

OPR Ref: DP-019-24

22<sup>nd</sup> October 2024

Senior Executive Officer.

Planning and Strategic Infrastructure Department,

Fingal County Council,

County Hall, Main Street,

Swords,

Co. Dublin,

K67 X8Y2.

Re: Draft Local Area Plan Flemington Balbriggan

A chara,

Thank you for your authority's work on preparing the draft Local Area Plan Flemington Balbriggan (the draft Local Area Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put into the preparation of the draft Local Area Plan.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.

The Office has evaluated and assessed the draft Local Area Plan under the provisions of sections 31AO(1) and 31AO(2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

The Office's evaluation and assessment has had regard to the Fingal County Development Plan 2023-2029 (the County Development Plan), the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly (EMRA), and relevant section 28 guidelines. This submission makes two (2) recommendations.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

#### Overview

The Office welcomes the preparation of the draft Local Area Plan as provided for by the objectives of the County Development Plan. Notwithstanding, the Office is of the view that preparation of a single local area plan for Balbriggan town, encompassing Flemington, would facilitate a more coordinated and integrated approach to the development of these strategic lands, and would also fulfil the statutory requirement to prepare a local area plan for Balbriggan under section 19(1)(b) of the Act.

As previously stated in the Office's submissions to Fingal County Council (Planning Authority) on the draft County Development Plan and the draft Lissenhall East Local Area Plan, the lack of a local area plan for the wider settlement area limits the opportunities to ensure a co-ordinated strategy for the sustainable and compact growth of settlements like Balbriggan town.

Notwithstanding, the undeveloped lands to which this draft Local Area Plan relates offer the potential to provide good quality and well located housing in a strongly plan-led manner, and in an area with a strong need for housing. There is also a welcome emphasis in the draft Local Area Plan on linking housing delivery with the provision of essential amenities, community and ecosystem services to support the creation of sustainable communities at a location that is set to benefit from improved public transport

services as outlined in the Greater Dublin Area Transport Strategy 2022-2042 (GDA Transport Strategy).

Subject to specific concerns set out below, the draft Local Area Plan sets out a clear strategy and framework for the future development of the lands concerned. The issues raised below largely focus on the supporting the delivery of the vision of the Local Area Plan and building on the ambition of the County Development Plan to develop well serviced, well connected and sustainable neighbourhoods, and promote sustainable modes of transport.

It is within this context the submission below sets out two (2) recommendations under the following themes:

Key theme	Recommendation	Observation
Population, residential development and compact growth	Recommendation 1	-
Transport and accessibility	Recommendation 2	-

## 1. Consistency with the regional, spatial and economic strategy

As the Planning Authority is aware, Balbriggan Town is located in the Core Region of the RSES for the EMRA and has been designated as a Self-Sustaining Town, which the RSES describes as a town:

with high levels of population growth and a weak employment base which are reliant on other areas for employment and/or services and which require targeted 'catch up' investment to become more self-sustaining.

In this regard, the Office welcomes the draft Local Area Plan's vision:

To promote the sustainable development of the Local Area Plan lands at a level that is appropriate for the existing local context through the delivery of a new residential neighbourhood that will offer a variety of new homes and a quality place to live.

The draft Local Area Plan also promotes high quality public open space, active travel measures and delivery of community facilities in a manner which will promotes long term sustainability.

Overall, the Office is satisfied that the provisions of the draft Local Area Plan are broadly consistent with the RSES for EMRA.

### 2. Consistency with the development plan and core strategy

Section 19(2) of the Act requires the local area plan to be consistent with the objectives of the development plan and its core strategy.

The Local Area Plan lands are within the settlement boundary of Balbriggan as defined in the County Development Plan, and within walking distance of the town centre and associated infrastructure. They are zoned Residential Area with an objective to 'provide for new residential communities subject to the provision of the necessary social and physical infrastructure'. The vision for this land use objective is to provide high quality new residential environments with adequate public transport and cycle links within walking distance of community facilities.

Section 2.4 of the draft Local Area Plan sets out how it complies with the core strategy of the County Development Plan, while section 5 provides for the densities and residential yield of the Local Area Plan lands. The core strategy in the County Development Plan has allocated a projected population increase of 1,182 with a corresponding housing supply target of 1,902 units to Balbriggan over the County Development Plan period.

