water, access, drainage and any remedial measures associated with the former landfill area to inform the future designation of these lands for development. This will be carried out in consultation with necessary statutory agencies and appropriate stakeholders to facilitate the orderly and appropriate release of lands at Dunsink.'**

### **Proposed Amendment CH 6.5**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification:

Insert new text at Section 6.8, subsection Retail Warehousing and Retail Parks

**Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.**

**As per the Retail Planning Guidelines, 2012, in order to be acceptable from a planning perspective, any proposal for an individual large scale retail warehouse with a floorspace in excess of 6,000sqm gross in the locations above must demonstrate that the proposal:**

- g. Will accommodate predominantly bulky goods under one roof, together with a range of customer facilities (e.g. restaurant, crèche), on a scale which requires a regional, if not a national, population catchment;**
- h. Is in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking**

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account of the opportunities for encouraging a modal shift towards more sustainable travel modes;

- i. Will be served by existing or planned public transport services;
- j. Will make adequate provision for those opting for home delivery of goods other than by private car;
- k. Will be accompanied by a traffic impact assessment, demonstrating compliance with the above criteria; and
- l. Will take account of the vitality/viability criteria in respect of city/town centres set out in these Guidelines and avoid the incorporation of uses and activities, as part of the development, which are more appropriate to city and town centre locations.

## **Proposed Amendment CH 11.10**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Amendment as displayed.

## **Proposed Amendment SH 12.1**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## **Proposed Amendment SH 12.3**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## **Proposed Amendment SH 12.8**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

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## National Transport Authority (NTA) Submission:

### Summary of Issues

#### **Overview:**

The NTA submission notes that many of their comments submitted on the Draft Plan have been included in the Plan as proposed material alterations. The submission also notes that there are outstanding issues that need to be addressed in the finalisation of the Development Plan to ensure consistency between the Development Plan and the Transport Strategy for the GDA.

#### **Strategic Transport Proposals Not Included in the Transport Strategy**

The NTA submission notes that the Material Alterations replace all references to 'Metro West' with 'Light Rail Corridor' (MT15). It is also noted that Objective MT14 has been revised to include reference to the NTA. It is however noted that the NTA has no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. They acknowledge Fingal's right to reserve alignments for future public transport corridors, but note that it is not a policy or an objective of the Transport Strategy to extend new Metro North to Donabate within the timeframe of the Strategy (which runs until 2035).

The NTA recommend, therefore, that Objectives MT14 and MT15 be removed or reworded to reflect the fact that these transport proposals (extension of Metro North to Donabate and Light Rail Corridor serving Blanchardstown) are not included in current regional transport policy.

#### **Use of 'Masterplans'**

The NTA submission notes concern about the use of Masterplans instead of statutory LAPs at locations of strategic importance. They note that using statutory plans will formalize the requirements for public consultation, and in particular, the requirement for the Local Authority to consult with statutory authorities, including the NTA. The submission notes that if it is intended to continue using Masterplans instead of statutory LAPs, the Authority requires that the amendments proposed in PA CH 11.1 and PA CH 11.2 are strengthened to specifically address the function and procedures in developing a Masterplan. The NTA recommend that where Masterplans are to be used, the proposed material alterations to the Development Plan, as set out, should be modified to state specifically how the Masterplanning process will undertake:

- The proposed public consultation process;
- The consultation with Statutory Bodies;
- The nature of agreement by Elected Members of the Planning Authority; and
- Implementation and monitoring.

#### **Sustainable Transport -Cycling**

The NTA welcomes the additions proposed within PA CH 12.5, which clearly set out the requirements for cycle parking within the Development Plan.

#### **South Fingal Fringe**

The NTA welcomes the proposed amendment PA CH 7.6, which sets out a new objective to carry out a feasibility study of the South Fingal Area and notes this proposal as a positive step towards agreeing a comprehensive, sustainable land use and transport solution for the area. The NTA however requests that further details of this Study are set down in the Development Plan, in relation to the spatial scope of the Study and the timeframe for implementation. The NTA recommends that further clarity is given on the status of the proposed Study, including the following:

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- Identification of spatial scope of the Study;
- Identification of timeframe, in terms of formulation and implementation of the Study;
- The proposed public consultation process, including consultation with statutory bodies;
- The legal status of the Study, including specific proposals to adopt the finalized study into the statutory Development Plan upon completion.

## **Retail Development Proposals**

The NTA notes significant concerns with PA CH 6.5, PA CH 11.8, PA CH 11.9 and PA CH 11.10, which amend the zoning matrix for 'Retail Warehouse' to include for premises which sell 'goods in bulk' and include for the uses 'Retail Warehouse Club', 'Retail Hypermarkets > 6000 sq m' and 'Retail - Factory Outlet Centre.' The NTA note that such a change would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing. It is further stated that such a unilateral change to the zoning matrix is not conducive to the proper planning or sustainable development of either Fingal County Council or the Greater Dublin Area. The NTA note that they had previously commented on such a proposal, as set out in a previously proposed Variation of the Fingal Development Plan 2011-2017, (copy attached as Appendix 1 to NTA submission).

The NTA are of the view that the proposed alterations would be contrary to the principles of the Transport Strategy, as well as potentially conflicting with the policies of the Department's Spatial Planning and National Roads Guidelines for Planning Authorities 2012 and the Retail Planning Guidelines.

The NTA recommends that the proposed alterations PA CH 6.5, PA CH 11.8, PA CH 11.9 and PA CH 11.10 are not adopted into the Development Plan.

## **Revised Zoning - PA SH 11.10**

Further to the above concerns regarding the retail development alterations, the NTA is not in favour of the rezoning of lands at Ballymun from 'HT' to 'RW'. The NTA had previously commented on this proposal, which was the subject of a Variation and the NTA note that the issues raised at that time are still applicable. It is further noted that the Transport Strategy has been finalised and the subject site is located within the catchment of the indicative proposed alignment of new Metro North. The NTA recommends that the proposed zoning alteration PA SH 11.10, as presented, is not adopted into the Development Plan in the absence of a strategic transport analysis, such as that proposed in the South Fingal Fringe Study, which would take into account the future development of strategic public transport in the area, as well as the likely impact of such a development on the national road network.

## **Additional new Zoned Land Adjacent to M2 Motorway**

The NTA notes significant concerns with proposed zoning alterations PA SH 12.1, PA SH 12.3 and PA SH 12.4 in the vicinity of the Cherryhound junction with the M2. It is submitted that these changes will facilitate an increase in the level of employment and trip attractions in an area with limited access to existing or proposed public transport, and removed from local residential areas. This is contrary to the policies and objectives of the Transport Strategy, as well as the DOECLG's Spatial Planning and national Roads Guidelines for Planning Authorities.

The NTA recommend that the future development of these lands should be considered within the context of the proposed South Fingal Fringe Study, and that changes prior to the completion of the Study should be considered premature.

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The NTA recommends that the proposed alterations PA SH 12.1, PA SH 12.3 and PA SH 12.4 are not adopted into the Development Plan.

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

### **Strategic Transport Proposals Not Included in the Transport Strategy**

Objective MT14 notes support for the possible future extension of the proposed new Metro North finishing point to connect with the Northern Line in Donabate and Objective MT15 supports TII and the NTA in progressing the design of a Light Rail Corridor that addressed the needs of Fingal, in particular the Blanchardstown area.

The NTA submission notes that they have no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. They acknowledge Fingal's right to reserve alignments for future public transport corridors, but note that it is not a policy or an objective of the Transport Strategy to extend new Metro North to Donabate within the timeframe of the Strategy (which runs until 2035). The NTA recommend, therefore, that Objectives MT14 and MT15 be removed or reworded to reflect the fact that they are not included in current regional transport policy.

While it is recognised by the Council that a possible future extension of the proposed new Metro North finishing point to connect with the Northern Line in Donabate is not included within the NTA's Transport Strategy, it is undoubtedly a longer term aim of the Council and as such, it is considered that it should remain as a long term objective within Fingal's Development Plan. However, having regard to the comments of the NTA it is recommended PA SH 7.7 (Add public transport reservation – Swords to Donabate).is removed from the map.

Likewise, the Council advocates the progression of the design of a Light Rail Corridor that will address the needs of Fingal, in particular the Blanchardstown Area, and it is considered therefore, that Objective MT15 should remain as a long term aim within the Development Plan. Furthermore, significant expenditure has been outlaid in respect of the provision of the light rail corridor to the west.

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alterations (PA CH 7.18 and PA CH 7.19) as displayed.

### **Use of 'Masterplans'**

The existing Fingal Development Plan outlines a range of planning documents for different areas. These include Local Area Plans, Urban Centre Strategies, Urban Centre Studies, Masterplans, Landscape Masterplans, Recreational Strategies, Gateway Strategies, Management Plans and Feasibility Studies. The Draft Fingal Development Plan proposes to rationalize and make consistent the type of planning documents which will be produced in the future. There are 42 no. LAPs identified in the Fingal Development Plan, 2011 – 2017. There are 19 identified in the Draft Fingal Development, which is significantly less than previously proposed in the 2011 – 2017 Development Plan.

The Draft Plan gives a statutory framework to all proposed plans and strategies through a number of objectives. These objectives give the proposed plans and strategies the necessary statutory context. (Objectives PM08, 09, 10, 14, 15 & ED84, 85, 86, 88, 93, 94, 97 & 100 refer)

The decision as to whether to prepare a LAP in a sub-threshold context or include specific objectives in a Development Plan is considered to be a matter for the Planning Authority. However, such a decision would normally take on board various criteria, such as the degree to

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which major development is anticipated so as to justify the preparation of a standalone LAP, the resource implications within Council Departments and the need to focus resources in using the LAP process specifically for areas where major alterations to the built environment are anticipated or strategic infrastructure is being provided.

Masterplans will be prepared by the Council to give guidance on specific development proposals working within the relevant Development Plan or LAP parameters. As long as such documents work within defined policy and objective parameters of the relevant plan and do not set new policies or objectives outside the statutory process for defining such content, their usage is considered to be both appropriate and complementary to the Development Plan.

From the non-statutory background data gathering process to the statutory process as set out in the legislation with its various elements of statutory notices, issues papers, draft, amended draft and final documents, the preparation of a LAP is an extremely resource intensive process on the Planning Department. Within this context, and having regard to the discretion available to the Planning Authority in deciding on the appropriateness of applying the requirement for a LAP or a Masterplan, the Draft Plan seeks the requirement for a Masterplan on certain lands where it is considered that the same vision and objectives can be achieved in a more efficient and expedient manner than applying the formal LAP 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 Fingal Development Plan identifies key sites that will require the preparation of approved Masterplans and subsequent planning applications will be required to adhere to the approved Masterplans.

In response to the NTA's concerns, it should be noted that Masterplans will be subject to a public consultation process and presentation to the Elected Members of the Planning Authority for their agreement. Fingal County Council is firmly committed to active engagement and consultation with the relevant statutory agencies and stakeholders, including the NTA and TII in the preparation of Masterplans. Such consultation/engagement is explicitly promoted through Objective PM09 of the Draft Plan relating to the preparation of Masterplans. The purpose of this public consultation process is to add robustness to the Masterplan process, to ensure compliance with the relevant policies and objectives of the Fingal Development Plan as adopted and to reflect feedback from the various statutory agencies and relevant stakeholders in the agreed Masterplan. The Planning Authority considers Masterplans as an effective means of guiding new development and providing essential social and infrastructure in a phased and sustainable manner. The provisions of an agreed Masterplan including phasing arrangements will be implemented through the Development Management Process.

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alterations (PA CH 11.1 and PA CH 11.2) as displayed.

## **Sustainable Transport -Cycling**

The Planning Authority welcomes the support of the NTA for the additional standards within Chapter 12 setting out the requirements for cycle parking within the County. The Council will continue to promote cycling as a sustainable mode of transport and will work with the NTA to implement the Greater Dublin Area Cycle Network Plan.

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The contents of the submission welcoming the inclusion of the requirements for cycle parking is noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration (PA CH 12.5) as displayed.

## South Fingal Fringe Study

The Council acknowledges that the NTA welcomes the proposed amendment PA CH 7.6, which sets out a new objective to carry out a feasibility study of the South Fingal Area and notes this proposal as a positive step towards agreeing a comprehensive, sustainable land use and transport solution for the area.

In response to the NTA's request, the Council notes that a number of traffic studies have been completed for the South Fingal Area, including traffic studies for Local Area Plans and the publication of the Fingal North Dublin Transport Study. These studies have relied on the East-West Distributor Road as part of a "Do Minimum" requirement. Given the existing and forecasted congestion on the M50, and the requirement to provide car and bus access to lands along the South Fringe, the East-West Distributor Road is clearly necessary. In response to the concerns raised in the above submissions and to ensure a robust assessment of implications of such plans on strategic infrastructure, it is recommended that a new Objective be included within the Draft Plan, to prepare a transport study for the South Fingal Area (as per PA CH 7.6 above).

It is considered premature at this stage to identify the proposed boundary and scope of the Study area, in the absence of a scoping exercise in association with the study. The merits of the NTA submission are recognised and in this regard, the boundary for the South Fingal Study area will be accurately identified having regard to consultation with the National Transport Authority (NTA) and other relevant statutory bodies and stakeholders. It should be noted that the final parameters will be established following the determination of the project requirements, in consultation with key stakeholders and having regard to a detailed scoping exercise, which will inform the appropriate extent of the study area. The Council intends to complete the Study within two years of adoption of the Development Plan. The boundary will therefore be agreed as part of the process. Recent transport studies and plans will also inform the scope and content of the proposed Study. The preparation of the Study will include implementation recommendations and will involve consultation with key statutory stakeholders including TII and the NTA and formal public consultation and engagement with relevant statutory bodies.

It is considered that the Study will guide and inform future development within the South Fingal area, from a traffic and transport perspective. These plans carry with them a legislative regime with regard to public consultation and stakeholder involvement in the overall process. The study itself will form the basis for statutory plans, i.e. LAPs, variations of the Development Plan and Masterplans, where applicable.

In the interest of clarity and having regard to the intent of the study proposal as a traffic and transportation tool, it is considered appropriate that following modification be made to reword the Objective as follows;

Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders.~~ within two years of adoption of the Development Plan and will be used to inform the

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*preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve; Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.*

Having consideration to the above, it is therefore recommended that the Development Plan be made with the modification to the proposed material alteration PA CH 7.6, to include the proposed rewording as noted above.

## **Retail Development Proposals**

The NTA notes significant concerns with PA CH 6.5, PA CH 11.8, PA CH 11.9 and PA CH 11.10, which amend the zoning matrix for 'Retail Warehouse' to include for premises which sell 'goods in bulk' and include for the uses 'Retail Warehouse Club', 'Retail Hypermarkets > 6000 sq m' and 'Retail – Factory Outlet Centre.' The NTA notes that such a change would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing. It is further stated in the submission that such a unilateral change to the zoning matrix is not conducive to the proper planning or sustainable development of either Fingal County Council or the Greater Dublin Area. The NTA notes that they had previously commented on such a proposal, as set out in a previously proposed Variation of the Fingal Development Plan 2011-2017, which was attached to this submission ( as Appendix 1).

The NTA are of the view that the proposed alterations would be contrary to the principles of the Transport Strategy, as well as potentially conflicting with the policies of the Department's Spatial Planning and National Roads Guidelines for Planning Authorities 2012 and the Retail Planning Guidelines. The NTA recommends that the proposed alterations PA CH 6.5, PA CH 11.8, PA CH 11.9 and PA CH 11.10 are not adopted into the Development Plan.

The Guidelines for Planning Authorities – Retail Planning were published by the then Department of Environment, Community and Local Government in 2012. These Guidelines state, inter alia, very large single outlet retail warehouses addressing a regional, if not national, catchment, may be considered in larger cities including the NSS Gateways of Dublin, Cork, Galway, Limerick/Shannon and Waterford. The Guidelines further outline in Section 4.11.2 Exceptional provision for certain types of large-scale retail warehouses. The proposed amendment acknowledges and reiterates this element of the Guidelines. However, it is considered the proposed amendment would benefit from a modification to the text.

The potential effect on surrounding road networks is acknowledged. It is recommended the text be modified to reflect the Retail Planning Guidelines which state that all development shall be in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking account of the opportunities for encouraging a modal shift towards more sustainable travel modes.

The Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses. However, they also indicate large convenience stores comprising of supermarkets, superstores and hypermarkets are now an accepted element of retailing in cities and large towns. These units should be located in city or town centres or in district centres or on the edge of these centres and be of a size which supports and adds variety and vitality to existing shopping areas and also to facilitate access by



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public transport for shoppers. In relation to outlet centres, the Guidelines indicate the most appropriate location for outlet centres is where commercial synergy can be achieved between an outlet centre and an urban centre which would lead to economic benefits for the overall area and should not be permitted in more remote out-of-town locations. Having regard to the information contained within the Retail Planning Guidelines in relation to these types of retail formats, it is considered the proposed amendment be omitted.

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Amendment CH 6.5 as displayed subject to the following modification:

Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.

*As per the Retail Planning Guidelines, 2012, in order to be acceptable from a planning perspective, any proposal for an individual large scale retail warehouse with a floorspace in excess of 6,000sqm gross in the locations above must demonstrate that the proposal:*

- a. Will accommodate predominantly bulky goods under one roof, together with a range of customer facilities (e.g. restaurant, crèche), on a scale which requires a regional, if not a national, population catchment;*
- b. Is in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking account of the opportunities for encouraging a modal shift towards more sustainable travel modes;*
- c. Will be served by existing or planned public transport services;*
- d. Will make adequate provision for those opting for home delivery of goods other than by private car;*
- e. Will be accompanied by a traffic impact assessment, demonstrating compliance with the above criteria; and*
- f. Will take account of the vitality/viability criteria in respect of city/town centres set out in these Guidelines and avoid the incorporation of uses and activities, as part of the development, which are more appropriate to city and town centre locations.*

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Amendment (CH11.10) as displayed.

## **Revised Zoning – PA SH 11.10 -**

Further to the above concerns regarding the retail development alterations, the NTA is not in favour of the rezoning of lands at Ballymun from ‘HT’ to ‘RW’. This proposal was previously the subject of a Variation and the NTA submits that the issues raised at the time of this Variation proposal are still applicable. It is further noted that the Transport Strategy has been finalised and the subject site is located within the catchment of the indicative proposed alignment of new Metro North. The NTA therefore recommends that the proposed zoning alternation PA SH 11.10, as presented, is not adopted into the Development Plan in the absence of a strategic transport analysis, such as that proposed in the South Fingal Fringe Study, which would take into account

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the future development of strategic public transport in the area, as well as the likely impact of such a development on the national road network.

The subject lands consist of an area of land adjacent to the existing IKEA development. Fingal is served by retail warehousing and retail parks, principally located in the Swords, Blanchardstown, Balbriggan and Ballymun areas. Survey work undertaken by the Fingal Planning Department in 2015 identified very low levels of vacancy in these locations, reflecting the health of this component of the retailing sector in Fingal. The purpose of the Retail Warehouse zoning is to facilitate enterprise opportunities associated with the sale of bulky comparison goods in high quality and easily accessible locations. Within the existing Development Plan and Draft Development Plan, there are approximately 31 ha of lands zoned for RW purposes, located in Swords and Ballymun.

On consideration of the existing levels of retail zoning, it is noted the quantum of RW zoned land is one of the lowest compared to other employment generating zoned land within the county (See Table 6.3 of the Draft Plan). A substantial proportion of these 'RW' zoned lands are already developed or committed for development. Only limited amounts of zoned RW lands remain undeveloped to date.

The subject land provides for an additional 3 ha of RW zoning. This is considered to be an appropriate amount of land, at an appropriate location. The subject lands are considered suitable, having regard to their location adjacent to the existing RW at IKEA and the quantum of RW land throughout the County. It is recommended the proposed amendment is retained.

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration SH 11.10 as displayed.

## **Additional new Zoned Land Adjacent to M2 Motorway**

The NTA's concerns with the proposed zoning alterations PA SH 12.1, PA SH 12.3 and PA SH 12.4 in the vicinity of the Cherryhound junction of the M2 are noted. The Council acknowledges the NTA's concerns that these changes will facilitate an increase in the level of employment and trip attractions in an area with limited access to existing or proposed public transport, and removed from local residential areas.

### **PA SH 12.1**

The Council supports the NTA's concern in relation to PA SH 12.1 and PA SH 12.3. The lands at Cherryhound comprise a largely undeveloped greenfield site with a small number of businesses in the area. It should be noted that the 'Economic Development Zonings' within the Draft Plan indicate that there are 1829.7 ha of land zoned for 'GE' purposes within the County, with approximately 1218 ha currently available for development. Much of this 'GE' zoned land is located in highly accessible strategic locations including lands to the Motorway and National road network off the M50 and M1 corridors and at Damastown. The M50 corridor alone has an available and accessible landbank of c. 399 ha of undeveloped GE zoned lands. It is evident therefore that there is no immediate demand for additional 'GE' zoned lands at this location. Furthermore, the Cherryhound LAP has 240 ha of 'GE' zoned land, most of which is undeveloped and within close proximity to the subject lands.

Given the location of the subject lands in close proximity to the largely undeveloped 'GE' zoned lands within Cherryhound LAP and the remaining quantum of existing lands identified for employment use within the Plan, the Council considers this zoning to represent an undesirable precedent for further encroachment into the Greenbelt at this location.

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The Council supports the NTA's contention that this zoning is contrary to the policies and objectives of the Transport Strategy, as well as the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities and it is recommended that the existing 'GB' zoning be retained for these lands.

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration (PA SH 12.1) as displayed.

## **PA SH 12.3**

Having regard to PA SH 12.3, which relates to the rezoning of lands from 'GB' to 'WD' at Newtown, Kilshane Cross, the Council is of the view that the original 'GB' zoning of the lands is the most appropriate, given the location of the site within a strategic Greenbelt area under immense pressure for development. The lands are essentially remote and detached from the bulk of the zoned lands which are predominantly located on the western side of the N2. This proposed zoning to 'WD' would represent fragmented ad hoc new zoning in the existing greenbelt lands which have remained relatively unaltered on the eastern side of the N2, with the exception of the Dublin Airport Logistics Park. The area is also unserved in terms of drainage infrastructure and the site is inappropriate in terms of accessibility as Kilshane Cross is currently subject to congestion for long periods of the day.

The Council supports the NTA's submission which notes that these changes will facilitate an increase in the level of employment and trip attractions in an area with limited access to existing or proposed public transport, and removed from local residential areas.

Dublin Airport Logistics Park is located to the southeast of the subject lands, with approximately 100 acres of undeveloped lands available for economic development including warehouse uses. The Council are of the view that the proposed rezoning of these lands from 'GB' to 'WD' would lead to a significant inappropriate encroachment into strategic greenbelt lands in an area with existing infrastructural deficits.

The Council therefore supports the NTA's contention that this zoning is contrary to the policies and objectives of the Transport Strategy, as well as the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities and it is recommended that the existing 'GB' zoning be retained for these lands.

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration (PA SH 12.3) as displayed.

## **PA SH 12.4**

The NTA's concerns regarding the rezoning of lands at Dublin Airport Logistics Park are noted. However, the Council is of the view that there is merit in rezoning these lands from 'WD' to 'GE' at Dublin Airport Logistics Park. Having regard to the extent of 'GE' zoned land in the vicinity of the subject lands the existing use on site and in the vicinity, it is considered appropriate to revise the zoning objective of these lands to reflect that of neighbouring lands. It should also be noted that warehouse development is permitted in principle within the 'GE' zoned lands. The Council is not of the opinion that this rezoning proposal is contrary to the policies and objectives of the Transport Strategy, as well as the DOECLG's Spatial Planning and National Roads Guidelines for Planning Authorities, nor will such a zoning facilitate a significant increase in the level of employment and trip attractions in the area.

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Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 12.4) as displayed.

## **Recommendations:**

### **PA CH 6.5**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Amendment as displayed subject to the following modification:

Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.

*As per the Retail Planning Guidelines, 2012, in order to be acceptable from a planning perspective, any proposal for an individual large scale retail warehouse with a floorspace in excess of 6,000sqm gross in the locations above must demonstrate that the proposal:*

- g. Will accommodate predominantly bulky goods under one roof, together with a range of customer facilities (e.g. restaurant, crèche), on a scale which requires a regional, if not a national, population catchment;*
- h. Is in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking account of the opportunities for encouraging a modal shift towards more sustainable travel modes;*
- i. Will be served by existing or planned public transport services;*
- j. Will make adequate provision for those opting for home delivery of goods other than by private car;*
- k. Will be accompanied by a traffic impact assessment, demonstrating compliance with the above criteria; and*
- l. Will take account of the vitality/viability criteria in respect of city/town centres set out in these Guidelines and avoid the incorporation of uses and activities, as part of the development, which are more appropriate to city and town centre locations.*

### **PA CH 7.6**

Having consideration to the above, it is recommended that the Development Plan be made with the minor modification to the proposed material alteration, to include the proposed rewording as follows:

*Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders.~~ within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve: Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.*

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## **PA CH 7.18**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 7.18) as displayed.

## **PA CH 7.19**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 7.19) as displayed.

## **PA CH 11.1**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 11.1) as displayed.

## **PA CH 11.2**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 11.2) as displayed.

## **PA CH 11.10**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Amendment (CH11.10) as displayed.

## **PA CH 12.5**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 12.5) as displayed.

## **PA SH 11.10**

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

## **PA SH 12.1**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration (SH 12.1) as displayed.

## **PA SH 12.3**

Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration (SH 12.3) as displayed.

## **PA SH 12.4**

Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration (PA CH 12.4) as displayed.

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## CHAPTER 1 INTRODUCTION AND STRATEGIC CONTEXT

<b>CHAPTER 1</b> <b>Proposed Amendment CH 1.1</b>
<b>Proposed Amendment:</b> Delete the following text at Section 1.2, subsection Ministerial Guidelines: Ministerial Guidelines issued to Planning Authorities regarding their functions under the Planning Acts have been considered in the making of this Plan <del>and have been implemented in the various chapters</del> , in accordance with Section 28 of the Planning and Development Act 2000 (as amended).
<b>Submissions Received:</b> A0058
<b>Summary of Issues:</b> This submission supports the inclusion of PA CH 1.1
<b>Chief Executive's Response:</b> The content of the submission welcoming the removal of the above is noted.
<b>Recommendation:</b> It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 1</b> <b>Proposed Amendment CH 1.4</b>
<b>Proposed Amendment:</b> Insert the following text before first paragraph of Section 1.7: The Planning and Development Act 2000 (as amended) requires that a Development Plan shall, so far as is practicable, be consistent with National and Regional Plans, Policies and Strategies which relate to proper planning and development and is also required to have regard to Guidelines by the Minister for Housing, Planning, Community and Local Government.
<b>Submissions Received:</b> A0058
<b>Summary of Issues:</b> This submission supports the inclusion of the additional text within PA CH 1.4.
<b>Chief Executive's Response:</b> The content of the submission welcoming the inclusion of the above text is noted.
<b>Recommendation:</b> It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 1</b> <b>Proposed Amendment CH 1.5</b>
<b>Proposed Amendment:</b> Insert the following text into Figure 1.2: <b>National</b> <ul style="list-style-type: none"><li>●Climate Action and Low Carbon Development Bill 2015</li><li>●National Climate Change Adaptation Framework 2012</li><li>●National Development Plan 2007-2013</li><li>●National Spatial Strategy 2002 -2020</li><li>●Water Services Act 2013</li><li>●National Biodiversity Plan</li></ul>

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- Smarter Travel – A Sustainable Transport Future (2009)
- National Transport Authority (NTA) Integrated Implementation Plan (2013-2018)
- Transport 21 (2008)
- [Spatial Planning and National Roads Guidelines for Planning Authorities \(2012\)](#)
- National Climate Change Strategy 2007-2012
- Sustainable Development: A Strategy for Ireland 1997
- National Action Plan for Social Inclusion 2007-2016
- Government Policy on Architecture 2009-2015
- National Landscape Strategy 2015-2025
- Design Manual for Urban Roads and Streets 2013
- Food Harvest 2020
- Ministerial Guidelines and Directives including those on Core Strategies, Housing Strategies, Retail Planning, Childcare, Residential Density, Architectural Conservation, Sustainable Development and Urban Design, Wind Energy, Waste Management, Quarries, Schools Provision, Public Transport and Cycling, Flooding and the Environment, [Telecommunications Antennae and Support Structures](#).

## Local

- Fingal Development Plan 2011-2017
- Fingal Development Board Strategy
- Local Economic and Community Plans (LECPs)
- Fingal Strategies and Plans (including Core Strategy, Retail, Housing, Tourism, Age Friendly County Strategy, Heritage and Biodiversity Plans, Tree Strategy, Fingal Growing Places, Open Space Strategy)
- Local Area Plans
- Conservation Plans
- Public Realm Strategies
- Urban Design Frameworks
- Masterplans
- Fingal Heritage Plan 2011-2017
- Fingal Biodiversity Action Plan 2010-2015
- Biodiversity Management Plans
- Swords Strategic Vision 2035
- [Adjoining Local Authority Development Plans](#)

**Submissions Received:** A0016, A00058, A00036

**Summary of Issues:** Two submissions received support the inclusion of PA CH 1.5. One submission recommends that 'National Aviation Policy 2015' be included within Figure 1.2.

**Chief Executive's Response:** The contents of the submissions welcoming the inclusion of PA CH 1.5 are noted. The submission recommending that 'National Aviation Policy 2015' be included within Figure 1.2 is noted and agreed with and it is recommended that this Policy be included.

It is considered that the proposed change to include 'National Aviation Policy' is a minor modification to the proposed material alteration and it is recommended that the proposed amendment be made with the inclusion of this minor alteration.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification comprising an addition to the text to include ['National Aviation Policy 2015'](#).

## CHAPTER 1 Proposed Amendment CH 1.6

**Proposed Amendment:** Amend the final two paragraphs of Section 1.8, subsection Climate Change:

Addressing the risks posed by climate change will require both adaptation and mitigation. Adaption describes actions that are designed to cope with the consequences of climate change including warmer temperatures, more extreme precipitation events and sea level rise. Mitigation

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measures are designed to offset or stop the human caused drivers of climate change; namely emissions of greenhouse gases and land-use change.

~~It is recognised that the nature of Fingal's economy, settlement patterns, infrastructure (including roads, electricity networks, water supply and sewer systems), physical geography (e.g. total area, extensive coastline and rivers) and mix of land use (e.g. horticulture and urban/suburban) presents a unique set of challenges in the response to climate change. The Council through proper planning, promoting sustainable development, will work towards reducing greenhouse gas emissions. The Draft Plan 2017-2023 contains provisions dealing with climate change mitigation and adaptation throughout the Plan, in areas such as flood risk management, transportation, surface water, waste management, water services, urban design, energy, natural heritage and green infrastructure. It is an objective of this Plan that Fingal County Council will develop a Sustainable Energy Strategy to include policies and actions that will address climate change and maximize the harvesting of renewable energy at a local level. The Council will also develop a Sector Adaptation Plan for Fingal in line with the forthcoming National Adaptation Framework for Climate Change, recommendations of the Conference of Parties (COP) 21 Paris Conference and in line with the forthcoming legislation and guidelines to be produced by the Department of the Environment, Community and Local Government, when appropriate. The Council will also investigate joining the *Covenant of Mayors*, which supports Local Authorities by providing them with the recognition, resources and networking opportunities necessary to take their energy and climate commitments to the next level. Fingal supports the international co-operation of Local Authorities facing the challenge of climate change mitigation and adaptation.~~

It is recognised that the nature of Fingal's economy, settlement patterns, infrastructure (including roads, electricity networks, water supply and sewer systems), physical geography (e.g. total area, extensive coastline and rivers) and mix of land use (e.g. horticulture and urban/suburban) presents a unique set of challenges in the response to climate change. The Council through proper planning, promoting sustainable development, will work towards reducing greenhouse gas emissions. The Draft Plan 2017-2023 contains provisions dealing with climate change mitigation and adaptation throughout the Plan, in areas such as flood risk management, transportation, surface water, waste management, water services, urban design, energy, natural heritage and green infrastructure.

In May 2016 the EPA published 'Local Authority Adaptation Strategy Development Guidelines'. These Guidelines are designed to assist Local Authorities in developing local climate change mitigation and adaptation strategies which will assess local vulnerability to climate risks and identify, cost and prioritise adaptation actions (further detail is provided in Section 7.3 – Energy and Climate Change). The Guidelines describe the tasks that a Local Authority needs to complete in order to develop, adopt and implement an Adaptation Strategy. Fingal is working closely with Codema (Dublin's Energy Agency) and the 4 Dublin Local Authorities, who will act in unison and will work with all relevant stakeholders in order to deliver an inclusive and interconnected Climate Change Mitigation Action Plan.

Internationally, Fingal will liaise closely with the Covenant of Mayors and is currently preparing documentation to become one of the international signatories (alongside the other Dublin Local Authorities). Fingal supports the international co-operation of Local Authorities facing the challenge of climate change mitigation and adaptation. Preparing a Strategy is likely to be a task which will require significant resources and 'buy in' at all levels and from all Council departments. Due to the timeframes involved in terms of preparation of the Draft Plan, it is likely that the Strategy will be completed post-adoption of the Draft Plan and will therefore be incorporated into the adopted Development Plan by way of a statutory Variation at a later date.



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**Submissions Received:** A00031, A00060

**Summary of Issues:** The submissions received suggest that the text proposed needs to be updated to reflect that Fingal has now signed the Covenant of Mayors. It is also suggested that the text be updated to accurately reflect Fingal's commitment to working with the 3 other Dublin Local Authorities.

**Chief Executive's Response:** The submission relating to the reference of Fingal's commitment to working with the other 3 Local Authorities is noted and it is recommended that the following minor amendment be made to reflect this error:

Fingal is working closely with Codema (Dublin's Energy Agency) and the ~~4~~ 3 Dublin Local Authorities, who will act in unison and will work with all relevant stakeholders in order to deliver an inclusive and interconnected Climate Change Mitigation Action Plan.

It is also recommended that the text of PA CH 1.6 be amended to reflect the fact that Fingal signed the Covenant of Mayors in July 2016, as follows:

Internationally, Fingal will liaise closely with the Covenant of Mayors *and has recently* ~~is currently preparing documentation to~~ become one of the international signatories (alongside the other Dublin Local Authorities).

It is considered that the proposed changes are a minor modification to the proposed material alteration and it is recommended that the Council accept these minor modifications.

**Recommendation:** It is recommended that the Development Plan be made with the minor modifications to the text included within the proposed material alteration PA CH 1.6, to include the following text changes:

Internationally, Fingal will liaise closely with the Covenant of Mayors *and has recently* ~~is currently preparing documentation to~~ become one of the international signatories (alongside the other Dublin Local Authorities).

And

Fingal is working closely with Codema (Dublin's Energy Agency) and the ~~4~~ 3 Dublin Local Authorities, who will act in unison and will work with all relevant stakeholders in order to deliver an inclusive and interconnected Climate Change Mitigation Action Plan.

## CHAPTER 1

### Proposed Amendment CH 1.7

**Proposed Amendment:** Insert the following definition of the Ecosystem Services Approach after final paragraph:

The Draft Plan has adopted the principle of sustainable development by promoting and encouraging the integration of economic, environmental, social and cultural issues into local policies and programmes *and will integrate the emerging Ecosystem Services Approach within our Green Infrastructure. The Ecosystem Services Approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way.*

**Submissions Received:** A00036, A00058

**Summary of Issues:** Two submissions were received relating to PA CH 1.7. One seeks clarity regarding the applicability of integrating ecosystems services approach to the Airport and the other submission supports the inclusion of the above text within PA CH 1.7.

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**Chief Executive's Response:** The submission welcoming the inclusion of PA CH 1.7 is noted. The submission relating to the applicability of integrating ecosystems services approach to the airport is also acknowledged.

At EU level the Biodiversity Strategy recognised Green Infrastructure as an innovative approach to the maintenance of biodiversity and ecosystems services in the wider landscape. In 2013 the Commission published a Green Infrastructure Strategy which advocates the use of green infrastructure approaches in spatial planning and seeks to enable investment in green infrastructure to be mobilised.

The Draft Development Plan is supportive of the proposal to underpin Fingal's Green Infrastructure Strategy with a robust assessment of ecosystem services supply and demand in line with the best practice methodologies being developed as part of the MAES (Mapping and Assessment of Ecosystems and their Services) process at EU level and best practice in green infrastructure strategy development elsewhere. This taken together with the green infrastructure objectives in the Draft Plan will ensure that the ecosystem services approach is integrated into planning policy and practice in Fingal.

Proposed material amendment PA CH 8.2 also proposes to include additional text within Objective GI09, to read as:

Amend Objective GI09:

Develop and implement a Green Infrastructure Strategy for Fingal in partnership with key stakeholders and the public, **taking an ecosystem services approach to strategy development and public consultation.**

The importance of the Ecosystem Service Approach is acknowledged throughout the Draft Plan and it is not specific to the Airport or any other land use within the County. The Ecosystems Services Approach is a Strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. As this is a general theme and forms part of the Green Infrastructure Strategy within the Development Plan, its applicability to Dublin Airport is not considered relevant within the context of PA CH 1.7.

It is therefore recommended that no change is necessary in this instance.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table – Chapter 1

<b>Proposed Amendment CH 1.1</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 1.4</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 1.5</b> be made with the proposed Material Alteration as displayed subject to modifications
<b>Proposed Amendment CH 1.6</b> be made with the proposed Material Alteration as displayed subject to modifications
<b>Proposed Amendment CH 1.7</b> be made with the proposed Material Alteration as displayed

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## CHAPTER 2 CORE STRATEGY AND SETTLEMENT STRATEGY

Chapter 2 Proposed Amendment CH 2.6
<b>Proposed Amendment:</b> Insert new objective SS Identify and support the provision of key enabling infrastructure at strategic sites in Fingal County to facilitate their release for development in response to the current housing crisis.
<b>Submissions:</b> A00050
<b>Summary of Issues:</b> In respect of Proposed Amendment CH 2.6, the Draft Plan should ensure any proposed development is set in the context of proper planning and sustainable development and is consistent with the RPG's. It is submitted that the requirements of the Planning System and Flood Risk Management Guidelines (OPW, DEHLG, 2009) to ensure any proposed development/zoning is appropriate for the level of flood risk identified. Additional development should also take account of EIA, Habitat, Floods and Water Framework Directive.
<b>Chief Executive's Response:</b> The contents of the submission are acknowledged. As part of the process of formulating the Fingal Development Plan 2017-2023 a Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) are being undertaken. As part of this stage of the development plan, a report has been produced which identifies the environmental consequences of the proposed alterations to the Draft Plan. Any future development of lands associated with the above amendment will be subject to site specific environmental assessment in accordance with the provision of the appropriate planning legislative requirements including Environmental Impact Assessment where appropriate.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### Summary Table – Chapter 2

**Proposed Amendment CH 2.6** be made with the proposed Material Alteration as displayed.

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## CHAPTER 3 PLACEMAKING

<b>CHAPTER 3</b> <b>Proposed Amendment CH 3.13</b>	
<b>Proposed Amendment:</b> Insert the following text at Section 3.2 Sustainable Communities. <b>Vacant Sites</b> Vacant development sites are both a challenge and an opportunity for the County to provide for additional housing, employment and other space. Active land management including the implementation of the vacant land levy are key planning policies to implement the vision and core strategy of the plan. The Urban Regeneration and Housing Act 2015 provides for a levy on vacant sites and this is a key measure in implementing the Core Strategy by encouraging the development of such vacant development sites. The Act sets out two classes of land - Regeneration land, under Section 10(2)(h) of the Planning Act 2000 as amended. - Residential land, under Section 10 (2)(a) of the Planning Act 2000 as amended. In accordance with the Urban Regeneration and Housing Act 2015, it is a key pillar of the Development Plan to promote the development and renewal of areas that are in need of regeneration, having regard to the core strategy, in order to prevent: <ul style="list-style-type: none"><li>• Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,</li><li>• Urban blight and decay,</li><li>• Anti-social behaviour, or</li><li>• A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.</li></ul> The Act introduces a vacant site levy which will generally be an annual charge of 3% of the market value of each site on a vacant sites register which will be maintained by the Planning Authority. The Planning Authority is required to identify sites which are vacant and come within the scope of the Act and to make this list publically available.	
<b>Submissions Received:</b> A00060	
<b>Summary of Issues:</b> The submission recommends that urban blight and decay should be expanded to include rural derelict and decaying buildings.	
<b>Chief Executive's Response:</b> The submission is noted. The Urban Regeneration and Housing Act 2015 amended Section 10 (2) (h) of the Planning and Development Act 2000, as amended, to include 'urban blight and decay'. In this regard, the wording in PA CH 3.13 came directly from the aforementioned Acts and as such it would be contrary to the Acts to amend their wording to include 'rural derelict and decaying buildings'. This issue is more appropriately dealt with under Chapter 5, Rural Fingal. It is Council policy to protect and enhance the attractiveness of rural towns and villages as places in which to work and live and as locations for appropriate sized enterprise, services and tourism investment. This policy will be achieved through the mechanism of Local Area Plans and Village Plans, as appropriate. Issues such as development and rural derelict buildings will be managed through Local Area Plans within the context of the RPGs and the Draft Plan.	
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.	

# PART TWO

<b>CHAPTER 3</b> <b>Proposed Amendment CH 3.15</b>
<b>Proposed Amendment:</b> Insert new Objective PM at Section 3.4 Sustainable Design and Standards New urban developments in Fingal will be required to be low-carbon developments, in all aspects of layout design and construction.
<b>Submissions Received:</b> A00012
<b>Summary of Issues:</b> The submission seeks to remove the word 'require' and insert 'where possible be low carbon developments.'
<b>Chief Executive's Response:</b> The merits of the submission are acknowledged. Chapter 7, Section 7.3 of the Draft Plan outlines in detail the Council's sustainable energy policy. Specifically the Draft Plan states "the council promotes the development of low carbon buildings."  In this regard Objective EN05 seeks to 'encourage development proposals that are low carbon, well adapted to the impacts of Climate change and which include energy saving measures and which maximise energy efficiency through siting, layout and design'.  It is considered that the Draft Development Plan policies adequately address this issue and promotes the use of low carbon building materials and green construction materials. The Council, through its Development Plan policies and objectives, promotes best practice techniques and encourages the use of innovative and sustainable materials, without specifying which materials to be used. To require all developments to be low carbon in terms of layout and materials, would place an additional burden and cost on a developer, over and above current requirements which is beyond the remit of the Development Plan. Accordingly, it is recommended Development Plan be made <u>without</u> the proposed Material Alteration CH 3.15 as displayed.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made <u>without</u> the proposed Material Alteration as displayed.

