

COMHAIRLE CONTAE FHINE GALL FINGAL COUNTY COUNCIL

Phone: 8905000

County Hall
Swords
Fingal
Co. Dublin

Thursday 15th September 2022

To Each Member of the County Council

Dear Councillor

A meeting of the Fingal Development Plan 2023 - 2029 will be held in the at
3.00 pm on Tuesday, 20th September, 2022 to consider the following
Agenda:

Yours Faithfully

B. Buckley
Meetings Administrator
Corporate Services Division

.....

A G E N D A

CHAPTER 13 - LAND USE ZONING

CHIEF EXECUTIVE'S RECOMMENDATIONS

280 CE CH 13.1 (Pages 1 - 2)

Insert caveat 19 'For Public Operators Only' to the following uses in the
Permitted in Principle category of the CI-Community Infrastructure

zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

281 CE CH 13.2 (Pages 3 - 4)

Include agri-business in the Permitted in Principle category of the FP-Food Park zoning objective.

282 CE CH 13.4 (Pages 5 - 6)

Amend the GE-General Employment zoning vision as follows, Facilitate opportunities for compatible industry and general employment uses including appropriate sustainable employment and enterprise uses, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.

283 CE CH 13.5 (Pages 7 - 8)

Delete campsites subject to caveat 25 from the Permitted in Principle category of the HA-High Amenity zoning objective and to remain Open for Consideration.

284 CE CH 13.6 (Pages 9 - 10)

Delete 'Data Centre' from the 'Not Permitted' category of the HT- High Technology zoning objective and to remain open for consideration.

285 CE CH 13.7 (Pages 11 - 12)

Amend the NSC – National Sports Camps zoning vision as follows, Facilitate the sustainable development of a state-of-the-art National Sports Campus incorporating world class indoor and outdoor sporting facilities and recreational amenities for community use, on lands adjacent to major transport infrastructure, operating at a National and International scale and optimising its value as a centre of excellence for sport.

286 CE CH 13.8 (Pages 13 - 14)

Delete the Retail – Comparison ≤ 500 sqm nfa use from the Not Permitted category of the NSC zoning objective and include in the Permitted in Principle category of the NSC zoning objective subject to caveats 30 and 34.

30 For sporting/local working population only.

34 Any increase on this size will have to be justified in terms of overall zoning vision for the lands, traffic implications and public transport linkages.

287 CE CH 2.8 (Pages 15 - 16)

In Chapter 13 (page 463), amend the note to the Use Classes Table for Zoning Objective "HA" High Amenity as follows:

Nothing in this Development Plan Zoning Matrix (Use Classes related to HA Zoning Objective) shall disallow proposals for:

- i. Future renewal, improvement, redevelopment of the established historic building stock within St. Ita's Hospital complex and demesne at Portrane;
- ii. Appropriate uses including uses which also relate to and are consistent with the historic use of the complex within the demesne ~~established prior to the foundation of the Irish State.~~

288 Motion from Councillor Joan Hopkins, Councillor Paul Mulville: 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.. AI082180 (Pages 17 - 18)

'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'

That CE CH 13.1 be agreed:

CE CH 13.1: Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

289 Motion from Councillor Paul Mulville: Support for CE CH 13.1, Page 416, CE Report. AI081742 (Pages 19 - 20)

That CE CH 13.1 be agreed:

CE CH 13.1: Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

290 Motion from Councillor Joe Newman: Part 3 Ch.13 land use zoning page 395 CE report. AI081524 (Pages 21 - 22)

Part 3 Ch.13 land use zoning page 395 CE report

To apply Footnote/Caveat 19 to Sheltered Housing in CI zoning on page 395

291 Motion from Councillor Anthony Lavin: Amend Chapter13 Land Use Zoning Objective CI Community Infrastructure to Allow Residents of Retirement Villages to Include Those Who Are Not On the Fingal Housing List. AI082126 (Pages 23 - 24)

Amend Chapter13 Land Use Zoning Objective CI Community Infrastructure to allow residents of Retirement Villages to include those who are not on the Fingal Housing list

292 Motion from Councillor Joe Newman: Amend Community Infrastructure Zoning Objective. AI082222 (Pages 25 - 26)

Amend Community Infrastructure Zoning Objective

That this council calls for the removal of the sheltered housing designation which is included in Use "Classes related to zoning objective" which is under Community Infrastructure and redesignated as open for consideration

Rationale.

The sheltered housing which is permitted in CI has developed from local community infrastructure to a much wider designation use such as regional and countywide residential accommodation, therefore this class of use is inappropriate and should be relocated to open for consideration.

293 Motion from Councillor Joe Newman: Amend community infrastructure zoning objective. AI081729 (Pages 27 - 28)

Amend community infrastructure zoning objective

Insert after social infrastructure:

That protects the public realm.

294 Motion from Councillor Joe Newman: Motion to amend Caveat 19 CH. CE. 13.1. AI081728 (Pages 29 - 30)

Amend Caveat 19 CH. CE. 13.1

To amend Recommendation CE.CH.13.1 by the addition of the following:

"and to ensure that any new development in existing areas would have a minimal impact on and enhance existing community amenity".

295 Motion from Councillor Joe Newman: Amend CEs recommendation CE Ch 13.1. AI081704 (Pages 31 - 32)

To amend Caveat 19 as proposed in the CEs recommendations CE CH 13.1 page 416 by means of the following addition to the proposed wording:

After public operators only insert "and where the development shall be compatible with and aligned to local social and community needs."

Rationale:

So as to better reflect the distinction contained in the CI vision statement

296 Motion from Councillor Joe Newman: Chapter 13 new zoning objective. AI081553 (Pages 33 - 34)

To insert between CE CH 13.1 and CE CH 13.2

To create a new zoning objective category CI-L (Community Infrastructure Local)

Rationale:

Recognising the distinction between regional and local community

infrastructure (page 395) in the CEs report 28th of July 2022, a new CI-L zoning objective will ensure that any new CI development in existing areas would have minimal impact on and enhance existing residential amenity.

297 Motion from Councillor Joe Newman: Add to Permitted in Principal category of CI zoning, subject to Caveat 19. AI081731 (Pages 35 - 36)

Add to Permitted in Principal category of CI zoning, subject to Caveat 19

Motion to add EV charging points in the Permitted in Principle category subject to Caveat 19.

298 Motion from Councillor Paul Mulville, Councillor Joan Hopkins: Include Data Centres as not Permitted Within the GE (General Employment) Zoning Matrix. AI082331 (Pages 37 - 40)

Include data centres as not permitted within the GE (General Employment) zoning matrix

Justification

As acknowledged in Section 7.5.1 and Section 14.15.3 data centres generate low intensity employment while encompassing extensive spatial and resources consumption. In light of this, data centres should be added to the not permitted zoning objective of GE. This designation will bolster the objectives stated in DMS094 and dispel any contradictions within the Development Plan.

299 Motion from Councillor Paul Mulville, Councillor Joan Hopkins: Retain Data Centres as not Permitted Within the HT (High Technology) Zoning Objective. AI082333 (Pages 41 - 44)

Retain Data Centres as not Permitted Within the HT (High Technology) Zoning Objective

Justification

As acknowledged in Section 7.5.1 and Section 14.15.3 data centres generate low intensity employment while encompassing extensive spatial and resources consumption. In light of this, data centres should be retained to the not permitted zoning objective of HT. This designation will bolster the objectives stated in DMS094 and EEO12 while retaining the vision of this zonal designation as an exemplar of

sustainable design.

- 300** Motion from Councillor David Healy, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor Daniel Whooley: Metro Rail Economic Zoning. AI082055 (Pages 45 - 46)

Metro Rail Economic Zoning

That the "ME" Metro Economic Corridor zoning be renamed "MRE" Metro and Rail Economic zoning throughout the Plan.

- 301** Motion from Councillor David Healy, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor Daniel Whooley: Metro Rail Economic Zoning. AI082056 (Pages 47 - 48)

Metro Rail Economic Zoning

To amend the MRE zoning objective to "Facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development adjacent to metro, rail and light rail stations."

- 302** Motion from Councillor David Healy, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor Daniel Whooley: Metro Rail Economic Zoning. AI082060 (Pages 49 - 50)

Metro Rail Economic Zoning

To amend the MRE zoning vision to "Provide for areas of compact, high intensity/density, employment generating activity with associated commercial and residential development which focus on Metrolink, rail and light rail stations within settings of exemplary..."

CHAPTER 14 - DEVELOPMENT MANAGEMENT STANDARDS

CHIEF EXECUTIVE'S RECOMMENDATIONS

- 303** CE CH 14.1 (Pages 51 - 52)

Amend Section 14.7.3 Internal Storage.

Internal storage within an apartment unit shall be provided in

accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34. Storage should be additional to kitchen presses and bedroom furniture. “ Hot press/boiler space will not count as general storage. ” No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

304 CE CH 14.2 (Pages 53 - 54)

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly:

Mix of units (SPPR1)

Apartment Floor Area (SPPR3)

Dual Aspect Ratios (SPPR4)

Floor to Ceiling Height (SPPR5)

Lift and Stair Cores (SPPR 6)

Internal Storage

Private Amenity Space (Appendix 1)

Communal Amenity Space (Appendix 1)

Children's Play Space provision (Section 4)

Bicycle Parking and Storage (Section 4)

Build to Rent Schemes (SPPR 7 & SPPR 8)

305 CE CH 14.3 (Pages 55 - 56)

Amend objective DMSO94 as follows:

DMSO94 Utilisation of Vacant Properties for Remote Working Facilities
Space Extensive Developments

306 CE CH 14.4 (Pages 57 - 58)

Insert the following new objective at the end of Section 14.17.5 Road Network and Access of the plan as follows:

Evaluation of Signage Proposals and National Roads

Proposals for signage on or at national roads will be assessed against Chapter 3 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and TII Policy on the Provision of

Tourist and Leisure Signage on National Roads (March 2011)

307 CE CH 14.5 (Pages 59 - 60)

Move Section 14.9.8 (Refuse Storage) to Section 14.20.12 (Waste Management) for consistency

308 CE CH 3.4 (Pages 61 - 62)

Amend Section 14.11.2 as follows:

-
The Council will promote an age-friendly approach by ensuring that both existing and proposed residential developments are future proofed for an ageing population. In accordance with the principles of "Housing Options for Our Ageing Population" – Policy Statement 2019", the Planning Authority will advocate an age friendly approach with respect to new residential in Fingal.

Applicants for residential development should consider the incorporation of units suitable for elderly persons within proposed schemes, and consideration should be given to accompanying facilities and materials ~~which promote this approach~~ *in line with the age friendly principles taken from the Ten Universal Design Features to include in a Lifetime Adaptable and Age Friendly Home – June 2021, published by Age Friendly Ireland. These set out that an Age Friendly Home*

-
- is well-connected to local amenities*
 - is easy to approach and enter*
 - is connected to the outdoors*
 - is easy to move about in*
 - has accessible and adaptable toilets and bathrooms*
 - has a guest bedroom*
 - has easy to use fittings and fixtures*
 - is energy and cost efficient*
 - has good security and technology system*

-
The Council will consider proposals, including the development of small infill sites for appropriate forms of residential development for age-friendly housing, including opportunities for those wishing to downsize from larger family homes to more appropriately sized units "Right-Sizing" with benefits of town centre living and proximity to community infrastructure, transport etc.

Housing proposals specifically aimed at older people should be designed having regard to Universal Design Standards enabling the property to be future proofed for the possible care needs of the occupant and to ensure sufficient floor space to cater for care assistance/visitors. In this regard, development proposals will be required to comply with any future technical guidance relating to design specifications for housing for older people in place at the time of making the planning application.

309 CE CH 3.5 (Pages 63 - 64)

Insert a new objective after section 14.11.2 of the Draft Plan to state:

Objective DMSOXX – Age Friendly Housing

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Require new residential developments in excess of 100 units provide 10% of the units as age friendly accommodation.

310 CE CH 3.9 (Pages 65 - 66)

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the *Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.*

~~*Storage should be additional to kitchen presses and bedroom furniture. " Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.*~~

311 CE CH 3.10 (Pages 67 - 68)

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly

Mix of units (SPPR1)

-
Apartment Floor Area (SPPR3)
Dual Aspect Ratios (SPPR4)
Floor to Ceiling Height (SPPR5)
Lift and Stair Cores (SPPR 6)
Internal Storage
Private Amenity Space (Appendix 1)
Communal Amenity Space (Appendix 1)
Children's Play Space provision (Section 4)
Bicycle Parking and Storage (Section 4)
Build to Rent Schemes (SPPR 7 & SPPR 8)

312 CE CH 4.4 (Pages 69 - 70)

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be "taken in charge" by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall (based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites).

313 CE CH 4.5 (Pages 71 - 72)

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12) to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution

shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

314 CE CH 4.6 (Pages 73 - 74)

Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

315 CE CH 5.2 (Pages 75 - 76)

Amend final paragraph of section 14.21.4 as follows:

Large scale proposals for solar panels or any development in the vicinity of the airport, the strategic national road and LUAS networks will be required to submit a Glint and Glare Assessment. Domestic applications will be assessed on a case by case basis. All large-scale proposals involving for solar panels shall be sent to Irish Aviation Authority as part of the statutory consultee process.

