

RRA Report Response

December 10

This document is to serve as a response to Fingal County Councils
Draft Chief Executive report regarding the Part 8/XI Proposed Works at
Darcystown, Balrothery.

Rosepark
Residents
Association

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Response to Council Draft Chief Executives Report

We will concentrate in this brief and concise response, to section V of Fingal County Managements Draft Chief Executive report regarding the Part 8/XI Proposed Works at Darcystown, Balrothery.

Introduction

First and foremost, we feel at the outset that this report misrepresents our own proposal and we would ask that all councillors on the Balbriggan / Swords Local Area Committee be forwarded full copies of all the submissions received.

In addition to the above; we are baffled as to why, when the public was asked to make submissions, solely in relation to “the proper planning and sustainable development of the area in which the site would be situated”, this report seems to be almost entirely focused on the development itself.

Furthermore, we would question the balance and leading language used in this report. For example, the report states that “2 submissions were supportive of the site being developed for residential purposes rather than leisure purposes”. Those 2 submissions represent 2 individuals while the other 6 submissions; Rosepark Residents Association, Ringfort (together 50% of the Balrothery population) and the Balrothery Community Council (the majority of the Balrothery), were against this development. Why would Fingal Council Management clearly open the summary of the submissions, with such a misleading statement?

Lastly and following on from the last point, we would like to stress that key items from our own submission were not represented in this report, such as the almost 600k collected in contributions from developers, from which no obvious investment is evident in Balrothery. The return on investment on these €190k each properties, when similar local houses (already built) are sold for less. Compliance with the Fingal Development Plan Strategy Policy, the desecration of local heritage and the concerns around proper procedure followed in the run up to the public consultation. These are but to name a few and again, we are disappointed that Fingal County Council has chosen to ignore such key items.

1 - Objectives of FCC Development Plan have not been met. Goes against Balrothery Village objectives 1, 2 and 3

Chief Executive Responses:

The proposed development aligns with the objectives of the Development Plan – see the report from the Planning and Strategic Infrastructure Department

Rosepark Residents Response:

This proposed development does not align to the objectives of the Fingal Development Plan 2011 - 2017. Specifically it does not align to any of the stated local objectives, for example, the provision of a new primary school. The later reference to planning permission (F14A/0176), as Fingal County Management is well aware; is only relating to the replacement of the existing prefabricates buildings and does not relate to the building of a new school. On a macro level, neither does it align to the current “Fingal Development Plan Strategy Policy” for reasons cited in our proposal but not covered in your report.

2 - Objectives of Balrothery Local Area Plan have not been met

Chief Executive Responses:

The subject site was zoned for residential development in the Balrothery LAP. It should be noted this LAP has now expired & the Development Plan applies.

Rosepark Residents Response:

The proposed development does not align to the prior Local Area Plan which stated “To provide for new residential communities in accordance with approved action area plans and **subject to** the provisions of the necessary social and physical infrastructure.” As highlighted throughout our proposal, no such infrastructure has been delivered during the last decade of development.

In relation to the LAP expiring and the Fingal Development Plan therefore applying, we would just like to highlight that the report is misleading, as it states that this land was always zoned as residential development. However, this land was originally zoned as RS1 (***To provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure***) as opposed to RS (***To provide for residential development and to protect and improve residential amenity***).

The difference is an important one; as one is subject to the provision of the necessary social and physical infrastructure as part of the Local Area Plan and the other is not. It should be noted the LAP was never delivered in the first place.

In was only in 2011, that the site was rezoned to RS in the latest development plan, thereby leaving the community of Balrothery with no further recourse for seeking the fulfilment of a decade’s worth of outstanding social and physical infrastructure.

3 - Protect hedgerow/no damage to existing trees and hedgerow

Chief Executive Responses:

The hedgerow will be protected during construction. Special care will be taken not to damage tree roots. A post and panel fence will enhance security, while minimising risk of damage to the hedgerow.

Rosepark Residents Response:

This was not an objection raised by Rosepark Residents Association as we focused our submission on “the proper planning and sustainable development of the area in which the site would be situated” as requested by the council.

