

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

Development Plan 2017-2023

Tuesday, 27th September 2016

Motion from Councillor Jimmy Guerin: . AI028957

This Council resolves that the land outlined in red on the attached map be rezoned from objective GB to objective RS for a retirement village to cater for senior citizens.

REPORT:

The subject lands are located on the northern side of the R106, Swords – Malahide Road, at the western edge of Malahide and are currently zoned GB - greenbelt. The lands measure 1.8 ha and are currently greenfield in nature. The lands are outside the development boundary of Malahide.

The motion requests the lands are zoned RS to provide a retirement village at the subject site.

Having regard to the motion's request that the lands be used for retirement village, it is noted a retirement village is assessed as a residential use and is permitted in principle on 3 zoning objectives, namely Major Centre (MC), Residential area (RA) and Residential (RS) and open for consideration in one other zoning objective, namely Metro Economic Corridor (ME).

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.

This motion is seeking to rezone lands to allow residential development in a designated Greenbelt area, and it cannot be justified based on the specific issues outlined above, whilst significant residential zoned lands (Objective 'RA', and 'RS') remain undeveloped in the vicinity of the subject lands.

There is a lack of an evidence based need or planning rationale for these lands to be zoned for residential development, therefore, the inclusion of the proposed zoning would conflict with the policy and guidance outlined above.

Such a development pattern would result in deficiencies in terms of the provision of basic infrastructure and public services, in addition to unsustainable travel patterns and a poor quality, fragmented rural environment and the erosion of an important Greenbelt area.

The *Planning and Development (Amendment) Act 2010* introduced the requirement for an evidence based 'Core Strategy' to be provided in Development Plans. 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.

Based on the evidence-based approach adopted in the Core Strategy for the County, it is clear that Fingal has a significant and sufficient quantum of zoned land to meet the RPG targets for the Development Plan period. This motion proposes the rezoning of GB zoned land in the strategic greenbelt area surrounding Malahide. Such a change in designation would result in the erosion of the rural character of this area and the degradation of the Greenbelt at this location.

The Greenbelt surrounding Malahide is one of the most critical in the County having regard to the close proximity of other settlements. Any encroachment into this strategic Greenbelt area would result in coalescence and the loss of definition between urban and rural areas. Furthermore, the Council is fully committed to the continued protection of the Greenbelt and to allow for any additional housing in this area would seriously undermine the long standing Greenbelt policy of the Council and would be contrary to the zoning objective and vision to protect Greenbelts as set out in the Draft Plan.

There is therefore no justifiable need to rezone any additional greenbelt lands to provide for additional housing in this area, whilst such a large area of 'RA' and 'RS' zoned lands remains undeveloped in the vicinity. Such a change in designation would result in the erosion of the greenbelt in this area and would contribute to a significant diminution of the area's landscape value at this location.

To rezone these lands from Objective 'GB' to Objective 'RS' at this time would facilitate the un-coordinated, ad hoc provision of unsustainable urban generated housing detached from existing designated settlements for which there is no evidence-based need or planning rationale and would result in an amended Core Strategy that would be contrary to the *National Spatial Strategy* and *Regional Planning Guidelines*. Furthermore, to give consideration to rezoning additional residential lands at the outskirts of Malahide, not allowing for the consolidation of existing zoned lands more centrally located to be developed in a sequential manner, is contrary to proper planning and sustainable development of the County.

Notwithstanding the above, the following planning policy also applies to the subject lands. The subject site is located within an area that is identified as an ecological buffer zone, (see sheet 15 and pg 306 of the draft Development Plan) because of its adjacency to the Malahide/Broadmeadow estuary which is a Special Area Conservation (SAC), Special Protection Area (SPA) and Natural Heritage Area, the first two designations being that of European status and triggering the Habitats Directive Assessment process for any development proposed. Objective NH17 refers in this regard, which states:

'Protect the functions of the ecological buffer zones and ensure proposals for development have no significant adverse impact on the habitats and species of interest located therein.'

Additionally, Objective NH17 provides for the following:

'Develop Ecological Masterplans for the Rogerstown, Malahide and Baldoyle Estuaries focusing on their ecological protection and that of their surrounding buffer zones.'

RECOMMENDATION:

It is recommended that no change is made.