<b>CHAPTER 3</b> <b>Proposed Amendment CH 3.16</b>
<b>Proposed Amendment:</b> Insert new Objectives PM at Section 3.4 Sustainable Design and Standards In general, require the use of low carbon building materials and where available use Environmental Product Declarations (EPD) for the assessment of the sustainable use of resources and of the impact of constructions works on the environment.
<b>Submissions Received:</b> A00012
<b>Summary of Issues:</b> The submission seeks to remove the word 'require' and insert 'where possible use low carbon building materials.'
<b>Chief Executive's Response:</b> The merits of the submission are acknowledged. In this regard Chapter 7, Section 7.3 of the Draft Plan outlines the Council's policy in relation to sustainable energy. Specifically the Draft Plan states "the council promotes the development of low carbon buildings."

# PART TWO

It is considered that the Draft Development Plan policies adequately address this issue and promotes the use of low carbon building materials and green construction materials. The Council, through its Development Plan policies and objectives, promotes best practice techniques and encourages the use of innovative and sustainable materials, without specifying which materials to be used. To require the use of particular building materials and to provide details regarding the impact of the construction works, would place an additional burden and cost on a developer, over and above current requirements. It is inappropriate to require additional and supplementary requirements such as those suggested. Accordingly, it is recommended Development Plan be made without the proposed Material Alteration CH 3.15 as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## CHAPTER 3

### Proposed Amendment CH 3.20

**Proposed Amendment:** Amend Objective PM72:

Reserve individual sites for primary and secondary schools in consultation with the Department of Education and Skills **as and when they are required, based on current population** using the most up to date statistical data, **anticipated additional growth based on residentially zoned land, taking into consideration the timelines of planning and constructing new school places,** and in line with access to public transport.

**Submissions Received:** A00060

**Summary of Issues:** The submission seeks to add a requirement to provide safe cycling and walking routes to primary and secondary schools.

**Chief Executive's Response:** The merits of the submission are welcomed. It is noted however that the sentiments of the submission are already captured under Objective MT11 which is a proposed amendment under PA CH 7.14 as follows: Amend Objective MT11:

Improve pedestrian and cycle connectivity to schools and **third level colleges** and identify and minimise barriers to children walking and cycling to primary and secondary schools throughout the County.

In this regard a change to PA CH 3.20 is not considered necessary.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 3

### Proposed Amendment CH 3.21

**Proposed Amendment:** Amend Objective PM78:

Facilitate the development of additional places of worship through the designation and/or zoning of lands for such community requirements and examine locating places of worship within shared community facilities, **to be delivered through actively engaging with the community to understand diverse religious needs for a place of worship and consulting with faith communities to understand which ones are compatible for shared premises/sites.**

# PART TWO

**Submissions Received:** A00060

**Summary of Issues:** The submission states that the Council should only consider religions that fully meet the basic standards of equality, and place no distinctions on people because of their colour, sex, gender, sexual orientation or family status.

**Chief Executive's Response:** The contents of the submission are noted. The Regional Planning Guidelines require Planning Authorities to adopt objectives that facilitate the social, community and cultural needs of all persons and communities through the provision of well dispersed and easily accessible social and community infrastructure. The Draft Development Plan is underpinned by a number of principles, among them social inclusion. The ultimate aim of social inclusion is enabling participation in the mainstream of society for all those who desire it. The role of the Council is to facilitate social inclusion by including relevant objectives in the Draft Development Plan, including Places of Worship, as outlined in Objective PM78.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table – Chapter 3

**Proposed Amendment CH 3.13** be made with the proposed Material Alteration as displayed.

**Proposed Amendment CH 3.15** be made without the proposed Material Alteration as displayed

**Proposed Amendment CH 3.16** be made without the proposed Material Alteration as displayed

**Proposed Amendment CH 3.20** be made with the proposed Material Alteration as displayed

**Proposed Amendment CH 3.21** be made with the proposed Material Alteration as displayed

# PART TWO

## CHAPTER 4

## URBAN FINGAL

### CHAPTER 4

#### Proposed Amendment CH 4.2

**Proposed Amendment:** Create two new Masterplan areas where Estuary West is currently proposed. Lands to the east of Balheary Road to be Estuary Central and lands to the west to be Estuary West.

#### **Estuary West / Holybanks Masterplan**

- ~~• A mixed Local Services Area shall be provided in the centre of the ME-zoned land close to Newtown House and the stand of mature trees.~~
- ~~• The lands will be subject to a detailed flood risk assessment to address potential flood risk and proposed mitigation measures.~~
- ~~• Provide for an extension to the Broadmeadow Riverside Park between Jugback Lane and Balheary Road in conjunction with the first phase of the development of the Masterplan lands.~~
- ~~• Provide for pedestrian and cycle routes within the Masterplan lands (in particular, along a west-east access linking the subject lands to the Estuary Metro Stop, the proposed Local Service Area in the Masterplan lands with Applewood to the west); along the extended Riverside Park; and along Jugback Lane.~~
- ~~• Provide for the retention and protection of the mature stands of trees around Newtown House as part of the development.~~
- ~~• Future development shall provide a strong urban edge with attractive elevations which address, overlook and provide a high degree of informal supervision of: the Balheary Road (southern section, south of the junction with Glen Ellen Road); the link road between Castlegrange and the Estuary Roundabout; the extended Broadmeadow Riverside Park to the north and the Ward River which crosses through the subject lands.~~
- ~~• No development will be permitted on Balheary Park until these public open space lands are replaced by similar recreational facilities within the proposed Regional Park on the west side of the town.~~
- ~~• Provide for buildings to be set back in a landscaped setting from the edge of Jugback Lane.~~
- ~~• Develop the Ward River corridor as a 'green spine' through the subject lands connecting into the Broadmeadow Riverside Park.~~
- ~~• Retain the existing stone walling along the R132.~~

#### **Estuary West**

- Future development shall provide a strong urban edge with attractive elevations which address, overlook and provide a high degree of informal supervision of : the Glen Eilan distributor Road; the extended Broadmeadow Riverside Park and Jugback Lane
- A mixed use Local Services Area shall be provided in the centre of the subject lands close to Newtown House and the Stand of mature trees.
- Provide for an extension to the Broadmeadow Riverside Park between Jugback Lane and Balheary Road in conjunction with the first phase of the development of the MP lands.
- Reserve a School site as required in consultation with the Department of Education and Skills.
- Provide for pedestrian and cycle routes within the MP lands [in particular, along a west-east access linking the proposed Local Service Area in the MP lands with Applewood to the west; along the extended Broadmeadow Riverside Park and along Jugback Lane.
- Provide for the retention and protection of the mature stands of trees around Newtown House as part of the development.
- Provide for buildings to be set back in a landscaped setting from the edge of Jugback



# PART TWO

Lane.

- Protect the residential amenities of existing property adjoining the subject lands.
- Retain the rural character of Balheary road north of its junction with Glen Ellan Road .
- The Master Plan lands will be subject to a detailed flood risk assessment to address potential flood risk and proposed mitigation measures.
- Consult with HSA in relation to the designated Svesco site to south as part of the MP process.

## Estuary Central

- Provide for the proposed new Metro North aligned through these lands and an appropriate relationship and integration of development to the proposed new Metro North at this location.
- Future development shall provide a strong urban edge with attractive elevations which address, overlook and provide a high degree of informal supervision of: the Balheary Road [southern section, south of junction with Glen Ellan Road]; the link road between Castlegrange and the Estuary roundabout; the extended Broad meadow Riverside Park to the north and the Ward River which crosses through the subject lands.
- Reserve a School site as required in consultation with the Department of Education and Skills.
- Provide for the retention and protection of existing mature trees and hedgerows within and bounding the MP lands in so far as is practicable.
- Provide for pedestrian and cycle routes within the MP lands [in particular, along a west - east axis linking the subject lands to any proposed new Metro North stop proposed along the R132 and to the adjoining Estuary West MP lands; and also along the extended Broadmeadow riverside park and along the Ward River valley].
- Protect the residential amenities of existing property within and adjoining the subject zoned lands.
- Retain the rural character of Balheary road north of its junction with Glen Ellan Road
- No development will be permitted on Balheary Park until these public open space lands are replaced by similar recreational facilities within the proposed regional Park on the west side of the Town
- The Master Plan lands will be subject to a detailed flood risk assessment to address potential flood risk and proposed mitigation measures.
- Develop the Ward River corridor as a 'Green Spine' through the subject lands connecting into the Broad meadow River Park.
- Retain existing stone walling along the R132.
- Consult with the HSA in relation to the designated Svesco site to south as part of the MP process.

**Submissions Received:** A00047, A00060

**Summary of Issues:** These submissions relate to the Swords Business Campus on Balheary Road which lies within the Estuary West / Central Masterplan area in addition to suggested amendments to the Estuary West Masterplan.

One submission seeks modifications to the Masterplan requirements for the area. It is noted that the Draft Plan contained a list of the main elements to be included in the Masterplan, which includes provision being made for pedestrian/ cycle routes within the lands with an indicative road proposal detailed on Map Sheet 8 immediately to the south of the business campus buildings from the Glen Ellan/Balheary Road Junction to the R132.

Two modifications to the proposed amendments are sought;

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1. There is no objection per se to the inclusion of an objective to provide a link between Balheary Road and the R132, however the submission does not support the form indicated. Whilst it is appreciated that the road proposal line indicated is indicative, it is suggested that the proposal would impact on the formulation of the Masterplan and the on-going operations of the Business Campus. It is submitted that the Development Plan does not need to be this prescriptive and that the objective should be expressed in the form of a zone or corridor on the Development Plan map within which the link can be provided as part of the overall Masterplan. It is therefore requested that the proposed amendment to the Draft Development Plan is modified as follows:
  - (a) The road proposal notation shown on Sheet No. 8 between Balheary Road and the R132 is omitted.
  - (b) A new notation between Balheary Road and the R132 entitled 'zone for new multi mode link/connection' or similar is added to Sheet No.8.
2. It is requested that the proposed amendment to the Draft Development Plan in respect of the text in Chapter 4 relating to the Estuary central Masterplan is modified by the inclusion of the following text "Provide for a multi mode link/connection between Balheary Road and the R132 within a zone on Sheet 8".

One submission relates to the Estuary West Masterplan and in particular point no. 5 which seeks to 'provide for pedestrian and cycle routes within the MP lands, in particular, along a west – east access linking the proposed Local Service Area in the MP lands with Applewood to the west; along the extended Broadmeadow Riverside Park and along Jugback Lane. It is suggested that cycle and pedestrian routes should be safe for people of all ages.

**Chief Executive's Response:** In relation to the elements of the submissions regarding the indicative road proposal and the amendment of the text of the Masterplan to include for the provision of a multi mode link / connection between Balheary Road and the R132, it should be noted that the Development Plan is committed to the promotion of sustainable travel modes and the provision of public transport interchanges and improved connectivity linkages. In light of this it is considered that the additional text supporting the provision of improved connectivity within the Masterplan lands be added to the Masterplan text of Estuary Central as a non material modification to reflect this position. Having consideration to the need for improved accessibility and connectivity through the subject site it is not however considered appropriate to omit the proposed indicative road objective (exact location subject to design which will address the issues raised) to link between Balheary Road and the R132 at this stage.

In relation to the issues regarding the safe use of pedestrian and cycling routes, the Development Plan strongly supports walking and cycling as an efficient mode of sustainable transport. To promote the development of cycling in the County, a comprehensive network of cycle routes will be established throughout the County with the emphasis of promoting direct, comfortable, convenient, and safe routes. The NTA has published a 'Greater Dublin Area Cycle Network Plan which identifies 1) The Urban Cycle Network (including primary, secondary and feeder routes), 2) The Inter-urban Cycle Network 3) The Green Route. The NTA network has been prepared at a strategic level and the implementation of the network will require detailed engineering design on a route by route basis. This is reflected in Objective MT09 'Promote walking and cycling as efficient, healthy and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas. The Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and the Natura Impact Statement'.

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Pedestrian and cycle routes within new developments are required to be designed in accordance with DMURS which ensures their layouts are fit for use in terms of safety of the people using them and accessible. This is reflected in Objective DMS116 'Require new developments to be designed in accordance with DMURS. In particular they shall have layouts and designs which reflect the primacy of walking and cycling by providing safe, convenient and direct access to local services, employment and public transport.

The promotion of cycling as a sustainable mode of transport depends on providing sufficient parking at places of employment and education. Bicycle parking standards, which are norms, are set out in Table 12.9'.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification;

Add the following text to Estuary Central Masterplan after bullet point 5:

*Provide for a multi-modal link between Balheary Road and the R132, the exact location of which should be defined as part of the masterplan process.*

## CHAPTER 4

### Proposed Amendment CH 4.4

**Proposed Amendment:** Amend the text accompanying the Crowcastle Masterplan

**Crowcastle Masterplan**

~~• Develop a detailed road design for Airside – Feltrim Link Road within the corridor and ensure delivery of this road in tandem with/prior to development of adjoining RS and HT lands.~~

~~• Establish strong links between Barryspark and Holywell.~~

~~• Provide for a linear park incorporating a Strategic SuDs and Flood Risk Management Corridor across these lands linking into the existing public open space at Holywell.~~

- Develop a detailed road design for Airside – Feltrim Link Road within the corridor and ensure delivery of this road in tandem with/prior to development of adjoining RS, RA and HT lands.
- A new road shall be constructed through the western section of the subject lands which shall in time connect the R132 to the proposed Airside – Drinan Link Road to the south.
- A new road shall be constructed through the eastern section of the subject lands which shall in time connect the R132 via the Drynam Road to the proposed Airside – Drinan Link Road to the south.
- Establish strong links between Barryspark and Holywell.
- Provide for a linear park incorporating a Strategic SuDs and Flood risk management corridor across the northern part of these lands.
- Provide for a linear park incorporating a Strategic Suds and Flood risk management corridor across these lands, immediately to the south of the Airside – Drinan Link Road and linking into the existing Public open space at Holywell.

**Submissions Received:** A00060

**Summary of Issues:** The submission suggests that all new roads proposed should have a high quality off road cycle track included.

**Chief Executive's Response:** The content of the submission is noted. It should be noted that it is policy of the Council that where any new roads are proposed, these would include provision for

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appropriate cycle paths (save for motorways or other such specific roads where cycling or walking is not permitted). In the interests of clarity it is recommended that an additional bullet point be added to the text of the Masterplan to specify the requirement for the provision of cycle paths. The new bullet point should be inserted after point 3. The new bullet point to read as follows; 'Provide for pedestrian and cycle routes within the MP lands'.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification.

*'Provide for pedestrian and cycle routes within the Masterplan lands'*

## Chapter 4

### Proposed Amendment CH 4.7

#### Amend Objective Blanchardstown 7

Support the delievery of ~~Metro West~~ a Light Rail Corridor linking Blanchardstown to Tallaght in South Dublin and to the proposed new Metro North line at Dardistown.

**Submissions Received:** A00029

**Summary of Issues:** The submission raises concerns in relation to the appropriateness of including reference to a 'Light Rail Corridor' (PA CH 4.7) having regard to the status of the project in the GDA Transport Strategy 2016-2035. The submission draws attention to the GDA Strategy for 2016-2035, following the publication of the Draft Development Plan, and indicates that Metro West or a Light Rail Corridor for South Fingal is not included as a public transport project for the period 2016-2035. In light of this it is requested that the Council amend the Draft Plan to remove references to the 'Light Rail Corridor' and remove the 'Proposed Indicative Light Rail Corridor' from land use zoning maps.

**Chief Executive's Response:** The contents of the submission are noted and in this regard while Metro West has not been included in the Government's capital programme 2016-2021 or the GDA Transport Strategy 2016-2035, it is considered that a significant amount of preliminary design work has already been carried out. Although the project or the route has not been approved, it is prudent to maintain a corridor free from development to facilitate the delivery of a light rail transit system in the future and it is recommended that the corridor be protected.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 4

### Proposed Amendment CH 4.15

**Proposed Amendment:** Amend Objective Donabate 17

'Promote and enhance the visitor experience and amenities at Newbridge House and Demesne within the context of the Demesne's heritage importance and values, including the provision of a new pedestrian and cycle entrance into the Demesne on Turvey Avenue, subject to a feasibility Study'.

**Submissions Received:** A00039

**Summary of Issues:** This submission states strong support for Proposed Amendment CH 4.15 which relates to amendment of Objective Donabate 17. The submission also suggests that there

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is a need for this objective to be prioritised.

**Chief Executive's Response:** The support for Proposed Amendment CH 4.15 is acknowledged and welcomed.

**Recommendation:** Having regard to the above it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 4

### Proposed Amendment CH 4.19

**Proposed Amendment:** Insert new objective Portrane  
Prepare a study to decide on the optimal future development of lands in the Burrow area, having regard to the local issues of coastal erosion, flooding, drainage and the significant landscape and biodiversity sensitivities in the area including a Flora Protection Order, Special Protection Area (SPA), Natural Heritage Area (NHA), Special Area of Conservation (SAC) and designated Ecological Buffer Zone.

**Submissions Received:** A00039

**Summary of Issues:** This submission expresses strong support for this Proposed Amendment.

**Chief Executive's Response:** The support for Proposed Amendment CH 4.19 is acknowledged and welcomed.

**Recommendation:** The contents of the submission welcoming the inclusion of the new Objective Portrane are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 4

### Proposed Amendment CH 4.20

**Proposed Amendment:** Amend Objective Balbriggan 7  
Preserve and improve access to the harbour, beaches ~~and~~ seashore, and other coastal areas while protecting environmental resources including water, biodiversity and landscape sensitivities.

**Submissions Received:** A00058, A00060

**Summary of Issues:** One submission sets out support for this Proposed Amendment. The second submission suggests that it is unclear what 'other coastal areas' includes that is not already in harbour, beaches or seashore.

**Chief Executive's Response:** The support for this Proposed Amendment is acknowledged and welcomed. In terms of clarity regarding what 'other coastal areas' relate to, this terms reflects the broad range of coastal lands that are available in Fingal, some of which may be located along the Fingal Coastal Way in the form of cliffs or other natural features.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## CHAPTER 4

### Proposed Amendment CH 4.26

**Proposed Amendment:** Insert new Objective Rush  
Create pedestrian/cycle link between Balleally Public Park and Rogerstown via the Ramparts, Rush.

**Submissions Received:** A00060

**Summary of Issues:** The submission suggests the need for a pedestrian/cycle link between Balleally Park and Lusk.

**Chief Executive's Response:** The contents of the submission have been noted. In this regard Objective Lusk 9 of the Draft Plan seeks to 'create pedestrian/cycle links between Lusk and Balleally; and Lusk and the railway station'. This Objective supports the provision of pedestrian/cycle links as requested in the submission.

In relation to the Proposed Amendment CH 4.26 'to create pedestrian/cycle link between Balleally Public Park and Rogerstown via the Ramparts, Rush, in order to promote the development of a recreational trails network within the County, a Recreational Trails Plan shall be prepared by Fingal County Council in conjunction with relevant stakeholders, landowners and various interest groups within the lifetime of this plan. It is anticipated that this plan will set out the framework for future recreational trails development in the County. A Recreational Trails Committee with Fingal County Council as the lead agency is proposed to plan, develop, implement and market the recreational trail network within the County.

A long standing objective of the Fingal Development Plan is the development of the 'Fingal Coastal Way', a strategic greenway for pedestrians and cyclists along the coastal corridor from Howth to Balbriggan. Objectives ED61 and NH61 of the Draft Plan and the Fingal Tourism Strategy 2015-2018 promotes and facilitates the development of the Fingal Coastal Way. The Council is currently moving ahead with the planning and environmental assessments required for the most critical link of the coastal way across the Malahide viaduct linking Malahide Demesne to Newbridge Demesne – The Broadmadow Estuary.

Other trails projects ongoing by Fingal County Council include the Royal Canal Greenway and the Swords and Rush Heritage Trails and a pedestrian trail from Rush to Balleally Regional Park via Rogerstown Estuary.

Additional objectives that are also relevant include;

Objective ED63

Establish a Recreational Trails Committee within Fingal County Council to plan, develop and implement a recreational trail network throughout the County in association with relevant stakeholders, landowners and various community interest groups within the County.

Objective ED64

Develop a Recreational Trails Plan for the County in conjunction with relevant stakeholders, landowners and various community interest groups within the lifetime of this plan. This plan shall set out a coordinated strategic framework for future recreational trail development in the County.

Objective ED65

Promote and facilitate the development of the Fingal Coastal Way from north of Balbriggan to

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Howth taking full account of the need to protect the natural and cultural heritage of the coast and the need to avoid significant adverse impacts on European sites and species protected by law and ensure the integration of the Fingal Coastal Way with other strategic trails within Dublin City and adjoining counties. Prioritise the section between Baldoyle and Portmarnock where the current road design is particularly hostile to pedestrians and cyclists.

## Objective ED67

Support walking groups and local communities to develop walking trails in towns and villages both for the enjoyment of local people and as an attractor for visitors to the area promoting local economic development.

Reference is also made to Objective Rush 4 which seeks to 'Preserve and improve the coastal amenities of Rush including the creation of a coastal walkway from Rogerstown Estuary to Rush Harbour to Balleally as part of the Fingal Coastal Way subject to screening for Appropriate Assessment.

In this regard, it is considered that the existing objectives of the Draft Plan are sufficiently robust in terms of supporting future cycle and pedestrian links. Any further objectives in this regard would serve to duplicate existing objectives of the Draft Plan and accordingly, it is recommended that no change is necessary in this instance.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

No further material alteration can be made at this stage.

## CHAPTER 4 Proposed Amendment CH 4.30

**Proposed Amendment:** Insert new objective Skerries

Provide a cycleway between Skerries and Ladys Stairs to improve accessibility of Ardgillan Demesne.

**Submissions Received:** A00060

**Summary of Issues:** The submission sets out the need to include a 'Ladys Ramp' to allow mobility aids (wheelchairs, buggys etc) easier access into Ardgillan.

**Chief Executive's Response:** In relation to the provision of a cycleway between Skerries and Ladys Stairs to improve accessibility of Ardgillan Demesne, it is noted that it is a long standing objective of the Fingal Development Plan to develop the Fingal Coastal Way, which is a strategic greenway for pedestrians and cyclists along the coastal corridor from Howth to Balbriggan. Much of this coastal walk is already in place. It is possible for people to walk from Clontarf, around the Hill of Howth and onto Baldoyle (via beach), Portmarnock, Malahide, Swords and Donabate. These walks, including the four looped walks and trail paths around Howth Head will form part of the overall Fingal Coastal Way. An audit of these existing trails including 'rights of way' will form part of the planning and development of the strategic greenway of the Fingal Coastal Way.

It is an objective of the Plan for Fingal County Council to prepare a Recreational Trails Plan in conjunction with stakeholders, landowners and various interest groups. This plan will aim to set

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out the framework for future recreational trails in the County. A Recreational Trails Committee with Fingal County Council as the lead agency is proposed to plan, develop, implement and market the recreational trail network within the County.

The development of the recreational trails network within the County is proposed at three levels; i) the strategic level (eg.Fingal Coastal Way), the Liffey Valley area and the Royal Canal Greenway), ii) town trails including Sli na Slainte and iii) village trails. The success of these trails depends on a coordinated strategic framework set out in the Recreational Trails Plan. In this regard, a number of policies are contained in the Draft Plan as follows;

#### Objective ED61

Promote and facilitate opportunities to create an integrated pedestrian and cycle network linking key tourist destinations in the County, by advancing the proposed Fingal Coastal Way, through carrying out a route evaluation study within two years of the adoption of this Plan, ensuring a balance is achieved between nature conservation and public use and through identifying public rights of way in consultation with all relevant stakeholders, and by exploiting former rail networks for use a potential new tourist and recreational walking routes.

#### Objective ED63

Establish a Recreational Trails Committee within Fingal County Council to plan, develop and implement a recreational trail network throughout the County in association with relevant stakeholders, landowners and various community interest groups within the County.

#### Objective ED64

Develop a Recreational Trails Plan for the County in conjunction with relevant stakeholders, landowners and various community interest groups within the lifetime of this plan. This plan shall set out a coordinated strategic framework for future recreational trail development in the County.

#### Objective ED65

Promote and facilitate the development of the Fingal Coastal Way from north of Balbriggan to Howth taking full account of the need to protect the natural and cultural heritage of the coast and the need to avoid significant adverse impacts on European sites and species protected by law and ensure the integration of the Fingal Coastal Way with other strategic trails within Dublin City and adjoining counties. Prioritise the section between Baldoyle and Portmarnock where the current road design is particularly hostile to pedestrians and cyclists.

#### Objective Skerries 10

Promote and ensure a safe and convenient road, pedestrian and cycle system highlighting accessibility and connectivity both within the town as well as between the town and surrounding towns and villages.

CE CH7.9 relates to the addition of a new objective in Chapter 4;

Promote and facilitate the development of the Balbriggan to Skerries cycling /walking scheme along the Coast Road within the lifetime of this Development Plan. Having regard to the above, it is considered existing Plan policy is sufficiently robust to support the provision of cycleways and improved accessibility and it is not considered that a further specific objective is necessary or appropriate in this instance particularly in the absence of any feasibility evaluation on the physical constraints of the area.

In relation to the contents of the submission requesting the need to include a 'Ladys Ramp' for



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easier access to Ardgillan Demesne, the sentiments of the submission are noted. In this regard Local Objective 5 of the Draft Plan seeks to 'prepare a Recreational Strategy for Ardgillan Demesne with an emphasis on enhancing access' and Objective Balrothery 5 also seeks 'the development of a new access route to Ardgillan Demesne from either Old Coach Road or Darcystown Balrothery or Tanners Lane, Balbriggan.

As noted above Fingal County Council recognises the development of recreational trails and associated services requires coordination with stakeholders and landowners. The long term success of this trail network and its development is dependent on a fully integrated approach. Objectives ED63, ED64 relate to the development of a Trails Committee and Recreational Trails Plan for the County.

Consideration must also be given to the viability of such works due to the engineering works that would be required. Having regard to the sensitive landscape context, potential for future access should be carefully examined in consultation with community interests and associated landowners. Given the strategic nature of the Development Plan, it is not considered that the Plan is the appropriate mechanism to discuss site specific design details of universal access to Ardgillan, however it is considered that there are sufficient Objectives contained within the Draft Plan that would have the potential to facilitate access to Ardgillan Demesne.

Screening of the Proposed Material Alterations to the Draft Fingal Development Plan contained within the SEA Addendum Report notes that while the provision of a cycleway is a positive for population and human health, it is considered that the objective is premature, having regard to the fact that the Fingal Cycle/Pedestrian Network Strategy, requires a route evaluation study under Objective ED61 and in addition to Objective G29 'Develop a cycle/pedestrian network Strategy for Fingal that encompasses the Fingal Way and other proposed routes which will be screened for Appropriate Assessment and Strategic Environmental Assessment. All routes are required to be cognisant of the mitigation measures accompanying the GDA plan and policy MT09 'Promote walking and cycling as efficient, healthy and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas. The Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan'.

In light of the above, it is recommended that the Development Plan be made without the proposed material alteration as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

No further material alteration can be made at this stage.

## CHAPTER 4 Proposed Amendment CH 4.32

**Proposed Amendment:** Insert new Objective Skerries  
Promote and facilitate the development of the Balbriggan to Skerries cycling/walking Scheme along the Coast Road within the lifetime of this Development Plan.

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**Submissions Received:** A00058

**Summary of Issues:** The submission sets out support for this Proposed Amendment however it is suggested that the words 'within the lifetime' should be replaced with 'within two years of the adoption'.

**Chief Executive's Response:** The support of the submission is acknowledged and welcomed. In relation to the suggested alteration to the proposed time frame in which the scheme would be delivered, it is considered that the existing timeframe as suggested is appropriate and allows for the assessment of all projects within the County on an operational basis. In this regard it should be noted that the Council is committed to the development of this route and the objective as proposed allows for the Scheme to be delivered within a reasonable time frame when considered in the context of other similar projects that are proposed for the County as a whole.

**Recommendation:** Having regard to the above it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 4 Proposed Amendment CH 4.34

**Proposed Amendment:** Insert new Objective Balrothery  
Prepare a Masterplan for Glebe Park, to improve passive supervision, improved connectivity, accessibility and permeability of the park and to develop additional passive and active recreational facilities and amenities. (See Map Sheet 4)

**Submissions Received:** A00055

**Summary of Issues:** The submission welcomes the Proposed Amendment, however it suggests that there may be issues of trespasses on the land of the submitter and assumes incorrect boundaries associated with the objective. It is also suggested that in relation to the Part 8, the proposals are incapable of being implemented as Fingal County Council do not have title over the access and egress points.

**Chief Executive's Response:** The content of the submission is acknowledged and it should be noted that the Parks & Green Infrastructure Division of Fingal County Council confirm that the lands that are within the ownership/control of the council will be subject to the proposal referred to, as appropriate. It is not considered that the County Development Plan is the appropriate mechanism to deal with the issues outlined in the submission and the sentiments of the Proposed Amendment are considered appropriate for inclusion in the final Plan.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## Summary Table – Chapter 4

<b>Proposed Amendment CH 4.2</b> be made with the proposed Material Alteration as displayed, subject to modifications.
<b>Proposed Amendment CH 4.4</b> be made with the proposed Material Alteration as displayed, subject to modifications
<b>Proposed Amendment CH 4.7</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.15</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.19</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.20</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.26</b> be made without the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.30</b> be made without the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.32</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 4.34</b> be made with the proposed Material Alteration as displayed

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## CHAPTER 5 RURAL FINGAL

<b>CHAPTER 5</b> <b>Proposed Amendment CH 5.1</b>
<p><b>Proposed Amendment:</b> Amend Para. 5.1 and specifically the Statement of Policy:</p> <ul style="list-style-type: none"><li>-Protect and enhance the attractiveness of rural towns and villages as places in which to work and live and as locations for appropriate sized enterprise, services and tourism investments <b>that are of benefit to visitors and the community alike.</b></li><li>-Promote rural development and encourage the sustainable development of resources in agriculture, horticulture, <b>agri-tourism, tourism, farm diversification, and renewable energy resources having regard to the ability of an applicant to demonstrate compliance with the principals and policies of sustainable tourism</b></li><li>-Protect Fingal's principle strengths and capitalise on the distinct tourism and recreational attractions that are on offer – scenic beauty, waterways, coastal areas and beaches, coastal towns and villages and built and cultural heritage</li></ul>
<p><b>Submissions Received:</b> A0009, A00058</p>
<p><b>Summary of Issues:</b> The objectives set out in the Draft Plan relating to the development of tourism in rural Fingal is welcomed and supported in the submissions. In this context, Proposed Amendment CH 5.1 which seeks to, 'Protect Fingal's principle strengths and capitalise on the distinct tourism and recreational attractions that are on offer...' is specifically supported.</p>
<p><b>Chief Executive's Response:</b> The support for CH5.1 as cited above is noted.</p>
<p><b>Recommendation:</b> The contents of the submission welcoming the inclusion of CH 5.1 are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.</p>

<b>CHAPTER 5</b> <b>Proposed Amendment CH 5.2</b>
<p><b>Proposed Amendment:</b> Amend Objective RF01: Review the Rivermeade Local Area Plan before the end of 2017. <b>This Plan will reassess the potential for higher densities which will help in the delivery of necessary physical and social infrastructure, particularly road improvements, expanded recreational facilities and local services for the benefit of existing and future residents in Rivermeade.</b></p>
<p><b>Submissions Received:</b> A00036</p>
<p><b>Summary of Issues:</b> Further residential development is not supported within the Airport Inner Noise Zone relating to Rivermeade Local Area Plan.</p>
<p><b>Chief Executive's Response:</b> Rivermeade is a rural village, albeit located within the Metropolitan Area. Despite its unique settlement history [it was essentially developed as a housing estate], poor connectivity and deficiencies in services and amenities, Rivermeade with its well-established community, its proximity to Swords and the Airport [which are key employment centres] and notable landscape quality [Rivermeade is located along the River Ward] has considerable potential to develop into a vibrant sustainable village.</p>

# PART TWO

Rivermeade has been zoned as a rural village since the 1999 Development Plan and this zoning has been transposed through the various Development Plans and to the Draft Plan 2017-2023. In the interests of clarity, only a minor portion of lands within the south of the Rivermeade LAP area is within the Airport Inner Noise Zone. In this context, these lands are proposed as allotments in the adopted Rivermeade LAP 2013. This LAP sets out the optimal long-term development strategy for the village in tandem with the timely delivery of physical infrastructure addressing road improvements, recreational facilities and local services including shops. The overall LAP vision for Rivermeade is to transform the area into a sustainable re-generated and fully integrated village, providing for residential development in tandem with the phased delivery of the above infrastructure. There is significant opportunity as part of the development of the LAP lands to provide for much improved physical and social infrastructure which will be of great benefit to both the existing and future residents in Rivermeade village and which will greatly improve future connections [vehicular, pedestrian and cycle] between Rivermeade village and Swords.

To realise the overall vision for Rivermeade, as per Objective RF01 above, the Council will undertake to reassess the residential densities in the existing LAP and to consider the appropriateness of higher densities which will help in the delivery of necessary physical and social infrastructure, particularly road improvements, expanded recreational facilities and local services for the benefit of existing and future residents in Rivermeade. The plan preparation will involve community engagement and an invitation for submissions through the statutory public consultation process from relevant stakeholders, interested parties and residents regarding any aspects relating to the future development of the village. The LAP is considered to be the most appropriate context in which to address development issues relating to Rivermeade. Any future development in the area will also be assessed in line with existing policy associated with airport noise zones.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.3

**Proposed Amendment:** Insert new Objective RF, after RF01:

Include within the development of the Recreational Trails Network Plan, a cycle and pedestrian way linking Rivermeade to Swords, via Knocksedan and St. Margaret's.

**Submissions Received:** A00058

**Summary of Issues:** The objective set out above under proposed Amendment CH 5.3 is welcomed and supported under the submission.

**Chief Executive's Response:** The support for CH5.3 as cited above is noted.

**Recommendation:** The contents of the submission welcoming the inclusion of CH 5.3 are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

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## CHAPTER 5

### Proposed Amendment CH 5.5

**Proposed Amendment:** Amend Objective RF05:

Preserve, protect and enhance the natural, built and cultural heritage features that form the basis of the attraction of Fingal's villages **as places to live, work and visit.**

**Submissions Received:** A0009

**Summary of Issues:** The retention of the character of Naul as a rural village with a balanced mix of commuter and local business activity, in a sympathetic rural environment is welcomed and supported as part of the submission. In this context, Objective RF05 as proposed under Proposed Amendment CH5.5 is specifically supported. The submission however, contends that permitting development not in keeping with the existing character of the area may undermine the primary objectives outlined in CH5.1 above and CH5.5. In particular, it is submitted that permitting large scale development would undermine and destroy the character of the existing village. It is proposed that the Draft Plan state that objective RF05 shall take priority in the context of village development.

**Chief Executive's Response:** The Draft Plan acknowledges and promotes the importance of Fingal rural towns and villages. Specifically, 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. The protection and enhancement of Fingal's rural villages is explicitly promoted and supported in the Draft Plan at Section 5.2 Rural Villages and through objectives RF05 – RF16 relating to the protection, enhancement and appropriate development of the village. 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 and Settlement Strategies.

The purpose of the RV zoning objective is to 'Protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved local area plan and the availability of physical and community infrastructure'. The RV zoning provides for the integrated and long-term planning and sustainable development of the village. Fingal County Council has been responsibly protecting its rural villages from overdevelopment, protecting their character and individual identity through the Local Area Plan and Village Development Framework Plan process. LAPs and accompanying Village Development Framework Plans have been prepared and adopted for Ballyboghil, Garristown, Naul, Oldtown, Rivermeade and Rowlestown. LAP's will be prepared for the remaining villages.

The Local Area Plan process is considered the most appropriate planning vehicle to provide a coherent sustainable planning framework for the future development of Fingal's villages. LAPs provide the frameworks to secure sustainable development that balances physical, social, economic and environmental considerations at the local level while minimising the potential adverse effects of development on the environment. The LAP process involves community consultation and reflects the feedback from both submissions and face to face meetings at local consultation sessions with the local community. A good LAP balances the needs and aspirations of the community with the requirements of the Planning Authority and the expectations of relevant stakeholders. LAP's promote physical and social integration and sustainable self-sufficient communities.

The overall approach taken to the development of the Fingal's villages:

- Assimilates the key messages of the DoHPLG Guidelines as they relate to villages,

# PART TWO

- Detailed appraisals relating to the natural and built heritage and the strong need to protect existing character and local identity and avoid any further suburbanisation of these rural villages.
- Appropriate absorption capacity and scale of development.
- A high level of detailed design promoting best conservation practice with innovative architectural solutions for the overall development of the village house types and layouts to reflect the village setting and consideration of existing residential development, reflected in the Local Area Plans and accompanying Village Development Framework Plans.
- Reflects the feedback both from submissions and face to face meetings at the public consultation sessions with local people.
- A phased incremental approach to the overall development of the village

The Naul Local Area Plan and accompanying Village Development Framework Plan was adopted in May 2011-extended to April 2021. This LAP sets out the appropriate scaled and optimal long-term development strategy for the village in tandem with the phased delivery of new infrastructure, particularly much needed recreational facilities, appropriate enterprise/commercial uses, local services and community infrastructure. The LAP also includes objectives for the delivery of standard infrastructure in a phased and incremental manner.

In conclusion, Fingal County Council is firmly committed to the protection and enhancement of Fingal's rural villages and sustainable growth of these villages in a phased and incremental approach through the policies and objectives set out in the Draft Plan and the various Local Areas Plans for the villages. It is considered that the essence of the proposed objective prioritising RF05 in the context of the future development of Fingal's rural villages, including Naul, is sufficiently catered for in the Draft Plan without the need for a new objective.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5 Proposed Amendment CH 5.9

**Proposed Amendment:** Proposed Amendment CH5.9 is as follows:

'Amend paragraph 2 relating to Residential Accommodation for Seasonal Workers:

The provision of new on-site residential accommodation for seasonal farm workers shall be designed in an innovative, cohesive and purpose built manner resulting in a high standard of quality accommodation and minimising reduced visual impacts on the surrounding rural area. In this regard, new purpose built on-site accommodation shall be single storey only.

Amend Objective RF49:

- 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 ~~100~~200 seasonal workers.
- -New purpose built accommodation shall be provided in the form of a maximum ~~10~~25 bed space unit.
- No bedroom shall accommodate more than 2 persons.

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- ~~Each bedroom shall have an en-suite shower, toilet and basin.~~
- 1 no. shower, toilet and basin facility shall be provided per 4 bed spaces
- 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.

**Submissions Received:** A00020, A00031, A00034, A00039, A00060/4774

**Summary of Issues:** The submissions set out support for a number of the new standards proposed for accommodation for seasonal workers. Concerns are however also expressed regarding elements of the standards proposed, particularly the ratio of toilet/washing facilities, the maximum size of units and the maximum overall number of workers one landholding can permit. To provide clarity to the issue of bathroom standards for seasonal worker accommodation, it is requested that the following wording is proposed to replace the proposed text as follows: 'Each bedroom or, at a maximum, each pair of two bedrooms, shall have dedicated separate bathroom facilities with shower toilet and basin.' Notwithstanding, it is considered that the original text provided for a better standard of accommodation and should be retained. One submission contends that the proposed amendment should not prejudice new parents and their need to care for a child. Concern is expressed that the proposed amendment will lead to substantial rural development on a scale that is incompatible with the sustainable planning and development of Fingal.

**Chief Executive's Response:** Fingal County Council recognises the significant contribution that the large horticultural and agriculture growing businesses within Fingal make to the local, regional and national economy. These businesses have invested heavily in horticulture and agricultural development to date resulting in significant job creation and import substitution. The Economic Strategy of the Draft Plan recognises the value of the horticultural and agricultural sectors to Fingal and supports and facilitates the development of environmentally sustainable horticultural/agricultural practices and value added opportunities.

The need to provide for an acceptable standard of on- site accommodation for seasonal workers on large agricultural/ horticultural holdings, given the current housing shortages is acknowledged in the Draft Pan. This is the first time that Fingal has proposed a policy in the Fingal Development Plan to accommodate seasonal workers on farms. In the interests of clarity, this proposed accommodation type is to cater for seasonal workers only.

In recognition of the significant contribution that the large growers make to the overall economy and the need to accommodate seasonal workers to facilitate intensive horticultural/agricultural activities, an increase from 100 to 200 seasonal workers per viable landholding is considered reasonable. To accommodate this additional increase, the form of new purpose built accommodation is increased from a maximum 10 bed space unit to a maximum 25 bed space unit. In the interests of clarity, one bathroom facility incorporating a shower, toilet and basin shall be dedicated to and provided per 4 bed spaces. The policy does not support bedrooms which accommodate more than 2 persons. Effectively, provision is for 1 no. bathroom facility between 2 bedrooms. This bathroom facility shall be located adjacent to the bedrooms.

Fingal County Council through the Draft Plan and specifically, the proposed amendment is firmly committed to the provision of a high standard of new on-site residential accommodation for seasonal farm workers. The Draft Plan requires that this accommodation shall be designed in an innovative, cohesive and purpose built manner resulting in a high standard of quality accommodation and minimising reduced visual impacts on the surrounding rural area. In this



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regard, new purpose built on-site accommodation should be single storey only. This latter requirement, in particular, will significantly reduce the impact of scale on the rural environment. Fingal County Council is also firmly committed to working closely with the providers of such accommodation to set best practise example(s) and as such it is considered that the amendments are appropriate as proposed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification relating to Objective RF49 as follows:

- ~~1 no. shower, toilet and basin facility shall be provided per 4 bed spaces~~
- Each bedroom, or at a maximum, each pair of 2 bedrooms shall have an individual dedicated bathroom facility with shower, toilet and basin. Communal facilities below this standard shall not be permitted.

## CHAPTER 5

### Proposed Amendment CH 5.14

**Proposed Amendment:** Insert new Objective RF, subsection Forestry: Encourage access to forestry for walking routes, mountain bike trails and other non- noise generating recreational activities.

**Submissions Received:** A00058, A00060

**Summary of Issues:** The following is requested in relation to the above objective,  
-that mountain bike trails be replaced with biking trails to allow for other alternative biking trails; and  
-the inclusion of the word 'private' is proposed in the context of access to forestry.

**Chief Executive's Response:** The request to change mountain bike trails to biking trails is considered reasonable. The Council recognises and supports the value of forestry for recreational and amenity activities in the Draft Plan. The above objective is considered sufficient in terms of promoting access to forestry throughout the County without the need to include the word 'private'.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification:

Insert new Objective RF, subsection Forestry: Encourage access to forestry for walking routes, ~~mountain bike trails,~~ biking trails and other non- noise generating recreational activities.

