

Submission made on behalf of the Smith and Jones families

Section 2.4.1 Local Area Plans, page 56

This submission seeks the removal of Flemington from the areas shown in Table 2.16, the schedule of Local Area Plans (LAPs) to be commenced over the Plan Period.

Flemington is a 17.5 hectare site on the northern fringe of Balbriggan that has capacity for 500 housing units. The landowners want to build good-quality houses on their land in the coming years but the LAP requirement in Table 2.16 is highly likely to sterilise the land for at least 5 years, and probably for much longer.

The land at Flemington was rezoned for residential development in the 2011 Fingal Development Plan. The site is fully serviced. Public bus services to Balbriggan, Drogheda and Dublin pass the front of the site every twenty (20 no.) minutes and there are dedicated cycleways and footpaths that link the site to Balbriggan town centre. State-of-the-art GAA sports facilities, Bremore park, schools and shops are all located nearby.

When the land was rezoned in 2011, the Development Plan stipulated that a Masterplan had to be prepared for the site before any development could take place. In the period since rezoning the landowners on a regular basis have asked Fingal County Council (FCC) to prepare a Masterplan for Flemington and this Masterplan has been prioritised on the works schedules that have been approved by the elected Councillors, especially on the works schedule that was agreed upon in early 2017. However, the Executive in FCC never produced the required Masterplan and this has prevented any houses being built on the land during the past twelve (12 no.) years.

In July 2017 the Smith and Jones families submitted to FCC a draft Masterplan for the entire 17.5 hectare Flemington site. This draft was professionally prepared by planners and architects, working in close co-operation with the planners and roads experts in FCC. However, this draft was later sidelined within the planning department of FCC when it was decided that the Masterplan had to be prepared by FCC itself or by agents that it appointed to carry out the task. The failure by FCC to produce the required Masterplan has sterilised the entire site for twelve years and the landowners believe that the LAP requirement in the draft 2023-2029 Fingal Development Plan (replacing the Masterplan requirement in the current Development Plan) will prolong that sterilisation period.

In 2018 the Smith and Jones families each submitted a planning permission application to build houses on their zoned lands at Flemington. The Smith and Jones landholdings

together account for 5.6 hectares of the full 17.5 hectares site. These applications were rejected. The main reason given for the rejection decisions was the absence of an approved Masterplan for the whole of the Flemington site. The two families appealed the decisions to An Bord Pleanála (ABP) within the deadline laid down. When examining the appeals, ABP sought the views of FCC. In July 2018 FCC wrote to ABP, asking that the appeals be rejected and in the same letter FCC assured ABP that the Flemington Masterplan would be prepared in 2019. ABP did what it was asked to do. The appeals were rejected, and again the main reason given by ABP for its rejection decisions was the absence of an approved Masterplan for the 17.5 hectare block. The decision on when to prepare that Masterplan is entirely in the hands of the FCC Executive. Despite the assurance it gave to ABP in July 2018, the FCC Executive has yet to start work on the project or to appoint external consultants to deal with the matter.

Other landowners, who account for 9.1 hectares of the Flemington site, have also engaged with FCC throughout 2021 and 2022 with a view to getting planning permission to build houses on their land but their efforts have also been in vain. They too have expressed concern about the impact of the new LAP requirement on the future development of their property.

The independent Office of the Planning Regulator (OPR) addressed the contents of Table 2.16 during the preparation of the draft 2023-2029 Fingal Development Plan. When the OPR made its submission Table 2.16 included LAP requirements for, among others, the residential development sites at Flemington and Belcamp. The OPR stated the following:-

"With the possible exception of Lissenhall East and Belcamp, the rationale for the selection of these areas is not clear given that the settlements are all designated rural villages with a population well below 1,500. The basis for the assertion that the rationale for the selection of these areas has been informed by the Act and Section 28 Guidelines is not therefore clear".

The Minister for Housing, Local Government and Heritage, addressed the matter of LAPs in the Guidelines he issued to local authorities in June 2022. Specifically on LAP preparation, he stated the following:-

"The commitment to produce a large number of LAPs, primarily on the basis that there is an existing or historical LAP in place, should be avoided. The planning authority should instead examine if appropriate objectives and policies can be included in the development plan sufficient to provide a planning framework for the development of more modestly sized settlements".

Flemington can be classified as a "more modestly sized settlement". Certainly it is much smaller than the development at Belcamp. Yet in the version of Table 2.16 included in the draft 2023-2029 Fingal Development Plan that has gone on public display the Belcamp LAP requirement has been deleted while the requirement for Flemington remains intact. The OPR recommendation to FCC would suggest that the opposite should be the case. It is certainly the case that the removal of Flemington from the list would be entirely consistent with the guidelines issued by the Minister for Housing, Local Government and Heritage on LAP preparation, and also with the OPR submission.

There is a national housing crisis. The site at Flemington is "ready-to-go" and it can be part of the solution. The landowners at Flemington have demonstrated that they want to build good-quality houses on their lands and they want the houses to be built now. Support and cooperation from the FCC Executive is urgently needed to allow this to happen. The draft Masterplan submitted in July 2017 can be easily modified to take into account any current concerns among FCC planners and roads experts. The resources, both money and time, needed to follow this approach will be miniscule compared with those required to produce a LAP from scratch. This Masterplan can be used as a blueprint for the development of the entire Flemington site. The OPR submission and the Ministerial Guidelines clearly state that there is no need for a LAP requirement on this land.

We are appealing to FCC to remove Flemington from Table 2.16 in advance of the 2023-2029 Fingal Development Plan being adopted. If our request is granted we will submit new planning applications to FCC in 2023, with the aim of having builders on site either in 2023 or early in 2024.

Yours truly,

John Smith

Bobby Jones

