



Proposed Variations (No.'s 8 - 27) of Dublin City Development Plan 2016-2022
Proposed Variations to the City Development Plan 2016 – 2022 – Towards
meeting National and Regional brownfield development objectives for the city.

CONTEXT AND PROCESS FOR VARIATIONS PROPOSED

Introduction to the Variation Proposals No. 8 - 27.

It is proposed to vary the Dublin City Development Plan 2016 – 2022 to change the land use zoning of well serviced (transport / water / drainage) but underutilized employment (Z6) zoned brownfield lands in built-up areas across Dublin City to residential/ mixed use/open space (Z1, Z3, Z5, Z9 and Z10). This is in order to bring these lands into more intensive and efficient use, in accordance with National and Regional planning objectives on the reuse of underutilized urban brownfield lands and in respect of population growth targets for Dublin City. The proposed rezoning also allow for a more compatible zoning objective at the local level.

Proposed Variation No. 16 includes the proposal for a text modification to Section 14.8.9 of the CDP, relating to Land-Use Zoning Objective Z9 – Amenity/Open Space Lands/Green Network, seeking to facilitate the improvement of the functionality and passive surveillance of Z9 lands, where appropriate.

This Report addresses all of the variations proposed. Sections 1-3 examine the context of the Variations, the proposed changes and the procedures and public consultation undertaken.

Sections 5-6 give a full list of all submissions received (a number of which address all proposed variations in general), includes a summary table of key points raised by variation, and examines the submissions received by the prescribed bodies and those where the Chief Executive is statutorily required to give an individual response

Section 7 is divided into each of the proposed variations, listing the submissions received for each one, summarises the issues, including any land specific issues that arose from the Prescribed Bodies. This is followed by the response of the Chief Executive in relation to the issues raised, including, where necessary, a separate response to points made from those bodies such as the OPR where the Chief Executive is required to do so. In conclusion, for each variation a recommendation is made by the Chief Executive to the Members, taking into account all of the issues considered.

The Chief Executive's Report, as identified above, is divided into three parts, containing seven subsections:

1. Purpose of the Variations
2. Summary of the Variation proposals
3. Procedure Followed for Preparation of Variations & Public Consultation
4. List of Submissions Received
5. Description of Submissions Received and Summary Table for each Variation of relevant submissions and issues raised
6. Submissions from Prescribed Bodies and those that Require an Individual Response
7. Individual Variation Reports on Proposed Variations No.'s 8 – 27

Section 7 'Individual Variation Reports' contains the 20 individual variation reports; one for each of the proposed variations No.'s 8 to 27. Each report contains the following:

- The text of the relevant Variation proposal which was on public display / distributed to Members,
- List of the Submission reference numbers that address this variation, either in general or specifically,
- A summary of all submissions on the individual variation and where required, those submissions that require specific consideration (as required by Section 13 (4) of the P&D Act, 2000, as amended) along with the Chief Executives Response to each
- A summary of all other submissions received and the Chief Executives Response to the issues raised
- Recommendation of Chief Executive on the Proposed Variation.

Section 1: Purpose of the Proposed Variation

The purpose of the proposed Variation is to change the land use zoning of 20 well serviced, centrally located and accessible but underutilized brownfield lands (Z6 Zoning) to residential/mixed use/open space (Z1, Z3, Z5, Z9 and Z10). This is in order to bring these lands into more intensive and efficient use, in accordance with National and Regional planning objectives on the reuse of underutilized urban brownfield lands and in respect of population growth targets for Dublin City.

National and Regional Planning Policy places an emphasis on urban consolidation and compact growth. It seeks to secure the provision of housing, jobs, amenities and services within our cities, and this is to be achieved through promoting strategic development areas for homes and jobs along strategic transport corridors. There is also a strong emphasis on the development of brownfield / infill / underutilised lands within the existing footprint of built up areas, particularly within the M50 and the canals.

National and regional planning policy is summarised below:

The **National Planning Framework (NPF)** (Project Ireland 2040) seeks that Dublin City needs to accommodate a greater proportion of the growth it generates within its footprint and therefore it sets a target of at least 50% of all new homes for Dublin City and suburbs to be delivered within its existing built-up footprints. To achieve these targets the NPF identifies as key the reusing of large and small 'brownfield' land / infill sites, and underutilized lands at locations well served by existing and planned public transport. The NPF particularly highlights the need to focus on underutilised lands within the canals and the M50 ring. In a Dublin context it seeks the relocating of less intensive uses outside the M50 ring from the existing built up area.

The **Regional Spatial and Economic Strategy** for the Eastern and Midlands Region seeks the consolidation and re-intensification of infill, brownfield and underutilised lands within Dublin City and its suburbs. 50% of all new homes within Dublin City and its suburbs are to be located in the existing built up area. The RSES identifies a population target increase for Dublin City (DCC's administrative area) of circa 100,000 people by 2031. To facilitate this growth the RSES also includes a **Metropolitan Area Strategic Plan (MASP)** for the Dublin metropolitan area. MASP directs future growth to identified Strategic Development Areas located on existing and planned strategic transport corridors and anticipates future growth will also be accommodated on 'brownfield' / infill development lands in the City.

Background

Following a review of the City's employment / industrial lands in 2018/9 - '*Report No. 82/2019 Update on Review of Industrial Lands (Z6/Z7) in the City*' refers, the Planning Department identified, out of a total of 82 sites, a number of small, medium and largescale landbanks in the City with the potential to provide short, medium to long term housing / urban expansion solutions within the footprint of the city.

Of these, 20 small to medium landbanks were identified to go forward for proposed rezoning by way of a Variation to the City Development Plan prior to the Development Plan Review which is to commence in Q4 2020. These 20 landbanks are deemed suitable for rezoning in

principle to residential / mixed use / open space uses on the basis that they are centrally located, serviced, highly accessible and underutilized brownfield lands and an appropriate rezoning would have the potential to address localised issues of urban regeneration, urban blight, as well as meeting housing demand. The identified 20 sites also have the potential to be redeveloped in the short to medium term.

The proposed rezonings are primarily residential / mixed use zonings. In some cases an open space zoning is proposed where the site is contiguous to watercourses / canals.

The lands comprise a total of circa 55 hectares. Based on the density assumption of 100 units per hectare and also assuming that 50% of the mixed use component would be in residential use this 55 ha has the potential to provide for approximately 3-3,500 additional units (taking into account a number of the sites will have a mix of uses).

A report updating the progress of the Industrial Land Study and proposing the variations in respect of the 20 landbanks was prepared by the Chief Executive and presented to Members at the November 2019 City Council Meeting. This report (No. 311/2019) was noted at the Council meeting.

Section 2: Summary of Variation Proposals

It is proposed to vary the Dublin City Development Plan 2016 – 2022 (proposed Variations No.'s 8 - 27) so that the lands which are currently zoned industrial uses (LUZ Objective Z6) are rezoned for primarily residential and mixed uses. The existing and proposed zoning, which went on public display and on which submissions were invited are set out in Table 1 below.

From: **Land Use Zoning Objective Z6** *'To provide for the creation and protection of enterprise and facilitate opportunities for employment creation',*

To: The relevant **Proposed Land Use Zoning Objective(s) listed in Table 1** below.

Land Use Zoning Objective Z1 'To protect, provide and improve residential amenities'

Land Use Zoning Objective Z3 'To provide for and improve neighbourhood facilities'

Land Use Zoning Objective Z5 'To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity'

Land Use Zoning Objective Z9 'To preserve, provide and improve recreational amenity and open space and green networks'

Land Use Zoning Objective Z10 'To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office /retail / residential the predominant uses in inner city areas.

It should be noted that the Development Plan provides for a number uses which are generally permissible or open for consideration under each zoning. For example the Z1 zoning includes the following uses as generally permissible (subject to detailed assessment at planning application stage): childcare facilities, community and healthcare facilities, recreational and educational uses, local retail, local enterprise and training facilities.

Table 1: List of Proposed Variations Placed on Public Display

Proposed Variations	Map Ref.	Subject Lands	Current Zoning	Proposed Zoning
No.8	A5	Clearwater Retail Park, Finglas Road, Dublin 11	Z6 (employment)	Z1 (Residential)
No.9	B2	Santry Industrial Lands, Santry Avenue and Swords Road, Dublin 9	Z6 (employment)	Z1 (Residential)
No.10	B7	Shanowen Road Lands, Whitehall/Santry, Dublin 9	Z6 (employment)	Z1 (Residential)
No.11	B9	Mornington Business Park, Malahide Road, Dublin 5	Z6 (employment)	Z1 (Residential)
No.12	B10	Sites at Malahide Road (adjacent to Mornington Grove), Malahide Road, Dublin 5	Z6 (employment)	Z10 (Mixed Uses) & Z3 (Neighbourhood)
No.13	B11	Site at Harmonstown Road, Dublin 5	Z6 (employment)	Z10 (Mixed Uses)
No.14	D1	Chapelizod Bypass/Kylemore Road, Dublin 20	Z6 (employment)	Z1 (Residential)
No.15	D3	11 Ballyfermot Road Lower, Dublin 10	Z6 (employment)	Z1 (Residential)
No.16	D6	Goldenbridge Industrial Estate, Tyrconnell Road, Dublin 8	Z6 (employment)	Z10 (Mixed Uses) & Z9 (Open Space) & Addition of Text to Section 14.8.9
No.17	E6	Esmond Avenue, Fairview Strand, Dublin 3	Z6 (employment)	Z1 (Residential)
No.18	E7	Seville Place, Dublin 1	Z6 (employment)	Z5 (City Centre) & Z9 (Open Space)
No.19	E12	Lands at Old Kilmainham/South Circular Road, Dublin 8	Z6 (employment)	Z1 (Residential) & Z9 (Open Space)
No.20	E14	109-114 Cork Street, Dublin 8	Z6 (employment)	Z10 (Mixed Uses)
No.21	E35	Davitt Road, Crumlin, Dublin 12	Z6 (employment)	Z1 (Residential)
No.22	E36	Herberton Road / Keeper Road (Glenview Industrial Estate), Drimnagh, Dublin 12	Z6 (employment)	Z1 (Residential)
No.23	E37	White Heather Industrial Estate, Dublin 8	Z6 (employment)	Z1 (Residential) & Z9 (Open Space)
No.24	E41	Parkgate Street / Wolfe Tone Quay, Dublin 8	Z6 (employment)	Z5 (City Centre)
No.25	F2	East Wall Road, Dublin 3	Z6 (employment)	Z10 (Mixed Uses)
No.26	G4	Brickfield House and Sunshine Estate, Crumlin Road, Dublin 12	Z6 (employment)	Z1 (Residential)
No.27	H1	Greenmount Industrial Estate, Harolds Cross, Dublin 6W	Z6 (employment)	Z10 (Mixed Uses) & Z1 (Residential)

In addition, it is also proposed to vary the CDP by adding the **following text to section 14.8.9** of the Dublin City Development Plan 2016 – 2022, **as a last text paragraph** relating to Land-Use Zoning Objective Z9 – Amenity/Open Space Lands/Green Network – Zone Z9, (Proposed Variation No. 16 refers).