## CHAPTER 5

### Proposed Amendment CH 5.15

**Proposed Amendment:** Insert new Objective RF, subsection Forestry: Prepare an Indicative Forest Strategy (IFS) with an emphasis on the promotion of broadleaf forestry where resources allow, in line with relevant National policy to guide the future location and character of the forest industry in the County in consultation with the Forest Service of the Department of Agriculture Food and the Marine and other relevant stakeholders and interested parties.

**Submissions Received:** A00058

**Summary of Issues:** The objective set out above is welcomed and supported under the

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submission.

**Chief Executive's Response:** The support for CH 5.15 as cited above is noted.

**Recommendation:** The contents of the submission welcoming the inclusion of CH 5.15 is noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.17

**Proposed Amendment:** Insert new text after 1st paragraph, subsection Land Reclamation and Aggregate Extraction:

The potential use of alternative sources of sustainable material such as construction and demolition waste [C&D] is encouraged and should be employed where possible to reduce the need for excessive extraction.

**Submissions Received:** A00050

**Summary of Issues:** The submission notes and supports the screening assessment response relating to this proposed amendment as cited in the Addendum Environmental Report. It is however suggested that appropriate measures need to be put in place to ensure the protection of environmental resources and that the reuse of available suitable materials should be utilised prior to additional extraction of natural aggregate resources. Continued extraction, it is suggested, should be carried out in accordance with proper planning and in an environmentally sustainable manner. In this context, it is recommended that the screening assessment response be reflected in the final Development Plan.

**Chief Executive's Response:** The Draft Plan recognises the importance of extractive industries to the local and national economy as valuable sources of raw material for industry in general and the construction industry in particular and as an important source of employment. The Draft Plan also explicitly supports and encourages the recycling of construction and demolition waste to reduce the need for extraction and specifically through Objective RF85 of the Draft Plan.

It is accepted that extraction brings about landscape change but must carefully balance the need to avoid significant adverse effects on the environment and amenity through detailed environmental assessment, mitigation and appropriate provision for restoration of the landscape. Environmental protection from extraction and land reclamation including the protection of sensitive landscapes is paramount in the Draft Plan through Objectives RF86-RF90. Proposals for extraction will be carefully considered through the Development Management Process and the criteria set out in Chapter 12 Development Management – Section 12.13 and specifically Objective DMS176. This objective includes detailed guidance to mitigate against the likely effects of extractive development on the environment, including appropriate restoration requirements. Engagement with the various interest groups and prescribed bodies will occur during the Development Management process regarding extraction and land reclamation proposals. All applications for extractive development will be assessed on their own merits in accordance with relevant policy and objectives set out in the Draft Plan including detailed environmental [SEA/AA] and engineering assessments.

**Recommendation:** Having consideration to the above, it is recommended that the

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Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.18

**Proposed Amendment:** Delete, subsection Land Reclamation and Aggregate Extraction: ~~'In light of the seriously detrimental impacts of extractive industries, permission will only be granted where the Council is satisfied that, -It is necessary in the light of the availability of recycled construction and demolition waste, or other more sustainable sources of material;- Environmental quality and amenity will be fully protected, and; -Appropriate provision for the restoration of the landscape is being made.'~~

**Submissions Received:** A00020, A00031, A00050

**Summary of Issues:** The reinstatement of text proposed for deletion under Proposed Amendment CH 5.18 is requested, particularly in the context of a circular economy approach.

The screening assessment response relating to this proposed amendment as cited in the Addendum Environmental Report is noted and supported. It is however acknowledged that appropriate measures need to be put in place to ensure the protection of environmental resources and that the reuse of available suitable materials should be utilised prior to additional extraction of natural aggregate resources. Continued extraction should be carried out in accordance with proper planning and in an environmentally sustainable manner. In this context, it is recommended that the screening assessment response be reflected in the final Development Plan.

Concern is also expressed regarding the deletion of text under Proposed Amendment CH 5.18 as it removes an obligation on the operators of the extractive industries to prove the need for the opening of a new quarry/mine as well as obligations for operation and restoration/reinstatement relating to extraction.

**Chief Executive's Response:** The Draft Plan recognises the importance of extractive industries to the local and national economy as valuable sources of raw material for industry in general and the construction industry in particular and as an important source of employment.

While the circular economy approach is acknowledged, in view of the importance of the extractive industry to the local and wider economy, the absence of current C&D waste performance data in the context of extraction reduction as well as the absence of end of use criteria for recycled aggregates at national level, to restrict extraction only in light of the availability of recycled C&D waste is considered to be overly restrictive and unreasonable. Such a policy would result in the sterilisation of aggregate resources and prevent the secure, long term supply of construction aggregates and value added products such as construction materials within the County. The Draft Plan supports and encourages the recycling of construction and demolition waste to reduce the need for extraction and specifically through Objective RF85 of the Draft Plan.

It is accepted that extraction brings about landscape change but must carefully balance the need to avoid significant adverse effects on the environment and amenity through detailed environmental assessment, mitigation and appropriate provision for restoration of the landscape. Environmental protection from extraction and land reclamation including the protection of sensitive landscapes is paramount in the Draft Plan through Objectives RF86-RF90.

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Proposals for extraction will be carefully considered through the Development Management Process and the criteria set out in Chapter 12 Development Management – Section 12.13 and specifically Objective DMS176. This objective includes detailed guidance to mitigate against the likely effects of extractive development on the environment, including appropriate restoration requirements. Engagement with the various interest groups and prescribed bodies will occur during the Development Management process regarding extraction and land reclamation proposals.

All applications for extractive development will be assessed on their own merits in accordance with relevant policy and objectives set out in the Draft Plan including detailed environmental [SEA/AA] and engineering assessments. The deletion of the text as outlined above under Proposed Amendment CH5.18 does not remove in anyway the obligation of the owners/operators of extractive development to comply with relevant conditions attached to approved extractive development in terms of operation and restoration/reinstatement. Planning conditions relating to permitted extractive development shall be strictly adhered to and any breach of same will be dealt with through Planning Enforcement legislative procedures.

**Recommendation:** Having consideration to the above, it is recommended the County Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.20 & CH 5.21

**Proposed Amendment:** CH5.20 is as follows: Delete Objective RF84:

~~Consider proposals for extraction only where the Council is satisfied that environmental quality and amenity will be fully protected and appropriate provision for the restoration of the landscape has been made.~~

CH 5.21 is as follows: Insert new Objective, subsection Land Reclamation and Aggregate Extraction: **Ensure that proposals for extraction avoid significant adverse impacts on the environment and amenity of the area through environmental assessment, mitigation and appropriate provision for the restoration of the landscape.**

**Submissions Received:** A0009, A00020, A00031, A00058

**Summary of Issues:** Proposed Amendments CH 5.20 and CH5.21 are intrinsically linked and will be taken together for the purposes of this report. The reinstatement of the original wording of Objective RF84 as set out in Proposed Amendment CH5.20 is requested. The reinstatement of this original objective is based on the following:

Quarries are a significant environmental and landscape issue in Fingal.

The reworded objective at CH 5.21 weakens the intent of the original objective at CH 5.20.

Concern is expressed regarding the deletion of the objective under Proposed Amendment CH5.20 as set out above as this minimises the standard of conditions that the Council can apply to a quarry/mine during its operation and following its closure.

In the context of the extractive industries (or other developments) in the Naul and other rural villages, regard should be had to the limited extent of infrastructure such as water supply, sewage, surface drainage, roads, footpaths, broadband, public transport and school places within the Draft Plan.

Proposed Amendment CH 5.21 is welcomed and supported.

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**Chief Executive's Response:** The Draft Plan recognises the importance of extractive industries to the local and national economy as valuable sources of raw material for industry in general and the construction industry in particular and as an important source of employment.

It is accepted that extraction brings about landscape change but must carefully balance the need to avoid significant adverse effects on the receiving environment and amenity through detailed environmental assessment, mitigation and appropriate provision for restoration of the landscape. Environmental protection from extraction and land reclamation including the protection of sensitive landscapes is paramount in the Draft Plan through Objectives RF86-RF90. Proposals for extraction will be carefully considered through the Development Management Process and the criteria set out in Chapter 12 Development Management – Section 12.13 and specifically Objective DMS176. This objective includes detailed guidance to mitigate against the likely effects of extractive development on the receiving environment, including appropriate restoration requirements. All applications for extractive development will be considered on a case by case basis and assessed on its own merits in terms of compliance with relevant national, regional and local policy guidance through the Development Management process including the capacity of the receiving environment, conformity with relevant policies and objectives of the Development Plan and compatibility of use at the subject site. Engagement with the various interest groups and prescribed bodies will occur during the Development Management process regarding extraction proposals. Specific concerns relating to impacts on individual properties and local communities from proposed extractive development can be also be made within the context of the Development Management process.

It is considered that Objective RF84 as originally stated and proposed for deletion under CH 5.20 could be construed to infer that that no changes will occur from the existing baseline. The Council is satisfied that the revised objective under Proposed Amendment CH 5.21 provides for the protection, mitigation and restoration of the receiving environment from significant adverse impacts. It is considered that this new wording does not impact the overall substance of the original objective but results in a more balanced approach in the context of extractive development. Furthermore, Proposed Amendment CH 5.20 does not affect in any way the application of conditions by the Planning Authority that may be deemed necessary and appropriate for the operation and restoration/reinstatement of extractive development.

It is noted that the Naul LAP has been extended to 2021, this is the most appropriate vehicle in terms of the delivery of social and physical infrastructure for each of Fingal's rural villages in tandem with new development. The LAP for each of the rural villages in the County includes a number of specific objectives in relation to the delivery of social and physical infrastructure through a phased and incremental approach. The Local Plan is a statutory document and all proposals for development within the village envelope will have to clearly comply with the phasing criteria as set out in the LAP. It is considered that the issue of phasing requiring new infrastructure in tandem with new development is sufficiently catered for within the relevant LAPs for each of Fingal's villages without the need for a new objective in the Draft Plan. These phasing arrangements are based on a detailed assessment on the physical and social infrastructural needs of each village during the plan preparation process. LAPs for the remaining villages will include similar phasing arrangements.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## CHAPTER 5

### Proposed Amendment CH 5.24

**Proposed Amendment:** Insert new text after 2nd paragraph, subsection Rural Tourism:  
The Fingal Tourism Strategy 2015-2018 estimates that tourism is worth €500m annually to the local Fingal economy and supports approximately 20,000 jobs across all sectors.

Fingal's close proximity to Dublin City Centre and the location of Dublin Airport within its environs offers significant opportunities to expand the existing tourism offer and brand for the County. With Dublin's increasing importance as a popular destination for city-breaks, Fingal's coastal offering and rich built and natural heritage provide opportunities to attract visitors from the City Centre. Furthermore, the County can benefit from the constrained capacity of the City Centre and act as an accommodation base for those visiting Dublin and the wider area.

The Grow Dublin Tourism Alliance was established in 2014, to drive a new collaborative strategy to market the Dublin region in the international marketplace. - 'Dublin. A Breath of Fresh Air' a new tourism brand, was launched in October 2015. The brand encourages visitors to look beyond the City Centre, positioning Dublin as a coastal city with mountains and sea at its doorstep.

Fingal is excellently placed to contribute to the achievement of these targets. The Council will engage and collaborate with all relevant stakeholders to ensure the economic potential of the tourism sector is secured for the benefit of the local economy.

**Submissions Received:** A00058

**Summary of Issues:** Proposed Amendment CH 5.24 is welcomed and supported.

**Chief Executive's Response:** The support for CH 5.24 as cited above is noted.

**Recommendation:** The contents of the submission welcoming the inclusion of CH 5.24 are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.25

**Proposed Amendment:** Insert new Objective RF, subsection Walking Trails:

The following criteria will be used when assessing planning applications for new fencing in relation to lands open to or used by the public during the ten years preceding. Such fencing is not exempted development in accordance with Art. 9(1)(A)(x) of the Planning and Development Regulations.

-Such fencing in upland or amenity areas shall conform to the best agricultural practice.

-The nature of the material to be used, the height of the fence and in the case of a wire fence, the type of wire to be used will be taken into account.

-Stiles or gates at appropriate places may be required.

**Submissions Received:** A00058

**Summary of Issues:** Proposed Amendment CH 5.25 is welcomed and supported.

**Chief Executive's Response:** The support for CH5.25 as cited above is noted.

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**Recommendation:** The contents of the submission welcoming the inclusion of CH 5.25 are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 5

### Proposed Amendment CH 5.26

**Proposed Amendment:** Insert new text before paragraph 1, subsection Public Rights of Way: Existing public rights of way constitute an important amenity and in particular, they enable the enjoyment of high quality landscapes, providing a valuable link to natural assets and places of natural beauty in the County. The Council recognises the importance of maintaining established rights of way and supports initiatives for establishing walking routes and general accessibility.

**Submissions Received:** A00058

**Summary of Issues:** This submission suggests the deletion of the last clause in the 2nd sentence on the basis of the importance to maintain the distinction between public rights of way where mandatory access is guaranteed and walking routes where walkers have no access rights and which depend on the agreement of landowners. These routes are already provided for in Objectives RF105 and RF106 of the Draft Plan.

**Chief Executive's Response:** Objectives RF105–RF111 deals comprehensively with public rights of way which supports and facilitates their further expansion throughout the County and resisting development which would prejudice public access to rights of way. Existing rights of way will be examined and integrated into new development through the Development Management process. Objective RF107 requires the mapping and documenting of existing right of ways within two years of the adoption of this Development Plan in consultation with landowners and the public for inclusion in the Development Plan by way of variation. This will include existing rights of way to seashores, riverbanks and other areas of natural recreation and landscape value. An audit of existing walking trails including public rights of way throughout the County will form part of the planning and development of a recreational trail network. The promotion of key features/attractions of an area will also be examined and planned for within the context of a localised or strategic walking route.

In the interests of clarity, the text referred to in this submission for suggested deletion and as cited above acknowledges and supports the importance of maintaining established rights of ways and it is not intended in any way to interfere with the property rights of owners. The development of the Recreational Trails Network Plan as required under Objective ED64 of the Draft Plan will include a public consultation process where relevant stakeholders and interested parties will have an opportunity to make submissions. Any parties/landowners interested in trail development including those with public rights of ways on lands in the County will have an opportunity to make submissions in this regard and will be considered in the context of the Recreational Trails Plan.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## Summary Table – Chapter 5

<b>Proposed Amendment CH 5.1</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 5.2</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 5.3</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.5</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.9</b> be made with the proposed Material Alteration as displayed subject to modifications
<b>Proposed Amendment CH 5.14</b> be made with the proposed Material Alteration as displayed subject to modifications.
<b>Proposed Amendment CH 5.15</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.17</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.18</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.20 &amp; CH 5.21</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.24</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.25</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 5.26</b> be made with the proposed Material Alteration as displayed



# PART TWO

## CHAPTER 6 ECONOMIC DEVELOPMENT

<b>CHAPTER 6</b> <b>Proposed Amendment CH 6.5</b>
<p><b>Proposed Amendment:</b> Insert new text at Section 6.8, subsection Retail Warehousing and Retail Parks.</p> <p>Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.</p>
<p><b>Submissions Received:</b> A00016, A00031 (A00018, A00064)</p> <p><b>Summary of Issues:</b> Two additional submissions have been made in relation to this amendment. Submissions from the NTA and the Department also relate to this amendment.</p> <p>The Department requests clarification as to compliance with statutory guidance as set out in Section 4.11.2 of the <i>Retail Planning Guidelines for Planning Authorities</i>. The proposed amendment should reflect the current requirements in relation to such development as set out in the <i>Retail Planning Guidelines for Planning Authorities</i> under Section 28 of the Planning and Development Act 2000 (as amended).</p> <p>The NTA notes significant concerns with PA CH 6.5 and the other retail related amendments and have concerns that such changes would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing.</p> <p>The TII, in their submission, raises concerns with all amendments related to retail development. It is noted, given the promotion of a sequential and town-centre-focused approach to retail development in the Retail Planning Guidelines 2012, there is a clear need for a strong evidence-based and plan-led approach to the location of 'large box retail warehouse' type of development with a national/regional catchment and in doing so, providing for this segment of the retail market on the basis of an integrated approach to land use and transport planning.</p> <p>The second submission suggests a lack of planning rationale and queries the planning benefits of the proposed amendment.</p>
<p><b>Chief Executive's Response:</b> The contents of the submissions are acknowledged and in this regard the Guidelines for Planning Authorities – Retail Planning set out that, inter alia, very large single outlet retail warehouses addressing a regional, if not national, catchment, may be considered in larger cities including the NSS Gateways of Dublin, Cork, Galway, Limerick/Shannon and Waterford. The Guidelines further outline in Section 4.11.2 exceptional provision for certain types of large-scale retail warehouses. The proposed amendment acknowledges and reiterates this element of the Guidelines, however in the interest of clarity, it is considered the proposed amendment should reiterate that any development in this regard may only be provided in accordance with the provision of the Retail Planning Guidelines.</p>
<p><b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following</p>

# PART TWO

modification:

Notwithstanding the precautionary approach, Fingal and the Retail Planning Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. Accordingly, proposed exceptions to the 6,000 sqm retail warehouse cap may be considered on the merits of individual development applications.

As per the Retail Planning Guidelines, 2012, in order to be acceptable from a planning perspective, any proposal for an individual large scale retail warehouse with a floorspace in excess of 6,000sqm gross in the locations above must demonstrate that the proposal:

- m. Will accommodate predominantly bulky goods under one roof, together with a range of customer facilities (e.g. restaurant, crèche), on a scale which requires a regional, if not a national, population catchment;
- n. Is in accordance with the Planning Guidelines on Spatial Planning and National Roads in that the proposal can demonstrate that the development will not adversely affect the efficiency of the national road network and key junctions and interchanges and that it can be demonstrated that traffic volumes can be accommodated within the design assumptions for such roads, taking account of the opportunities for encouraging a modal shift towards more sustainable travel modes;
- o. Will be served by existing or planned public transport services;
- p. Will make adequate provision for those opting for home delivery of goods other than by private car;
- q. Will be accompanied by a traffic impact assessment, demonstrating compliance with the above criteria; and
- r. Will take account of the vitality/viability criteria in respect of city/town centres set out in these Guidelines and avoid the incorporation of uses and activities, as part of the development, which are more appropriate to city and town centre locations.

## CHAPTER 6

### Proposed Amendment CH 6.7

**Proposed Amendment:** Insert new text at Section 6.9 Tourism Sector

Fáilte Ireland have developed five key principles in relation to Sustainable tourism planning, these can be summarised as follows: 1. Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism requires a balance to be struck between the needs of the visitor, the place and the host community. 2. Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. Sustainable tourism planning ensures that they can continue to be enjoyed and cherished by future generations. 3. Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated. 4. Strategic tourism assets including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside should be safeguarded from encroachment by inappropriate development. 5. Visitor accommodation, interpretation centres, and commercial/retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and

# PART TWO

commercial sectors and sustaining the host communities. Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year. The Council will look favourably on sustainable tourism developments which are consistent with the five key principles outlined above and which comply with the proper planning and sustainable development of the County.

**Submissions Received:** A00031, A00058

**Summary of Issues:** Two submissions were received in relation to PA CH 6.7, which set out support for the proposed amendment but suggest that key principles 3-5 and the last sentence would carry more weight if upgraded to Objectives. One submission suggests the numbered points be presented in separate sub-paragraphs rather than as unbroken text.

**Chief Executive's Response:** The merits of the submissions are acknowledged. Essentially, both submissions support the additional text at Section 6.9 Tourism Sector, but would prefer to see the text presented in a different format. The submissions are considered reasonable and as such the text should be amended in the interest of legibility.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following formatting modification:

Fáilte Ireland have developed five key principles in relation to Sustainable tourism planning, these can be summarised as follows:

1. Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism requires a balance to be struck between the needs of the visitor, the place and the host community.
2. Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. Sustainable tourism planning ensures that they can continue to be enjoyed and cherished by future generations.
3. Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated.
4. Strategic tourism assets including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside should be safeguarded from encroachment by inappropriate development.
5. Visitor accommodation, interpretation centres, and commercial/retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year.

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The Council will look favourably on sustainable tourism developments which are consistent with the five key principles outlined above and which comply with the proper planning and sustainable development of the County.

## CHAPTER 6

### Proposed Amendment CH 6.9

**Proposed Amendment:** Insert new Objective ED at Section 6.9, subsection Recreational Trails Network.

Promote and facilitate the development of the Liffey Valley Greenway taking full account of the need to protect the natural and cultural heritage of the route and the need to avoid significant adverse impacts on European site(s) and species protected by law and ensure the integration of the Liffey Valley Greenway with other strategic trails in Fingal and in adjoining local authorities.

**Submissions Received:** A00058, A00060

**Summary of Issues:** Two submissions were received under PA CH 6.9, one of which supports the amendment and the second which suggests that a Tolka Valley Greenway should be facilitated and developed, from Ashtown up, in Dublin 15.

**Chief Executive's Response:** The submissions are acknowledged. In relation to the Tolka Valley, it should be noted that there is currently an objective in Chapter 4 Urban Fingal, which relates to the Tolka Valley Park, as follows: '*Objective MULHUDDART 3: Improve and promote links between the Tolka Valley Park, Blanchardstown Centre and Mulhuddart Village*'. There are also a number of local map based objectives relating to the Tolka Valley Park, as follows;

*Local Objective 84 (Sheet 12): Provide for the development of a linear park along the Tolka River Valley.*

*Local Objective 113: (Sheet 13): Provide for a pedestrian/cyclist link between the Tolka River and the Royal Canal.*

*Local Objective 118: (Sheet 13): Provide for the development of a linear park along the Tolka River Valley.*

Having regard to the above, it is considered that the essence of the submission is already comprehensively covered for the Tolka River Valley in the Draft Development Plan and a change to proposed amendment CH 6.9 is not required.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 6

### Proposed Amendment CH 6.10

**Proposed Amendment:** Insert new text at Section 6.9 Tourism Sector

Hampton Demesne, which is located to the east of Balrothery contains Protected Structure Nos. 91 (former outbuildings of Hampton Hall) and No.92 (six-bay two-storey house, former home of Hamilton family) respectively. An Integrated Tourism/Leisure development at Hampton Demesne will be facilitated where the Hampton Hall, the associated buildings and attendant grounds are conserved and Protected Structures, special character and setting protected and additional improved pedestrian and cycling access to Castlelands is provided.

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Beech Park House, located to the south-west of Clonsilla village contains the Protected Structure Nos.709 and 710 which comprise the 'former outbuildings of Beech Park house' and the 'house, lodge and gates'. Consideration will be given to a suitably scaled integrated tourism and recuperative centre at Beech Park House. The nature and extent of the facilities shall be determined primarily by the need to conserve the house, lodge and courtyard and their surroundings, which are of major architectural importance, and the special landscape character and heritage features of the land.'

## Abbeville

The existing building complex is very extensive and accommodates a number of structures and attractive buildings in an extensive demesne type landscape. It is an exceptional site which, in the event of it no longer being suitable for residential use, could be reused to provide for future tourism, amenity and other recreational needs within the County. There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource.

The nature and extent of the facilities to be provided shall be determined primarily by the need to conserve the house and its surroundings, which are of major architectural importance, and the special landscape character and heritage features of the demesne.

An integrated tourism and recreational complex is encouraged on Abbeville Demesne. This shall incorporate facilities which may include: Hotel / Conference Centre, Golf Course, Fitness Centre and at least one other extensive tourist/recreational facility. A strictly limited number of dwelling units, grouped in a courtyard type configuration, with the majority of the dwellings to be reserved for tourism use. ~~which shall be reserved for tourism use.~~

**Submissions Received:** A00031, A00036, A00040, A00054, A00062

**Summary of Issues:** Five submissions were received which are summarised as follows:

1. All dwellings in the integrated tourism/recreational complex should be reserved for tourism use or for employee use.
2. Carefully consider whether Abbeville should be allowed any residential development.
3. New objective/new text put forward in Chapters 6 and 10 are welcomed and look forward to working with the Council in respect of Abbeville.
4. An additional line at the end of PA CH6.10 in relation to Abbeville is sought as follows: 'Any such development shall implement the requirements of the airport noise zones and public safety zones.'
5. Additional wording proposed to paragraph on Beech Park House: Consideration will be given to a suitably scaled integrated tourism and recuperative centre '*comprising of a limited number of ancillary buildings/lodges for recuperative and tourism accommodation grouped in a courtyard type configuration*' at Beech Park House. Note: New objective also sought under PA CH 10.2.

**Chief Executive's Response:** The merits of the submissions are acknowledged. In relation to the submission regarding Integrated Tourism Complexes which requests that all dwellings in the integrated tourism/recreational complexes be reserved for tourism use or for employee use, it should be noted that the only Integrated Tourism Complex which specifically allows for residential, (strictly limited number of dwelling units), is Abbeville and the rationale for this is set out below. The broad vision for how the other Integrated Tourism Complexes will be developed is set out in Chapter 6, Section 6.9, subsection Integrated Tourism Complexes and under PA CH 6.10. Site specific proposals should be dealt with through the development management process, which is considered to be the most appropriate process in which to develop the

# PART TWO

Integrated Tourism Complex sites.

It should be noted that Abbeville Demesne lands have a significant heritage and planning history. Abbeville house is a Protected Structure (RPS Ref. 452) of national importance. It is the work of renowned architects and was also the home of historically important figures from the 18th century through to the early 21st century. The house and lands forming the demesne are designated as an Architectural Conservation Area (ACA), with historic woodlands and other natural and manmade features and landscape features. Since the beginning of this century the demesne has gone through a transition period, during which it temporarily lost its integrity and occupancy such that the condition of the house, buildings, woodlands and demesne features have dis-improved.

There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource. The nature and extent of the facilities to be provided should be determined primarily by the need to conserve the house and its surroundings, which are of major architectural importance, and the special landscape character and heritage features of the demesne. Unless there is substantial investment based on a viable future business plan and protection through occupation and use, the

integrity of the demesne and all of its elements are potentially at risk. Accordingly, in the interest of the protection of the architectural and cultural heritage of the County, which includes providing for the reuse and rehabilitation of Abbeville, it is considered that the proposed amendments are necessary to allow for flexibility in facilitating mechanisms to ensure the optimal re-use and refurbishment of the complex and the special landscape character and heritage features of the demesne. Accordingly, it is recommended that PA CH 6.10 is upheld.

In terms of Noise and Public Safety Zones it should be noted that Abbeville is located in the Outer Airport Noise Zone and the Outer Public Safety Zone. Objectives DA11 and DA14 and their associated proposed amendments PA CH 7.31 and PA CH 7.32 commit to the review of noise and safety zones in line with most up to date legislative frameworks. Specific objectives are also contained in Chapter 7, Section 7.1 Transportation, subsection Dublin Airport, in relation to noise and safety, with regard to how proposed development will be dealt with in these zones. All planning applications for Abbeville will be assessed having regard to the specific objectives relating to the airport noise zones and public safety zones and accordingly, having consideration to the above, additional amendment is not considered necessary.

Beech Park House has been recognised for inclusion in Chapter 6, Section 6.9, subsection Integrated Tourism Complexes, by the additional text proposed under PA CH 6.10. The broad vision for Beech Park House is for a suitably scaled integrated tourism and recuperative centre. While the merits of the submission are acknowledged, it is considered that site specific proposals for the overall site are more appropriately dealt with through the development management process. In this regard additional modifications are not recommended.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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<b>CHAPTER 6</b> <b>Proposed Amendment CH 6.11</b>
<p><b>Proposed Amendment:</b> Amend Objective ED68 Facilitate, where appropriate, the conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments subject to architectural conservation best practice, and proper planning and sustainable development, <i>having regard to protecting the demesne type landscape and existing natural features, where appropriate.</i></p>
<p><b>Submissions Received:</b> A00060</p>
<p><b>Summary of Issues:</b> The above submission suggests that former demesnes and estates should facilitate more permeable walking routes to allow walking to their facilities rather than creating a driving incentive whereby the only entrance to the estate is not close to a population.</p>
<p><b>Chief Executive's Response:</b> The submission is acknowledged and welcomed. This objective is concerned with the conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments. Site specific proposals for former demesnes and estates in terms of how they will be developed, site entrances, landscaping etc. is more appropriately dealt with under the development management process. However, the merits of the submission are acknowledged and additional text is recommended to be inserted into PA CH 6.11.</p>
<p><b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification:</p> <p>Facilitate, where appropriate, the conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments subject to architectural conservation best practice, and proper planning and sustainable development, <i>having regard to protecting the demesne type landscape and existing natural features, <u>and providing improved pedestrian and cycling access,</u> where appropriate.</i></p>

## Summary Table – Chapter 6

<b>Proposed Amendment CH 6.5</b> be made with the proposed Material Alteration as displayed subject to modifications.
<b>Proposed Amendment CH 6.7</b> be made with the proposed Material Alteration as displayed, subject to modifications.
<b>Proposed Amendment CH 6.9</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 6.10</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 6.11</b> be made with the proposed Material Alteration as displayed subject to modifications

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## CHAPTER 7 INFRASTRUCTURE AND MOVEMENT

<b>CHAPTER 7</b> <b>Proposed Amendment CH 7.2</b>
<p><b>Proposed Amendment:</b> Amend 'Policy Context' in Section 7.1: There are a number of National and Regional Policies and Plans which provide a context for the Council's transportation strategy and policies as follows.</p> <p>Building on Recovery: Infrastructure and Capital Investment 2016-2021, The National Spatial Strategy 2002-2020, The Regional Planning Guidelines for the Greater Dublin Area 2010-2022. <a href="#">Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland, 2009-2020</a>'.</p>
<p><b>Submissions Received:</b> A00058</p>
<p><b>Summary of Issues:</b> This submission supports the inclusion of PA CH 7.2.</p>
<p><b>Chief Executive's Response:</b> The content of the submission welcoming the inclusion of the above is noted.</p>
<p><b>Recommendation:</b> It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.</p>

<b>CHAPTER 7</b> <b>Proposed Amendment CH 7.3</b>
<p><b>Proposed Amendment:</b> Amend Section 7.1 - Policy Context to include the following paragraph after 'Design Manual for Urban Roads and Streets':</p> <p><b>Spatial Planning and National Roads Guidelines for Planning Authorities</b> These guidelines set out planning policy considerations relating to development affecting national primary and secondary roads, including motorways and associated junctions, outside the 50-60 kmph speed limit zones for cities, towns and villages. These guidelines have been developed by following a number of key principles and aim to facilitate a consistent approach that affords maximum support for the goals of achieving and maintaining a safe and efficient network of national roads, thereby facilitating continued economic growth and development.</p>
<p><b>Submissions Received:</b> A00016</p>
<p><b>Summary of Issues:</b> The above submission supports the inclusion of PA CH 7.3.</p>
<p><b>Chief Executive's Response:</b> The contents of the submission welcoming the inclusion of the above paragraph are noted.</p>
<p><b>Recommendation:</b> It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.</p>



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<b>CHAPTER 7</b> <b>Proposed Amendment CH 7.4</b>
<b>Proposed Amendment:</b> Insert new Objective MT: Implement Smarter Travel policy and work to achieve the Key Goals set out in the policy.
<b>Submissions Received:</b> A00058
<b>Summary of Issues:</b> This submission supports the inclusion of PA CH 7.2.
<b>Chief Executive's Response:</b> The content of the submission welcoming the inclusion of the above Objective is noted.
<b>Recommendation:</b> It is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 7</b> <b>Proposed Amendment CH 7.6</b>
<b>Proposed Amendment:</b> Include a new objective MT Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out in consultation with statutory agencies and relevant stakeholders.
<b>Submissions Received:</b> A00016, A00029, A00036
<b>Summary of Issues:</b> Submissions received seek clarity on the approach / status of the feasibility study of the South Fingal Area, outlining a clear description of public and stakeholder involvement, details of public consultation including referral to statutory bodies, the legal status of the Study and the implementation format and monitoring regime. The TII specifically recommends that further clarity is given on the status of the proposed Study, including the following: <ul style="list-style-type: none"><li>• The proposed public consultation process, including consultation with statutory bodies;</li><li>• The legal status of the Study, including specific proposals to adopt the finalized study into the statutory Development Plan upon completion.</li><li>• Implementation and monitoring regime.</li></ul> One submission seeks the insertion of an additional sentence noting that proposals for certain uses will be assessed on their merits and not viewed as premature pending the completion of the Study. A further submission in relation to Dublin Airport seeks to highlight engagement in the transportation assessment undertaken by the NTA in 2015, which culminated in the publication of the <i>Fingal North Dublin Transport Study – Final 2015</i> , which was subsequently adopted as Government Policy in a €10bn capital plan by the DTTAS. This submission also recommends that Government policy be pursued and that additional studies should not inhibit growth in the interim. In this regard the following is proposed for inclusion under the proposed amendment: ' <i>...The proposed study shall not supersede the output of Fingal North Dublin Transport Study – Final – June 2015 which shall continue to guide development in the interim so as not to inhibit growth.</i> '

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**Chief Executive's Response:** The Council acknowledges that a number of traffic studies have been completed for the South Fingal Area, including traffic studies for Local Area Plans and the publication of the Fingal North Dublin Transport Study. These studies have relied on the East-West Distributor Road as part of a "Do Minimum" requirement. Given the existing and forecasted congestion on the M50, and the requirement to provide car and bus access to lands along the South Fringe, the East-West Distributor Road is clearly necessary. In response to the concerns raised in the above submissions and to ensure a robust assessment of implications of such plans on strategic infrastructure, it is recommended that a new Objective be included within the Draft Plan, to prepare a transport study for the South Fingal Area (as per PA CH 7.6 above).

It is considered premature at this stage to identify the proposed boundary and scope of the Study area. The exact boundary for the Study area will be determined having regard to consultation with the National Transport Authority (NTA) and other relevant statutory bodies and stakeholders. It should be noted that the boundary area is considered to be indicative at this time and final parameters will be established following the determination of the project requirements, in consultation with key stakeholders and having regard to a detailed scoping exercise, which will inform the appropriate extent of the study area. The boundary will therefore be agreed as part of the process. The preparation of the Study will include implementation recommendations and will involve consultation with key statutory stakeholders including TII and the NTA and formal public consultation and engagement with relevant statutory bodies.

Recent transport studies and plans will also inform the scope and content of the proposed Study.

One submission requested that an additional sentence be added to the above Objective to state that *'Proposals for industrial, warehousing and logistics purposes, which do not generate significant trips or rely on good quality public transport links, will continue to be assessed on their merits having regard to the land use zonings and other policies and objectives of the Plan'*, on the basis that such development may be viewed as premature pending the Study. Another submission sought to include an additional sentence stating that: *'...The proposed study shall not supersede the output of Fingal North Dublin Transport Study – Final – June 2015 which shall continue to guide development in the interim so as not to inhibit growth.'*

It is not considered appropriate to include the suggested changes to the proposed amendment at this stage pending completion of a full scoping exercise as part of the study. Any applications for development will be assessed under the parameters of the development management process and any other relevant plans and policies currently in place. To specifically highlight one specific land use over another is not considered to be in accordance with the proper planning and sustainable development of the Study Area and all relevant transportation studies will be considered in the assessment of any planning applications lodged in this area.

It is considered that the Study will guide and inform future development within the South Fingal area from traffic and transport perspective and the Council intends to complete this Study within two years of adoption of the Development Plan. These plans carry with them a legislative regime with regard to public consultation and stakeholder involvement in the overall process.

In the interest of clarity, having regard to the submissions received and the intent of the study proposal as a traffic and transportation tool, it is considered appropriate that the following modification be made to reword the Objective as follows;

**Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic**

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'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders.~~ within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve; Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.

**Recommendation:** Having consideration to the above, It is recommended that the Development Plan be made with the minor modification to the proposed material alteration, to include the proposed rewording as follows;

Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders.~~ within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve; Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.

## CHAPTER 7

### Proposed Amendment CH 7.7

**Proposed Amendment:** Amend Objective MT04:

Control on-street parking in the interests of the viability, vitality and amenity of commercial centres by maximising the supply of short stay parking for shoppers, while providing **appropriate levels** of long- term parking within a reasonable distance for employees.

**Submissions Received:** A00034, A00060

**Summary of Issues:** One submission states that this section mentions parking, but implicitly refers to mechanically propelled vehicle parking and notes that bike parking for staff and shoppers should be amply provided near to shops. A second submission received notes that the proposed addition of Government policy is questionable where government policy is contradictory to the sustainable development of Fingal, particularly with regard to areas in the Development plan which seek to control Carbon emissions and improve quality of life for citizens. The submission sets out concern that making this change could weaken the protection afforded citizens by the Development Plan if Government policy at the time is contrary to sustainable planning and development.

**Chief Executive's Response:** It should be noted that the Council must comply with relevant Government Policy and Guidelines issued in relation to the planning and development of the Fingal administrative area. The Draft Plan has been prepared in accordance with the requirements of the *Planning and Development Act 2000* (as amended). The Act sets out mandatory requirements for inclusion in a Development Plan. These consist of, inter alia, objectives for the zoning of land, the provision of infrastructure, the conservation and protection

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of the environment, and the integration of the planning and sustainable development with the social, community and cultural requirements of the area and its population. It also includes the requirement to prepare a 'core strategy' for the County, which must be consistent, as far as practicable, with National and Regional development objectives as set out in the *National Spatial Strategy (NSS)* and *Regional Planning Guidelines for the Greater Dublin Area (RPGs)*.

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

In response to the submission referring to the need for bike parking for staff and shoppers, the Draft Plan contains significant reference to bicycle parking throughout, with proposed material alteration PA CH 12.5 providing further detail in this regard, including cycle parking requirements, the location of cycle parking stands, multi storey parks and cycle facilities, etc. Accordingly, it is not considered necessary to further amend the wording of Objective MT04 in this regard.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.8

Proposed Amendment: Amend Objective MT09:

Promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas. ~~The Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan.~~

Insert new Objective MT:

The Council will work in cooperation with the NTA and adjoining Local Authorities to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan.

**Submissions Received:** A00058, A00060

**Summary of Issues:** One submission supports the inclusion of PA CH 7.8. Another submission states that all parts of the Greater Dublin Area Cycle Network should be safe for everyone who can cycle a bike.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of the above amendment is noted. The recommendation that all parts of the Greater Dublin Area Cycle Network be safe for everyone who can cycle a bike is agreed with and it is considered that the intention to create a safe network of cycle paths is inherent in the NTA's Cycle Strategy for the Greater Dublin Area. Objective MT09 supports the implementation of this strategy. It should be noted that all proposals will be subject to detailed engineering design to ensure the safety of all potential users.

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**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7 Proposed Amendment CH 7.10

**Proposed Amendment:** Insert new Objective MT:

Review existing cycle infrastructure which was not designed in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets and undertake appropriate remedial works

**Submissions Received:** A00060

**Summary of Issues:** The submission suggests that rural cycle infrastructure which might fall outside of the scope of DMURS should be included under the above amendment. It is suggested that signage to direct people cycling to engineered solutions should be implemented, or the existing N2 / R135 / M50 interchange redesigned to make it safe for people cycling. It is also suggested in this submission that the road from Blake's Cross to Turvey Avenue on the R132 should be redesigned to make it safer for people cycling.

**Chief Executive's Response:** The contents of the submission are noted and in this regard the Draft Plan supports the provision of high quality cycle facilities with the delivery of such infrastructure to be considered in detail as part of the implementation of the NTA's Cycle Network. In terms of the improvement of cycle facilities and infrastructure, it should be noted that Objective MT09 (and proposed material amendments to the wording of same) seek to promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport and states that the Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan.

It is considered that the process of identifying and seeking resource allocation for the upgrade and provision of footpaths and cycle infrastructure is more appropriately addressed through the established Area Committee procedure rather than in a strategic Development Plan document. Improvements to footpath and cycleway infrastructure are also most appropriately dealt with through the Council's Capital Works Programme and through the Operations Department.

The '*Design Manual for Urban Roads and Streets, 2013*' (DMURS) provides comprehensive guidance in relation to enhancing the public realm. The DMURS aligns spatial planning and transport policy, focusing on streets as attractive places to create secure connected places that work for all members of the community. It offers guidance to ensure compact, connected neighbourhoods based on street patterns and forms of development that make walking and cycling more attractive. Equally, the NTA's *Permeability Best Practice Guide* (2015), which deals with permeability, connectivity and legibility, has a pivotal guidance role in the provision of good urban design in both urban and rural areas.

The DMURS sets out design standards for urban roads and streets which balance the "place function" (i.e. the needs of residents and visitors) with the "transport function" (i.e. the needs of pedestrians, cyclists, public transport, cars and goods vehicles). The use of the Manual is mandatory for all Local Authorities.

Objective DMS116 of the Draft Plan requires all new developments to be designed in accordance with DMURS and states:

*'Require new developments to be designed in accordance with DMURS. In particular they shall have*

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*layouts and designs which reflect the primacy of walking and cycling by providing safe, convenient and direct access to local services, employment and public transport. The promotion of cycling as a sustainable mode of transport depends on providing sufficient parking at places of employment and education. Bicycle parking standards, which are norms, are set out in Table 12.9. '*

The Council will continue to promote walking and cycling through the provision, upgrading and maintenance of cycleways and footpaths as resources allow; and ensure that connectivity is provided in new developments with the provision of good pedestrian and cycle network and facilities.

In response to the request for signage to direct cyclists, it should be noted that Objective ED64 of the Draft Plan promotes and facilitates a co-ordinated network of walking and cycling trails in the County through the development of a Recreational Trails Plan within the lifetime of this Draft Plan. Where resources allow, this plan could be prepared earlier within the Development Plan period 2017-2023. This Trails Plan will include provision for a variety of walking and cycling trails including strategic greenways and localised trails within low lying agricultural areas. A comprehensive and co-ordinated approach to way-marking and signage will be included in this Plan and will examine and plan for signposting/way-marking on existing rights of way. The Recreational Trails Plan will build on the body of work currently being prepared by Fingal County Council in the development of recreational trails and associated standardised signage for such trails. Given the sensitivities of the coastal corridor and inland areas, the location and design of trails and associated signage will have to be carefully considered and will be addressed within the Recreational Trails Plan. Accordingly, it is not considered necessary to insert additional text referring to signage to direct people to engineered solutions, as requested in the submission received.

The Council will continue to work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan. However, it is considered that it would not be possible to retrospectively review all existing cycle infrastructure in the County as proposed in this material alteration PA CH 7.10.

It is therefore considered appropriate and acceptable that all improvements to existing cycle infrastructure / remedial works and the provision of new cycle infrastructure will be designed in accordance with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the DMURS.

It is therefore recommended that the Development Plan be made without the proposed Material Alteration as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## CHAPTER 7 Proposed Amendment CH 7.11

**Proposed Amendment:** Insert new Objective MT:

Promote the design of roads, including cycle infrastructure, in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.

