

Submission on
Proposed
Material
Alterations to
the Draft
Fingal County
Development
Plan 2023 –
2029

Lands at Ashton
House, Scribblestown
& Dunsink, Dublin 15.

For Castlethorn

DECEMBER 2022

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1 INTRODUCTION

This submission is made by Stephen Little & Associates, Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2 D02 X361, on behalf of Castlethorn, Usher House, Main Street, Dundrum, Dublin 14.

This submission is being made in response to the publication of the Proposed Material Alterations to the Draft Fingal County Development Plan 2023 – 2029 (“the Draft Plan”) currently on public display until the 22 December 2022. This submission has been prepared by Stephen Little & Associates, Chartered Town Planning and Development Consultants.

We confirm that we have carefully considered the content of the Draft Plan and the Proposed Material Alterations prior to preparing this formal submission.

1.1 Overview of Submission on the Draft Plan

Our Client made a robust and compelling submission on the Draft Plan in May 2022. In summary, it is strongly contended that the re-zoning of the Ashton House lands for residential development is fully compliant with national planning policy imperatives as set out in the National Planning Framework – Ireland 2040 (NPF) and the Regional Spatial & Economic Strategy (RSES) and will support balanced future population growth and housing in a compact and sequential manner west of the existing built up area adjacent to Ashtown Rail Station.

The submission on the Draft Plan requested for Fingal County Council to re-examine the Zoning of the Ashton House lands. To have the lands re-zoned from Objective ‘HA’ – High Amenity to either Objective ‘RS’ – Residential or ‘RA’ – Residential Area our client submitted that this re-zoning was fully supported by and consistent with current national policy on the grounds that: -

- There is no justification provided to retain the ‘HA’ – High Amenity zoning of these lands. The Landscape & Visual Analysis conducted by Cunnane Stratton Reynolds Land Design & Planning demonstrates that the criteria for High Amenity lands set out in Section 9.6.17 of the Draft Plan are not met with respect to these lands and the landscape characteristics and qualities of these lands were identified and are compatible with a sensitive redevelopment of the subject site.
- The lands can be accessed and serviced immediately in line with requirements set out in the NPF for Tier 1: Serviced Zoned Land.
- The lands represent a logical, sequential approach to the consolidation and compact expansion of Dublin City and Suburbs inside the M50. The new neighbourhood at Ashtown-Pelletstown is located directly across the Ashtown Road.
- The lands at Ashtown are within walking distance of both the existing Ashtown Train Station and the Navan Road QBC. Navan Road Parkway Station is potentially within walking distance also subject to the provision of a link north across the canal.
- The rail service at Ashtown Station is due to be significantly enhanced through the DART+ West project by CIE. This will increase train capacity from the current 6 trains per hour per direction up to 12 trains per hour per direction subject to demand. Passenger capacity per hour per direction is projected to increase from 5,000 in 2019 to 13,200 passengers in 2025.
- The bus service along the Navan Road is due to be enhanced also with the introduction by the NTA of the planned Blanchardstown to City Centre BusConnects route.
- The lands benefit also from very close proximity to the Royal Canal Greenway which provides access to the City Centre within a 45 minute cycle along a dedicated cycle way.
- The integration of land use and transportation policies ensure that the necessary critical mass is created to ensure high frequency public transport can be delivered and sustained.
- Rathborne Village adjoins these lands to the east and is fully operational containing local retail, leisure and commercial services.

- The availability of an existing viable public transport network and existing local service centre means that such an undeveloped site, within the M50, represents an optimal location for any potential new growth envisaged for the county.

We consider that the Ashton House lands represent a logical extension of the built-up area, as a serviced and accessible site.

The promotion of the Ashton House lands would be wholly consistent with SPPR DPG 7 and Section 6.2.4 of the draft Development Plan Guidelines for Planning Authorities 2021 having regard for the fact that they are spatially sequential to the existing built up area, immediately adjacent a strategic transport corridor and immediately serviceable (Tier 1 – Serviced Lands in the context of the NPF).

We further submitted that NPO from the NPF concerning meeting 50% of new development in the existing built-up areas of Dublin City & Suburbs (NPO 3(b)) would further support not just the re-zoning of the subject lands, but also that there should be a discrete zoning of these lands which allows for the development of same during the lifetime of the Plan, such that its development is not dependent on a future study regarding other lands that are not Tier 1 lands. As such, the Council were invited to consider re-zoning the Ashton House lands on the basis that they are Tier 1 and are immediately developable and should subsequently be excluded from the preparation of any further statutory plan.

Overall, the Ashton House lands are considered spatially sequential and positioned adjacent to the existing built-up footprint of Ashtown-Pelletstown and contiguous to existing developed lands, facilities and amenities.

It was considered that the re-zoning of the Ashton House lands for residential use is wholly in accordance with current national planning policy, primarily, the National Planning Framework, Ireland 2040 and Eastern & Midlands Regional Spatial & Economic Strategy and Dublin Metropolitan Area Spatial Plan (DMASP).

The subject site was not rezoned and the potential future use of these lands would need to be considered in the context of the forthcoming statutory planning framework for the overall Dunsink area.

1.2 Purpose of this Submission on the Proposed Material Amendments

This submission seeks to comment on the Proposed Material Amendments to the Draft Plan to ensure the sustainable development of Ashtown / Dunsink / Scribblestown area (“the Dunsink lands”) over the lifetime of the next County Development Plan. We confirm that our Client owns lands in this designated area.

This submission is being made in the context of Proposed Material Amendments to the Draft Plan which relate to riparian corridors and the proposed LUAS extension, namely: -

PA CH 9.8: Section 9.6.8 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 334

Include a new Objective after Objective GINHO41, as follows: -

Objective GINHOXX – Protection of Royal Canal

Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

PA CH 9.11: Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows, page 334

Include a new objective to Section 9.6.8. as follows: -

Objective GINHOXX – Streamside Riparian Zone

Remove existing revetments and/or gabion baskets along river and streams and restore a minimum of 10m of natural streamside riparian zone, where possible. If existing hard bank structure cannot be removed, provide instream river rehabilitation works in consultation with inland Fisheries Ireland to improve the overall habitat quality of the river.

PA CH 14.15: Section 14.18.2.4 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596

Amend Objective DMSO156 as follows: -

Objective DMSO156 – Ecological Corridors

Protect and enhance the ecological corridors along the following rivers in the County by ensuring that no development takes place, outside ~~urban-centres~~, ~~development boundaries~~ within a minimum distance of ~~48m~~ ~~30m~~ from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River (see Green Infrastructure Maps). A minimum 10 m wide riparian buffer strip applies to lands within ~~urban-areas~~ ~~development boundaries~~. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

Map Sheet 13 – PA SH 13.10

Include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

Map Sheet 17 – Connectivity and Movement

The Specific Objective for the Proposed Luas Extension.

The purpose of this submission on the Proposed Material Amendments is to address concerns relating to the extent of the Riparian Corridors shown along the Royal Canal. It is considered that the buffer proposed from the banks of the canal (30m) is not necessary within the M50 and that it will unduly limit the potential to develop our Client's landholding (Ashton House lands) in close proximity to Ashton Station.

Furthermore, it is considered that that alignment of the "Finglas Tyrellstown" Luas Extension as shown in Maps Sheet 17 will reduce the potential development opportunity of the Dunsink lands significantly in the future.

2 CLIENT

Castlethorn is a long established residential-led developer with a proven track record of building new sustainable communities across Dublin and within the Greater Dublin Area centred around good quality public transport corridors.