'Adjacent development shall be designed to complement the Z9 area and to provide passive surveillance. Any future amendment in the width of a Z9 area, which is considered to be minor in nature, will be considered in special circumstances where the proposal will benefit the character of the area and there is no net loss of Z9 land'.

Section 3: Procedure Followed for Preparation of Variations & Public Consultation

3.1 Public Consultation

Members of the public were invited to make submissions or observations regarding the proposed Variations. In accordance with the procedures set out in the Planning and Development Act 2000 (as amended), the proposed Variations were placed on public display from 29th November 2019 to January 8th 2020 (inclusive) and a public notice was published in the Irish Independent on Friday 28th November 2019. Following the preparation of a Strategic Flood Risk Assessment, a further public notice was published in the Irish Independent on the 8th January 2020 and the consultation period was extended up to and including Wednesday 22nd January 2020.

Copies of the proposed Variations, together with their Strategic Flood Risk Assessments, SEA and AA screening reports, were made available for inspection at the Civic Offices, Wood Quay, Dublin 8 and on Citizen space (<https://consultation.dublincity.ie/planning/proposed-Variations-no-8-27/>) during the public display period. Details were also made available on the City Council's website at www.dublincity.ie and were made available to view at each of the Council's area offices and public libraries.

The notices and copies of the proposed Variations were also sent to the Minister, the Office of the Planning Regulator, the Eastern and Midland Regional Assembly, adjoining planning authorities, the prescribed authorities and others in accordance with the provisions of Sections 13(2)(a) of the Planning and Development Act 2000 (as amended).

3.2 SEA Screening

A Strategic Environmental Assessment (SEA) Screening Determination has been made by Dublin City Council regarding the proposed Variations (No's 8-27) to the Dublin City Development Plan 2016 – 2022. The Planning Authority determined that the proposed Variations would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019.

3.3 AA Screening

An Appropriate Assessment Screening was undertaken of the proposed Variations of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). Each Stage 1 Screening determined that Appropriate Assessment of the proposed Variation (the draft Land use plan) was not required as the proposal, individually or in combination with other plans or projects, was not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), and taking into account the observation from Inland Fisheries Ireland dated 21st November 2019, determined that an Appropriate Assessment of the proposed Variation was not required.

3.4 Strategic Flood Risk Assessment

It is not considered necessary at this stage to proceed to a Stage 3 Flood Risk Assessment for the landbanks identified in Table 1 above. Development on any of the 20 no. landbanks will be assessed on their merits and will have to comply with the Strategic Flood Risk Assessment for the Dublin City Development Plan 2016-2022.

The findings of this SFRA do not have implications for the Council's Strategic Environmental Assessment (SEA) screening decision which forms part of the Proposed Variations 8 to 27 and therefore no significant changes are required to the SEA. The Appropriate Assessment (AA) screening is also unaffected.

The SFRA prepared for these variations recommends that all developments shall have regard to the following: -

- Requirement to implement the flood management policies and objectives as set out in the Dublin City Development Plan 2016-2022 (see Chapter 9) and any guidance provided in the Strategic Flood Risk Assessment (Volume 7), and to implement the 'Guidelines on the Planning System and Flood Risk Management' (DoEHLG/OPW, 2009).
- Any grant of planning permission will include a condition seeking the provision of a Site Specific Flood Risk Assessment (and where appropriate before development is granted planning permission).
- Notwithstanding the identification of an area being at low risk of flooding, where Dublin City Council is of the opinion that flood risk may arise or new information has come to light that may alter the flood designation of the land, an appropriate flood risk assessment may be required to be submitted as part of a planning application. All planning applications shall be accompanied by a Storm-Water Management Plan.
- All development proposals shall have regard to surface water management policies contained in the Greater Dublin Strategic Drainage Study, and Chapter 9 of the Dublin City Development Plan 2016-2022, and any information contained in the Strategic Flood Risk Assessment (Vol. 7, Chapter 4).
- All development shall ensure the protection of water quality of existing water bodies and ground water sources, and retrofitting best practice SUDS techniques on existing sites where possible.

LIST OF SUBMISSIONS RECEIVED

Section 4: Submissions Received

The following persons or bodies made submissions or observations during the public consultation. Submissions are listed in the order they were received and processed.

All submissions are published on the Council consultation webpage at: <https://consultation.dublincity.ie/planning/proposed-variations-no-8-27/>

Table 2 – List of persons or bodies who made Submissions on the proposed Variations

Submission No.	Submission type	Name
1	An individual	Ed O Flaherty
2	An organisation	Environmental Protection Agency
3	An individual	Lynsey McKenna
4	An individual	Sarah Fay
5	An individual	Dennis Burke
6	An organisation	Omni Park Shopping Centre
7	An individual	James McLaren
8	An individual	Emer Thompson
9	An organisation	Eastern and Midland Regional Assembly
10	An individual	Louise Leonard
11	An individual	Jean Fleming
12	An organisation	David Clements (National Transport Authority)
13	An individual	Kevin McBride
14	An individual	Ian Croft
15	An individual	Liam Joyce
16	An individual	Linda Khublall
17	An organisation	Dwyer Nolan Developments Ltd.
18	An organisation	The Adroit Company
19	An individual	Anthony Donovan
20	An individual	Joseph Keogh
21	An organisation	OPW
22	An individual	David Egan
23	An individual	Shane McKiernan
24	An individual	Daniel Farrelly
25	An individual	Philip Lacey
26	An individual	Arlene Hetherington
27	An individual	Colm Sheehan
28	An individual	Sean Lynch
29	An individual	Maria Tobin
30	An individual	Greg Hewson

31	An individual	Liam McGrath
32	An individual	Liam McGrath
33	An individual	Michael Daly
34	An individual	Caroline Molloy
35	An individual	Sean Creed
36	An individual	John J Flanagan
37	An individual	John Costello
38	An individual	Jason Kernan
39	An individual	Nancy Costello
40	An individual	Rhonda Larkin
41	An individual	Michael Brady
42	An individual	Paddy Cullen
43	An individual	Seán Costello
44	An individual	Louise Lowry
45	An individual	Frank Keoghan
46	An individual	Fergus Keenan
47	An individual	Thomas Pringle
48	An individual	Glenda Pugh
49	An individual	Daniel Brennan
50	An individual	Thomas Fleming
51	An individual	Jenny Fleming
52	An individual	Jenny Fleming
53	An individual	David Doyle
54	An individual	Paul Cavanagh
55	An individual	Lena Doherty
56	An individual	Kevin O'Connell
57	An individual	Roisin Hickey
58	An individual	Siobhán Mitchell
59	An individual	Kieran Mc Cann
60	An individual	Vincent O Malley
61	An individual	Des Barrett
62	An individual	MELBIN PAUL
63	An individual	Mary Maguire
64	An individual	Adrienne Bermingham
65	An individual	Veronica Foley
66	An individual	Patricia Atkinson
67	An individual	Caroline Ladrigan
68	An individual	Olivia Dolan
69	An individual	Catherine Doyle
70	An individual	Michelle Rooney
71	An individual	Paula Furlong
72	An individual	Paula Furlong
73	An individual	Chris McEvoy
74	An individual	Tina Jones

75	An individual	Laura Robertson
76	An individual	Jyothi Nair
77	An individual	E Kinsella
78	An individual	Noel Thorp
79	An individual	Anne O' Rourke
80	An organisation	Thornton O'Connor for Alphabet ABC Properties Limited
81	An organisation	TII
82	An organisation	Irish Water
83	An organisation	Avison Young for U+I Plc
84	An individual	Robert Olwill
85	An individual	Aidan O Shea
86	An individual	Gareth Donohoe
87	An individual	Greg Donohoe
88	An individual	Brian Nolan
89	An individual	Kathleen berry
90	An individual	Miriam Bowden
91	An individual	Susan Mc Colgan
92	An individual	Eimear Phelan
93	An individual	Alan Pepper
94	An individual	Garvin Harte
95	An individual	Philip Coffey
96	An individual	Laura McGlynn
97	An individual	Edel Donohoe
98	An individual	Mr Conor Keegan
99	An individual	Lourda Kenny
100	An individual	Trish Navan
101	An individual	Stephen O'Shaughnessy
102	An individual	Ciara McManus
103	A group	Woodlawn residents association
104	An individual	Emma Greenhalgh
105	An individual	Lynsey Curran
106	An individual	Rachel Duffy
107	An individual	Cllr Mary Callaghan
108	An individual	Nicola Cooke
109	An individual	Madeleine Murray
110	An individual	Robert McElroy
111	An individual	Christine Minto
112	An individual	Aaron Hanlon
113	An individual	Joanne Fagan
114	An individual	Francis McPhillips
115	An individual	Alan Gerrard
116	An individual	Róisín Shortall TD
117	An individual	Patricia Denehan

118	An organisation	Dublin Port Company
119	An individual	Daniel Breen
120	A group	Betty O'Toole
121	An organisation	MKN Investments Limited
122	An organisation	Santry Community Assoc CLG
123	An individual	Dolores Hanlon
124	An individual	Christine Grange
125	An organisation	Oak View Residents' Association
126	An individual	Paul Kelly
127	An individual	Paul Kelly
128	An individual	Colm McElroy
129	An individual	Millie Larkin
130	An individual	John F Nolan
131	An individual	Marion Kelly
132	An individual	Louise Doyle
133	An individual	John Duff
134	An individual	Omni District Residents Association
135	An individual	Brendan McGill
136	An individual	Karen McKenna
137	An individual	Maria Meagher
138	An individual	Karen McKenna
139	An organisation	Finglas South Combined Residents Association
140	An individual	Hrefna Thorsdottir
141	An individual	Séamus Daltún
142	An individual	Leonie Mahon
143	An individual	Caroline O'Brien
144	An individual	Lucy McGill
145	An individual	Kerry Lawless
146	An individual	Mark Phillips
147	An individual	Bernadette Carberry
148	An organisation	Doyle Kent Planning Partnership Ltd for Pat O'Donnell
149	An organisation	Dublin Chamber
150	A group	Greenfield Park Residents Association
151	An individual	Patrick Cosgrave
152	An individual	Joe Slater
153	An individual	Paul Ruddell
154	An individual	Declan Murphy
155	An individual	Catriona Dennedy
156	An organisation	Addiction Response Crumlin
157	An individual	Simon Ellis
158	An individual	Amanda Dempsey
159	An individual	Sarah Brady
160	An individual	Brendan Chapman