3 - Area overpopulated

Chief Executive Responses:

The proposed development will add approximately 30 persons to the population of Balrothery.

Rosepark Residents Response:

The addition of 30 persons to the population of Balrothery, was not a focus of our objection, we are happy to welcome a further 30 individuals to our community as long as the facilities and amenities are in provided firstly, so as to accommodate any very specific needs that may be required by these new residents. As acknowledged later by Fingal County Council, services and facilities are already lacking in Balrothery, specialised facilities and services are certainly not available nor accessible.

4 - Balrothery School oversubscribed

Chief Executive Responses:

Permission was granted as per F14A/0176 for extension, alterations to existing school and relocation of temporary prefabricated buildings including all associated site works.

Rosepark Residents Response:

As Fingal County Management well knows; the current planning proposal simply involves alterations to the existing school building, replacement of the existing prefabs and confirms that the prefabs will be removed off site, when the single story extension is built. It also confirms that no additional places will be added to the school's capacity and furthermore, the waiting list into the next 3 years already exceeds the local schools capacity. We have checked the facts related to this matter and feel that this is an example of omission of the full facts here, which could mislead councillors.

6 - Lack of Public Open Space

Chief Executive Responses:

There are 7.41Ha of public open space in the Balrothery area. Open space within the proposed development is adequate – see the report from the Planning and Strategic Infrastructure Department. A comprehensive landscape plan will be required and agreed with the Council for implementation.

Rosepark Residents Response:

Why does this response quote the green space for the village but no figure for the green space within the development? We will deal with both separately.

Over the last decade; which is the period during which Balrothery's population grew by 76%, less than 6% green space has been provided within new development for residents. A recent example of this, is the new development of 12 houses located on the eastern boundary of Ringfort Estate, where the Class 1 Open Space has been transferred to Northwest Balbriggan on lands in the developers ownership and the current planning application, for the 2nd phase of the development (consisting for 40 houses), proposes the same arrangement, making the allocation of this site for green space even more critical. Either green space is being transferred by agreement, between

Fingal County Council and existing developers or not provided for in the first place, as per Ringfort Estate which has a scandalous 3% green space. Hence, as by Fingal's own guidelines which state a recommend 15% in line with new development, 6% overall could not be considered adequate.

To the development itself, as no measurements have been provided in the report for the 3 green spaces indicated and because of the short time period we had to respond, we have not been able to calculate the revised green space provision for this development. However, we already know that, even if this entire site was dedicated as green space as part of the Ringfort development, it would still only bring Ringfort's green space to 8% with houses being built on most of the site, any green space provided on this site will be negligible in the overall context and will still not meet Fingal County Council's own guidelines of 15% provision. We would add that the council originally had an obligation to the future residents of Ringfort, to provide said 15% green space within their development (3% provided); of which these lands were part but now the council has now sub divided this space and allocated it to residential, when it should have been Ringfort green space in the first place and yet still, fails to allocate adequate green space.

7 - Site suitable for "Archaeological zone/park

Chief Executive Responses:

The site is zoned within the RS zoning objective "to provide for residential development and protect and preserve residential amenity". The site is not suitable for open space, because it is overlooked by back gardens on three sides, so has poor passive surveillance. Given the subject site is partly within a zone of Archaeological Potential the Council will comply with the recommendations of the report from the Department of Arts, Heritage & the Gaeltacht.

Rosepark Residents Response:

This site is directly opposite; the front row of Rosepark estate and as pointed out is overlooked by both Ringfort and Knightswood, where not only the back gardens of Ringfort and Knightswood have a view of the area but the 2 story houses at the end of these back gardens, have an even better view of this space. We would therefore argue that you will not find a more secure location anywhere within the locality.

With regard to the Archaeological Potential of this site, there is already a national monument recorded and present on the site. This will be destroyed. Our proposal facilitated the protection of such artefacts. Again something not mentioned in the report.

