



Proposed Draft Variation (No. 4) of Dublin City Development Plan 2016-2022
Site at the former Harold's Cross Stadium, Harold's Cross Road, Dublin 8.

Proposal

It is proposed to vary the Dublin City Development Plan 2016-2022 by changing the zoning of the subject lands at the site at the former Harold's Cross Stadium, Harold's Cross Road, Dublin 8:

From: Zoning Objective Z9 – To preserve, provide and improve recreational amenity and open space and green networks

and

Zoning Objective Z1 – To protect, provide and improve residential amenities.

To: Zoning Objective Z15 – To protect and provide for institutional and community uses.

The Proposed Draft Variation area is delineated on the attached map.

Purpose of the Proposed Draft Variation

The planning authority considers that it is appropriate to change the zoning of the subject lands from Z9 and Z1 to Z15 (Community & Institutional Lands), for the following reasons set out below.

The Department of Education & Skills (DES) has stated that it intends to acquire and develop the former Harold's Cross Greyhound Stadium site for school purposes, and that the acquisition of the site is subject to a change in zoning. The DES has carried out a demographic analysis of the area which concludes that there will be a need for further educational provision, both primary and secondary, in the area in coming years, and considers that the site is ideally located to serve South Dublin City's future needs.

The new City Development Plan states that the City Council will actively liaise with DES in relation to the future provision of schools and will explore the potential for sharing educational/community facilities, both between schools and with the wider neighbourhood. (Policies SN10, SN11, and SN12 all support this approach). In addition, Policy SN13 promotes schools in the city with an urban character, reflecting the civic importance of schools to a local community.

The new Development Plan also contains policies promoting school travel plans for all new schools (para 8.5.5) in order to minimise car trips by staff and parents/guardians to schools, and maximise healthy sustainable travel modes, especially walking and cycling.

Taking into consideration the unused nature of the site at present, the proximity of the land to an established residential area and the projected requirements for significant additional school provision in the south of the city over the coming years by the Department of Education and Skills, the proposed rezoning from Z9 and Z1 to Z15 will facilitate a range of uses as provided for under the Z15 zoning objective.

Procedure Followed

Public Notice and Public Display

In accordance with the procedures set out in Section 13 of the Planning and Development Act, 2000 as amended, a Public Notice was published in the Irish Independent on 11th July 2017.

The Proposed Draft Variation was placed on public display in the Civic Offices, Wood Quay from Tuesday 11th July 2017 to Tuesday 8th August 2017 (both dates inclusive). Details were also made available on Dublin City's website at www.dublincity.ie. Notice and copies of the Proposed Draft Variation of the Development Plan were sent to the Minister, the Eastern and Midland Regional Assembly, adjoining planning authorities, the prescribed authorities and others.

Strategic Environmental Assessment (SEA)

The Planning Authority determined, using the criteria set out in Schedule 2A Planning and Development Regulations 2001 (as amended), the DEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment was not required for the Proposed Draft Variation to the Dublin City Development Plan 2016-2022.

The prescribed bodies were notified of this determination in relation to SEA, and no submission or observation was received within the appropriate period.

Appropriate Assessment (AA)

An Appropriate Assessment Screening was undertaken of the Proposed Draft Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC). The Proposed Draft Variation is not predicted to have any likely impact on the key features or the conservation function of any Natura 2000 sites.

The prescribed bodies were notified of the determination in relation to AA, and no submission or observation was received within the appropriate period.

