

**EXTENSION OF DURATION OF DONABATE LOCAL AREA PLAN 2016**

**Chief Executive's Report to the Elected Members under Sections 19(1)(d),(e),(f) and 20(3)(a)(i),(ii)  
of the Planning and Development Acts 2000 (as amended)**

March 2021

## **1.0 Introduction**

### **1.1 Legislative Provisions**

Section 19 of the Planning and Development Act 2000 (as amended) provides for the extension of the valid lifespan of a Local Area Plan, from a maximum of 6 years to an effective maximum of 10 years in total. Section 19(1)(d) of the Planning and Development Act 2000 (as amended) states that:

*(d) Subject to paragraph (e), not more than 5 years after the making of the previous local area plan, a planning authority may, as they consider appropriate, by resolution defer the sending of a notice under section 20(3)(a)(i) and publishing a notice under section 20(3)(a)(ii) for a further period not exceeding 5 years.*

*(e) No resolution shall be passed by the planning authority until such time as the members of the authority have:*

*(i) notified the Chief Executive of the decision of the authority to defer the sending and publishing of the notices, giving reasons therefor, and*

*(ii) sought and obtained from the Chief Executive —*

*(I) an opinion that the local area plan remains consistent with the objectives and core strategy of the relevant development plan,*

*(II) an opinion that the objectives of the local area plan have not been substantially secured, and*

*(III) confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.*

*(f) Notification of a resolution under paragraph (d) shall be published by the planning authority in a newspaper circulating in the area of the local area plan not later than 2 weeks after the resolution is passed and notice of the resolution shall be made available for inspection by members of the public during office hours of the planning authority and made available in electronic form including by placing the notice on the authority's website.*

## **1.2 The Donabate Local Area Plan (2016)**

The Donabate Local Area Plan (LAP) 2016 was adopted by the Council on the 14<sup>th</sup> March 2016 and is valid for a period of 6 years.

The LAP comprises approx. 138 hectares (340 acres) of land in four separate parcels. These comprise: Corballis (c. 65 ha), Ballymastone (c. 50.2 ha), Rahillion (c. 5.5 ha) and Turvey (c. 16 ha). The LAP seeks to establish a framework for the planned, co-ordinated and sustainable development of these lands supported by an overriding Vision Statement and supported by four Strategic Aims.

The adopted Vision Statement seeks inter alia to *‘provide for the structured development of the identified new residential areas of Donabate such that they integrate into the established village and support the continued growth of a vibrant and attractive town for existing and future residents. New development will be accompanied by the required community, educational, transport, drainage and recreational infrastructure to ensure the protection and enhancement of local amenities and the continued growth of local services in Donabate’.*

In support of the vision, the LAP contains the following four Strategic Aims:

- *Provide a framework for a growing population with phased development of new housing delivered in tandem with supporting community and physical infrastructure.*
- *Support Donabate Village as the primary location for commercial, retail, community and cultural development serving the Town and Peninsula generally.*
- *Provide infrastructural investment to address traffic, pedestrian safety and movement challenges including the early delivery by FCC of a new road & bridge providing an alternative access to Donabate and Portrane.*
- *Protect and enhance the existing natural amenities of Donabate together with improving access to established local amenity areas through the creation of a network of designated green routes.*

While the Donabate Local Area Plan adopted by Fingal County Council on the 14<sup>th</sup> March 2016 is valid for a period of 6 years up to the 13<sup>th</sup> March 2022, it was not envisaged that the level of development proposed on the lands identified would be developed over the lifetime of the Plan. Rather, the optimal sustainable development of Donabate was anticipated to occur over a longer time horizon and over three sequential geographical phases expanding from the existing urban centre with each phase underpinned by infrastructural provision, including the delivery of the Donabate Distributer Road.

## **1.3 Environmental Assessments:**

### **1.3.1 Strategic Environmental Assessment**

Strategic Environmental Assessment (SEA), was carried out in respect of the Local Area Plan in compliance with the requirements of Directive 2001/42/EC.

### **1.3.2 Appropriate Assessment**

An Appropriate Assessment (AA) as required under Article 6[3] of the EU Habitats Directive 92/43/EEC was conducted as part of the preparation of the LAP and has had particular regard to the proximity of the LAP lands to Rogerstown Estuary, Malahide Estuary, local rivers and the shorelines at Donabate and Portrane Beaches. As part of the AA process a Natura Impact Report was published as a separate document in conjunction with the Local Area Plan. Mitigation measures necessary to avoid, reduce or offset negative effects on Natura 2000 sites were incorporated into the Donabate LAP.