8 - Site suitable for community garden

Chief Executive Responses:

The site is not suitable for a community garden, because it is overlooked by back gardens on three sides, so has poor passive surveillance. If there is a desire for a community garden, the Council's Parks & Green Infrastructure Department will explore this in consultation with interested parties.

Rosepark Residents Response:

As per the previous item, this is one of the most secure sites in the area. We note Fingal County Council's comments regarding liaising with the Council's Parks & Green Infrastructure Department in future plans.

9 - Lack of children's youth facilities

Chief Executive Responses:

The Council has written to the Education and Training Board regarding the provision of youth services in the area similar to those provided in Balbriggan.

Rosepark Residents Response:

We would welcome the improved provision of youth services in the Balrothery locale but would we ask that Fingal County Council go further, as requested in our submission by also providing youth facilities, such as a skate park or BMX track, as again was raised in our submission but not covered in your report.

10 - Neglect of Balrothery Village

Chief Executive Responses:

The Council provides similar services to Balrothery village as all of the towns & villages in the County.

Rosepark Residents Response:

Are we to assume this means we receive similar services to Balbriggan and Skerries, which are the towns nearest to us, we would dispute this assertion in the strongest possible terms. Only in the preceding item, Fingal County Council has, by their own admission, confirmed we do not receive the same services as Balbriggan.

10 - Lack of bins, dog litter bins

Chief Executive Responses:

The Council's Operations Department has examined the adequacy of bin provision in Balrothery.

Rosepark Residents Response:

The council has cited the existence of 7 bins. We would ask that the location and quality of these bins be identified to us. With regard to the dog litter bin, we are not aware of their existence in the village, despite repeated requests for same.

12 - Lack of other facilities. (pharmacy, medical centre, community centre)

Chief Executive Responses:

It is accepted that no such facilities exist in Balrothery and that the nearest facilities are in Balbriggan.

Rosepark Residents Response:

The council now has an opportunity to rectify this neglect by providing a medical centre which was to be included in the Ringfort development but was not delivered or to provide a community centre on the site or any range of facilities that the locality is currently lacking.

13 - Drawings “misleading”/”negligent”

Chief Executive Responses:

The drawings clearly outline the proposal.

Rosepark Residents Response:

The drawings clearly misrepresent the proposal. In the drawing of the site, the Green space belonging to the private estate of Knightwood is shown as green space on this developments plans, yet the adjoining green space from Ringfort is not shown as green space on this development (see image to right).



As this report acknowledges, the Knightwood green space is not accessible from this new development; therefore, why specifically show the Knightwood green space on this development’s map but not the Ringfort green space. This is further compounded by the fact that while 3 green spaces are repeatedly mentioned in this report, no size nor percentage of total site is, is provided anywhere in this report for said green spaces. We believe this was to mislead the public into thinking more green space was visually present, than actually allocated as part of the development.

14 - Residents told that site would be used for enhancement of area

Chief Executive Responses:

This site was shown in the Part XI presentation to the Full Council on 10.11.2003 as being “Reserved for future Residential Related Purpose”. The report from the Planning and Strategic Infrastructure Department states that the principle of residential development at this land is long recognized.

Rosepark Residents Response:

This site could not have always been recognised for residential development and we feel there are several examples which will give evidence to this fact.

When Ringfort was built by Fingal County Council, the boundary walls excluded this 0.34 hectares site, which is within “the Zone of Archaeological Potential” area of Balrothery village. In fact, on the Ringfort Part 8 Plans, it was marked as a "reserved site" and not as housing or reserved for housing and it had the same designation as a space allocated for use as a medical centre. Therefore, it was

assumed that it would be a space to provide facilities or amenities for the residents of Ringfort. The last thing the local residents expected Fingal County Council to do was to put another housing development on this special site.

Furthermore, at a deputation meeting in 2012, when the ownership and use of this site was queried by the Rosepark Residents Association, confirmation of the sites future use, could not be obtained nor clarified through subsequent email correspondence with Fingal County Council. Until the plans for this site were revealed, we were still awaiting that confirmation from Fingal County Council. Therefore, if it was always known that this land was to be used for residential development, then why during all of our enquiries, was neither councillor nor Fingal County Council able to confirm this as the case.