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**Submissions Received:** A00031

**Summary of Issues:** This submission states that the wording of this amendment is not the wording agreed by the Council. The Council agreed to the Chief Executive's proposed wording in response to Agenda Item 284 / Motion AI028972, as follows;

*Design roads including cycle infrastructure in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.'*

**Chief Executive's Response:** The Council agreed with the Chief Executive's Report and proposed wording in response to Agenda Item 284 / Motion AI028972, which recommended: *'Design roads including cycle infrastructure in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.'*

However, the Council agreed to the Chief Executive's Report and proposed wording in response to Agenda Item 290 / Motion AI028984, which recommended that the following new Objective be inserted after Objective MT09:

*'Objective MTXX*

*Promote the design of roads, including cycle infrastructure, in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.'*

The proposed wording agreed under Agenda Item 290 therefore supersedes the wording agreed under Agenda Item 284. Notwithstanding this, it is considered that the wording included in the proposed material alteration adequately addresses the Council's function to promote the design of roads and cycle infrastructure in line with the National Cycle Manual and DMURS. The wording proposed is considered most appropriate having consideration to the promotion and design of all roads across the County in line with the Principles of Sustainable Safety as opposed to the limited role of the Council in the design of roads.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.15

**Proposed Amendment:** Insert new Objective MT:

Ensure that as soon as possible, but by the end of the lifetime of the Development Plan the environment in the immediate vicinity of schools is a safe and attractive low speed (30kph) environment with speed limits strictly enforced, and drop-off by car within a given distance restricted.

**Submissions Received:** A00031

**Summary of Issues:** This submission supports the inclusion of PA CH 7.15.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of the above Objective are noted and the Draft Plan supports and facilitates traffic calming for new and existing residential developments and promotes safe access to schools in all new developments.

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Objective MT11 of the Draft Plan (including PA CH 7.14) seeks to:  
*'Improve pedestrian and cycle connectivity to schools and [third level colleges](#) identify and minimise barriers to children walking and cycling to primary and secondary schools throughout the County.'*

The intention included in this proposed amendment CH 7.15 to ensure a safe and attractive low speed (30kph) environment with speed limits enforced in the immediate vicinity of schools is noted and supported by the Council. However, the actual implementation of speed limits is a separate legislative procedure. The setting of speed limits and controls is outside the remit of the Development Plan and is therefore outside the scope of this Draft Plan. This requires a separate statutory process, including the introduction of by-laws with associated public consultation. It should also be noted the enforcement of speed limits is a function of An Garda Síochána and outside the remit of the Council. Notwithstanding this, it is considered that the merits of the submission are acknowledged and the proposed amendment should be made subject to a modification which supports the sentiment of the submission.

**Recommendation:** Having consideration to the above, it is therefore recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification:

[\*Support and promote the implementation of policy in the immediate vicinity of schools to provide for a safe and attractive low speed \(30kph\) environment.\*](#)

## CHAPTER 7

### Proposed Amendment CH 7.16

**Proposed Amendment:** Insert new Objective MT:

[\*At locations where higher density development is being provided, encourage the development of car-free neighbourhoods, where non-motorised transport is allowed and motorised vehicles have access only for deliveries but must park outside the neighbourhood, creating a much better quality public realm with green infrastructure, public health, economic and community benefits.\*](#)

**Submissions Received:** A00031

**Summary of Issues:** This supports the inclusion of PA CH 7.16.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of the above Objective are noted.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.21

**Proposed Amendment:** Insert new Objective MT:

[\*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, DECLG, \(2012\), the Trans-European Networks \(TEN\) Regulations and with the regard to other policy documents, as required.\*](#)

**Submissions Received:** A00016, A00031, A00036

**Summary of Issues:** The submission from Transport Infrastructure Ireland supports the inclusion of PA CH 7.21. Another submission recommends that the Objective be more specific



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and refer to implementation of the M50 demand management condition imposed by An Bord Pleanála on the widening of the motorway. A further airport related submission seeks amendment to the wording of PA CH 7.21 and requests the removal of PA CH 7.23.

**Chief Executive's Response:** The contents of the TII submission welcoming the inclusion of the above Objective are noted. Another submission received recommended that the following sentence be added to the proposed new Objective, to read as: *'The Council will cooperate with other local and national authorities to implement demand management ensures in line with Condition 7 of the 2005 approval for widening the M50'*. It should be noted that the Council is obliged to comply with Condition 7 of the approval for widening the M50 and it is not necessary to include an additional objective in this regard. Furthermore, demand management measures relating to the M50 are already included within the Draft Plan under Objective MT08, which seeks to: *'Facilitate the implementation of the demand management measures in the M50 Demand Management Study, as required.'*

The submission requesting that this Objective has regard to the full context of the policy document referred to (*Spatial Planning and National Roads, Guidelines for Planning Authorities*), which also promotes compact urban development and brownfield regeneration is noted. However, it should be stated that there are a number of references to the *'Spatial Planning and National Roads, Guidelines for Planning Authorities'* throughout the Draft Plan, in policies and objectives contained within the written statement, and in the proposed references in this material amendment to *'maintaining and protecting the safety, capacity and efficiency of National roads and associated junctions'*. This is of significant importance to the County and its inclusion within the Draft Plan is supported in submissions received. Furthermore, it is considered that the wording proposed in the submission is adequately addressed in PA CH 7.21 above and PA CH 7.23 which seeks to protect strategic road networks and it is not recommended that any further changes to proposed wording are necessary.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.23

**Proposed Amendment:** Include new Objective MT:

Protect the strategic transport function of national roads, including motorways through the implementation of the DoELCG guidelines on 'Spatial Planning and National Roads- Guidelines for Planning Authorities'.

**Submissions Received:** A00016, A00036

**Summary of Issues:** The submission from Transport Infrastructure Ireland supports the inclusion of PA CH 7.23. One submission in relation to Dublin Airport requests the removal of this material amendment PA CH 7.23.

**Chief Executive's Response:** The contents of the submission from the TII welcoming the inclusion of the above Objective are noted. The submission requesting that this Objective has regard to the full context of the policy document referred to (*Spatial Planning and National Roads, Guidelines for Planning Authorities*), which also promotes compact urban development and brownfield regeneration is also noted. However, it should be stated that there are a number of references to the *'Spatial Planning and National Roads, Guidelines for Planning Authorities'*

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throughout the Draft Plan, in policies and objectives contained within the written statement, and in the proposed references in this material amendment to '*maintaining and protecting the safety, capacity and efficiency of National roads and associated junctions*'. This is of significant importance to the County and its inclusion within the Draft Plan is supported in submissions received. Furthermore, it is considered that the wording proposed in the submission is adequately addressed in the existing PA CH 7.21 and PA CH 7.23 and it is not recommended that any further changes to proposed wording are required.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.25

**Proposed Amendment:** Amend Table 7.1 'Road Schemes':

Include '*Station Road, Portmarnock and Drumnigh Road Junction*' in Table 7.1.

**Submissions Received:** A00060

**Summary of Issues:** This submission states that any new road linking the M3 and M4 should have high quality cycle tracks and pedestrian paths constructed in parallel.

**Chief Executive's Response:** Proposed Amendment PA CH 7.25 relates to the inclusion of an additional Road Scheme within the list of Road Schemes outlined in Table 7.1 of the Draft Plan. It is not considered appropriate to insert a specific sentence stating that any new road linking the M3 and M4 should have high quality cycle tracks and pedestrian paths constructed in parallel, as requested in the submission received.

The Draft Plan supports the provision of high quality cycle facilities and such infrastructure will be considered in detail as part of the implementation of the NTA's Cycle Network and within Fingal's Road Improvement Schemes, as detailed in Table 7.1. It should be noted that Objective MT09 (and proposed material amendments to the wording of same) seeks to promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport and states that the Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan.

The '*Design Manual for Urban Roads and Streets, 2013*' (DMURS) provides comprehensive guidance in relation to enhancing the public realm. The DMURS aligns spatial planning and transport policy, focusing on streets as attractive places to create secure connected places that work for all members of the community. Equally, the NTA's *Permeability Best Practice Guide* (2015), which deals with permeability, connectivity and legibility, has a pivotal guidance role in the provision of good urban design in both urban and rural areas.

The *DMURS* sets out design standards for urban roads and streets which balance the "place function" (i.e. the needs of residents and visitors) with the "transport function" (i.e. the needs of pedestrians, cyclists, public transport, cars and goods vehicles). The use of the Manual is mandatory for all Local Authorities and it will be therefore be included within each of the Road Improvement Schemes detailed in Table 7.1.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## CHAPTER 7

### Proposed Amendment CH 7.27

**Proposed Amendment:** Amend Objective DA01:

Facilitate the operation and future development of Dublin Airport, **in line with Government policy**, recognising its role in the provision of air transport, both passenger and freight.

**Submissions Received:** A00036, A00060

**Summary of Issues:** Two submissions have been received in relation to the above. It is stated that Fingal should consider Dublin Airport as a surface public transit hub as Fingal residents can get to most parts of Ireland from Dublin Airport by coach. A further submission states that development at Dublin Airport is very much plan-led and requests that regard be made to planning policy documents in order to guide development in advance of the adoption of any Local Area Plan.

**Chief Executive's Response:** It is recognised that Dublin Airport is a public transit hub and that passengers travelling to and from the Airport can currently access the Airport via coach and bus services. Any local residents who wish to access coach services to other parts of the Country from Dublin Airport can do so via existing bus routes travelling to Dublin Airport. Objective MT13 of the Draft Plan (including proposed material alteration PA CH 7.18) states that the Council will:

*Support TII and the NTA in developing a revised design of the proposed new Metro North that addresses the needs of the Swords-Airport-City Centre corridor, environmental sensitivities and securing permission from An Bord Pleanála.*

It is important that accessibility to and from the Airport is protected and enhanced. The delivery of the proposed new Metro North will further improve transportation links between the Airport, Swords and Dublin City enhancing the role of the Airport within Fingal. Objectives DA22 to DA25 of the Draft Plan relate to the protection and enhancement of public transport facilities serving Dublin Airport. Objective DA23 seeks to: *'Encourage and facilitate the provision of an integrated public transport network to serve Dublin Airport.'*

It is not considered necessary to amend the proposed wording of Objective DA01 to reflect the need for additional public transport facilities at Dublin Airport and it is considered that this issue is adequately addressed within Objectives DA22 to DA25 inclusive.

Further, it should be noted that any application for development in association with Dublin Airport will be considered having regard to current policies in place, including relevant policy documents and government guidelines as part of the Development Management process.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.29

**Proposed Amendment:** Amend Objective DA09:

Ensure that aircraft-related development and operation procedures proposed and existing at the Airport ~~takes account and uses~~ **consider** all measures necessary to mitigate against the **possible potential** negative impact of noise from aircraft operations (such as taxiing, taking off and landing), on existing established residential communities, whilst not placing unreasonable

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restrictions on airport development, ~~and~~ taking into account EU regulation 598/2014 (or any future superseding EU regulation applicable) having regard to the 'Balanced Approach' and the involvement of communities in ensuring a collaborative approach to mitigating against noise pollution.

**Submissions Received:** A00031, A00036

**Summary of Issues:** One submission notes that the words 'takes account of and uses' should be retained. The DAA submission seeks clarity on the wording of Objective DA09 as the published amendments list two proposed versions of Objective DA09. This submission also proposes revised wording for Objective DA09 and requests the removal of PA CH 7.30.

**Chief Executive's Response:** The merits of the submission are noted however it should be noted that it is not within the full remit of the council to *'take account and use' all measures necessary to mitigate against the potential negative impact of noise from aircraft operations...* and that wording seeking to *'consider all measures necessary'* is more appropriate, having consideration to the governing regulations and associated bodies responsible for the implementation of same who are outside of the Council's remit. The term *'consider'* more appropriately reflects the role of the Development Plan as a tool to assess and consider future development proposals in the area.

In terms of operations at Dublin Airport, the new Dublin Airport Local Area Plan to be prepared in the context of impending legislative updates will provide the principal development management tool for the airport area and will specify the long-term disposition and mix of uses within the designated area together with infrastructural development necessary to support these uses. It is considered that issues including noise, pollution, drainage, flooding and noise zones, are more suitably dealt with by way of detailed specialised assessments to be prepared in the context of a comprehensive LAP review.

In response to the submission seeking clarity on the wording of Objective DA09, it should be noted that there are two separate material amendments proposed to the wording of Objective DA09, which have been displayed as such - i.e PA CH 7.29 and PA CH 7.30. Both material amendments propose changes to the wording of Objective DA09. If the Development Plan is made with both of the proposed Material Alterations as displayed, the wording of Objective DA09 would now read as follows:

*'Objective DA09*

*Ensure that aircraft-related development and operation procedures proposed and existing at the Airport ~~takes account and uses~~ consider all measures necessary to mitigate against the ~~possible potential~~ negative impact of noise from aircraft operations such as taxiing, taking off and landing, on existing established residential communities, ~~whilst not placing unreasonable restrictions on airport development, and taking into account EU regulation 598/2014~~ while not placing unreasonable, but allowing reasonable restrictions on airport development to prevent detrimental effects on local communities, taking into account EU Regulation 598/2014 (PA CH7.30) (or any future superseding EU regulation applicable) having regard to the 'Balanced Approach' and the involvement of (PA CH7.29) ~~to involve~~ communities in ensuring a collaborative approach to mitigating against noise pollution.'*

The wording of the above Objective DA09 (with the proposed material alterations), is considered appropriate and it is not considered necessary to further amend the wording as requested in the submission received. It is therefore not considered necessary to delete PA CH 7.30 in this regard, as both amendments relate to proposed changes to the wording of Objective DA09.

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**Recommendation:** Further to the above response, it is recommended that the Development Plan be made with the proposed Material Alterations to Objective DA09 as displayed within PA CH 7.29 and PA CH 7.30.

## CHAPTER 7

### Proposed Amendment CH 7.30

**Proposed Amendment:** Amend Objective DA09 to read as:

Ensure that aircraft-related development and operation procedures proposed and existing at the Airport takes account and uses all measures necessary to mitigate against the possible negative impact of noise from aircraft operations such as taxiing, taking off and landing, on existing established residential communities, ~~whilst not placing unreasonable restrictions on airport development and taking into account EU regulation 598/2014~~ while not placing unreasonable, but allowing reasonable restrictions on airport development to prevent detrimental effects on local communities, taking into account EU Regulation 598/2014 to involve communities in ensuring a collaborative approach to mitigating against noise pollution.

**Submissions Received:** A00036

**Summary of Issues:** Clarity is sought on the wording of Objective DA09 as the published amendments list two proposed versions of Objective DA09. This submission also proposes revised wording for Objective DA09 and requests the removal of PA CH 7.30.

**Chief Executive's Response:** In response to the DAA submission seeking clarity on the wording of Objective DA09, it should be noted that there were two separate material amendments proposed to the wording of Objective DA09, which have been displayed as such - i.e. PA CH 7.29 and PA CH 7.30. Both material amendments propose changes to the wording of Objective DA09. If the Development Plan is made with both of the proposed Material Alterations as displayed, the wording of Objective DA09 would now read as follows:

*'Objective DA09*

*Ensure that aircraft-related development and operation procedures proposed and existing at the Airport ~~takes account and uses~~ consider all measures necessary to mitigate against the ~~possible~~ potential negative impact of noise from aircraft operations such as taxiing, taking off and landing, on existing established residential communities, ~~whilst not placing unreasonable restrictions on airport development, and taking into account EU regulation 598/2014~~ while not placing unreasonable, but allowing reasonable restrictions on airport development to prevent detrimental effects on local communities, taking into account EU Regulation 598/2014 (PA CH7.30) (or any future superseding EU regulation applicable) having regard to the 'Balanced Approach' and the involvement of (PA CH7.29) ~~to involve~~ communities in ensuring a collaborative approach to mitigating against noise pollution.'*

The wording of the above Objective DA09 (with the proposed material alternations), is considered appropriate and it is not considered necessary to further amend the wording as requested in the DAA submission received. It is therefore not considered necessary to delete PA CH 7.30 in this regard, as both amendments relate to proposed changes to the wording of Objective DA09.

**Recommendation:** Having consideration to the above response, it is recommended that the Development Plan be made with the proposed Material Alterations to Objective DA09 as displayed within PA CH 7.29 and PA CH 7.30.

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## CHAPTER 7

### Proposed Amendment CH 7.31

**Proposed Amendment:** Amend Objective DA11:

Review the operation of the Noise Zones on an ongoing basis in ~~light of the EU Directive on Environmental Noise~~ line with the most up to date legislative frameworks in the area, the ongoing programme of noise monitoring in the vicinity of the Airport flight paths, and the availability of improved noise forecasts.

**Submissions Received:** A00008

**Summary of Issues:** The above submission contends that the noise contour map overlaid for the new runway at Dublin Airport appears to be a copy of the existing Southern Runway noise contour map and that this is incorrect. The submission notes that under the International Civil Aviation Organisation (ICAO) Annex 14 safety rules for parallel runways that are less than 2km apart all departing aircraft must diverge by a total of 15 degrees. This is not reflected in the current map. It is noted that the proposed divergence flight paths were only published by the DAA at their recent NORTH Runway consultation are only draft as it is now the IAA who are to appointed as the Competent Authority under EU Regulation 598/14 who will finalise the maps . It is a concern that the Council is without this knowledge of the new contour maps arising from the 15 degree divergence and the submission questions how Fingal an currently make planning decisions on land that could be under the flight paths.

**Chief Executive's Response:** It should be noted that noise contour mapping associated with new runway at Dublin Airport forms part of separate process associated with grant of planning permission An Bord Pleanála Reference Number: PL 06F.217429. Notwithstanding this, it is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

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**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7 Proposed Amendment CH 7.32

**Proposed Amendment:** Amend Objective DA14:  
Review Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones ~~for Dublin Airport.~~

**Submissions Received:** A00036

**Summary of Issues:** This submission requests a review of the public safety zones (PSZ) at the airport and to implement Government policy in this respect. It is requested that the existing PSZ's remain valid until any such update, and that Objective DA14 does not become a barrier to growth in the interim. Changes to the wording of Objective DA14 are proposed in the submission.

**Chief Executive's Response:** It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

It is considered that the wording of the proposed material amendment to Objective DA14, which seeks to review public safety zones associated with Dublin Airport and implement Government policies in relation to same, is considered appropriate and adequately addresses the issues raised in the submission received.

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**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7 Proposed Amendment CH 7.34

**Proposed Amendment:** Amend Objective SW01:  
Protect and enhance the County's floodplains, wetlands and coastal areas subject to flooding as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future **and ensure that development does not impact on important wetland sites within river / stream catchments.**

**Submissions Received:** A00058

**Summary of Issues:** This supports the inclusion of PA CH 7.34.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of the above sentence is noted.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7 Proposed Amendment CH 7.35

**Proposed Amendment:** Amend Objective SW04:  
Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques for new development or for extensions to existing developments, **in order to reduce the potential impact of existing and predicted flooding risks.**

**Submissions Received:** A00036

**Summary of Issues:** This submission requests the addition of the words 'where appropriate' to this objective so that developments in the vicinity of the airport may be assessed. It is noted that standing open water can be a bird attractant and hence aviation hazard in the vicinity of the airport and that these developments must therefore be assessed on a case by case basis.

**Chief Executive's Response:** The proposed material amendment (PA CH 7.35) to Objective SW04 reads as follows:

*Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques for new development or for extensions to existing developments, **in order to reduce to the potential impact of existing and predicted flooding risks.***

This submission seeks to modify the wording of Objective SW04 with the inclusion of the words 'where appropriate', to ensure that developments at the Airport can be assessed accordingly. It is accepted that standing open water can be a bird attractant and hence aviation hazard. The proposed Objective would read as follows:



# PART TWO

## Objective SW04

Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques *where appropriate* for new development or for extensions to existing developments, *in order to reduce the potential impact of existing and predicted flooding risks.*

It is recommended that the Council accept this minor modification.

**Recommendation:** It is recommended that the Development Plan be made with the modification to the proposed material alteration, to include the words '*where appropriate*' in Objective SW04:

Amend Objective SW04:

Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques *where appropriate* for new development or for extensions to existing developments, *in order to reduce to the potential impact of existing and predicted flooding risks.*

## CHAPTER 7

### Proposed Amendment CH 7.37

**Proposed Amendment:** Amend the last sentence of the first paragraph of Section 7.3 (Energy): Modern societies consume huge amounts of energy to heat homes and cool homes and offices, fuel transport systems, power industry and generate electricity. Ireland's island location on the edge of Europe accentuates the need for secure and continuous energy supplies. Despite a reduction in energy consumption in recent times, Ireland still spends a significant amount of money on energy imports. *International EU, and national policies all work for a rapid transition to a much more energy-efficient society relying on sustainable renewable energy sources. This transition also leads to increased use of indigenous resources and increased security of supply.*

**Submissions Received:** A00043

**Summary of Issues:** This submission seeks to amend the last sentence of the first paragraph of Section 7.3 (Energy and Climate Change). It is recommended that the words 'and demand for' are included within the last line of the proposed material alteration to the last sentence.

**Chief Executive's Response:** The submission recommends that the words 'and demand for' are included within the last line of the proposed material amendment, as follows:

*This transition also leads to increased use of and demand for indigenous resources and increased security of supply.*

It is considered that the proposed words are a modification to the proposed material alteration and it is recommended that the Council accept this minor modification.

**Recommendation:** It is recommended that the Development Plan be made with the modification to the proposed material alteration, to include the words '*and demand for*' in the last sentence of the first paragraph of Section 7.3 (Energy and Climate Change):

Modern societies consume huge amounts of energy to heat homes and cool homes and offices, fuel transport systems, power industry and generate electricity. Ireland's island location on the

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edge of Europe accentuates the need for secure and continuous energy supplies. Despite a reduction in energy consumption in recent times, Ireland still spends a significant amount of money on energy imports. [International EU, and national policies all work for a rapid transition to a much more energy-efficient society relying on sustainable renewable energy sources. This transition also leads to increased use of and demand for indigenous resources and increased security of supply.](#)

## CHAPTER 7

### Proposed Amendment CH 7.39

**Proposed Amendment:** Amend Objective EN02:

~~Undertake a Local Authority Renewable Energy Strategy (LARES)~~

Prepare a Climate Change Mitigation and Adaptation Strategy and a Local Authority Renewable Energy Strategy (LARES), Spatial Energy Demand Analysis (SEDA) and a Sustainable Energy Action Plan (SEAP).

**Submissions Received:** A00043, A00050

**Summary of Issues:** One submission supports the inclusion of PA CH 7.39. A submission on behalf of the EPA submission refers to PA CH 7.4, but the content relates to PA CH 7.39. This submission acknowledges the intention to prepare a Climate Change Mitigation and Adaptation Strategy and a LARES, SEDA and SEAP. It is suggested that the requirements of the EIA, SEA, Habitats, Floods and Water Framework Directives respectively should also be taken into account in undertaking the preparation of Plans and Strategies. It is also indicated that the EPA has recently published guidance '*Local Authority Adaptation Strategy Development Guidelines*' (EPA, 2016) to support local authorities develop local Climate Change Adaptation Strategies.

**Chief Executive's Response:** The contents of the submissions welcoming the inclusion of the above Objective are noted and the Planning Authority acknowledges the recently published EPA Guidelines relating to the preparation of local Climate Change Adaptation Strategies. The requirements of the EIA, SEA, Habitats, Floods and Water Framework Directives will be taken into account in undertaking the preparation of Plans and Strategies referred to in the proposed material alteration to Objective EN02 above.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 7

### Proposed Amendment CH 7.40

**Proposed Amendment:** Re-locate Objectives EN02 and EN03 to be included within the list of objectives under the 'Renewable Energy Section'.

[Objective EN02](#)

[Undertake a Local Authority Renewable Energy Strategy \(LARES\).](#)

**Submissions Received:** A00043

**Summary of Issues:** This supports the inclusion of PA CH 7.40 to relocate Objectives EN02 and EN03 to the 'Renewable Energy Section'.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of the above amendment are noted.

# PART TWO

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table – Chapter 7

<b>Proposed Amendment CH 7.2</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.3</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.4</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.6</b> be made with the proposed Material Alteration as displayed, subject to modifications
<b>Proposed Amendment CH 7.7</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.8</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.10</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.11</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.15</b> be made with the proposed Material Alteration as displayed, subject to modifications
<b>Proposed Amendment CH 7.16</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.21</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.23</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.25</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.27</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.29</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.30</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.31</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 7.32</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 7.34</b> be made with the proposed Material Alteration as displayed,
<b>Proposed Amendment CH 7.35</b> be made with the proposed Material Alteration as displayed subject to modifications
<b>Proposed Amendment CH 7.37</b> be made with the proposed Material Alteration as displayed subject to modifications
<b>Proposed Amendment CH 7.39</b> be made with the proposed Material Alteration as displayed,
<b>Proposed Amendment CH 7.40</b> be made with the proposed Material Alteration as displayed

# PART TWO

## CHAPTER 8 GREEN INFRASTRUCTURE

<b>CHAPTER 8</b> <b>Proposed Amendment CH 8.1</b>
<b>Proposed Amendment:</b> Insert new Objective GI: Support the implementation of the Fingal Heritage Plan in relation to the provision of Green Infrastructure.
<b>Submissions Received:</b> A00058
<b>Summary of Issues:</b> Support for the proposed amendment is expressed under the above submission.
<b>Chief Executive's Response:</b> The contents of the submission welcoming the inclusion of amendment are noted.
<b>Recommendation:</b> It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 8</b> <b>Proposed Amendment CH 8.2</b>
<b>Proposed Amendment:</b> Amend Objective GI09: Develop and implement a Green Infrastructure Strategy for Fingal in partnership with key stakeholders and the public, taking an ecosystem services approach to strategy development and public consultation.
<b>Submissions Received:</b> A00060
<b>Summary of Issues:</b> The submission suggests that Green Infrastructure should be sanity checked before construction to prevent unusable bike lanes being constructed such as between old N2 and N3 at Tyrrelstown.
<b>Chief Executive's Response:</b> The specific construction of bicycle lanes is a matter for the Operations Department of the Council and outside the remit of the Development Plan process. However, the amendment to this objective now includes for the Ecosystem Services Approach (ESA) and includes public consultation, where issues arising from past experiences can be raised.  Notwithstanding the above, the Draft Plan supports the provision of high quality cycle facilities and such infrastructure will be considered in detail as part of the implementation of the NTA's Cycle Network and within Fingal's Road Improvement Schemes, as detailed in Table 7.1. It should be noted that Objective MT09 (and proposed material amendments to the wording of same) seeks to promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport and states that the Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## Summary Table - Chapter 8

<b>Proposed Amendment CH 8.1</b> be made with the proposed Material Alteration as displayed.
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<b>Proposed Amendment CH 8.2</b> be made with the proposed Material Alteration as displayed.
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# PART TWO

## CHAPTER 9 NATURAL HERITAGE

<b>CHAPTER 9 Proposed Amendment CH 9.2</b>
<b>Proposed Amendment:</b> Insert new Objective NH: Support the implementation of the Fingal Heritage Plan in relation to the promotion and protection of Fingal's Natural Heritage.
<b>Submissions Received:</b> A00058
<b>Summary of Issues:</b> Support for the proposed amendment is expressed under the above submission.
<b>Chief Executive's Response:</b> The contents of the submission welcoming the inclusion of amendment are noted.
<b>Recommendation:</b> It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 9 Proposed Amendment CH 9.3</b>
<b>Proposed Amendment:</b> Insert new Objective NH: Consider developing a Natural Heritage Trail or Trails to support raising awareness about these natural assets amongst the public.
<b>Submissions Received:</b> A00058
<b>Summary of Issues:</b> Support for the proposed amendment is expressed under the above submission.
<b>Chief Executive's Response:</b> The contents of the submission welcoming the inclusion of amendment are noted.
<b>Recommendation:</b> It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

<b>CHAPTER 9 Proposed Amendment CH 9.5</b>
<b>Proposed Amendment:</b> Include the following text: <b>Dublin Bay Biosphere Reserve</b> Biosphere Reserves are places where nature and people connect. They are areas which are internationally recognised for their biological diversity yet also actively managed to promote a positive relationship between people and nature. The Dublin Bay Biosphere Reserve is a special designation awarded by the United Nations Educational, Scientific and Cultural Organisation (UNESCO). It is part of a global network of 651 Biosphere Reserves in 120 countries. In 2015 UNESCO expanded the North Bull Island Biosphere designation to include Dublin Bay, reflecting its significant environmental, economic, cultural and tourism importance. The Biosphere now extends to over 300 km <sup>2</sup> , with over 300,000 people living within the newly enlarged Biosphere. The Biosphere designation does not add or detract from the regulatory framework already in

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place for the Bay but is designed to assist stakeholders in finding sustainable solutions to the management of the Bay which ensure good outcomes for both people and nature.

**Submissions Received:** A00058

**Summary of Issues:** Support for the proposed amendment is expressed under the above submission.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of amendment are noted.

**Recommendation:** It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 9 Proposed Amendment CH 9.6

**Proposed Amendment:** Insert new Objective NH:  
*Consider Baldoyle jointly with Portmarnock for a Special Amenity Order.*

**Submissions Received:** A00058

**Summary of Issues:** Support for the amendment is set out however the submission suggests that the words 'consider' be replaced with 'actively promote' in order to afford the same level of protection as is afforded to Howth which is protected by a SAO.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of amendment are noted.

**Recommendation:** Having given consideration to the above, it is recommended that the Development Plan be made the proposed Material Alteration as displayed.

## CHAPTER 9 Proposed Amendment CH 9.8

**Proposed Amendment:** Include an additional paragraph:  
*The natural assets of the coastline including beaches are important economic assets particularly for tourism. They are also valuable amenity resources with significant recreational importance and public health benefits.*

**Submissions Received:** A00060

**Summary of Issues:** The submission requests that when the Council is aware of water pollution in the sea near non-monitored beaches, advice as to the water quality issues should be published at the coast.

**Chief Executive's Response:** The contents of the submission are acknowledged and in this regard it should be noted that communication of such information is a matter for the Environment Department of the Council and outside the remit of the Development Plan process. Fingal County Council's website provides updates of issues of public health, where appropriate.

Fingal County Council remains committed to ensuring its citizens are informed of all issues

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relating to public health matters, through various media outlets such as its own website, and social media accounts but also local and national radio, as considered necessary.

Notwithstanding the above, it is considered that the content of objective NH65 in the Draft Development Plan, set out below, provides the relevant Development Plan planning policy context to this issue.

**Objective NH65 states:**

*Protect bathing waters, including those listed in the Water Framework Directive Register of Protected Areas for the Eastern River Basin District, at Sutton, Portmarnock, Malahide, Donabate, Portrane, Rush, Loughshinny, Skerries and Balbriggan in order that they meet the required bathing water standards and implement the findings and recommendations of the Quality of Bathing Water in Ireland reports as published.*

**Recommendation:** Having given consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 9 Proposed Amendment CH 9.9

**Proposed Amendment:** Amend Objective NH61:  
Plan and develop the Fingal Coastal Way from north of Balbriggan to **Kilbarrack** taking full account of the need to protect the natural and cultural heritage of the coast and the need to avoid significant adverse impacts on European Sites, other protected areas and species protected by law.

**Submissions Received:** A00058

**Summary of Issues:** Support for the proposed amendment is expressed under the above submission.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of amendment are noted.

**Recommendation:** It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 9 Proposed Amendment CH 9.10

**Proposed Amendment:** Amend Objective NH64:  
Protect beaches, ~~access to beaches~~ and ~~designated~~ bathing areas as valuable local amenities and as a tourism resource **and support the maintenance, protection and improvement of access to them.**

**Submissions Received:** A00058

**Summary of Issues:** Support for the proposed amendment is expressed under the above submission.

**Chief Executive's Response:** The contents of the submission welcoming the inclusion of amendment are noted.



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**Recommendation:** It is recommended the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table – Chapter 9

<b>Proposed Amendment CH 9.2</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 9.3</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 9.5</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 9.6</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 9.8</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 9.9</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 9.10</b> be made with the proposed Material Alteration as displayed

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## CHAPTER 10 CULTURAL HERITAGE

<b>CHAPTER 10</b> <b>Proposed Amendment CH 10.2</b>
<p><b>Proposed Amendment:</b> Insert new Objective CH: Support, in accordance with CH21, the development of an integrated tourism and recreational complex on Abbeyville Demesne, incorporating facilities which may include: Hotel / Conference Centre, Golf Course, Fitness Centre and at least one other extensive tourist/recreational facility. A strictly limited number of dwelling units, grouped in a courtyard type configuration, the majority of which shall be reserved for tourism use may be considered. The nature and extent of the facilities to be provided shall be determined primarily by the need to conserve and rehabilitate the house and its surroundings, which are of major architectural importance, and the special landscape character and heritage features of the demesne.</p>
<p><b>Submissions Received:</b> A00031, A00036, A00040, A00062</p>
<p><b>Summary of Issues:</b> The above submissions raise a number of issues for consideration in respect of Proposed Amendment CH 10.2 which can be summarised as follows;</p> <ul style="list-style-type: none"><li>- Suggested that all dwellings in the integrated tourism /recreational complex should be reserved for tourism use or for employee use.</li><li>- Amendment sought to include reference to partial location of site within Outer Airport Noise Zone and Outer Public Safety Zone.</li><li>- Amendment sought to include a new objective to cover Beech Park House.</li></ul>
<p><b>Chief Executive's Response:</b> The contents of the submission welcoming the inclusion of this amendment are noted. In this regard Abbeville Demesne lands have a significant heritage and planning history. Abbeville house is a Protected Structure (RPS Ref. 452) of national importance. It is the work of renowned architects and was also the home of historically important figures from the 18th century through to the early 21st century. The house and lands forming the demesne are designated as an Architectural Conservation Area (ACA), with historic woodlands and other natural and manmade features and landscape features. Since the beginning of this century the demesne has gone through a transition period, during which it temporarily lost its integrity and occupancy such that the condition of the house, buildings, woodlands and demesne features have dis-improved. To facilitate the protection of Abbeville a further objective (in addition to CE CH 6.12) is also recommended in the Chief Executive's Report at CE CH 6.11 which refers to Abbeville as follows, <i>'the existing building complex is very extensive and accommodates a number of structures and attractive buildings in an extensive demesne type landscape. It is an exceptional site which, in the event of it no longer being suitable for residential use, could be reused to provide for future tourism, amenity and other recreational needs within the County. There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource. The nature and extent of the facilities to be provided shall be determined primarily by the need to conserve the house and its surroundings, which are of major architectural importance, and the special landscape character and heritage features of the demesne'</i>.</p> <p>There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource. The nature and extent of the facilities to be provided should be determined primarily by the need to conserve the house and its surroundings, which are of major architectural importance, and the special landscape character and heritage features of the demesne. Unless there is substantial investment based on a viable future business plan and</p>

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protection through occupation and use, the integrity of the demesne and all of its elements are potentially at risk. In the interest of the protection of the architectural and cultural heritage of the County, which includes providing for the reuse and rehabilitation of Abbeville, it is considered that the policy as proposed under Proposed Amendment CH 10.12, is necessary to allow for flexibility in facilitating mechanisms to ensure the optimal re-use and refurbishment of the complex and the special landscape character and heritage features of the demesne.

In summary, it is considered that the wording of the proposed amendment under CH 10.2 is appropriate to the special needs of the protected structure and of the Architectural Conservation Area (ACA) that form the Abbeville demesne.

In terms of Noise and Public Safety Zones it should be noted that Abbeville is located in the Outer Airport Noise Zone and the Outer Public Safety Zone. Objectives DA11 and DA14 and their associated proposed amendments PA CH 7.31 and PA CH 7.32 commit to the review of noise and safety zones in line with most up to date legislative frameworks. Specific objectives are also contained in Chapter 7, Section 7.1 Transportation, subsection Dublin Airport, in relation to noise and safety, with regard to how proposed development will be dealt with in these zones. All planning applications for Abbeville will be assessed having regard to the specific objectives relating to the airport noise zones and public safety zones and accordingly, having consideration to the above, additional amendment is not considered necessary. The relationship between all relevant zoning objectives, local objectives and designations relating to Abbeville, including both the outer airport noise zone and the outer public safety zone, are expressed on Fingal's Development Plan mapping and its associated policies. All relevant Development Plan objectives are assessed through the development management process as part of any proposed development proposal at this location, including those regarding noise and public safety.

Beech Park House has been recognised for inclusion in Chapter 6, Section 6.9, subsection Integrated Tourism Complexes, by the additional text proposed under PA CH 6.10. The broad vision for Beech Park House is for a suitably scaled integrated tourism and recuperative centre. While the merits of the submission are acknowledged, it is considered that site specific proposals for the overall site are more appropriately dealt with through the development management process. In this regard additional modifications are not recommended.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 10

### Proposed Amendment CH 10.3

**Proposed Amendment:** Amend Objective CH34:  
Sensitively design, locate and rationalise modern street furniture and elements such as utility boxes, cables, posts, antenna and signage. [Seek to negotiate protocols with utility companies regarding the upkeep of utility units throughout Fingal.](#)

**Submissions Received:** A00060

**Summary of Issues:** The submission requests that consideration be given to a scheme allowing local artists paint utility boxes.

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**Chief Executive's Response:** The merits of the submission are acknowledged however it is considered such protocols are best addressed through the Development Management process in accordance with Objective DMS19, which sets out to 'require new utility structures such as electricity substations and telecommunication equipment cabinets to be of a high quality design and to be maintained to a high standard by the relevant service provider'.

While the merits of this submission are noted, it is considered that such initiatives are best developed in conjunction with the Fingal Arts office, and/or Fingal Architects section.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## Summary Table – Chapter 10

**Proposed Amendment CH 10.2** be made with the proposed Material Alteration as displayed

**Proposed Amendment CH 10.3** be made without the proposed Material Alteration as displayed.

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## CHAPTER 11 LAND USE ZONING OBJECTIVES

<b>CHAPTER 11</b> <b>Proposed Amendments CH 11.1 &amp; CH 11.2</b>	
<b>Proposed Amendment: CH 11.1 is as follows:</b>	Insert new text at end of paragraph 1: Masterplans will be subject to a public consultation process and presentation to the Elected Members of the Planning Authority for agreement.
<b>Proposed Amendment: CH 11.2 is as follows:</b>	Insert new text at end of paragraph 2: These plans are subsidiary to their parent plan (i.e. Local Area Plan, County Development Plan) and their associated zoning strategies and objectives.
<b>Submissions Received:</b>	A00016, A00028, A00039, A00063
<b>Summary of Issues:</b>	Proposed Amendments CH 11.1 and CH 11.2 are intrinsically linked and will be taken together for the purposes of this report.  Notwithstanding the proposed amendments in relation to Masterplans as set above, concern is expressed that the Masterplan concept still remains unclear with regard to the process/phases of the Masterplan including, the nature of preparation, nature of the public consultation stage including whom will be consulted, nature of agreement by elected members and the subsequent implementation phases of Masterplans. Clarity is required regarding these issues of concern. In particular, it is noted that the promotion of non-statutory Masterplans without agreed consultation and liaison by the Local Authority with bodies such as TII and in the absence of strategic transport evidence based requirements is considered inappropriate and could lead to substantial risks for future development investment. Full and active participation and consultation by statutory agencies in the preparation of Masterplans is required.  An amendment is proposed in relation to CH 11.1 as cited above whereby Masterplans shall be subject to a public consultation process, presentation to and agreement by Elected Members unless where there is an existing extant permission or agreed LAP/Masterplan.
<b>Chief Executive's Response:</b>	The existing Fingal Development Plan outlines a range of planning documents for different areas. These include Local Area Plans, Urban Centre Strategies, Urban Centre Studies, Masterplans, Landscape Masterplans, Recreational Strategies, Gateway Strategies, Management Plans and Feasibility Studies. The Draft Fingal Development Plan proposes to rationalize and make consistent the type of planning documents which will be produced in the future. There are 42 no. LAPs identified in the Fingal Development Plan, 2011 – 2017. There are 19 identified in the Draft Fingal Development, which is significantly less than previously proposed in the 2011-2017 Development Plan.  The Draft Plan gives a statutory framework to all proposed plans and strategies through a number of objectives. These objectives give the proposed plans and strategies the necessary statutory context. (Objectives PM08, 09, 10, 14, 15 & ED84, 85, 86, 88, 93, 94, 97 & 100 refer).  The decision as to whether to prepare an LAP in a sub-threshold context or include specific objectives in a Development Plan is considered to be a matter for the Planning Authority. However, such a decision would normally take on board various criteria, such as the degree to which major development is anticipated so as to justify the preparation of a standalone LAP, the resource implications within Council Departments and the need to focus resources in using the LAP process specifically for areas where major alterations to the built environment are anticipated.

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Masterplans will be prepared by the Council to give guidance on specific development proposals working within the relevant Development Plan or LAP parameters. As long as such documents work within defined policy and objective parameters of the relevant plan and do not set new policies or objectives outside the statutory process for defining such content, their usage is considered to be both appropriate and complementary to the Development Plan.

From the non-statutory background data gathering process to the statutory process as set out in the legislation with its various elements of statutory notices, issues papers, draft, amended draft and final documents, the preparation of a LAP is an extremely resource intensive process on the Planning Department. Within this context, and having regard to the discretion available to the Planning Authority in deciding on the appropriateness of applying the requirement for a LAP or a Masterplan, the Draft Plan seeks the requirement for a Masterplan on certain lands where it is considered that the same vision and objectives can be achieved in a more efficient and expedient manner than applying the formal LAP 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 Fingal Development Plan identifies key sites that will require the preparation of approved Masterplans and subsequent planning applications will be required to adhere to the approved Masterplans.

Masterplans will be subject to a public consultation process and presentation to the Elected Members of the Planning Authority for their agreement. Fingal County Council is firmly committed to active engagement and consultation with the relevant statutory agencies and stakeholders, including the TII and the NTA in the preparation of Masterplans. Such consultation/engagement is explicitly promoted through Objective PM09 of the Draft Plan relating to the preparation of Masterplans. The purpose of this public consultation process is to add robustness to the Masterplan process, to ensure compliance with the relevant policies and objectives of the Fingal Development Plan as adopted and to reflect feedback from the various statutory agencies and relevant stakeholders in the agreed Masterplan. The Planning Authority considers Masterplans as an effective means of guiding new development and providing essential social and infrastructure in a phased and sustainable manner. The provisions of an agreed Masterplan including phasing arrangements will be implemented through the Development Management Process.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the Proposed Amendments CH 11.1 and CH 11.2 as displayed.

## CHAPTER 11 Proposed Amendment CH 11.3

**Proposed Amendment:** Amend Section 11.5:

Throughout the County there are uses which do not conform to the zoning objective of the area. These are uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are unauthorized but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted ~~within the existing curtilage of the development and~~ subject to normal planning criteria.

