

**The Chairman and Members of  
North West Area Committee.**

**Meeting: 16<sup>th</sup> October 2018**

**Item No: 17**

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**RE: Demolition of Ballymun Shopping Centre, Dublin 11 - Status of Part 8 Planning  
Application (3428/18)**

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Attached is a copy of the Planner's report for the Part 8 Application for the demolition of Ballymun Shopping Centre. The report recommends that planning permission be granted subject to three conditions.

We hereby notify the Elected Members of the North West Area Committee of the intention to present this proposal to the City Council at the meeting of 5<sup>th</sup> November 2018. The Planning and Property Development Department will forward the Chief Executive's Report to the Chief Executive's office for inclusion on the Agenda of the November City Council Meeting. The process for approval of a Part 8 is a reserved function of the City Council.

**Peter Finnegan**  
**Senior Structural Engineer**

DEPUTY PLANNING OFFICER

APPLICATION NO. 3428/18  
PROPOSAL LAW: Planning and Development Act 2000 (as amended) - Part 8

Pursuant to the requirements of the above, notice is hereby given of the proposed demolition of the existing shopping centre and former health centre at the location bounded by Main Street (to the East), Balbutcher Lane South (to the North), and Sillogue Road (to the West and South). No new construction works are proposed at this time, other than those necessary to secure the site or divert services. The redevelopment of the site will be the subject of a separate planning application. It is proposed to demolish the main shopping centre buildings in their entirety, together with former health centre and ancillary small service buildings. The foundations of the buildings will be removed, and all services will be removed insofar as this is practicable. The existing car park to the South East of the site will remain as a car park, and the portion of the site within the red line will be grassed and surrounded with a low slipform kerb or wall with access gates for grass cutting.

LOCATION Ballymun Shopping Centre, Ballymun, Dublin 11  
APPLICANT Dublin City Council Planning & Property Development, Block 4, Floor 3, Civic Offices  
DATE LODGED 04-Jul-2018  
ZONING  
APPLICATION TYPE LAW

**SOC / OO'L**

**27 August 2018**

**Site Notice:**

Site notices (x12no) checked, in place and in order on the 02.08.18

**Zoning & Policy:**

The site is governed by the landuse zoning District Centre – Zone Z4 with objective “To provide for and improve mixed-services facilities” under the Dublin City Development Plan 2016 - 2022

**Ballymun identified as SDRA 2 in the Dublin City Development Plan 2016 - 2022:**

Ballymun has been the focus of a significant regeneration process since 1997 when the government decided to demolish the local authority flat blocks and to carry out the physical, social and economic regeneration of the area. The Ballymun Masterplan, which was produced in 1998 by Ballymun Regeneration Ltd, set out the key aims and objectives for this regeneration process in consultation with the local community. Many key milestones of the regeneration have been achieved, including the provision of new homes for all residents of the flats, new private housing, the construction of a new main street with new improved

linkages throughout the area, new community facilities, hotels, an arts centre, parks etc, and the last of the 36 blocks are now under demolition. The process is, however, not yet finished and there remains a number of undeveloped vacant sites, capable of delivering significant additional development in the area. It is proposed to carry out a local area plan for these lands, the guiding principles for which include:

- To maximise the employment and economic potential of Ballymun along its main Street in accordance with its strategic location and its designation as a key district centre (KDC)
- To promote the delivery of a high-quality public transport system linking the airport and the city, via Ballymun
- To enhance existing and establish new and appropriate land-uses that support a growing mixed-use community, and seek innovative planning responses for the key sites in the area, that respond to the environmental, social, cultural and economic issues and demands facing the area
- To improve permeability both within Ballymun and to the surrounding areas
- To provide a choice of tenure options and house types, promoting social inclusion and integration
- To promote and enhance Ballymun and the wider area's reputation as a sustainable urban environment
- To promote Ballymun as a leading arts and cultural hub serving the city and wider region
- To provide an appropriate urban main street context with buildings of 4-6 storeys in height along the main street, with potential for limited increases in the vicinity of a public rail station. Key gateway landmark buildings already exist framing the 1km long main street.