316 CE OPR CH 6.3 (Pages 77 - 78)

Amend Objective DMSO117 as follows: ~~Motorway Access~~ National Road Access

'Prohibit development requiring new or intensified access onto a motorway national road and seek to reserve the capacity, efficiency and safety of National Road infrastructure including junctions in accordance with the provisions and presume against access onto National Primary routes of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

317 CE CH 9.9 (Pages 79 - 80)

Amend Objective DMSO156 – Ecological Corridors, as follows:

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.

318 CE CH 9.10 (Pages 81 - 82)

Include a new objective to follow DMSO156, New Objective – Ecological Corridors in Urban Areas

Any redevelopment of existing properties and brownfield sites within 25m from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River shall provide opportunities for multi-functional green infrastructure, including features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to: green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will not be accepted.

319 CE CH 9.11 (Pages 83 - 84)

Amend Objective DMSO157 – Development Along Watercourses, as follows:

Ensure that no development, including ~~pathway infrastructure~~, clearance and storage of materials, takes place within 10m as a minimum, measured from each bank of any river tributary or small stream or watercourse in the County (see Green Infrastructure Maps).

320 CE CH 9.13 (Pages 85 - 86)

Add new Objective to existing development management standards Section 14.18.2.4 Ecological Corridors and Stepping Stones including Trees and Hedgerows to read as follows;

Any redevelopment of existing properties and brownfield sites within 25m of the river shall include features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to, green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will be not accepted.

321 CE CH 11.5 (Pages 87 - 88)

Amend Objective DMSO159 as follows:

Protect rivers and streams and maintain them in an open state capable of providing suitable habitat for fauna and flora, including fish. Deculvert or “daylight” existing culverts where appropriate and in accordance with relevant river catchment proposals restore the watercourse to acceptable ecological standards for biodiversity wherever possible improving habitat connection and strengthening the County's GI network. Clear Span structures should be used on fisheries waters, where possible.

322 CE CH 9.12 (Pages 89 - 90)

Edit Section 9.6.8 and objective IOU26 and DMSO211 to reflect the amended and new objective as per CE CH 9.9 and CE CH 9.10 above.

323 Motion from Councillor Siobhan Shovlin: Planning Complaints and Investigations. AI082211 (Pages 91 - 94)

Planning Complaints and Investigations

That this Council will produce a transparent policy on the process of dealing with planning complaints, investigations, and breaches, outlining the steps involved and requiring communication at every stage with the stakeholders involved.

324 Motion from Councillor Karen Power, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley: Amend Objective DMSOXX. AI081771 (Pages 95 - 96)

Amend Objective DMSOXX – Age Friendly Housing Require new residential developments in excess of 100 units provide 10% of the

units as age friendly accommodation.

to

Objective DMSOXX – Age Friendly Housing Require new residential developments in excess of 100 units provide a minimum of 10% of the units as age friendly accommodation.

325 Motion from Councillor Karen Power, Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley and Councillor Pamela Conroy: Amendment . AI081810 (Pages 97 - 98)

Amend CE recommendation CE CH 4.4:

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be “taken in charge” by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall (based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites).

to

CE CH 4.4:

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be “taken in charge” by the Local Authority, but in extremely limited circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments (based on 15 % of the site area in Greenfield sites/LAP lands and 12 % of infill and brownfield sites).

326 Motion from Councillor Joan Hopkins, Councillor Paul Mulville: Opposing CE CH 3.9. AI082182 (Pages 99 - 100)

Opposing CE CH 3.9

That CE CH 3.9 be rejected.

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

327 Motion from Councillor Paul Mulville: Opposing CE CH 3.9. AI082085 (Pages 101 - 102)

Opposing CE CH 3.9

That CE CH 3.9 be rejected.

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

328 Motion from Councillor Tom O'Leary: Policy on Granny Flats Increase Size to 75m2 (currently 60m2). AI081940 (Pages 103 - 104)

Policy on Granny Flats Increase Size to 75m2 (currently 60m2)

That this Council resolves that the various references to the size of "granny flats" in the development plan be increased slightly from 60m2 to 75m2 and that the plan and any appendices be amended accordingly

329 Motion from Councillor David Healy, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor Daniel Whooley: Car Parking. AI082418 (Pages 105 - 106)

Car Parking A

Delete Car parking from DMSO38

330 Motion from Councillor Karen Power, Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley and Councillor Pamela Conroy: Amendment. AI081812 (Pages 107 - 108)

Amend CE recommendation CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12) to be designated for use as public open space

to

CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 12% or 15% of the site area as outlined in Table 14.12) to be designated for use as public open space

331 Motion from Councillor Karen Power, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor David Healy: Amendment. AI082048 (Pages 109 - 110)

Amend

CE CH 4.6: Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

To

CE CH 4.6: Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme, in situations where the conditions set out in the County's Play Policy have been met

332 Motion from Councillor Karen Power, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley: Amend CE Recommendation re: DMSO94. AI081777 (Pages 111 - 112)

Amend CE recommendation "Amend objective DMSO94 as follows:

Space Extensive Developments"

to

Retain objective DMSO94 as follows:

DMSO94 Utilisation of Vacant Properties for Remote Working Facilities

333 Motion from Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Karen Power: Data Centres. AI081990 (Pages 113 - 116)

Data Centres

That the following be added to DMSO94:

Applications for data centres will be required to demonstrate that they meet the Principles for Sustainable Data Centre Development, as regards Economic impact, Grid capacity and efficiency, Renewables additionality, Co-location or proximity with future-proof energy supply, Decarbonised data centres by design, and SME access and community benefits, set out in the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, July 2022

(note: <https://enterprise.gov.ie/en/publications/publication-files/government-statement-on-the-role-of-data-centres-in-irelands-enterprise-strategy.pdf>)

334 Motion from Councillor Paul Mulville, Councillor Joan Hopkins: Add Bullet Point to Objective DMSO94 to Allow for Oversight of the Benefits of Data Centres. AI082337 (Pages 117 - 120)

Add bullet point to objective DMSO94 to allow for oversight of the benefits of data centres

- Details of the type and category of data that is to be stored within the the data centre as well as overall storage capacity

Justification:

Data centres often deem themselves essential infrastructure however there is a distinct lack of transparency about the utility of the data that is stored within them. On this basis, this motion suggests adding an additional bullet point to objective DMSO94.

- 335** Motion from Councillor Daniel Whooley, Councillor David Healy , Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power: Amend Objective DMSO104. AI082437 (Pages 121 - 122)

Amend Objective DMSO104

To include the point below at the end of the paragraph:

A Bike repair station must be incorporated into future petrol stations.

- 336** Motion from Councillor David Healy, Councillor Karen Power, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy: Car-Free Neighbourhoods. AI082417 (Pages 123 - 124)

Car-Free Neighbourhoods

Include a new section 14.17.7 Car-free neighbourhoods The provision of car free neighbourhoods and streets in accordance with objective SPQHO2 can bring multiple benefits. Typically such neighbourhoods and streets would allow motor vehicular access for deliveries only, confining parking to a dedicated parking area at the periphery. They are typically best suited to higher-density neighbourhoods, creating a much better quality public realm with safety, public health, and green infrastructure benefits for the community, and economic benefits for householders.

- 337** Motion from Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Karen Power: Bicycle Parking At Public Transport Stations And Stops. AI081981 (Pages 125 - 126)

Bicycle Parking At Public Transport Stations And Stops

That the following be included in Table 14.17: Bicycle Parking Standards:

Rail, Metro, Light Rail stations and stops / - / sufficient to meet the anticipated demand for cycling when planned cycling and active travel infrastructure is in place. Where the anticipated demand for cycling to a metro/heavy rail/light rail station hasn't been estimated, a norm of 40% of trips to rail stations being made by bicycle will be used for the provision of bicycle parking. Bus stops on major bus routes/- / provision to meet estimated demand where space is available.

- 338** Motion from Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Karen Power: Bicycle Parking Standards. AI081982 (Pages 127 - 128)

Bicycle Parking Standards

That the following be added to DMSO113: bicycle parking will meet quality standards to be designated by the Council either by reference to existing standards such as that in Dún Laoghaire Rathdown, the Standards for Public Cycle Parking produced by the Cycle Rail Working Group in the UK or similar.

- 339** Motion from Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor David Healy: Insert New after Objective DMSO115. AI082440 (Pages 129 - 130)

Insert New after Objective DMSO115

Insert Objective:

Ensure that all new developments provide high-quality, secure, bicycle repair and pump stations.

- 340** Motion from Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor David Healy: Insert New after Objective DMSO115. AI082444 (Pages 131 - 132)

Insert New after Objective DMSO115

Insert Objective:

Ensure that all new developments with over 30 bike parking spaces will provide high-quality, secure bicycle repair and pump stations.

- 341** Motion from Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Karen Power: Parking Norms. AI081979 (Pages 133 - 134)

Parking Norms

That the draft Development Plan include a definition of parking norms

- 342** Motion from Councillor David Healy, Councillor Ian Carey, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor Karen Power: Zone 1 Parking Maximums. AI081980 (Pages 135 - 136)

Zone 1 Parking Maximums

That the parking "norms" for Function rooms, Dance Hall/Discotheque/Night Club, Auditorium, Theatre, Cinema, Stadium in Zone 1 be maximums rather than norms.

- 343** Motion from Councillor David Healy, Councillor Pamela Conroy, Councillor Ian Carey, Councillor Karen Power, Councillor Daniel Whooley: Car Parking for Shared Cars. AI082423 (Pages 137 - 138)

Car Parking for Shared Cars

Add to 14.17 An adequate proportion of car parking spaces should be made available for shared cars.

- 344** Motion from Councillor Brian McDonagh: Amend Objective WQ05 in line with C-453-1231. AI082239 (Pages 139 - 140)

Amend Objective WQ05 in line with C-453-1231

Amend Objective WQ05 to state:

"Objective WQ05 Establish riparian corridors free from new development along all watercourses and streams in the County. Ensure a 30 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin where a 50m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required as a minimum." as per submission C-453-1231

- 345** Motion from Councillor Anthony Lavin: Chapter 11: Infrastructure and Utilities Objective DMSO225 – Applications for Telecommunications Structures. AI082131 (Pages 141 - 144)

Chapter 11: Infrastructure and Utilities Objective DMSO225 – Applications for Telecommunications Structures

'...The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security

fencing treatment etc..) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements.'

Ensure that when such licences are sought nearby property owners and occupiers are made aware of the application prior to FCC (or ABP) agreeing the licence.

346 Motion from Councillor Joan Hopkins, Councillor Paul Mulville:
Telecoms Masts. AI082172 (Pages 145 - 148)

Telecoms Masts

That the Chief Executive add a new Objective after objective DMSO225 Chapter Development Management Standards pg 637

Develop a strategy for the provision of critical telecom mast infrastructure on public lands to service signal black spots, which involves a constructive process of prior engagement between elected members, telecoms providers, public bodies and communities.

APPENDICES
APPENDIX 3 -
POLICY CONTEXT
CHIEF EXECUTIVE'S
RECOMMENDATIONS

347 CE NTA CH 6.2 (Pages 149 - 150)

Include reference to the National Sustainable Mobility Policy (2022) and the National Investment Framework for Transport in Ireland (2021) in Appendix 3 Policy Context.

348 CE NTA CH 6.4 (Pages 151 - 152)

Include the following document in Appendix 3 Policy Context as follows: Area Based Transport Assessment (ABTA) Guidance Notes (2018) TII/NTA.

349 CE EMRA CH 7.1 (Pages 153 - 154)

Include 'Town Centre First: A Policy Approach for Irish Towns' in

Appendix 3 and replace the references to the Town Centre First Strategy in the Programme for Government, Our Shared Future, in the Draft Plan where relevant, with the updated document published in February 2022.

**APPENDIX 5 -
PROTECTED
STRUCTURES AND
ACA'S
CHIEF EXECUTIVE'S
RECOMMENDATIONS**

350 CE APP 5.1 (Pages 155 - 156)

'Baldoyle ACA encompasses the area bounded by Dublin Street, College Street, Willie Nolan Road and Main Street, which includes the institutional complexes of St. Mary's Hospital, St. Mary's Secondary School, and the Convent of the Sisters of Charity. ~~as well as Baldoyle Library.~~ *The boundary extends out slightly in the SE corner to include the mid-19th century Former Coast Guard Station and dwellings of Nos. 17 to 25 Strand Road, as well as the Former Constabulary Barracks (now part of Baldoyle Library) and the adjoining 19th century residence on The Mall.* The core of Baldoyle village is dominated by large institution structures or complexes. The majority of residences within this core are small, single-storey terraced cottages. The modest nature of these cottages, along with the overall uniformity of their simple design, has resulted in a distinctive homogenous appearance along these streetscapes, despite alterations and modifications over the years. This juxtaposition of large institutional or community buildings alongside the low rise, small scale residential streets forms the special character of Baldoyle, reflecting the mainly 19th century layout and development of the village.'

351 Motion from Councillor Joe Newman: Swords ACA Motion. AI081055 (Pages 157 - 158)

Swords ACA Motion.