**Submissions Received:** A00036

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**Summary of Issues:** It is requested that Proposed Amendment CH 11.3 be amended to include 'long term non-conforming uses'.

**Chief Executive's Response:** In the interests of clarity, Section 11.5 of the Draft Plan specifically caters for those uses which do not conform to the zoning objective of the area and includes uses which were in existence on 1st October 1964, or which have valid planning permissions, or which are unauthorized but have exceeded the time limit for enforcement proceedings. Reasonable intensification of extensions to and improvement of premises accommodating these uses will generally be permitted subject to normal planning criteria. It is considered that the essence of the submission request is already catered for within Section 11.5 as set out above.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 11 Proposed Amendment CH 11.5

Proposed Amendment: Insert new note in relation to the 'DA' Dublin Airport zoning objective:  
**Note:** The extent to which the Dublin Airport LAP relates is set out under the 'DA-Dublin Airport' zoning and includes any associated lands identified as part of the designation of airport noise zones, noise contours, airport approach areas, public safety zones or other zones identified as necessary for designation in order to maintain or increase the quality of life of neighbouring communities and foster compatibility between aviation activities and residential areas.

**Submissions Received:** A00036

**Summary of Issues:** It is requested that the 'DA' - Dublin Airport zoning objective be amended to include existing permitted long-term car parks.

**Chief Executive's Response:** The extent and location of car parking facilities should be assessed on an ongoing basis in line with existing and expected public transport improvements (including Metro North as set out in the Capital Investment Plan) and modal split initiatives to reduce the demand for long term, short term and employee car parking spaces at Dublin airport. In this regard, Objective DA22 of the Draft Plan seeks to 'Control the supply of car parking at the airport so as to maximise as far as is practicable the use of public transport by workers and passengers and to secure the efficient use of land.' Accordingly, it is considered that the existing zoning of the lands associated with the car park areas identified facilitates their existing use and it is not considered that an amendment of the zoning objective would be of any further benefit in the context of their long term use for car parking. Recognition of the areas as established car parking facilities associated with the airport are included in the Plan under Proposed Amendments SH 11.5 and SH 11.6.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 11 Proposed Amendment CH 11.8

**Proposed Amendment:** Amend Retail Warehouse Zoning vision:  
Facilitate the sale of bulky goods/goods in bulk within high quality settings and highly accessible locations, with an emphasis on exemplar sustainable design and aesthetic quality.

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**Submissions Received:** A00016, A00041 (A00065)

**Summary of Issues:** Two additional submissions have been made in relation to this amendment. The submission from the NTA also relates to this amendment.

The NTA notes significant concerns with PA CH 11.8 and other retail related amendments and have concerns that such a change would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing. It is further stated that such a unilateral change to the zoning matrix is not conducive to the proper planning or sustainable development of either Fingal County Council or the Greater Dublin Area.

The submission from the TII raises concerns that the proposed amendment, together with a number of other retail related amendments, will allow for premises which sell "goods in bulk" and include for the uses, "Retail Warehouse Club", "Retail Hypermarkets > 5000-sqm" and "Retail-Factory Outlet Centre" to be dealt with in case by case manner in all areas zoned "Retail Warehouse" in the land use zoning matrix of the Development Plan. Therefore these retail uses may be accommodated in any lands zoned and/or proposed "Retail Warehouse" subject to individual development management practises on a case by case basis. The TII has concerns that the provision of such uses for reason of unsustainable traffic generation and an adverse impact on the national road network. It is noted the proposed scale and typology of these forms of retail development types will impact on efficiency and safety of the national road network and in particular the M50 junctions and need to be carefully planned and managed. Also given the bulky nature of the goods sold at these developments, it's potential to draw a regional / national catchment and the car parking requirement envisaged, it is expected that the vast majority (if not all) of the patrons will arrive by car or light goods vehicles. Traffic flows will typically, but not limited to, be highest on a Friday and Saturday and it is expected that a high proportion of the traffic to the development is likely to utilise the national road network to access the site. The TII considers these amendments will set an undesirable precedent within the planning authority area and therefore requests that this element of these amendments is omitted.

The second submission received in relation to this amendment also links PA 11.8 with other retail related amendments and considers all are intrinsically linked. Of particular relevance to this Proposed Amendment, the submissions note if retail warehousing is to be considered, then the discussion must be limited to sale of "bulky goods" (and not "goods in bulk" as now proposed and certainly not for the sale of food/ convenience goods).

The submission considers the proposed material alterations relating to retail should be rejected for the following main reasons:

- The submission contends that the inclusion of a 'Retail Warehouse Club' on lands zoned for 'Retail Warehousing' is a contradiction in terms. 'Retail Warehouse Clubs' are not 'Retail Warehouses' and cannot sell food/convenience goods.
- There is presumption in the 2012 RPG's against additional 'Retail Warehousing' development [Section 3.8] The RPGs have omitted the category of 'Warehouse Clubs' or 'Retail Warehouse Clubs' from the Guidelines. No evidence based approach reflecting the sequential approach, assessments relating to current consumer demand/expenditure trends, the need to avoid the over-supply retail floor space in out of centre locations nor impacts on existing retailers and their long term viability has been provided that would warrant a departure from this policy position. Therefore, the proposed material alterations relating to retail warehousing are contrary to national retail guidance. The legality of such proposed material alterations relating to retail warehousing are also challenged in this submission in the context of compliance with the RPG's.



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The submission further contends that it is not necessary to make special provision

- in the Fingal Development Plan for a 'Retail Warehouse Club' as the RPG's provide clear guidance in relation to new retail development and any planning application for such a use should be made in the same way as any other retail format and should be assessed against normal criteria for assessing planning applications.
- 'Retail Warehouse Club' insofar as the concept exists in planning terms, is not Retail warehousing.
- If retail warehousing is to be considered, then the discussion must be limited to sale of 'bulky goods' and not goods in bulk as now proposed and certainly not for the sale of food/convenience goods.
- The proposed material alterations which facilitate a type of development which relies on car borne transport on a site located adjacent to the motorway network is contrary to Government policy on Spatial Planning and National Roads-Guidelines for Planning Authorities and various other policy sources that promotes best practice in sustainable land use and transportation. This is addressed in the recommendation relating to PA CH 6.5.
- The proposed definition under Proposed Amendment APP 1 relating to a retail warehouse club is unclear and ambiguous, it would appear to lend itself towards the sale of smaller goods, removes reference to 'predominantly to the trade', reflecting the fact that the retail customer is the core part of the business, does not provide certainty as to who or what organisations and classes of individuals are involved and does not provide clarity as to whether it is intended to allow food/convenience goods sales.
- On this basis, the submission requests that Fingal County Council rejects the proposed material alterations proposed.

**Chief Executive's Response:** The submissions are acknowledged.

As indicated in earlier parts of this Report, the Guidelines for Planning Authorities – Retail Planning were updated by the then Department of Environment, Community and Local Government in 2012. The Guidelines are aimed at ensuring that the planning system continues to play its role in supporting competitiveness and choice in the retail sector.

The Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses. As outlined in Proposed Amendment 6.5 and its CE recommendation for a further amendment, any application for this type of development will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines.

Having regard to this and to the diverse and ever-evolving retail industry, it is appropriate to expand the vision for this zoning. This will allow more a more flexible strategic approach to retailing in Fingal.

Having regard to the issues raised in the second submission outlined above, that do not specifically relate to this Proposed Alteration, the following is noted:

- It is proposed that retail warehouse clubs are open for consideration on lands zoned retail warehousing. The provision of retail warehouse clubs on these lands are a natural fit and will integrate well and complement with other uses permitted within this zoning objective.
- The Retail Planning Guidelines allow for and acknowledge there is evidence of demand for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. The proposed material alterations, with modifications reflect this national policy.
- The Fingal Development Plan makes provision for numerous types of retail formats. All

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applications will be required to comply with the policy of the Development Plan and any national policy, i.e. the Retail Planning Guidelines.

- Appendix 4 of the Development Plan comprises technical guidance notes which have been developed to provide guidance to the particular use class as it relates to the Development Plan. In some instances an existing legal or dictionary definition has been appropriate to use or adapt. This outlines a separate definition for retail warehouse club and retail warehouse.
- Any applications for development within the retail warehouse zoning will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines, both of which require detailed traffic impact assessments.
- In relation to the definition of retail warehouse club, there is no longer a definition in the national Guidelines and it is considered appropriate to adapt the previously accepted definition as proposed. It is noted while the Department Guidelines are currently silent on this issue, it would be remiss of Fingal County Council to omit any definition for this land use. These guidance notes and definitions do not purport to provide legal definition and in some instances, because of their context, may differ from a general understanding of the relevant word or term.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 11

### Proposed Amendment CH 11.9

**Proposed Amendment:** Delete the use 'Retail Warehouse Club' from the 'Not Permitted' category within the RW -Retail Warehouse zoning objective.

**Submissions Received:** A00016, A00034, A00041 (A00065)

**Summary of Issues:** Three additional submissions have been made in relation to this amendment. The submission from the NTA also relates to this amendment.

The NTA note significant concerns with PA CH 11.9 and other retail related amendments, and have concerns that such a change would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing. It is further stated that such a unilateral change to the zoning matrix is not conducive to the proper planning or sustainable development of either Fingal County Council or the Greater Dublin Area.

The submission from the TII raises concerns that the proposed amendment, together with a number of other retail related amendments, will allow for premises which sell "goods in bulk" and include for the uses, "Retail Warehouse Club", "Retail Hypermarkets > 5000-sqm" and "Retail-Factory Outlet Centre" to be dealt with in case

by case manner in all areas zoned "Retail Warehouse" in the land use zoning matrix of the Development Plan. Therefore these retail uses may be accommodated in any lands zoned and/or proposed "Retail Warehouse" subject to individual development management practises on a case by case basis. The TII has concerns that the provision of such uses for reason of unsustainable traffic generation and an adverse impact on the national road network. It is noted the proposed scale and typology of these forms of retail development types will impact on efficiency and safety of the national road network and in particular the M50 junctions and need to be carefully planned and managed. Also given the bulky nature of the goods sold at these developments, it's potential to draw a regional / national catchment and the car parking requirement envisaged, it is expected that the vast majority (if not all) of the patrons will arrive

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by car or light goods vehicles. Traffic flows will typically, but not limited to, be highest on a Friday and Saturday and it is expected that a high proportion of the traffic to the development is likely to utilise the national road network to access the site. The TII considers these amendments will set an undesirable precedent within the planning authority area and therefore requests that this element of these amendments is omitted.

One submission received argues Retail Warehouse clubs as proposed are contrary to the proper and sustainable planning and development of Fingal and should not be permitted. These should only be permitted where a genuine Co-Operative model is in place.

The third submission received in relation to this amendment also links PA 11.9 with other retail related amendments and considers all are intrinsically linked. The submission considers the proposed material alterations relating to retail should be rejected for the following main reasons:

- The submission contends that the inclusion of a 'Retail Warehouse Club' on lands zoned for 'Retail Warehousing' is a contradiction in terms. 'Retail Warehouse Clubs' are not 'Retail Warehouses' and cannot sell food/convenience goods.
- There is presumption in the 2012 RPG's against additional 'Retail Warehousing' development [Section 3.8] The RPGs have omitted the category of 'Warehouse Clubs' or 'Retail Warehouse Clubs' from the Guidelines. No evidence based approach reflecting the sequential approach, assessments relating to current consumer demand/expenditure trends, the need to avoid the over-supply retail floor space in out of centre locations nor impacts on existing retailers and their long term viability has been provided that would warrant a departure from this policy position. Therefore, the proposed material alterations relating to retail warehousing are contrary to national retail guidance. The legality of such proposed material alterations relating to retail warehousing are also challenged in this submission in the context of compliance with the RPG's.
- The submission further contends that it is not necessary to make special provision in the Fingal Development Plan for a 'Retail Warehouse Club' as the RPG's provide clear guidance in relation to new retail development and any planning application for such a use should be made in the same way as any other retail format and should be assessed against normal criteria for assessing planning applications.
- 'Retail Warehouse Club' insofar as the concept exists in planning terms, is not Retail warehousing.
- If retail warehousing is to be considered, then the discussion must be limited to sale of 'bulky goods' and not goods in bulk as now proposed and certainly not for the sale of food/convenience goods.
- The proposed material alterations which facilitate a type of development which relies on car borne transport on a site located adjacent to the motorway network is contrary to Government policy on Spatial Planning and National Roads-Guidelines for Planning Authorities and various other policy sources that promotes best practice in sustainable land use and transportation.
- The proposed definition under Proposed Amendment APP 1 relating to a retail warehouse club is unclear and ambiguous, it would appear to lend itself towards the sale of smaller goods, removes reference to 'predominantly to the trade', reflecting the fact that the retail customer is the core part of the business, does not provide certainty as to who or what organisations and classes of individuals are involved and does not provide clarity as to whether it is intended to allow food/convenience goods sales.

On this basis, the submission requests that Fingal County Council rejects the proposed material alterations proposed.

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**Chief Executive's Response:** The submissions are acknowledged. As indicated in earlier parts of this Report, the Guidelines for Planning Authorities – Retail Planning were updated by the then Department of Environment, Community and Local Government in 2012. The Guidelines are aimed at ensuring that the planning system continues to play its role in supporting competitiveness and choice in the retail sector. The Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses.

Having regard to this and to the diverse and ever-evolving retail industry, it is appropriate to have a flexible zoning matrix to allow different/exceptional retail forms. The use 'Retail Warehouse Club' is open for consideration and, as outlined in Proposed Amendment 6.5 and its CE recommendation for a further amendment, any application for this type of development will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines. Furthermore, this alteration will allow for other types of co-operative retail models be considered.

Having regard to the issues raised in the third submission outlined above, that do not specifically relate to this Proposed Alteration, the following is noted:

- It is proposed that retail warehouse clubs are open for consideration on lands zoned retail warehousing. The provision of retail warehouse clubs on these lands are a natural fit and will integrate well and complement with other uses permitted within this zoning objective.
- The Retail Planning Guidelines allow for and acknowledge there is evidence of demand for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. The proposed material alterations, with modifications reflect this national policy.
- The Fingal Development Plan makes provision for numerous types of retail formats. All applications will be required to comply with the policy of the Development Plan and any national policy, i.e. the Retail Planning Guidelines.
- Appendix 4 of the Development Plan comprises technical guidance notes which have been developed to provide guidance to the particular use class as it relates to the Development Plan. In some instances an existing legal or dictionary definition has been appropriate to use or adapt. This outlines a separate definition for retail warehouse club and retail warehouse.
- Any applications for development within the retail warehouse zoning will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines, both of which require detailed traffic impact assessments. This is addressed in the recommendation relating to PA CH 6.5.
- In relation to the definition of retail warehouse club, there is no longer a definition in the national Guidelines and it is considered appropriate to adapt the previously accepted definition as proposed. It is noted while the Department Guidelines are currently silent on this issue, it would be remiss of Fingal County Council to omit any definition for this land use. These guidance notes and definitions do not purport to provide legal definition and in some instances, because of their context, may differ from a general understanding of the relevant word or term.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## CHAPTER 11

### Proposed Amendment CH 11.10

**Proposed Amendment:** Delete the uses Retail-Hypermarket > 5000-sqm and Retail – Factory Outlet Centre from the 'Not Permitted' category within the RW - Retail Warehouse zoning objective.

**Submissions Received:** A00016, A00041 (A00018, A00065)

**Summary of Issues:** Two submissions have been made in relation to this amendment. The submissions from the NTA and the Department also relate to this amendment.

The NTA notes significant concerns with PA CH 11.10 and other retail related amendments and have concerns that such a change would facilitate the development of large scale, trip intensive and heavily car dependent developments at any location zoned for Retail Warehousing. It is further stated that such a unilateral change to the zoning matrix is not conducive to the proper planning or sustainable development of either Fingal County Council or the Greater Dublin Area.

The Department of Housing, Planning, Community and Local Government express concern regarding the proposal to delete Retail - Hypermarket >5000 sq.m and Retail Factory Outlet Centre from the 'Not Permitted' category within the Retail Warehouse zoning objective. Clarification of compliance with the statutory Section 28 guidance on retailing is requested.

The submission from the TII raises concerns that the proposed amendment, together with a number of other retail related amendments, will allow for premises which sell "goods in bulk" and include for the uses, "Retail Warehouse Club", "Retail Hypermarkets> 5000-sqm" and "Retail-Factory Outlet Centre" to be considered on a case by case basis in all areas zoned "Retail Warehouse" in the land use zoning matrix of the Development Plan. Therefore these retail uses may be accommodated in any lands zoned and/or proposed "Retail Warehouse" subject to individual development management practises on a case by case basis. The TII has concerns that the provision

of such uses for reason of unsustainable traffic generation and an adverse impact on the national road network. It is noted the proposed scale and typology of these forms of these form of retail development types will impact on efficiency and safety of the national road network and in particular the M50 junctions and need to be carefully planned and managed. Also given the bulky nature of the goods sold at these developments, it's potential to draw a regional / national catchment and the car parking requirement envisaged, it is expected that the vast majority (if not all) of the patrons will arrive by car or light goods vehicles. Traffic flows will typically, but not limited to, be highest on a Friday and Saturday and it is expected that a high proportion of the traffic to the development is likely to utilise the national road network to access the site. The TII considers these amendments will set an undesirable precedent within the planning authority area and therefore requests that this element of these amendments is omitted.

The second submission received in relation to this amendment also links PA 11.10 with other retail related amendments and considers all are intrinsically linked. The submission considers the proposed material alterations relating to retail should be rejected for the following main reasons:

- The submission contends that the inclusion of a 'Retail Warehouse Club' on lands zoned for 'Retail Warehousing' is a contradiction in terms. 'Retail Warehouse Clubs' are not 'Retail Warehouses' and cannot sell food/convenience goods.
- There is presumption in the 2012 RPG's against additional 'Retail Warehousing' development [Section 3.8] The RPGs have omitted the category of 'Warehouse Clubs' or

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'Retail Warehouse Clubs' from the Guidelines. No evidence based approach reflecting the sequential approach, assessments relating to current consumer demand/expenditure trends, the need to avoid the over-supply retail floor space in out of centre locations nor impacts on existing retailers and their long term viability has been provided that would warrant a departure from this policy position. Therefore, the proposed material alterations relating to retail warehousing are contrary to national retail guidance. The legality of such proposed material alterations relating to retail warehousing are also challenged in this submission in the context of compliance with the RPG's.

- The submission further contends that it is not necessary to make special provision in the Fingal Development Plan for a 'Retail Warehouse Club' as the RPG's provide clear guidance in relation to new retail development and any planning application for such a use should be made in the same way as any other retail format and should be assessed against normal criteria for assessing planning applications.
- 'Retail Warehouse Club' insofar as the concept exists in planning terms, is not Retail warehousing.
- If retail warehousing is to be considered, then the discussion must be limited to sale of 'bulky goods' and not goods in bulk as now proposed and certainly not for the sale of food/convenience goods.
- The proposed material alterations which facilitate a type of development which relies on car borne transport on a site located adjacent to the motorway network is contrary to Government policy on Spatial Planning and National Roads-Guidelines for Planning Authorities and various other policy sources that promotes best practice in sustainable land use and transportation.
- The proposed definition under Proposed Amendment APP 1 relating to a retail warehouse club is unclear and ambiguous, it would appear to lend itself towards the sale of smaller goods, removes reference to 'predominantly to the trade', reflecting the fact that the retail customer is the core part of the business, does not provide certainty as to who or what organisations and classes of individuals are involved and does not provide clarity as to whether it is intended to allow food/convenience goods sales.

On this basis, the submission requests that Fingal County Council rejects the proposed material alterations proposed.

**Chief Executive's Response:** The submissions are acknowledged. As indicated in earlier parts of this Report, the Guidelines for Planning Authorities – Retail Planning were updated by the then Department of Environment, Community and Local Government in 2012. The Guidelines are aimed at ensuring that the planning system continues to play its role in supporting competitiveness and choice in the retail sector. The Guidelines acknowledge there is evidence of consumer demand in Ireland for innovative types of large-scale retail warehouses.

However, they also indicate large convenience stores comprising of supermarkets, superstores and hypermarkets are now an accepted element of retailing in cities and large towns. These units should be located in city or town centres or in district centres or on the edge of these centres and be of a size which supports and adds variety and vitality to existing shopping areas and also to facilitate access by public transport for shoppers. In relation to outlet centres, the Guidelines indicate the most appropriate location for outlet centres is where commercial synergy can be achieved between an outlet centre and an urban centre which would lead to economic benefits for the overall area and should not be permitted in more remote out-of-town locations

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Having regard to the information contained within the Retail Planning Guidelines in relation to these types of retail formats, it is considered the proposed amendment be omitted.

Having regard to the issues raised in the second submission outlined above, that do not specifically relate to this Proposed Alteration, the following is noted:

- It is proposed that retail warehouse clubs are open for consideration on lands zoned retail warehousing. The provision of retail warehouse clubs on these lands are a natural fit and will integrate well and complement with other uses permitted within this zoning objective.
- The Retail Planning Guidelines allow for and acknowledge there is evidence of demand for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. The proposed material alterations, with modifications reflect this national policy.
- The Fingal Development Plan makes provision for numerous types of retail formats. All applications will be required to comply with the policy of the Development Plan and any national policy, i.e. the Retail Planning Guidelines.
- Appendix 4 of the Development Plan comprises technical guidance notes which have been developed to provide guidance to the particular use class as it relates to the Development Plan. In some instances an existing legal or dictionary definition has been appropriate to use or adapt. This outlines a separate definition for retail warehouse club and retail warehouse.
- Any applications for development within the retail warehouse zoning will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines, both of which require detailed traffic impact assessments. This is addressed in the recommendation relating to PA CH 6.5.
- In relation to the definition of retail warehouse club, there is no longer a definition in the national Guidelines and it is considered appropriate to adapt the previously accepted definition as proposed. It is noted while the Department Guidelines are currently silent on this issue, it would be remiss of Fingal County Council to omit any definition for this land use. These guidance notes and definitions do not purport to provide legal definition and in some instances, because of their context, may differ from a general understanding of the relevant word or term.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## CHAPTER 11

### Proposed Amendment CH 11.11

**Proposed Amendment:** Delete Hotel from the 'Not Permitted' category within the RW- Retail Warehousing zoning objective.

**Submissions Received:** A00034, A00041

**Summary of Issues:** Two submissions have been made in relation to this amendment. The submissions query why hotels would be permitted in the RW zoning objective.

**Chief Executive's Response:** The submissions are acknowledged.

Firstly is noted the Proposed Alteration removes hotels from not permitted within this zoning. They are now open for consideration and not permitted in principle. Any application would be assessed on its own merits.

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That said, hotels are permitted in principle in the DA, MC, ME and TC zonings. They are deemed open for consideration in a number of other zonings. This is the most appropriate designation and any application for this type of development will be assessed on a case by case basis and on their merits with regard to issues including conformity with relevant policies, objectives and standards contained within the Plan, and compatibility of proposed land use at the subject site.

On consideration of the locations suitable for the development of hotels, it is appropriate to amend the RW zoning to allow this type of development to be open for consideration. The land use zonings relating to a hotel use are considered sufficient to support the provision of such accommodation to meet the needs of the tourism sector in Fingal.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## CHAPTER 11

### Proposed Amendment CH 11.13

**Proposed Amendment:** Insert new land use class 'Sheltered Accommodation' within the 'Permitted in Principle' category within zoning objectives CI, LC, MC, ME, RA, RS, RV, TC. Insert new land use class 'Sheltered Accommodation' within the 'Not Permitted' category within zoning objectives DA, FP, GB, GE, HA, HI, HT, OS, RB, RC, RU, RW, WD.

**Submissions Received:** A00027

**Summary of Issues:** The insertion of a new land use class 'Sheltered Accommodation' within the 'Permitted in Principle' category within zoning objective CI 'Community Infrastructure' proposed under Proposed Amendment CH 11.13 is welcomed and supported.

**Chief Executive's Response:** The support for Proposed Amendment CH 11.13 as cited above is noted.

**Recommendation:** The contents of the submission welcoming the inclusion of Proposed Amendment CH 11.13 are noted and in this regard it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

### Summary Table – Chapter 11

<b>Proposed Amendment CH 11.1 &amp; 11.2</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 11.3</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 11.5</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 11.8</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 11.9</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 11.10</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment CH 11.11</b> be made with the proposed Material Alteration as displayed
<b>Proposed Amendment CH 11.13</b> be made with the proposed Material Alteration as displayed.



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## CHAPTER 12 DEVELOPMENT MANAGEMENT STANDARDS

<b>CHAPTER 12</b> <b>Proposed Amendment CH 12.4</b>
<b>Proposed Amendment:</b> Insert new Objective DMS, after DMS105: Ensure through the development management process for retail developments that deliveries are planned and take place at a time and/or location that protects residential amenity.
<b>Submissions Received:</b> A00033
<b>Summary of Issues:</b> There was one submission made in relation to PA CH 12.4. The submission states that early morning deliveries are key to the operations of the central distribution system that all retailers operate. It is important that deliveries occur in mornings and evenings for the following reasons: <ul style="list-style-type: none"><li>• To allow best product to be delivered for the customer.</li><li>• To reduce the number of vehicles on the road during peak times.</li><li>• To allow the central distribution system to operate at its most efficient.</li></ul> Therefore, submission seeks that the proposed amendment not be adopted.
<b>Chief Executive's Response:</b> The merits of the submission are acknowledged. All planning applications for retail developments take into account the protection of residential amenity in their assessment. The issue of deliveries for retail developments is considered to be best dealt with through the Development Management process on a case by case assessment. Accordingly, it is recommended that Proposed Amendment CH 12.4 be omitted.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made <u>without</u> the proposed Material Alteration as displayed.

<b>CHAPTER 12</b> <b>Proposed Amendment CH 12.5</b>
<b>Proposed Amendment:</b> Amend Objective DMS152: A site assessment should be carried out prior to starting any design work to help inform and direct the layout, form and architectural treatment of the proposed development and identify issues that may need to be avoided, mitigated or require sensitive design and professional expertise. The site assessment should evaluate: <ul style="list-style-type: none"><li>• Character of the site in its setting (including existing buildings)</li><li>• Access to the site</li><li>• Services</li><li>• Protected Designations</li><li>• Rare and protected species (such as bats)</li></ul>
<b>Submissions Received:</b> A00060
<b>Summary of Issues:</b> The submission states that black rats in Ireland only live on Lambay Island and consideration of development there should consider the effect on them.
<b>Chief Executive's Response:</b> The submission is acknowledged. Lambay Island is Fingal's only inhabited island. The island has a number of designations, namely a Special Area of Conservation (SAC), Special Protection Area (SPA), a proposed Natural Heritage Area (pNHA), and a Water Framework Directive Register of Protected Areas site (WFDRPA). Any development on

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Lambay Island will be dealt with through the Development management process, taking account of the designations set out above, having regard to Chapter 9 Natural Heritage, Chapter 12 Development Management Standards and other relevant Development Plan chapters.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table - Chapter 12

**Proposed Amendment CH 12.4** be made without the proposed Material Alteration as displayed

**Proposed Amendment CH 12.5** be made with the proposed Material Alteration as displayed.

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## APPENDIX 1: FINGAL HOUSING STRATEGY - NO PROPOSED AMENDMENTS

## APPENDIX 2: RECORD OF PROTECTED STRUCTURES - NO PROPOSED AMENDMENTS

## APPENDIX 3: RECORDED MONUMENTS - NO PROPOSED AMENDMENTS

## APPENDIX 4 TECHNICAL GUIDANCE NOTES

<b>APPENDIX 04 - Technical Guidance Notes Proposed Amendment APP 1</b>
<p>Amend retail warehouse club definition: <del>Warehouse clubs or discount clubs have the same meaning as identified in the Retail Planning Guidelines as being "out-of-centre retailers specialising in bulk sales of reduced price, quality goods in unsophisticated buildings...(which)...may limit access...through membership restrictions". They often combine an element of cashand carry wholesaling with sales to qualifying members of the public. See also the Retail Strategy, Chapter 6 of the Draft Development Plan 2017 - 2023.</del> Retail - Warehouse Club - Generally out-of-centre retailers specializing in bulk sales of reduced price, quality goods in unsophisticated buildings with dedicated car parks. The operator may limit access to businesses, organisations or classes of individual, through membership restrictions. They often combine an element of cash and carry wholesaling with sales to qualifying members of the public.</p>
<p><b>Submissions Received:</b> A00016; A00041</p>
<p><b>Summary of Issues:</b> Two submissions have been made in relation to this amendment.</p> <p>The submission from the TII raises concerns that the proposed amendment, together with a number of other retail related amendments, will allow for premises which sell "goods in bulk" and include for the uses, "Retail Warehouse Club", "Retail Hypermarkets&gt; 5000-sqm" and "Retail-Factory Outlet Centre" to be dealt with in case by case manner in all areas zoned "Retail Warehouse" in the land use zoning matrix of the Development Plan. Therefore these retail uses may be accommodated in any lands zoned and/or proposed "Retail Warehouse" subject to individual development management practises on a case by case basis. The TII has concerns that the provision of such uses for reason of unsustainable traffic generation and an adverse impact on the national road network. It is noted the proposed scale and typology of these forms of these form of retail development types will impact on efficiency and safety of the national road network and in particular the M50 junctions and need to be carefully planned and managed. Also given the bulky nature of the goods sold at these developments, it's potential to draw a regional / national catchment and the car parking requirement envisaged, it is expected that the vast majority (if not all) of the patrons will arrive by car or light goods vehicles. Traffic flows will typically, but not limited to, be highest on a Friday and Saturday and it is expected that a high proportion of the traffic to the development is likely to utilise the national road network to</p>

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access the site. The TII considers these amendments will set an undesirable precedent within the planning authority area and therefore requests that this element of these amendments is omitted.

The second submission received in relation to this amendment also links APP 1 with other retail related amendments and considers all are intrinsically linked. Of particular relevance to this Proposed Amendment, the submissions notes the review of the Retail Planning Guidelines in 2012 omitted classification of retail formats such as “discount foodstore” and “Retail Warehouse Clubs” or “Discount Clubs”. The submitter does not believe that the Fingal County Development Plan should be amended to accommodate a new definition of “Retail Warehouse Club” when the RPGs have deliberately removed it. Any operators in this sector can make a planning application and be treated in the same manner as other operators in a transparent and equitable manner.

The submission considers the proposed material alterations relating to retail should be rejected for the following main reasons:

- The submission contends that the inclusion of a ‘Retail Warehouse Club’ on lands zoned for ‘Retail Warehousing’ is a contradiction in terms. ‘Retail Warehouse Clubs’ are not ‘Retail Warehouses’ and cannot sell food/convenience goods.
- There is presumption in the 2012 RPG’s against additional ‘Retail Warehousing’ development [Section 3.8] The RPGs have omitted the category of ‘Warehouse Clubs’ or ‘Retail Warehouse Clubs’ from the Guidelines. No evidence based approach reflecting the sequential approach, assessments relating to current consumer demand/expenditure trends, the need to avoid the over-supply retail floor space in out of centre locations nor impacts on existing retailers and their long term viability has been provided that would warrant a departure from this policy position. Therefore, the proposed material alterations relating to retail warehousing are contrary to national retail guidance. The legality of such proposed material alterations relating to retail warehousing are also challenged in this submission in the context of compliance with the RPG’s.
- The submission further contends that it is not necessary to make special provision in the Fingal Development Plan for a ‘Retail Warehouse Club’ as the RPG’s provide clear guidance in relation to new retail development and any planning application for such a use should be made in the same way as any other retail format and should be assessed against normal criteria for assessing planning applications.
- ‘Retail Warehouse Club’ insofar as the concept exists in planning terms, is not Retail warehousing.
- If retail warehousing is to be considered, then the discussion must be limited to sale of ‘bulky goods’ and not goods in bulk as now proposed and certainly not for the sale of food/convenience goods.
- The proposed material alterations which facilitate a type of development which relies on car borne transport on a site located adjacent to the motorway network is contrary to Government policy on Spatial Planning and National Roads-Guidelines for Planning Authorities and various other policy sources that promotes best practice in sustainable land use and transportation.

On this basis, the submission requests that Fingal County Council rejects the proposed material alterations proposed.

**Chief Executive’s Response:** The submissions are acknowledged.

The definition of Retail – Warehouse Club, as stated in the Draft Plan, is incorrect. This definition refers to the Retail Planning Guidelines. The Retail Planning Guidelines, since their update in

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2012, no longer refer to this particular type of retailing and therefore the definition in Appendix 4 must be amended to reflect this.

It is noted the technical guidance notes contained within Appendix 4 of the Development Plan have been developed to provide guidance to the particular use class as it relates to the Development Plan. In some instances an existing legal or dictionary definition has been appropriate to use or adapt.

In relation to this particular definition, there is no longer a definition in the national Guidelines and it is considered appropriate to adapt the previously accepted definition as proposed. It is noted while the Department Guidelines are currently silent on this issue, it would be remiss of Fingal County Council to omit any definition for this land use.

Lastly it is stated these guidance notes and definitions do not purport to provide legal definition and in some instances, because of their context, may differ from a general understanding of the relevant word or term.

Having regard to the issues raised in the second submission outlined above, that do not specifically relate to this Proposed Alteration, the following is noted:

- It is proposed that retail warehouse clubs are open for consideration on lands zoned retail warehousing. The provision of retail warehouse clubs on these lands are a natural fit and will integrate well and complement with other uses permitted within this zoning objective.
- The Retail Planning Guidelines allow for and acknowledge there is evidence of demand for innovative types of large-scale retail warehouses which are capable of displaying a very wide range of bulky goods under one roof, together with a range of customer facilities. The scale of such outlets requires a regional, if not a national, population catchment. The proposed material alterations, with modifications reflect this national policy.
- The Fingal Development Plan makes provision for numerous types of retail formats. All applications will be required to comply with the policy of the Development Plan and any national policy, i.e. the Retail Planning Guidelines.
- Any applications for development within the retail warehouse zoning will have to satisfy the requirements of the Development Plan and the Retail Planning Guidelines, both of which require detailed traffic impact assessments. This is addressed in the recommendation relating to PA CH 6.5.

## **Recommendation:**

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

## **Summary Table – Appendix 4**

**Proposed Amendment APP 1** be made with the proposed Material Alteration as displayed

## **APPENDIX 5: IMPLEMENTATION OF MINISTERIAL GUIDELINES - NO PROPOSED AMENDMENTS**

## **APPENDIX 6: MAP BASED LOCAL OBJECTIVES - NO PROPOSED AMENDMENTS**

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## Other

### **Summary of Issues**

#### **EPA submission –A00050**

A detailed submission was received from the EPA. While the submission from the EPA mentions specific Material Alterations, it is considered that the spirit of the submission essentially relates to the overall Plan to ensure that any rezonings/zonings, Masterplans, development etc. take into account the requirements of the SEA, Habitats, Water Framework and Floods Directive.

The submission relates to specific amendments as follows:

#### **Proposed Amendment CH 2.6**

Under PA CH 2.6 a new Objective is proposed under Section 2.7 Settlement Strategy, as follows: *'Identify and support the provision of key enabling infrastructure at strategic sites in Fingal County to facilitate their release for development in response to the current housing crisis'*. The Plan should ensure any proposed development is set in the context of proper planning and sustainable development and is consistent with the Regional Planning Guidelines. The requirements of the *Planning System and Flood Risk Management Guidelines* (OPW, DEHLG, 2009) should be fully implemented where relevant to ensure any proposed development/land use zoning is appropriate to the level of flood risk identified. Additional development should also take into account EIA, Habitats, Floods and Water Framework Directives.

In proposing additional rezoning of lands under the Alterations, the Plan should clarify the amount of land to be rezoned/zoned in total and also the amount associated with each proposed alteration as relevant/appropriate. Clarity should also be provided on the justification for the amount/extent of additional zoned/rezoned lands and whether there are any implications in relation to the Habitats Directive.

In proposing rezonings, a commitment to fully integrate, and remain consistent with the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern Midlands Region upon finalisation to be provided. The development of these lands should be carried out on a phased basis.

In the zoning of lands account should be taken of the Eastern CFRAMS (Draft Plan Stage) and Fingal East Meath Flood Risk Assessment and Management Study (FEMFRAMS).

The Plan should ensure that potential for cumulative effects in relation to residential/industrial/infrastructural development which may arise as a result of Alterations is fully assessed and mitigated for.

When considering rezonings, ensure Green Infrastructure policies and objectives in the Development Plan and actions in the Fingal Heritage Plan are fully taken into consideration.

A number of masterplans and reviews of LAPs are proposed for some Alterations and the requirements of the SEA, Habitats, Water Framework and Floods Directive in particular should be taken into consideration in the preparation of these plans.

#### **Proposed Amendment CH 5.17 & 5.18**

(land reclamation). The submission supports the screening assessment response for this proposed amendment and notes the need for the use of recycled construction and demolition waste.

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## **Proposed Amendment CH 7.39**

(submission refers to CH 7.41 but this seems to be an error as context of submission refers to content of Proposed Amendment CH 7.39)

- Requirements of EIA, SEA, Habitats, Floods and Water Framework Directives respectively should be taken into account in undertaking the preparation of plans and strategies.
- In relation to the above, the EPA has published guidance 'Local Authority Adaptation Strategy Development Guidelines' EPA 2016 to support Local Authorities develop local climate adaptation strategies.

## **Proposed Amendment SH 6B.4**

(relating to feasibility of a proposed marina at Rogerstown)

The requirements of the EIA, SEA, Habitats, Floods and Water Framework Directives should be taken into account in undertaking this feasibility study.

## **Proposed Amendment SH 7.7**

- Proposes new transport reservation corridor, in particular the recommendations to mitigate the potential likely significant negative impacts as described in the screening response are acknowledged. Clarification should be given as to whether or not this new transport corridor has previously undergone EIA assessment.
- EPA has recently published State of the Environment Report for 2016, recommendations, key issues and challenges should be taken into account in the context of the proposed alterations prior to the adoption of the Plan.

SEA

Fingal County Council should determine whether or not the implementation of the proposed alterations would be likely to have significant effects on the environment. Assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I. NO 436 of 2004) and should be subject to the same method of assessment as undertaken of the Draft Plan.

Following adoption of the Plan, SEA Statement should summarise the 4 key points outlined at the end of the submission of the EPA.

\*\* While this submission primarily relates to the overall plan and compliance with SEA, flood Risk etc, the submission refers to specific Alterations and as such this has been directed to those relevant chapters for reference.

## **Irish Water submission – A00057**

The Irish Water submission indicates that a submission was made on the Draft Fingal County Development Plan and notes the Proposed Material changes to the Draft Plan.

## **Other Submissions**

A submission from Keep Ireland Open (Reference Number A00058) states that it is presumed that the Plan will provide a detailed Index as per the 2011 Development Plan which is considered to be the best index they have seen.

A number of submissions received referred to issues not related to the proposed Material Alterations. These are addressed under the following headings for clarity:

**St. Margaret's** (Reference Number A00094): The submission is concerned for the future of St Margaret's village and townland of Kilreesk, Millhead and Dunbro. It is noted that St Margaret's

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village has been omitted from the rural villages and has been named as a special policy area. Concerns relate particularly to the planning application compliances being dealt with for the new parallel runway, to the Dublin Airport Masterplan and future network of roads in the area.

**Second runway** (Reference Number A00095): This submission objects to the DAA plan for the second runway, which the submission states has been altered from the original application, in relation to flight diversions. Therefore this part of the development plan should be rejected.

**St Michael's House** (Reference Number A00097): A submission was received from St Michael's House Special National School, Hacketstown, Skerries requesting the inclusion of a Special Needs School site adjacent to the existing school and to zone the land appropriately, due to the existing school having reached capacity and demand for new places from the community.

**Age Friendly Ireland** (Reference Number A00104): A detailed document was received entitled Age Friendly Principles and Guidelines for the Planning Authority.

## **Chief Executive's Response**

**EPA submission:** The contents of the submission are acknowledged. As part of the process of formulating the Fingal Development Plan 2017-2023 a Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) are being undertaken. As part of this stage of the development plan, a report has been produced which identifies the environmental consequences of the proposed alterations to the Draft Plan. References to specific alterations are dealt with in the individual chapters and sheets.

**Irish Water submission:** The contents of the submission are acknowledged.

**Keep Ireland Open submission:** The submission relating to an index is noted. The final Development Plan will have a comprehensive index provided.

## **Other submissions**

The submissions in relation to St. Margaret's, the second runway, St Michael's House and Age Friendly Ireland are acknowledged. However they do not relate to any of the proposed Material Alterations, therefore it is recommended that they cannot be considered at this stage of the plan making process.

## **Recommendations**

The submissions in relation to St. Margaret's, the second runway, St Michael's House and Age Friendly Ireland are not related to any of the proposed Material Alterations, therefore it is recommended that they cannot be considered at this stage of the plan making process.



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# Analysis and Summary of the Issues Raised in the Submissions Received by the Council by Map/Sheets

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## SHEET 2 FINGAL NORTH - NO PROPOSED AMENDMENTS

## SHEET 3 FINGAL CENTRAL

<b>SHEET 3</b> <b>Proposed Amendment SH 3.1</b>
<b>Proposed Amendment:</b> Amend zoning from RC - 'Rural Cluster' to RV - 'Rural Village' and RU - Rural to RV Rural Village at Ballymadun.
<b>Submissions Received:</b> A00053
<b>Summary of Issues:</b> While the above amendment is welcomed under the submission, it is requested that the area of Proposed Amendment SH 3.1 (c.23 ha's/ 56 acres) be extended to include lands to the north of Ballymadun. These additional lands are zoned 'RU' – Rural and equate to c. 6.5 ha's (16 acres). It proposed to rezone these lands to 'RV' – Rural Village to provide for a more sustainable use of these lands and a more coherent and natural expansion of Ballymadun. The submission contends that this rezoning would comply with the Statement of Policy for village development as set out in Chapter 5 of the Draft Plan.
<b>Chief Executive's Response:</b> Ballymadun Rural Cluster is characterised by a small number of stand-alone houses with limited services, limited access from county roads and lacks standard infrastructure such as public mains drainage facilities, roads, footpaths and public lighting that would warrant a change in zoning to RV.  The existing designated rural cluster at Ballymadun is sufficient in area to accommodate local rural based housing need. There is potential for an additional 40 no. dwelling units within the existing RC with significant provision also available within adjoining rural villages at Oldtown and Garristown within the Fingal area. Ashbourne major urban centre is located some 3 km. to the south within the administrative area of County Meath. The Rural Cluster zoning also facilitates the development of small scale and home based enterprise in the area.  The Ministerial Planning Guidelines on Development Plans, issued under Section 28 of the Planning and Development Act 2000 state "zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development." The Guidelines also make clear that in order to support public confidence in the planning system and the development plan, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account: <ul style="list-style-type: none"><li>• Need</li><li>• Policy Context</li><li>• Capacity of Water, Drainage and Roads Infrastructure</li><li>• Supporting Infrastructure and Facilities</li><li>• Physical Suitability</li><li>• Sequential Approach</li><li>• Environmental and Heritage policy, including conservation of habitats and other sensitive areas.</li></ul> The zoning of the lands subject of this Proposed Amendment cannot be justified on these matters above.