161	An individual	Deirdre Mackey
162	An individual	Aileen Emerson
163	An individual	Craig
164	An individual	Jane Lynch
165	An organisation	CSR Ltd. for IDA Ireland
166	An organisation	Amanda Jones for Caltrck Ltd.
167	An individual	a. judge
168	An individual	derek judge
169	An individual	Don Reilly
170	An individual	C. Gregg
171	An individual	Norah O'Reilly
172	An individual	Irene Guilfoyle
173	An individual	R Cowley
174	An individual	Martina Stanford
175	An individual	Brian Tobin
176	An individual	Patrick Moran
177	An individual	Ed Brophy
178	An individual	Mr. Fergus Geddes
179	An individual	Cllr. Pat Dunne
180	An organisation	Future Analytics for Elkstone Partners
181	An organisation	Future Analytics for Uniphar Group Plc
182	An individual	Edward and France's O'Reilly
183	An individual	Ken Behan
184	An organisation	CIE
185	An individual	William McCarthy
186	An individual	Sean Fitzpatrick
187	An individual	Miriam Murphy
188	An individual	Thomas Murphy
189	An individual	Daniel Murphy
190	An individual	Ann Marien Cannon
191	An individual	Deirdre Byrne
192	An individual	Thomas Byrne
193	An individual	Paul Kelly
194	An individual	Aisling Kelly
195	An individual	M Somers
196	A group	Coolock Residents Association
197	An individual	Don Reilly
198	An individual	Paul Corcoran
199	An individual	Sharon Murphy
200	An individual	Keith O'Hanlon
201	An individual	Liam Sweeney
202	An individual	Eileen Sweeney
203	An individual	Eithne Sweeney
204	An individual	Adam Tattersall

205	An individual	Anne Sweeney
206	An individual	Jan Lacey
207	An individual	Joseph Lacey
208	An individual	Derek Kirwan
209	An individual	CMcGuirk
210	An organisation	Dublin Flea Market
211	An individual	Vicki Gray
212	An individual	Carolann Courtney
213	An individual	S. Usher
214	An individual	Denise McShannon
215	An organisation	Avison Young for Precision Construction Ltd
216	An organisation	Health and Safety Authority
217	An individual	Des and Ance McMahan
218	An individual	Niamh
219	An individual	Karen Pappin
220	An individual	Alison Byrne
221	An individual	Deirdre Dwyer
222	An individual	Zdravka Rezic
223	An individual	Mary Havern
224	An individual	Marian McNally
225	An individual	Ali Lowndes
226	An individual	Faye Mulhern
227	An individual	Brian McGowan
228	An individual	Eimear McEniff
229	An individual	Maria Galligan
230	An individual	Iseult Raftery
231	An individual	Tara deeny
232	An individual	Florena Keogh for the Keogh Family
233	An organisation	John Spain Associates for Development 8
234	An organisation	Office of Public Works
235	An individual	Will Gleeson
236	An organisation	Development 8
237	An individual	Geraldine Merrick
238	An individual	Alan Mortell
239	An individual	Ciara Quinn
240	An individual	Lynn Caldwell
241	An individual	robert carroll
242	An individual	Thomas G Sheehan & Rose Mary Lynch
243	A group	Crekav Trading GP Limited / Marlet Property Group
244	An individual	Joan Ellis
245	An individual	Steven O' Riordan
246	A group	Royal Oak Residents Association
247	An individual	Mark Fitzgerald

248	An individual	Donal O'Laoire
249	An individual	Caroline Maloney
250	A group	Harold's Cross Village Community Council
251	An individual	Claire Fitzpatrick
252	An individual	Shane Byrne
253	A group	Santry Whitehall Combined Residents Associations
254	An individual	John Fitzgerald
255	An individual	Sean Higgins
256	An individual	Clr Alison Gilliland
257	An individual	Mrs Julia Maloney
258	An individual	Janet Murphy
259	An organisation	Omni & District Residents Association
260	An individual	Jean Brophy
261	An organisation	Office of the Planning Regulator
262	An individual	Anne O'Rourke
263	An organisation	Omni & District Residents Association
264	An individual	Ann Crosby
265	An individual	Bernadette
266	An individual	Willam & Rita Bauer
267	An individual	Michael McHugh
268	An individual	Celine rickard
269	An individual	Niamh Howlin
270	An individual	Edward Bryce
271	An individual	Jean Kilmurray
272	An individual	James Kenny
273	An individual	Anthony O'Gorman
274	An individual	Peter Lowney
275	An individual	Orla Flanagan
276	An organisation	Fingal County Council
277	An individual	Noel Rock TD
278	An organisation	Crossfit Santry
279	An individual	Caroline Maloney
280	An individual	Karen McCabe
281	An organisation	Dept. of Education
282	An organisation	Dept. of Education
283	A group	Maryfield (Artane) Residents Association

Section 5: Description of Submissions Received and Summary Table for each Variation of relevant submissions and issues raised

A total of 283 no. Submissions regarding the proposed Variations were received by Dublin City Council during the consultation period. Submissions were received in respect to each of the proposed Variations. The Submissions have each been reviewed and the content has been summarised and taken into account with a Response of the Chief Executive given on the substantive points and Recommendations made in relation to each variation.

In addition to the Submissions made by individuals and local groups, the Council received Submissions from the following Prescribed Authorities:

- Office of the Planning Regulator - Submission No. 261
- Eastern Midland Regional Authority – Submission No. 9
- National Transport Authority – Submission No. 12
- Office of Public Works – Submission No's 21 and 234
- Transport Infrastructure Ireland - Submission No. 81
- Irish Water – Submission No. 82
- Environmental Protection Agency – Submission No. 2
- Industrial Development Authority – Submission No. 165
- Health and Safety Authority – Submission No. 216
- Fingal County Council – Submission No. 276
- Department of Education – Submission No's 281 and 282

The Submissions made by the Prescribed Authorities are generally supportive of the proposed zoning Variations, recognising their consistency with national and regional planning policy which advocates compact growth and urban consolidation in order to meet current and future demographic needs.

Full details of the Submissions with respect to each proposed Variation is addressed in each individual variation report which are contained in Section 7 of this document.

Section 6: Submissions from Prescribed Bodies and those that Require an Individual Response

6.1 Prescribed Bodies

The Council received Submissions from the following Prescribed Authorities:

- Office of the Planning Regulator - Submission No. 261
- Eastern Midland Regional Authority – Submission No. 9
- National Transport Authority – Submission No. 12
- Office of Public Works – Submission No's 21 and 234
- Transport Infrastructure Ireland - Submission No. 81
- Irish Water – Submission No. 82
- Environmental Protection Agency – Submission No. 2
- Industrial Development Authority – Submission No. 165
- Health and Safety Authority – Submission No. 216
- Fingal County Council – Submission No. 276
- Department of Education – Submission No's 281 and 282

6.2 Submissions that require individual consideration and Chief Executives Response to each

Four Submissions were received within this category; (i) Office of the Planning Regulator (Submission No. 261), (ii) Eastern and Midland Regional Assembly (Submission no. 9, the National Transport Authority (Submission no. 12) and, (iv) the Environmental Protection Agency (Submission No. 2).

The recommendations of the Chief Executive for each variation is contained in Section 7; which takes into account all of the submissions listed in this section.

6.2.1 Office of the Planning Regulator (Submission No. 261)

Summary of the Submission:

The OPR notes and endorses the rationale of the proposed Variations which relates to the renewal of well-serviced but underutilised brownfield lands located in proximity to public transport infrastructure for higher intensity uses, including residential uses. The OPR notes that the Variation is in accordance with national and regional planning policy and that by virtue of enabling more compact and sustainable urban development has the potential to have a positive impact in terms of climate action under section 10(2)(n) of the Planning and Development Act 2000, as amended. The OPR submission raises land specific points regarding a small number of individual variations, and these are identified and specifically addressed within Section 7 below for each variation subsection.

Chief Executives Response

The variations proposed are the outcome of a detailed study undertaken of industrially zoned lands, and seek to directly respond to the policies and objectives of the NPR, RSES and MASP, taking into account the NTA Strategy for the Greater Dublin Area. By taking this first step in promoting brownfield regeneration the Council is actively pursuing the sustainable development agenda of delivering housing proximate to need to achieve climate action goals.

The Chief Executive welcomes the Submission of the OPR and the support given to the proposed Variations. Where the OPR has raised points regarding a specific variation, a response and recommendation in relation to those specific issues is addressed in Section 7 of this Report. Where no specific issue is raised, the general endorsement of the OPR for the variations proposed is agreed with, and the variations are recommended to the Members for making.

6.2.2 Eastern and Midland Regional Assembly (Submission no. 9)

Summary of the Submission:

EMRA welcomes the proposed Variations which provides for the consolidated growth of Dublin in accordance with the requirements of compact growth as set out in the National Planning Framework, the Regional Spatial and Economic Strategy and the Dublin Metropolitan Area Strategic Plan.

EMRA supports the intensification of brownfield lands within the existing footprint of the city in accordance with brownfield development objectives - RPO's 3.2 and 3.3 and 5.4 and 5.5 of the Regional Spatial and Economic Strategy. The proposed Variations have the potential to contribute to the accelerated housing delivery in the MASP.

The submission does not raise any specific variation comments.

Chief Executives Response

The Chief Executive welcomes the submission by the EMRA and its support for the redevelopment of underutilized brownfields lands within the footprint of Dublin City. The general endorsement by EMRA for the variations proposed is agreed with by the Chief Executive, and the variations are recommended to the Members for making.

6.2.3 National Transport Authority (Submission no. 12)

Summary of the Submission:

The National Transport Authority (NTA) supports, in principle, the rezoning of the variation lands for medium to high density housing noting that such a change would enable the further consolidation of the city and facilitate the direction of population growth into locations served by public transport.

The NTA considers that the proposed variations would also support the on-going investment in public transport infrastructure and services as part of the DART Expansion Programme, Metrolink, BusConnects, Greater Dublin Area Cycle Network Plan, and the further development of the Luas network. As such, the proposed variations are consistent with the NTA Transport Strategy. The NTA recommends that the variations are approved subject to the inclusion in the variations of a reference to the 'Permeability Best Practice Guide' which deals with cycling and walking connections. The NTA submission raises specific points regarding a small number of individual variations, and these are identified and specifically addressed within Section 7 below for each variation subsection.

Chief Executives Response

The Chief Executive welcomes the submission by the NTA and its categorical support for the proposed Variation. It is considered that Policy MT3, MT5, MTO5 and MT11 (which references 'Permeability – a best practice guide') in the Development Plan already address the points raised regarding additional text. No additional changes are proposed to the variations on foot of the points raised in this submission. Where the NTA has raised points regarding a specific variation, a response and recommendation in relation to those specific issues is addressed in Section 7 of this Report. Where no specific issue is raised, the general endorsement of the NTA for the variations proposed is agreed with, and the variations are recommended to the Members for making.

6.2.4 Environmental Protection Agency (Submission No. 2)

Summary of the Submission

The Environmental Protection Agency (EPA) advocate consistency with higher level plans/ programmes, infrastructure-led development and alignment with national commitments on climate change mitigation and adaptation. The agency highlights the environmental and climate change policy context of the proposed Variation and provides guidance in respect to complying with European environmental legislation. It provides guidance on the procedures for carrying out an SEA Screening determination and complying with European environmental Directives and requests that consideration be given to green infrastructure, traffic management and invasive species.

Chief Executives Response

The Chief Executive welcomes the submission by the EPA and takes note of the policy context and guidance that the agency has provided.

6.3 Summary of General Issues Raised by Prescribed Bodies

The Submissions made by the Prescribed Authorities are generally supportive of the proposed zoning Variations, recognising their consistency with national and regional planning policy which advocates compact growth and urban consolidation in order to meet current and future demographic needs.