That the Council directs that Swords Town Core (specifically the ecclesiastical sites and the area of the Ward River catchment) is listed as an ACA in the appropriate section of the 2023-2029 Development Plan

CE CH 13.1:

Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

CE CH 13.2:

Include agri-business in the Permitted in Principle category of the FP-Food Park zoning objective.

CE CH 13.4:

Amend the GE-General Employment zoning vision as follows, Facilitate opportunities for compatible industry and general employment uses *including appropriate sustainable employment and enterprise uses*, logistics and warehousing activity in a good quality physical environment. General Employment areas should be highly accessible, well designed, permeable and legible.

CE CH 13.5:

Delete campsites subject to caveat 25 from the Permitted in Principle category of the HA-High Amenity zoning objective and to remain Open for Consideration.

CE CH 13.6:

Delete 'Data Centre' from the 'Not Permitted' category of the HT- High Technology zoning objective and to remain open for consideration.

CE CH 13.7:

Amend the NSC – National Sports Camps zoning vision as follows, Facilitate the sustainable development of a state-of-the-art National Sports Campus incorporating world class indoor and outdoor sporting facilities and recreational amenities for community use, on lands adjacent to major transport infrastructure, operating at a National and International scale and optimising its value as a centre of excellence for sport.

CE CH 13.8:

Delete the Retail – Comparison ≤ 500 sqm nfa use from the Not Permitted category of the NSC zoning objective and include in the Permitted in Principle category of the NSC zoning objective subject to caveats 30 and 34.

30 For sporting/local working population only.

34 Any increase on this size will have to be justified in terms of overall zoning vision for the lands, traffic implications and public transport linkages.

CE CH 2.8:

In Chapter 13 (page 463), amend the note to the Use Classes Table for Zoning Objective “HA” High Amenity as follows:

Nothing in this Development Plan Zoning Matrix (Use Classes related to HA Zoning Objective) shall disallow proposals for:

- i Future renewal, improvement, redevelopment of the established historic building stock within St. Ita's Hospital complex and demesne at Portrane;
- ii Appropriate uses including uses which also relate to and are consistent with the historic use of the complex within the demesne ~~established prior to the foundation of the Irish State.~~

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joan Hopkins, Councillor Paul Mulville: 82180

‘Residential Care Home/Retirement Home’ and ‘Sheltered Accommodation’

That CE CH 13.1 be agreed:

CE CH 13.1: Insert caveat 19 ‘For Public Operators Only’ to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, ‘Residential Care Home/Retirement Home’ and ‘Sheltered Accommodation’.

REPORT:

The content of the motion is noted. In the interests of clarity, CE CH 13.1 recommends as follows: Insert caveat 19 ‘For Public Operators Only’ to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, ‘Residential Care Home/Retirement Home’ and ‘Sheltered Accommodation’. The content of the motion which is in agreement with CE CH 13.1 is welcomed.

RECOMMENDATION:

No change to Chief Executive’s Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Paul Mulville: 81742

That CE CH 13.1 be agreed:

CE CH 13.1: Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

REPORT:

The content of the motion is noted. In the interests of clarity, CE CH 13.1 recommends as follows: Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'. The content of the motion which is in agreement with CE CH 13.1 is welcomed.

RECOMMENDATION:

No change to Chief Executive's Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 81524

Part 3 Ch.13 land use zoning page 395 CE report

To apply Footnote/Caveat 19 to Sheltered Housing in CI zoning on page 395

REPORT:

The content of the motion is noted. In the interests of clarity, CE CH 13.1 recommends as follows: Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'. The content of the motion is therefore captured by way of CE Recommendation CE CH 13.1.

RECOMMENDATION:

No change to Chief Executive's Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Anthony Lavin: 82126

Amend Chapter 13:

Land Use Zoning Objective CI Community Infrastructure to allow residents of Retirement Villages to include those who are not on the Fingal Housing list.

REPORT:

The content of the motion is noted. The CI-Community Infrastructure zoning objective seeks to, *'Provide for and protect civic, religious, community, education, health care and social infrastructure.'*

The vision associated with the objective seeks to, *'Protect and promote an inclusive County, accessible to all members of the community, facilitating the sustainable development of necessary community, health, religious, educational, social and civic infrastructure. A wide range of different community facilities, civic facilities and social services exist within the County ranging from those of regional importance such as education and health facilities, to those of local and neighbourhood importance such as places of worship, community centres and childcare facilities. It is important to facilitate the development and expansion of such services in order to deliver a quality environment whilst improving the quality of life for all.'*

It should be noted that Retirement Village, which is defined in the Draft Plan as, *'An integrated residential complex containing separate and independent homes for people who have retired, and which includes a range of care needs to serve the residents of the complex. Occupants of any such retirement village will have entered into contracts with the operator of the complex to ensure that the individual homes are retained for occupation by retired persons'*, is listed as being *"Not Permitted"* in the CI – Community Infrastructure zoning designation.

As such, the intent of this motion cannot be achieved, as a retirement village is not permitted in CI zoned lands in the first instance.

The primary function of the CI zoning objective as set out above is to promote and support the provision of social and community infrastructure from a land-use perspective. The intent of the motion is concerned with the specific operations of the FCC housing list which is the responsibility of the Council's Housing Section and therefore outside the remit of the Development Plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 82222

Amend Community Infrastructure Zoning Objective.

That this council calls for the removal of the sheltered housing designation which is included in Use "Classes related to zoning objective" which is under Community Infrastructure and redesignated as open for consideration.

Rationale.

The sheltered housing which is permitted in CI has developed from local community infrastructure to a much wider designation use such as regional and countywide residential accommodation, therefore this class of use is inappropriate and should be relocated to open for consideration.

REPORT:

The content of the motion is noted.

At present, Sheltered Housing is a use that is Permitted in Principle in the CI zoning objective and within zoning objectives TC, LC, MC, RV, ME, RA and RS of the Draft Plan with a primary focus on locations within town or villages centers where such a use can be supported by ancillary services and amenities.

Chief Executive's Recommendation CE CH 13.1 inserts caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'. As such and pending the agreement of Chief Executive's Recommendation CE CH 13.1, Sheltered Accommodation in a CI zoning designation can only be provided by a public operator.

The CI-Community Infrastructure zoning objective seeks to, 'Provide for and protect civic, religious, community, education, health care and social infrastructure.'

The primary function of the CI zoning objective and vision is to promote and support the provision of social and community infrastructure at both a regional and local level. It is considered that sheltered accommodation which is defined as housing schemes with onsite communal facilities for assisted independent living within Appendix 7 of the Draft Plan is a use that falls within the spirit of the zoning objective and vision and its removal from the CI zoning objective is not considered acceptable in the context of its alignment with the primary function of the CI zoning objective and vision and particularly in light of the proposed change through CE CH 13.1.

In the context of the alignment of a Sheltered Accommodation use with the primary function of the CI zoning objective and vision, through CE CH 13.1, and together with relevant Development Plan objectives relating to sheltered accommodation and the best practice locational approach as advocated in the Draft Plan relating to such a use, is considered sufficiently robust in its approach to support and guide such a use within the CI zoning objective.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 81729

Amend community infrastructure zoning objective

Insert after social infrastructure:

That protects the public realm.

REPORT:

The content of the motion is noted. The CI-Community Infrastructure zoning objective seeks to, 'Provide for and protect civic, religious, community, education, health care and social infrastructure.' The associated zoning vision seeks, albeit, to deliver a quality environment whilst improving the quality of life for all.'

It is noted that the primary function of the CI zoning objective is to provide for social and community infrastructure. It is considered that the proposed additional text subject to this motion is regarded as an integral element of development management that would form part of the assessment of planning proposals for community infrastructure.

It is noted that any such proposals for community infrastructure can be assessed on a case-by-case basis in accordance with the zoning objective and vision and relevant objectives as set out in the Draft Plan relating to the provision of community infrastructure and quality public realm as well as normal standard planning criteria to ensure the protection and enhancement of existing local amenity and proper planning and sustainable development.

Specifically, objective CIO507 seeks to, 'Ensure that proposals do not have a detrimental effect on local amenity by way of traffic, parking, noise or loss of privacy of adjacent residents'.

Objective CMO15 seeks to, 'Encourage and facilitate the delivery of high-quality public realm in tandem with new developments throughout the County through the Development Management process and the retrospective provision in existing developments,....'

In this context and specifically through objectives CLOS07 and CMO15 and together with the Development Management process, the intent of the motion is adequately captured in the Draft Plan

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman : 81728

Amend Caveat 19 CH. CE. 13.1

To amend Recommendation CE.CH.13.1 by the addition of the following:

"and to ensure that any new development in existing areas would have a minimal impact on and enhance existing community amenity".

REPORT:

The content of the motion is noted. In the interests of clarity, recommendation CE CH 13.1 states the following, 'Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'. Therefore, this recommendation applies caveat 19 to these specific uses. The motion, however, is to amend caveat 19 as set out in the Draft Plan with the additional text as set out above.

It is noted that the primary function of caveat 19 is to ensure the provision of a use that is public in nature in accordance with the spirit of the overall CI zoning objective and vision which is to provide social and community infrastructure. It is considered that the proposed additional text subject to this motion is regarded as an integral element of development management which does not align with the primary and intended function of caveat 19.

It is noted that any such proposals for community infrastructure can be assessed on a case-by-case basis in accordance with the zoning objective and vision and relevant objectives a set out in the Draft Plan relating to the provision of community infrastructure including objective CIO07 which seeks to, 'Ensure

that proposals do not have a detrimental effect on local amenity by way of traffic, parking, noise or loss of privacy of adjacent residents', as well as normal standard planning criteria to ensure the protection and enhancement of existing local amenity and proper planning and sustainable development.

In this context and specifically through objective CLOS07 and together with the Development Management process, the intent of the motion is adequately captured in the Draft Plan

RECOMMENDATION:

No change to the Chief Executive's Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 81704

To amend Caveat 19 as proposed in the CEs recommendations CE CH 13.1 page 416 by means of the following addition to the proposed wording:

After public operators only insert "and where the development shall be compatible with and aligned to local social and community needs."

Rationale:

So as to better reflect the distinction contained in the CI vision statement.

REPORT:

The content of the motion is noted. In the interests of clarity, recommendation CE CH 13.1 states the following, 'Insert caveat 19 'For Public Operators Only' to the following uses in the Permitted in Principle category of the CI-Community Infrastructure zoning objective, 'Residential Care Home/Retirement Home' and 'Sheltered Accommodation'.

The CI-Community Infrastructure zoning objective seeks to provide for social and community infrastructure at both a regional and local level and this is explicit in the associated zoning vision.

Specifically, the vision associated with the CI objective seeks to, 'Protect and promote an inclusive County, accessible to all members of the community, facilitating the sustainable development of necessary community, health, religious, educational, social and civic infrastructure. A wide range of different community facilities, civic facilities and social services exist within the County ranging from those of regional importance such as education and health facilities, to those of local and neighbourhood importance such as places of

worship, community centres and childcare facilities. It is important to facilitate the development and expansion of such services in order to deliver a quality environment whilst improving the quality of life for all.'

In this context, the proposed motion would run contrary to the CI zoning vision which promotes the provision of community infrastructure at both regional and local level. The Draft Plan is considered sufficiently robust to support community infrastructure provision at both regional and local level in accordance with the CI zoning objective and vision.

RECOMMENDATION:

No change to the Chief Executive's Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 81553

To insert between CE CH 13.1 and CE CH 13.2

To create a new zoning objective category CI-L (Community Infrastructure Local).

Rationale:

Recognising the distinction between regional and local community infrastructure (page 395) in the CEs report 28th of July 2022, a new CI-L zoning objective will ensure that any new CI development in existing areas would have minimal impact on and enhance existing residential amenity.

REPORT:

The content of the motion is noted. Section 10(2)(a) of the Planning and Development Act 2000 (as amended) Act requires that a Development Plan shall include objectives for: "(a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space, or otherwise, or a mixture of these uses) and to such extent as the proper planning and sustainable development of the area, in the opinion of the Planning Authority, requires the uses to be indicated". The zoning of land is the primary spatial expression of the strategy of the Development Plan and is a key element of the plan-making process.

The Development Plan Guidelines for Planning Authorities June 2022 notes the provision of land-use zoning within the Development Plan shall provide a degree of certainty and clarity to the community, landowners, developers and investors regarding future development. These guidelines also advocate a consistent approach in the development of zoning objectives between Local Authorities and the avoidance of overly specific or narrowly devised zoning objectives, which

is not considered appropriate to the general purpose of land-use zoning. Appendix B to these Guidelines provides a list of zoning objectives that Planning Authorities may incorporate into Development Plans which allow for a degree of local variation where necessary but achieves the required standardisation on a national level. Specially, Appendix B provides for one standardised Community Infrastructure zoning objective that caters for such infrastructure at both a regional and local level. In accordance with these provisions, the Draft Plan provides a comprehensive range of zonings objectives, including the provision of one standard CI - Community Infrastructure zoning objective in accordance with the provisions of the said guidelines.