### 1.3.3 Strategic Flood Risk Assessment

A Strategic Flood Risk Assessment (SFRA) was undertaken as part of the Donabate LAP lands having regard to the requirements of the Department of the Environment, Community and Local Government and the Office of Public Works.

## **2.0 Purpose of Chief Executive's Report**

This report contains the Chief Executive's advice to the Elected Members on the proposal to invoke their powers, under Section 19 of the Planning and Development Act 2000 (as amended) and provides for the extension of the valid life of a Local Area Plan, in this case the extension of the valid life of the Donabate Local Area Plan 2016 for a further period, being not greater than 5 years.

In accordance with Section 19(1)(e)(ii) of the Planning and Development Act 2000 (as amended), this report comprises the Chief Executive's:

- a) Opinion that the LAP is consistent with the objectives and core strategy of the Fingal Development Plan 2017-2023.
- b) Opinion that the objectives of the LAP have not been substantially secured, and
- c) Confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.

## **2.1 Chief Executive's Opinion**

### **(a) Consistency with the Fingal Development Plan 2017-2023:**

The Donabate Local Area Plan 2016 was adopted by the Council on the 14<sup>th</sup> March 2016 under the auspices of the Fingal Development Plan 2011-2017. As part of the process for extending the lifespan of a LAP, the Planning Authority must ascertain that the LAP remains consistent with the objectives and Core Strategy of the relevant Development Plan being the Fingal Development Plan 2017-2023.

The primary purpose of the Donabate Local Area Plan 2016 is to provide a framework for the sustainable and structured development of identified new residential areas of Donabate so as to ensure that they integrate into the established centre and support the continued growth of a vibrant and attractive town for existing and future residents.

The Donabate LAP 2016 is part of the settlement strategy of the Fingal Development Plan 2017-2023 and is a key component in satisfying the requirements of the Core Strategy. The objectives of the LAP are consistent with the objectives and Core Strategy of the Fingal Development Plan 2017-2023. This includes the following specific areas.

#### **2.1.1 Core Strategy and Settlement Strategy**

The purpose of the Core Strategy is to ensure that local authorities identify and reserve an appropriate amount of land in the right locations to meet housing and population targets through the articulation of a medium to long term quantitative strategy for the spatial development of the area so as to be

consistent with national and regional policy objectives as set out in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES). This provides a policy framework for the County at a local level for all towns, villages and the open countryside and existing and proposed strategic transport linkages. It also provides a framework for LAP's.

Fingal's settlement strategy as set out in the Fingal Development Plan 2017-2023 is based on the consolidation of existing towns and villages in line with national and regional guidance as follows:

### **Objective SS01**

*Consolidate the vast majority of the County's future growth into the strong and dynamic urban centres of the Metropolitan Area while directing development in the core to towns and villages as advocated by national and regional planning guidance.*

### **Objective SS01a**

*Support the implementation of and promote development consistent with the National Strategic Outcome of Compact growth as outlined in the NPF and the Regional Strategic Outcome of Compact Growth and Regeneration as set out in the RSES.*

### **Objective SS02a**

*Development will be permitted in principle on lands where there is a Local Area Plan or Masterplan in place and only when these lands are substantially developed will permission be granted for the development of lands without such a framework. Should the lands identified within a LAP or Masterplan not come forward for development in the short term, consideration will be given to other lands.*

### **Objective SS02b**

*Focus new residential development on appropriately zoned lands within the County within appropriate locations proximate to existing settlement centre lands where infrastructural capacity is readily available, and they are along an existing or proposed high capacity public transport corridors and on appropriate infill sites in the town centres in a phased manner alongside the delivery of appropriate physical and social infrastructure.*

The Strategic Vision for the County is to inter alia

- *Consolidate urban areas to provide a vibrant, attractive environment for living and working, facilitating efficient movement by sustainable modes of transport throughout the County.*
- *Ensure consistency with the Council's Core, Settlement and Housing Strategies to provide high quality housing of a sufficient scale and mix, located in optimum locations and aligned with adequate infrastructure, services and amenities.*

The Strategic Policy will deliver on the Main Aims by seeking to:

*6 Consolidate development and protect the unique identities of the settlements of Howth, Sutton, Baldoyle, Portmarnock, Malahide, Donabate, Lusk, Rush and Skerries.*

## 2.2 Donabate:

In the Metropolitan Area, Self-Sustaining Growth Towns are positioned at the sub-county town level in the settlement hierarchy and have a moderate level of jobs and services with good transport links and capacity for continued commensurate growth to become more self-sustaining. Donabate is identified as a Self-Sustaining Growth Town. It is envisaged that development in Donabate should be linked to the capacity of high-quality public transport connections and the provision of social and community infrastructure such as schools and leisure facilities.