Finally, when Ringfort was being constructed, several new occupiers who had spoken to the builders, were informed that this reserved site was going to be designated for a community hall and in line with our own enquiries above, we felt that we had always been lead to believe, that this site would be used to the betterment of the area. This is why, through continuing over development, with the population having exploded by 76% over the last decade, we always at least understood that this site would be eventually developed as a public amenity space and this is why we are so against its use for housing now.

15 - Car parking

Chief Executive Responses: Car-parking as proposed is now entirely en-curtilage.

Rosepark Residents Response:

This will actually further damage egress from these houses due to the fact that these residents; will have to reverse out on to a main road, were traffic speed and safety is already a problem as recognised by Fingal County Councils own speed surveys. Furthermore, our submission which dealt with the overall area and not this specific development; as requested, outlined the issue of parking all along this route from the frontage of Ringfort, down to the front row of Rosepark. Dealing with the parking situation of three houses on this development, does not resolve the overall issue of improper parking and the associated dangers caused by it, for these and all residents.

16 - No direct access to Knightswood Park

Chief Executive Responses: There will be no direct access to Knightswood Park from the proposed development.

Rosepark Residents Response:

Again we would question, why Knightswood Park is even shown on the plans for this development, when the adjoining Ringfort green space is not.

17 - Site for Tourism use

Chief Executive Responses: The site is zoned for residential development.

Rosepark Residents Response: We note that the site is zoned for residential development.

18 - Traffic management concerns include – access & egress from houses fronting onto Darcystown Road. Speed & volume of traffic on Darcystown Road

Chief Executive Responses:

The report from Planning and Strategic Infrastructure Department raises no concerns with traffic management. Car-parking as proposed is now entirely en-curtilage.

Rosepark Residents Response:

We have already dealt with the Car-parking issue aside from the problem of cars parked up on narrow footpaths which is forcing pedestrians and mothers' pushing prams / buggies; to round these parked cars out and on to oncoming traffic, on a blind bend where the Darcystown Road roundabout is located. We sincerely hope it will not take a local death for this issue to be resolved.

So we come to the issue of Speed & volume of traffic. In 2008, the councils own speed survey showed that speed on this stretch of road was excessive with 85% of the traffic in excess of 60kph. Since that time VA Signage was erected to which reduced 85% of traffic to an average speed to 53kph (still in excess of the speed limit). This VA Signage is non-functional for the last 18 months and we can only assume that traffic speeds have returned to previous levels. This plus the example of a young local nine year old recently being knocked from their bike trying to round a car due to the afore mentioned issue, is an example of why permanent physical/environmental traffic calming measures should be put in place as well as proper planning regarding safe crossing points.

19 - Proposal constitutes unsustainable development

Chief Executive Responses:

The nature and function of the development accords with the zoning objective for the site as well as the future vision for the area – see report from the Planning and Strategic Infrastructure Department.

Rosepark Residents Response:

After all the submissions received; the contents of our own submission and the overwhelming local sentiment against this development and the use of this last remaining green space for residential development, we feel this statement is an utter and total contradiction in terms. As per the original RS1 zoning of these lands, this proposal is not in accordance with the stated zoning objective, which was ***“the provision of necessary social and physical infrastructure”***.

Conclusion

Fingal County Council cannot simply continue to under provision green space within large development sites and later reallocate space within these sites for small housing developments. Fingal County Council also, cannot continue to tweak the zoning of sites, so as to later suit their needs. There is no statute of limitations on the provision of a decade's worth of undelivered social and physical infrastructure and it is not only incumbent on Fingal County Council to provide this but they have a golden opportunity here to recompense for the litany of neglect which we have outlined; but which again, is unfortunately not cited in this report.

This overall is a disappointing report from Fingal County Council and we hope that local councillors will see it for what it is, which is an example of poor planning and unsustainable development; and hence, will join us in opposing this development in its current form, from going ahead.

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