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## **Core Strategy**

The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidence based 'Core Strategy' to be provided in Development Plans. The Core Strategy identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings.

The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines. Based on the evidence-based approach adopted in the Core Strategy, that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period.

Government policy as articulated by the National Spatial Strategy and the Sustainable Rural Housing: Guidelines for Planning Authorities of April 2005, classifies the rural area of Fingal as "an area under strong urban influence" where the housing requirements of the rural community should be facilitated but urban generated housing should be directed to areas zoned for residential development in cities, towns and villages. The approach is reflected in the Regional Planning Guidelines for the Greater Dublin Area. The inclusion in the Draft Plan of objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to the national and regional direction.

Ballymadun RC is sufficient in area to accommodate local rural based housing need with significant provision also available within adjoining rural villages at Oldtown and Garristown within the Fingal area.

The rezoning of any lands in Ballymadun would facilitate the uncoordinated provision of unsustainable urban generated housing detached from existing designated settlements for which there is no evidence based need or planning rationale and would be in clear and significant contravention of the Core and Settlement Strategies of the current FDP 2011-2017 and the Draft Plan 2017-2023, the Greater Dublin Area Regional Planning Guidelines 2010 - 2022 and as such would be contrary to proper planning and sustainable development.

The change in zoning of the lands subject to Proposed Amendment SH 3.1 and the proposed additional lands would also result in an extensive land take of valuable RU zoned agricultural lands of which it is Council policy to protect. 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 consequentially eroded. To zone additional lands would compound these issues.

Based on these considerations, it is considered that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period and it is not considered that any further zoning is necessary in this instance.

Section 12(9)(c) of the Planning and Development Act 2000 (as amended) relates to the making of a development plan and states that a further modification to a material alteration shall not be made where it relates to 'an increase in the area of land zoned for any purpose'.

The modification proposed under the subject submission, which seeks to increase the area of

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land zoned for residential development, would therefore be ultra vires and would contravene the Planning and Development Act 2000 (as amended) and cannot be made.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 3 Proposed Amendment SH 3.7

**Proposed Amendment:** Amend zoning from RU - 'Rural' to RC - 'Rural Cluster' at Castlefarm (Kilsallaghan) RC.

**Submissions Received:** A00024

**Summary of Issues:** It is requested that the area of Proposed Amendment SH 3.7 (0.42 ha's/1.03 acres) be extended to include lands to the west of Castlefarm (Kilsallaghan) RC. These additional lands equate to c.1 ha/2.4 acres are zoned 'RU' - Rural and are currently in use as a garden centre. It proposed to rezone these lands to 'RC' - Rural Cluster to provide for housing as an alternative to one-off housing in the countryside.

**Chief Executive's Response:** 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 the RPG targets for the Development Plan period. In conclusion, there is no evidence based need or planning rationale for the proposed zoning of new rural clusters or large scale extensions to these clusters which would be in breach of the Core Strategy of both the FDP 2011-2017, the Draft Plan 2017-2023 and the Regional Planning Guidelines 2010-2022 and as such would be contrary to proper planning and sustainable development.

In relation to Proposed Amendment SH 3.7, the Council considers that there is merit in allowing for a small scale incremental extension to Castlefarm (Kilsallaghan) RC. Notwithstanding the lack of public mains drainage in the existing RC, given the limited potential for development within the existing cluster and the need to facilitate rural generated housing need, a small incremental extension of 0.42 ha's. [1.03 acres] to the existing RC is proposed immediately to the north/west of the existing cluster to facilitate a limited number of dwellings under Proposed Amendment SH 3.7. This proposed extension of 0.42 ha's. would result in a potential yield of c. 2 dwellings.

It is considered that this is the absolute maximum additional RC zoning that can occur in the context of the Core Strategy for the County at this location. Furthermore, the sequential approach as advocated by the DOE guidelines as they relate to the zoning of lands is considered in the context of this proposed amendment. In this regard, the lands under Proposed Amendment SH 3.7 are considered to constitute an organic and incremental addition to the existing Castlefarm (Killsallagan RC).

Based on these considerations, there is a sufficient availability of zoned land to accommodate local rural based housing need and it is not considered that any further zoning is necessary in this instance.

Section 12(9)(c) of the Planning and Development Act 2000 (as amended) relates to the making of a development plan and states that a further modification to a material alteration shall not be made where it relates to 'an increase in the area of land zoned for any purpose'.

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The modification proposed under the subject submission, which seeks to increase the area of land zoned for residential development, would therefore be ultra vires and would contravene the Planning and Development Act 2000 (as amended) and cannot be made.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 3

### Proposed Amendment SH 3.8

**Proposed Amendment:** Amend zoning from RU - 'Rural' to RV - 'Rural Village' at Coolquay

**Submissions Received:** A00050

**Summary of Issues:** A detailed submission was received from the EPA. This submission relates to the overall Plan and seeks to ensure that any rezonings/zonings, Masterplans, development etc. take into account the requirements of the SEA, Habitats, Water Framework and Floods Directive.

It is indicated that the Plan should ensure any proposed development is set in the context of proper planning and sustainable development and that the requirements of the *Planning System and Flood Risk Management Guidelines* (OPW, DEHLG, 2009) should be fully implemented where relevant to ensure any proposed development/land use zoning is appropriate to the level of flood risk identified. Additional development should also take into account EIA, Habitats, Floods and Water Framework Directives.

In the zoning of lands account should be taken of the Eastern CFRAMS (Draft Plan Stage) and Fingal East Meath Flood Risk Assessment and Management Study (FEMFRAMS).

**Chief Executive's Response:** In the context of the proposed submission by the EPA, it should be noted that the above Proposed Amendment seeks to change the designation of a significant area of undeveloped agricultural land immediately to the west of the existing RV - rural village of Coolquay.

The existing RV lands are largely undeveloped with c. 17 ha's. [42 acres] of undeveloped lands remaining to date. A potential housing yield of c.100 dwelling units would result from these undeveloped existing zoned lands. There is currently no public foul mains drainage in the area.

The allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan 2017-2023 based on the directions contained in the RPG's. The allocation of new population growth and housing numbers within Fingal's Rural Villages supports the settlement hierarchy contained within the settlement strategy as defined within the Draft Plan. This allocation represents a fair and equitable allocation based on:

- The overall allocation for the hinterland and metropolitan areas small towns and villages.
- The evidence-based approach adopted in the Core Strategy, where Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period.
- The capacity of the rural villages to accommodate growth without compromising their essential character, and
- The strong need to avoid any further suburbanisation of the Fingal rural villages.

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Having examined the outstanding development potential in the identified villages, considerable development opportunity exists within Coolquay and the existing villages across the County where the majority of development areas identified in the LAP's and VDFP's remain undeveloped to date and particularly in their village centres.

The change in zoning of these lands would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence based need and would lead to inappropriate and unsustainable settlement patterns of development, an extensive land take of valuable agricultural lands of which it is Council policy to protect.

The Ministerial Planning Guidelines on Development Plans issued under Section 28 of the Planning and Development Act 2000 state "zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development." The Guidelines also make clear that in order to support public confidence in the planning system and the development plan, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account:

- Need
- Policy Context
- Capacity of Water, Drainage and Roads Infrastructure
- Supporting Infrastructure and Facilities
- Physical Suitability
- Sequential Approach
- Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

Having consideration to the above, it is considered that the extent of lands proposed to be rezoned in this instance cannot be justified. This Proposed Amendment seeks the inclusion of lands for residential development beyond the outer edge of the existing RV zoned areas, while considerable development opportunities currently exists within Coolquay RV and the existing rural villages across the County. 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 valuable agricultural lands.

In terms of flooding, having regard to the specific concerns of the EPA, it should be noted that there is a predictive floodplain on these lands with a large Flood Zone B extent traversing the site in addition to also a smaller Flood Zone A extent. Having consideration to the afore mentioned flood designations, following the principles of the Planning System and Flood Risk Assessment Guidelines for Planning Authorities (2009), it is considered that the lands to which the Proposed Amendment related, should not be zoned for highly vulnerable uses, i.e. Rural Village.

Accordingly, having regard to the provisions of Strategic Flood Risk Assessment Guidelines, it is recommended the Plan be made without the Proposed Amendment as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

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## Summary Table - Sheet 3

<b>Proposed Amendment SH 3.1</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 3.7</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 3.8</b> be made without the proposed Material Alteration as displayed.



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## SHEET 4: BALBRIGGAN

<b>SHEET 4</b> <b>Proposed Amendment SH 4.2</b>	
<b>Proposed Amendment:</b>	Amend zoning from HT - 'High Technology' to GE - 'General Employment' at Harry Reynolds Road, Stephenstown Industrial Estate.
<b>Submissions Received:</b>	A00010
<b>Summary of Issues:</b>	A submission was received in support of PA SH 4.2, which proposed to amend the zoning at Harry Reynolds Road, Stephenstown Industrial Estate.
<b>Chief Executive's Response:</b>	The merits of the submission are acknowledged. It is considered that the Proposed Amendment should remain as displayed.
<b>Recommendation:</b>	Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

**Note:** Submission Number A00055 which relates to the Masterplan for Glebe Park, Balrothery (PA CH 4.4 and PA SH 4.4) has been addressed in the report for Chapter 4.

### Summary Table – Sheet 4

<b>Proposed Amendment SH 4.2</b> be made with the proposed Material Alteration as displayed.
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# PART TWO

## SHEET 5: SKERRIES

<b>SHEET 5</b> <b>Proposed Amendment SH 5.5</b>	
<b>Proposed Amendment:</b> Insert a mapped based Local Objective at the Ballast Pit, Skerries, (Masterplan Objective MP 5 B): Provide for a sheltered housing project and independent living housing model for the elderly.	
<b>Submissions Received:</b> A00060	
<b>Summary of Issues:</b> A submission was received which states that the Ballast Pit is not a suitable location for sheltered housing due to noise from trains, being overlooked by traffic crossing from the station along the new walkway, being in a depression where any egress route would involve a considerable climb, lacking light, with exceptionally early sunsets in wintertime.	
<b>Chief Executive's Response:</b> The submission is acknowledged. The lands which are the subject of Proposed Amendment PA SH 5.5 are the Ballast Pit Masterplan MP 5.B lands, which are located to the south-west of Skerries within the development boundary. The lands contain the zoning objective RA, Residential Area, which contains the following vision and objective:  Objective: Provide for new residential communities subject to the provision of the necessary social and physical infrastructure. Vision: 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.  The main elements of the Ballast Pit Masterplan are as follows: <ul style="list-style-type: none"><li>• Facilitate mixed use development requiring the inclusion of community/recreational uses and park and ride facilities to serve the railway station.</li><li>• Provide a cycle way from Ballast Pit to Skerries Rock.</li></ul> Development Plan land use definitions for residential care home / retirement home do not allow for independent living units for the elderly within the RA zoning objective. It is therefore considered appropriate to include a new land use definition within Appendix 4 of the Draft Plan to clarify the scope of independent living / assisted living units. It is also recommended that Chapter 11 be amended accordingly to outline the land use zoning objectives/matrix which are suitable for this type of development. These proposed amendments are set out in PA APP2 (Appendix 4, Technical Guidance Notes) and PA CH 11.3 respectively, as follows:  Proposed Amendment APP2: Add a new land use definition to clarify the scope of independent living units / assisted living units, as follows:  Sheltered Accommodation Housing schemes with onsite communal facilities for assisted independent living. Sheltered housing schemes usually have an on-site warden and include care supports such as the provision of meals and health care assistance. Communal on site facilities can include recreation areas, alarm systems and a laundry.  Proposed Amendment CH 11.13: Insert new land use class 'Sheltered Accommodation' within the 'Permitted in Principle' category	

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within zoning objectives CI, LC, MC, ME, RA, RS, RV, TC.  
Insert new land use class 'Sheltered Accommodation' within the 'Not Permitted' category within zoning objectives DA, FP, GB, GE, HA, HI, HT, OS, RB, RC, RU, RW, WD.

Having regard to Proposed Amendments APP2 and CH 11.13, it is considered appropriate to include a specific objective on these lands. Accordingly, it is recommended that the Development Plan be made with the proposed Material Amendment to insert a mapped based Local Objective to provide for a sheltered housing project, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 5

### Proposed Amendment SH 5.7

**Proposed Amendment:** Amend zoning from GE 'General Employment' to RS 'Residential' at Ballykea, Loughshinny.

**Submissions Received:** A00060

**Summary of Issues:** A submission was received which states that the proposed rezoning would leave children unable to walk or cycle to a shop.

**Chief Executive's Response:** The submission is acknowledged. There is merit in rezoning land at Ballykea, Loughshinny from GE to RS. The site was formerly used by Mc Nally Kitchens and the factory has since relocated. Therefore, the site is an infill site which is surrounded by RS zoned lands and would consolidate the village by rezoning the land to RS – Residential. In this context, it was recommended that the lands currently zoned GE be rezoned to RS.

It is unclear from the submission how the proposed amendment would curtail permeability through Loughshinny village. Issues such as permeability with existing development can be considered during the Development Management process. It is considered that the Proposed Amendment should remain as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### Summary Table – Sheet 5

**Proposed Amendment SH 5.5** be made with the proposed Material Alteration as displayed.

**Proposed Amendment SH 5.7** be made with the proposed Material Alteration as displayed.

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## SHEET 6A: LUSK

<b>SHEET 6A</b> <b>Proposed Amendment SH 6A.2</b>	
<b>Proposed Amendment:</b>	Amend zoning from RU – ‘Rural’ to RC – ‘Rural Cluster’ at Ballough/Lusk.
<b>Submissions Received:</b>	A00050
<b>Summary of Issues:</b>	<p>A detailed submission was received from the EPA. This submission relates to the overall Plan and seeks to ensure that any rezonings/zonings, Masterplans, development etc. take into account the requirements of the SEA, Habitats, Water Framework and Floods Directive.</p> <p>It is indicated that the Plan should ensure any proposed development is set in the context of proper planning and sustainable development and that the requirements of the <i>Planning System and Flood Risk Management Guidelines</i> (OPW, DEHLG, 2009) should be fully implemented where relevant to ensure any proposed development/land use zoning is appropriate to the level of flood risk identified. Additional development should also take into account EIA, Habitats, Floods and Water Framework Directives.</p> <p>In the zoning of lands account should be taken of the Eastern CFRAMS (Draft Plan Stage) and Fingal East Meath Flood Risk Assessment and Management Study (FEMFRAMS).</p>
<b>Chief Executive’s Response:</b>	<p>In the context of the proposed submission by the EPA, it should be noted that the above Proposed Amendment at Ballough-Lusk, is for a proposed new RC of c.3.3 hectares is located to the west of Lusk and north of the existing Ballough RB. The lands are currently zoned RU. There is no public foul mains drainage in the area. The lands access onto a county road which is in close proximity to the junction with the R132 Regional Road to Balbriggan.</p> <p>The change in zoning of these lands at Ballough to RC-Rural Cluster would represent a piecemeal uncoordinated rezoning of lands for which there is no evidence based need. The Ministerial Planning Guidelines on Development Plans, issued under Section 28 of the Planning and Development Act 2000, state “zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development.” The Guidelines also make clear that in order to support public confidence in the planning system and the development plan, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account:</p> <ul style="list-style-type: none"><li>• Need</li><li>• Policy Context</li><li>• Capacity of Water, Drainage and Roads Infrastructure</li><li>• Supporting Infrastructure and Facilities</li><li>• Physical Suitability</li><li>• Sequential Approach</li><li>• Environmental and Heritage policy, including conservation of habitats and other sensitive areas.</li></ul> <p>Having consideration to the above, it is considered that the extent of lands proposed to be rezoned in this instance cannot be justified. This Proposed Amendment seeks the inclusion of lands for residential development beyond existing RC zoning, while RC zoned lands remain undeveloped and are sufficient in area to accommodate local rural based housing need across</p>

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the County. The existing rural clusters at Greatcommon and Corduff have significant outstanding provision for housing units to facilitate rural generated housing need. There is significant provision also available within the adjoining settlement of Lusk. 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 agricultural and green belt lands.

The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidence based 'Core Strategy' to be provided in Development Plans. The Core Strategy identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines. Government policy as articulated by the National Spatial Strategy and the Sustainable Rural Housing: Guidelines for Planning Authorities of April 2005, classifies the rural area of Fingal as "an area under strong urban influence" where the housing requirements of the rural community should be facilitated but urban generated housing should be directed to areas zoned for residential development in cities, towns and villages. The approach is reflected in the Regional Planning Guidelines for the Greater Dublin Area. 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 the national and regional direction. 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 the RPG targets for the Development Plan period.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear, that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period. In conclusion, there is no evidence based need or planning rationale for the proposed zoning of a new rural cluster which would be in breach of the Core Strategy of both the FDP 2011-2017, the Draft Plan 2017-2023 and the Regional Planning Guidelines 2010-2022 and as such would be contrary to proper planning and sustainable development.

In terms of flooding, having regard to the specific concerns of the EPA, it should be noted that there is a indicative floodplain on these lands. Following the principles of the Planning System and Flood Risk Assessment Guidelines for Planning Authorities (2009), it is considered that the lands to which the Proposed Amendment relates should not be zoned for highly vulnerable uses without first identifying Flood Zones A and B. In the absence of a justification test being prepared in respect of the lands in question, having regard to the provisions of Strategic Flood Risk Assessment Guidelines, it is recommended the Plan be made without the proposed Material Alteration as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

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## SHEET 6A

### Proposed Amendment SH 6A.6

**Proposed Amendment:** Amend zoning from RU – ‘Rural’ to CI – ‘Community Infrastructure’ at Balleally lane.

**Submissions Received:** A00066

**Summary of Issues:** Since their original submission the client has consulted various nursing home operators, Nursing Home Ireland and statutory bodies and following these consultations have determined that there is not enough demand for nursing home bed spaces in the north County. The proposed amendment is therefore considered unnecessary, and the submission wishes to withdraw the proposed amendment.

**Chief Executive’s Response:** The content of the submission is acknowledged. In this regard, it should be noted that the subject lands are located to the south of Lusk, just off the Dublin road, outside the development boundary of Lusk. The subject lands contain the zoning objective RU, the objective is to protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.

The vision of the zoning is to protect and promote the value of the rural area of the County. This rural value is based on:

- Agricultural and rural economic resources
- Visual remoteness from significant and distinctive urban influences,
- A high level of natural features.

Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage. Under this zoning objective a Residential Care Home/Retirement Home is not permitted except where a demonstrated need to locate in a rural environment because of the nature of the care required is established. (note 12 of zoning matrix). A Retirement Village is not permitted.

The original intention of the proposed amendment was to rezone the lands to CI zoning to provide for a retirement residential home, however it is considered that such change in zoning is not considered appropriate having regard to the location of the lands outside the development boundary of Lusk. It is also considered that there are sufficient CI, RA, RS & TC zoned lands within Lusk to cater for the proposed use.

Chapter 3 of the Draft Plan recognises that the provision of residential care is an essential community requirement. Although there has been pressure for such facilities in rural areas, there is a presumption against this type of development in the open countryside for reasons relating to sustainability, poor accessibility and lack of public transport, social exclusion and isolation. Best practice dictates that residential care, retirement and nursing homes should be located in builtup areas and 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.

Having regard to the above it is considered that the Plan should be made without proposed amendment SH 6A.6 which seeks to amend zoning from RU – ‘Rural’ to CI – ‘Community Infrastructure’ at Balleally lane.

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**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## Summary Table - Sheet 6A

**Proposed Amendment SH 6A.2** be made without the proposed Material Alteration as displayed.

**Proposed Amendment SH 6A.6** be made without the proposed Material Alteration as displayed.

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## SHEET 6B: RUSH

<b>SHEET 6B</b> <b>Proposed Amendment SH 6B.3</b>	
<b>Proposed Amendment:</b> Prepare a Masterplan for GE – General Employment zoned lands at Whitestown and amend Objective RUSH 21: Prepare and/or implement the following Local Area Plan and Masterplans during the lifetime of this Plan: Whitestown Masterplan (see map Sheet 6B, MP 6.F)	
<b>Submissions Received:</b> A00003	
<b>Summary of Issues:</b> A submission was received in relation to the GE zoned lands at Whitestown in Rush. The submission states that the proposed area for the general employment in Rush be re-located to a more discrete area as the area chosen is the first area people see as they enter Rush.	
<b>Chief Executive's Response:</b> The merits of the submission are acknowledged. The selection of appropriate locations for employment uses within Fingal is determined by the principles of proper planning and sustainable development, which is a core component of the economic strategy for the County. The locations for employment development are also informed by the requirements of the <i>Regional Planning Guidelines for the Greater Dublin Area 2010-2022 (RPGs)</i> , which provides the Settlement Hierarchy for the County.  It should be noted that Fingal County Council's Economic Strategy set out in the Draft Plan seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents. Strategic Policy 10 and Objectives ED02 and ED03 of the Draft Plan seek to promote enterprise and employment throughout the County. In this regard Fingal County Council is committed to ensuring that sufficient lands are available in the County to meet current and future demands.  To maximise the effectiveness of existing infrastructure provision and promote sustainability, a logical sequential approach as advocated in the DoECLG Development Plan Guidelines 2007 must be applied to the zoning of land for development. In this regard, areas to be zoned should be contiguous to existing zoned development lands, a strong emphasis should be placed on encouraging infill opportunities and better use of under-utilised lands and zoning should extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. leapfrogging to more remote areas should be avoided).  The location of the GE zoned lands under PA SH 6B.3 is considered to be appropriate given that they adjoin the built up area of Rush, and the lands reflect the historically rural business that is located there. The GE zoned lands also reflect the excellent accessibility of the lands to the town and the adjacent road and rail network - located on the R128 between Rush and Lusk; their proximity to Rush and Lusk Train Station;  It should be noted that the lands in question are currently zoned in the existing Fingal Development Plan 2011-2017. It is the intention of the proposed amendment to facilitate the preparation of a master plan for the subject lands, supporting a high quality design and landscaping approach on these lands at this strategic location as one enters Rush from the	



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western side. In this regard, and in order to facilitate the co-ordinated development and examine the development potential of these lands in the context of the zoning objective, a Masterplan should be prepared to examine, among other elements, the western approach to Rush in the context of achieving a high quality of design. The intention of the Masterplan is to guide the development management process and accordingly it recommended that the Plan be made with the proposed amendment as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 6B

### Proposed Amendment SH 6B.4

**Proposed Amendment:** Insert a mapped based Local Objective at Rogerstown:  
Examine the feasibility of developing a marina and auxiliary and associated facilities at the Ramparts, Rogerstown, Rush designed and built in accordance with sustainable ecological standards and avoiding significant adverse impacts on European Sites and species. Such consideration shall take cognisance of a wider study into marina development along the Fingal coastline (Objective ED78, Chapter 6: Economic Development refers).

**Submissions Received:** A00050

**Summary of Issues:** The requirements of the EIA, SEA, Habitats, Flood and Water Framework Directives to be taken into account in relation to PA SH 6B.4.

**Chief Executive's Response:** The merits of the submission are acknowledged. It is recognised that this local objective is within the draft Plan and that it is now just being identified on the mapping. Whilst the development of a marina would be positive for population and material assets, there is potential for negative impacts on biodiversity, flora and fauna and on sensitive coastal habitats and/or their qualifying interests in SACs and species in SPA's. A wider marina study has been identified in Policy ED78. The development of any marina will require a Flood Risk Assessment to ensure that the marina development is in accordance with the requirements of The Planning System and Flood Risk Assessment Guidelines for Planning Authorities (2009) and Circular PL02/2014 (August 2014).

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

### Summary Table – Sheet 6B

**Proposed Amendment SH 6B.3** be made with the proposed Material Alteration as displayed.

**Proposed Amendment SH 6B.4** be made with the proposed Material Alteration as displayed.

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## SHEET 7 DONABATE – PORTRANE

<b>SHEET 7</b> <b>Proposed Amendment SH 7.3</b>
<p><b>Proposed Amendment:</b> Amend zoning of lands south of the 'CI' zoning at St Patrick's National School fronting the Portrane Road, from Objective HA 'High Amenity' to Objective CI 'Community Infrastructure'. Insert Local Objective: 'Provide pedestrian and vehicular access to a designated school set down area to serve St Patrick's National Schools.'</p> <p>Amend zoning from Objective HA 'High Amenity' to Objective CI 'Community Infrastructure' east of the existing National Schools Insert Local Objective: Provide a designated school set down area and Place(s) of Worship.</p>
<p><b>Submissions Received:</b> A00013, A00052, A00060</p>
<p><b>Summary of Issues:</b> One submission supports the inclusion of PA SH 7.3. A further submission requests an amendment to the Local Objective to provide a designated school set down area and to remove the words 'and Place(s) of Worship'. Another submission received requests a change to the proposed local objective to include separate bike and mechanically propelled access to St Patrick's National Schools.</p>
<p><b>Chief Executive's Response:</b> The submission supporting the inclusion of PA SH 7.3 is noted. The Council acknowledges on-going traffic management issues relating to the drop off and collection of pupils at St Patrick's National Schools and a number of submissions were received as part of the Development Plan review process requesting the rezoning of lands adjacent to the schools to provide a dedicated set down area.</p> <p>It is therefore recommended under the above amendment that a small area of lands adjacent to the schools be rezoned 'CI' to accommodate a designated school set-down area and access route to the school campus. The submission requesting that the local objective be amended to include separate bike and mechanically propelled access to the schools is noted. However, it is considered that the proposed wording in PA SH 7.3 above, which seeks to: 'Provide pedestrian and vehicular access to a designated school set down area...' adequately addresses this issue and no further change is recommended. The detailed design of this access route, which will include pedestrian, cycle and vehicular access, is best considered as part of the detailed design process.</p> <p>The submission requesting the removal of the words 'Place(s) of Worship' is also noted. The existing (and proposed) areas of 'CI' zoned lands in Donabate facilitate the development of community infrastructure and such uses are permitted in principle under this zoning objective. Furthermore, the need for community facilities and the important role of community groups is recognised by the Council and a fully integrated approach to developing sustainable communities is a key facet of this Draft Plan.</p> <p>The Draft Plan, aided by the LAP and Development Management processes, will ensure, where possible, the timely and accessible provision of community services and resources, including schools, religious, and community and health facilities. There is an identified demand for 'Places of Worship' within the Donabate area and this enlarged area of 'CI' zoning would facilitate such a use. It is therefore recommended that a Local Objective be attached to these lands, to ensure</p>

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the delivery of a new 'Place of Worship' at this location.

Accordingly, it is recommended that the Council accept the proposed material alteration to include a local objective to 'provide a designated school set down area and Place(s) of Worship', to ensure the delivery of lands for such a use, recognising the demand and shortage of suitable land in Donabate for same.

It is therefore recommended that no change is necessary to the proposed Material Alteration in this instance.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 7

### Proposed Amendment SH 7.7

**Proposed Amendment:** Add public transport reservation – Swords to Donabate.

**Submissions Received:** A00030, A00031, A00046, A00048, A00050, A00051

**Summary of Issues:** One submission received supports the inclusion of this public transport alignment on Sheet 7. Four submissions received request the removal of the public transport reservation – Swords to Donabate. One submission notes the recommendations to mitigate the potential likely significant negative impacts as described in the screening assessment response in respect of PA SH 7.7, and seeks clarification as to whether or not this new transport corridor has previously undergone EIA assessment.

**Chief Executive's Response:** The submission supporting the inclusion of PA SH 7.7 is noted. It is acknowledged that there is potential for likely significant effects from this project on adjacent European sites. It is noted that where a scheme is sub-threshold for EIA, it is strongly recommended that an environmental appraisal is still carried out in support of planning and that constraints and route selection processes are undertaken on the proposed alignment. Any future project in this regard will be subject to the requirements of the Habitats Directive and the protective policies included within the Development Plan will ensure that appropriate surveys and environmental assessments are carried out prior to any planning application. There is also a floodplain crossing the reservation corridor and following the principles of *The Planning System and Flood Risk Assessment Guidelines for Planning Authorities (2009)* and Circular PL02/2014 (August 2014), Fingal will be required to carry out a Justification Test to accompany any proposed development of the relevant lands. If the reservation corridor passes the Justification Test, a Flood Risk Assessment will be required.

It should be noted that a public transport reservation from Swords to Donabate was assessed as part of the NTA's Fingal-North Dublin Transportation Study and it was excluded at the first stage. In relation to Metro North, the National Transport Authority in their submission to the Draft Plan indicate that *'the process of planning and design for this project has now commenced. Part of that process will be the detailed consideration of various alignments and stop locations through the overall corridor, with the intention of optimising the final layout.'* The Council advocates the extension of new Metro North to Lissenhall and this is indicated on Sheet 8 of the Draft Plan maps. Furthermore, Objective MT14 of the Draft Plan clearly supports a possible future expansion of new Metro North to Donabate.

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It is noted that the NTA has no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. In the absence of a commitment to the project from the NTA and having consideration to the absence of any feasibility study on the physical constraints of the area including an environmental appraisal of the route to ensure that any potential impacts are taken into account and mitigation measures are proposed in relation to the route, it is considered that it should remain as a long term objective within Fingal's Development Plan (MT14 adequately captures and supports such a public transport connection to Donabate) however it is not considered appropriate to include an indicative route with the Plan, which may prejudice future proper planning and sustainable development of the area.

Further feasibility studies and analysis is required to determine the optimum route and future extension of any proposed public transport link to Donabate, including the new Metro North. The location, alignment and timeframe of such a route is also dependent on the development of the lands at Lissenhall.

The submission from the National Transport Authority also suggests that they have no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. They acknowledge Fingal's right to reserve alignments for future public transport corridors, but indicate that it is not a policy or an objective of the Transport Strategy to extend new Metro North to Donabate within the timeframe of the Strategy (which runs until 2035).

It is therefore recommended that the Development Plan be made without the proposed Material Alteration PASH 7.7, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 7

### Proposed Amendment SH 7.8

**Proposed Amendment:** Insert looped Walkway incorporating the Broad Meadow estuary.

**Submissions Received:** A0031

**Summary of Issues:** This submission supports the inclusion of proposed material alteration PA SH 7.8.

**Chief Executive's Response:** The proposed material alteration seeks the addition of a looped walkway incorporating the Broadmeadow Estuary. The Broadmeadow Way is a proposed pedestrian / cycle trail between Donabate and Malahide and it is a vital link in the Fingal Coastal Way route as it crosses the Malahide Estuary, thereby linking the two peninsulas.

Objective Swords 14 seeks to '*prepare a Landscape and Recreation Strategy for the Broadmeadow River Valley Park*', and the Council is currently progressing this Broadmeadow Way project through the required statutory planning and environmental approvals process.

The indicative route is illustrated on the relevant Sheets / Maps. All routes indicated on maps are indicative with potential for amending routes / including new looped routes to Swords Castle, etc as required. Indicative cycle and pedestrian routes are shown on the Development Plan maps for the entire County. These routes however are indicative and will require more detailed design on a route by route basis and will be subject to a public consultation process.

Objective ED64 of the Draft Plan also promotes and facilitates a co-ordinated network of

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walking trails in the County through the development of a 'Recreational Trails Plan' within the lifetime of the Development Plan (2017- 2023). This Trails Plan will include provision for a variety of walking trails including strategic greenways and localised trails within low lying agricultural areas. A comprehensive and co-ordinated approach to way-marking and signage will also be included in this plan. The development of the Recreational Trails Network Plan will include a public consultation process where relevant stakeholders and interested parties will have an opportunity to make submissions. Objective ED64 seeks to *'Develop a Recreational Trails Plan for the County in conjunction with relevant stakeholders, landowners and various community interest groups within the lifetime of this plan. This plan shall set out a coordinated strategic framework for future recreational trail development in the County.'*

It is considered that the content is adequately addressed within existing Draft Plan Objectives. The proposed network of walking and cycling routes throughout the County will require more detailed design on a route by route basis and will be subject to a public consultation process. The inclusion of new reservation corridors on the map sheets will ensure that no other development may be permitted in them. The corridors have not been subject to any environmental constraint analysis or route selection process and as such have potential for significant effects on the environment. Where schemes are sub-threshold for EIA it is strongly recommended that an environmental appraisal is still carried out in support of planning and that constraints and route selection processes are undertaken on the proposed alignment. There is a potential for likely significant effects from linear development on adjacent European Sites. Any project will be subject to the requirements of the Habitats Directive and the protective policies included in the Development Plan will ensure that appropriate surveys and environmental assessments are carried out prior to any planning application. It must be noted that the Fingal Cycle/Pedestrian Network Strategy, requires a route evaluation study (ED61) *'Promote and facilitate opportunities to create an integrated pedestrian and cycle network linking key tourist destinations in the County, by advancing the proposed Fingal Coastal Way, through carrying out a route evaluation study within two years of the adoption of this Plan, ensuring a balance is achieved between nature conservation and public use and through identifying public rights of way in consultation with all relevant stakeholders, and by exploiting former rail networks for use as potential new tourist and recreational walking routes'*. In addition policy (G29) states to *'Develop a Cycle/ Pedestrian Network Strategy for Fingal that encompasses the Fingal Way and other proposed routes which will be Screened for Appropriate Assessment and Strategic Environmental Assessment''*.

The proposed network of walking and cycling routes throughout the County will require more detailed design on a route by route basis and will be subject to a public consultation process. It would therefore be premature at this stage to reserve certain corridors free from development (which may prejudice future proper planning and sustainable development of the area) until such time as route locations and alignments have been finalised and it is therefore recommended that the Development Plan be made without the proposed Material Alterations PASH 7.8, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## Summary Table – Sheet 7

<b>Proposed Amendment SH 7.3</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 7.7</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 7.8</b> be made without the proposed Material Alteration as displayed.

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## SHEET 8

## SWORDS

<b>SHEET 8</b> <b>Proposed Amendment SH 8.1</b>	
<b>Proposed Amendment:</b> Create two new Masterplans areas at Estuary, known as Estuary Central and Estuary West.	
<b>Submissions Received:</b> A00047	
<b>Summary of Issues:</b> It is requested that the road proposal as indicated through Estuary Central is omitted and a reservation replaces same further south based on the practical implication of implementing such a proposal. The submitter is not against a cross link, rather the location of same is problematic as it cuts through a surface water attenuation pond and surface car parking.	
<b>Chief Executive's Response:</b> The indicative road proposal does not form part of the proposed amendment. That said it is noted the Development Plan is committed to the promotion of sustainable travel modes and improved connectivity linkages.  It is not therefore considered appropriate to omit the proposed indicative road objective (exact location subject to design) to link between Balheary Road and the R132 at this stage.  However, it should be noted there is a modification to include additional text supporting the provision of improved connectivity within the masterplan lands is recommended as per Proposed Amendment CH4.2 to reflect this position.	
<b>Recommendation:</b> Having given consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.	

<b>SHEET 8</b> <b>Proposed Amendment SH 8.6</b>	
<b>Proposed Amendment:</b> Insert new mapped Local Objective at Knocksedan: <i>Carry out, within 2 years of the adoption of this Development Plan, a feasibility study, of lands at Knocksedan to include a full investigation of requirements in terms of infrastructure, traffic, water, access, drainage and community facilities to inform the future designation of these lands for development.</i>	
<b>Submissions Received:</b> A00011; A00014; A00023; A00026; A00039; A00036; A00105; A00106; A00107; A00108; A00109; A00110; A00111; A00112; A00113; A00114; A00115; A00116; A00117; A00118; A00119.	
<b>Summary of Issues:</b> 20 submissions were received in relation to the above amendment with the inclusion of 157 signatures from groups acting on behalf of local residents, Elected Representatives, residential associations and individuals. Three common issues arising from these submissions were identified which include the opposition to further residential development at this location, the need for public consultation as part of the study process and the inclusion of an urban forest at this location.  A further submission was also received which seeks the inclusion of a new clause regarding noise sensitive uses for lands located within the Outer Airport Noise Zone.	

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**Chief Executive's Response:** The lands are located between Knocksedan, Ridgewood and Brookdale, west of Swords and are currently zoned GB - greenbelt. These lands, c.38 ha, are currently greenfield in nature. High amenity zoned lands are located closer to the River Ward Valley. The land also falls generally between the outer and inner airport noise zones and it lies east of the Outer Public Safety Zone of the airport. There is an existing local map based objective, no 319 under the 2011 – 2017 Development Plan, attaching to the lands, which states: *'Carry out a study for the long term use of these lands with particular regard to the setting of Brackenstown House and the identification of recreational/amenity lands and outcome of route selection of distributor road.'*

This has been carried through to the Draft Development Plan 2017 – 2023, under Local Objective no. 39 which states: *'Carry out a study for the long term use of these lands with particular regard to the setting of Brackenstown House and the identification of recreational/amenity lands and outcome of route selection of distributor road.'* Brackenstown House is one of three protected structures on these lands located within towards the Ward River Valley and in close proximity to a second protected structure that is connected the house, namely the mill race etc. A third protected structure is located to the south located in close proximity to the indicative road route.

During stage 2 of the Development Plan process, it was considered appropriate to identify this land as potential development land over the long term. Given the existing infrastructure deficits, in terms of the existing road network and the services provided at the subject site, it was considered that a study firstly should be carried out to examine and identify the infrastructure requirements which would allow this land bank to be developed as a long term development proposal for Swords and this forms SH8.6.

The existing local objective 39 together with the new objective under proposed amendment SH 8.6 provide appropriate planning parameters to develop a framework for future development. It is considered that the level of public participation regarding this amendment during this stage of the development plan warrants a review of the wording of the proposed amendment. It is considered that the study would benefit from public participation where the issue of an urban forest could be examined as part of the feasibility study.

Comments from the SEA, AA and SFRA screening of the proposed amendments, pg 76 of the Addendum Report states that *'the local objective should also include for environmental appraisal of the lands to ensure minimal impacts on cultural heritage and landscape'*.

It is considered that the existing noise zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area. Fingal County Council is committed to the review of existing Dublin Airport LAP which will have regard to impacts on *inter alia* local communities and will include an assessment of Noise Zones and matters relating appropriate to the proposed strategy for the area. It is considered that the proposed Dublin Airport Local Area Plan review process is the appropriate mechanism to potentially give consideration to issues raised in this submission.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following minor modification:

*Carry out, within 2 years of the adoption of this Development Plan, a feasibility study, that will*

# PART TWO

*include public consultation, of lands at Knocksedan to include a full investigation of requirements in terms of infrastructure, traffic, water, access, drainage, and community facilities community and recreational facilities and natural amenities to inform the future designation of these lands for development. This feasibility study should include an environmental appraisal of the lands to ensure minimal impacts on cultural heritage and landscape.*

<b>SHEET 8</b>
<b>Proposed Amendment SH 8.8</b>
<b>Proposed Amendment:</b> Amend zoning from OS 'Open Space' to RS 'Residential' at Rathingle.
<b>Submissions Received:</b> A00036
<b>Summary of Issues:</b> A submission was received which seeks the inclusion of a new clause regarding noise sensitive uses for lands located within the Outer Airport Noise Zone.
<b>Chief Executive's Response:</b> It is considered that the existing noise zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area. Fingal County Council is committed to the review of existing Dublin Airport LAP which will have regard to impacts on <i>inter alia</i> local communities and will include an assessment of Noise Zones and matters relating appropriate to the proposed strategy for the area. It is considered that the proposed Dublin Airport Local Area Plan review process is the appropriate mechanism to potentially give consideration to issues raised in this submission.
<b>Recommendation:</b> Having given consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## Summary Table – Sheet 8

<b>Proposed Amendment SH 8.1</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 8.6</b> be made with the proposed Material Alteration as displayed subject to modification.
<b>Proposed Amendment SH 8.8</b> be made with the proposed Material Alteration as displayed.



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## SHEET 9

## MALAHIDE – PORTMARNOCK

<b>SHEET 9</b> <b>Proposed Amendment SH 9.1</b>	
<b>Proposed Amendment:</b> Amend zoning from Objective GB 'Greenbelt' to Objective CI 'Community Infrastructure', and insert new mapped Local Objective at Swords Road: <i>Provide sheltered accommodation to cater for senior citizens.</i>	
<b>Submissions Received:</b> A00019, A00022, A00034	
<b>Summary of Issues:</b> The above submissions do not support the rezoning of lands from GB to CI in order to provide sheltered accommodation to cater for senior citizens at this location. It is suggested that this site is isolated, with problematic access and it is proposed that such a facility should be located in the heart of the community and not on its periphery.	
<b>Chief Executive's Response:</b> The contents of the submissions are noted in respect of these lands which are located on the northern side of the R106, Swords – Malahide Road, at the western edge of Malahide. The lands are currently greenfield in nature and are outside the development boundary of Malahide. The proposed material alteration seeks to change the zoning of the lands from GB to 'CI' – (Community Infrastructure), and to attach a new Local Objective to: 'Provide sheltered accommodation to cater for senior citizens.'	
It should be noted that sheltered accommodation is permitted in principle within a number of zoning objectives, including Major Centre (MC), New Residential Areas (RA) and Residential (RS) and is 'open for consideration' in a number of other zoned areas. The Ministerial Planning Guidelines on Development Plans, issued under Section 28 of the <i>Planning and Development Act 2000</i> , state that 'zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development.' The Guidelines also make clear that in order to support public confidence in the planning system and the Development Plan process, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account:	
<ul style="list-style-type: none"><li>• Need</li><li>• Policy Context</li><li>• Capacity of Water, Drainage and Roads Infrastructure</li><li>• Supporting Infrastructure and Facilities</li><li>• Physical Suitability</li><li>• Sequential Approach</li><li>• Environmental and Heritage policy, including conservation of habitats and</li><li>• other sensitive areas.</li></ul>	
This proposed amendment to rezone lands to allow residential development in a designated Greenbelt area cannot be justified based on the specific issues outlined above, whilst significant residential zoned lands (Objective 'RA' and 'RS') remain undeveloped in the vicinity of the subject lands. There is a lack of an evidence based need or planning rationale for these lands to be zoned for residential development to accommodate sheltered housing, and therefore, the inclusion of the proposed zoning would conflict with the policy and guidance outlined above.	
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 a poor	

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quality, fragmented rural environment and the erosion of an important Greenbelt area.

There is therefore no justifiable need to rezone any additional greenbelt lands to provide for additional housing (or community infrastructure in the form of sheltered housing) in this area, whilst such a large area of 'RA' and 'RS' zoned lands remains undeveloped in the vicinity. Such a change in designation would result in the erosion of the greenbelt in this area and would contribute to a significant diminution of the area's landscape value at this location.