The Prescribed Authorities acknowledge the role of the Variations as a vehicle for implementing the National Planning Framework (NPF) and Regional Spatial Economic Strategy (RSES) at city level by making more efficient use of brownfield land proximate to high quality transport infrastructure, with some authorities raising specific issues and recommendations on points to be considered and addressed prior to the adoption of particular Variations. Key particular issues raised are summarised and addressed below.

Principle of Rezoning to Housing/Mixed Use

A number of State Bodies support and welcome the proposed rezoning of these lands. The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber of

Commerce (DCoC) and Fingal County Council (FCC), specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the delivery of more intensive, efficient and sustainable land use through urban compaction. The IDA highlights their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

Movement and Transport

Transport Infrastructure Ireland (TII) supports the proposed rezoning of the variation lands on the basis of their close proximity to public transport (PT) infrastructure.

Transport Infrastructure Ireland (TII) has indicated that the development of lands such as those proposed for variation, which lie directly adjacent to public transport stations, stops and interchanges should be subject to the use of masterplans in order to ensure enhanced access and integration whilst promoting sustainable modal choices. Where comments are made in relation to individual variations these are identified and addressed in Section 7.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). Where comments are made in relation to individual variations these are identified and addressed in Section 7.

Irish Water (IW) make a submission stating it has no objection to the proposed variations.

Flooding

The Office of Public Works' (OPW) submissions comment on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27, The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact. Where comments are made in relation to individual variations, these are identified and addressed in Section 7.

Health & Safety

The Health and Safety Authority (HSA) set out the role and responsibilities of the agency in respect to land use planning and provide a list of current COMAH establishments in the area of Dublin City Council to allow cross-referencing with the proposed Variation.

Where comments are made in relation to individual Variations these are identified and addressed in Section 7.

Chief Executives Response to Prescribed Bodies who made General Comments on All Variations

Principle of Rezoning to Housing/Mixed Use

It is noted that the submissions fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land and public monies to meet the City and the Region's future growth projections, including those for housing demand.

The comments in respect to the need to housing provision are noted and support the approach taken by the Council in seeking to promote sustainable development and regeneration of brownfield lands within the City, and endorse the proposal to vary the lands included in the variations. The Council has in place a number of policies and objectives contained within the City Development Plan addressing amenity and local services and will continue to ensure that new housing provision is complemented with appropriate scale and provision of key residential amenities as part of any new development of scale.

Movement and Transport

TII's support of the rezoning of the lands on the basis of their close proximity to public transport (PT) infrastructure is noted. In respect to the other points raised, it is considered that issues around site-specific access constraints and traffic impact will be considered in the context of would be most appropriately addressed as part of the development management process.

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport to ensure greater modal choice for communities are noted. Objective MTO1 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development. It is considered that detailed master planning for the variation lands proposed in this Report are best addressed as part of the development management process due to the small scale and nature of the lands in question. Where comments are made in relation to individual variations these are identified and addressed in Section 7.

Employment

The purpose of the proposed Variations is to bring well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and to allow for a number of sites a more compatible zoning objective at the local level. It should also be noted that the proposed zoning change does not impact on the continuing use of the lands as they are and the zoning policy for both residential and mixed use is supportive of this. What the variation does provide for is that the intent of the lands is for regeneration for housing and/or mixed use; and that if the lands were, for any reason, to become vacant, that their redevelopment would not be focussed on new industrial uses or development.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. All proposals for development will be required to take into account the City Development SFRA, the site specific SFRA and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information). Where comments are made in relation to individual variations these are identified and addressed in Section 7.

Health & Safety

The comments of the HSA are noted. All of the variation lands lie outside the consultation distance associated with the nearest COMAH sites, and therefore no change to the approach recommended is proposed as an outcome of this assessment.

INDIVIDUAL VARIATIONS

Section 7: Individual Variation Reports

Each variation is addressed in this section in their numerical order.

It should be noted that there are a number also of individual or organisational submissions, similar to the prescribed bodies, which have made submissions that are more generic in character and not focussed on any particular variation. As required by the legislation, they are all addressed within each variation proposed and are listed as having being considered for each one. As an indicator, approximately 20% can be characterised as being more broad and strategic in their comments rather than specifically focussing on an individual variations.

For this section each individual variation report contains the following parts:

1. Listing of the zoning change proposed
2. List of submission numbers relevant to the variation
3. Description of the variation and SEA & AA Report
4. Map of the Variation as published for the public display
5. Summary of the Issues Raised by the Submissions not addressed in Section 6.
6. Chief Executives Response
7. Chief Executives Recommendation

Please note that within each variation the numbering corresponds to the variation number, e.g. 8.2 = Variation 8, sub-section 2 on submissions.

Proposed Variation No. 8 - Clearwater Retail Park, Finglas Road

8.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

8.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.8	Clearwater Retail Park, Finglas Road, Dublin 11	19, 21, 25, 54, 55, 59, 70, 107, 111, 112, 116, 119, 135, 139, 145, 146, 149, 165, 170, 178, 185, 203, 218, 230, 233, 234, 236, 243, 261, 264, 270, 276, 281, 282

8.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

The Z6 lands (0.96 ha in total) are known as the Clearwater Retail Park and are located on the west side of the Finglas Road, north of (and adjacent to) the Finglas Clearwater Shopping Centre. The lands are served by the Finglas QBC (proposed Bus Connects).

The site contains a large surface carpark with one large building located on these lands which is divided into three separate retail units - all three units are occupied, operational and functioning. There is also a garage structure on the lands.

PURPOSE OF THE PROPOSED DRAFT VARIATION

Given the low intensity nature of development on the lands (i.e. single storey buildings), it is considered that there is potential for additional development on the lands. In view of the residential character of the wider area and the adequate retail provision which already exists in the area, a change of zoning to residential would be considered appropriate.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

8.4 Map of the Variation



8.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 34 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 8.6 following this layout:

- Principle of Rezoning to Z1 & Housing Provision
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding
- Planning Safeguards
- Procedure / process / Windfall / CPO

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1. (See also Section 6 of this Report). The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses.

A minority of submissions received object in principle to the rezoning and feel that it is not required, with some putting forward alternate zonings and proposals for specific land uses.

A number of individual submissions also raise the requirement for an integrated and holistic area plan to be prepared and in place before a decision is made in respect to rezoning of the lands. A number of submissions also raise concerns about high rise low standard apartment developments and the area being overprovisioned in terms of housing (particularly apartments), whilst advocating for a form of development which respects the existing character in their low-rise suburban neighbourhood.

Employment

Some submissions highlighted the need to balance the provision of new housing with the provision of employment in the area, with a number concerned that the proposed rezoning will put those employees/ companies / businesses operating on the site out of work and impact upon local residents who use their services.

Services / Facilities / Social Infrastructure

A number of submissions point to existing pressure on local amenities, such as a lack of sufficient school places and increasing antisocial behaviour, and to the requirement for additional public services and amenities to be provided following an amenity impact analysis.

Movement and Transport

A number of submissions raise concerns regarding traffic access onto the Finglas Road and congestion regarding the site.

Flooding

The Office of Public Works' (OPW) submission in respect of this Variation states that consideration of the risk of blockage at in-channel structures and an assessment and likely modelling to assess the impacts of daylighting the culvert should be carried out in advance of rezoning to assess the opportunities and risks of carrying out this work. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Planning Safeguards

A number of submissions raise queries in respect to the planning safeguards that apply in respect to the proposed Variation, seeking further consultation, and raise concerns as to what safeguards will apply to the future development of the lands if the rezoning is successful. Concerns in respect to the latter relate to the amenities which will be delivered, to high density high rise apartments which may impact on individual property values, to the nature of development management provisions/ restrictions that will apply to forthcoming development proposals and to the impact of national planning policy / role of public and local government in the Strategic Housing Development process.

Procedure / Process / Windfall / CPO

A number of individuals are concerned that the proposed rezoning will lead to significant increases in property value for developers and in response, advocate that a tax be placed on the increase in value generated or that the site be purchased by state to be used for education/ elderly /affordable accommodation.

8.6 Chief Executive's Response

The comments received supporting the proposed variation No. 8 (Clearwater Retail Park) are noted and welcomed.

Principle of Rezoning to Z1 & Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land to meet the City and regional future growth projections, including those for housing demand. Notwithstanding the generally positive response on this issue, the submissions which object to the proposed rezoning are also noted.

In relation to a call for a local plan and concerns regarding the change of zoning, currently the Council is undertaking a wider study of the Finglas area which will address many of the issues raised regarding supporting local amenities and services, and also the most appropriate locations for growth of retail. It should be noted that the change of zoning does not require any change to the current uses, who can continue to operate and policies and objectives contained within the City Development Plan support this. The zoning allows for housing to be the preferred option if and when the sites did become available for redevelopment.

Details in respect to the nature and extent of residential development that may be forthcoming on the site are addressed as part of the planning application process, if and when, the lands are brought forward for development. It should also be noted that the Strategic Housing Development (SHD) permission process will no longer be available within 2 years, and that for all SHDs when lodged with An Bord Pleanála, Dublin City Council prepares a detailed report assessing the application and the impact and also includes, where requested the comments and observations of the Elected Members.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. It is noted that within 1.5km radius of the area are a large number of industrial and commercial areas that accommodate the type of uses currently in situ on the lands. It should also be noted that the proposed zoning change does not impact on the continuing use of the lands as they are.

Services / Facilities / Social Infrastructure

The comments of the IDA and others with respect to local amenities are noted, and as outlined above, the wider study will address the issues of local services and amenities. It is considered that the lands are generally already well serviced by existing infrastructure.

Movement and Transport

In respect to the points raised, it is considered that issues around site-specific access constraints and traffic impact will be considered and addressed in detail within the context of the development management process, where the exact nature and scale of any redevelopment is known.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any comprehensive redevelopment proposal for the lands a site specific flood risk assessment will be required which would include a flood risk assessment of opening up the adjacent Finglas Stream culvert. There are no current proposals to deculvert the stream at this location. As part of any comprehensive redevelopment proposal for the lands a site specific flood risk assessment will be required which would include a flood risk assessment of opening up the adjacent Finglas Stream culvert. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the site specific SFRA and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

Planning Safeguards

The proposed Variations is within the framework of the operational City Development Plan (CDP), which sets the city wide planning policy framework for all development within the city. The CDP outlines a range of planning policies, objectives and standards to safeguard the environment and to ensure that plans and projects facilitated by the CDP do not have the potential to result in significant or adverse impacts, with all development proposals being assessed against the policies and objectives of this plan. In addition, the planning application process (regardless of whether the application is made to a Local Authority or An Bord

Pleanála) incorporates a mandatory public consultation period to allow the public to make submissions or observations on the development proposal.

Procedure / Process / Windfall / CPO

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

There are currently 2 no. planning legislation-based mechanisms available to Dublin City Council to capture the benefit of value increases to land/property – Development Contribution levies and Part V (social housing) obligations. Both of these value capture mechanisms will be applied to the subject lands if they are brought forward for development through the planning process.