Having regard to the foregoing, the overly specific and narrow zoning objective as proposed does not align with the provisions of the said Act and specifically the government guidelines relating to Development Plans of which it is a statutory obligation of the Planning Authority to comply. Overall, the comprehensive and standardised list of zoning objectives as set out in the Draft Plan closely aligns with the provisions of the Development Plan guidelines and are considered sufficiently robust to inform and guide sustainable development and proper planning within the County including the provision of community infrastructure. The Draft Plan also includes comprehensive strategic policies and objectives supporting and facilitating community infrastructure as set out in Chapter 4 of the Draft Plan including objective CIO507 which ensures that proposals for community infrastructure do not have a detrimental effect on local amenity by way of traffic, parking, noise or loss of privacy of adjacent residents. Any development proposals for community infrastructure will be assessed on a case-by-case basis through the Development Management process in accordance with relevant plan objectives and normal standard planning criteria, to ensure the protection of existing residential amenity and proper planning and sustainable development.

As such, the provisions of the Draft Plan as set out above together with the Development Management process is sufficiently robust to guide and inform any future proposals for community infrastructure within the County.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Joe Newman: 81731

Add to Permitted in Principal category of CI zoning, subject to Caveat 19

Motion to add EV charging points in the Permitted in Principle category subject to Caveat 19.

REPORT:

The content of the motion is noted. The CI-Community Infrastructure zoning objective is to primarily cater for the provision of community and social infrastructure which caters for a range of permitted uses within the spirit of the zoning objective and vision. Caveat 19 in the context of the CI-Community Infrastructure objective states as follows; 19 For Public Operators only.

Notwithstanding the primary function of the zoning objective and vision, it is acknowledged that supporting utility installations is a use class that is Permitted in Principle in the CI zoning objective. In this regard, EV chargers by their nature are regarded as utility installations to provide a public utility service and is therefore catered for within the permitted use class provisions of the CI-Community Infrastructure objective.

It is also noted that four Dublin Local Authorities are working together to develop an Electric Vehicle Charging Strategy (EVCS) for Dublin which would deliver consistent charging infrastructure in support of the Climate Action Plan targets in relation to transition to EV's. The Dublin Metropolitan Area (DMA) are currently identifying priority areas that require the installation of residential charging solutions supported by the four Local Authorities. Location factors will be considered, while ensuring distribution and provision is fair and equitable. Members of the public who drive an EV have been invited to express their interest for a charge point in their local neighbourhood, e.g. car park, sports club, schools etc. This may not guarantee a charge point will be installed in that

location but will help the Dublin Local Authorities to identify areas where there is local need. Several trials of different charger types are already taking place across the DMA with plans to actively support the deployment of public charge points in the short term.

Policy CAP26 (Electric Vehicles) in the Draft Plan seeks to, 'Ensure that sufficient charging points and rapid charging infrastructure are provided on existing streets where such infrastructure does not impede persons with mobility issues and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV vehicle charging point installation, so that EV Street Charging Points be provided to every community of the County.'

The Council will aim to facilitate the provision of Electric Vehicle Charging Points's in strategic locations in line with anticipated demand based on guidance at national and regional level.

The inclusion of a caveat requiring that EV charging points are provided by public operators only is considered premature pending the outcomes of the Dublin Local Authority Electric Vehicle Charging Strategy, however, critically, it is noted that the specific operation of the EV charging network is outside the remit of the Development Plan. As such it is considered that the intent of the motion is captured within the CI-Community Infrastructure objective and specifically within policy CAP26 relating to the provision of EV charging infrastructure as set out in the Draft Plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Paul Mulville, Councillor Joan Hopkins: 82331

Include data centres as not permitted within the GE (General Employment) zoning matrix.

Justification:

As acknowledged in Section 7.5.1 and Section 14.15.3 data centres generate low intensity employment while encompassing extensive spatial and resources consumption. In light of this, data centres should be added to the not permitted zoning objective of GE. This designation will bolster the objectives stated in DMS094 and dispel any contradictions within the Development Plan.

REPORT:

The content of the motion is noted.

At both national and regional level, policy and objectives set out in both the NPF and RSES promote and support communications networks and digital infrastructure at appropriate locations. Specifically, National Strategic Outcome 5 ‘Strong Economy Supported by Enterprise, Innovation and Skills’ of the National Planning Framework (NPF) aims to create places that can foster enterprise and innovation and attract investment and talent. Delivering this outcome will require the coordination of growth and place making with investment in world class infrastructure, including digital connectivity. NSO 5 sets out the importance of digital and data innovation and indicates a number of objectives to achieve this including: *‘Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.’*

The RSES indicates that the increasing use of digital technologies is impacting on every aspect of our lives and due to a fast moving and evolving infrastructure,

the region will need to be able to respond and adapt to future communications networks and technology along with changing work practices and emerging economic models. RPO 8.25 on Communications Networks and Digital Infrastructure states: *'Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.'*

At local level, Data Centre use remains open for consideration in the GE-General Employment zoning objective in the Draft Plan. In recognising the locations of general employment zoned lands and specifically GE zoned lands along high-quality transport corridors within the County and the space extensive nature of Data Centres and if left uncontrolled, could have undue negative environmental impacts and be contrary to the land-use and transport integration approach as well as the compact growth and regeneration approach as advocated by Objective EEO4 of the Draft Plan which seeks to, *'Ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within existing built-up compact growth areas.'* In addition, DMSO94 sets out specific environmental, energy, high-quality design and sustainability criteria requirements in the context of Data Centre proposals.

Having regard to the foregoing, these controls provide a level of control on Data Centres proposals and importantly locational controls to ensure that such a use is located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to high quality public transport corridors or within existing built-up compact growth areas.

In the context of this level of locational control for employment lands adjoining high quality public corridors or within existing built-up compact growth areas and criteria set out under DMSO94 and having regard to government policy relating to the support and promotion of the digital economy as set out above as well as the precedence in the County for such a use within GE zoned lands, it is considered appropriate for a Data Centre use to remain open for consideration in the GE- General Employment zoning objective.

Given the complex issues surrounding this type of development, it is considered that the Draft Plan, where data centres are an 'open for consideration' use, is the most appropriate approach, allowing for an assessment on a case-by-case basis in accordance with the GE zoning objective and supporting vision as well as the employment provisions of the plan and normal standard planning criteria through the Development Management process. Such a categorisation also allows for assessment against the relevant government policy and any changes to that policy that may occur.

Critically, this motion has also to be taken in conjunction with Motion No. 82333 and if both these motions are passed, this would result in a Data Centre use being in the not permitted category for both the GE-General Employment and HT-High Technology zoning objectives, limiting such a use to the HI-Heavy Industry zoning objective only and where such a use is open for consideration and of which there is a limited quantum in the County.

Due to continued support for Data Centres within Government policy documents, an outright ban within this zoning objectives, runs contrary to government policy at this time. Furthermore, recent comments from the IDA outline that data centres are an “integral part of the technology ecosystem”, and “the inability of technology companies to expand their data centre footprint is problematic in terms of continuing to attract investment and to continue to maintain the investment we have here.”

In recognising that data centres and other industries have particular needs which, if left uncontrolled, could have undue negative environmental impacts, objectives EEO4 and DMSO94 of the Draft Plan as referred to above contains strong criteria which must be addressed by space extensive enterprises such as Data Centres through the Development Management process. As such, the provisions of the Draft Plan as set out above is sufficiently robust to guide and inform any future proposals for Data Centres in the GE zoning objective within the County.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor Paul Mulville, Councillor Joan Hopkins: 82333

Retain Data Centres as not Permitted Within the HT (High Technology) Zoning Objective.

Justification:

As acknowledged in Section 7.5.1 and Section 14.15.3 data centres generate low intensity employment while encompassing extensive spatial and resources consumption. In light of this, data centres should be retained to the not permitted zoning objective of HT. This designation will bolster the objectives stated in DMS094 and EEO12 while retaining the vision of this zonal designation as an exemplar of sustainable design.

REPORT:

The content of the motion is noted.

In the interests of clarity, CE CH 13. 6 recommends the following: 'Delete 'Data Centre' from the 'Not Permitted' category of the HT- High Technology zoning objective and to remain open for consideration'.

At both national and regional level, policy and objectives set out in both the NPF and RSES promote and support communications networks and digital infrastructure at appropriate locations. Specifically, National Strategic Outcome 5 'Strong Economy Supported by Enterprise, Innovation and Skills' of the National Planning Framework (NPF) aims to create places that can foster enterprise and innovation and attract investment and talent. Delivering this outcome will require the coordination of growth and place making with investment in world class infrastructure, including digital connectivity. NSO 5 sets out the importance of digital and data innovation and indicates a number of objectives to achieve this including: *'Promotion of Ireland as a sustainable*

international destination for ICT infrastructures such as data centres and associated economic activities.'

The RSES indicates that the increasing use of digital technologies is impacting on every aspect of our lives and due to a fast moving and evolving infrastructure, the region will need to be able to respond and adapt to future communications networks and technology along with changing work practices and emerging economic models. RPO 8.25 on Communications Networks and Digital Infrastructure states: *'Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.'*

In recognising the strategic locations of the large majority of the HT zoned lands along high-quality transport corridors within the County and having regard to the space extensive nature of a Data Centre use and if left uncontrolled, could have undue negative environmental impacts and be contrary to the land-use and transport integration approach as well as the compact growth and regeneration approach as advocated by objective EEO4 of the Draft Plan, which seeks to, *'Ensure that space extensive uses are located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to public transport nodes or within existing built-up compact growth areas.'* In addition, DMSO94 sets out specific environmental, energy, high-quality design and sustainability criteria requirements in the context of Data Centre proposals.

Having regard to the foregoing, these controls provide a level of control on Data Centres proposals and importantly locational controls to ensure that such a use is located within appropriate locations which do not compromise labour intensive opportunities on zoned lands, adjacent to high quality public transport corridors or within existing built-up compact growth areas.

In the context of this level of locational control for employment lands adjoining high quality public corridors or within existing built-up compact growth areas and criteria set out under DMSO94 and having regard to government policy relating to the support and promotion of the digital economy as set out above as well as the precedence in the County for a such a use within HT zoned lands, the recommendation under CE CH 13.6 would allow for the assessment of such proposals on a case-by-case basis in accordance with the HT zoning objective and supporting vision as well as the employment provisions of the plan and normal standard planning criteria through the Development Management process. Such a categorisation also allows for assessment against the relevant government policy and any changes to that policy that may occur.

Critically, this motion has also to be taken in conjunction with Motion No. 82331 and if both these motions are passed, this would result in Data Centre use being a not permitted use in both the HT-High Technology and GE-General Employment zoning objectives, limiting such a use to the HI-Heavy Industry zoning objective only and where such a use is open for consideration and of which there is a limited quantum in the County.

Due to continued support for Data Centres within Government policy documents, an outright ban on their development within this zoning objective, runs contrary to government policy at this time. Furthermore, recent comments from the IDA outline that data centres are an “integral part of the technology ecosystem”, and “the inability of technology companies to expand their data centre footprint is problematic in terms of continuing to attract investment and to continue to maintain the investment we have here.”

In recognising that data centres and other industries have particular needs which, if left uncontrolled, could have undue negative environmental impacts, objectives EEO4 and DMSO94 of the Draft Plan as referred to above contains strong criteria which must be addressed by space extensive developments such as Data Centres through the Development Management process. As such, the provisions of the Draft Plan as set out above is sufficiently robust to guide and inform any future proposals for Data Centres in the HT zoning objective within the County.

RECOMMENDATION:

No change to the Chief Executive's Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 82055

Metro Rail Economic Zoning

That the "ME" Metro Economic Corridor zoning be renamed "MRE" Metro and Rail Economic zoning throughout the Plan.

REPORT:

The contents of the motion are noted. In the interests of clarity, the ME-Metro Economic Corridor zoning objective as set out in the current FDP and Draft Plan seeks to, 'Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.'

The associated vision seeks to, 'Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.'

The current ME zoning objective is a unique zoning objective to support and facilitate high density compact growth and regeneration as well economic opportunities on lands adjoining the future strategic rail project of MetroLink. When combined, the zoning objective and associated vision is explicit in its focus

on this high-quality rail corridor without the need to modify the current ME zoning objective as proposed.

In addition, the provisions of the Draft Plan are considered sufficiently robust in its approach at a strategic level to ensure the alignment of compact and intensive employment and residential development in locations adjoining high-quality public transport corridors and nodes including rail corridors, advanced through plan frameworks with specific reference to objective CMO3 relating to the integration of public transport and development.

It is against this context that the intent of the motion is sufficiently captured through the unique ME zoning objective and vision which is explicit in its focus on the high-quality rail corridor of the MetroLink which is supported through integration and land-use transportation planning policy and objectives in the Draft plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 82056

Metro Rail Economic Zoning

To amend the MRE zoning objective to:

"Facilitate opportunities for high-density mixed-use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development adjacent to metro, rail and light rail stations."

REPORT:

The contents of the motion are noted. In the interests of clarity, the ME-Metro Economic Corridor zoning objective as set out in the current FDP and Draft Plan seeks to, 'Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.'

The associated vision seeks to, 'Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.'