### **Ballymun Identified as KDC 3 in the Dublin City Development Plan:**

Within the identified key district centres, the following general development principles shall apply:

- Population: Establish significant residential population bases with diversity in unit types and tenures capable of establishing long-term integrated communities.
- Density: Ensure the establishment of high-density developments capable of sustaining quality public transport systems and supporting local services and activities. Account should be taken in any such development of any distinct or valuable architectural or historical features that influence the urban form, character and scale of the existing area.
- Transport: Ensure provision is made for quality public transport systems. Provide improved access to these systems and incorporate travel plans, which prioritise the primacy of pedestrian and cyclist movement and address the issue of parking facilities and parking overflow.
- Commercial/Retail: The creation of a vibrant retail and commercial core with animated streetscapes.
- Community and Social Services: The centres will be encouraged to become the focal point for the integrated delivery of community and social services.
- Employment: Encourage the provision of mixed-use developments incorporating retail, office, residential and live-work units, and the creation of small start-up units. (The floor area limitations in respect of offices given in the land-use zoning objective Z4 shall not apply in the case of identified key district centres, and applications involving office development in these areas shall be assessed on their merits, taking account of the overall objective to provide for a mixed-use environment.)
- Built Environment: The creation of high-quality, mixed-use urban districts with a distinctive spatial identity and coherent urban structure of interconnected streets and child-friendly public spaces and urban parks. Development should have regard to the existing urban form, scale and character and be consistent with the built heritage of the area.

- Capacity for development: Encourage the development/re-development of under-utilised sites.

The site is governed by the Ballymun Local Area Plan 2017. The site is identified as 'Site 1: Shopping Centre Site' in the Ballymun Local Area Plan 2017

The Dublin City Local Economic and Community Plan (LECP) 2016-2022, adopted by Dublin City Council in December 2016, is also relevant.

#### **Site Description:**

The 2.68ha site is bounded by the Main Street to the east, by Sillogue Road to the west and south and to the north by Balbutcher Lane south. The latter roadway has a designated 'road scheme' indicated on the 2016- 2 066 Dublin City Development Plan zoning maps.

The subject site, currently accommodating the Ballymun Shopping Centre, health centre and ancillary buildings, is located immediately to the west of Main Street. The structures on site are low-density, sprawling buildings which are now in a poor state of repair and not fit for the purpose of providing high-quality retail and health services on a prominent, highly-connected, central site in the centre of Ballymun. The site is completely covered with either building structures or car park at present with no soft landscape areas.

The site is identified as 'Site 1: Shopping Centre Site' in the Ballymun Local Area Plan 2017

#### **Recent Planning History:**

**Plan No. 4828/08:** Application for 10 year planning permission for development at this 5.9 hectare (14.5acre) site bounded by Balcurriss Road/Sillogue to the west, Ballymun Main Street (also known as Ballymun Road) to the east, Sillogue Road and part of James Connolly Tower complex to the south and part of the Thomas Clarke Tower complex to the north, at Ballymun, Dublin 11. The site is currently occupied by Ballymun Shopping Centre, swimming pool (closed), health centre (closed), AIB bank, The Towers Public House, Penthouse Public House (closed), Garda Station (closed), part of James Connolly flat complex, part of Thomas Clarke flat complex in Ballymun Town Centre, Balbutcher Lane south dissects the site. Sillogue Road, which forms the southern boundary of the existing Ballymun Shopping Centre, will be closed off at the eastern end and replaced with a new road link located further south. This new road, Gateway Crescent, will run approximately 100 metres south of the existing Sillogue Road position. The proposed development includes site clearance works and the demolition of all structures within the existing shopping centre site, including Ballymun Shopping Centre, the existing Garda Station, AIB Bank, swimming pool, health centre and 2no. public houses (Tower Public House and Penthouse Public House). The proposed development consists of a 250,831sqm gross floor area mixed use development over 8no. blocks (labelled A to H) comprising 367no. residential units (including 28no. 1 bed units), 291 no. 2 bed units and 48no. 3 bed units) (42,066sqm gross floor area), 60,293sqm gross retail floorspace (35,907sqm net retail sales), 2,735sqm gross retail services, 7,714sqm gross food and beverage floorspace, 11,189sqm gross leisure floorspace including a 9 screen cinema, bowling alley, family entertainment centre and child drop in centre, 27,883sqm gross office floorspace, including own door offices and office suites, a crèche of 365sqm gross, and 2,111sqm gross civic floorspace to comprise of a public library. The proposed development includes the provision of a total 2,185 no. car parking spaces (50no. at grade and 2,135 at basement level) and 795 no. cycle parking spaces. The proposed development ranges from 4 storeys to 7 storeys in height over two basement levels, including a mezzanine basement level. the proposed development also accommodates a proposed link at basement level with the proposed metro north stop at Ballymun Road. The proposed development consists of the following elements:

