COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

Fingal Development Plan 2017-2023

Tuesday, 27 September 2016

Motion from Councillor Anne Devitt: RS balleally. AI028610

That the land outlined in red on the attached map at Balleally be zoned "RS" with the Local objective to provide a residential retirement home and associated facilities only.
Rational
This proposed use is consistent with the sustainable and proper planning of the area.
This use is currently open for consideration under the current fingal development plan RU uses matrix but is not permissible under the RU uses matrix for the new Draft Fingal Developmet Plan 2017-2023.
This site is situated on the edge of lusk surrounded by residential uses with access to all community services and physical infrastructure currently available in Lusk village.
The HSE retirement facility is full and has a long waiting list.

REPORT:
Note: Motion No. **AI029087** (Councillor Anne Devitt) is the same Motion. Motion No. **AI028609** (Councillor Anne Devitt) requests rezoning from RU to CI to provide a retirement residential home on the same site.

The subject lands are located to the south of Lusk, just off the Dublin road, outside the development boundary of Lusk and measure 1.8 hectare. At a medium density of 35 units/ha, the lands have the potential to provide 63 residential units. The subject lands contain the zoning objective RU, the objective is:

Objective: *Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.*

Vision: *Protect and promote the value of the rural area of the County. This rural value is based on:*
• Agricultural and rural economic resources
• Visual remoteness from significant and distinctive urban influences,
• A high level of natural features.
Agriculture and rural related resources will be employed for the benefit of the local and wider population. Building upon the rural value will require a balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage.

Under this zoning objective a Residential Care Home/Retirement Home is not permitted *except where a demonstrated need to locate in a rural environment because of the nature of the care required is established*.(note 12 of zoning matrix). A Retirement Village is not permitted.

The proposed Motion seeks to rezone the lands to RS zoning with a specific Objective to provide for a residential retirement home and associated facilities.

Table 2.6 in Chapter 2 of the CE's Draft Plan sets out the remaining zoned residential capacity from the current Fingal Development Plan 2011-2017. As of mid-2015, there were approx. 1,461 ha of zoned land available within the County with the potential to deliver approx. 43,041 residential units. Tables 2.4 and 2.5 of the CE's Draft Plan set out the RPG population and housing targets for Fingal together with the number of residential units required in Fingal to meet those targets. The existing number of units in the County as of July 2015 was 105,392 and based on the estimated RPG target of 145,340 for 2023, the number of units required to meet the RPG target is 39,948 units.

It is therefore clear, based on the evidence-based approach adopted in the Core Strategy, that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period. The quantum and location of zoned land in the County is directly influenced by the Development Plan's Settlement and Core Strategy. The Core Strategy identifies the quantum and location of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy, and, which reflects the availability of existing services, planned investment, sequential development and environmental requirements. The Core Strategy sets out the specific population targets and housing requirements across the County and the elements of the settlement hierarchy thereby act as a clear framework for amendments to existing zonings. The Core Strategy must demonstrate that the development objectives in the Development Plan are consistent with the National Spatial Strategy and Regional Planning Guidelines.

The Ministerial Planning Guidelines on Development Plans, issued under Section 28 of the Planning and Development Act 2000, state that '*zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs, is not consistent with proper planning and sustainable development.*' The Guidelines also make clear that in order to support public confidence in the planning system and the Development Plan process, decisions to zone land must be clearly justified on the basis of established need and must support the aims and strategy of the plan taking the following specific matters into account:

- Need
- Policy Context
- Capacity of Water, Drainage and Roads Infrastructure
- Supporting Infrastructure and Facilities
- Physical Suitability
- Sequential Approach
- Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

The Fingal Settlement strategy embraces the strategic approach advocated by the Regional Planning Guidelines to physically consolidate the majority of future growth into the strong and dynamic urban centres of the metropolitan area while directing development in the hinterland to towns and villages in order to discourage dispersed development and unsustainable travel patterns. Lusk was identified as a Moderate Sustainable Growth Town in the Regional Planning Guidelines 2010-2022. It is considered that there is a sufficient quantum of land zoned for residential purposes in Lusk and surrounding towns to cater for the plan period and beyond.

The location of residential zoned lands in Lusk is guided by Objective Lusk 7, which states: '*Ensure that existing and future development is consolidated within well-defined town boundaries to maintain the distinct physical separation of Lusk and Rush.*' The Draft Plan is explicit in the protection and promotion of the value of the rural area of Fingal and the Council is firmly committed to the continued protection of this valuable resource that cannot be continually eroded. There is therefore no requirement to zone this 'RU' zoned land to 'RS'.

Chapter 3 of the Draft Plan recognises that the provision of residential care is an essential community requirement. Although there has been pressure for such facilities in rural areas, there is a presumption against this type of development in the open countryside for reasons relating to sustainability, poor accessibility and lack of public transport, social exclusion and isolation. Best practice dictates that residential care, retirement and nursing homes should be located in built-

up areas and should be located close to shops and other community facilities required by the occupants, and should be easily accessible to visitors, staff and servicing traffic.

The proposed Motion is considered to be contrary to the proper planning and sustainable development of the area for the following reasons:

- Best practice dictates that residential care, retirement and nursing homes should be located in built-up areas and should be located close to shops and other community facilities required by the occupants, and should be easily accessible to visitors, staff and servicing traffic.
- There is sufficient zoned CI, RA, RS & TC zoned land within the development boundary of Lusk to cater for the proposed use.
- The subject site is located outside the development boundary of Lusk, within a rural area which is zoned RU.
- There is sufficient RS zoned land (potential for an additional 1,000 units) within the development boundary of Lusk, additional land is not required on the outskirts of Lusk which would be remote from services and facilities and with poor accessibility.
- There is no foul network in the area, as such all development would have to be serviced via an On Site Wastewater Treatment System, which is not considered to be a sustainable solution.
- The proposal would contravene Draft Development Plan objectives PM43 – 44, Chapter 3 and DMS46-48 in Chapter 12 relating to a residential care home/retirement home.

RECOMMENDATION:
It is recommended that no change is made.