Notwithstanding the above, the subject site is also located within an area that is identified as an 'Ecological Buffer Zone', given its location proximate to the Broadmeadow Estuary which is a Special Area Conservation (SAC), Special Protection Area (SPA) and Natural Heritage Area, the first two designations being of European status and triggering the Habitats Directive Assessment process for any development proposed.

It is therefore recommended that the Development Plan be made without the proposed Material Alteration PACH 9.1, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 9

### Proposed Amendment SH 9.2

**Proposed Amendment:** Amend zoning from Objective HA 'High Amenity' to Objective RS 'Residential' at Robswall Cottages. Include Local Objective:

Permit the completion, before December 2018, 2 (no.) residential units associated with planning permission reference number F08A/1407, only.

**Submissions Received:** A00039

**Summary of Issues:** Submission is opposed to the proposed rezoning of lands from 'HA' to 'RS' suggesting that it is not in the interests of the proper planning and sustainable development of the area.

**Chief Executive's Response:** This proposed material alteration is seeking to rezone lands to the east of Malahide Village from Objective 'HA' to Objective 'RS' and to attach a Local Objective to permit the completion of 2 no. residential units previously approved by planning permission Ref: F08A/1407, which has subsequently expired. The subject lands are located in a sensitive high amenity area adjacent to the coast. In this regard Objective 'HA' seeks to 'Protect and enhance high amenity areas' and the vision for this zoning objective is to '*Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.*'

It should be noted that there is significant planning history associated with this site. Planning permission was granted on 29th May 2009 (Reg Ref: F08A/1407) for the construction of two single storey detached four bedroom houses with basement level accommodation, and all associated site works on 0.288 hectares of land. The units were not constructed during the life of the planning application and subsequently an Extension of Duration application was lodged on 05-Feb-2014 (under Reg Ref F08A/1407/E1). The application form submitted by the applicant under F08A/1407/E1 indicated that the development had not commenced on site at that time (5th Feb 2014).

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Following consideration of the Extension of Duration application under the relevant legislative requirements, planning permission was refused to extend the permission under F08A/1407/E1 on 31st March 2014, having regard to the significant changes in the Development Plan in the intervening period. It was considered that the proposed development, if permitted, would contravene Objective RH07 of the Development Plan, which only permits housing in 'HA' zoned areas to those who have a defined essential housing need based on their involvement in farming or exceptional health circumstances.

It should be noted that the Local Objective relating to the provision of 2 houses on the lands was in place in the Fingal Development Plan 2005-2011 (LO No. 210 'To provide for two residential units only, sensitively designed and located on the site') and this Objective was subsequently removed from the Fingal Development Plan 2011-2017 and Fingal Draft Development Plan 2017-2023.

Planning permission expired on 28th May 2014 and the lands in question are currently the subject of on-going enforcement action (Ref: ENF 15/175A). A warning letter issued to the applicants on 29th December 2015 noting that *'it has come to the attention of the Planning Authority that unauthorised development may be ongoing'* at the subject site at Robswall, Malahide. This alleged unauthorised development consists of: *'Development ongoing on site despite the fact that Reg. Ref. F08A/1407 has expired and the Extension of Duration of Permission under Reg. Ref. F08A/1407/E1 has been refused.'*

An Enforcement Notice issued on 23rd May 2016 relating to the partial construction of two houses without the benefit of planning permission. The applicant was requested to:

- Cease the unauthorised development;
- Remove the 2 concrete block partially constructed detached houses from the site;
- Following the removal of the structures fill in the area used to construct the basement levels of both structures with top soil to the level of the original lands.

Having regard to the history and sensitive setting of the subject lands, it is considered appropriate that the lands retain their High Amenity zoning designation and their location within this sensitive coastal landscape, with the consideration of residential development permitted at locations where applicants demonstrate compliance with the Rural Settlement Strategy. The Rural Settlement Strategy applies equally to all seeking to apply for permission within HA zoned areas. Accordingly, it is considered that there is no rationale as to why the existing applicant should be permitted to obviate their requirements in relation to this policy.

It is therefore recommended that the Development Plan be made without the proposed Material Alteration CH 9.2, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 9

### Proposed Amendment SH 9.3

**Proposed Amendment:** Amend wording of Local Objective 49 to read as:

*'New or widened entrances onto the Dublin Road between Streamstown lane and the Swords Junction will be restricted, to ensure the protection of the mature tree-lined approach along the Dublin Road to Malahide.'*

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**Submissions Received:** A00039

**Summary of Issues:** The above submission does not support the proposed amended wording of Local Objective 49 and suggests that it is not in the interests of the proper planning and sustainable development of the area.

**Chief Executive's Response:** The content of the submission is noted. In this regard it is considered that the landscape setting of this road along the approach to Malahide is of significance in terms of the character it establishes as well as the ecological benefits. This is recognised in Objective MALAHIDE 2 of the Draft Plan, which seeks to:

*'Retain the impressive tree-lined approach along the Dublin Road as an important visual element to the town and, specifically, ensure the protection of the mature trees along the Malahide Road at the Limestone Field and property boundary walls which create a special character to the immediate approach to Malahide.'*

The Council acknowledges that to facilitate additional entrances along this road would result in habitat and tree loss, to the detriment of the character of the area. However, there is adequate scope within the existing local objectives to facilitate residential development in this area. The Streamstown LAP indicates that suitable access to development within these lands adjoining the Malahide Road, where increased densities are sought, should be provided via Streamstown or Carey's Lanes. However, In an effort to balance the need to provide access to residentially zoned lands, whilst at the same time protect the character and rural nature of the notable approach to Malahide, it is considered appropriate to amend the wording of Local Objective 49 to read as follows:

*'LO 49: New or widened entrances onto the Dublin Road between Streamstown lane and the Swords Junction will be restricted, to ensure the protection of the mature tree-lined approach along the Dublin Road to Malahide.'*

It is considered that the amended Local Objective 49, together with Draft Development Plan policies including Objective MALAHIDE 2, provide significant protection to the character of the tree-line approach to Malahide Village, whilst at the same time, allow for limited new / widened entrances for existing and new residential development along this road.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 9

### Proposed Amendment SH 9.5

**Proposed Amendment:** Amend zoning from Objective GB 'Greenbelt' to Objective RC 'Rural Cluster' at Feltrim Road.

**Submissions Received:** A00036

**Summary of Issues:** The above submission does not support rezoning lands from 'GB' to 'RC' at Feltrim Road. It is requested that residential zonings are removed from the Inner Noise Zone and that the zoning revert to the 'GB' zoning as originally proposed in the Draft Plan.

**Chief Executive's Response:** This submission requesting the removal of the above proposed amendment is acknowledged. The material alteration seeks to rezone an area of 0.16ha to the rear of 1 Feltrim Road, from 'GB' to 'RC'. There is an existing bungalow on the subject site and

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the lands are located within the strategic Greenbelt area separating Malahide from Kinsealy. The lands are also located within the Inner Airport Noise Zone and the Airport's Outer Public Safety Zone, as noted in the submission received.

It is Council policy to strictly control residential development located within the Inner Airport Noise Zone. Objective EE51 of the Development Plan states the following: *'Strictly control inappropriate development and require noise insulation where appropriate within the Outer Noise Zone, and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone.'*

The Draft Plan also notes that *'the development of new housing for those who are not involved in farming will be actively resisted within the area delineated by the Inner Noise Zone for Dublin Airport'* (Objectives RF37 and RF38 refer).

There are currently thirty four existing Rural Clusters within the Draft Plan to cater for rural generated housing need. These Rural Clusters have a strong residential focus and are based on a small number of individual houses and typically take the form of between 5 and 15 dwellings. They provide an alternative to one-off housing in the countryside through the consolidation of rural residential development within existing small clusters. For the most part, they provide an opportunity for family members of existing households within the cluster to build a new home, or re-use and adapt an existing structure, in proximity to their family home, by subdividing large sites. In this regard it should be noted that the Ministerial Planning Guidelines on Development Plans, issued under Section 28 of the *Planning and Development Act 2000 (as amended)*, state *'zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development.'* The Guidelines also make clear that in order to support public confidence in the planning system and the development plan, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account:

- Need
- Policy Context
- Capacity of Water, Drainage and Roads Infrastructure
- Supporting Infrastructure and Facilities
- Physical Suitability
- Sequential Approach
- Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

The zoning of these lands cannot be justified on the matters outlined above. This alteration will result in residential development beyond the outer edge of the existing RC, RS, RV and RA zoned lands, while considerable development opportunities currently exist within these areas in the vicinity of the subject lands, including the LAP lands at Streamstown. 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 agricultural and high amenity lands.

The allocation of housing unit numbers for the entire County area has been thoroughly analysed and addressed in the context of the Core Strategy of the Draft Plan 2017-2023 based on the directions contained in the RPG's. The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The *Planning and*

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*Development (Amendment) Act 2010* introduced the requirement for an evidence based 'Core Strategy' to be provided in Development Plans. The Core Strategy identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines. Government policy as articulated by the National Spatial Strategy and the *Sustainable Rural Housing: Guidelines for Planning Authorities, April 2005*, classifies the rural area of Fingal as "an area under strong urban influence" where the housing requirements of the rural community should be facilitated but urban generated housing should be directed to areas zoned for residential development in cities, towns and villages. The approach is reflected in the Regional Planning Guidelines for the Greater Dublin Area. The inclusion in the Draft Plan of objectives facilitating the provision of additional housing without due regard to the Core Strategy and its approach is contrary to the national and regional direction.

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 the RPG targets for the Development Plan period. This proposal will result in the rezoning of GB zoned land in a strategic greenbelt area separating the villages of Malahide and Kinsealy. Such a change in designation would result in the erosion of the rural character of this area and the degradation of the Greenbelt at this location. The Greenbelt separating Swords, Malahide, Portmarnock, Baldoyle and Balgriffin is one of the most critical in the County having regard to the close proximity of each of these areas to one another. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas. It is also not considered necessary or appropriate to rezone any of the Greenbelt lands at Feltrim Road to RC zoning. Furthermore, the Council is fully committed to the continued protection of the Greenbelt and to allow for any additional housing 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 Greenbelts as set out in the Draft Plan.

Allowing certain individuals to be excluded from this Rural Housing policy would contradict this overall approach and be contrary to the proper planning and sustainable development of the area. There is therefore no justifiable need to rezone any additional greenbelt lands to provide for additional housing in this area. Such a change in designation would result in the erosion of the greenbelt in this area. Furthermore, it should be noted that planning permission was refused on the site for the construction of a 3 bed dwelling (to be located to the rear of existing dwelling at No. 1 Feltrim Road) under Reg Ref: F15A/0329. The applicants appealed this decision to An Bord Pleanála (Ref: PL06F.245561), who upheld the Planning Authority's decision to refuse permission in December 2015 for the following reason:

*The appeal site is located within the Inner Airport Noise Zone as indicated in the Fingal County Development Plan, 2011-2017. Objective EE51 of the Plan states that it shall be an objective to 'strictly control inappropriate development and require noise insulation where appropriate within the outer noise zone and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone .....while recognising the housing needs of established farming families in the zone'. Having regard to the location of the site within the inner noise zone and to the circumstances of the applicant and specifically the fact that they are not a member of an established farming family, it is considered that the proposed development would materially contravene Objective*

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*EE51 of the Plan regarding development within the Inner Noise Zone and would therefore be contrary to the proper planning and sustainable development of the area.'*

Accordingly, it is considered that to rezone these lands from Objective 'GB' to Objective 'RC' at this time would facilitate the un-coordinated, ad hoc provision of unsustainable urban generated housing detached from existing designated settlements for which there is no evidence-based need or planning rationale, therefore, contrary to proper planning and sustainable development of the County. The site is also located within the Inner Airport Noise Zone where additional residential development is actively resisted and strictly controlled by the Planning Authority and it is therefore recommended that the Development Plan be made without the proposed Material Alteration PACH 9.5, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 9

### Proposed Amendment SH 9.6

**Proposed Amendment:** Amend zoning from Objective GB 'Greenbelt' to Objective RV 'Rural Village' north of Kinsealy Village.

**Submissions Received:** A00036

**Summary of Issues:** Submission seeks an additional objective to be included to state that *'all noise sensitive uses proposed on sites within the Outer Airport Noise Zone shall be subject of a requirement to undertake noise assessment and implement noise mitigation measures to ensure acceptable internal noise environment'*. An Additional Policy is also suggested to read as: *'Noise Disclosure Agreement: Applicants seeking planning permission for noise sensitive uses including residential development, falling within the Airport Noise Zones will be required to inform future occupants that their property may be subject to higher levels of aviation noise. The method of disclosure (by way of marketing material or any other means) will be subject to the written agreement of the planning authority post planning by way of compliance.'*

**Chief Executive's Response:** It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan within the written statement and accompanying maps, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with

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EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

This proposed material amendment proposes to amend the zoning of a small contiguous section of land to the north of the existing RV boundary to rationalise and consolidate the existing RV boundary and to reflect the surrounding land uses. These lands adjoin Kinsealy Business Park and Kinsealy Lane and include a new nursing home, which is currently under construction (Reg Ref: F12A/0141). The nursing home occupies the majority of these lands with a small area of 0.6ha remaining, which represents a small incremental increase of RV zoned land relative to the size of the existing settlement and which would facilitate the development of a small number of houses.

It is therefore recommended that no change is necessary to the proposed Material Alteration in this instance.

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

## SHEET 9

### Proposed Amendment SH 9.7

**Proposed Amendment:** Amend zoning from Objective GB 'Greenbelt' to Objective RV 'Rural Village' at Kinsealy.

**Submissions Received:** A00036

**Summary of Issues:** The above submission seeks an additional objective to be included to state that 'all noise sensitive uses proposed on sites within the Outer Airport Noise Zone shall be subject of a requirement to undertake noise assessment and implement noise mitigation measures to ensure acceptable internal noise environment. An Additional Policy is also suggested to read as: Noise Disclosure Agreement: Applicants seeking planning permission for noise sensitive uses including residential development, falling within the Airport Noise Zones will be required to inform future occupants that their property may be subject to higher levels of aviation noise. The method of disclosure (by way of marketing material or any other means) will be subject to the written agreement of the planning authority post planning by way of compliance.

**Chief Executive's Response:** It should be noted that the Book of Maps accompanying the 'Proposed Material Alterations to the Draft Fingal Development Plan' shows the map accompanying this material alteration as PA SH 9.8 (instead of PA SH 9.7).

It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan within the written statement and



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accompanying maps, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

This proposed material alteration relates to lands immediately to the east of existing Kinsealy RV lands and proposes a change in zoning from GB to RV with the lands to be included within Kinsealy RV boundary. It should be noted that the development potential of the site is constrained due to the presence of a Protected Structure adjacent to the subject site, RPS No. 455 comprising of *'Church (in ruins) and graveyard'*. The site is located adjacent to existing residential development and forms a natural extension to the RV boundary, and would rationalise and consolidate the existing RV boundary at this location.

The amended zoning proposed represents a small incremental increase of RV zoned land relative to the size of the existing settlement and due to the location of a Protected Structure on the site, the development potential is very limited in terms of impact on Core Strategy allocation. It is considered that the proposal would not contravene the Core and Settlement Strategies of the current FDP 2011-2017 and the Draft Plan 2017-2023, or the Greater Dublin Area Regional Planning Guidelines 2010-2022. It is therefore recommended that no change is necessary to the proposed Material Alteration in this instance.

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

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## SHEET 9

### Proposed Amendment SH 9.8

**Proposed Amendment:** Amend zoning from Objective GB 'Greenbelt' to Objective RV 'Rural Village' at Kinsealy Garden Centre.

**Submissions Received:** A00036

**Summary of Issues:** Submission seeks an additional objective to be included to state that 'all noise sensitive uses proposed on sites within the Outer Airport Noise Zone shall be subject of a requirement to undertake noise assessment and implement noise mitigation measures to ensure acceptable internal noise environment. An Additional Policy is also suggested to read as: Noise Disclosure Agreement: Applicants seeking planning permission for noise sensitive uses including residential development, falling within the Airport Noise Zones will be required to inform future occupants that their property may be subject to higher levels of aviation noise. The method of disclosure (by way of marketing material or any other means) will be subject to the written agreement of the planning authority post planning by way of compliance.

**Chief Executive's Response:** It should be noted that the Book of Maps accompanying the 'Proposed Material Alterations to the Draft Fingal Development Plan' shows the map accompanying this material alteration as PA SH 9.7 (instead of PA SH 9.8).

It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan within the written statement and accompanying maps, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

It is therefore recommended that no change is necessary to the proposed Material Alteration in this instance.

# PART TWO

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

## SHEET 9 Proposed Amendment SH 9.9

**Proposed Amendment:** Amend Kinsealy House RV boundary to correlate with established boundary at this location.

**Submissions Received:** A00036

**Summary of Issues:** Submission seeks an additional objective to be included to state that 'all noise sensitive uses proposed on sites within the Outer Airport Noise Zone shall be subject of a requirement to undertake noise assessment and implement noise mitigation measures to ensure acceptable internal noise environment. An Additional Policy is also suggested to read as: Noise Disclosure Agreement: Applicants seeking planning permission for noise sensitive uses including residential development, falling within the Airport Noise Zones will be required to inform future occupants that their property may be subject to higher levels of aviation noise. The method of disclosure (by way of marketing material or any other means) will be subject to the written agreement of the planning authority post planning by way of compliance.

**Chief Executive's Response:** It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan within the written statement and accompanying maps, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

# PART TWO

It is therefore recommended that no change is necessary to the proposed Material Alteration in this instance.

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

## SHEET 9 Proposed Amendment SH 9.10

**Proposed Amendment:** (Routes to be added as per the maps attached to Agenda Item Nos. 508, 509, 510, 511, Motion Nos. 29050, 28694, 29044, 28690)

Add the following indicative cycle /pedestrian routes:

- Add indicative cycle/pedestrian route as shown on the attached map – Abbeville to Kettle's Lane.
- Add indicative cycle/pedestrian route as shown on the attached map – Balgriffin to Teagasc Kinsealy.
- Add cycle route as shown on the attached map – Balgriffin to Kinsealy.
- Add indicative cycle/pedestrian route as shown on the attached map – Old Portmarnock to Teagasc Kinsealy.

**Submissions Received:** A00025, A00030, A00031, A00062

**Summary of Issues:** Three submissions support the inclusion of these cycle / pedestrian routes. It is noted that they will provide essential connectivity for non-motorised transport through this area with narrow hostile roads, supporting safe route to school and work and providing attractive greenways. One submission opposes inclusion of indicative cycle / pedestrian routes.

**Chief Executive's Response:** The submissions received in relation to the addition of pedestrian and cycle routes to Sheet 9 are noted. This proposed amendment seeks to add indicative cycle /pedestrian routes to the map (Sheet 9), to include the following: Abbeville to Kettle's Lane; Balgriffin to Teagasc Kinsealy; Balgriffin to Kinsealy (cycle route) and Old Portmarnock to Teagasc Kinsealy.

In this regard, Objective MT09 of the Draft Plan currently reads as follows (including proposed amendment CH7.8):

*'Promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.'*

A new Objective is also proposed to be included within the Draft Plan (PA CH 7.8) to read as:

### Objective MT XX

The Council will work in cooperation with the NTA and adjoining Local Authorities to implement the *Greater Dublin Area Cycle Network Plan* subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan. (CH7.8)

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The Draft Plan supports and promotes the provision of safe cycling and the Plan notes the following in this regard:

*'...To promote the development of cycling in the County, a comprehensive network of cycle routes will be established throughout the County with the emphasis on promoting direct, comfortable, convenient, and safe routes. The NTA has published a Greater Dublin Area Cycle Network Plan which identified:*

- *The Urban Cycle Network (including primary, secondary and feeder routes)*
- *The Inter-urban Cycle Network*
- *The Green Route Network*

The NTA Network has been prepared at a strategic level. Implementation of the network will require more detailed engineering design on a route by route basis. The promotion of walking and cycling as an efficient, healthy and environmentally friendly sustainable mode of transport is explicit in the Draft Plan. The objectives of the *National Cycle Policy Framework (NCPF) (2009)* and the NTA's *Greater Dublin Area Cycle Network Plan* are incorporated into the Draft Plan and are promoted in a number of policies and objectives. The Council will work in co-operation with the NTA to implement the *Greater Dublin Area Cycle Network Plan* subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan.

Indicative cycle and pedestrian routes are shown on the Development Plan maps for the entire County. These routes however are indicative and will require more detailed design on a route by route basis and will be subject to a public consultation process.

Objective ED64 of the Draft Plan also promotes and facilitates a co-ordinated network of walking trails in the County through the development of a 'Recreational Trails Plan' within the lifetime of the Development Plan (2017- 2023). This Trails Plan will include provision for a variety of walking trails including strategic greenways and localised trails within low lying agricultural areas. A comprehensive and co-ordinated approach to way-marking and signage will also be included in this plan. The development of the Recreational Trails Network Plan will include a public consultation process where relevant stakeholders and interested parties will have an opportunity to make submissions. Objective ED64 seeks to *'Develop a Recreational Trails Plan for the County in conjunction with relevant stakeholders, landowners and various community interest groups within the lifetime of this plan. This plan shall set out a coordinated strategic framework for future recreational trail development in the County.'*

It is considered that the content is adequately addressed within existing Draft Plan Objectives, in particular Objective MT09 (including proposed material alterations) and Objective ED64. Accordingly, it is not considered appropriate to identify specific routes on the map (Sheet 9) showing alignments between Abbeville and Kettle's Lane; Balgriffin to Teagasc Kinsealy; Balgriffin to Kinsealy (cycle route) and Old Portmarnock to Teagasc Kinsealy, or to reserve the corridors of these cycle / pedestrian routes free of development, as routes are indicative at this stage.

The inclusion of new reservation corridors on the map sheets may only serve to prejudice the future proper planning and sustainable development of the area. The corridors have not been subject to an environmental constraint or route selection process and as such have potential for significant effects on the environment. Whilst it is recognised that cycleways are positive in relation to population/ human health/ air quality/ climate and material assets along with encouraging sustainable transport, their location must be subject to a constraints and route

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selection process that includes an environmental appraisal.

Where schemes are sub-threshold for EIA it is strongly recommended that an environmental appraisal is still carried out in support of planning and that constraints and route selection processes are undertaken on the proposed alignment. There is a potential for likely significant effects from linear development on adjacent European Sites. Any project will be subject to the requirements of the Habitats Directive and the protective policies included in the Development Plan will ensure that appropriate surveys and environmental assessments are carried out prior to any planning application. It must be noted that the Fingal Cycle/Pedestrian Network Strategy, requires a route evaluation study (ED61) *'Promote and facilitate opportunities to create an integrated pedestrian and cycle network linking key tourist destinations in the County, by advancing the proposed Fingal Coastal Way, through carrying out a route evaluation study within two years of the adoption of this Plan, ensuring a balance is achieved between nature conservation and public use and through identifying public rights of way in consultation with all relevant stakeholders, and by exploiting former rail networks for use as potential new tourist and recreational walking routes'*. In addition policy (G29) states to *'Develop a Cycle/ Pedestrian Network Strategy for Fingal that encompasses the Fingal Way and other proposed routes which will be Screened for Appropriate Assessment and Strategic Environmental Assessment'*.

The proposed network of walking and cycling routes throughout the County will require more detailed design on a route by route basis and will be subject to a public consultation process. It would therefore be premature at this stage to reserve certain corridors free from development (which may prejudice future proper planning and sustainable development of the area) until such time as route locations and alignments have been finalised and it is therefore recommended that the Development Plan be made without the proposed Material Alterations PASH 9.10, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

<p><b>SHEET 9</b> <b>Proposed Amendment SH 9.12</b></p>
<p><b>Proposed Amendment:</b> Add public transport reservation – Light Rail Corridor to Balgriffin (with intended connection to Clongriffin or Dart Line).</p>
<p><b>Submissions Received:</b> A00030, A00031, A00049</p>
<p>Summary of Issues: One submission received welcomes the inclusion of this alignment and notes that Fingal should engage proactively in respect of all public transport serving the County, not only in relation to Metro North which has been the case in recent years. Two submissions oppose the inclusion of public transport reservation – light rail corridor to Balgriffin and request its removal.</p>
<p><b>Chief Executive’s Response:</b> The Council acknowledges the submissions received above and notes that the NTA and TII are primarily responsible for the funding, planning and implementation of public infrastructure in the Greater Dublin Area. Notwithstanding this, the Council has an important role to play in promoting and facilitating public transport. In particular the Council advises the NTA and TII on the locations of public transport routes and stops and reserved planned routes free from development. The Council must ensure that the policies, objectives and requirements of the County are</p>

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understood by the NTA and TII. It should be noted that while Metro West has not been included in the Government's Capital Programme 2016 -2021, a significant amount of preliminary design work has already been carried out.

The policies and objectives included within the Draft Plan (including proposed material amendments) clearly promote and facilitate public transport. In particular, the Council advises the NTA and TII on the locations of public transport routes and stops, reserves planned routes free from development, and allows high-density development along existing and planned public transport corridors. The Council shall ensure that the policies, objectives and requirements of the County are fully understood and appreciated by NTA and TII and will continue to promote public transport connectivity between key urban settlements within the County.

The Draft Plan also prioritises public transport by safeguarding future rail and bus routes, promoting the provision and improvements of Quality Bus Corridors, Bus Rapid Transports and bus priority measures.

It is considered that the specification of an exact location and alignment is inappropriate at this time until sufficient analysis has been completed on the most efficient / optimum route. Furthermore, it is noted that the City Council and the NTA propose to provide a BRT along the corridor from Clongriffin to Clarehall and accordingly no further change is necessary. This proposal is therefore not compatible with the National Transport Authority Transport Strategy for the Greater Dublin Area 2016-2035. The strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area over the next two decades and it does not propose to provide a light rail line through these lands. It does not form part of the NTA's proposed public transport improvement programme nor has any feasibility been carried out in this regard. In addition there is an indicative road proposal traversing these lands, which will incorporate new public transport services for this area.

The NTA has no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. It is acknowledged by the NTA that Fingal have a right to reserve alignments for future public transport corridors, but note that it is not a policy or an objective of the Transport Strategy to extend a Light Rail Corridor to Balgriffin (with intended connection to Clongriffin or Dart Line) as proposed in this material amendment. In this regard, the inclusion of the transport reservation corridors as proposed, in the absence of any detailed design or feasibility study, and with no commitment to develop or fund such a project from the NTA or TII, may only serve to prejudice the proper planning and sustainable development of the area.

Having regard to the above, it is therefore recommended that the Development Plan be made without the proposed Material Alteration PASH 9.12, as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 9

### Proposed Amendment SH 9.13

**Proposed Amendment:** Add public transport reservation Balgriffin to Portmarnock.

**Submissions Received:** A00030, A00031

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**Summary of Issues:** One submission welcomes this alignment and notes that Fingal should engage proactively in respect of all public transport serving the County, not only in relation to Metro North which has been the case in recent years. Another submission received opposes inclusion of public transport reservation – Balgriffin to Portmarnock.

**Chief Executive's Response:** The submissions received regarding the public transport reservation from Balgriffin to Portmarnock are noted. The NTA and TII are primarily responsible for the funding, planning and implementation of public infrastructure in the Greater Dublin Area. Notwithstanding this, the Council has an important role to play in promoting and facilitating public transport. In particular the Council advises the NTA and TII on the locations of public transport routes and stops and reserved planned routes free from development.

The Council must ensure that the policies, objectives and requirements of the County are understood by the NTA and TII. It should be noted that while Metro West has not been included in the Government's Capital Programme 2016 -2021, a significant amount of preliminary design work has already been carried out and expenditure outlaid.

The policies and objectives included within the Draft Plan (including proposed material amendments) clearly promote and facilitate public transport. In particular, the Council advises the NTA and TII on the locations of public transport routes and stops, reserves planned routes free from development, and allows high-density development along existing and planned public transport corridors. The Council shall ensure that the policies, objectives and requirements of the County are fully understood and appreciated by NTA and TII and will continue to promote public transport connectivity between key urban settlements within the County.

The Draft Plan also prioritises public transport by safeguarding future rail and bus routes, promoting the provision and improvements of Quality Bus Corridors, Bus Rapid Transports and bus priority measures.

It is considered that the specification of an exact location and alignment is inappropriate at this time until sufficient analysis has been completed on the most efficient / optimum route. This proposal is therefore not compatible with the National Transport Authority Transport Strategy for the Greater Dublin Area 2016-2035. The strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area over the next two decades and it does not propose to provide a light rail line through these lands. It does not form part of the NTA's proposed public transport improvement programme. In addition there is an indicative road proposal traversing these lands, which will incorporate new public transport services for this area.

The NTA has no plans to develop any strategic transport infrastructure projects not set out in the Transport Strategy for the GDA. It is acknowledged by the NTA that Fingal have a right to reserve alignments for future public transport corridors, but note that it is not a policy or an objective of the Transport Strategy to extend a Light Rail Corridor to Balgriffin as proposed in this material amendment. In this regard, the inclusion of the transport reservation corridors as proposed, in the absence of any detailed design or feasibility study, and with no commitment to develop or fund such a project from the NTA or TII, may only serve to prejudice the proper planning and sustainable development of the area.

Having regard to the above, it is therefore recommended that the Development Plan be made without the proposed Material Alteration PASH 9.13, as displayed.



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**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## Summary Table – Sheet 9

<b>Proposed Amendment SH 9.1</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.2</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.3</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.5</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.6</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.7</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.8</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.9</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.10</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.12</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 9.13</b> be made without the proposed Material Alteration as displayed.

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## SHEET 10 BALDOYLE-HOWTH - NO PROPOSED AMENDMENTS

## SHEET 11 FINGAL SOUTH

<b>SHEET 11</b> <b>Proposed Amendment SH 11.2</b>	
<b>Proposed Amendment:</b>	Amend zoning from GB 'Greenbelt' to RC 'Rural Cluster' on Baskin Lane.
<b>Submissions Received:</b>	A00036
<b>Summary of Issues:</b>	DAA seek the inclusion of a new clause re: noise sensitive uses for lands located within the Outer Airport Noise Zone.
<b>Chief Executive's Response:</b>	<p>The request from the DAA, general in nature, is sought to apply to all lands located inside the outer airport noise zone and therefore not directly related to specifics of proposed amendment SH11.2. However, it is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area. It is further considered that the proposed Dublin Airport Local Area Plan review process is the appropriate mechanism to consider issues such as those raised in this submission as part of the development of a future land use plan for the area.</p> <p>This proposed amendment is to rezone Greenbelt GB, zoned lands to a Rural Cluster RC, at Baskin Lane/Stockhole Junction, of c. 0.98 hectares (2.42 acres) with the potential to deliver 20 units, east of the M1, located within the strategic greenbelt that surrounds Dublin Airport. The Greenbelt separating Swords and the airport is one of the most important in the County. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas.</p> <p>Furthermore, the Council is fully committed to the continued protection of the Greenbelt and to allow for any additional housing 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 Greenbelts as set out in the Draft Plan.</p> <p>Allowing certain individuals to be excluded from this Rural Housing policy would contradict this overall approach and be contrary to the proper planning and sustainable development of the area. There is therefore no justifiable need to rezone any additional greenbelt lands to provide for additional housing in this area. Such a change in designation would result in the erosion of the greenbelt in this area.</p> <p>To rezone these lands from Objective 'GB' to Objective 'RC' at this time would facilitate the uncoordinated, ad hoc provision of unsustainable urban generated housing detached from existing designated settlements for which there is no evidence-based need or planning rationale, and thus contrary to proper planning and sustainable development of the County. 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 the RPG targets for the Development Plan period. This motion proposes the rezoning of GB zoned land in a strategic greenbelt area resulting in the erosion of the rural character of this area and the degradation of the Greenbelt at this location.</p>

# PART TWO

**Recommendation:** Having given consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 11

### Proposed Amendment SH 11.3

**Proposed Amendment:** Include a new objective MT/ Insert new Local Objective for South Fingal Study Area: Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out in consultation with statutory agencies and relevant stakeholders. Exact boundary to be agreed as part of the process.

**Submissions Received:** A00029

**Summary of Issues:** The submitter wishes to add to this amendment as follows: 'Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out in consultation with statutory agencies and relevant stakeholders. Exact boundary to be agreed as part of the process. Proposals for industrial, warehousing and logistic purposes, which do not generate significant trips or rely on good quality public transport links, will continue to be assessed on their merits having regard to the land use zonings and other policies and objectives of the Plan.', on the basis that development may be viewed as premature pending the study.

**Chief Executive's Response:** It is not considered appropriate to include the suggested changes to the proposed amendment at this stage pending completion of a full scoping exercise as part of the study.

Any applications for development will be assessed under the parameters of the development management process and any other relevant plans and policies currently in place. To specifically highlight one specific land use over another is not considered to be in accordance with the proper planning and sustainable development of the Study Area and all relevant transportation studies will be considered in the assessment of any planning applications lodged in this area.

It is considered that the Study will guide and inform future development within the South Fingal area from traffic and transport perspective. These plans carry with them a legislative regime with regard to public consultation and stakeholder involvement in the approval process.

In the interest of clarity and having regard to the intent of the study proposal as a traffic and transportation tool, it is considered appropriate that following modification be made to reword the Objective as follows;

Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant~~

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~~stakeholders. within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve; Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.~~

**Recommendation:** Having consideration to the above, It is recommended that the Development Plan be made with the modification to the proposed material alteration, to include the proposed rewording as follows;

Carry out a comprehensive feasibility study of the South Fingal area to produce a strategic 'vision' and overall strategy for the proper planning and sustainable development of the study area, based on a sustainable transport and smarter travel approach, planning for all transport modes and needs, whilst also being reflective of road network capacity and modal split assumptions. This will be carried out ~~in consultation with statutory agencies and relevant stakeholders. within two years of adoption of the Development Plan and will be used to inform the preparation of statutory Local Area Plans and Masterplans in the area. The preparation of the study will include implementation recommendations and will involve; Consultation with key statutory stakeholders including TII and the NTA, public consultation and engagement with relevant statutory bodies.~~

## SHEET 11

### Proposed Amendment SH 11.4

**Proposed Amendment:** Amend Masterplan MP 11B boundary to omit land at Horizon Logistics Park.

**Submissions Received:** A00029

**Summary of Issues:** One submission has been received and requests the boundary for Masterplan MP 11 B is amended to exclude their landholding.

**Chief Executive's Response:** The lands in question are located at Horizon Business Park. Development has been carried out in this area over a number of years with a number of industrial units having been delivered. There remains some infill sites and sites with planning permission and sites where pre-planning is ongoing.

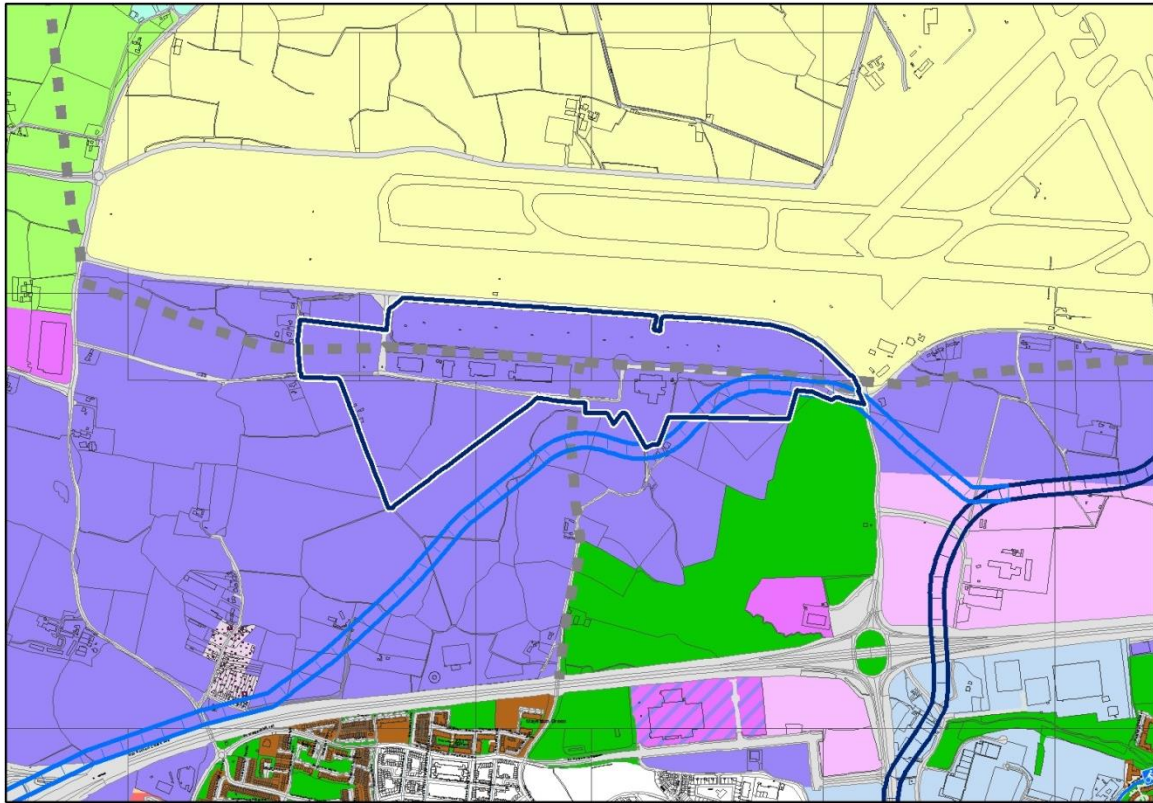
The central element of the subject lands, if developed, will be the final piece of land within Horizon Business Park envelope.

Having consideration to existing pattern of development both on the ground, permitted and proposed in respect of the lands to which the Masterplan relates, it is considered that a minor alteration be made to exclude part of the subject lands from the Masterplan area in the interest of the immediate and orderly completion of the Business Park.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed subject to the following modification:

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Amend boundary to Masterplan MP 11.B (Dubber) to exclude the land as shown on map below.



## SHEET 11

### Proposed Amendment SH 11.7

**Proposed Amendment:** Amend zoning from GE 'General Employment' to RS 'Residential' at Derryolam, Dardistown, Cloghran.

**Submissions Received:** A00036

**Summary of Issues:** The Dublin Airport Authority are not in favour of rezoning of lands from GE to RS at Derryolam, Dardistown on the basis that the lands are within the Inner noise zone and within the outer Public Safety Zone and seeks that the lands revert back to general employment.

**Chief Executive's Response:** The subject site is zoned GE, General Employment and forms part of a large swathe of GE lands located to the south of the airport. Residential use is not permitted under a GE zoning on the basis that such a use is not considered compatible with GE uses. Therefore to zone a pocket of RS land would not be appropriate in the midst of GE zoned lands where the residential amenity that should be afforded a sensitive land use such as residential could not be provided by a GE zoned environment.

There are two noise zones associated with the Airport and these are shown on the Draft Development Plan Maps, consisting of an Outer Noise Zone and an Inner Noise Zone.

In the Outer Noise Zone the Council seek to restrict inappropriate development and within the Inner Airport Noise Zone it is the policy of the Council to actively resist new provisions for residential development and other noise sensitive uses. The subject site is located within the above referenced Inner Noise Zone and inside the outer public safety zone. In this regard it should be noted that Objective DA07 sets out to 'strictly control inappropriate development and

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require noise insulation where appropriate within the Outer Noise Zone, and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone as shown in the Development Plan maps, while recognising the housing needs of established families farming in the zone...' Accordingly, it is considered that the proposed revision to the existing zoning at this site is inappropriate and it is recommended that no change is necessary in this instance.

It remains the position that this proposed amendment is not in accordance with the proper planning and sustainable development of the area, specifically as the location is within the inner noise zone, where new residential is actively resisted. The screening for SEA, AA and SFRA found in the Addendum volume, highlights the following: *'There would be negative impacts on population from noise due to the location of this residential zoning in proximity to the airport.'*

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 11

### Proposed Amendment SH 11.9

**Proposed Amendment:** Create two new Masterplan areas at Clonshagh - MP 11.C Clonshagh East and MP 11.E Clonshagh West.

**Submissions Received:** A00028; A00063.

#### Summary of Issues:

Two submissions were received in relation to the above amendment, one of which sought to omit the requirement for a masterplan at Clonshagh west, and a further which seeks to reword amendment to read as follows: 'Create two new masterplan areas at Clonshaugh - MP 11.C Clonshaugh East and MP 11.E Clonshaugh West, where a Masterplan has not already been previously agreed.', based on the requirement to prepare a Masterplan as per MP 11.E Clonshaugh West is no longer required because such a Masterplan has been agreed as part of the planning application PL ref F16A/0397.

**Chief Executive's Response:** The contents of the submissions are noted. Having regard to the location and extent of the HT zoned lands, it is considered appropriate to leave in place the requirement for a Masterplan on these lands. Furthermore, having consideration to the different time frames for development and the existing ongoing process regarding the subject lands it is considered appropriate MP11.C is divided into two Masterplan areas. In order to facilitate the timely delivery of zoned land in a timely and co-ordinated manner, it is recommended that the lands in question be divided by Stockhole Lane and a new Masterplan created. Accordingly, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## SHEET 11

### Proposed Amendment SH 11.10

**Proposed Amendment:** Amend zoning from HT 'High Technology' to RW 'Retail Warehousing' zoning adjacent to IKEA.

**Submissions Received:** A00016; A00041.

**Summary of Issues:** Four submissions have been made in relation to this amendment. The submissions from the NTA (A00064) and the Department (A00018) relating to this amendment are discussed earlier in this Report.

The submission from the TII raises concerns that the proposed amendment, together with a number of other retail related amendments, will allow for premises which sell "goods in bulk" and include for the uses, "Retail Warehouse Club", "Retail Hypermarkets > 5000-sqm" and "Retail- Factory Outlet Centre" to be dealt with in case by case manner in all areas zoned "Retail Warehouse" in the land use zoning matrix of the Development Plan. Therefore these retail uses may be accommodated in any lands zoned and/or proposed "Retail Warehouse" subject to individual development management practises on a case by case basis. The TII has concerns that the provision of such uses for reason of unsustainable traffic generation and an adverse impact on the national road network. It is noted the proposed scale and typology of these forms of these form of retail development types will impact on efficiency and safety of the national road network and in particular the M50 junctions and need to be carefully planned and managed. Also given the bulky nature of the goods sold at these developments, it's potential to draw a regional / national catchment and the car parking requirement envisaged, it is expected that the vast majority (if not all) of the patrons will arrive by car or light goods vehicles. Traffic flows will typically, but not limited to, be highest on a Friday and Saturday and it is expected that a high proportion of the traffic to the development is likely to utilise the national road network to access the site. The TII considers these amendments will set an undesirable precedent within the planning authority area and therefore requests that this element of these amendments is omitted.