8.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 8) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 9 - Santry Industrial Lands

9.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

9.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.9	Santry Industrial Lands, Santry Avenue and Swords Road, Dublin 9	3, 5, 6, 10, 12, 13, 14, 15, 17, 20, 22, 23, 25, 26, 27, 29, 31, 33, 34, 35, 37, 38, 39, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 74, 75, 76, 77, 78, 79, 84, 85, 86, 87, 88, 89, 90, 91, 92, 95, 96, 97, 99, 100, 101, 102, 103, 105, 108, 109, 110, 114, 115, 116, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 140, 141, 142, 143, 144, 146, 147, 149, 150, 152, 153, 154, 157, 158, 160, 165, 164, 165, 166, 167, 168, 169, 170, 172, 174, 175, 176, 178, 182, 183, 185, 186, 187, 188, 190, 191, 192, 193, 194, 195, 197, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 215, 221, 229, 230, 232, 233, 234, 236, 237, 239, 242, 243, 244, 245, 246, 247, 249, 251, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 264, 265, 266, 267, 268, 270, 271, 273, 274, 276, 277, 278, 279, 280, 281, 282

9.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

The Z6 lands (10.89 ha in total) are located to the north of the Omni Shopping Centre and to the west of the Swords Road in Santry. The lands are well served by Dublin Bus.

This Z6 land bank has frontage to both Santry Avenue to the north, the Swords Road to the east and is in close proximity to Santry Demesne Park. The northern boundary lies in close proximity to the administrative boundary with Fingal County Council.

Santry Hall Industrial Estate and St John's Court Office Park are located within these lands and are both accessed off the Swords Road. An IDA industrial site is located off Santry Avenue. Lands to the east of this Z6 land bank fronting onto the Swords Road are Zoned Z3 and Z4 (Neighbourhood Centre and District Centre). There are large areas of surface car parking and some lands are unused at present.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These Z6 lands comprise a medium scale land bank characterised by low scale and low density development. The land bank contains some long established employment uses / retail uses, however, the land bank is also characterised by a level of vacancy and an appearance of dereliction.

The lands are bounded by a neighbourhood centre / District Centre zoning and residential development. In view of the residential character of the wider area with the Omni shopping centre located to the south of the lands it is considered that a change of zoning to primarily residential use would be appropriate on these lands.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

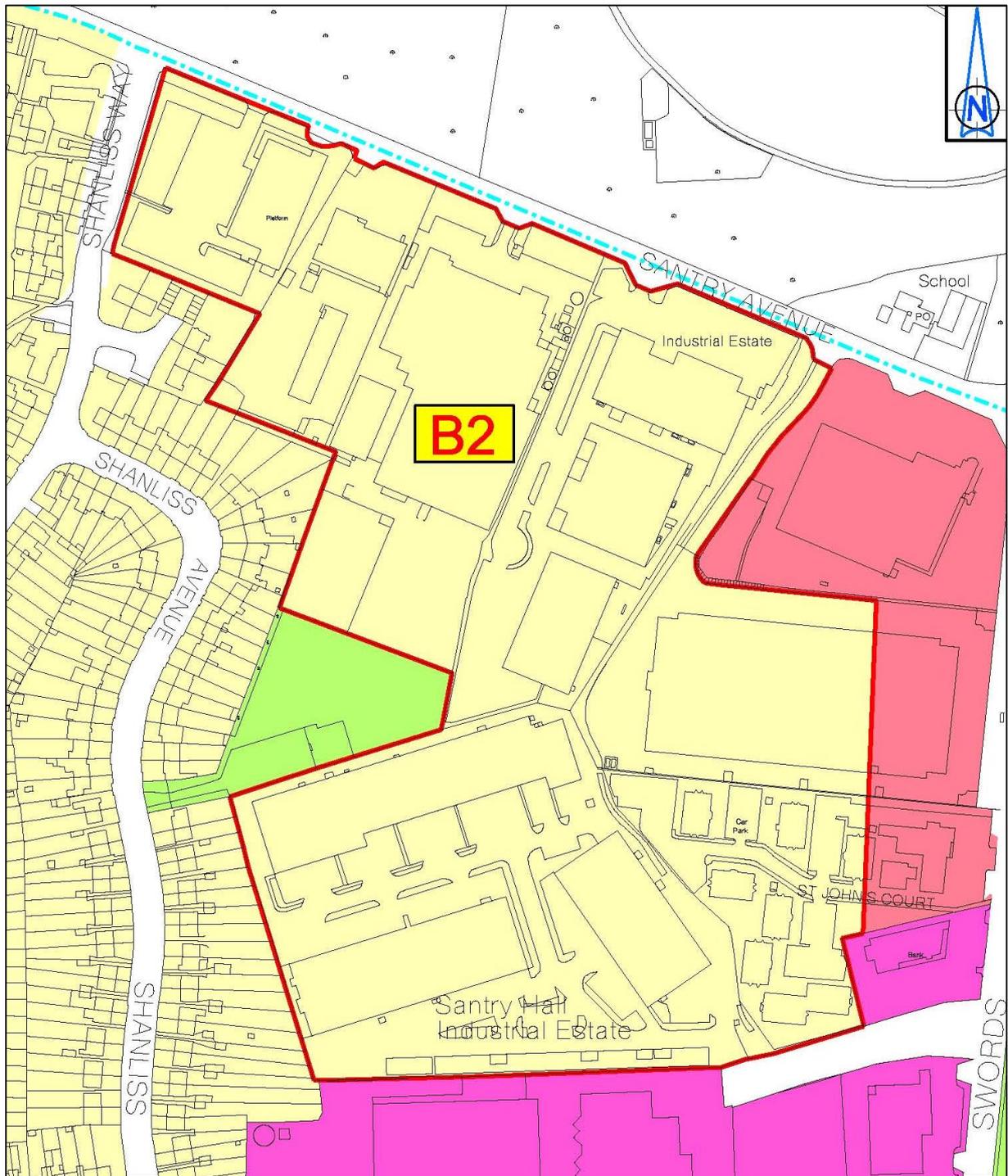
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended) has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

9.4 Map of the Variation



Dublin City Council Development Plan 2016-2022 Santry Industrial Lands, Santry Ave, and Swords Road, D9

Map Ref B2
Site Boundary 
Scale 1:2,500

Proposed Zoning
Z1 
Area 10.892 Hectares

9.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 196 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 9.6 following this layout:

- Principle of Rezoning to Z1 & Housing Provision
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. variations and are not site specific.

Principle of Rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1. (See also Section 6 of this Report). The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses.

The IDA notes that a mixed use zoning could provide both residential and employment uses which will greatly enhance sustainable development in this location and provide a vital and vibrant community. The NTA recommends that the variation is approved subject to the inclusion in the variation of the need for a Masterplan including a transport assessment prior to planning.

The majority of submissions received either object to or raise concerns in relation to the proposal with requests that no rezoning decisions be made until a Local Area Plan has been put in place or a new City Development Plan is adopted. Submissions also reference the need for a plan-led approach with requests also being made that an area plan be presented to local residents allowing for a better consultation process. A number of submissions express concerns that the area will be overdeveloped with no guarantee being provided around the type, height or density of any future residential accommodation. Submissions also reference concerns around potential overlooking, loss of privacy and impacts on existing property values, with the preference being made for housing instead of apartments in the area. There are also concerns raised around land value and potential windfall as a result of the rezoning.

Submissions from landowners note the strategic location of the lands adjacent to existing services and transport allowing for the lands to be developed in a more coherent manner whilst also supporting existing economic activity in the adjacent shopping centre.

Employment

Some submissions express concerns that there needs to be provision in the area for existing local employment to avoid additional commuting. Furthermore, it is raised that the proposal would result in job losses in the local area and will impact on those using the existing services and business located within the land.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) highlights in its submission that Variations 9 and 10 together could potentially generate a significant educational requirement in Santry and as such an assessment would need to be taken on the capacity of existing schools.

A number of submissions express concerns that the proposed variation will put additional pressure on existing services and infrastructure in the area including schools, crèches and GP services.

Movement and Transport

A number of submissions raise concerns that existing public transport and roads in the area are already congested and at capacity and that the proposed rezoning will add additional pressure with queries around whether an infrastructure/traffic assessment has been carried out as part of this process.

Flooding

The Office of Public Works' (OPW) submission in respect of this variation states that it is for Dublin City Council to carry out an assessment to an appropriate level of detail to satisfy themselves that his site is not at risk from pluvial flooding.

Fingal County Council (FCC) in supporting the proposed Variation identify that Variation No. 9 concerns lands which are located in close proximity to a significant tract of land within their administrative area. Noting the inconsequential flood impact on their lands, FCC support the overall strategy for the residential redevelopment of the lands as proposed on the basis that such a use would reflect the existing character and amenities of the area, surrounding landscape, heritage and environment, and would therefore improve the quality of life for the existing and future community.

Concerns are raised in some submissions that the local area has existing flooding and drainage issues.

9.6 Chief Executive's Response

The supportive comments received in respect of the proposed variation No. 9 (Santry Industrial Lands) are noted and also the submissions received which raise concerns regarding growth, the importance of mixed use, and the pressures on movement.

Following consideration of the key issues, specifically movement and education, and subsequent meetings with relevant stakeholders in this regard, the Council will commit to address the issues raised alongside the variation process. It is proposed that the Planning Department liaise with the Department of Education and Skills (DES) to undertake over the coming months a demand and future growth study both within the City area and from developments to the north in the Fingal County Council area, to identify in partnership with the DES future need and suitable sites (if necessary).

It is also proposed to undertake this year a movement study in partnership with the NTA to examine at a local level the functioning of traffic and cycling capacity, including, inter alia; bus connects in the Santry area, addressing both Dublin City and Fingal County Council areas. The points raised about preserving a level of employment within the heart of Santry village in large redevelopment sites are accepted, and this will be considered as part of the review of the City Development Plan in a wider examination of land use for the Santry, Ballymun and Coolock areas.

Details in respect to the nature and extent of residential development that may be forthcoming on the site are addressed as part of the planning application process, if and when, the lands are brought forward for development. It should also be noted that the Strategic Housing Development (SHD) permission process will no longer be available within 2 years, and that for all SHDs when lodged with An Bord Pleanála, Dublin City Council prepares a detailed report assessing the application and the impact and also includes, where requested the comments and observations of the Elected Members

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

9.7 Chief Executives Recommendation

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 Draft Variation No. 9 (Santry Industrial Lands) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 10 – Shanowen Road Lands

10.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

10.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.10	Shanowen Road Lands, Whitehall/Santry, Dublin 9	3, 4, 5, 7, 10, 13, 14, 15, 16, 22, 23, 25, 26, 27, 29, 30, 32, 33, 34, 37, 38, 44, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 74, 75, 76, 77, 78, 79, 84, 85, 86, 87, 88, 89, 90, 91, 92, 95, 96, 97, 98, 99, 100, 102, 105, 110, 115, 116, 117, 119, 120, 122, 125, 126, 127, 128, 129, 132, 133, 135, 136, 137, 140, 141, 142, 143, 144, 146, 147, 149, 150, 151, 152, 154, 157, 160, 164, 165, 167, 169, 170, 173, 174, 175, 176, 178, 183, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 198, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 215, 221, 229, 232, 233, 234, 236, 237, 242, 243, 244, 245, 246, 247, 249, 251, 253, 254, 255, 256, 260, 261, 262, 263, 264, 265, 266, 267, 268, 270, 273, 274, 276, 277, 279, 281, 282

10.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These Z6 lands (c.4.25ha) are located in the north east outer suburbs in Santry / Whitehall and are well served by Dublin Bus (Quality Bus Corridor on Swords Road). The Z6 zoned land is located on Shanowen Road, off the Swords Road, to the south of Omni Shopping Centre.