(i) Lower Basement Level: is to consist of 9,774sqm gross floor area and will provide 355 car parking spaces (9,278sqm gross floor area), public access cores and service cores (496sqm gross);

(ii) Basement Level: is to consist of 60,776sqm gross floor area comprising 12,354sqm gross retail floorspace in 38no. retail units, 1no. licensed anchor unit (4,252sqm gross), 292sqm gross retail service floorspace, 85sqm gross food and beverage floorspace and ancillary facilities including mall circulation (4,436sqm gross), loading bay/ramps/service cores (7,963sqm gross), energy centre lower level (2,830sqm gross), plant rooms (857sqm gross) and connection at concourse level to the proposed metro stop (834sqm gross). The basement level also accommodates 845no. car parking spaces;

(iii) Mid Basement Level: is to accommodate 34,178sqm gross floor area comprising 935 no. car parking spaces (31,379sqm gross) and ancillary facilities including an energy centre upper level (1,148sqm gross), service cores/yard access (1,019sqm gross) and plant (632sqm gross);

(iv) Block A, with a total gross floor area of 28,519sqm and located to the southern end of the site and bordered by Balcurris Road/Silloogue Road to the west, existing service road (which links Silloogue Road to Gateway Crescent) to the east and the proposed Gateway Crescent to the south, is to be a six storey building comprising a licensed retail anchor outlet of 4,321sqm, 5no. retail units with a total gross floor area of 1,537sqm, 5no. retail service units with a total gross floor area of 1,271sqm, 1no. food and beverage unit with a gross floor area of 1,362sqm, all at ground floor level; a crèche of 365sqm gross floor area (with access from ground floor level) at first floor level and 162no. residential units (18,141sqm gross floor space) comprising 16no. 1 bed units, 131no. 2 bed units, 15 no. 3 bed units over first, second, third, fourth and fifth floor levels. Residential balconies are located on the north, south, east and west elevations. Landscaped semi private open space (4,569sqm) is provided for at podium level at first floor level. Ancillary facilities at Block A include loading bays/ramps (1,240sqm gross) and sub stations (282sqm gross);

(v) Block B, with a total gross floor area of 26,408sqm and bordered by Balcurris Road/Silloogue Road to the west, Block A to the south, Block D to the north and Block C to the east, is to be a five / six storey building comprising 21 no. retail units with a total gross floor area of 9,100sqm and 3no. retail service units with a total gross floor area of 720sqm all at ground and first floor levels; 6no. own door office units at ground floor level with a total gross floor area of 1,353sqm; a food and beverage unit of 371sqm gross floor area at ground floor level and 115 no. residential units (13,527sqm gross floor area) comprising 7no. 1 bed units, 88no. 2 bed units, 20no. 3 bed units over first, second, third, fourth and fifth floor levels. Residential balconies are located on the north, south, east and west elevations. Landscaped semi private open space (3,143sqm) is provided for at podium level at first floor and second floor level. Ancillary facilities include circulation cores (totalling 636sqm gross), public facilities (539sqm gross) and sub stations (161sqm gross);

**Plan No. 2913/03:** Application for a mixed-use development (170,000 sq. m.) comprising retail, leisure, office, car showroom and residential development at Ballymun Town Centre in two phases. The development includes a total of 2,060 car parking spaces 846 of which will be provide in a multi storey car park and 1214 at basement level. Permission Granted subject to conditions

**Plan No. 4570/06:** Application for amendments to the previously approved mixed use scheme 2913/03 which included the provision of additional car parking spaces. Refused

### **Observations/Submissions:**

**Third Parties:** 11 no. submissions received

1. Mark McCormack
2. Nadine Smith
3. Natasha Kellett

4. Paula Doyle
5. Rob Twamley
6. Anne-Marie Huges
7. Kayleigh O'Connell
8. Grainne Kane
9. Marie Lawless
10. Jackie Day
11. Edward McManus

The main issues raised are as follows:

- (i) the total amount of existing spaces is 395 currently; this will be reduced to 216 if the proposal goes through; a car park survey has been submitted and it shows that the parking would be under pressure in this proposal at all times of the year
- (ii) the closure of the car park will have a huge knock on effect for the community services, employees, events, for disabled persons and businesses in the area; there is a huge demand for these spaces
- (iii) the loss of the car parking spaces will result in crowded and illegal road parking; the creation of driving blind spots;
- (iv) the staged closing of the car park would be a preferable solution
- (v) support expressed for the removal of the shopping centre
- (vi) A parking assessment should have been done before the application came in to DCC
- (vii) query regarding compliance with the law on site notes

#### **Interdepartmental Report(s):**

**Engineering Department – Drainage Division:** Report dated 26.07.18 stating that there is no objection to this proposal subject to conditions

**Roads and Traffic Planning Division:** No report received; Email received from the RTPD on 16.08.18 stating no report but recommended a Demolition Management Plan be submitted given the location of the site adjacent to the buy road.

#### **Consultees /Interested Parties:**

None received

#### **Planning Assessment:**

This is an application for the demolition of the shopping centre (vacant) and former health centre. The redevelopment of the site for a mixed use, higher-density scheme will be the subject of a separate application.

The proposed development is considered acceptable in principle.

The site is governed by the landuse zoning Sustainable Residential Neighbourhoods – Zone Z1 with

**Section 14.8.4 DCDP 2016-2022:** The site is governed by the landuse zoning District Centre – Zone Z4 with objective “To provide for and improve mixed-services facilities”.

District centres, which include urban villages, provide a far higher level of services than neighbourhood centres. As the top tier outside of urban centres outside the city centre, key district centres have been identified which will provide a comprehensive range of commercial and community services. These centres often attract large volumes of traffic and should, therefore, be well served by public transport.

To maintain their roles as district centres, new development should enhance their attractiveness and safety for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. In this regard, opportunity should be taken should be taken to use the levels above ground level for additional commercial/retail/services or residential use with appropriate social facilities. Higher densities will be permitted in district centres, particularly where they are well served by public transport. The district centre can provide a focal point for the delivery of integrated services and the key district centres have, or will have in the future, the capacity to deliver on a range of requirements, the most important of which are:

- An increased density of development
- A viable retail and commercial core
- A comprehensive range of high quality community and social services
- A distinctive spatial identity with a high-quality physical environment

The site is Zoned District Centre – Zone Z4 with the specific landuse objective “to provide for and improve mixed-service facilities”

The buildings to be demolished are not considered to be of architectural merit. They are currently in a dilapidated state and are sprawling in their layout. Their demolition will allow for a development of a sustainable density in this location.

The site falls within the boundaries of the Ballymun Local Area Plan (LAP) 2017, adopted October 27th 2017. The LAP identifies 31 no. sites for redevelopment. The Shopping Centre Site is identified as Site No. 1. The site brief as set out in the LAP, includes the proposal by the City Council to demolish the remaining building (subject to planning), making it readily available for redevelopment. This proposal will fulfil this element of the brief.

The strategy vision of the LAP is “To create a successful and sustainable new town; which provides for and supports a thriving local economy, which caters for people across all spectrums of their lifecycle in both their house type and tenure and where communities are supported by the appropriate social, housing and cultural amenities; and the following relevant high-level key principles: “KP1: To develop the remaining vacant sites in a sustainable manner”. KP3 “To attract economic activity and stimulate new employment generating uses within the three areas of employment; (i) M50 Lands, (ii) Main Street, (iii) Industrial Estates, alongside the local level provision operating within the neighbourhood centres. The proposal will assist in facilitating this vision and key objectives for Ballymun.

A focused initiative of Dublin City Council under the realm of the LAP is “to demolish the existing dilapidated centre and to redevelop the site. A part 8 process to obtain permission to demolish the remaining structures and to provide a clear development site”. This proposal will fulfil this objective of site clearance in order to provide a clear redevelopment site.