Castlethorn has had an interest in lands in the Dublin 15 area since 1994 and became involved in the development of Ashtown-Pelletstown (located immediately east of the subject lands) after 1997 when those lands were proposed for re-zoning by Dublin City Council. The company commenced development of lands at Ashtown-Pelletstown in 2002 following receipt of their initial planning permissions. Since then, Castlethorn has delivered in excess of 1,100no. residential units at Rathborne alone, together with a vibrant mixed-use Village Centre and local centre and other facilities and amenities for residents and visitors alike at their Rathborne development. This considerable investment in physical and social infrastructure facilitates sequential development of adjacent lands at Ashton House which we contend qualify as Tier 1 lands from an infrastructural capacity perspective.

Castlethorn continue to explore new opportunities and are actively seeking to develop their existing and newly acquired lands across Dublin and within the Greater Dublin Area.

3 SITE DESCRIPTION & CONTEXT

The Ashton House lands are part of the landbank identified as the Dunsink Long Term Strategic Reserve, and are zoned 'HA' – High Amenity in the Draft Plan. This zoning is a continuation of the same zoning from the Fingal Development Plan 2017 – 2023 ("the current Development Plan").

The Ashton House lands are in Dublin 15 and is within the Fingal administrative area, it is situated inside the M50 in the Dublin City & Suburbs area and as a result, it's considered to be within the existing built-up area of the city. The Finglas area of Dublin lies to the north east of the site with Navan Road / Cabra to the south and east. The boundary between Fingal and Dublin City is down the middle of Ashtown Road from which the lands are accessed.

Immediately to the east of the Ashton House lands, on the opposite side of Ashtown Road is the Ashtown-Pelletstown Development Area. Ashtown-Pelletstown is a rail-based residential-led development district including two urban village nodes providing a range of retail and commercial facilities, with Rathborne Village immediately adjacent the Ashton House lands to the east. A new permanent Educate Together School is currently under construction on a nearby site facilitated by Castlethorn, replacing a temporary Primary School located on Ashtown Road. Ashtown-Pelletstown is served in public transport terms by Ashtown Rail Station and Pelletstown Station at Royal Canal Park at the eastern end of Ashtown-Pelletstown. Under the DART+ Programme the existing the Dublin – Maynooth / M3 Parkway rail lines will be upgraded to a DART service by 2025.



Figure 1: Extract from Google Maps with the subject lands outlined in red (Overlay by SLA).

The Ashton House lands can be accessed at present directly from both Ashtown Road (to the east) and River Road (to the north).

The Tolka Valley lies immediately to the north of River Road, which itself forms the northern boundary of the Ashton House lands. Elmgreen Golf Course lies to the north west of the site and beyond this again is the former landfill site at Dunsink.

We refer to the Landscape & Visual Analysis, prepared by Cunnane Stratton Reynolds Land Planning & Design which provide a detailed description of the Ashton House lands and its environs in terms of landscape characteristics.

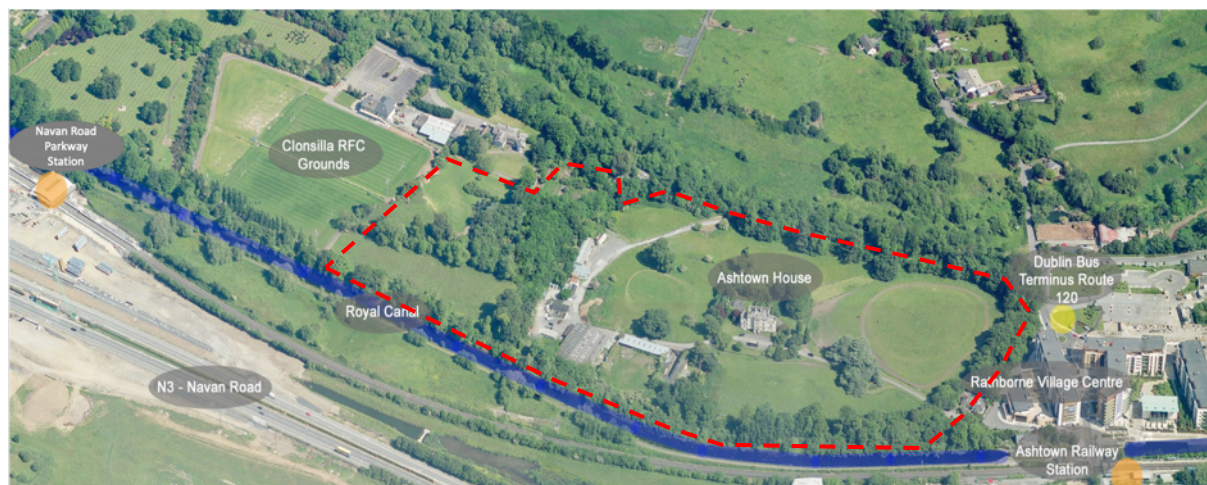


Figure 2: Ashton House lands, outlined indicatively in red within its current context adjacent to Rathborne Village (Image & overlay by SLA).

In terms of wider connectivity, the Broombridge Rail Station is a transport interchange (DART / LUAS) and is within easy reach of the Ashton House lands (2no. stops east of Ashtown Rail Station). The Navan Road is also a Quality Bus Corridor linking Blanchardstown and the City Centre and is planned to be upgraded as part of the BusConnects programme by the NTA. The Navan Road is a short 5-minute walk from the lands along Ashtown Road.



Figure 3: Extract from Google Maps showing the location of current Rail Stations in proximity to the Ashton House lands which are outlined indicatively in red (Overlay by SLA).

Rathborne Village, located immediately north of the Ashtown Rail Station and Royal Canal, and on the opposite side of Ashtown Road to Ashton House, provides the following wide range of facilities all of which are within very convenient walking distance to the Ashton House lands and much of the wider lands in Dunsink generally:-

1. Douglas & Kaldi Coffee shop.
2. T2 Barbers.
3. Lloyds Pharmacy.
4. Bombay Pantry Take-Away.
5. McDonagh Solicitors.
6. Supervalu Supermarket.
7. Brennan Estate Agents.
8. Reba Hair & Beauty Salon.
9. Phoenix Dental.
10. The Run Hub, Sporting Goods.
11. Ibiza Tan Sunbed Lounge.
12. Geisha Asian Restaurant.
13. The Canal Bar.

The Village Centre was developed by Castlethorn by the end of the 2000s. There are also a couple of other smaller units which are vacant at this time and the active usage of these units would benefit from additional residential development occurring on the lands subject of this submission.

Furthermore, the additional supermarket and café permitted as part of the Rathborne SHD development (ABP Ref. 307656-20) on lands immediately to the east of the Village at Rathborne will also enhance the range and choice of amenities on offer at Rathborne Village for existing and future residents once constructed. It is evident that there is a vibrant local centre, together with a wide range of amenities right on the doorstep of the Ashton House lands.

To the south of the site beyond the Royal Canal is the Phoenix Industrial Park and beyond the N3 are the Phoenix Park Racecourse apartments. There are over 2000no. residential units in this scheme as well as retail and other commercial floorspace. It is served in public transport terms by a rail connection to the city centre (the Navan Road Parkway Rail Station – approx. 800m – 1km). Both the Navan Road Parkway Rail Station and the Ashtown Station are on the Dublin – Sligo line, which runs parallel to the Royal Canal at this location.

As can be seen from the above, the Ashton House lands are exceptionally well served by existing public transport and will benefit further from the future upgrade including DART+ West and BusConnects (both expected to be implemented within the lifetime of the Draft Plan). Furthermore, the Ashton House lands have direct access to the existing road network and benefit from the various services established in Rathborne Village immediately to the east.