The second submission received in relation to this amendment also links APP 1 with other retail related amendments and considers all are intrinsically linked. The submission considers the proposed material alterations relating to retail should be rejected for the following main reasons:

The submission contends that the inclusion of a 'Retail Warehouse Club' on lands zoned for 'Retail Warehousing' is a contradiction in terms. 'Retail Warehouse Clubs' are not 'Retail Warehouses' and cannot sell food/convenience goods.

There is presumption in the 2012 RPG's against additional 'Retail Warehousing' development [Section 3.8] The RPGs have omitted the category of 'Warehouse Clubs' or 'Retail Warehouse Clubs' from the Guidelines. No evidence based approach reflecting the sequential approach, assessments relating to current consumer demand/expenditure trends, the need to avoid the over-supply retail floor space in out of centre locations nor impacts on existing retailers and their long term viability has been provided that would warrant a departure from this policy position. Therefore, the proposed material alterations relating to retail warehousing are contrary to national retail guidance. The legality of such proposed material alterations relating to retail warehousing are also challenged in this submission in the context of compliance with the RPG's.

The submission further contends that it is not necessary to make special provision in the Fingal

# PART TWO

Development Plan for a 'Retail Warehouse Club' as the RPG's provide clear guidance in relation to new retail development and any planning application for such a use should be made in the same way as any other retail format and should be assessed against normal criteria for assessing planning applications.

'Retail Warehouse Club' insofar as the concept exists in planning terms, is not Retail warehousing.

If retail warehousing is to be considered, then the discussion must be limited to sale of 'bulky goods' and not goods in bulk as now proposed and certainly not for the sale of food/convenience goods.

The proposed material alterations which facilitate a type of development which relies on car borne transport on a site located adjacent to the motorway network is contrary to Government policy on Spatial Planning and National Roads-Guidelines for Planning Authorities and various other policy sources that promotes best practice in sustainable land use and transportation.

On this basis, the submission requests that Fingal County Council rejects the proposed material alterations proposed.

**Chief Executive's Response:** The submissions are acknowledged. The subject lands consist of an area of land adjacent to the existing IKEA development. Fingal is served by retail warehousing and retail parks, principally located in the Swords, Blanchardstown, Balbriggan and Ballymun areas. Survey work undertaken by the Fingal Planning Department in 2015 identified very low levels of vacancy in these locations, reflecting the health of this component of the retailing sector in Fingal. The purpose of the Retail Warehouse zoning is to facilitate enterprise opportunities associated with the sale of bulky comparison goods in high quality and easily accessible locations.

Within the existing Development Plan and Draft Development Plan, there are approximately 31 ha of lands zoned for RW purposes, located in Swords and Ballymun.

On consideration of the existing levels of retail zoning, it is noted the quantum of RW zoned land is one of the lowest compared to other employment generating zoned land within the county (See Table 6.3 of the Draft Plan). A substantial proportion of these 'RW' zoned lands are already developed or committed for development. Only limited amounts of zoned RW lands remain undeveloped to date.

The subject land provides for an additional 3 ha of RW zoning. This is considered to be an appropriate amount of land, at an appropriate location. The subject lands are considered suitable, having regard to their location adjacent to the existing RW at IKEA and the quantum of RW land throughout the County. It is recommended that the Plan is made with the proposed Material Alteration as displayed.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.



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<b>SHEET 11</b> <b>Proposed Amendment SH 11.11</b>
<b>Proposed Amendment:</b> Insert map based local objective at Northwood: Support provision of retail for local needs only.
<b>Submissions Received:</b> A00035
<b>Summary of Issues:</b> It is requested this proposed amendment be removed as no identified requirement for retailing on lands and the ME zoning already allows for consideration of such uses which can be considered as part of the normal planning process.
<b>Chief Executive's Response:</b> The contents of this submission are noted. Northwood has a Level 4 Neighbourhood Centre designation as set out in the RSGDA. The town centre of Ballymun has a 'shopping redevelopment potential' (Retail Strategy for the GDA 2008) and is defined as a level 3 District Centre. Due to high retail expenditure leakage in Ballymun, a key aim of Dublin City Council is the opening of another food store along Main Street in Ballymun, to assist the continued build out of Main Street and the creation of a 'heart/focal point' to Ballymun. Having regard to this, it is appropriate to include the local objective as proposed.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

<b>SHEET 11</b> <b>Proposed Amendment SH 11.12</b>
<b>Proposed Amendment:</b> Amend Masterplan MP 11A boundary to omit land at Ballymun Road.
<b>Submissions Received:</b> A00035; A00042.
<b>Summary of Issues:</b> Two submissions have been received in relation to this amendment. Both submissions request that MP 11A is removed from the Development Plan. The submissions contend the majority of lands are developed out, and Fingal have recently granted 370 housing units without a masterplan and amending the boundary to remove one parcel, under this amendment 11.12, further dilutes the need for a Masterplan. It is stated the majority of the land is developed out and what remains can be dealt with through Development Management.
<b>Chief Executive's Response:</b> The proposed amendment relates to the Northwood area. This area is located immediately adjacent to the proposed Metro route and a metro station.  Having regard to the strategic importance of this location adjacent to the metro route, it is considered this area will change in nature over time and therefore it is essential this Masterplan remains in place to facilitate the planned and co-ordinated future development of this area.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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<b>SHEET 11</b> <b>Proposed Amendment SH 11.13</b>
<p><b>Proposed Amendment:</b> Amend zoning from OS 'Open Space' to RS 'Residential' at Santry Avenue and insert new mapped Local Objective: Prepare a Masterplan to facilitate the provision of a purpose built student accommodation facility in an appropriately landscaped setting to preserve the predominantly open space character.</p>
<p><b>Submissions Received:</b> A00036</p>
<p><b>Summary of Issues:</b> DAA seek the inclusion of a new clause re: noise sensitive uses for lands located within the Outer Airport Noise Zone.</p>
<p><b>Chief Executive's Response:</b> The request from the DAA, general in nature, sought to apply to all lands located inside the outer airport noise zone and therefore not directly related to specifics of proposed amendment SH 11.2.</p> <p>Notwithstanding the above, it is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area. In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. It is considered that the proposed Dublin Airport Local Area Plan review process is the appropriate mechanism to consider issues such as those raised in this submission as part of the development of a future land use plan for the area.</p>
<p><b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.</p>

## Summary Table – Sheet 11

<b>Proposed Amendment SH 11.2</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.3</b> be made with the proposed Material Alteration as displayed subject to modification.
<b>Proposed Amendment SH 11.4</b> be made with the proposed Material Alteration as displayed subject to modification.
<b>Proposed Amendment SH 11.7</b> be made without the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.9</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.10</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.11</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.12</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 11.13</b> be made with the proposed Material Alteration as displayed.

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## SHEET 12

## BLANCHARDSTOWN NORTH

<b>SHEET 12</b> <b>Proposed Amendment SH 12.1</b>	
<b>Proposed Amendment:</b> Amend zoning from GB 'Greenbelt' to GE 'General Employment' at Cherryhound.	
<b>Submissions Received:</b> A00016, A00017, A00018, A00020	
<b>Summary of Issues:</b> Submissions received from Transport Infrastructure Ireland and DoHPCLG express concerns in relation to the zoning and rezoning of the lands to which the proposed amendment relates having consideration to the DoECLG Spatial Planning and National Roads Guidelines.  A further submission outlines concerns in relation to the extent of the development boundary proposed.  Further lands are also requested to be incorporated into the rezoning under Proposed Amendment SH 12.1. The lands in question are approximately 15 acres. It is indicated, in the event that the proposed amendment is adopted, that the land to which the submission relates would be surrounded by lands zoned for GE to the north, the new and old N2 to the east and west and the existing commercial development to the south. Concern is expressed regarding the potential detriment the rezoning would have on the value of the submitter's home.	
<b>Chief Executive's Response:</b> The Proposed Amendment which seeks to change the zoning from GB 'Green Belt' to GE 'General Employment', relates to lands which are situated outside the development boundary of Blanchardstown and comprise of largely undeveloped, green field lands with a small number of businesses in the area.  In this regard, consideration must be given to the quantum of existing 'GE' zoned lands in the County. Table 6.3 'Economic Development Zonings' of the Draft Development Plan, indicates that there are 1829.7 hectares of land zoned for 'GE' purposes, with c.1218ha currently available for development (figures subject to change as development plan progresses). Further to this the bulk of these lands are located at highly accessible locations close to the motorway and national road network off the M50 and M1 corridors and at Damastown. The M50 corridor alone has an available and accessible landbank of c.399 ha's of undeveloped GE zoned lands. Accordingly it is considered that there is no immediate demand for additional 'GE' zoned lands at this location.  It should be noted that Fingal County Council's Economic Strategy, set out in the Draft Plan, seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's residents. Strategic Policy 10 and Objectives ED02 and ED03 of the Draft Plan seek to promote enterprise and employment throughout the County. In this regard Fingal County Council is committed to ensuring that sufficient lands are available in the County and particularly in the Enterprise Zone, (DEZ) to meet current and future demands.  The Cherryhound Local Area Plan contains 240 hectares of 'GE' General Employment lands, most of which is currently undeveloped and within close proximity to the subject lands. These lands are entirely zoned 'GE'. The vision for the Cherryhound LAP is <i>to strengthen the sustainability of North Blanchardstown Employment Catchment Area by promoting and enabling an</i>	

# PART TWO

*expanded area of choice for a wide range of employment opportunities in a mix of small and large scale enterprises which will benefit from proximity with other employment enterprises in the area in addition to the creation of a high quality environment.* The LAP notes that the Plan lands have the potential to accommodate a minimum of 9,000 new jobs and have the capacity to accommodate significantly more depending on densities achieved. Accordingly it is considered that the current level of lands zoned in the Dublin Enterprise Zone in addition to the lands already identified on the southern side of the N2, employment use, are considered more than adequate to meet current and future demands.

To maximise the effectiveness of existing infrastructure provision and promote sustainability, a logical sequential approach as advocated in the DoECLG Development Plan Guidelines 2007 must be applied to the zoning of land for development. In this regard, areas to be zoned should be contiguous to existing zoned development lands, a strong emphasis should be placed on encouraging infill opportunities and better use of under-utilised lands and zoning should extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. leapfrogging to more remote areas should be avoided). Any future rezonings should have regard to this sequential approach. This is also referenced in the submission received from the Eastern Midlands Regional Assembly (EMRA) where it is considered that with regard to types and location of employment, the objective to ensure sufficient quantum and appropriate types of lands in urban and rural located centres in accordance with the settlement hierarchy is welcomed by the Assembly and it is suggested that an analytical approach by the Local Authority to the complex issues of lands to be identified for enterprise should be employed where considering additional employment lands.

Attention should be paid to the lands remote location within an existing 'GB' Zoning. The rezoning of these lands would lead to significant encroachment into the greenbelt lands which would be detrimental to the character of the area and surrounding land uses. Physically, it is considered that the N2/M2 road currently acts as a natural barrier in the area and this should be respected as the buffer between the zoned lands and the greenbelt. To permit the proposed rezoning would represent an undesirable precedent for further encroachment into the countryside.

Following consideration of the above, it is therefore considered that there is no requirement for additional land to be zoned 'GE' at this location. The subject lands, situated along the national road/motorway network are unserviced and are not considered appropriate for the designation for additional 'GE' uses having regard to the quantum of existing lands identified for employment uses in the Plan and the requirement to optimise resource deployment to facilitate economic development at key strategic locations within the County. Further it is considered that the proposal would represent an undesirable precedent for further encroachment into the greenbelt and as such it is recommended that the existing zoning be retained for the lands in question in this instance.

In relation to the submission which requests that additional lands be rezoned for the purpose GE 'General Employment' in the vicinity of the proposed amendment lands, it should be noted that the proposed rezoning at this location is not appropriate as it is considered that there are sufficient GE 'General Employment' zoned lands in the vicinity within the Cherryhound Local Area Plan for the reasons set out above. Additionally the proposed rezoning would represent an undesirable precedent for further encroachment into the greenbelt.

Section 12(9)(c) of the Planning and Development Act 2000 (as amended) relates to the making of a development plan and states that a further modification to a material alteration shall not be

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made where it relates to 'an increase in the area of land zoned for any purpose'.

The modification proposed under the subject submission, which seeks to increase the area of land zoned for residential development, would therefore be ultra vires and would contravene the Planning and Development Act 2000 (as amended) and cannot be made.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 12

### Proposed Amendment SH 12.2

**Proposed Amendment:** Amend zoning from OS 'Open Space' to RA 'Residential' at Hollystown Golf Club. Insert Local Objective

'Provide a recreational facility for the Dublin G.A.A. County Board, through the provision by them of a 2.5ha playing pitch and local recreational community facility including a clubhouse, related ancillary facilities and car and cycle parking'.

**Submissions Received:** A00007, A00015, A00020, A00036

**Summary of Issues:** In relation to the above submissions, one of the submissions received suggests that the proposed rezoning appears to conflict with the Kilmartin Local Area Plan. It is submitted that if this area is to be rezoned for housing, the character of the R121 will have to change to allow for accessibility, conflicting with a number of Green Infrastructure and roads related objectives of the Plan. Further submissions suggest that additional development in Hollystown will impact on the existing facilities available in the area. It is suggested that there are incomplete developments in the area and that, based on this, together with suggested issues relating to infrastructure and the proposals relationship with the core Strategy, no further residential zoning should be provided at this location.

A submission refers to the location of the lands within the Outer Noise Zone and it is recommended that an additional Objective be included as follows' All noise sensitive uses proposed on sites within the Outer Airport Noise Zone shall be subject of a requirement to undertake noise assessment and implement noise mitigation measures to ensure acceptable internal noise environment'. An addition policy is also recommended stating that 'applicants seeking planning permission for noise sensitive uses, including residential development, falling within the Airport Noise Zones will be required to inform future occupants that their property maybe subject to higher levels of aviation noise. The method of disclosure (by way of marketing material or any other means) will be subject to the written agreement of the planning authority post planning by way of compliance.

**Chief Executive's Response:** In relation to the above submissions it should be noted that the subject lands are located in the southern portion of Hollystown Golf Club. In this regard an existing residential character has been established at this location with residential development along the northern and north western portion of the golf club and also along the eastern and western sides of the R121. These aforementioned lands were previously zoned 'RV' Rural Village but have been recently rezoned 'RS' Residential' for practical reasons as the majority of these lands have now been built out.

In terms of the potential of the site in question to deliver residential development, regard should be had to the fact that the quantum and location of zoned land in the County is directly

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influenced by the Development Plans Settlement and Core Strategy. The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidenced based 'Core Strategy' to be provided within Development Plans. It is the Core Strategy that identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and which reflects the availability of existing services, planned investment, sequential development and environmental requirements.

The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the Development Objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines.

Table 2.6 Chapter 2 of the Draft Development Plan sets out the remaining zoned residential capacity from the current Fingal Development Plan 2011-2017. As of mid-2015, there were approximately 1,461 ha of zoned land available within the county to deliver approximately 43,041 residential units. Tables 2.4 and 2.5 of the Draft Plan set out the RPG population and housing targets for Fingal together with the number of residential units required in Fingal to meet those targets. The existing number of units in the County as of July 2015 was 105,392 and based on the estimated RPG target of 145,340 for 2023, the number of units required to meet the RPG target is 39,948 units. The evidence based approach adopted in the Core Strategy makes it clear that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period. Cognisance is also made to the fact that such rezonings cannot essentially be justified whilst significant residential zoned lands (Objective 'RS', 'RA', 'RC' and 'RV') remain undeveloped.

Within the immediate vicinity it is noted that there is provision for c.866 residential units directly to the south of the subject lands. Currently there is permission granted and construction has commenced for an additional 600 residential units at Hollywoodrath. There is no requirement to zone additional lands within the immediate vicinity for residential purposes.

The location of the lands is acknowledged as per their proximity to the Kilmartin LAP lands together with their development potential, the potential for linkages and permeability through the LAP lands and the proposed contribution to the social and green infrastructure of the area. However, the provision of future housing in the County is ultimately bound by the Core Strategy of the Development Plan and accordingly, it is not considered that any additional residential land are necessary in this regard.

The location of the lands within an Outer Noise Zone associated with Dublin is acknowledged. In this regard the Draft Plan supports the need to minimise the adverse impact of noise without placing unreasonable restrictions on development and also to avoid future conflicts between the community and the operation of the airport. There are two noise zones associated with the Airport comprising an Outer Noise Zone and an Inner Noise Zone. In the Outer Noise Zone it is the policy of the Council to 'restrict inappropriate development' while within the Inner Airport Noise Zone the Council seeks to 'actively resist new provisions for residential development and other noise sensitive uses'. The following objective is relevant to the subject site in relation to noise zones associated with Dublin Airport

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## Objective DA07

Strictly control inappropriate development and require noise insulation where appropriate within the Outer Noise Zone...'

It is considered that the existing noise and public safety zones associated with Dublin Airport, as set out in the current Draft Fingal Development Plan, are appropriate, having consideration to existing and permitted operations at Dublin Airport and having regard to current regulatory frameworks in this area.

In relation to EC Regulation (EU) No 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at airports and having consideration to any future proposed operating alterations to that currently permitted at Dublin Airport, Fingal County Council is committed to the review of the existing Dublin Airport LAP. The primary role of the LAP is to provide the optimal future development strategy for the Designated Airport Area having regard to impacts on the environment, local communities and businesses within the area whilst ensuring the efficient & effective operation of the airport and will include an assessment of Noise Zones and Public Safety Zones appropriate to the proposed strategy for the area. The LAP will be used as the principal development management tool for the area.

Having consideration to the above and in light of recent legislative requirements associated with EC Regulation (EU) No 598/2014, which introduces the ICAO 'Balanced Approach' to noise management at Dublin Airport, it is considered that any review of the existing noise contours and public safety zones associated with Dublin Airport, undertaken as part of the current Development Plan review, would be considered premature in the absence of the necessary information required in terms of the fulfilment of EC Regulation (EU) No 598/2014.

Pending the establishment of key parameters associated with EC Regulation (EU) No 598/2014 which will influence any future planning assessment associated with activities at Dublin Airport, it is considered that the proposed Dublin Airport LAP review process is the appropriate mechanism to consider issues such as those raised in the submission received, as part of the development of a future land use plan for the area.

Accordingly, having regard to the provisions of the core Strategy as outlined above, it is recommended, that the Development Plan be made without the proposed Material Alteration as displayed.

**Recommendation:** Having consideration to the above it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 12

### Proposed Amendment SH 12.3

**Proposed Amendment:** Amend zoning objective from GB 'Greenbelt' to WD 'Warehousing and Distribution'. Include Local Objective

Widen road from St.Margarets By Pass at the Kilshane to provide an extended left turning lane.

**Submissions Received:** A00016, A00018, A00020, A00039, A00044, A00060

**Summary of Issues:** In relation to the above submissions, submissions received from Transport Infrastructure Ireland and DoHPCLG express concerns in relation to the zoning and rezoning of the lands to which the proposed amendment relates having consideration to the

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DoECLG Spatial Planning and National Roads Guidelines.

Concerns are also raised in relation to the proposed amendment having consideration to the extent of the boundary in the context of the existing boundary of development at this location which it is suggested is contrary to proper planning and sustainable development.

One submission supports the proposed amendment and indicates a willingness to work with Fingal County Council in order to facilitate the completion of the new roadway, as required by the proposed Local Objective.

A further submission indicates that the proposed amendment should be expanded to include safe cycling infrastructure at Kilshane junction.

**Chief Executive's Response:** The above submissions in relation to the rezoning of these greenbelt lands for warehousing purposes are acknowledged.

In this regard it should be noted that the objective of greenbelt lands is to 'protect and provide for a Greenbelt'. The vision of this zoning is to 'create a rural/urban Greenbelt zone that permanently demarcates the boundary (i) between the rural and urban areas, or (ii) between urban and urban areas. The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner.

The Greenbelt will provide opportunities for countryside access and for recreation, retain attractive landscapes, improve derelict land within and around towns, secure lands with a nature conservation interest, and retain land in agricultural use. The zoning objective will have the consequence of achieving the regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas'.

It is proposed to change the zoning of these lands to 'WD' Warehousing and Distribution, these zonings are intended to 'provide for distribution, warehouse, storage and logistics facilities which require good access to a major road network within a good quality environment'. It is the vision of this zoning to 'facilitate logistics and warehouse type activity including storage, distribution and associated re-packing of goods and products.

Distribution and storage uses have specific transportation requirements as they can generate considerable traffic volumes and hence benefit from being located within a purpose built, well designated environment which is well connected to the strategic road network and allows for the efficient movement of goods'.

It should be noted that the subject lands occupy a strategic site within the greenbelt area which is under immense pressure for development. It should be further noted that the area is currently unserved in terms drainage infrastructure. In this regard an assessment of capacity is required for the North Fringe Sewer, in conjunction with other plans and projects in the catchment area (including the proposed Thornton Hall Prison).

In terms of accessibility, Kilshane Cross is currently subject to congestion for long periods of the day and in this regard any further reservation of lands which could accommodate significant development proposals such as that outlined is considered premature pending the upgrade of Kilshane Cross junction and its approach from the east.



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The quantum of existing GE zoned lands overall currently available for development is c.1218 hectares (3009 acres). These lands are located at highly accessible locations close to the motorway and national road network off the M50 and M1 Corridors and at Damastown. The M50 corridor alone has an available landbank of c.399 ha.'s (985 acres) of undeveloped GE zoned lands. It should be noted that the Dublin Airport Logistics Park is located to the south east of the subject lands with approximately 100 acres of undeveloped lands available for economic development including warehouse uses. While cognisance is made to the zonings of the surrounding lands it is considered that the rezoning of the subject lands would lead to a significant inappropriate encroachment into the greenbelt lands in an area with existing infrastructural deficits. (Notwithstanding the road widening as set out under the Local Objective associated with PA 12.3 and the submission which suggests expanding the amendment to include safe cycling infrastructure). To permit the rezoning would impact the existing rural character of the area and would undermine the integrity of the function that the greenbelt lands serve as a buffer between the urban and rural areas.

The lands are essentially remote and detached from the bulk of the zoned lands that are predominantly located on the western side of the N2. The proposed rezoning would represent a fragmented ad hoc new zoning in the existing greenbelt lands which have been generally unaltered on the eastern side of the N2 save for the Dublin Airport Logistics Park.

Having regard to the above it is considered that the proposed amendment would, if permitted, be contrary to the proper planning and development of the area.

**Recommendation:** Having consideration to the above it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

## SHEET 12

### Proposed Amendment SH 12.4

**Proposed Amendment:** Amend zoning from WD 'Warehousing and Distribution' to GE 'General Employment at Dublin Airport Logistics Park.

**Submissions Received:** A00016

**Summary of Issues:** In relation to the above submissions, received from Transport Infrastructure Ireland, concerns are expressed in relation to the lands to which the proposed amendment relates having consideration to the DoECLG Spatial Planning and National Roads Guidelines.

**Chief Executive's Response:** The contents of the submission are noted. In this regard, having consideration to the issues raised, it should be noted that the lands to which the proposed amendment relates, are currently zoned for warehousing and distribution purposes. Having consideration of the extent of 'GE' zoned land in the vicinity of the subject lands and the existing uses on the site, it is considered appropriate that the zoning associated with the lands in question reflect that of neighbouring lands and the existing uses on the site. It should also be noted that warehouse development is permitted in principle within 'GE' zoned lands. It is not considered that the proposed amendment, if adopted, would facilitate any significant increase in the level of employment and trip attractions in an area and accordingly the proposed amendment is considered appropriate to the subject lands.

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**Recommendation:** Having consideration to the above it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 12

### Proposed Amendment SH 12.8

**Proposed Amendment:** Amend zoning from HA 'High Amenity' to LC 'Local Centre' in Mulhuddart Village.

**Submissions Received:** A00018 (The Department)

**Summary of Issues:** The Department requests that full compliance with the requirements of the *Flood Risk Management Guidelines for Planning Authorities* be clearly undertaken for this proposal.

**Chief Executive's Response:** The request for full compliance with the flood risk guidelines relating to the rezoning of lands from 'HA' to 'LC' at Mulhuddart Village in close proximity to the Tolka under Proposed Amendment 12.8 is noted. This proposed rezoning relates to lands under long standing commercial use and contains a public house and a car park. Having consideration to the location of the subject lands within an identified flood zone A, having regard to the *Planning System and Flood Risk Management Guidelines for Planning Authorities*, it is recommended that the Development Plan be made without Proposed Amendment SH 12.8 as displayed.

**Recommendation:** Having consideration to the above it is recommended that the Development Plan be made without the proposed Material Alteration as displayed.

### Summary Table – Sheet 12

**Proposed Amendment SH 12.1** be made without the proposed Material Alteration as displayed.

**Proposed Amendment SH 12.2** be made without the proposed Material Alteration as displayed.

**Proposed Amendment SH 12.3** be made without the proposed Material Alteration as displayed.

**Proposed Amendment SH 12.4** be made with the proposed Material Alteration as displayed.

**Proposed Amendment SH 12.8** be made without the proposed Material Alteration as displayed.

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## SHEET 13 BLANCHARDSTOWN SOUTH

<b>SHEET 13</b> <b>Proposed Amendment SH 13.5</b>
<b>Proposed Amendment:</b> Amend zoning from OS 'Open Space' to CI 'Community Infrastructure' at National Sports Campus.
<b>Submissions:</b> A00045
<b>Summary of Issues:</b> The submission from Sport Ireland supports the policies and objectives of the Draft Fingal County Development Plan 2017-2023 and look forward to continuing to work with Fingal County Council to realise these policies and objectives, particularly those that relate to the National Sports Campus.  Proposed Amendment SH13.5 is welcomed. It is noted that an original submission requested the removal of Local Objective 105 'Facilitate the provision of public access to this open parkland and the necessary footpath network, landscaping and related development'. In is indicated that this objective has not been removed and the submission states that it is considered there are ample alternative opportunities for local access to the National Sport Campus and believe the current wording of the objective with references to parkland may inhibit the future development of the site. The submission proposes a rewording of the objective to read as follows; 'Facilitate the provision of community infrastructure, including the expansion of health and sporting activities on the site, while preserving public access'.
<b>Chief Executive's Response:</b> The contents of the submission are noted. In this regard it should be noted that the Local Objective referred to in the submission does not form part of Proposed Amendment SH 13.5. Notwithstanding this, it is considered that Local Objective 105, to 'facilitate the provision of public access to this open parkland and the necessary footpath network, landscaping and related development' is appropriate to facilitate access to this publicly owned land for the residents of Waterville and beyond.  Any future planning applications will seek to ensure appropriate levels of permeability within these lands and the surrounding lands, as part of the normal development management process.  Regarding the change in zoning of land from "OS" Open Space to "CI" Community Infrastructure on lands which form part of the Abbottstown Sport Campus The proposed rezoning to will facilitate existing uses on the site while ensuring the future viability of the campus and it is recommended that the proposed amendment be made accordingly.
<b>Recommendation:</b> Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

<b>SHEET 13</b> <b>Proposed Amendment SH 13.9</b>
<b>Proposed Amendment:</b> Include lands at Castleknock College within the 'development boundary' of Castleknock.
<b>Submissions Received:</b> A00065
<b>Summary of Issues:</b> The recommendation of the Chief Executive and proposed amendment to

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include the lands at Castleknock College within the Development Boundary of Castleknock is welcomed.

The submission notes the recommendation that the alignment of the cycle route remain as outlined in the Draft Plan. The submission also requests the removal of the bicycle corridor objective from the southern perimeter, with indicative alternative cycle/pedestrian routing for feasibility assessment along the northern and eastern perimeters of the college lands would not be sympathetic to the protection of the amenities of the college grounds and the boundaries along the frontage of Carpenterstown Road.

The submission also requests the rezoning of lands in the north – east and north –west sectors zoned RS 'To provide for residential development and protect and improve residential amenity'

**Chief Executive's Response:** The contents of the submission are noted. Regarding the removal of the cycle way along the southern perimeter of the site and its relocation to the northern and eastern perimeters, it should be noted that cognisance is given to the Protected Structures within the grounds of Castleknock College (RPS No. 748-752) and in this regard any proposed cycleway would be subject to detailed design as part of a Part 8 process including an overall assessment of issues including the potential effects on the heritage of the lands at the front of Castleknock College.

Notwithstanding the proposals put forward within the submission for the proposed rerouting of the cycleway, it is considered that the realignment of the NTAs Cycle Route 5 to Castleknock College would be disruptive for commuter cycle traffic from Diswellstown/Carpenterstown to Dublin, using Whites Road to access the Phoenix Park. It is considered that even if the route was altered to go around the western, northern and eastern boundaries of these lands most cyclists would follow the direct route on the southern side of the lands. In this regard it is considered that the proposed cycle way to the south of Castleknock College should remain as proposed.

In relation to the request for the lands to be rezoned from HA 'High Amenity' to RS 'Residential', regard should had to the fact that the quantum and location of zoned land in the County is directly influenced by the Development Plans Settlement and Core Strategy. The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidenced based 'Core Strategy' to be provided within Development Plans. It is the Core Strategy that identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and which reflects the availability of existing services, planned investment, sequential development and environmental requirements.

The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the Development Objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines.

Table 2.6 Chapter 2 of the Draft Development Plan sets out the remaining zoned residential capacity from the current Fingal Development Plan 2011-2017. As of mid-2015, there were approximately 1,461 ha of zoned land available within the county to deliver approximately 43,041 residential units. Tables 2.4 and 2.5 of the Draft Plan set out the RPG population and housing targets for Fingal together with the number of residential units required in Fingal to

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meet those targets. The existing number of units in the County as of July 2015 was 105,392 and based on the estimated RPG target of 145,340 for 2023, the number of units required to meet the RPG target is 39,948 units. The evidence based approach adopted in the Core Strategy makes it clear that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period. Cognisance is also made to the fact that such rezonings cannot essentially be justified whilst significant residential zoned lands (Objective 'RS', 'RA', 'RC' and 'RV') remain undeveloped.

Having consideration to the above it is noted that there is a sufficient availability of zoned land to accommodate residential development and it is not considered that any further material zoning additions is necessary or permitted in this instance.

Section 12(9)(c) of the Planning and Development Act 2000 (as amended) relates to the making of a development plan and states that a further modification to a material alteration shall not be made where it relates to 'an increase in the area of land zoned for any purpose'.

The modification proposed under the subject submission, which seeks to increase the area of land zoned for residential development, would therefore be ultra vires and would contravene the Planning and Development Act 2000 (as amended) and cannot be made.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

## SHEET 13

### Proposed Amendment SH 13.11

**Proposed Amendment:** Amend Local Objective 147

~~Optimise the benefits of Metro West to take account of existing commuter traffic, enterprise and employment while~~ Ensuring that any crossing over the River Liffey Valley SAO to facilitate a future light rail transit system is designed in such a way as would not compromise the amenity, tourism and economic potential of the Valley.

**Submissions:** A00060

**Summary of Issues:** The submission suggests the addition of a pedestrian and cycling crossing alongside a rail crossing of the Liffey.

**Chief Executive's Response:** The contents of the submission supporting the improvement of pedestrian and cycle links across the River Liffey are acknowledged. In this regard it should be noted that pedestrian/ cycle links across the Liffey are provided under Local Objective 151 which 'provide for a strategic pedestrian/cycle link across the River Liffey from lands at Holy Angels at the bottom of Knockmaroon Hill via a new bridge to Stewart's Hospital, Coates Land and Waterstone Park'. Accordingly, it is not considered that any further amendment is necessary.

**Recommendation:** Having consideration to the above, it is recommended that the Development Plan be made with the proposed Material Alteration as displayed.

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## Summary Table - Sheet 13

<b>Proposed Amendment SH 13.5</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 13.9</b> be made with the proposed Material Alteration as displayed.
<b>Proposed Amendment SH 13.11</b> be made with the proposed Material Alteration as displayed.

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## SHEET 14 GREEN INFRASTRUCTURE 1

<b>SHEET 14</b> <b>Proposed Amendment SH 14.1</b>
<b>Proposed Amendment:</b> Amend map to reflect RS - 'Residential' zoning at Clifflands, Rush.
<b>Submissions Received:</b> A00032; A00038; A00056; A00059; A00061.
<b>Summary of Issues:</b> There were five submissions received expressing concerns with the above amendment based on the perceived negative impact on the quality of life and surrounding natural environment, on the grounds of safety & access for pedestrians and motorists, and on the grounds that the area was being used by children, adults and pets.
<b>Chief Executive's Response:</b> The merits of the above motion are recognised however it should be noted that the amendment does not relate to the rezoning of an existing area of open space for residential purposes. The lands in question are currently zoned for residential purposes reflective of their previous status as set out under the current Development Plan 2011 – 2017. The amendment, in this instance, is proposed in relation to Sheet 14 Green Infrastructure 1, in order to properly reflect a mapping anomaly in order to accurately reflect the zoning associated with the site in question as per sheet 6B Rush. Accordingly, it is considered that the amendment as proposed is appropriate and necessary in this instance.
<b>Recommendation:</b> Having consideration to the above, it is recommended the Development Plan be made with the proposed Material Alteration as displayed.

<b>SHEET 14</b> <b>Proposed Amendment SH 14.2</b>
<b>Proposed Amendment:</b> Include routes of the Greater Dublin Area Cycle Network Plan within Fingal.
<b>Submissions Received:</b> A00031
<b>Summary of Issues:</b> The contents of the submission welcome the inclusion of this proposed amendment.
<b>Chief Executive's Response:</b> The Plan supports and promotes the provision of safe cycling and sets out to <i>'promote the development of cycling in the County, a comprehensive network of cycle routes will be established throughout the County with the emphasis on promoting direct, comfortable, convenient, and safe routes.</i> <i>The NTA has published a Greater Dublin Area Cycle Network Plan which identified:</i> <ul style="list-style-type: none"><li>• <i>The Urban Cycle Network (including primary, secondary and feeder routes)</i></li><li>• <i>The Inter-urban Cycle Network</i></li><li>• <i>The Green Route Network</i></li></ul> The NTA Network has been prepared at a strategic level. Implementation of the network will require more detailed engineering design on a route by route basis. Indicative cycle and pedestrian routes are shown on the Development Plan maps for the entire County. These routes are indicative and will require more detailed design on a route by route basis and will be subject to a public consultation process. It should be noted that the Council will work in cooperation with the NTA to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and Natura

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Impact Statement accompanying the NTA Plan. The delivery of further cycle links should be considered as part of the detailed design and route selection process and as such, the inclusion of such routes in the Development Plan is considered premature.

Having regard to the commitment in the Draft Plan (Objective MT09) to the delivery of the Greater Dublin Area Cycle Network Plan (the review and update of which is outside of the remit of Fingal County Council), it remains the position that it is not considered appropriate to include these specific map routes as part of the final Plan.

**Recommendation:** It is recommended the Development Plan be made without the proposed Material Alteration as displayed.

## Summary Table – Sheet 14

**Proposed Amendment SH 14.1** be made with the proposed Material Alteration as displayed.

**Proposed Amendment SH 14.2** be made without the proposed Material Alteration as displayed.

## SHEET 15 GREEN INFRASTRUCTURE 2 - NO PROPOSED AMENDMENTS

## SHEET 16 GREEN INFRASTRUCTURE 3 - NO PROPOSED AMENDMENTS



# APPENDIX A

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<b>APPENDIX A: SUBMISSIONS RECEIVED</b>			
<b>CVQ ID</b>	<b>Submission Reference</b>	<b>Submitter</b>	<b>Company/Agent</b>
<a href="#">CVQ-4813</a>	A00003	Niall Gosson	
<a href="#">CVQ-4824</a>	A00007	Jeff Swords	
<a href="#">CVQ-4827</a>	A00008	David Kelly, Portmarnock Community Association	
<a href="#">CVQ-4831</a>	A00009	Roger Blackburn, Naul Community Council	
<a href="#">CVQ-4833</a>	A00010	Jack Murphy	Hughes Planning and Development Consultants
<a href="#">CVQ-4837</a>	A00011	Sean Costello	
<a href="#">CVQ-4839</a>	A00012	Cllr. Howard Mahony	
<a href="#">CVQ-4841</a>	A00013	Rev. Andy Carroll	
<a href="#">CVQ-4846</a>	A00014	George Mongey	
<a href="#">CVQ-4848</a>	A00015	Hollystown Demesne Management	Fisher Property Management
<a href="#">CVQ-4852</a>	A00016	Transport Infrastructure Ireland	
<a href="#">CVQ-4850</a>	A00017	Gregory Hughes	
<a href="#">CVQ-4855</a>	A00018	Department of Housing, Planning, Community & Local Government	
<a href="#">CVQ-4858</a>	A00019	Adele Notley	
<a href="#">CVQ-4860</a>	A00020	Cllr. Roderic O'Gorman	
<a href="#">CVQ-4871</a>	A00022	Jean McLeod	
<a href="#">CVQ-4873</a>	A00023	Cllr. Joe Newman, on behalf of Rivervalley & Brookdale Residents	
<a href="#">CVQ-4882</a>	A00024	Michael Connolly	CQA Design
<a href="#">CVQ-4884</a>	A00025	Crekav Trading	TBS (The Big Space)
<a href="#">CVQ-4879</a>	A00026	Myles Caulfield, Rivervalley - Rathingle Residents Association	
<a href="#">CVQ-4888</a>	A00027	St. Anne's Parish, Portmarnock	Sheridan Woods Architects & Urban Planners Ltd
<a href="#">CVQ-4893</a>	A00028	Carra Shore Hotel (Dublin) Limited	John Spain Associates
<a href="#">CVQ-4908</a>	A00029	Green REIT Horizons Ltd	John Spain Associates
<a href="#">CVQ-4913</a>	A00030	Cllr. Jimmy Guerin	
<a href="#">CVQ-4896</a>	A00031	Cllr. David Healy	
<a href="#">CVQ-4925</a>	A00032	Hannah Hughes	
<a href="#">CVQ-4927</a>	A00033	Tesco Ireland	GVA Planning & Regeneration Limited
<a href="#">CVQ-4928</a>	A00034	Cllr. Brian McDonagh	
<a href="#">CVQ-4932</a>	A00035	The Byrne Family	ILTP Consulting

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CVQ ID	Submission Reference	Submitter	Company/Agent
<a href="#">CVQ-4935</a>	A00036	Dublin Airport Association	
<a href="#">CVQ-4940</a>	A00037	Martin & Aishling Gaffney	Hughes Planning and Development Consultants
<a href="#">CVQ-4944</a>	A00038	John Forde	Lambay Consultancy Services
<a href="#">CVQ-4946</a>	A00039	Cllr. Paul Mulville	
<a href="#">CVQ-4955</a>	A00040	Neil McDermott	Hughes Planning and Development Consultants
<a href="#">CVQ-4958</a>	A00041	Musgraves Ltd	BMA Planning
<a href="#">CVQ-4965</a>	A00042	Bartra Capital Property	
<a href="#">CVQ-4968</a>	A00043	Thorntons Recycling	Fehily Timoney & Company
<a href="#">CVQ-4972</a>	A00044	Killeen Properties Ltd	RPS Group
<a href="#">CVQ-4974</a>	A00045	Sports Ireland	Cunnane Stratton Reynolds
<a href="#">CVQ-4976</a>	A00046	Swords Partnership	RPS Group
<a href="#">CVQ-4978</a>	A00047	IPUT, Irish Life and Island	IMG Planning
<a href="#">CVQ-4979</a>	A00048	Meroaks Ltd	RPS Group
<a href="#">CVQ-4982</a>	A00049	Gannon Properties	Downey Planning
<a href="#">CVQ-4983</a>	A00050	Environmental Protection Agency	
<a href="#">CVQ-4991</a>	A00051	McGarrell Reilly Group	Conroy Crowe Kelly Architects and Urban Designers
<a href="#">CVQ-4998</a>	A00052	David McAllister	Downey Planning
<a href="#">CVQ-5001</a>	A00053	John & Madeline Mangan & John Byrne	Downey Planning
<a href="#">CVQ-5007</a>	A00054	Cllr. Brian McDonagh	
<a href="#">CVQ-5010</a>	A00055	Gerard Murphy	
<a href="#">CVQ-5014</a>	A00056	Anne Ryan	
<a href="#">CVQ-5017</a>	A00057	Irish Water	
<a href="#">CVQ-5019</a>	A00058	Keep Ireland Open	
<a href="#">CVQ-5021</a>	A00059	Sheila Lacey, Lambay View Residents Association	
<a href="#">CVQ-5023</a>	A00060	Colm Donoghue	
<a href="#">CVQ-5025</a>	A00061	Karen Byrne, Lambay Residents Association	
<a href="#">CVQ-5029</a>	A00062	Toyoko Inn International Ltd	Simon Clear & Associates
<a href="#">CVQ-5031</a>	A00063	Genvest ULC	Hendrik W van der Kamp Town Planner
<a href="#">CVQ-5027</a>	A00064	National Transport Authority	
<a href="#">CVQ-5045</a>	A00065	Vincentian Order	Simon Clear & Associates
<a href="#">CVQ-5047</a>	A00066	CQA Design and Build	

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CVQ ID	Submission Reference	Submitter	Company/Agent
<a href="#">CVQ-5104</a>	A00094	Sheelagh Morris, St. Margaret's Concerned Residents Group	
<a href="#">CVQ-5106</a>	A00095	Angela Lawton	
<a href="#">CVQ-5108</a>	A00096	Anthony Cromwell	
<a href="#">CVQ-5110</a>	A00097	St. Michael's House	
<a href="#">CVQ-5125</a>	A00104	Age Friendly Ireland	
<a href="#">CVQ-5127</a>	A00105	Angie Carpenter	
<a href="#">CVQ-5129</a>	A00106	Corina Kenny	
<a href="#">CVQ-5131</a>	A00107	M. Lenihan	
<a href="#">CVQ-5133</a>	A00108	Brian Whelan	
<a href="#">CVQ-5135</a>	A00109	Ronan Lynch	
<a href="#">CVQ-5137</a>	A00110	Conor O'Regan	
<a href="#">CVQ-5139</a>	A00111	Terry Leahy	
<a href="#">CVQ-5141</a>	A00112	Robert Roche	
<a href="#">CVQ-5143</a>	A00113	Marie Kenny	
<a href="#">CVQ-5145</a>	A00114	Adrianna McDea	
<a href="#">CVQ-5147</a>	A00115	C. Turley	
<a href="#">CVQ-5149</a>	A00116	Philip Cassley	
<a href="#">CVQ-5151</a>	A00117	Emer Quigley	
<a href="#">CVQ-5153</a>	A00118	Lorna Minto	
<a href="#">CVQ-5155</a>	A00119	Liam Bowe	

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