The current ME zoning objective is a unique zoning objective to support and facilitate high density compact growth and regeneration as well economic opportunities on lands adjoining the future strategic rail project of MetroLink and its associated rail stops. When combined, the zoning objective and associated vision is explicit in its focus on this high-quality rail corridor without the need to modify the current ME zoning objective as proposed. In addition, this zoning objective and vision is supported through the provisions of the Draft Plan including CMO3 relating to the integration of public transport and development.

It is against this context that the intent of the motion is sufficiently captured through the unique ME zoning objective and vision which is explicit in its focus on the high-quality rail corridor of the MetroLink and which is supported through integration and land-use transportation planning policy and objectives in the Draft plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 13 – Land Use Zoning Objectives

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 82060

Metro Rail Economic Zoning

To amend the MRE zoning vision to:

"Provide for areas of compact, high intensity/density, employment generating activity with associated commercial and residential development which focus on Metrolink, rail and light rail stations within settings of exemplary..."

REPORT:

The contents of the motion are noted. In the interests of clarity, the ME-Metro Economic Corridor zoning objective as set out in the current FDP and Draft Plan seeks to, 'Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.'

The associated vision seeks to, 'Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.'

The current ME zoning objective is a unique zoning objective to support and facilitate high density compact growth and regeneration as well economic opportunities on lands adjoining the future strategic rail project of MetroLink and its associated rail stops. When combined, the zoning objective and associated vision is explicit in its focus on this high-quality rail corridor without the need to modify the current ME zoning vision as proposed. In addition, this zoning objective and vision is supported through the provisions of the Draft Plan including CMO3 relating to the integration of public transport and development.

It is against this context that the intent of the motion is sufficiently captured through the unique ME zoning objective and vision which is explicit in its focus on the high-quality rail corridor of the MetroLink and which is supported through integration and land-use transportation planning policy and objectives in the Draft plan.

RECOMMENDATION:

No change to the Draft Plan.

CE CH 14.1:

Amend Section 14.7.3 Internal Storage.

Internal storage within an apartment unit shall be provided in accordance with the *Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.*

~~Storage should be additional to kitchen presses and bedroom furniture. " Hot press/boiler space will not count as general storage. " No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.~~

CE CH 14.2:

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly:

Mix of units (SPPR1)

Apartment Floor Area (SPPR3)

Dual Aspect Ratios (SPPR4)

Floor to Ceiling Height (SPPR5)

Lift and Stair Cores (SPPR 6)

Internal Storage

Private Amenity Space (Appendix 1)

Communal Amenity Space (Appendix 1)

Children's Play Space provision (Section 4)

Bicycle Parking and Storage (Section 4)

Build to Rent Schemes (SPPR 7 & SPPR 8)

CE CH 14.3:

Amend objective DMSO94 as follows:

DMSO94 ~~*Utilisation of Vacant Properties for Remote Working Facilities*~~ *Space
Extensive Developments*

CE CH 14.4:

Insert the following new objective at the end of Section 14.17.5 Road Network and Access of the plan as follows:

Evaluation of Signage Proposals and National Roads

Proposals for signage on or at national roads will be assessed against Chapter 3 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and TII Policy on the Provision of Tourist and Leisure Signage on National Roads (March 2011)

CE CH 14.5:

Move Section 14.9.8 (Refuse Storage) to Section 14.20.12 (Waste Management)
for consistency

CE CH 3.4:

Amend Section 14.11.2 as follows:

The Council will promote an age-friendly approach by ensuring that both existing and proposed residential developments are future proofed for an ageing population. In accordance with the principles of "Housing Options for Our Ageing Population' – Policy Statement 2019", the Planning Authority will advocate an age friendly approach with respect to new residential in Fingal. Applicants for residential development should consider the incorporation of units suitable for elderly persons within proposed schemes, and consideration should be given to accompanying facilities and materials ~~which promote this approach~~ *in line with the age friendly principles taken from the Ten Universal Design Features to include in a Lifetime Adaptable and Age Friendly Home – June 2021, published by Age Friendly Ireland. These set out that an Age Friendly Home*

- is well-connected to local amenities*
- is easy to approach and enter*
- is connected to the outdoors*
- is easy to move about in*
- has accessible and adaptable toilets and bathrooms*
- has a guest bedroom*
- has easy to use fittings and fixtures*
- is energy and cost efficient*
- has good security and technology system*

The Council will consider proposals, including the development of small infill sites for appropriate forms of residential development for age-friendly housing, including opportunities for those wishing to downsize from larger family homes to more appropriately sized units "Right-Sizing" with benefits of town centre living and proximity to community infrastructure, transport etc.

Housing proposals specifically aimed at older people should be designed having regard to Universal Design Standards enabling the property to be future proofed for the possible care needs of the occupant and to ensure sufficient floor space to cater for care assistance/visitors. In this regard, development proposals will be required to comply with any future technical guidance relating to design specifications for housing for older people in place at the time of making the planning application.

CE CH 3.5:

Insert a new objective after section 14.11.2 of the Draft Plan to state:

Objective DMSOXX – Age Friendly Housing

Require new residential developments in excess of 100 units provide 10% of the units as age friendly accommodation.

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the [Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.](#)

~~Storage should be additional to kitchen presses and bedroom furniture. " Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.~~

CE CH 3.10:

Amend Section 14.7 Apartment Development/Standards to make specific reference to SPPR1 in the following list and re-number accordingly

Mix of units (SPPR1)

Apartment Floor Area (SPPR3)

Dual Aspect Ratios (SPPR4)

Floor to Ceiling Height (SPPR5)

Lift and Stair Cores (SPPR 6)

Internal Storage

Private Amenity Space (Appendix 1)

Communal Amenity Space (Appendix 1)

Children's Play Space provision (Section 4)

Bicycle Parking and Storage (Section 4)

Build to Rent Schemes (SPPR 7 & SPPR 8)

CE CH 4.4:

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be "taken in charge" by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall (based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites).

CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area *(i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12)* to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

CE CH 4.6:

Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

CE CH 5.2:

Amend final paragraph of section 14.21.4 as follows:

Large scale proposals for solar panels or any development in the vicinity of the airport, *the strategic national road and LUAS networks* will be required to submit a Glint and Glare Assessment. Domestic applications will be assessed on a case by case basis. All large-scale proposals involving for solar panels shall be sent to Irish Aviation Authority as part of the statutory consultee process.

CE OPR CH 6.3:

Amend Objective DMSO117 as follows: ~~Motorway Access~~ National Road Access
'Prohibit development requiring new or intensified access onto a ~~motorway~~
national road and seek to reserve the capacity, efficiency and safety of National
Road infrastructure including junctions in accordance with the provisions ~~and~~
~~presume against access onto National Primary routes~~ of the Spatial Planning
and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

CE CH 9.9:

Amend Objective DMSO156 – Ecological Corridors, as follows:

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.

CE CH 9.10:

Include a new objective to follow DMSO156, New Objective – Ecological Corridors in Urban Areas

Any redevelopment of existing properties and brownfield sites within 25m from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River shall provide opportunities for multi-functional green infrastructure, including features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to: green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will not be accepted.

CE CH 9.11:

Amend Objective DMSO157 – Development Along Watercourses, as follows:

Ensure that no development, including ~~pathway infrastructure~~, clearance and storage of materials, takes place within 10m as a minimum, measured from each bank of any river tributary or small stream or watercourse in the County (see Green Infrastructure Maps).

CE CH 9.13:

Add new Objective to existing development management standards Section 14.18.2.4 Ecological Corridors and Stepping Stones including Trees and Hedgerows to read as follows;

Any redevelopment of existing properties and brownfield sites within 25m of the river shall include features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to, green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will be not accepted.

CE CH 11.5:

Amend Objective DMSO159 as follows:

Protect rivers and streams and maintain them in an open state capable of providing suitable habitat for fauna and flora, including fish. Deculvert or “daylight” existing culverts where appropriate and in accordance with relevant river catchment proposals restore the watercourse to acceptable ecological standards for biodiversity wherever possible improving habitat connection and strengthening the County's GI network. *Clear Span structures should be used on fisheries waters, where possible.*

CE CH 9.12:

Edit Section 9.6.8 and objective IOU26 and DMSO211 to reflect the amended and new objective as per CE CH 9.9 and CE CH 9.10 above.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Siobhan Shovlin: 82211

Planning Complaints and Investigations

That this Council will produce a transparent policy on the process of dealing with planning complaints, investigations, and breaches, outlining the steps involved and requiring communication at every stage with the stakeholders involved.

REPORT:

While the content of this motion is noted, it is considered to be outside the scope of the Development Plan. Notwithstanding, set out below are the steps involved in the process of making the Development Plan along with complaints procedures relating to planning breaches.

The process of making a Development Plan must be open, transparent and inclusive. All interested individuals and organisations, at Local, Regional and National level, must be given adequate opportunity to comment or make submissions for consideration by the Elected Members before the policies, objectives and measures to be included in the Plan are decided upon. Consultation provides a key opportunity for citizens, stakeholders, community groups, businesses and the general public, including children, to ensure that their views are considered in shaping the future of their community and their County.

The Draft Plan has been prepared in accordance with the requirements of the Planning and Development Act 2000 (as amended), higher tier national and regional level plans, ministerial guidelines and with regard to local level strategies and plans. The formal process for the preparation of this Draft Plan commenced on 12th March 2021 and to date two rounds of public consultation

have taken place, as the Planning and Development Act 2000 (as amended) requires.

In terms of a planning breach, should a member of the public feel that there has been a potential planning breach, our Planning Enforcement Division are responsible for investigating such matters, once reported. Planning breaches are taken seriously and investigations into such matters are carried out in accordance with the processes outlined in the Planning and Development Act 2000 (as amended). Complainant's details are treated with the greatest confidence and are not released to any third party and are not included in the Council's Planning Register.

The Office of the Ombudsman may examine complaints where a person is unhappy with how they have been treated by a local authority in the carrying out of everyday administrative activities.

In relation to planning, the Ombudsman may examine whether a planning authority has used its discretionary powers in a reasonable manner in relation to a decision not to pursue enforcement action or an unreasonable delay in progressing enforcement action. The Ombudsman cannot examine a decision to grant or refuse planning permission or a decision made by the elected members of a local authority, such as the adoption of a Development Plan.

The OPR provides a fair and independent mechanism through which members of the public may submit complaints related to the planning services delivered by local authorities in Ireland. However, it is important to understand that there are only certain types of complaints which the OPR can investigate. It is not their purpose to review individual planning cases but to examine the overall functioning of the planning system. Under legislation, the OPR can only examine complaints about local authorities that relate to the overall organisation of the authority and the systems and procedures it uses when carrying out its planning functions. In this regard complaints should concern:

- Regular / repeated breaches of an authority's obligation to carry out its planning functions in accordance with legislation and / or national policy requirements.
- Significant failures in proper administrative procedures which result in serious diseconomies and inefficiencies in delivering planning services to the general public.
- Existence of systemic discrimination or a risk of corruption.

As such, it is considered that several options are available to the public in relation to planning complaints, investigations and breaches, but these are not matters for the Development Plan which is a strategic spatial document setting

out the overall 'big picture' objectives and framework against which future development proposals/initiatives can be guided across the whole County.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 – Development Management Standards

Motion from Councillor Karen Power, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey: 81771

Amend Objective DMSOXX –

Age Friendly Housing Require new residential developments in excess of 100 units provide 10% of the units as age friendly accommodation.

to

Objective DMSOXX –

Age Friendly Housing Require new residential developments in excess of 100 units provide a minimum of 10% of the units as age friendly accommodation.

REPORT:

The intent of the motion is noted. It is deemed appropriate to amend the text of the Chief Executive's Recommendation under CE CH 3.5 to reflect the requirement for a minimum percentage of units in new residential developments exceeding 100 units to be provided as age-friendly accommodation.

RECOMMENDATION:

Amend Chief Executive's Recommendation as follows:

CE CH 3.5:

Insert a new objective after section 14.11.2 of the Draft Plan to state:

Objective DMSOXX – Age Friendly Housing

Require new residential developments in excess of 100 units provide a minimum of 10% of the units as age friendly accommodation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Karen Power, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey: 81810

Amend CE recommendation CE CH 4.4:

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be “taken in charge” by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall (based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites).

to

CE CH 4.4:

Amend text in Table 14.6

Public open space - Public open space is accessible to the public at large and in general is intended to be “taken in charge” by the Local Authority, but in extremely limited circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments (based on 15 % of the site area in Greenfield sites/LAP lands and 12 % of infill and brownfield sites).

REPORT:

The intent of the motion would appear to remove the discretion of the Local Authority to seek contributions under Section 48 to address shortfalls in the

provision of open space (based on 12 - 15 % of the site area in Greenfield sites/LAP lands and 10 % of infill and brownfield sites)

It is important within the Development Management process, that a degree of flexibility is inherent with respect to the assessment of onsite open space provision and that in instances where a shortfall presents, alternative mechanisms such as Development Contribution in lieu are available. This degree of flexibility is particularly relevant given the many site-specific issues which can arise in e.g. brownfield/infill sites and the need to ensure that schemes which are otherwise of exceptional design and quality are realised. Small/restricted sites which would otherwise remain unviable and whose renewal may have significant rejuvenational advantages may progress where the option to enhance the quality and/or utility of open space provided or to levy a financial contribution in lieu is utilised. This is an important tool in ensuring town and village centre renewal, compact growth and addressing issues such as vacancy, building underutilisation and visual enhancement. For the above reasons, a range of between 12%-15% for greenfield /LAP lands and 10% for infill and brownfield sites is deemed an appropriate level of provision.