4 ROYAL CANAL / TOLKA RIVER BUFFER ZONE

This element of the submission is being made in the context of Proposed Material Amendments to the Draft Plan which relate to riparian corridors, namely: -

PA CH 9.8: Section 9.6.8 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 334

Include a new Objective after Objective GINHO41, as follows: -

Objective GINHOXX – Protection of Royal Canal

Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

PA CH 9.11: Section 9.6.8. Ecological Corridors and Steeping Stones including Trees and Hedgerows, page 334

Include a new objective to Section 9.6.8. as follows: -

Objective GINHOXX – Streamside Riparian Zone

Remove existing revetments and/or gabion baskets along river and streams and restore a minimum of 10m of natural streamside riparian zone, where possible. If existing hard bank structure cannot be removed, provide instream river rehabilitation works in consultation with inland Fisheries Ireland to improve the overall habitat quality of the river.

PA CH 14.15: Section 14.18.2.4 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596

Amend Objective DMSO156 as follows: -

Objective DMSO156 – Ecological Corridors

Protect and enhance the ecological corridors along the following rivers in the County by ensuring that no development takes place, outside ~~urban-centres~~, ~~development boundaries~~ within a minimum distance of ~~48m~~ ~~30m~~ from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River (see Green Infrastructure Maps). A minimum 10 m wide riparian buffer strip applies to lands within ~~urban-areas~~ ~~development boundaries~~. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

Map Sheet 13 – PA SH 13.10

Include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of 30 metres from the top of each bank of the Canal.

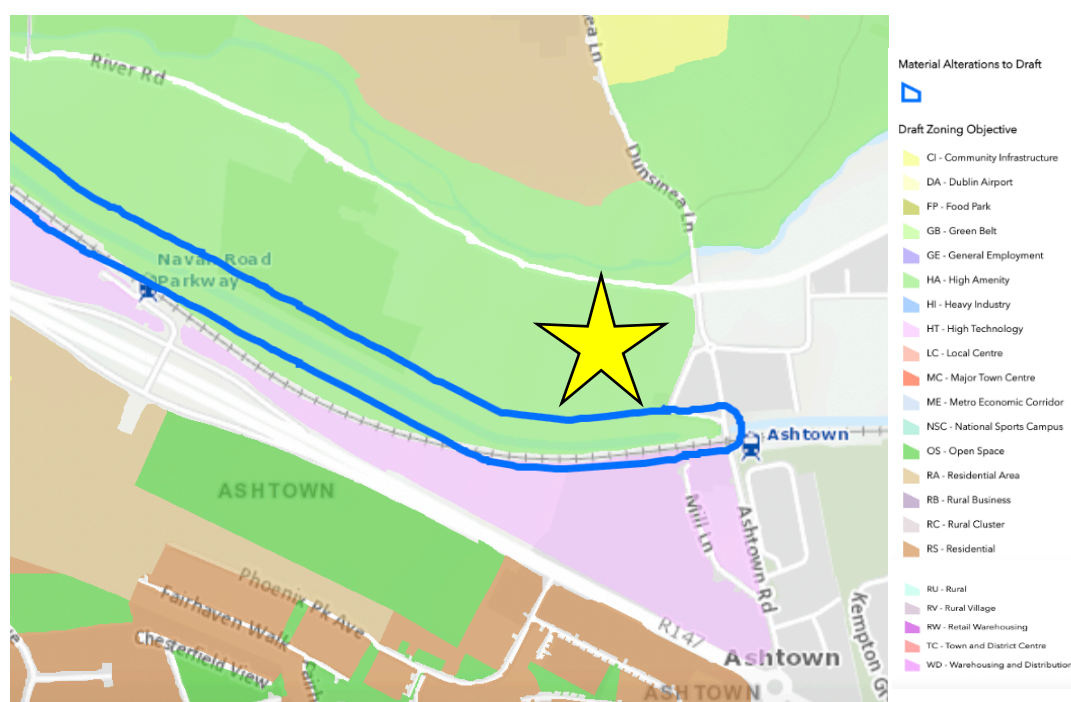


Figure 4: Extract from Fingal County Council Material Amendments interactive map showing addition of the 30m buffer to the Royal Canal adjacent the Ashton House lands marked with a yellow star (Overlay by SLA)

Section 9 of the Draft Plan set out the provisions in relation to Green Infrastructure and Natural Heritage. Section 9.6.8 of the Draft Plan deals with ‘Ecological Corridors and Stepping Stones Including Trees and Hedgerows’. Ecological corridors are described as linear landscape features such as rivers, hedgerows and road verges that facilitate the movement of wildlife through the landscape. The key corridors are identified as being along the major rivers, including their floodplains and the adjacent farmland or parkland.

Objective DMSO156 – Ecological Corridors has been adjusted as part of the Proposed Material Amendments and now gives effect to this 48m development buffer either side of the main rivers in the County, including the Tolka River.

However, it does not appear that Section 9.6.8 of the Draft Plan has been adjusted where it states that *“to be ecologically effective corridors need to be a minimum of 30m in width measured from the top of each riverbank.”*

A 10m wide riparian buffer strip either side of a river is required within an urban area and it is stated that *“where lands encompass urban and rural areas, a transitional approach from the urban riparian requirements to the rural riparian requirements may be appropriate and will be assessed on a case-by-case basis.”*

The Draft Plan does provide a degree of flexibility in relation to development within a riparian corridor, where Objective DMSO161 – Riparian Corridors: -

“Require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.”

Notwithstanding, it is considered that the minimum distances adjusted in Objective DMSO156 relating to the Tolka River and the additional riparian buffer zone added to the Royal Canal are excessive and limit the potential to develop lands South of River Road, adjacent to the Maynooth Commuter Railway Line and its existing Ashtown and Navan Road parkway stations.

Existing Context

The portion of the canal and Tolka River immediately east of the M50 / Interchange with the N3 / Navan Road is significantly constrained by the physical road infrastructure for same (Figure 5 and 6 below).

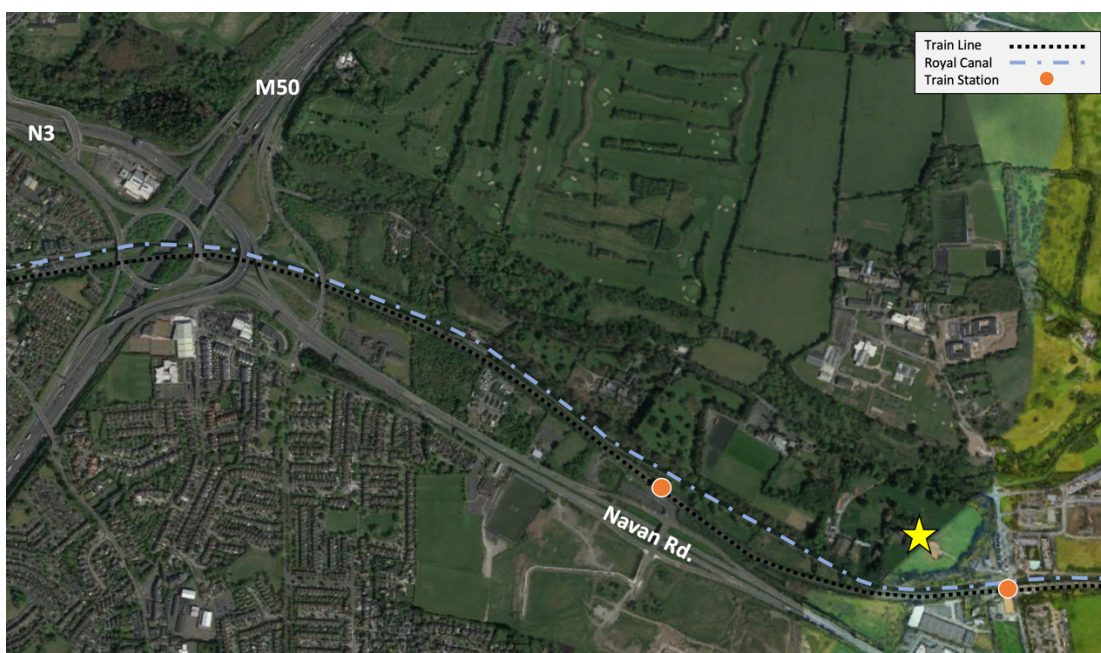


Figure 5: Extract from Google Earth showing the existing physical constraints adjacent the Asthon House lands identified with a yellow star (Overlay by SLA).



