

Agenda Item 10

MEETING OF DÚN LAOGHAIRE – RATHDOWN COUNTY COUNCIL

13 MARCH 2017

GOATSTOWN LOCAL AREA PLAN

Report submitted in accordance with Section 19 of the Planning and Development Act, 2000 (as amended), to extend the life of Goatstown Local Area Plan to April 2022

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 provide for the extension of the valid life of a Local Area Plan, in this case the extension of the valid life of the Goatstown Local Area Plan for a further period, being not greater than five (5) years.

1. Legislation

Section 12 of the Planning and Development (Amendment) Act, 2010, (which amends Section 19 of the Principal Act) provides for the extension of the valid life of a Local Area Plan from 6 years for a further period not exceeding 5 years.

Section 12 of the Amendment Act, 2010, states:

- (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 manager of the decision of the authority to defer the sending and publishing of the notices, giving reasons therefore, and*
 - (ii) sought and obtained from the manager—*
 - (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.'*

2. Background

The Goatstown Local Area Plan (LAP) was adopted by Dún Laoghaire-Rathdown County Council at the April 2012 Council meeting and is valid for a period of six (6) years, until April 2018. Amendments to the Planning and Development Act, 2010, mean that if the Council want to ensure that the lifespan of the Plan remains statutorily valid for 10 years, a Resolution must be made at not later than 5 years from the adoption of the Plan.

The Planning and Development (Amendment) Act, 2010, states that the Elected Members may determine by resolution not later than five (5) years after the making of the previous Local Area Plan, in this case not later than April 2017, whether the Local Area Plan in question is to be reviewed or whether it is more appropriate to extend the life of the Plan for a period not exceeding an additional 5 years.

This report, therefore, comprises the Executive's opinion:

- (i) that the Local Area Plan remains consistent with the objectives and Core Strategy of the relevant Dún Laoghaire-Rathdown County Development Plan 2016-2022,
- (ii) that the objectives of the Local Area Plan have not yet 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.

3. Compliance with Dún Laoghaire-Rathdown County Development Plan, 2016-2022

The Goatstown Local Area Plan was originally adopted under the previous 2010-2016 Dún Laoghaire-Rathdown County Development Plan. Notwithstanding, the primary policies, objectives and Core Strategy relating to the Goatstown LAP area in that earlier County Development Plan have been transposed, en bloc, into the current 2016-2022 County Development Plan. Consequently the Goatstown LAP continues to remain consistent and aligned with the current County Development Plan. The primary objective of the LAP is to create a distinctive and vibrant urban village, encourage and guide future development that will enhance Goatstown and its environs, strengthen the area's overall sense of place whilst at the same time protecting the residential amenity of existing residents. These objectives will be underpinned by the principles of good urban design. This fully accords with Section 1.3: 'Development Areas and Regeneration' of the current County Development Plan.

Good urban design is central to creating vibrant and attractive settlements in the renewal of areas in need of regeneration. Good urban design will thus be central to achieving a high quality built environment within Goatstown. Section 8.1: 'Urban Design' of the 2016-2022 County Development Plan gives good urban design guidance and sets out clearly both the objectives and principles of best practice in this regard. All developments within the Plan area will be required to adhere to this guidance and demonstrate that the design and layout of proposals has been adequately informed by same.

Section 1.2: Core Strategy of the 2016-2022 County Development Plan states that "... a key strand of the overall Settlement Strategy focuses on the continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban/suburban built form – and thereby maximising efficiencies from already established physical and social infrastructure..". The continued development of the Goatstown environs, as envisaged in the LAP, consequently aligns with the imperatives of the current County Development Plan - in terms of contributing to the continuing delivery of urban/suburban infill residential units as advocated in the Core Strategy.