Report on Submissions and observations

The following persons or bodies made submissions or observations during the public consultation:

Sub.	Name	Surname	Title	Organisation
1	Natasha	Crudden		Transport Infrastructure Ireland (TII)
2	Jim	Conway	Director	Eastern and Midland Regional Assembly (EMRA)
3	Niall	Cussen	Principal Advisor, Forward Planning Section	Department of Housing, Planning and Local Government (DHPLG)
4	Elaine	Edmonds		
5	Zoe	Obeimhen		

6	Hugh	Rafferty		
7	Paul	White		
8	Niamh	Howlin		
9	Cian	O'Mahony	Scientific Officer	Environmental Protection Agency (EPA)
10	Paula	Russell	Dr.	Harold's Cross Village Community Council
11	Conor	O'Mahony		Harold's Cross Village Community Council

Issues Raised in the Submissions Received & Chief Executive's Response

1. A total of 11 comments/observations were received by Dublin City Council regarding the Proposed Draft Variation. The submissions have been assessed and all relevant issues/concerns have been taken into account and the Chief Executive's Response has been prepared in each case.
2. The Department of Housing, Planning and Local Government (Submission 3) references the Proposed Draft Variation, noting that the site is to be developed by the Department of Education and Skills for new school facilities following an analysis of future population growth. Such an approach between the local authority and the Department of Education and Skills in identifying and planning for new school requirements is strongly advocated in 'The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities, the Department of Education and Science, and the Department of the Environment, Heritage and Local Government' (2008).

The Department states that the subject site is situated at a central urban location within the city, and is suitable for a mixture of uses and urban format/character of development, subject to the appropriate safeguards, as advocated elsewhere in the Dublin City Development Plan 2016-2022 and Sustainable Residential Development in Urban Areas Planning Guidelines (2009).

The Department is supportive of a strategic approach to the regeneration of this brownfield site, which seeks to accommodate complementary educational, community, recreational and other needed infrastructure and services for the area as provided for under the Z15 zoning objective, and policies SN12 and SN13 of the City Development Plan.

The Planning Authority is also reminded to have regard to any observations made by the Office of Public Works (OPW), the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA), the National Parks and Wildlife Service (NPWS), the Environmental Protection Agency (EPA) and Irish Water.

Chief Executive's Response

The Department of Housing, Planning and Local Government has indicated that it would be supportive of a strategic approach to the regeneration of this brownfield site which seeks to accommodate complementary educational, community, recreational and other needed infrastructure and services for the area as provided for under the Z15 zoning objective. This position is consistent with the planning authority's view that the subject site should be rezoned from Z9 and Z1 to Z15 (Community and Institutional Uses), as this will facilitate appropriate uses for this unused site, as provided for under the Z15 zoning objective.

The Planning Authority notes the observations of the DHPLG, and no amendments are recommended on foot of these observations.

Other Submissions:

3. Transport Infrastructure Ireland (Submission 1) has no specific observations to make.
4. Eastern and Midland Regional Assembly (Submission 2) states that the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 set out a series of strategic policy and recommendations to support the provision of social infrastructure including community and educational facilities. The Regional Assembly has no objection to the Proposed Draft Variation.
5. The Environmental Protection Agency (Submission 9) notes Dublin City Council's position with regard to the need for SEA and AA of the Proposed Draft Variation, and states that the National Parks and Wildlife Service (NPWS) should be consulted with regard to screening of the Proposed Draft Variation for AA.

The EPA submission states that adequate and appropriate infrastructure should be put in place, or should be required to be provided, to service any development proposed. The Proposed Draft Variation should fully comply with The Planning System and Flood Risk Management – Guidelines for Planning Authorities (OPW/DEHLG, 2009).

Chief Executive's Response

The EPA's comments (Submission No.9) relating to adequate infrastructure being in place to serve the proposed development is a matter to be comprehensively assessed at planning application stage. With regard to compliance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities (OPW/DEHLG, 2009), the planning authority notes that the Strategic Flood Risk Assessment (SFRA) of the current City Development Plan shows that the site is located within Flood Zone C, which indicates that there is a low probability of flooding.

6. The Harold's Cross Village Community Council (Submissions 10 and 11) welcomes the rezoning as a starting point for the provision of a second level school in relation to the wider development of Harold's Cross, but with the caveat that due consideration is given to expedite the preparation of a Local Area Plan for Harold's Cross.

The need for a new secondary school in the area is very pressing. There are very limited options for second level education that are not private or single sex. Sports and community facilities in the area are very limited. It would be imperative that any future development on the site would provide a community hub, and that the playing and other facilities of any new school or institutional use would be available for the use of the wider community.