Figure 6: View east from the M50 interchange showing the extent of intervention arising from the road infrastructure along the Royal Canal.

The context within the M50 is marked by the necessary physical and heavily engineered infrastructure to support the development of Dublin City (roads, train lines, services etc.). Rathborne Village immediately east of Ashton Station (developed by our Client) demonstrates how canal side development can both provide for the expansion of the urban area whilst also preserving and enhancing amenities such as the Royal Canal. The area east of the M50 must focus on urban consolidation and capitalisation of the Maynooth Commuter Railway Line and its existing rail stations within the designated Dublin City and Suburbs Consolidation Area. As such, greater flexibility needs to be provided for the development of lands adjacent existing public transport and contiguous to the existing urban edge to support the consolidation of Dublin City.

The context is markedly different to the west of the M50. The lands west of the M50 as less constrained by physical infrastructure and it is respectfully submitted that these lands are generally more suitable to support wider amenity objectives.

4.1 Tolka River

Pg. 325 of the Chief Executives Report on Draft Public Consultation acknowledges the submission from the Inland Fisheries Ireland (IFI) in relation to the management of waterways. The Chief Executives response goes on to state that: -

“It is proposed to increase the riparian buffer strip to 48m outside of settlement boundaries along the main water bodies of the County, in line with the IFI guidelines.”

In the Planning for Watercourses in the Urban Environment Report, a Guideline developed by IFI it is noted that there are four steps to good Riparian & River Planning for Urban Areas. The buffer should be subdivided in to separate zones, each with a different function, width, vegetation type and use, as shown below. The extract below (Figure 7) shows the various zones and the recommended minimum distances for each zone.

It is noted that a 10m streamside zone is required to protect the streamside riparian zone the wider 15m – 30m can be developed on to provide amenity and recreation for local people and potential future residents as part of any future housing development at this site.

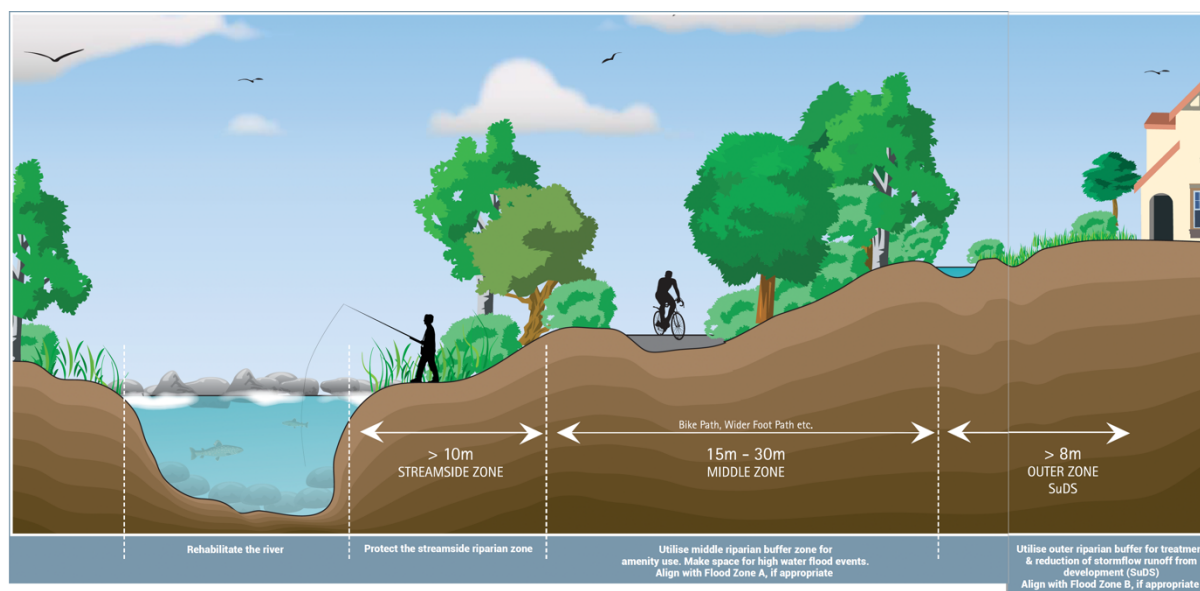


Figure 7: Diagram taken from the IFI Planning for Watercourses in Urban Environment, showing the three different buffer zones.

We note that Figure 5 above is not to scale however it does suggest a buffer of 33 – 48m and not a blanket 48m across the full extent of rivers irrespective of location and context.

What is not acknowledged in the Draft Plan is that the Guidelines developed by the IFI note that the Middle and Outer Zone could potentially align with Flood Zone. This is an entirely logical and practical implementation of these guidelines on the basis that natural topography and features will define the extent of the buffer zones in many instances.

The Draft Biodiversity Action Plan 2022 – 2030 sets out generally that ecological corridors are linear landscape features such as rivers and hedgerows that facilitate the movement of wildlife through the landscape. It is noted that that ecological corridors should follow the line of the flood zone associated with a river if greater than 50m. The Tolka River flood plain is approximately 80 – 100m.

A Strategic Flood Risk Assessment (SFRA) was prepared with the Draft Plan. The SFRA is accompanied by a series of Strategic Flood Risk Maps which shows that the Ashton House lands are not within a flood zone. More specifically, the extent of the flood zone for the Tolka River does not extend beyond the River Road / R102. The Tolka River is in deep cut at this particular location and the Tolka River Valley is naturally defined by the steeply sloping contours that form the wooded embankments on either side.