The Office considers that the strategy set out in the draft Local Area Plan to develop four character areas that will comprise of residential use of mixed typologies, along with active travel routes and community facilities, to be generally consistent with the County Development Plan, except where otherwise specified below.

#### 3. Population, residential development and compact growth

The draft Local Area Plan outlines that these lands will assist with meeting the identified need for new housing in Balbriggan as set out in the County Development Plan's core strategy. The core strategy table (table 2.14) of the County Development Plan estimates a growth of 3,519 people up to 2029 with a projected housing demand of 1,902 units for Balbriggan.

While the draft Local Area Plan does not provide population projections for the plan period, it does set out an estimated housing yield based on a range of densities for each

of the character areas which indicates that a maximum 580 units can be delivered within the Local Area Plan lands, therein providing for a population of circa 1,000 people.

The Office accepts that these lands have been subject to a Settlement Capacity Audit as part of the County Development Plan and have been categorised as Tier 1 lands consistent with the tiered approach to zoning in the National Planning Framework.

Section 3.3 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) contains updated guidance on residential densities. Specifically, Policy and Objective 3.1 states:

It is a policy and objective of these Guidelines that the recommended residential density ranges set out in Section 3.3 are applied within statutory development plans and in the consideration of individual planning applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.

In respect of the development potential of these lands, the draft Local Area Plan states 'the location of these lands and the desire to optimise the development potential of same, residential densities across the site will range from 36 dph to 50 dph (net)'.

In respect of Key Towns and Large Towns (5,000+ population) table 3.5, the Compact Settlements Guidelines state:

it is a policy and objective of these Guidelines that residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations.

While it is acknowledged that the application of higher densities for these lands based on existing public transport availability could be considered excessive, it is also evident that lower densities make it less viable to expand public transport infrastructure. Having regard to the strategic objectives of the draft Local Area Plan to promote sustainable movement and to ensure that the growth of the Local Area Plan lands is undertaken in a sustainable manner to assist with decarbonising the built environment as well as the Policy CSP12 and Policy CSP34 of the County Development Plan to promote compact growth and consolidation, the policy intention should be to seek higher densities in certain locations across the local area plans, where appropriate and site context is

suitable and having regard to the density ranges for suburban areas referred to in table 3.3.

## **Recommendation 1 – Compact Growth**

Having regard to the compact and sustainable growth of Balbriggan and continued plan led expansion of the town, and in particular to:

- the core strategy of the Fingal County Development Plan 2023-2029 (the County Development Plan);
- promoting compact growth under Policy CSP12 and consolidation of Balbriggan under Policy CSP34 of the County Development Plan and RPO 3.2 of the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly; and
- Policy Objective 3.1 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) to achieve appropriate densities that respond to place contexts,

the Planning Authority is required to:

- (i) include a policy objective to state that the Planning Authority will implement the density ranges for large towns in section 3.3.1 of the Compact Settlements Guidelines; and
- (ii) identify the character areas where there is scope within the context of the Compact Settlements Guidelines for higher densities to be applied in order to maximise the return on public transport investment.

### 4. Transport and accessibility

It is important to consider the role of the draft Local Area Plan area in its wider context and ensure that the framework for sustainable development has regard to the promotion of sustainable transport and active travel modes that will provide future residents with a range of travel choices.

The Office welcomes the alignment of the draft Local Area Plan with the National Transport Authority's (NTA) GDA Transport Strategy, designation of Active Travel Hubs

and the provision of the Active Travel Spine which traverses the entire Local Area Plan lands.

A key consideration is how the Local Area Plan lands, and its future residents, can be served by public transport. Permeability through the adjacent housing areas to shops, schools and sports facilities should also be a priority together with the upgrade of cycle facilities along the R132 for connectivity to the town.

However, in the absence of the preparation of a Local Transport Plan for Balbriggan, as required by the RSES and provided for in Objective CMO4 of the County Development Plan, there is a lack of evidence provided to demonstrate how the Local Area Plan will contribute to ensuring the integration of land use and transport planning and the coordination of transport priorities between the Local Area Plan lands, the wider Balbriggan settlement and beyond.