The Donabate LAP continues to be consistent with the Fingal Development Plan, including Variations thereto. The Plan identifies the strategic spatial planning issues and the vision for structured development and balanced growth of the settlement in line with the identification of Donabate in the RSES as a ‘self-sustaining growth’ town within the Metropolitan Area. It is also identified as being on the North – South Strategic Development Corridor and will in time benefit from the DART Expansion Programme. The development strategy is to promote the creation of a vibrant town core by providing a high-quality living environment for the existing and future population and providing for the development of the necessary community, commercial, cultural and social facilities in tandem with new residential development. The Development Plan envisages a 10% increase in population.

### Density and Potential Housing Yield [Section 8.3.4 Donabate Local Area Plan]

LAP AREA	AREA (HA)	UNITS (approx.)
TURVEY	16	460
RAHILLION	5.5	125
BALLYMASTONE	38.3*	1200
CORBALLIS	54.7**	1850
<b>TOTAL POTENTIAL HOUSING IN LAP LANDS</b>	<b>107</b>	<b>3635</b>
RS ZONED LANDS OUTSIDE OF LAP BOUNDARIES		
RS ZONED LANDS NORTH OF COMMUNITY CENTRE	2.5	80
RS ZONED LANDS SOUTH OF BALLYMASTONE LAP LANDS, FRONTING BALSARRICK ROAD	6.4	220
<b>TOTAL</b>		<b>3935</b>

\*50.2ha less road take of 3.1ha and existing football clubs of St. Pat’s and St Ita’s (8.8ha)

\*\*65.5ha less road take of 5.3ha and lands deemed unsuitable for residential development south of the proposed Distributer road.

The LAP envisaged that the potential housing delivery on the LAP lands extends to 3635 units approximately on 107Ha of land. Taking into account other appropriately zoned lands which could also accommodate housing (outside of the LAP lands) this results in an additional 300 units and a total of 3935 units. Taking into consideration development permitted to date within the LAP lands, the delivery targets continue to be in line with the Total Residential Capacity provided for under the Fingal

Development Plan 2017-2023 (as of September 2019) wherein the remaining residential units to be developed within Donabate stood at 3,532.

Development permitted to date within the LAP lands is set out in Appendix 2 of this report.

### **2.2.1 Specific Objectives relating to Donabate**

The Written Statement of the Development Plan contains a number of specific objectives relating to Donabate. These are set out in Appendix 1 to this report. The Donabate Local Area Plan remains consistent with all stated objectives.

### **2.2.2 Map based Objectives:**

#### **Sheet No. 7 - Local Objective No.39**

*'Seek the provision of a public walkway/cycleway on land west side of the train line in Donabate and along the existing railway embankment across the Malahide Estuary, in consultation with Iarnród Éireann within the lifespan of this Development Plan'.*

#### **Sheet No. 7- Local Objective No.40**

*'Ensure that the layout, design and scale of future development on these lands shall have regard to its prominent location, as well as the visibility of these lands from the south. In addition, the layout, scale, design and density of development should respect the transitional nature of the sensitive southern boundary area'.*

### **Proposed Schools**

Map Based Local Objectives for the provision of school facilities are contained within both the Corballis and Ballymastone land banks. The Donabate LAP identifies the provision of schools as key deliverable as part of future development proposals within both land banks.

### **Road Proposals**

The Donabate Distributer Road as identified in Table 7.1 of the Development Plan Road Schemes as R126 Donabate Relief Road: R132 to Portrane Demesne and on Sheet 6 has been delivered in association with Rebuilding Ireland's Local Infrastructure Housing Activation Fund (LIAF). Phase II of the project, comprising the link to the R132 has not yet commenced.

### **Appropriate Assessment and European Sites that form part of the Natura 2000 Network**

An Appropriate Assessment (AA) as required under Article 6[3] of the EU Habitats Directive 92/43/EEC was conducted as part of the preparation of the LAP and has had particular regard to the proximity of the LAP lands to Rogerstown Estuary, Malahide Estuary, local rivers and the shorelines at Donabate and Portrane Beaches. As part of the AA process a Natura Impact Report was published.