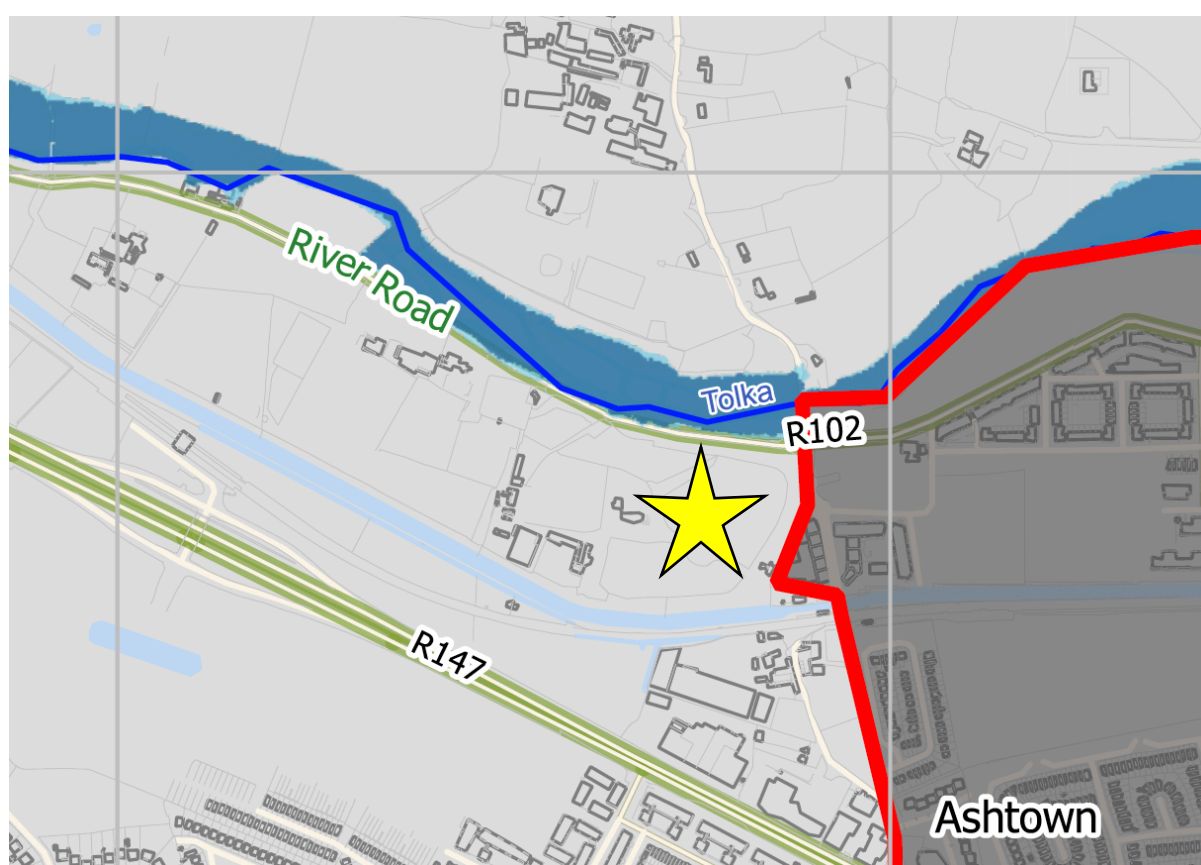


Figure 8: Extract from M02127-06_FIG_FL124-04 Flood Zone Map of the SFRA accompanying the Draft Plan. Ashton House lands marked with a yellow star (Overlay by SLA)

Furthermore, Section 8.4.2 – Terrestrial Corridors of the Draft Biodiversity Action Plan 2022 – 2030 sets out that “*ecological corridors can also be developed in urban areas too.*” It is noted that these linear open spaces comprise of a mixture of trees, hedgerow, scrub, rank grassland, wildflower meadow, etc. This section goes on to state that: -

“There is also a human advantage to planning corridors in urban and suburban settings. They add green space to the city and can create a highly sought-after residential edge. They also connect neighborhoods with nature by offering space where wildlife can be seen and provide opportunities for environmental stewardship.”

We note that the Ashton House lands are located contiguous to the built-up urban edge of Dublin City (Rathborne Village). In the context of the proposals made as part of our Clients submission on the Draft Plan it was demonstrated that the tree belt along the northern edge of the Ashton House lands would form a buffer between the Tolka River and any development south of that. In the context of the Ashton House lands the utilisation of these natural features is considered more suitable in terms of a future buffer to development rather the imposition of an arbitrary buffer / setback.

The imposition of the buffers suggested in the IFI Guidelines would not support the compact urban development sought in the NPF, in particular, National Policy Objectives 33 which seeks to “*prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.*” The Ashton House lands represent a logical, sequential approach to the consolidation and compact expansion of Dublin City and Suburbs inside the M50 as espoused in the NPF.

It is submitted that the arbitrary nature of the Objective DMSO156 which now seeks a 48m buffers of the bank of the river fails to take into account of the natural flood plains associated with a river. Furthermore, natural topography and features further define the extent of a practical and implementable buffer zone.

As such, we are seeking adjustment to Objective DMSO156 to allow some flexibility on the implementation of an appropriate zone rather than an inflexible arbitrary reliance on a numerical off-set / setback.

4.2 Royal Canal

The Proposed Material Alterations to the Draft Plan includes a 30m buffer zone along the banks of the Royal Canal. The Royal Canal is a fixed waterbody and does not have a flood zone.

Our Client is fully supportive of the implementation of a buffer zone to protect the ecological integrity of the Royal Canal. In the submission made supporting the rezoning of the Ashton House lands for residential development indicative layouts for future development indicated generous setbacks from the canal itself with landscaping buffer being utilised to enhance same.

Proposed Natural Heritage Area

The Royal Canal is a Proposed Natural Heritage Area (pNHA) – Site Code: 002103. The extent of the pNHA is outlined in Map Sheet 15 – Green Infrastructure of the Draft Plan (see Figure 9 below).



Figure 9: Extract from Map Sheet 15 – Green Infrastructure 2 of the Draft Plan showing the extent of the Royal Canal pNHA – outlined in red for ease of reference. Ashton House lands marked with a yellow star (overlay by SLA).

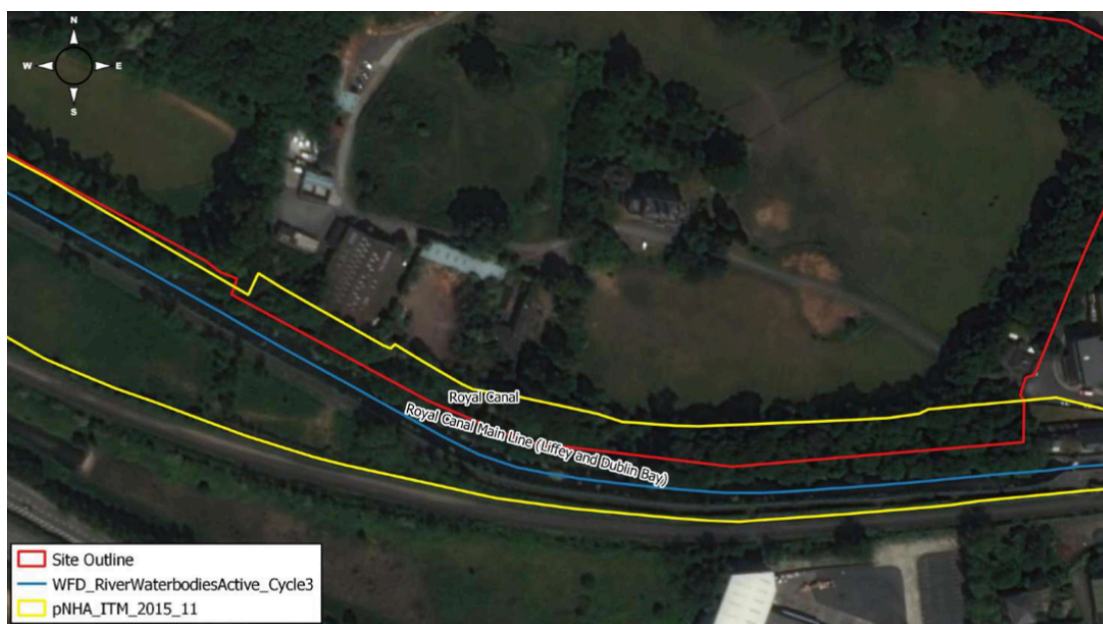


Figure 10: Extract Preliminary Environmental Assessment, prepared by Altamar Marine & Environmental Consultancy showing the extent of the Royal Canal pNHA (yellow line) within the tree belt to the south of the Ashton House lands (outlined in red).

