

15<sup>th</sup> January 2026

Planning and Strategic Infrastructure Department,  
Fingal County Council,  
County Hall,  
Main St.,  
Swords,  
Co. Dublin,  
K67X8Y2.

**Re: Proposed Variation No. 2 to the Fingal County Development Plan 2023-2029**

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 2 (proposed Variation) to the Fingal County Development Plan 2023-2029 (County Development Plan).

As Fingal County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (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 proposed Variation under the provisions of sections 31AM(1) and 31AM(2) of the Planning and Development Act 2000, as amended (Act) and this submission has been prepared accordingly.

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, planning authorities are requested 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. Planning authorities are advised by the Office to action an observation.

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

On adoption of the Variation, the Office will consider whether the plan has been made in a manner consistent with the recommendations of the Office and whether the plan sets out an overall strategy for the proper planning and sustainable development of the area concerned.

## **Overview**

The proposed Variation aims to amend the land use zoning objective for lands known as Áras Mhuire Field, Barberstown Lane South, Barnhill in response to a legal challenge following the adoption of the County Development Plan. The land extends to circa 4.3 ha.

Specifically, the proposed Variation changes the zoning of the subject site as follows:

From: Unzoned

To: OS (Open Space)

Having reviewed the proposed Variation against the relevant criteria set out below, the Office is of the view that the proposed zoning amendment does not raise any concerns in relation to consistency with the legislative and policy requirements.

## **1. Compliance with statutory guidelines**

The Office welcomes that the proposed Variation has been screened as part of the processes for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA). In this regard, the Office notes the determination that a full SEA is not required to be undertaken, and that the proposed Variation does not require an AA or the preparation of a Natura Impact Report.

The Office concludes that the proposed Variation does not raise any issues in respect of compliance with section 28 guidelines.

## Summary

As stated above, the Office accepts the rationale for the proposed Variation and is of the view that it does not raise any concerns in relation to consistency with the legislative and policy requirements.

Your authority is required to notify the Office within **five working days** of the decision of the Planning Authority in relation to the proposed Variation.

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](mailto:plans@opr.ie).

Is mise le meas,

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A handwritten signature in dark ink, appearing to read 'AM O'Connor'.

**Anne Marie O'Connor**

Deputy Regulator and Director of Plans Evaluations

Designated Public Official under the Regulation of Lobbying Act 2015