The City Council is requested to work with the DES to ensure that the entire Harold's Cross area is included within the catchment area of any future school.

Fostering a well-connected supportive, engaged community has been one of the aims of the Harold's Cross Village Community Council since its inception.

Chief Executive's Response

Submissions emphasising the need for a secondary school in the area (Submissions 8, No. 10 and 11) are consistent with the Department of Education and Skills' assessment, based on its review of demographics.

With regard to the submission (Submission 10 and 11) requesting the planning authority to work with the DES to ensure that the entire Harold's Cross area be included within the catchment area of any future school, school planning areas are a matter for the DES. In this regard, the DES has indicated that the subject site is located in its' school planning area of Dublin 6/Clonskeagh, and is immediately adjacent to the school planning areas of Dolphin's Barn/Dublin 12; Dublin 8; Dublin 2/Dublin 4; and Dublin 6W. It has also outlined that an initial review of demographics in relevant school planning areas adjacent to the site indicate significant increases at both primary and post-primary levels likely to require provision for additional school sites in the area.

In addition, the planning authority continues to work with the DES to facilitate schools provision in the right locations. The Proposed Draft Variation to re-zone the subject site to Z15 (Institutional and Community uses) will allow for 'education' use in principle at this location.

With regard to the request that the planning authority expedite the preparation of a Local Area Plan for Harold's Cross (Submission 10 and 11), the current City Development Plan states that the ordering of the delivery of the 7 LAPs listed shall be determined by City Councillors. A report on this matter will be brought to City Council shortly. The Proposed Draft Variation to re-zone the subject site from Z1 and Z9 to Z15 (Institutional and Community Uses) is not contingent on a LAP being prepared for the Harold's Cross Area.

For clarity, the 'Permissible Uses' and 'Open for Consideration Uses' under the Z15 land use zoning allow for a variety of community uses, all of which are a matter for consideration at planning application stage.

However, it is recognised that this Proposed Draft Variation has arisen on foot of the request from the Department of Education and Skills that the site be re-zoned to Z15 to allow for the site to be developed for school purposes. The DES has demonstrated a need for a school in this area, outlining that the subject site is ideally located to suit South Dublin City's future needs. In this regard a strategic approach to the regeneration of this brownfield site, which allows for a range of uses, including education, to be provided on this site, is supported by the planning authority.

7. A number of individual submissions were received, as follows:

Elaine Edmonds (Submission 4) states that the site has potential to provide for a mixed use or neighbourhood services development including a school. Sharing resources such as open space and sports facilities with St. Clare's should be encouraged in order to promote efficient use of land in the urban area.

Zoe Obeimhen (Submission 5) states that open space and sports facilities are important to divert young people towards a healthy lifestyle and away from drugs. The site should remain for recreational use, and be re-developed into a sports and well-being area, either publicly or privately.

Hugh Raftery (Submission No. 6) states that there is an opportunity to develop a quietway, walking and cycling route, between Harold's Cross and Rathmines. There are numerous schools in the vicinity, where people could access on foot or bicycle, if a safe option was

available. Any plans for the site should include permeable access for walking and cycling, through the final development.

Paul White (Submission 7) states that this Proposed Draft Variation is not being publicised in the Harold's Cross area. The title deeds to this site deemed that this site to be used for sporting and community use. The unused nature of this site came about on 13th February 2017 with the locking out of the community by the Irish Greyhound Board (IGB). There is fierce local opposition to this site being used as a get-out-of-jail card by the IGB. There is traffic congestion in Harold's Cross and surrounding area. The north inner city needs schools and housing as well; a school would not be built on Croke Park.

Niamh Howlin (Submission 8) strongly supports the development of the subject site for a post-primary school.