Under the Dublin City Development Plan 2016 – 2022 Ballymun is a Key District Centre (KDC 3) and a Strategic Development and Regeneration Area (SDRA 2)

Specific stated SDRA objectives that are of relevance are “ To maximise the employment and economic potential of Ballymun along its main street in accordance with its strategic location and its designation as a key district centre (KDC); “To enhance existing and establish new and appropriate land-uses that support a growing mixed-use community , and seek innovative planning response for the key sites in the area, that respond to the environmental, social, cultural and economic issues and demands facing the area; and “To provide an appropriate urban main street context with buildings of 4-6 storeys in height along the main

street, with potential for limited increases in the vicinity of a public rail station”; The proposal will assist in facilitating the achievement of these objectives for Ballymun

The key requirements for KDCs are stipulated in the city development plan, the most important of which are: “an increased density of development”; “a viable retail and commercial core” and “a distinctive spatial identity with a high quality physical environment”. The proposal will assist in facilitating the achievement of these requirements for Ballymun

The Dublin City Local Economic and Community Plan (LECP) 2016-2022 was adopted by Dublin City Council in December 2016 setting out twelve high level goals for the lifetime of the plan including the following goals relevant to this proposal “Put in place the infrastructure that positions Dublin as a safe, environmentally sustainable, vibrant, diverse and attractive place to live, work, visit and invest in by planning and providing for balanced and sustainable social and economic development, catering for a growing population; and enhance the recognition of Dublin as a globally connected city region and as the national economic generator. The proposal will assist in facilitating these.

The planning authority has no objection to the demolition of the structures on site. They are vacant, in a poor state of repair and are low density structures on a prominent, strategic site located in this key district centre and SDRA.

It is not in the interest of sustainable development to allow for the clearance of the site without plans to redevelop it. In this regard it is noted that the application states that the redevelopment of the site for a mixed use, higher-density scheme will be the subject of a separate application.

All objections/submissions received refer to the loss of the car parking spaces and the undesirable impacts this would have on employment; businesses; events etc in the area. The planning authority notes that this site is used for car parking and is well used by people living, working and visiting the area. However, to maintain this strategically located site in the centre of Ballymun town centres that is located in close proximity to high quality existing and future public transport links would result in a highly unsustainable use of urban land and delay the redevelopment of the site for a higher density, much needed development in this centre. The objectives for this site are clearly set out in the Ballymun LAP recently adopted by the City Council and include the clearance of the site to provide for a clear redevelopment site for a sustainable mix of uses. The maintenance of the part of the site or the site in whole as a car parking would not facilitate the achievement of these aims of the site. It is noted on the plans that a surface car park is to be retained i.e. to the south of the site.

#### **Appropriate Assessment:**

A screening report for Appropriate Assessment has been submitted. The report deals the demolition and interim post demolition state of the site, not the future redevelopment.

The report concludes that

- the demolition of these shopping centre will have no adverse impact on the integrity of any of the identified Natura 2000 sites or result in direct or significant indirect impact on the Natura 2000 Network, alone or in combination with other developments.
- Environmental disturbances (noise and dust) during the demolition process are inevitable but minor, and measures will be implemented to mitigate these
- The post demolition state of the site is temporary, pending redevelopment for mixed use. The grassed surface will not facilitate car parking and will not require drainage
- Consequently it is not necessary to proceed to later steps in the procedure for Appropriate Assessment.

The planning authority concurs the nature and scale of the proposed development and the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

**Conclusion:**

In conclusion it is considered that the proposal will assist in facilitating the redevelopment of the Shopping Centre Site in accordance with the site brief for Site No. 1 as set out in the recently adopted Ballymun LAP 2017 and is in accordance with the policies and objectives of the Dublin City Development Plan 2016 – 2022.

The proposal will not have adverse impact on the amenities of the area. However, in the interests of orderly development a Demolition and Construction Management Plan should be included with the final application.

**Recommendation:**

**I recommend that the planning permission be granted subject to the following conditions:**

1. The applicant shall comply with the following drainage requirements:

(i) The applicant shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads)

(ii) Records of public surface water sewers are indicative and must be verified on site. The applicant must carry out a comprehensive site survey to establish all public surface water sewers that may be on the site. If surface water infrastructure is found that is not on public records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of public surface water sewers; in both hard and soft copy in an approved format are to be submitted by the Developer to the Drainage Division for written approval. Please refer to Section 5 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

Reason: To ensure an adequate standard of development.

2. Prior to the commencement of demolition on site, the applicant shall submit a Demolition Management Plan for the written agreement of the planning authority.

Reason: In the interest of orderly development.

3. The landscape scheme accompanying the application shall be implemented fully in the first planting season.

Reason: In the interests of amenity, ecology and sustainable development.