### **Strategic Environmental Assessment**

Strategic Environmental Assessment (SEA), was carried out in respect of the Local Area Plan in compliance with the requirements of Directive 2001/42/EC.

### **Strategic Flood Risk Assessment**

A Strategic Flood Risk Assessment (SFRA) was undertaken as part of the Donabate LAP lands having regard to the requirements of the Department of the Environment, Community and Local Government and the Office of Public Works. Mitigation measures include a SUDS strategy were integrated into the SEA process.

**(b) Opinion that the objectives of the Donabate Local Area Plan 2016 have not been substantially secured.**

#### Phasing Requirements:

Section 9.0 of the Donabate LAP sets out the Housing and Infrastructural Phasing Requirements of the Plan for the four identified tracts of land. While the initial stages of key projects such as the Donabate Distributer Road have been delivered ahead of schedule, the delivery of housing and supporting social infrastructural elements have not realised in full. It is important to state that while the guiding principles and phasing arrangements of the LAP remain robust, the delivery of all key infrastructural components, together with housing build out was not envisaged to be completed over the initial 6 year period, but rather over a longer timeframe.

Housing and Infrastructural phasing arrangements are set out in Figure 9.1 of the LAP, identifying the subject lands, the number of residential units to be delivered and all site-specific infrastructural requirements. Three phases of development Phases 1, 2 and 3 are envisaged.

While residential development at Rahillion and Turvey had commenced under earlier Local Area Plans for Donabate and have largely been built out under the current LAP, development within the Ballymastone and Corballis land banks have been slower to take hold. At Corballis, permitted residential development is significantly below the quantum identified in the LAP, with 251 no. units permitted on the Corballis West lands out of a possible 1850 no. units. Important social infrastructure including local retail, services, educational facilities and Corballis Nature park have also yet to be developed and form a key and necessary requirement to serve lands to the south-west of the town centre. Furthermore, while connectivity in the form of pedestrian routes through/from the development areas to the established settlement have been provided in part, the full extent of pedestrian and cycle connectivity envisaged in the LAP is incomplete.

Similarly, the largest of the four development areas at Ballymastone where 1,200 new residential units together with an important recreation and educational hub will be provided, has yet to commence development.

Overall, of the total number of units proposed on the four development areas, c. 23% have been permitted/constructed to date.



Given that substantial progress has not taken place in relation to the delivery of all key phasing requirements of the LAP, and as key social infrastructure, local services and amenities remain outstanding, the objectives of the LAP have not been substantially secured.

**(c) Deferral of Notices**

Given that the Donabate Local Area Plan 2016 is consistent with the Fingal Development Plan 2017-2023 and that the objectives of the LAP have not been substantially secured, it is considered appropriate that the sending and publishing of the notices specified under Section 20(3)(a)(i) and (ii) of the Planning and Development Acts 2000 (as amended) be deferred and that the period for which they be deferred should be 5 years, during which time the objectives identified in the LAP may be achieved.

**3.0 Conclusion**

**3.1 Concluding Opinion:**

In summary, it is the opinion of the Chief Executive that:

- The Donabate Local Area Plan 2016 is consistent with the objectives and core strategy of the Fingal Development Plan 2017-2023.
- The objectives of the Donabate Local Area Plan 2016 have not been substantially secured.
- The sending and publishing of the Notices may be deferred for a further period of 5 years from the 8<sup>th</sup> March 2021 to the 7<sup>th</sup> March 2026.

**Recommended Resolution**

**It is recommended that the following Resolution be passed:**

**'That the Members having considered the Chief Executive's Report under Section 19(1)(e)(ii) and having addressed the provisions of Section 19(1)(e)(i), AGREE to the deferral of the required notice under Section 20(3)(a)(i) and to publish a notice under Section 20(3)(a)(ii) for a period not exceeding 5 years and thereby approve the extension of the life of the Donabate Local Area Plan 2016, for a further period of 5 years from the from the 8<sup>th</sup> March 2021 to 7<sup>th</sup> March 2026.**

## Appendix 1

### **Donabate- Self-Sustaining Growth Town**

As a Self-Sustaining Growth Town, Donabate will continue to play an important role within a consolidated Metropolitan Area. Development in Donabate should be linked to the capacity of high quality public transport connections and the provision of social community infrastructure such as schools and leisure facilities.