Section 48 legislation permits the Council to include conditions requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. In this regard, Objective DMSO57 Development Contribution Scheme states *'require the monetary value in lieu of open spaces to be in line with the Fingal County Council Development Contribution Scheme'*.

It is important that the Section 48 mechanism for collection of financial contributions in lieu where shortfalls arise is retained as this provides flexibility to the local authority in scheme assessment.

Having regard to the above, it is considered important to retain flexibility with respect to the levying of contributions under Section 48 as part of Table 14.6 and it is recommended that CE CH 4.4 should not be amended.

RECOMMENDATION:

No Change to Chief Executive's Recommendation CE CH 4.4

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Joan Hopkins, Councillor Paul Mulville: 82182

Opposing CE CH 3.9

That CE CH 3.9 be rejected.

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

REPORT:

CE CH 3.9 states as follows:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the [Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.](#)

~~*Storage should be additional to kitchen presses and bedroom furniture. " Hot press/boiler space will not count as general storage. " No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.*~~

It is considered appropriate to amend Section 14.7.3 of the Draft Plan with regard to Internal Storage in Apartment Developments. This is in order to ensure that the Draft is consistent with guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended) and to address ambiguity which may otherwise be caused by including extracts from the Draft rather than citing the relevant Sections in full. In this regard, Section 3.0 of the Guidelines relates to Apartment Design Standards with Sections 3.30 to 3.34 exclusively addressing Internal Storage. These sections refer to issues such as accommodation of household utility functions, storage of bulky items, non-inclusion of hot press/boiler space, cap on floor space of individual storage rooms and provision of secure ground floor storage areas among other issues.

Appendix 1 refers to Required Minimum Floor Areas and Standards, including required minimum storage space specifications based on apartment size.

It is recommended in the interests of clarity that recommendations made in relation to CE CH 3.9 are retained.

RECOMMENDATION:

No change to Chief Executive's Recommendation CE CH 3.9

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Paul Mulville: 82085

Opposing CE CH 3.9

That CE CH 3.9 be rejected.

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.

Storage should be additional to kitchen presses and bedroom furniture. "Hot press/boiler space will not count as general storage." No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.

REPORT:

CE CH 3.9:

Amend Section 14.7.3 Internal Storage as follows:

Internal Storage

Internal storage within an apartment unit shall be provided in accordance with the [Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34.](#)

~~*Storage should be additional to kitchen presses and bedroom furniture. " Hot press/boiler space will not count as general storage. " No individual storage room should exceed 3.5 sq. m. Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building should be provided. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. This form of storage does not satisfy bicycle parking requirements for the apartment scheme.*~~

It is considered appropriate to amend Section 14.7.3 of the Draft Plan with regard to Internal Storage in Apartment Developments. This is in order to ensure that the Draft is consistent with guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended) and to address ambiguity which may otherwise be caused by including extracts from the Draft rather than citing the relevant Sections in full. In this regard, Section 3.0 of the Guidelines relates to Apartment Design Standards with Sections 3.30 to 3.34 exclusively addressing Internal Storage. These sections refer to issues such as accommodation of household utility functions, storage of bulky items, non-inclusion of hot press/boiler space, cap on floor space of individual storage rooms and provision of secure ground floor storage areas among other issues. Appendix 1 refers to Required Minimum Floor Areas and Standards, including required minimum storage space specifications based on apartment size.

It is recommended in the interests of clarity that recommendations made under CE CH 3.9 relating to amendments to Section 14.7.3 are retained.

RECOMMENDATION:

No change to Chief Executive's Recommendation CE CH 3.9

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Tom O'Leary: 81940

Policy on Granny Flats Increase Size to 75m² (currently 60m²)

That this Council resolves that the various references to the size of "granny flats" in the development plan be increased slightly from 60m² to 75m² and that the plan and any appendices be amended accordingly.

REPORT:

The content of the motion, seeking to increase the size of family flat accommodation from 60sq.m to 75sq.m.

3.5.13.2 of the Draft Plan relates to Family Flats.

Family flats are a means of providing additional accommodation with a level of independence for an undefined temporary period of time. Family flats allow for semi-independent accommodation for an immediate family member (dependent on the main occupants of the dwelling). Applications for family flats will be considered favourably subject to criteria set out in Chapter 14 Development Management Standards.

In this regard, Policy SPQHP41 states

'Support the provision of family flats on suitable sites within established residential areas subject to specific design criteria'.

In addition, Objective SPQHO45 states–

Family Flats Ensure family flats: "

- *Are for a member of the family with a demonstrated need.*

- *When no longer required for the identified family member, are incorporated as part of the main unit on site.*
- *Do not exceed 60 sq m in floor area.*
- *Comply with the design criteria for extensions, as above.*

In addition, Section 14.10.3 of the Draft Plan also refers to Family Flats.

It is considered that an upper limit of 60sq.m. is sufficiently sized to cater for residential needs, noting that the accommodation is ancillary to the primary dwelling and is in effect an extension of the family home which must ultimately revert to forming part of the main dwelling when no longer required for the stated function. By way of comparison, the minimum floor area for a One Bedroom Apartment unit as set out in the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities December 2020* is 45 sq. m. with the minimum area of a studio being 37sq.m.

Accordingly, it is considered that a limit of 60sq.m. is appropriate and allows sufficient scope to cater for the accommodation concerned.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor Daniel Whooley : 82418

Car Parking A

Delete Car parking from DMSO38

REPORT:

The content of this motion is noted. In the interest of clarity DMSO38 relates to Third Level Student Accommodation. In relation to car parking it states the following: 'Ensure appropriate provision of ancillary supporting facilities including refuse facilities, car parking and cycle parking'.

Table 14.19 proposes the parking standard for student housing of 0 in Zone 1 and 1 per 20 spaces in Zone 2. This is considered to be a reasonable approach to the provision of parking for a residential use given the wide range of transport needs that students may have. As such it is considered that the reference to car parking in DMSO38 is acceptable and should remain.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Karen Power, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey: 81812

Amend CE recommendation CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12) to be designated for use as public open space

to

CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 12% or 15% of the site area as outlined in Table 14.12) to be designated for use as public open space

REPORT:

CE CH 4.5 states as follows:

CE CH 4.5:

Amend DMSO53

Require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 10% or 12 to 15% of the site area as outlined in Table 14.12) to be designated for use as public open space. The Council has the discretion to accept a financial contribution in lieu of the remaining open space

requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Where the Council accepts financial contributions in lieu of open space, the contribution shall be calculated on the basis of 25% Class 2 and 75% Class 1 in addition to the development costs of the open space.

The motion seeks to amend DMSO53 to require minimum open space, as outlined in Table 14.12 for a proposed development site area (i.e. either 12% or 15% of the site area as outlined in Table 14.12) to be designated for use as public open space.

The intent of the motion would remove the option of 10% provision.

As currently set out in Table 14.12, public open space standards with regard to residential development on infill/brownfield sites shall comprise 10% of the site area. Fingal, in line with national and regional planning policies and objectives seeks to promote the regeneration of towns and villages through the re-use and/or repurposing of previously developed, under-utilised, vacant or derelict properties and sites. It is acknowledged that in town centre locations it may be difficult to provide new public open space and flexibility in such instances is required where the practicalities of delivery must be weighed against the wider benefits of rehabilitating derelict properties and reinvigorating communities.

In this context, the increase in open space requirements from 10% to 12% is not warranted on infill/brownfield/town centre sites due to the need to facilitate high density development. It is considered appropriate therefore that the range of open space provision (*i.e. either 10% or 12% to 15% of the site area as outlined in Table 14.12*) is retained.

RECOMMENDATION:

No Change to Chief Executive's Recommendation CE CH 4.5

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy, Councillor David Healy: 82048

Amend

CE CH 4.6: Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

To

CE CH 4.6: Include an Objective in Chapter 14 is also proposed as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme, in situations where the conditions set out in the County's Play Policy have been met.

REPORT:

CE CH 4.6:

Include an Objective in Chapter 14.

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme.

The motion seeks to amend the foregoing CE recommendation as follows:

Require the monetary value in lieu of play facilities to be in line with the Fingal County Council Development Contribution Scheme *in situations where the conditions set out in the County's Play Policy have been met.*

Instances where it may not be practical or possible to include play facilities include site size constraints, the nature of the development e.g. specialised housing or where such facilities already exist. Irrespective of the reasons for levying a development contribution, in such instances as play facilities are not required or being provided, compliance with the County's Play Policy would not arise.

RECOMMENDATION:

No change to Chief Executive's Recommendation CE CH 4.6

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Karen Power, Councillor Daniel Whooley, Councillor Pamela Conroy, Councillor David Healy, Councillor Ian Carey: 81777

Amend CE recommendation "Amend objective DMSO94 as follows:

Space Extensive Developments"

To

Retain objective DMSO94 as follows:

DMSO94 Utilisation of Vacant Properties for Remote Working Facilities

REPORT:

The content of this motion is noted.

In the interests of clarity, it should be noted that in the Draft Plan, an incorrect title ('Utilisation of Vacant Properties for Remote Working Facilities') was attached to DMSO94, which in fact relates to Space Extensive Developments.

Chief Executive's Recommendation CE CH 14.3 seeks to address this and states the following:

Amend objective DMSO94 as follows:

DMSO94 ~~Utilisation of Vacant Properties for Remote Working Facilities~~ Space Extensive Developments

Utilisation of Vacant Properties for Remote Working Facilities is captured in the Draft Plan by Objective DMSO93 (Utilisation of Vacant Properties for Remote Working Facilities), which states: 'Vacant/underused properties should be utilised

for remote working hub facilities where appropriate.’ and is not proposed to be amended or removed.

Given that DMSO94 relates to Space Extensive Developments and not Vacant Properties (which is the subject of DMSO93), it is considered that the proposed amendment is not necessary.

RECOMMENDATION:

No change to Chief Executive’s Recommendation.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 81990

Data Centres

That the following be added to DMSO94:

Applications for data centres will be required to demonstrate that they meet the Principles for Sustainable Data Centre Development, as regards Economic impact, Grid capacity and efficiency, Renewables additionality, Co-location or proximity with future-proof energy supply, Decarbonised data centres by design, and SME access and community benefits, set out in the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, July 2022

(note: <https://enterprise.gov.ie/en/publications/publication-files/government-statement-on-the-role-of-data-centres-in-irelands-enterprise-strategy.pdf>)

REPORT:

DMSO94 relates to Space Extensive Developments and states: *Proposals for space extensive developments such as data centres are required to address the following:*

- *Energy efficiency measures for the development to reduce the carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation*
- *The extent of energy demand and proximity to multiple high voltage strategic grid connections with significant electricity supply capacity available including areas with high concentration of renewable energy electricity generators*
- *The availability of appropriate infrastructure such as high voltage electricity, fibre optic cables, water and waste water etc. to support the use as a data centre*

- *Measures to support the just transition to a circular economy*
- *Measures to facilitate district heating or heat networks where excess heat is produced*
- *High-quality design approach to buildings which reduces the massing and visual impact of same. A visual impact assessment may be required in some circumstances, depending on the specific site*
- *Details of employment numbers once operational*
- *Details of the levels of traffic to and from the site at construction and operation stage*
- *Evidence of sign up to the Climate Neutral Data Centre Pact*
- *A decommissioning report which sets out the development strategy for the site if and when the data centre is no longer in use, in order to bring the site back to a future developable state.*

Government policy seeks to enable the 'twin transitions' of digitalisation and decarbonisation of our economy and society. These transitions can - and must be - complementary. For this to happen, digital and climate change policies need to move in tandem and the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022) sets out how this will be achieved in respect of data centres.

It is considered appropriate that proposals for data centres should be required to demonstrate that due consideration has been given to the Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022).

As such, it is considered appropriate that an additional point be added to DMSO94 which states:

Have regard to the Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022).

It should be noted that Chief Executive's Recommendation CE CH 14.3 seeks to amend the title of DMSO94. In the interests of clarity, the recommendation below will seek to further amend Chief Executive's Recommendation CE CH 14.3.

RECOMMENDATION:

Amend Chief Executive's Recommendation CE CH 14.3 as follows:

DMSO94 ~~Utilisation of Vacant Properties for Remote Working Facilities~~ Space Extensive Developments

Proposals for space extensive developments such as data centres are required to address the following:

- Energy efficiency measures for the development to reduce the carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation
- The extent of energy demand and proximity to multiple high voltage strategic grid connections with significant electricity supply capacity available including areas with high concentration of renewable energy electricity generators
- The availability of appropriate infrastructure such as high voltage electricity, fibre optic cables, water and waste water etc. to support the use as a data centre
- Measures to support the just transition to a circular economy
- Measures to facilitate district heating or heat networks where excess heat is produced
- High-quality design approach to buildings which reduces the massing and visual impact of same. A visual impact assessment may be required in some circumstances, depending on the specific site
- Details of employment numbers once operational
- Details of the levels of traffic to and from the site at construction and operation stage
- Evidence of sign up to the Climate Neutral Data Centre Pact
- A decommissioning report which sets out the development strategy for the site if and when the data centre is no longer in use, in order to bring the site back to a future developable state.
- *Have regard to the Principles for Sustainable Data Centre Development as per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022).*

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Paul Mulville, Councillor Joan Hopkins: 82337

Add bullet point to objective DMSO94 to allow for oversight of the benefits of data centres

- Details of the type and category of data that is to be stored within the the data centre as well as overall storage capacity

Justification:

Data centres often deem themselves essential infrastructure however there is a distinct lack of transparency about the utility of the data that is stored within them. On this basis, this motion suggests adding an additional bullet point to objective DMSO94.