Chief Executive's Response

With regard to submissions emphasising that the site has potential for mixed use, and that resources and facilities should be shared with the wider community (Submissions 4 and 10), including with St. Clare's school, in order to promote efficient use of urban land (Submission 4), and, Submission 5 which seeks that the site should be redeveloped into a sports and well-being area, the planning authority highlights that the Z15 land use zoning objective would allow for a range of uses to be provided on the site, such as childcare facility, community facility, cultural/recreational building and uses, education, and open space.

In the context of educational facilities, Policy SN12 of the City Development Plan seeks to facilitate the provision of educational facilities in accordance with the requirements of the relevant education authorities and to encourage the shared use of school or college grounds and facilities with the local community, outside of core hours, anchoring such uses within the wider community. The matter of efficient use of urban land, raised in Submission No. 4, would be assessed at any planning application stage.

Submissions relating to transportation and movement, such as requesting a permeable walking and cycling route between Harold's Cross and Rathmines through the final development (Submission 6) and stating that there is traffic congestion in Harold's Cross (Submission 7), are matters to be assessed in any planning application. In terms of educational use, regard will be had at planning application stage to Policy MT8 of the current City Development Plan, which seeks to work with and promote initiatives by relevant stakeholders, such as An Taisce's 'Green Schools' initiative, to promote active travel in schools and communities, recognising the health and social benefits of walking and cycling.

Any development proposals on Z15 zoned lands are required to consider the potential to contribute to the development of a strategic green network. This potential would be assessed at planning application stage.

With regard to issues raised in Submission 7 stating that the Proposed Draft Variation was not publicised in the Harold's Cross area, the planning authority notes that this process was advertised in a newspaper circulating in the area, namely The Irish Independent. Accordingly, this requirement of the legislative process has been satisfactorily addressed. In addition, notice and details of the Proposed Draft Variation were also made available to view on the City Council's website www.dublincity.ie.

With regard to the statement in Submission 7 that the title deeds of the subject site deem that the site be used for sporting and community use, it is considered that the matter of the title

deeds to the subject site is not a matter for the zoning of the site. Notwithstanding this, the planning authority also highlights that community facility, cultural/recreational building and uses, and open space are all uses which are permissible under the Z15 land use zoning. The planning authority considers that the subject site would be particularly suitable for educational purposes.

Conclusion

The submissions/observations received on the Proposed Draft Variation encompass a broad range of issues, ranging from the need for a school in the area, to the need for community and sports/recreational facilities on the site of the former Harold's Cross Greyhound Stadium. All submissions have been examined in full and are addressed in the section above.

The rationale for this Proposed Draft Variation emanates from the Department of Education & Skills' request that the subject site be re-zoned to Z15 (Institutional and Community Uses), so that new school infrastructure could be provided where there is a proven demand for additional school places.

The Department of Education and Skills has carried out a demographic analysis of the area, which concludes that there will be a need for further educational provision, both primary and secondary, in the area in coming years. It considers that the site is ideally located to serve South Dublin City's future needs. Having regard to the un-used nature of the subject site, its central urban location and the identified need for additional school provision in the area, the planning authority supports the proposed re-zoning of this site to Z15, 'Institutional and Community Uses', which will allow for a range of uses as provided under the Z15 zoning objective.

The planning authority continues to work with the Department of Education and Skills to facilitate the provision of schools in the right locations, where there is a proven need for such social infrastructure.

