

Submission to Ireland2040

This consultation opportunity presented to the public to comment on the Ireland2040 plan is most welcome. The approach allows all to influence what Ireland of 2040 will look like and understand the actions which must be taken to achieve the delivery of the plan's objectives. While dawning mainly from my experience of the planning process in the Fingal area there are a number of points I wish to make in respect of the planning process. I believe that should these be addressed they would make a positive contribution to developing our country.

1) County Development Plans

The County Development Plan is an important opportunity for the wider community to have their say in the shaping of their community. The proposal to take a tiered approach to zoning is to be welcomed. It should greatly address the issue of land speculation while providing shape to the development of communities. That is if the integrity of the Development Plan is respected. The public are entitled to have confidence in the entire planning process and that the Adopted Development Plan will stand intact for the entire prescribed period. That interim re-zoning by way of Variation is and should rightly be a limited alteration of the adopted Plan to address very minor anomalies. The Material Contravention is rightly held for substantial changes and is difficult to activate. It has a qualified majority requirement but as a general rule should only be used in exceptional instances such as reclassification of already zoned development lands. The veracity of the plan should not be challenged by individual rezoning. It should only occur as part of a general review so that each zoning alteration be considered in context with the entire plan.

When people purchase their homes, some actually look at the Development plan to judge what developments are likely in their area. Therefore may I suggest that areas zoned High Amenity and Green Belt should become "red circled". Should they so appear on two successive Development Plans added protection should be afforded to them. A requirement that their zoning status may not be altered during the life of the Plan and that alteration should only be permitted in the full formal review period. Should a change be considered in the review period a majority of not less than 65% of the full number of elected members should be required to vote in favour of such a proposal prior to adoption. This change in the rules governing rezoning will have two effects. Firstly, full consideration will be given to the long term use value of the land before designations such as High Amenity or Green Belt is ascribed to them. Secondly it will, when applied afford security to the public as to the size and scale of the community into which they buy. It will also stop speculation in the trade of lands zoned in these categories.

Cathal Boland,
Stone Cottage, Drishogue Lane, Oldtown, County Dublin.

2) Consolidation of Agricultural Fields

This is now common practice to accommodate modern farming practice. An undesirable consequence of this is that field drains are amalgamated and rerouted. This is not always done having account of the effect on adjacent lands or property owners. I suggest in the interest of environmental best practice that the alteration of field drains etc. should be subject to the planning process.

3) Dublin Metropolitan Area Boundary.

Currently the decision to curtail the Metro line has put a major hole in the County Development plan in respect of housing development. That created shortfall in residentially zoned lands can be addressed by altering the metropolitan boundary. The lands north of the Metropolitan line are the areas of Lusk, Rush Skerries and Balbriggan. The latter two towns are to all intents already built out for the foreseeable future. As these towns further mature they will put increasing pressure on the housing supply of their neighbouring villages. The inclusion of the electoral areas of Lusk and Rush within the metropolitan area allows for that demand to be adequately met. The logical development of Fingal is currently impeded by the exclusion of Lusk and Rush from the metropolitan area. Both villages have the capacity to provide for additional housing. They are serviced by a common rail station. They are adjacent to the motorway network. They are within a relatively short distance of industrially zoned lands. Further if it is found viable to construct the new deep-sea port at Bremore they are ideally suited to provide homes for the resultant workers. They are at a distance from the airport within a reasonable commute of the city to provide an attractive environment to meet the residential needs of those new works which we all wish to attract to the country to provide added value to the economy.

4) “Fast Track” Planning Application

The prospect of the introduction of a “fast track” Planning Application to deal with Data Centres and other large infrastructural project must rationally be questioned when consideration is given to Application 15488 Galway County Council submitted by Apple.

The time frame for the processing of the application has given rise to controversy. But when the progress of the application is examined it is difficult to find fault with the local Planning Authority.

The application was made in the first instance on the 24/04/15 the Council sought additional information on the 11/06/15. Four weeks after application it took the applicant a further four weeks to address the issues that arose. The Planning Authority made its decision within the statutory two month period on the 9/9/15.

The Appeal process commenced on the 22/09/15 with the Bord deciding in May '16 to hold a public Hearing. The Bord then took three months to reach its decision.

***Cathal Boland,
Stone Cottage, Drishogue Lane, Oldtown, County Dublin.***

Objectors then sought a Judicial Review of the Bord decision in October '16 with the case heard in February '17 and a decision finally issuing in the October a year after the court process had commenced.

The establishment response is to get rid of the segment of the process that was most efficient. It is difficult to see the rationale behind this move.

It seems that it is seen as an opportunity too good to miss to further strip, local government of another of its functions. The principle of rational subsidiarity should be respected and further enshrined in the Ireland 2040 plan.

Local autonomy should not be stripped from communities. To rebuild the country, confidence must be restored allowing people to feel and want ownership of decision making. Centralisation of decision making and the factoring out of services undermines the building of the essential component a sense of place.

5) Review Control of Planning Decisions.

It is noted that the Bord, on a number of occasions have made decisions which clearly say that the Planning Authority have misinterpreted or have not applied National Legislation or implemented the County's Development Plan correctly. Such decisions obviously bring the Planning Authority into disrepute. It seems that a review of these "flawed" decisions made at local Planning level ought to be subject to review by the Department. In such instances either the Bord or the Planning Authority requires their understanding of the rules expanded. The costs to applicants and objectors in making an application, objection or appeal is, in many instances substantial. Such a review protocol would improve decision making. Increase confidence while untimely speeding the process up and reduce costs.

Thank you for giving these points consideration.

Yours faithfully,

Cathal Boland

Former member and Cathaoirleach Fingal County Council.