REPORT:

It should be noted that Chief Executive's Recommendation CE CH 14.3 seeks to amend the title of Objective DMSO94.

Objective DMSO94 relates to Space Extensive Developments and states: *Proposals for space extensive developments such as data centres are required to address the following:*

- *Energy efficiency measures for the development to reduce the carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation*
- *The extent of energy demand and proximity to multiple high voltage strategic grid connections with significant electricity supply capacity available including areas with high concentration of renewable energy electricity generators*

- *The availability of appropriate infrastructure such as high voltage electricity, fibre optic cables, water and waste water etc. to support the use as a data centre*
- *Measures to support the just transition to a circular economy*
- *Measures to facilitate district heating or heat networks where excess heat is produced*
- *High-quality design approach to buildings which reduces the massing and visual impact of same. A visual impact assessment may be required in some circumstances, depending on the specific site*
- *Details of employment numbers once operational*
- *Details of the levels of traffic to and from the site at construction and operation stage*
- *Evidence of sign up to the Climate Neutral Data Centre Pact*
- *A decommissioning report which sets out the development strategy for the site if and when the data centre is no longer in use, in order to bring the site back to a future developable state.*

Objective DSMO94 sets out requirements for space extensive development such as data centres. It focuses on design and operational issues such as energy efficiency measures, energy demand, availability of appropriate infrastructure, measures to support the just transition to a circular economy, measures to facilitate district heating, high-quality design, employment numbers, levels of traffic generation and potential decommissioning.

At both national and regional level, policy and objectives set out in both the NPF and RSES promote and support communications networks and digital infrastructure at appropriate locations. Specifically, National Strategic Outcome 5 ‘Strong Economy Supported by Enterprise, Innovation and Skills’ of the National Planning Framework (NPF) aims to create places that can foster enterprise and innovation and attract investment and talent. Delivering this outcome will require the coordination of growth and placemaking with investment in world class infrastructure, including digital connectivity. NSO 5 sets out the importance of digital and data innovation and indicates a number of objectives to achieve this including: ‘Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.’

The RSES (Regional Spatial and Economic Strategy) indicates that the increasing use of digital technologies is impacting on every aspect of our lives and due to a fast moving and evolving infrastructure, the region will need to be able to respond and adapt to future communications networks and technology along with changing work practices and emerging economic models. RPO 8.25 on Communications Networks and Digital Infrastructure states: ‘Support the

national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.'

National and regional policy in relation to Data Centres focuses on their economic impact, impact on grid capacity and efficiency, use of renewable energy, potential co location or clustering with similar/related uses and provision of a clear pathway to decarbonisation. As such, it is considered that [the policies and objectives](#) in the Draft Plan should align with national and regional policy in terms of how we assess proposals for data centres and should focus on design and operational matters rather than on the type of data stored within. Such matters are more appropriately regulated by governmental organisations such as the Data Protection Commission.

Having regard to the above, amending Objective DMSO94 to require proposals for space extensive developments such as data centres to specify the type and category of data to be stored within is not considered to be appropriate or reasonable and is not a matter for the Planning Authority.

In terms of the request that proposals for space extensive developments such as data centres specify their overall storage capacity, it is considered that to request this information is appropriate, fair and reasonable and such information should form part of the assessment of these proposals. It is therefore considered appropriate to amend Chief Executive's Recommendation CE CH 14.3 to include a bullet point including "Details of overall storage capacity."

RECOMMENDATION:

Amend Chief Executive's Recommendation CE CH 14.3

DMSO94 ~~Utilisation of Vacant Properties for Remote Working Facilities~~ [Space Extensive Developments](#)

Proposals for space extensive developments such as data centres are required to address the following:

- Energy efficiency measures for the development to reduce the carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation
- The extent of energy demand and proximity to multiple high voltage strategic grid connections with significant electricity supply capacity available including areas with high concentration of renewable energy electricity generators

- The availability of appropriate infrastructure such as high voltage electricity, fibre optic cables, water and waste water etc. to support the use as a data centre
- Measures to support the just transition to a circular economy
- Measures to facilitate district heating or heat networks where excess heat is produced
- High-quality design approach to buildings which reduces the massing and visual impact of same. A visual impact assessment may be required in some circumstances, depending on the specific site
- [Details of overall storage capacity](#)
- Details of employment numbers once operational
- Details of the levels of traffic to and from the site at construction and operation stage
- Evidence of sign up to the Climate Neutral Data Centre Pact
- A decommissioning report which sets out the development strategy for the site if and when the data centre is no longer in use, in order to bring the site back to a future developable state.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Daniel Whooley, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor David Healy: 82437

Amend Objective DMSO104

To include the point below at the end of the paragraph:

A Bike repair station must be incorporated into future petrol stations.

REPORT:

The content of this motion is noted. DMSO102 sets out a range of matters to be addressed in development proposals for petrol stations.

Provision of bicycle repair facilities at petrol stations to be constructed in the future is an operational matter for the owners/operators of the petrol stations, rather than a matter for the Draft Plan. As such, it is not considered that Objective DMSO104 requires amendment.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor Daniel Whooley: 82417

Car-Free Neighbourhoods

Include a new section 14.17.7 Car-free neighbourhoods The provision of car free neighbourhoods and streets in accordance with objective SPQHO2 can bring multiple benefits. Typically such neighbourhoods and streets would allow motor vehicular access for deliveries only, confining parking to a dedicated parking area at the periphery. They are typically best suited to higher-density neighbourhoods, creating a much better quality public realm with safety, public health, and green infrastructure benefits for the community, and economic benefits for householders.

REPORT:

The content of this motion is noted.

Healthy placemaking is a key element of the overall vision of the Draft Plan and both the NPF and RSES recognize and support the principle of Healthy Placemaking and its importance in the achievement of quality spaces and communities. Healthy Placemaking seeks to promote quality of life through the creation of healthy and attractive places to live, work, visit, invest and study in. Placemaking is underpinned by good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction.

Objective SPQHO2 of the Draft Plan confirms that development which enhances the quality of the built environment, promotes public health and supports the development of sustainable communities will be supported. Several principles in this regard, are set out, including the development of car free neighbourhoods and streets, where appropriate.

The Council will continue to investigate opportunities to enhance public realms which may include opportunities to limit/remove car movements at suitable locations. Car free developments will be carefully considered and developed based on their receiving environmental and surrounding transportation context. In this regard Policy CMP14 is relevant and is set out as follows:

Policy CMP14 – Permeable Neighbourhoods

Implement the provisions of the Design Manual for Urban Roads and Streets 2019 (DMURS) in relation to the delivery of safe streets and overall best practice design and promote the principle of filtered permeability in new developments to ensure that all pedestrian entrances are opened as soon as any new development is occupied where feasible and seek opportunities to improve permeability in existing developed areas in accordance with NTA's Permeability Best Practice Guide.

It is considered appropriate that the Draft Plan includes text to describe the concept of car free neighbourhoods and in this regard the suggested wording as set out in this motion is considered acceptable.

RECOMMENDATION:

Insert new paragraph at an appropriate location in Section 14.17 of the Draft Plan to state:

Car Free Neighbourhoods

The provision of car free neighbourhoods and streets in accordance with Objective SPQHO2 can bring multiple benefits. Typically, such neighbourhoods and streets would allow motor vehicular access for deliveries only, confining parking to a dedicated parking area at the periphery. Car free neighbourhoods are typically best suited to higher-density neighbourhoods, creating a much better quality public realm with safety, public health, and green infrastructure benefits for the community, and economic benefits for householders.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 81981

Bicycle Parking At Public Transport Stations And Stops

That the following be included in Table 14.17: Bicycle Parking Standards:

Rail, Metro, Light Rail stations and stops / - / sufficient to meet the anticipated demand for cycling when planned cycling and active travel infrastructure is in place. Where the anticipated demand for cycling to a metro/heavy rail/light rail station hasn't been estimated, a norm of 40% of trips to rail stations being made by bicycle will be used for the provision of bicycle parking. Bus stops on major bus routes/- / provision to meet estimated demand where space is available.

REPORT:

The content of this motion is noted.

New public transport stations are significant developments. In the case of projects that provide new or upgraded stations in Fingal such as Dart+, Luas and MetroLink, Fingal County Council engages directly with the scheme promoters to ensure the provision of appropriate levels of cycle parking provision. These discussions are based on the existing and proposed passenger levels, professional judgement, surrounding environments and future transportation infrastructure. It is clear that the overall process of design, assessment and analysis is guided by the public policy provisions of the Development Plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 81982

Bicycle Parking Standards

That the following be added to DMSO113: bicycle parking will meet quality standards to be designated by the Council either by reference to existing standards such as that in Dún Laoghaire Rathdown, the Standards for Public Cycle Parking produced by the Cycle Rail Working Group in the UK or similar.

REPORT:

The content of this motion is noted.

In the interest of clarity DMSO113 states the following:

DMSO113 – Bicycle Parking

Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan.

While the design guidance documents referred to in the motion are noted, it is considered premature to amend the relevant objective to include specific reference to third party design guidance documents without a more detailed level of analysis of those documents against criteria set out in the Draft Plan. Notwithstanding that, and given the various other policy objectives of the Draft Plan to promote and support the provision of high-quality cycle parking generally, the intent of the motion is considered acceptable subject to a modification to have regard to local, national and international best-practice.

RECOMMENDATION:

Amend Objective DMSO113 of the Draft Plan as follows:

DMSO113 – Bicycle Parking

Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, *having regard to local, national and international best practice.*

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Daniel Whooley, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor David Healy: 82440

Insert New after Objective DMSO115 Insert Objective:

Ensure that all new developments provide high-quality, secure, bicycle repair and pump stations.

REPORT:

The content of this motion is noted.

There is significant policy support in the Draft Plan for the provision of high-quality bicycle parking and ancillary supporting welfare and repair facilities as set out in Section 14.17.2 of the Draft Plan. Specifically, the criteria for the development of bicycle parking facilities requires that cycle welfare facilities and cycle repair stations should be appropriately reflected in Mobility Management Plans. It is acknowledged, however, that the provision of maintenance stations is not appropriate to all developments given the costs involved in the ongoing maintenance of same.

Notwithstanding, it is within the context of required Management Mobility Plans as set out in Objective DMSO115 of the Draft Plan for new or intensifying large-scale developments is considered the most appropriate vehicle to advance supporting cycle welfare and repair facilities through the Development Management process rather than a blanket requirement for same in all new developments. As such, it is considered that the intent of this motion is adequately addressed through the text and objectives in the Draft Plan outlined above.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Daniel Whooley, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor David Healy: 82444

Insert New after Objective DMSO115

Insert Objective:

Ensure that all new developments with over 30 bike parking spaces will provide high-quality, secure bicycle repair and pump stations.

REPORT:

The content of this motion is noted. There is significant policy support in the Draft Plan for the provision of high-quality bicycle parking and ancillary supporting welfare and repair facilities as set out in Section 14.17.2 of the Draft Plan. Specifically, the criteria for the development of bicycle parking facilities requires that cycle welfare facilities and cycle repair stations should be appropriately reflected in Mobility Management Plans. It is acknowledged, however, that the provision of maintenance stations is not appropriate to all developments given potential issues around operation / management and the costs involved in the ongoing maintenance of same.

Notwithstanding, it is within the context of required Management Mobility Plans as set out in Objective DMSO115 of the Draft Plan for new or intensifying large-scale developments is considered the most appropriate vehicle to advance supporting cycle welfare and repair facilities through the Development Management process rather than a blanket requirement for same in all new developments.

As such, the intent of this motion is adequately addressed by existing objectives and text contained within the Draft Plan, through the Development Management process.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 81979

Parking Norms

That the draft Development Plan include a definition of parking norms

REPORT:

The content of this motion is noted and accepted. Additional text will be included under Table 14.19 of the Draft Plan in order to define parking norms and parking max.

RECOMMENDATION:

Add the following text under Table 14.19 of the Draft Plan:

Max refers to maximum number of spaces allowed. Norm refers to the number of spaces that will generally be permitted unless specific changes are considered necessary to ensure the proper planning and sustainable development of a proposed development.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Daniel Whooley, Councillor Ian Carey, Councillor Pamela Conroy: 81980

Zone 1 Parking Maximums

That the parking "norms" for Function rooms, Dance Hall/Discotheque/Night Club, Auditorium, Theatre, Cinema, Stadium in Zone 1 be maximums rather than norms.

REPORT:

The content of this motion is noted.