The ‘Site Synopsis’ provided by the National Park and Wildlife Services for the Royal Canal pNHA states that the *“ecological value of the canal lies more in the diversity of the species it supports along its linear habitats...”*

As such, it is reasonable to consider that the extent of the pNHA as indicated on Map Sheet 15 – Green Infrastructure 2 of the Draft Plan takes full cognisance of the natural features associated with the Royal Canal which support or enhance the ecological value of same. In the context of the Ashton House lands this includes the tree belt along its southern edge. Notably the outline of the pNHA under the M50 becomes more constrained / narrower due to the physical interventions adjacent the Royal Canal in this area.

In the context of the proposals made as part of our Clients submission on the Draft Plan it was demonstrated that the tree belt along the southern edge of the Ashton House lands would form a buffer between the Royal Canal and any development north of that. The use of natural features to retain a practical buffer in this context is more suitable rather than the imposition of a blanket and arbitrary buffer / setback.

Other Precedent from Dublin Local Authorities

As can be seen from development along the Royal Canal moving east towards the City Centre, most notably Rathborne Village which has been developed by our Client, development had respected and integrated with the Royal Canal. The implementation of a 30m buffer along the Royal Canal is generally at odd with how other Local Authorities in the Dublin area responds to canals and rivers.

It is a Policy (SI 10) of the Dublin City Council Development Plan 2022 – 2028: -

“Managing Development Within and Adjacent to River Corridors

To require development proposals that are within or adjacent to river corridors in the City (excluding the Camac River) to provide for a minimum set-back distance of 10-15m from the top of the river bank in order to create an appropriate riparian zone. The Council will support riparian zones greater than 10 metres depending on site-specific characteristics and where such zones can integrate with public / communal open space.”

The South Dublin County Development Plan 2022 – 2028 under G13 Objective 3 aims to: -

*“promote and protect native riparian vegetation along all watercourses and ensure that a **minimum 10m vegetated riparian** buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site.”*

The Dun Laoghaire Rathdown Development Plan 2022 – 2028 under Section 8.7 Green Infrastructure and Biodiversity, suggests a minimum buffer of 10m each side of the water’s edge for amenity and biodiversity.

We note the above referenced policies relate to river networks / watercourse as opposed to canal networks. However, we respectfully submit that a buffer zone between 10 – 20m is sufficient for the ecological protection of the Royal Canal having regard for similar protection measures by other Dublin Local Authorities. Any future development of the Ashton House lands would take place in a way that will protect and conserve the Royal Canal and contribute to broader amenity objectives by opening up these private lands to public access and by facilitating north / south connectivity between the planned Tolka River Linear Park and the Royal Canal.

4.3 Modification Being Sought

It is requested that the following minor Modifications be included: -

PA CH 9.8: Section 9.6.8 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 334

Amend the Objective as follows: -

Objective GINHOXX – Protection of Royal Canal

Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of ~~30~~ 10 – 20 metres from the top of each bank of the Canal.

PA CH 14.15: Section 14.18.2.4 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596

Amend Objective DMSO156 as follows: -

Objective DMSO156 – Ecological Corridors

Protect and enhance the ecological corridors along the following rivers in the County including the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River (see Green Infrastructure Maps) by ensuring that no development takes place, outside, development boundaries. Ecological corridors should align with the appropriate flood zones and or natural topography having regard for Inland Fisheries Ireland guidance where relevant. A minimum 10m wide riparian buffer strip applies to lands within development boundaries. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

Map Sheet 13 – PA SH 13.10

Include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of ~~30~~ 10 – 20 metres from the top of each bank of the Canal.

5 FINGLAS LUAS EXTENSION

This element of the submission is being made in the context of Proposed Material Amendments to the Draft Plan which relate to the proposed LUAS extension, namely: -

Map Sheet 17 – Connectivity & Movement

The Specific Objective for the Proposed Luas Extension.

Table 4 of Appendix 4 – Infrastructure Capacity Assessment of the Draft Plan includes reference to the Dunsink lands which identified the Finglas LUAS extension as a key piece of enabling infrastructure.

Fingal County Council has commissioned Transport Insights, in partnership with MacCabe Durney Barnes, to undertake an Area Based Transport Assessment (ABTA) for the Dunsink Lands. Through a FOI, our Client has been furnished with the ABTA: Context Briefing Note (June 2021).

The vision for the Dunsink lands is identified as follows: -

“Development of a low carbon mixed use transit oriented urban quarter which prioritises active travel and public transport modes both within and outside, is well connected to the wider City via high quality public transport and active travel infrastructure, and seeks to protect and enhance the environmental and historical character of the area.”

The Report further states the following in relation to the high density development scenario shown in Figure 7: -

“In terms of public transport requirements, this scenario is dependent on the provision of the east-west high-capacity public transport link in order to accommodate the high-density urban form envisaged.”

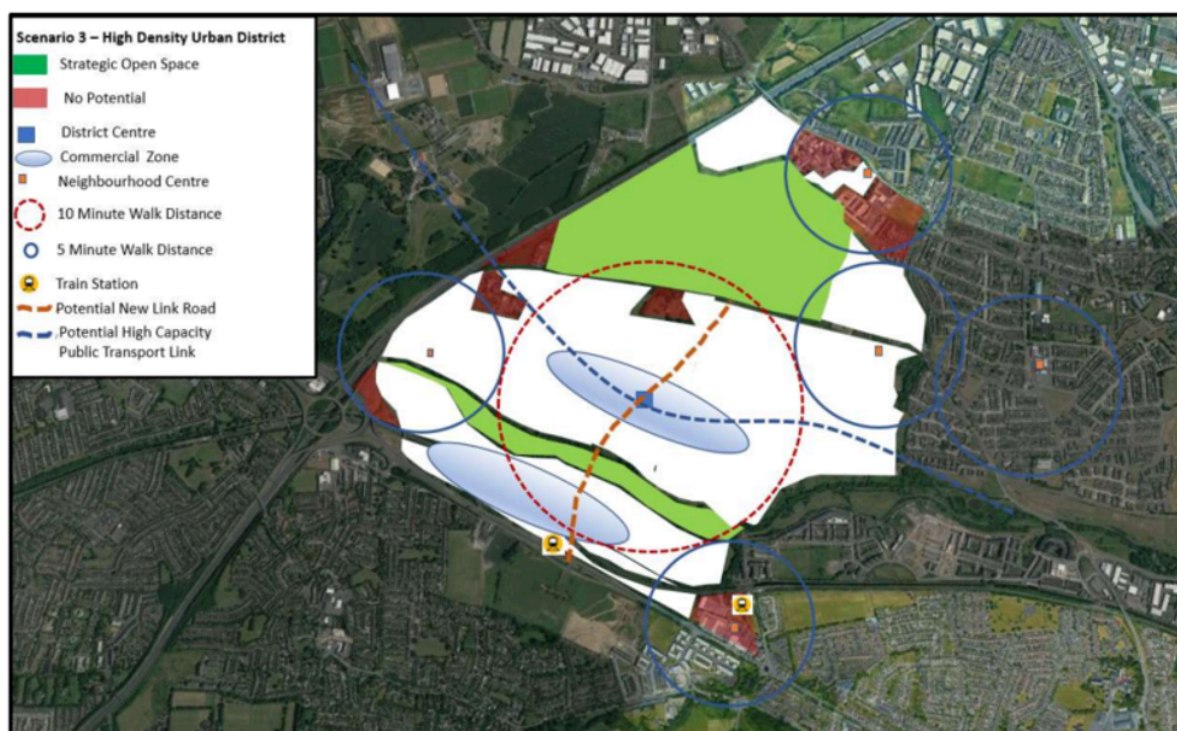


Figure 11: Extract from the ABTA for the Dunsink Lands showing the east – west high capacity public transport link (Scenario 3 – Hight Density Urban District).