**Table 1.0 Donabate Development Plan Objectives: Fingal Development Plan 2017-2023**

<b>Objective</b>	<b>Description</b>
<b>Objective DONABATE 1</b>	Prioritise the early construction of a Donabate distributor road, delivering a new railway crossing, providing alternative access to Donabate and Portrane
<b>Objective DONABATE 2</b>	Channel and concentrate the development of additional commercial, social, community and civic facilities within the town centre and promote high quality urban design in such development.
<b>Objective DONABATE 3</b>	Provide for the further development of recreational, community and educational (primary and second level) facilities
<b>Objective DONABATE 4</b>	Develop a continuous network of signed pathways and cycleways as appropriate, around Donabate Peninsula linking Portrane and Donabate to Malahide and Rush via the Rogerstown and Malahide Estuaries whilst ensuring the protection of designated sites, and avoiding any routing along the northern boundary of Malahide Inner Estuary by virtue of its ecological sensitivity.
<b>Objective DONABATE 5</b>	Provide for a comprehensive network of pedestrian and cycle ways linking residential areas to one another, to the town centre, schools, the recreational campus at Ballymastone and the railway station.
<b>Objective DONABATE 6</b>	Promote and facilitate the development of a shuttle bus service linking Donabate and Portrane to Donabate Railway Station to the commuter bus services in Swords and to the indicative route for new Metro North.
<b>Objective DONABATE 7</b>	Maintain a strong visual and physical separation between Portrane and Donabate
<b>Objective DONABATE 8</b>	Protect the setting of St. Patricks Church of Ireland.
<b>Objective DONABATE 9</b>	Prepare an Urban Framework Plan for Donabate (including a Public Realm and Integrated Traffic Management Strategy) to guide and inform future development, to include measures to improve and promote the public realm of the village.
<b>Objective DONABATE 10</b>	Prepare and/or implement a Local Area Plan for Donabate providing for the structured development of the identified new residential areas of Donabate such that they integrate into the established village and support the continued growth of a vibrant and attractive town for existing and future residents.
<b>Objective DONABATE 11</b>	Prepare and implement a Masterplan for lands at Turvey (see Map Sheet 7, MP 7.A). A detailed flood risk assessment will be carried out for these lands to address potential flood risk and propose mitigation measures.
<b>Objective DONABATE 12</b>	Promote an enhanced Donabate Railway station and improved rail services.
<b>Objective DONABATE 13</b>	Promote and facilitate the provision of a skate park in the Donabate/Portrane area.
<b>Objective DONABATE 14</b>	Prioritise the early widening of the narrow dangerous short section of the R126 approaching Donabate from Hillside Cottage to the railway bridge on urgent health and safety grounds.
<b>Objective DONABATE 15</b>	Promote an urban tree planting scheme at appropriate locations in Donabate town centre and along Beaverstown Road.
<b>Objective DONABATE 16</b>	Provide a pedestrian path and cycle lane as appropriate, on the Hearse Road to enable safe access to Donabate Village.
<b>Objective DONABATE 17</b>	Promote and enhance the visitor experience and amenities at Newbridge House and Demesne within the context of the Demesne's heritage importance and values,

	including the provision of a new pedestrian and cycle entrance into the Demesne on Turvey Avenue, subject to a feasibility study
<b>Objective DONABATE 18</b>	Promote the restoration of the Martello Tower at Donabate Beach.
<b>Objective DONABATE 19</b>	Facilitate a separate vehicular/pedestrian access to Donabate Railway Station from Donabate Town Centre

## Appendix 2

Residential units permitted/ Development to Date within the 4 no. LAP land parcels

### Turvey

Units proposed under LAP:	460
Units permitted to date:	427



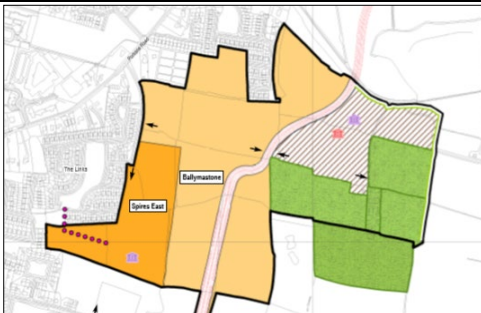
### Rahillion

Units proposed under LAP	125
Units permitted to date	148 (land bank largely built out)



### Ballymastone

Units proposed under LAP	1200
Units permitted to date	0



### Corballis

Units proposed under LAP	1850
Units permitted to date	251 (Corballis West)