A significant shift to active and sustainable modes will be necessary to enable Ireland to achieve its mandatory climate action targets under the Climate Action and Low Carbon Development Act 2015, as amended, that is, to reduce greenhouse gas (GHG) emissions by 51% by 2040, with a commitment to achieving carbon neutrality by 2050. Having clear modal shift ambitions will be important to achieving these targets which is supported by Objective CMO2 of the County Development Plan to develop mode share targets. However, it is noted that no targets are included in the draft Local Area Plan.

In this context it is considered that the Local Area Plan needs to provide additional detail on how specific connectivity and active travel proposals as set out in the draft Local Area Plan link up with active travel access towards and into Balbriggan town centre.

Under section 6.8 of the draft Local Area Plan, Objective 6.8 seeks to examine the feasibility of a new signalised crossing on the R132 to improve safety and connectivity. A safe crossing would be required with any upgrade of bus stop facilities; however, there are no specific objectives which relate directly to public transport provision or improvements. Notwithstanding that the R132 is outside the draft Local Area Plan boundary, the provision of new bus stop facilities at appropriate location(s) on the R132 should be a Local Area Plan land activation requirement and include stops, shelters, footpaths, pedestrian crossing and associated traffic calming on the R132. Ideally, the bus stops would be proximate to the Active Travel Hub proposed for the eastern side of the Local Area Plan lands.

Furthermore, it is unclear how the Local Area Plan lands can be served directly by the Balbriggan town bus service. The B1 local town service which has bus stops proximate to the Local Area Plan lands is a low service frequency, and distance to stops reduces the usefulness of this service for the Local Area Plan lands at Flemington. It is therefore considered that, through engagement with NTA and the relevant bus operator, an understanding of the feasibility of the infrastructure required should be investigated as part of the phasing of the development, and the development of the link street, provided for in the Local Area Plan. Extending the town bus service to connect the Local Area Plan lands to Balbriggan train station should be a priority objective of the Local Area Plan, particularly given the DART+ Coastal North project as provided for in the GDA Transport Strategy will see an expansion of DART services to Balbriggan.

# **Recommendation 2 – Transport and Active Travel Modes**

Having regard to the need for integration of land use and sustainable transportation, and in particular to:

- sections 4.5 and 8.3 and RPO 8.1, RPO 8.2, RPO 8.4 and RPO 8.6 of the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly;
- the Climate Action and Low Carbon Development Act 2015, as amended, mandatory target to reduce greenhouse gas emissions by 51%, and the Climate Action Plan 2024, and associated actions including the National Sustainable Mobility Policy (2022) targets to reduce vehicle kilometres travelled per year and the National Investment Framework for Transport in Ireland (2021); and
- Policies CMP1, CMP2, CMP3, CMP6, and CMP7 and Objectives CMO1, CMO3, CMO4, CMO6 and CMO7 of the Fingal County Development Plan 2023-2029,

the Planning Authority is required to amend the draft Local Area Plan Flemington Balbriggan (the draft Local Area Plan) to show how the active travel proposals set out will directly link into existing public transport infrastructure in the area:

- (i) indicate, by way of map or otherwise, how the prioritisation of the active travel measures proposed is aligned with wider active travel proposals for Balbriggan;
- (ii) identify any additional infrastructure required to ensure that the growth anticipated for these lands will connect into wider active travel connections planned for Balbriggan; and
- (iii) review section 6 of the draft Local Area Plan to provide specific policy objectives in relation to improvements in accessibility to public transport provision.

#### 5. Climate action

The evaluation and assessment, above, has highlighted several issues where the sustainable settlement and transport strategies for the Local Area Plan could be further strengthened in achieving optimum reductions in energy use and GHG emissions resulting from transport.

The resolution of these issues has the potential to set a new standard for future development in the area, which will help it realign with the Government's target to meet the net carbon neutral approach by 2050 under the Climate Action Plan 2024 and act as an exemplar for development within the five Metropolitan Area Strategic Plan areas.

### Summary

The Office requests that your authority addresses the recommendations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 20 of the Act must summarise these recommendations and the manner in which they will be addressed.

Where your authority decides not to comply with the recommendations of the Office made to the draft Local Area Plan, please outline the reasons for the decision in the Chief Executive's Report.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Is mise le meas,

**Anne Marie O'Connor** 

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Deputy Regulator and Director of Plans Evaluations