

**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 CIOS07 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.