This highlights the reliance on a high-capacity public transport link in order to develop the Dunsink Lands and FCC's plans to provide a high capacity public transport link on an alignment that is strongly correlated to the alignment of the Tyrrelstown Luas line as presented in the NTA's Draft Strategy.

Fingal County Council have relied on the RSES which identifies Dunsink as a Strategic Development Area but being of long term potential. This is reflected in the designation of Dunsink as a Long Term Strategic Reserve in the Draft Plan. The RSES suggests in terms of Phasing / Enabling Infrastructure under Table 5.1 that Dunsink is dependent on *"Luas extension to Finglas, access, site conditions, feasibility."* The current Preferred Route Alignment for the Finglas LUAS runs through the centre of Finglas and is a minimum of 1km in distance from the eastern edge of the Dunsink lands. The Finglas LUAS was envisaged to run through the centre of the Dunsink lands at the time that the Dunsink Study Summary October 2011 was drafted by Fingal County Council. That situation has clearly changed in the meantime.

It is clear from the ABTA: Context Briefing Note that the Fingal LUAS extension is considered outside the catchment of the Dunsink lands and as such is not considered a prerequisite to unlock the development potential of the Dunsink lands. The nearest stations will be over 1km from the north-eastern extent of the Dunsink lands.

Further to the above there is an emerging 'post 2042 LUAS' line running through the Dunsink lands and along the lands at Ashton House as per the Greater Dublin Area Transport Strategy and Sheet 17 of the Draft Plan (Figure 8 & 9below).

This submission is being made to address the proposed alignment of the "Finglas Tyrrelstown" LUAS extension currently shown in the Draft Plan. The specific part of the alignment in question is the section which interacts with the subject Ashton House Lands to the south of River Road and the Dunsink Lands Strategic Land Bank.

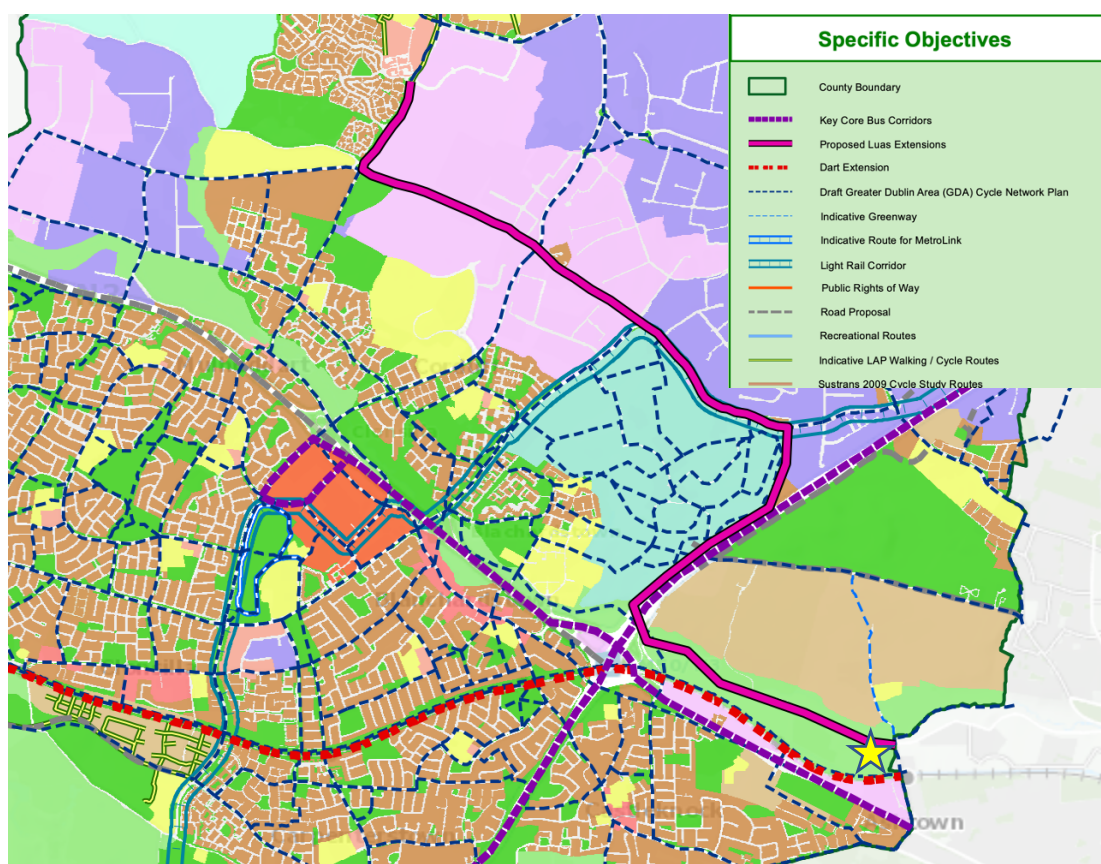


Figure 12: Extract from Map Sheet 17 Proposed Material Alterations showing proposed Luas Extension and indicative location of the Ashton House lands identified with a yellow star (SLA Overlay).



Figure 13: Extract from Draft transport Strategy for the Greater Dublin Area 2022 – 2042 and indicative location of the Dunsink lands outlined in red.

5.1 “Finglas Tyrellstown” LUAS Extension

Our Client respectfully submits that the proposed alignment of the “Finglas Tyrellstown” LUAS extension as shown on Map Sheet 17 should be amended.

As can be seen from figures 7 and 8 above, the proposed “Finglas Tyrellstown” Luas extension currently shown in the Draft Fingal County Development Plan as per Map Sheet 17 in the Material Amendment Maps does not align with the Draft Transport Strategy for the Greater Dublin Area (2022-2042).

As the development of all LUAS extensions are subject to delivery by NTA (National Transport Authority), it is evident that any proposed alignment for this extension that is presented in the Fingal County Development Plan should be the same alignment as shown in the NTA Draft Strategy. It is further noted that the Chief Executive’s Report on the submissions to the Draft Development Plan gives a commitment to this consistent presentation of public transport route alignments. There is no evidential basis to present an alternative alignment in the Draft Plan.

The following submissions were extracted from the Chief Executive’s Report on Draft Public Consultation – Fingal Development Plan (2023 – 2029) in response to comments made by the Office of the Planning Regulator (OPR): -

1. *“Concerns are expressed that the planned LUAS scheme **will not provide a viable transport option to serve the Dunsink lands** to facilitate the integration of land-use and transport based on the outcomes of the ABTA carried out to inform the preparation of the feasibility study for the Dunsink lands”.*
2. *“It is requested the **plan maps reflect the LUAS routes proposed under the Draft NTA GDA Strategy** including the LUAS proposal to Blanchardstown as per the Draft NTA Strategy to ensure the co-ordination between land-use and transportation in accordance with relevant national and regional policy.”*

The responses by the Chief Executive to the queries are as follows: -

3. *“In this context, it is considered appropriate to include the key core bus corridors relating to the BusConnects scheme including other key strategic public transport elements of the forthcoming NTA GDA Strategy 2022-2042 of relevance to Fingal on a new Sheet 17 ‘Connectivity and Movement’, including MetroLink, DART + and LUAS and this is addressed by way of CE recommendation in the context of the OPR submission.”*

4. *“Regarding the potential for LUAS to serve the Blanchardstown area, the NTA will undertake detailed appraisal, planning and design work for the LUAS line to this area, with a view to delivery in the period after 2042 as per the Draft NTA GDA Strategy. In order to achieve the Plan’s strategic objectives and remain in line with regional and national policy objectives, it is essential that sustainable transport infrastructure is prioritised in accordance with the provisions of overarching policy at national and regional level including the NTA’s Transport Strategy.”*

The responses from the Chief Executive’s Office confirm a commitment to the NTA’s Draft Transport Strategy for the Greater Dublin Area (2022 – 2042) – incorporating the proposed Tyrellstown LUAS Alignment.