In accordance with the Planning and Development (Strategic Environmental Assessment) Regulations, 2004, the Planning Authority screened the Goatstown LAP to determine whether or not the Plan would be likely to have significant effects on the environment. The original screening document concluded that a SEA was not required. The SEA Environmental Report prepared for the 2016-2022 County Development Plan states – in relation both to Chapter 1 (which provides a Strategic Overview and includes details on the County's Core Strategy and Development Areas within the County) and to SLO No.2 "*To implement and develop the lands in Goatstown in accordance with the Goatstown LAP*" – that "*By planning higher density areas, providing incentives to facilitate densification of existing areas and providing development along existing or planned public transport corridors in a manner which is generally phased the Plan would:*

- *Avoid the need for unnecessary greenfield development in certain locations thereby contributing to the protection of many environmental components.*
- *Help to maximise the uptake in smarter, more sustainable modes of transport and so minimise transport-related emissions.*
- *Enable development to be served by existing water and drainage infrastructure, subject to capacity being provided.*

Potential adverse effects arising would be present during the implementation of this scenario – however, it would be possible to mitigate them and residual adverse effects would likely be non-significant.”

The Appropriate Assessment of the County Development Plan, 2010-2016, included an appraisal of the area covered by the LAP with regard to the objective ‘*To prepare a Local Area Plan for Goatstown to guide the future development of the area*’. The appraisal concluded that this objective would not give rise to any direct, indirect or cumulative potential impacts for any of the SPAs listed.

The Appropriate Assessment of the 2016-2022 County Development Plan again concluded - with regard to SLO No.2 “*To implement and develop the lands in Goatstown in accordance with the Goatstown LAP*” - that this objective would not give rise to any direct, indirect or cumulative potential impacts for any of the SPAs listed. In relation to the overall 2016-2022 County Development Plan the Natura Impact Report stated “*Provided the mitigation measures that are outlined in Table 5.3 above are included in the Plan it is considered that the 2016-2022 County Development Plan will not have a significant adverse effect on European Sites, and that the integrity of the European Sites, in view of their conservation interests, will not be adversely affected.*”

In relation to Flood Risk Management no part of the Goatstown LAP area lies within either Flood Zones A or B.

4. The Objectives of the Local Area Plan Have Not Been Substantially Secured

Since the adoption of the Local Area Plan a number of planning permissions have been granted on some of the potential redevelopment areas specifically identified in the Goatstown LAP. Construction has commenced relatively recently on both the northern and southern Knocknabro sites – albeit the vast bulk of the respective sites remain undeveloped - and some limited incremental redevelopment has been advanced on the ‘Topaz Garage and Adjoining Retail Units’ site occupying the north-west corner of Gaotstown Cross.

While these have partially contributed to progressing the vision of the LAP, there remain a broad range of policies and objectives in relation to urban design, movement and accessibility, community uses and amenities, retail uses, and residential which have yet to be met. Critically, of the five land parcels for which detailed Site Framework Strategies were prepared, only one has been partially redeveloped to-date.

It is considered, therefore, that the policies and objectives of the Goatstown LAP continue to remain both relevant and functional, that only one of the potential redevelopment sites identified has been partially redeveloped, and that the overall objectives of the Local Area Plan have yet to be substantially secured.

5. Concluding Opinion

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

- the Goatstown Local Area Plan remains consistent with the objectives and Core Strategy of the current 2016-2022 Dún Laoghaire-Rathdown County Development Plan, and that
- the objectives of the Local Area Plan have not yet been substantially secured.

In these circumstances, and having regard also to an improving national economic climate, it is appropriate that the life of the Goatstown Local Area Plan be further extended for a period of five years, during which time the objectives contained therein may be realised.

Accordingly it is recommended that the following Resolution be passed:

Resolution

'To extend the life, by a further five years (i.e. up to April 2022), of the Goatstown Local Area Plan, 2010, in accordance with the provisions of Section 19 of the Planning & Development Act, 2000, (as amended) which provides for the extension of the valid life of a Local Area Plan (LAP). The extension of the LAP is sought in order to provide Dun Laoghaire-Rathdown County Council, and all other relevant stakeholders, further time and opportunity to realise the strategic objectives of the LAP which, in light of the improving financial climate and economic sentiment, is both opportune and in accordance with the proper planning and sustainable development of the area'.

Owner: Mary Henchy, Director of Planning and Organisational Innovation