

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL

FINGAL DEVELOPMENT PLAN 2023-2029

TUESDAY, 20TH SEPTEMBER 2022

Sheet 3 Fingal Central

Motion from Councillor Tom Kitt and Councillor JK Onwumereh : 82255

This Council resolve that the site at Ballyhack, Kilsahaghan outlined on the accompanying map (on Sheet 3) be zoned from RU - Rural to GE - General Employment to ensure the business being carried out is continued under the appropriate land use zoning objective to protect the 130 jobs directly related to the established business on the subject site, in the interest of the continued economic development of Fingal, and the sustainable development of the area.

REPORT:

The content of this motion which seeks to rezone lands from RU to GE is noted.

The subject lands measuring 9.2 ha (22.7 acres) are located on the eastern side of the R122 at Ballyhack, to the south of Kilsallaghan, Co. Dublin. The site is occupied by an established construction related business, with a main office building, maintenance workshop and stores located on the site.

The Planning History associated with the site is noted, including Reg. Ref. F07A/0667, which permitted, inter alia, demolition of a maintenance shed, the construction of a new maintenance shed (1990 sqm), and 50 car parking spaces. Under that application, the business operating from the site was described as 'Plant Hire' and while warehousing was not permitted under the RU zoning objective it was acknowledged that the stated use was an established one. As such, the non-conforming use policy was applied to that application. It is also noted that a current application (Reg. Ref. F21A/0667, currently on AI) on the site for construction of, inter alia, a new storage building and store to facilitate the storage of plant machinery and maintenance equipment is presently the subject of a Further Information request. It is evident from the Planner's report that the non-conforming uses policy has also been applied to this application.

In the context of the request to a change in zoning from RU to GE to reflect existing and permitted uses, the current FDP and Draft Plan makes provision for the assessment of any non-conforming uses through the Development Management process in accordance with Objective ZO3 which seeks to, *'Generally, permit reasonable intensification of, extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.'*

Furthermore, Fingal's Economic Strategy set out in the Draft Plan at Chapter 7 - 'Employment and Economy' 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. A key strategic aim of the Draft Plan relating to economic development as set out in Chapter 7 seeks, to facilitate and deliver economic development at strategic employment locations and at other appropriate locations proximate to residential developments and high-quality public transport, while supporting economic clusters and rejuvenating existing economic lands.

In addition, Policy EEP2 of the Draft Plan relating to general employment lands seeks to maximise the potential of GE lands, ensuring that they are developed for intensive employment purposes, where appropriate, and which are highly accessible, well designed, permeable and legible. The Draft Plan sets out the key strategic employment areas within Fingal to promote enterprise and employment throughout the County over the plan period. These lands are located within key settlements and at highly accessible locations including existing and planned public transport corridors.

The locations for future employment in Fingal are informed by the requirements of the NPF and the RSES. The aim is to increase employment at strategic locations, provide for people intensive employment at other sustainable locations near high quality public transport nodes, to build on commercial and research synergies in proximity to large employers, industry clusters and smart specialisation and activating strategic sites to strengthen the local employment base in commuter towns.

In addition, the key strategic employment aims and objectives of the Draft Plan seek to facilitate and channel employment growth within key strategic and accessible employment areas of the County whilst having regard to the sequential approach as advocated at national level. This approach is supported by the evidence based underlining the Draft Plan, which shows there a more than adequate quantum of employment zoned lands within the County to accommodate any future employment growth in readily accessible locations

within the County where necessary infrastructure is at an optimum, for the plan period and beyond.

Having regard to the approach to employment lands adopted in the Draft Plan as set out above, it is considered that the proposals to change the existing land use zoning at the location in question would result in a piecemeal, un-coordinated, ad-hoc provision of unsustainable employment lands and that the proposed zoning would be in breach of key objectives of the Draft Plan to channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure.

Critically, the OPR in its submission emphasises the need to ensure that the location of land zoned for employment uses is consistent with the national and regional policy framework and that land is not zoned in locations where it would be in conflict with the principle of compact growth and the implementation of sustainable transportation objectives and acknowledges the substantial land banks zoned for employment generating uses isolated from any settlement or strategic transport infrastructure projects, which if developed, would appear to be entirely car dependent.

In the context of the above and the absence of the sequential approach, any coherent evidence-based need or planning rationale for the proposed change in zoning in this rural location, the proposal to change a substantial proportion of RU zoned lands to GE would result in an un-coordinated, ad-hoc provision of unsustainable employment lands of which there no evidence-based need.

The proposed zoning would be in breach of key objectives of the Draft Plan and OPR policy to channel employment growth within key strategic employment areas of the County, aligned with existing and planned infrastructure and as such is contrary to proper planning and sustainable development.

RECOMMENDATION:

No change to the Draft Plan.