

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

Committeename

Meetingdate

Motion from Councillor Anne Devitt: CVQ3656 nevinstown. AI029063

That land coloured pink and hatched with blue on the attached map be zoned ME from RW

This is a small land holding previously zoned ST1 science and technology and developed almost completely with uses permitted under this zoning.

The change in zoning to RW following the 2008 LAP has made those previously permitted uses, dance centre, medical centre, night club vhi Clinic, offices, fast food outlet now non conforming uses in RW zoned land and legal uncertainty for future sale or extension for the existing owners practioners and traders.

ME zoning is now the closest available zoning to allow the current use to be conforming uses in addition the remaining undeveloped sites are too small to accommodate a use envisaged by RW.

REPORT:

This motion seeks to rezone an area of Retail Warehousing lands, south of Swords, adjacent to Airside, from Objective 'RW' (Retail Warehouse) to Objective 'GE' (General Employment). The subject lands measure 9.6ha.

Swords is the administrative centre for the county of Fingal and commands a level 2 'Major Town centre/ County Town' in the Retail Strategy for the Greater Dublin Area.

Any motion to diminish the town's clear zonings relating to retail is to be resisted.

Significant land has been provided for in the Draft Plan for industrial, rural business and commercial land uses and there is no identified need to provide additional lands. Fingal's Economic Strategy set out in the Draft Plan seeks to attract a range of employment types, across business and industry sectors at the most appropriate and accessible locations within the County, minimising the requirement for undue commuting and improving the quality of life for Fingal's

residents. Strategic Policy 10 and Objectives ED02 and ED03 of the Draft Plan seek to promote enterprise and employment throughout the County, particularly in the growth Centres of Swords, Blanchardstown and Balbriggan.

The subject lands consist of an area of land adjacent to the existing Airside retail park. Fingal is well served by retail warehousing and retail parks, principally located in the Swords, Blanchardstown, Balbriggan and Ballymun areas. Survey work undertaken by the Fingal Planning Department in 2015 identified very low levels of vacancy in these locations, particularly in Airside Retail Park and Blanchardstown Retail Park, reflecting the health of this component of the retailing sector in Fingal. The purpose of the Retail Warehouse zoning is to facilitate enterprise opportunities associated with the sale of bulky comparison goods in high quality and easily accessible locations. Within the Draft Development Plan, there are over 31 ha of lands zoned for RW purposes, located in Swords and Ballymun. . Furthermore permission has been granted within these lands for access roads as per Reg. Ref. F14A/0280 and more recently permission was granted to Power City for a retail warehouse unit within these lands (PL06F:244537 & F14A/0337). This is the ideal use of these lands and it is essential these lands retain their RW zoning in order to facilitate developments such as this.

There is therefore no justifiable need to rezone any additional retail warehouse lands. Such a change in designation would result in the erosion of the limited Retail Warehouse lands available and would contravene Development Plan policy.

The motion seeks an ME zoning at this location to replace the RW zoning. ME is a zoning that responds to the future metro serving Swords. The indicative route of the metro does not pass through these lands. Generally, there is a metro stop aligning with any parcel of ME lands. Additionally, ME permits residential development but as this parcel of land lies partially within the inner noise zone, DA07 would apply which seeks to resist residential at these locations.

The RW zoning has been in place at this location since 2011 superseding the ST1 zoning objective of the 2005 – 2011 Development Plan. The motion states that the following uses dance centre, medical centre, night club, vhi clinic, offices and fast food outlet were previously permitted under the ST1 zoning objective. In reviewing same, only offices were permitted in principle under the ST1 zoning objective.

A 60 bed capacity nursing home was permitted on these lands before the ST1 zoning in 2005 under F97A/0652. A therapy suite was sought and granted

permission on site as common services with the nursing home under F03A/0395. Under F12A/0009, extensions to this complex (combining F98A/0652 and F03A/0395) was sought and granted using objective SZ4, which serves a similar purpose to the Z05, which provides for non-conforming, previously permitted uses, which states:

'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating nonconforming uses, subject to normal planning criteria.'

The above is how past permissions under a past zoning are managed under the non-conforming objective Z05, all set out in chapter 11 of the draft Development Plan.

In summary, no evidence based planning justification has been provided to support a rezoning from RW to ME at this location. Given Swords retail level 2 status, it is necessary to protect and therefore retain the area of Retail Warehousing zoning in Swords and protect same at this location owing to the favourable characteristics of this location with its proximity and good access to the surrounding road and motorway network, necessary for such a use that involves bulky goods. Past permissions that are now non-conforming uses are managed under Z05.

RECOMMENDATION:

It is recommended that no change is made.