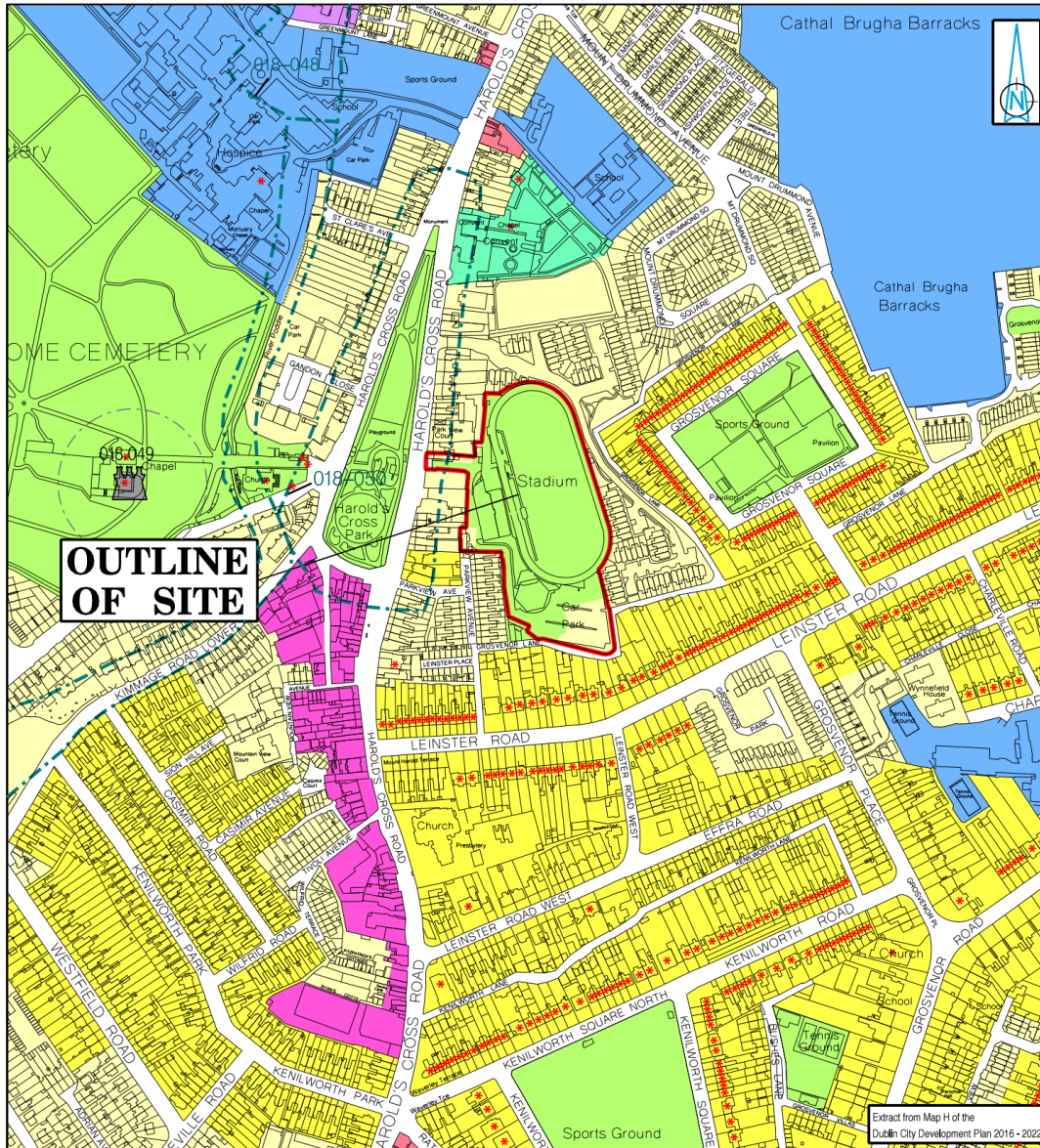
Having comprehensively assessed all submissions/observations received, and having regard to the matters set out above, no changes to the Proposed Draft Variation are considered necessary.

Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 4) of the Dublin City Development Plan 2016-2022.

Dated this day the 23rd August 2017.

Richard Shakespeare
Assistant Chief Executive



**OUTLINE
OF SITE**

Extract from Map H of the
Dublin City Development Plan 2016 - 2022



PROPOSED VARIATION OF THE DUBLIN CITY DEVELOPMENT PLAN 2016 - 2022 Site at Harold's Cross Road, Harold's Cross

AREA HIGHLIGHTED REZONED FROM
Z1: To protect, provide and improve residential amenities
and
Z9: To preserve, provide and improve recreational amenity and open space and green networks
TO
Z15 : To protect and provide for institutional and community uses

Location of Proposed Variation to Dublin City Development Plan 2016-2022, site at Harold's Cross Road, Harold's Cross.