Therefore it can be reasonably concluded the alignment for this Luas line, as shown on Sheet 17 of the Development Plan (Figure 7 above) should replicate the indicative alignment presented on the NTA’s Draft Strategy and furthermore that the ultimate alignment of this Luas line, based on the precedence of the Fingal Luas line, would be closely aligned to the current indicative route.

5.1.1 Existing Transport Infrastructure

The Ashtown House Lands (subject of this submission) are already extremely well served by public transport, with two stations, namely Navan Road Parkway Station and Ashtown Station, in very close proximity. There are also several bus services on the Navan Road which provide a high quality of service with walking/cycling distances from the Ashtown House Lands.

The Ashton House lands benefit from proximity to the existing Ashtown Rail Station (approx. 500 – 1,000m) and are clearly the most accessible to public transport. The suitability of these lands for development will be enhanced further on completion of the DART+ West upgrade to DART services. It is clear that the development of the Ashton House lands would be wholly in accordance with Objective CM03 of the Draft Plan.

DART+ West is a considerable, planned capital investment in the Maynooth railway line of the order of €1.1bn involving electrification of the commuter rail service. It will increase train capacity from the current 6 trains per hour per direction up to 12 trains per hour per direction subject to demand. Passenger capacity per hour per direction is projected to increase from 5,000 in 2019 to 13,200 passengers in 2025.

The DART+ West project provides for the grade separation of rail from all existing road junctions along its route and also provides for the closure of the manually operated railway gates at Ashtown Road. IE are advancing plans for the Ashtown Road Scheme which will involve a widened road corridor with substantially increased vehicular capacity and dedicated pedestrian and cyclist facilities aligned to the west of Rathborne Village by way of underpass and linking Navan Road to the south with River Road to the north.

The Ashton House lands are easily accessible on foot, bicycle or car from the exiting Ashtown Road. The works as part of the Ashtown Rail Station to remove the level crossing will provide upgraded road infrastructure to the eastern boundary of the lands.

The future upgrades of these services (DART+ West & BusConnects) will provide even greater levels of public transport services that are within close and convenient walking distance of the lands. Therefore, these lands present as an optimal location for residential development in close proximity to existing public transport services, planned upgrades to these services, the Royal Canal Greenway to the city centre, Ashtown local centre, nearby schools, the Tolka Valley Park amenity lands and the nearby Phoenix Park.

Several public transport services already exist, or are proposed, within the same corridor as the proposed alignment at River Road and Ashtown House as shown on Map Sheet 17 (Figure 7 above) of the Draft Plan. These services are as follows: -

- Maynooth Suburban Rail Line (recently subject to a rail order for electrification upgrade to the DART+ West Scheme) allowing access by the following services:
- Maynooth Service; and

- M3 parkway Service.
- BusConnects Blanchardstown to City Centre (Submitted to An Bord Pleanála in June 2022);
- Luas Blanchardstown (Draft Transport Strategy for the Greater Dublin Area (2022 – 42).

The proposed alignment as per Map Sheet 17 of the Draft Plan would diminish the development potential at the Strategic Long-Term Reserve lands at Dunsink, a key area for development within the timeline of the development plan. The commitment to the development of this area is reinforced by the recent Feasibility Study undertaken by Fingal County Council and published in February 2022. The ABTA (Area-Based Transport Assessment), which was undertaken as part of the Feasibility Study, states that high density development scenario is dependent on the provision of the east-west high-capacity public transport link, on an alignment closely correlated to the Tyrellstown Luas extension as presented in the NTA Draft Strategy, in order to accommodate the high-density urban form envisaged.

Provision of the Fingal Tyrellstown Luas extension, as shown on Sheet 17 of the Draft County Development Plan, would simply create a redundancy of public transport services along a corridor that is already served by rail and bus services both of which are subject to ongoing plans for major upgrades as DART + West and the Blanchardstown core bus corridor.

Ashtown House presents as an optimal location for residential development based on its existing proximity to existing and planned upgrade public transport rail and bus services and a significant array of local services and amenities.

5.2 Modification Being Sought

It is requested that the following minor Modifications be included : -

Map Sheet 17 – Connectivity and Movement

Aligning the “Finglas Tyrellstown” LUAS Extension Specific Objective to align with the Draft Transport Strategy for the Greater Dublin Area (2022-2042)

6 SUBMISSION REQUEST & CONCLUSION

This submission is being made in response to the Proposed Material Alterations to the Fingal Draft Development Plan 2023 – 2029.

The above submission directly relates to the lands at Ashtown House and the proposed Ecological Corridor and the proposed “Finglas Tyrellstown” LUAS Extension. It is submitted that both of these items limit future development on Ashton House lands as well as the Dunsink Long Term Strategic Reserve. The following is generally submitted: -

- Adjustment is required to Objective DMSO156 to allow some flexibility on the implementation of an appropriate zone rather than an inflexible arbitrary reliance on a numerical off-set / setback.
- The proposed ecological buffer along the Royal Canal should be reduced to a minimum of 10 - 20m to allow for the successful future development of the Ashtown House lands.
- The proposed “Finglas Tyrellstown” LUAS alignment currently shown in the Map Sheet 17 of the Draft Fingal Plan should align with the Draft Transport Strategy for the Greater Dublin Area 2022 – 2024.

The following Modifications are therefore being sought:-

PA CH 9.8: Section 9.6.8 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 334

Amend the Objective as follows: -

Objective GINHOXX – Protection of Royal Canal

Protect the Royal Canal and associated habitats along its banks as a proposed Natural Heritage Area by establishing an ecological corridor free of new housing development with a buffer consisting of a minimum width of ~~30~~ 10 – 20 metres from the top of each bank of the Canal.

PA CH 14.15: Section 14.18.2.4 Ecological Corridors and Stepping Stones Including Trees and Hedgerows, page 596

Amend Objective DMSO156 as follows: -

Objective DMSO156 – Ecological Corridors

Protect and enhance the ecological corridors along the following rivers in the County including the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River (see Green Infrastructure Maps) by ensuring that no development takes place, outside, development boundaries. Ecological corridors should align with the appropriate flood zones and or natural topography having regard for Inland Fisheries Ireland guidance where relevant. A minimum 10m wide riparian buffer strip applies to lands within development boundaries. Additional width may be required to provide for additional protections of sensitive habitats, as appropriate.

Map Sheet 13 – PA SH 13.10

Include a local specific objective to show an ecological corridor free of new housing development with a buffer consisting of a minimum width of ~~30~~ 10 – 20 metres from the top of each bank of the Canal.

Map Sheet 17 – Connectivity and Movement

Align the “Finglas Tyrellstown” LUAS Extension Specific Objective to align with the Draft Transport Strategy for the Greater Dublin Area (2022-2042)

We trust that the Council will have regard to our Clients submission when making the new County Development Plan 2023 – 2029.

STEPHEN LITTLE & ASSOCIATES

21 December 2022

Stephen Little & Associates are committed
to progressing and achieving sustainable
development goals.

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