Structures on the lands include 1 to 2 storey storage and office buildings with uses including Santry Garda Station, the Land Registry of Ireland's central document storage warehouse and other public sector related offices and storage.

The lands are surrounded by residential uses. The lands are within close proximity to the proposed Metrolink Station at Collins Avenue / Ballymun Road junction.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These Z6 lands are located in a suburban residential location, well served by Dublin Bus. The Z6 lands are located in a well-established residential area. The Z6 lands are characterised by low scale development and large areas of car parking.

The lands are therefore considered to be underutilized in terms of their potential to provide high quality and high density development in line with national and regional planning policy. To reflect the residential character of the wider area a change of use to Z1 (residential) would be appropriate at this location.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

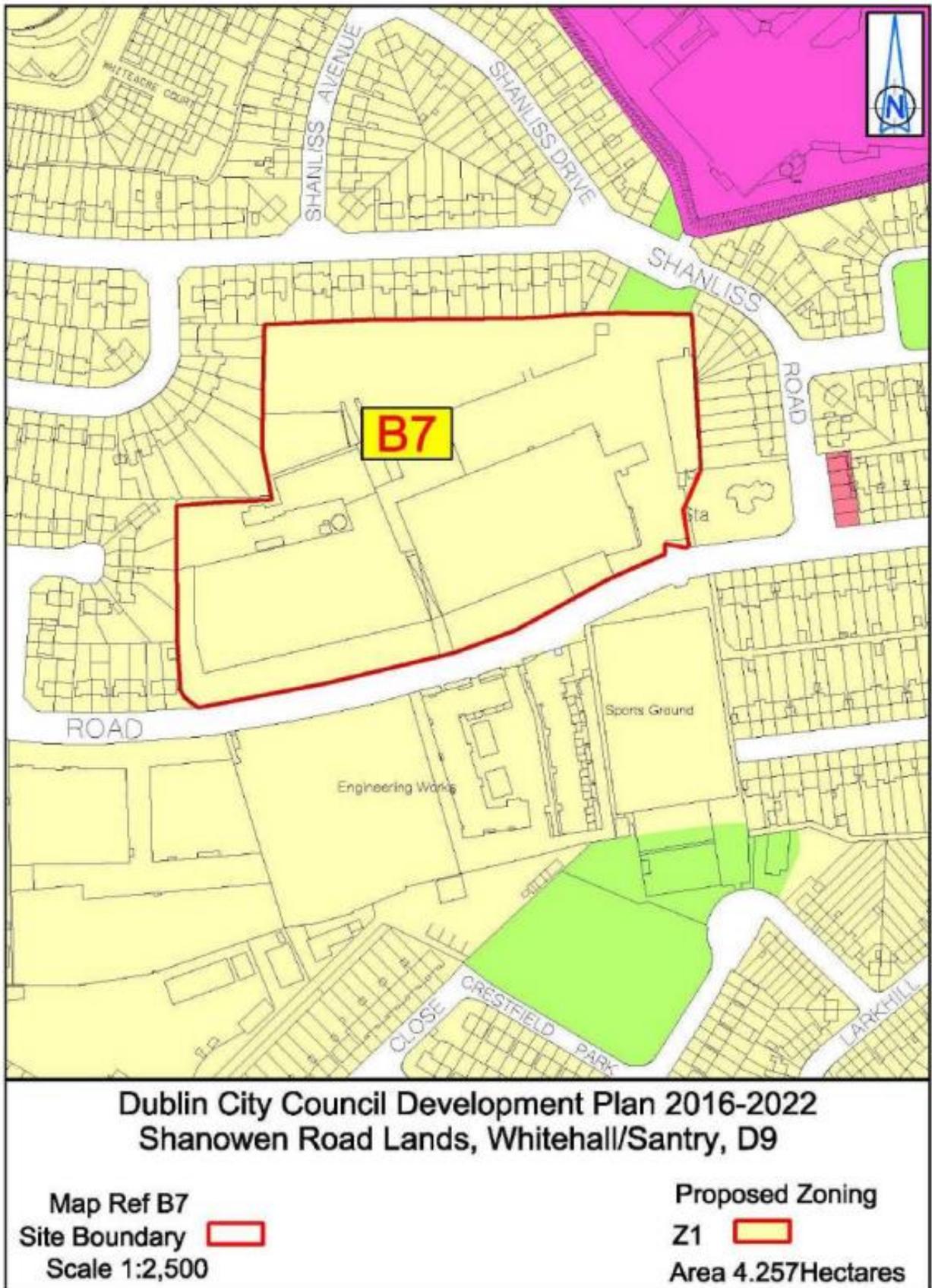
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended) has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

10.4 Map of the Variation



10.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 171 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 10.6 following this layout:

- Principle of Rezoning to Z1
- Need for Plan / Masterplan for Area
- Housing
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding
- Planning Safeguards
- Procedure / process / Windfall / CPO

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1

A number of submissions received from State Bodies and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1 which is a zoning for residential land use. The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber of Commerce (DCoC) and Fingal County Council (FCC), specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the delivery of more intensive, efficient and sustainable land use through urban compaction. The IDA and Dublin Chamber together with individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These submissions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality. Submissions from other groups and individuals also support the residential rezoning on the basis that it would better reflect residential character of the area.

Need for Plan / Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands such as these, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration whilst promoting sustainable modal choices. A number of individual submissions also raise the requirement for a new integrated and holistic area plan to be made and in place before a decision is made in respect to rezoning of the lands.

Housing

The Industrial Development Authority (IDA) support the principle of the rezoning of these lands in and recognise the need to provide additional housing opportunities. Whilst high quality homes would be welcomed in the area, a number of individual submissions query the typology, tenure, scale and density of the housing and nature of the communities that will be provided on the subject lands. Individual submissions also raise specific concerns about the mono-delivery of high rise high density rental only apartment developments with the area being overprovisioned in terms of housing (particularly apartments). A small number of submissions note the correlation between social housing and anti-social behaviour and advocating for an affordable form of family home development which respects the existing character of their low-rise suburban neighbourhood.

Employment

Individual submissions highlight the need to retain and provide employment and services in the area, with a number querying whether employees will be redeployed or made redundant and raising concerns in respect to the displacement/ potential loss of businesses and employment opportunities in the area.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). The DES note that land area of Variation no. 10 is significant in size and on this basis, undertook an outline projection on the number of primary and post-primary school place that may be required if the lands are developed. Their projection found that together Variations 9 and 10 could potentially generate a significant educational requirement in Santry and noted that an assessment on the capacity of existing schools was required.

Irish Water (IW) has no objection to the proposed variation.

The remaining submissions highlight existing pressures on local amenities, such as a lack of sufficient GP care, electricity, school and crèche places, and the requirement for additional supporting amenities and services to be provided in tandem with, and in some instances, in place of housing. In this context, the submissions note that the loss of services and amenities on the subject lands (specifically the potential loss of Santry Garda Station) would have a detrimental impact on the local community and request that this impact be analysed further.

Movement and Transport

Transport Infrastructure Ireland (TII) supports the proposed rezoning of the subject lands on the basis of their close proximity to public transport (PT) infrastructure whilst submissions from individuals and groups raise issues in respect to the area's current road capacity, traffic congestion and overloading of the existing public transport infrastructure and their effects on pedestrian and cyclist safety, in addition to concerns that the displacement of employment/ enterprise from the area will create more congestion and unsustainable commuting – ultimately arguing that no land should be rezoned until transport infrastructure has been improved and capacity increased.

Flooding

The Office of Public Works' (OPW) submissions comment on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact. Other submissions note that the Santry River and Santry Stream both run underground at this location and raise issues in respect to local flooding during high rainfall events and the local drainage system contributing to dangerous and impassable roads.

Planning Safeguards

A number of submissions raise queries in respect to the planning safeguards that apply to the future development of the lands if the rezoning is successful, with both individuals and organisations concerned about how high density development will impact on residents property values if not executed properly. Many residents are worried about being inconvenienced by further development and argue the area is already sufficiently built up/overpopulated, with multiple construction projects ongoing, and that further development leading to overcrowding. A number of individuals are concerned about potential impacts on their private residential amenity arising from overlooking, sunlight /daylight obstruction and increased noise and light pollution.

Procedure / Process / Windfall / CPO

Submissions made by both individuals and organisations raise issues with the variation process and procedure on the basis of its legal validity, overall transparency, public display and consultation, and division of Santry area between functional areas of Dublin City Council and Fingal County Council, with a general view that it is undemocratic to build high density units in mature established community. The submissions are also highly critical of the impact of recent Government policy (Section 28 Guidelines) and Strategic Housing Development system on the diminishing role for local authorities/ public in planning process.

A number of individuals query whether the lands will be sold to a private developer, institution or developed by the Council and are concerned that the proposed rezoning will lead to significant increases in property value for developers and vulture funds. The submissions advocate that a tax be placed on the increase in value generated or that the site be purchased by state to be used for education or elderly/affordable accommodation and that any financial contributions generated by site development should be spent locally on infrastructure.

10.6 Chief Executive's Response

Principle of Rezoning to Z1

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city and regional future growth projections, including those for housing demand.

Need for Plan / Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport to ensure greater modal choice for communities are noted.

Objective MT01 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development. It is considered that such detailed masterplanning is best addressed as part of the development management process. It is noted that individual submissions raise the requirement for an area plan. Given the relatively small scale of the site, it is considered that an area plan would not be required.

Housing

The comments of the IDA in respect to the need to provide a range and quantum of housing are noted as are the comments of an individuals who note that the area is overprovisioned with housing and does not require further housing. The National Planning Framework (NPF) (Project Ireland 2040) requires Dublin city to accommodate a greater proportion of the growth it generates within its footprint and therefore sets a target of at least 50% of all new homes for Dublin City and suburbs to be delivered within its existing built-up footprints (which includes the Dublin 9 area). To achieve these targets, the NPF identifies as key the reusing of large and small 'brownfield' land / infill sites and underutilized lands at locations well served by existing and planning public transport – including the subject lands. Ensuring the vitality of Dublin City is dependent on providing affordable places to live and places to work within a reasonable distance of each other, to allow people a good quality of life and to ensure a sustainable pattern and low carbon form of development. The form of housing to be provided will be addressed in the development management process taking into account the policies and objectives of the City Development Plan and will be required to address the existing housing context in the design approach taken.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. The majority of the lands in question at this location are not well utilised or catering for any significant level of employment. Employment at the Garda station will not be impacted by rezoning.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term. The comments with respect to local amenities are noted and it is considered that the lands are already well serviced by existing infrastructure.