Given the range of different types of uses in this category, the different scale of venue that may be under consideration and the variation in receiving environment, the use of norms in this category is considered appropriate in order to allow a level of flexibility and professional judgement to be applied in order to ensure the most appropriate level of parking provision. The Draft Plan further states that 'A reduced car parking provision may be acceptable where the Council is satisfied that good public transport links are already available or planned and/or a Management Mobility Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development.'

The above is considered sufficient to allow the Council achieve the objectives of the Draft Plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor David Healy, Councillor Karen Power, Councillor Ian Carey, Councillor Pamela Conroy, Councillor Daniel Whooley: 82423

Car Parking for Shared Cars

Add to 14.17 An adequate proportion of car parking spaces should be made available for shared cars.

REPORT:

The content of this motion is noted.

The Draft Plan includes the following Policy:

Policy CMP16 – Personal and Shared Mobility Modes

Facilitate and support the use of personal mobility modes through the provision of adaptive infrastructure in line with relevant legislation and the expansion of shared mobility schemes throughout the County.

The use of maximum and norm values within Table 14.17 Parking Standards allows flexibility to incorporate shared schemes within the overall parking provision of new developments. Where spaces are allocated to shared schemes, the general parking provision is consequently reduced. As such it is not considered necessary to amend Table 14.17.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Brian McDonagh: 82239

Amend Objective WQ05 in line with C-453-1231

Amend Objective WQ05 to state:

"Objective WQ05 Establish riparian corridors free from new development along all watercourses and streams in the County. Ensure a 30 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin where a 50m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required as a minimum." as per submission C-453-1231

REPORT:

The Draft Plan addresses the extent of buffer zones along rivers with existing Objective IUO26-Riparian Corridors and Section 14.25.5-Riparian Corridors. It is proposed to increase the riparian buffer strip to 48m outside of development boundaries along the main water bodies of the county, in line with the IFI guidelines. It is also proposed to include a new objective in relation to areas within the development boundaries. These changes are considered under CE CH 9.9 and CE CH 9.10, which are set out below.

CE CH 9.9:

Amend Objective DMSO156 – Ecological Corridors, as follows:

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 10m 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.

CE CH 9.10:

Include a new objective to follow DMSO156, New Objective – Ecological Corridors in Urban Areas

Any redevelopment of existing properties and brownfield sites within 25m from each riverbank along the main channels of following rivers Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin, Bracken River, Daws River, Richardstown River, Turvey River shall provide opportunities for multi-functional green infrastructure, including features which intercept and filter surface water from the site before discharging into the river. These features include, but are not limited to: green roofs, reinforced grass parking bays and water gardens. The use of underground attenuation as part of the redevelopment of existing properties or brownfield sites will not be accepted.

CE CH 9.12:

Edit Section 9.6.8 and objective IOU26 and DMSO211 to reflect the amended and new objective as per CE CH 9.9 and CE CH 9.10 above.

As such, it is considered that the intent of this motion is captured through the Chief Executive's Recommendations in the Chief Executive's Report on submissions received in relation to the Draft Plan, outlined above.

RECOMMENDATION:

No change to the Chief Executive's Recommendations.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Anthony Lavin: 82131

Chapter 11: Infrastructure and Utilities Objective DMSO225 – Applications for Telecommunications Structures

'...The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc..) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements.'

Ensure that when such licences are sought nearby property owners and occupiers are made aware of the application prior to FCC (or ABP) agreeing the licence.

REPORT:

The contention of the motion is acknowledged. The motion is seeking to amend Objective DMSO225 – Applications for Telecommunications Structures which is in Section 14.20.9 'Information and Communications Technology' of Draft Development Plan Chapter 14 'Development Management Standards (p.627). It should be noted that Objective DMSO225 sets out requirements for the information to be provided with respect to telecommunications structures at application stage. The full text of this objective is as follows:

*"Objective DMSO225 – Applications for Telecommunications Structures
Require the following information with respect to telecommunications structures at application stage:*

- Demonstrate compliance with Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment (1996) and Circular Letter PL 07/12 issued by the Department of the Environment and Local Government (as may be*

amended), and to other publications and material as may be relevant in the circumstances.

- *Demonstrate the significance of the proposed development as part of a national telecommunications network.*
- *Indicate on a map, the location of all existing telecommunications structures within a 2 km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulations.*
- *The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc..) and the potential for mitigating visual impacts including low and mid-level landscape screening, treetype masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements”.*

The motion seeks to include additional text at the end of this objective as follows:

- “Ensure that when such licences are sought nearby property owners and occupiers are made aware of the application prior to FCC (or ABP) agreeing the licence”.

It is not considered appropriate to include this additional text as proposed by the motion. Firstly, and in the interests of clarity, it should be stated that Objective DMSO225 relates to planning applications for telecommunications structures and does not relate to the granting of any licences by either Fingal County Council or An Bord Pleanála.

With regard to the granting of licences relating to telecommunications structures, it should be noted that this issue is addressed in Section 14.20.10 ‘Section 254 Licences’ in Draft Development Plan Chapter 14 ‘Development Management Standards (see p. 628).

Section 254 licences are required for certain specified items or equipment (including electronic communications infrastructure and any associated physical infrastructure) which are to be placed on, under, over or along a public road. The Draft Development Plan goes on to outline what planning authorities or the Board on appeal should have regard to in considering an application for a Section 254 licence.

It should be noted that the Section 254 licence does not apply solely to telecommunications infrastructure but also to vending machines; town or landscape maps; hoarding, fences or scaffolds, advertisement structures, cables, wires or pipelines, telephone kiosks or pedestals. In this regard, a common example of an application for Section 254 licences is for the placing of tables and chairs outside a hotel, restaurant, public house or other venue.

There is no requirement under the Planning Act or Regulations for the applicant to notify the public, nor is there any role for third parties to comment on the applications to the planning authority.

In addition, Fingal County Council publishes details of new Section 254 applications as part of its weekly planning lists which can be viewed here: <https://www.fingal.ie/council/service/planning-weekly-lists>.

Furthermore, the Council provides details of all Section 254 licences granted in the County on its website at <https://planning.agileapplications.ie/fingal/search-applications/results?criteria=%7B%22query%22:%22s254%22%7D&page=1>

Having regard to the above, it is not considered appropriate or necessary to include additional requirements in relation to a licensing process which is subject to specific requirements as set out in the Planning and Development Act and therefore outside the scope of the Development Plan.

RECOMMENDATION:

No change to the Draft Plan.

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Chapter 14 - Development Management Standards

Motion from Councillor Joan Hopkins, Councillor Paul Mulville: 82172

Telecoms Masts

That the Chief Executive add a new Objective after objective DMSO225 Chapter Development Management Standards pg 637

Develop a strategy for the provision of critical telecom mast infrastructure on public lands to service signal black spots, which involves a constructive process of prior engagement between elected members, telecoms providers, public bodies and communities.

REPORT:

This motion is seeking the inclusion of a new Objective to provide critical telecom mast infrastructure on public lands to service signal black spots. The provision of telecoms infrastructure and its subsequent operation on public or private land is not a function of the Development Plan.

The Council recognises the importance of the need for high quality communications and information technology networks in assuring the competitiveness of the County's economy and its role in supporting regional and national development and the Council is committed to the continued development and improvement of the County's digital infrastructure and services. The widespread availability of a high-quality ICT network within the County will be critical to the development of our economy while also supporting social development. The Draft Plan supports the provisions contained within the *Fingal Digital Strategy 2020 – 2023* which provides a wider strategy with respect to the development of ICT within the County.

The Council therefore will continue to support the provision of ICT infrastructure such as broadband, telecommunication infrastructure, mobile phone coverage

and future technologies which may arise and the Council will continue to work with National Broadband Ireland to facilitate the delivery of high-speed broadband for the 8% of premises in Fingal where State intervention is required.

It is an objective of the Draft Plan to require all new developments (regardless of the number of units) to provide open access connectivity arrangements directly to the individual premises to enable service provider competition and consumer choice. The following Draft Plan policies should also be noted:

'Policy IUP34 Provision of Telecommunications / Digital Connectivity Infrastructure Facilitate the coordinated provision of telecommunications / digital connectivity infrastructure at appropriate locations throughout the County and extension of telecommunications infrastructure including broadband connectivity as a means of improving economic competitiveness and enabling more flexible work practices.

Policy IUP35 Fingal Digital Strategy

Develop and support the implementation of the Fingal Digital Strategy 2020-23, to encourage and support communities and businesses to reap the full rewards of a digitally enabled society, including the completed rollout of public Wi-Fi hotspots as set out in the Fingal Public Wi-Fi Roadmap and as part of the WIFI4EU scheme.

Policy IUP36 Open Access Connectivity Arrangements

Consider provision of open access connectivity arrangements within new developments to enable service provider competition and consumer choice in line with the requirements of the European Electronic Communications Code (2018).

Policy IUP37 National Broadband Plan

Support the rollout of high-quality broadband throughout the County and facilitate the delivery of the National Broadband Plan and International fibre communications links, including full interconnection between the fibre networks in Northern Ireland and the Republic of Ireland.

Objective IUO48 High-quality ICT Network and Appropriate Telecommunications Infrastructure

Promote and facilitate the provision of a high-quality ICT network and appropriate telecommunications infrastructure in accordance with the Fingal

Digital Strategy 2020-23 (and any subsequent plan), and to support broadband connectivity and other innovative and advancing technologies within the County, whilst protecting the amenities of urban and rural areas.

Objective IUO56 Open Access Connectivity Arrangements

Require all new developments to provide open access connectivity arrangements directly to the individual premises to enable service provider competition and consumer choice.'

It is considered that the policies and objectives set out above are sufficiently robust to encourage and support the provision of critical telecom mast infrastructure on public lands to service signal black spots. Fingal will continue to liaise with telecoms utility providers, to ensure the timely delivery of sufficient infrastructure. In this context, the content of the motion is considered to be adequately addressed and a new objective is not required.

RECOMMENDATION:

No change to Draft Plan.

CE NTA CH 6.2:

Include reference to the National Sustainable Mobility Policy (2022) and the National Investment Framework for Transport in Ireland (2021) in Appendix 3 Policy Context.

CE NTA CH 6.4:

Include the following document in Appendix 3 Policy Context as follows: Area Based Transport Assessment (ABTA) Guidance Notes (2018) TII/NTA.

CE EMRA CH 7.1:

Include 'Town Centre First: A Policy Approach for Irish Towns' in Appendix 3 and replace the references to the Town Centre First Strategy in the Programme for Government, Our Shared Future, in the Draft Plan where relevant, with the updated document published in February 2022.

CE APP 5.1:

'Baldoyle ACA encompasses the area bounded by Dublin Street, College Street, Willie Nolan Road and Main Street, which includes the institutional complexes of St. Mary's Hospital, St. Mary's Secondary School, and the Convent of the Sisters of Charity. ~~as well as Baldoyle Library.~~ The boundary extends out slightly in the SE corner to include the mid-19th century Former Coast Guard Station and dwellings of Nos. 17 to 25 Strand Road, as well as the Former Constabulary Barracks (now part of Baldoyle Library) and the adjoining 19th century residence on The Mall. The core of Baldoyle village is dominated by large institution structures or complexes. The majority of residences within this core are small, single-storey terraced cottages. The modest nature of these cottages, along with the overall uniformity of their simple design, has resulted in a distinctive homogenous appearance along these streetscapes, despite alterations and modifications over the years. This juxtaposition of large institutional or community buildings alongside the low rise, small scale residential streets forms the special character of Baldoyle, reflecting the mainly 19th century layout and development of the village.'

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

APPENDIX 5: RECORD OF PROTECTED STRUCTURES and ACA's

Motion from Councillor Joe Newman : 81055

Swords ACA Motion.

That the Council directs that Swords Town Core (specifically the ecclesiastical sites and the area of the Ward River catchment) is listed as an ACA in the appropriate section of the 2023-2029 Development Plan

REPORT:

The content of the motion is noted.

Swords has a number of unique heritage elements which benefit from various different protections methods, most commonly the Record of Protected Structures, Recorded Sites and Monuments and Zones of Archaeological Notification – all of which have separate legislation codes outlining the protections.

Within the Draft Plan itself, there are numerous policies and objectives outlined in Chapter 10 which seek to protect and preserve architectural and heritage integrity of all our towns and villages.

In relation to Swords specifically, objectives CSO33 to 38 seek to enhance and improve Swords town centre. In particular, Objective CSO38 states:

'Facilitate the strategic regeneration of Swords to build on the resilience of the local economy and provide for an enhanced urban environment with a particular focus on the development of Swords Civic Centre and Cultural Centre, the delivery of the conservation plan for Swords Castle, and the delivery of an enhanced public realm in the town centre and to promote recreational and amenity uses in accordance with a healthy placemaking strategy.'

The motion requests that the town core is listed as an Architectural Conservation Area, however, it is considered that the built heritage elements are too varied from each other to distinguish a unified character and too dispersed from each other to be able to delineate a cohesive boundary. The ecclesiastical sites are designated as both protected structures and recorded archaeological monuments and as such the policy and objectives within the Development Plan regarding these offer a sufficient level of protection

RECOMMENDATION:

No Change to the Draft Plan.