Movement and Transport

TII's support of the rezoning of the lands on the basis of their close proximity to public transport (PT) infrastructure is noted. In respect to the other points raised, it is considered that issues such as traffic impact, road safety and mobility management would be most appropriately addressed as part of the development management process. It is also noted that the NTA Bus Connects project will result in improved services on the two adjacent bus corridors on Swords Road and Ballymun Road. As per the report on Variation 9, the Council is proposing to undertake a wider movement study for Santry. This study will take account of this site and make recommendations regarding movement improvements in the area. However, such a study is not considered to be an impediment to proceeding with the rezoning of this particular site as it is not required to create new through routes.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information). Any planning application on this small parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

Planning Safeguards

The proposed Variation sits within the framework of the operational City Development Plan (CDP), which sets the city wide planning policy framework for all development within the city, with all development proposals being assessed against the policies and objectives of this plan during the planning application process. The CDP outlines a range of planning policies, objectives and standards to safeguard the environment and to ensure that plans and projects facilitated by the CDP do not have the potential to result in significant or adverse impacts.

Procedure / Process / Windfall / CPO

The lands proposed for rezoning are in public ownership. There are no proposals for compulsory purchase of this site by Dublin City Council as part of this variation process.

There are currently 2 no. planning legislation-based mechanisms available to Dublin City Council to capture the benefit of value increases to land/property – Development Contribution levies and Part V (social housing) obligations. Both of these value capture mechanisms will be applied to the subject lands if they are brought forward for development through the planning process.

10.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Draft Variation (No. 10) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 11 – Mornington Business Park

11.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities or employment creation.

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

11.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.11	Mornington Business Park, Malahide Road, Dublin 5	54, 55, 93, 94, 119, 146, 149, 165, 170, 178, 185, 196, 203, 233, 234, 236, 243, 256, 261, 270, 276, 281, 282, 283

11.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to Z6 lands measuring 0.9653 ha in total. The lands are located in the outer suburbs off the Kilmore Road in Artane and the lands are well served along the Malahide Road, by Dublin Bus.

The lands are bounded on all sides by residential development. There is a parade of local shops to the south. The lands are accessed from Kilmore Road off the Malahide Road. The Z6 study area comprises a number of light industrial uses in one building.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These Z6 lands comprise a small-scale employment land bank, surrounded by an established residential area. The lands are characterised by low scale and low-density development with a large area of surface car parking.

Given its outer suburban location, the residential character of the area and the proximity of the lands to high frequency public transport; it is considered that there is potential to intensify development on these lands and provide new housing. It is considered that a change of land use zoning from Z6 (employment) to residential would be appropriate for these lands.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

11.5 Summary of All Other Submissions and Chief Executives Response

24 no. submissions were received in total relating to this variation. As required by the Planning and Development Act (2000), as amended, the response and recommendation made to the issues raised by the Office of the Planning Regulator and those of the Regional Assembly and the National Transport Authority are outlined in Section 6 above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under umbrella headings listed below and the Chief Executive's Response and Recommendation on these issues are set out below:

- Principle of rezoning to Z1 & Housing Provision
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals alike, support and welcome the proposed rezoning. (See also Section 6). The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. In relation to this site, the IDA stresses the importance and potential for achieving a higher density in this location.

Submissions received from local residents express concerns that the area will be overdeveloped with no guarantee being provided around the type, height or density of any future residential accommodation which could also lead to overlooking, loss of privacy with potential impacts on existing property values.

Concerns are raised that the loss of Mornington Business Park would have a negative impact on the community as it is currently a great source of local employment. Furthermore, that the proposed rezoning will put additional pressure on existing services and infrastructure in the area.

Movement and Transport

Local residents express concerns that existing public transport and roads in the area are already congested and at capacity and that the proposed rezoning will add additional pressure. Local residents query whether an infrastructure/traffic assessment has been carried out as part of this process.

Flooding

The Office of Public Works' (OPW) submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation the OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 need to be updated to reflect this fact. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding

11.6 Chief Executive's Response

Principle of Rezoning to Z1 & Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of brownfield land to meet the city's and region's future growth, including housing demand.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The National Planning Framework (NPF) sets a target of at least 50% of all new homes for Dublin City and suburbs to be delivered within its existing built-up footprints. This site has potential to provide new housing within an established area which is well served by transport and community facilities.

It should be noted that the zoning change does not impact on the continuing use of the lands as they are. The zoning policy for residential in the City Development Plan is supportive of this. What the variation does provide for is that the intent of the lands is for regeneration for housing and/or mixed use; and that if the lands were, for any reason, to become vacant, that their redevelopment would not be focussed on new industrial uses or development.

Movement and Transport

In respect to the points raised, it is considered that issues such as traffic impact, road safety and mobility management would be most appropriately addressed as part of the development management process, taking into account the size and scale of the lands in question.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

11.7 Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation No. 11 (Mornington Business Park) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 12 - Malahide Road (adjacent to Mornington Grove)

12.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas. To: Zoning Objective Z3 – To provide for and improve neighbourhood facilities.

12.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.12	Sites at Malahide Road (adjacent to Mornington Grove), Malahide Road, Dublin 5	36, 55, 93, 94, 104, 119, 146, 149, 165, 170, 178, 196, 203, 233, 234, 236, 243, 256, 261, 270, 276, 281, 282, 283

12.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to 2 no. Z6 land banks measuring 1.2495 ha in total. The lands are located in the outer suburbs on the Malahide Road in Artane.

The lands are bounded by the Malahide Road which runs parallel to the lands. Mornington Grove to the north, is a cul de sac residential development. The lands comprise a parade of local shops with a filling station to the south and a bank to the north east.

The variation lands contain an area with of a number of actively used local shops and services with apartments above including a filling station and bank.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These Z6 lands are characterised by their outer suburban location (Malahide Rd). They are well served by Dublin Bus and are located in proximity to Harmonstown Dart Station. The Z6 lands comprise low scale / actively used uses including local shops, a filling Station, a bank and a medical centre bounded by residential uses.

The land use is characterised by low scale / intensity of development. To reflect the residential character of the wider area and to support more intensive development close to transport corridors, a change of zoning from employment uses to mixed uses (including residential) would be appropriate at this location.

A strip of Z3 zoning (neighbourhood facilities) is proposed on the north east corner of the lands in order to protect the existing neighbourhood related uses in situ.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

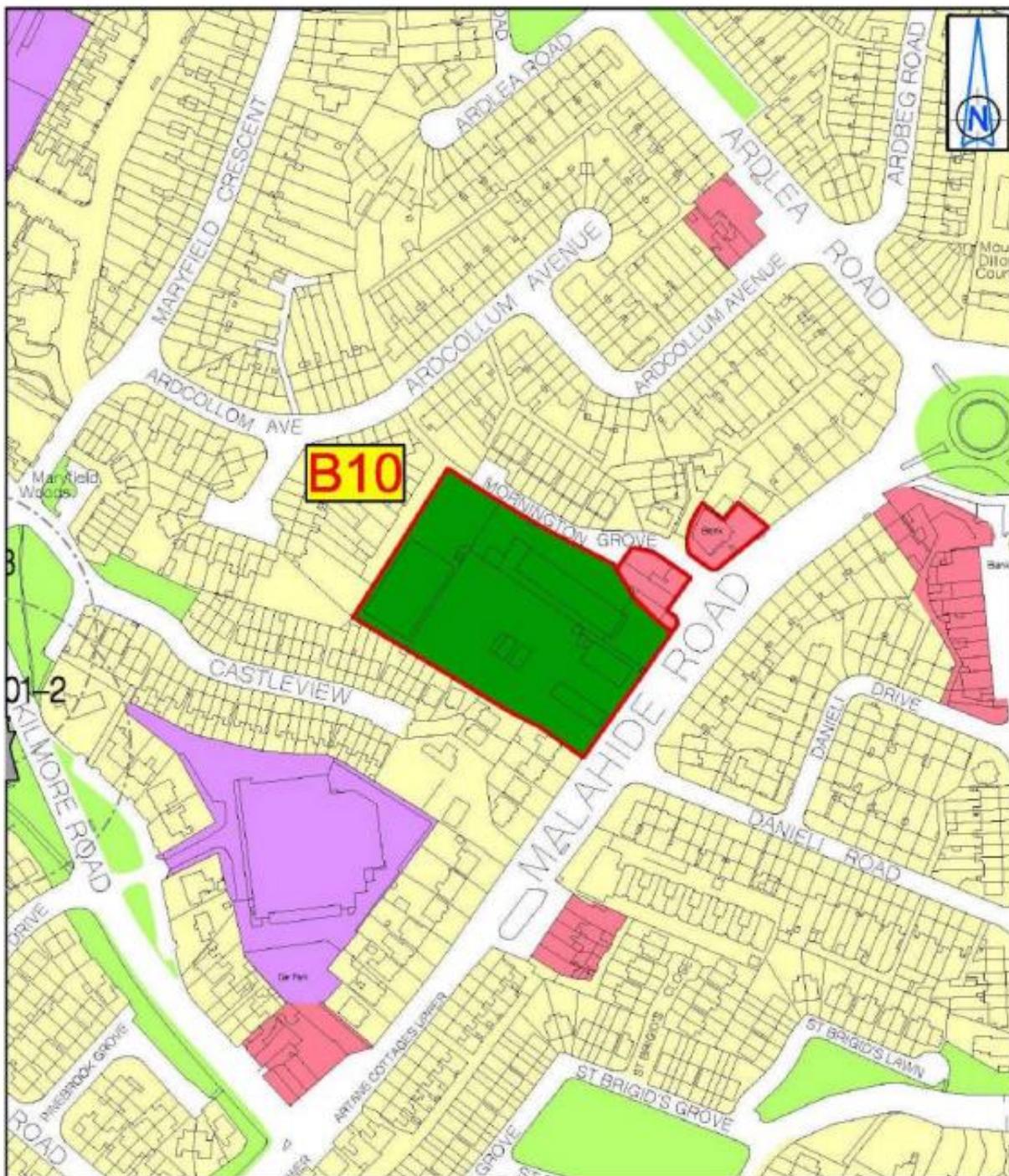
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019.

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

12.4 Map of the Variation



Dublin City Council Development Plan 2016-2022
Sites at Malahide Road (adjacent to Mornington Grove) D11

Map Ref B10
 Site Boundary 
 Scale 1:2,500

Proposed Zoning
 Z3  Area 0.150Hectares
 Z10  Area 1.099Hectares

12.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 24 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below and the Chief Executive's Response and Recommendation on these issues are set out:

- Principle of rezoning to Z3 and Z10
- Need for Plan / Masterplan for Area
- Housing
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding
- Health & Safety
- Planning Safeguards
- Procedure / Process

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of rezoning to Z3 and Z10

A number of submissions received from State Bodies and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z3 (neighbourhood use) and Z10 (mixed use). The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber of Commerce (DCoC) and Fingal County Council (FCC), specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the delivery of more intensive, efficient and sustainable land use through urban compaction. The IDA and Dublin Chamber together with individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

Need for Plan / Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands such as these, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration whilst promoting sustainable modal choices. A number of individual submissions also raise the requirement for a new integrated and holistic area plan to be made and in place before a decision is made in respect to rezoning of the lands with some submissions noting that the area is already sufficiently built up, with multiple construction projects ongoing, and is currently overpopulated.

Housing

The Industrial Development Authority (IDA) support the principle of the rezoning of these lands in and recognise the need to provide a range and quantum of additional housing opportunities. An individual submission notes that Artane is almost overprovisioned in terms of residential and does not require more housing.

Employment

Individual submissions highlight the need to balance the provision of new housing with an improvement in neighbourhood facilities and the retention / provision of employment and services in the area, with a number concerned that the proposed rezoning will displace companies / businesses / employment, lead to a loss of local services and create unsustainable commuting patterns.

Services / Facilities / Social Infrastructure

Irish Water (IW) has no objection to the proposed variation.

The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). The Department has no specific comments in respect of this proposed Variation. The remaining submissions highlight existing pressures on local amenities, such as a lack of sufficient school and crèche places, and the requirement for additional supporting amenities and services (restaurants/ cafes/ bars/ sports facilities) to be provided in tandem with, and in some instances, in place of housing. In this context, the submissions note that the loss of services and amenities on the subject lands would have a detrimental impact on the local community.

Movement and Transport

Transport Infrastructure Ireland (TII) supports the proposed rezoning of the subject lands on the basis of their close proximity to public transport (PT) infrastructure whilst individual submissions raise issues in respect to the area's current road traffic congestion and capacity issues which affect pedestrian and cyclist safety, in addition to concerns that the displacement of employment/ enterprise from the area will create more congestion and unsustainable commuting.

Flooding

The Office of Public Works' (OPW) submissions comment on the on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health & Safety

The Health and Safety Authority (HSA) set out the role and responsibilities of the agency in respect to land use planning and provide a list of current COMAH establishments in the area of Dublin City Council to allow cross-referencing with the proposed Variations. The nearest COMAH sites are at Dublin Port.

Planning Safeguards

A number of submissions raise queries in respect to the planning safeguards that apply to the future development of the lands if the rezoning is successful, with a number of individuals concerned about potential impacts on their private residential amenity arising from overlooking and sunlight /daylight obstruction.

Procedure / Process

A number of submissions raise grievances with the variation procedure, on the basis that it is perceived to be undemocratic, it failed to disclose the evidence-base for the proposed rezoning during public consultation and no information was provided as to whether Dublin City Council collaborated or consulted with other Local Authorities.

12.6 Chief Executive's Response

The comments received supporting the proposed variation No. 12 (Malahide Road) are noted and welcomed.

Principle of rezoning to Z3 and Z10

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's' and regions' future growth, including housing demand.

Need for Plan / Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport to ensure greater modal choice for communities are noted. Objective MT01 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development. It is noted that individual submissions raise the requirement for an area plan. Given the relatively small scale of the site, it is considered that an area plan would not be required but that issues of layout, open space, access and overlooking are best addressed in the development management process.

Housing

The comments of the IDA in respect to the need to provide a range and quantum of housing are noted. There are concerns raised that Artane is overprovisioned with housing and does not require further housing. The National Planning Framework (NPF) (Project Ireland 2040) requires Dublin city to accommodate a greater proportion of the growth it generates within its footprint and therefore sets a target of at least 50% of all new homes for Dublin City and suburbs to be delivered within its existing built-up footprints (which includes Artane and the wider Dublin 5 area). To achieve these targets, the NPF identifies as key the reusing of large and small 'brownfield' land / infill sites and underutilized lands at locations well served by existing and planning public transport – including the subject lands.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. Ensuring the vitality of Dublin City is dependent on providing affordable places to live and places to work within a reasonable distance of each other, to allow people a good quality of life and to ensure a sustainable pattern and low carbon

form of development. The mixed use zoning allows for both employment and residential to be provided on this site and makes sustainable use of a site that is currently in low density use.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term. It is noted that Irish Water (IW) has no objection to the proposed variation. The comments with respect to local amenities are noted and it is considered that the lands are already well serviced by existing infrastructure.

Movement and Transport

TII's support of the rezoning of the lands on the basis of their close proximity to public transport (PT) infrastructure is noted. In respect to the other points raised, it is considered that issues such as traffic impact, road safety and mobility management would be most appropriately addressed as part of the development management process.

Flooding

The comments of the OPW in respect of this proposed variation are noted – specifically those in relation to pluvial flooding. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information). Any planning application on this small parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

Health & Safety

The comments of the HAS are noted. The lands the subject of this proposed variation lie outside the consultation distance associated with the nearest COMAH sites which are located at Dublin Port.

Planning Safeguards

The proposed Variation is within the framework of the operational City Development Plan (CDP), which sets the city wide planning policy framework for all development within the city, with all development proposals being assessed against the policies and objectives of this plan during the planning application process. The CDP outlines a range of planning policies, objectives and standards to safeguard residential amenity and the environment.

Procedure / Process

The proposed Variations followed the required procedure set out in the planning legislation. Submissions and observations were invited from members of the public during the designated consultation period and full details of the rationale for each of the proposed rezonings were provided in the documentation that was published.

12.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 12) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 13 – Harmonstown Road

13.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas.

13.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.13	Site at Harmonstown Road, Dublin 5	12, 24, 40, 41, 73, 104, 106, 113, 119, 146, 149, 155, 159, 161, 162, 163, 165, 170, 178, 196, 203, 233, 234, 236, 243, 256, 261, 270, 272, 275, 276, 281, 282

13.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This Z6 land bank is located in the outer suburbs in Harmonstown and measures 2.6624ha. The area is well served by Dublin Bus and is approximately 100m from the Harmonstown Dart Station. The land bank is set within a well-established residential area comprising of two storey semi-detached and terraced dwellings.

The uses within the land bank consist of retail, suppliers, community uses, motor sales, car wash and service uses. The uses are low intensity, with large areas of surface car parking.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The Z6 lands are located at an outer suburban location, beside Harmonstown DART station. The predominant uses on the lands are retail, community, commercial and light industry. The land use is characterised by low scale / intensity of development. To reflect the residential character of the wider area and to support more intensive development within close proximity of a DART station, a change of zoning from employment uses to mixed uses (including residential) would be appropriate at this location.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

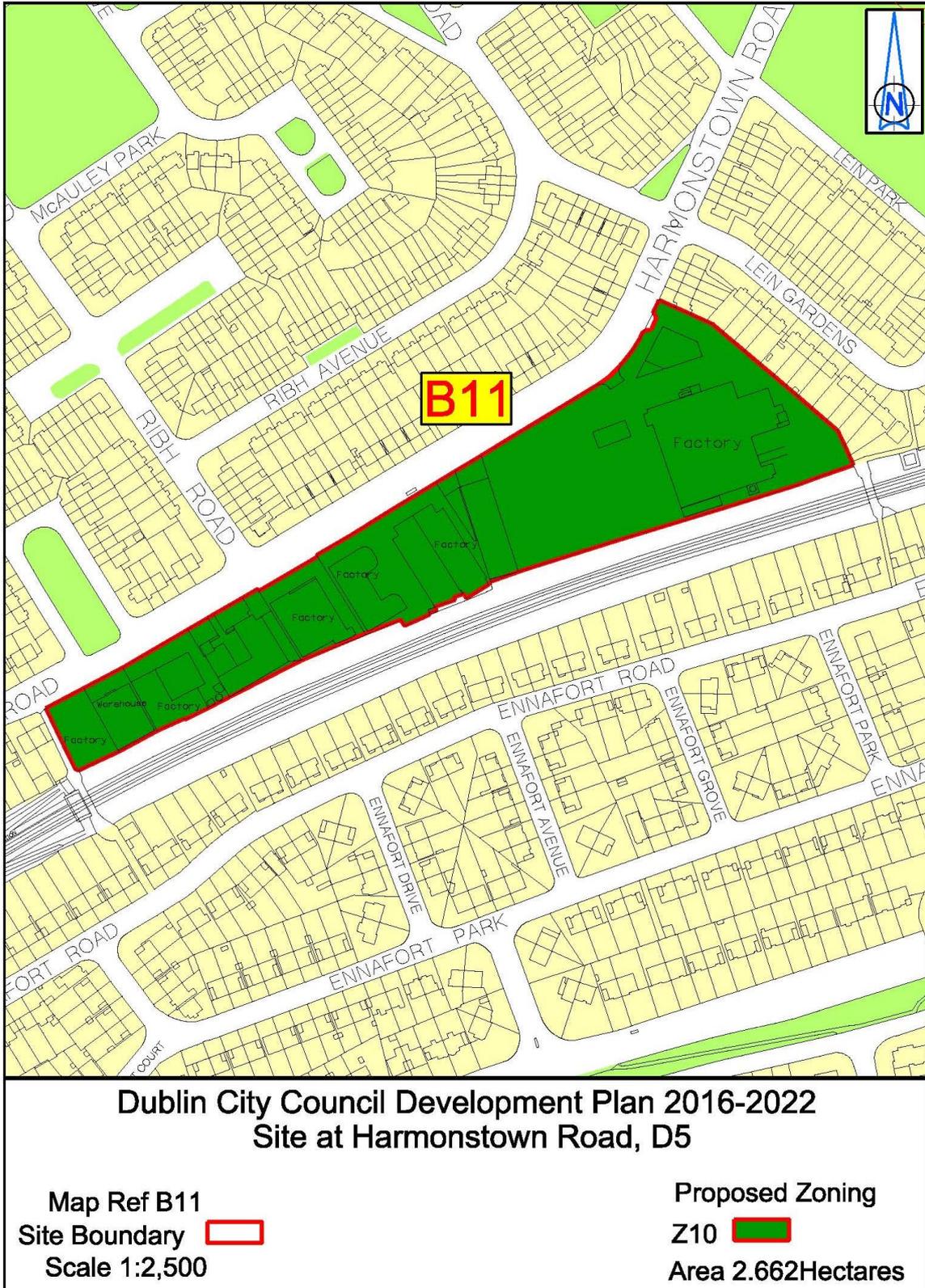
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

13.4 Map of the Variation



13.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 33 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 13.6 following this layout:

- Principle of Rezoning to Z10 & Housing Provision
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z10

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z10. (See also Section 6 of this Report). The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses.

In relation to this site, the IDA supports the proposed variation and recognises the need to provide a range and quantum of housing opportunities and therefore welcomes the proposed amendments in principle. The NTA recommends that the variation is approved subject to the inclusion in the variation of the need for a Masterplan including a transport assessment prior to planning.

A number of submissions express concerns that the area will be overdeveloped with no guarantee being provided around the type, height or density of any future residential accommodation which could also lead to overlooking, loss of privacy with potential impacts on existing property values.

Employment

Submissions raise concerns the rezoning will result in the loss of employment along with the services currently on the lands from the area.

Services / Facilities / Social Infrastructure

Concerns are also noted in some submissions that the proposed rezoning will put additional pressure on existing services and infrastructure in the area which area considered to be at capacity.

Movement and Transport

Some submissions raise concerns that the proposed rezoning will put additional pressure on existing public transport and roads in the area which area considered to be at capacity with issues around existing commuters using local roads for parking resulting in congestion. The NTA recommends the inclusion in the variation of text seeking that development will fully integrate with the adjacent railway station.

Flooding

The Office of Public Works' (OPW) submission in respect of this variation states that it is for Dublin City Council to carry out an assessment to an appropriate level of detail to satisfy themselves that his site is not at risk from pluvial flooding.

Some submissions express concerns around existing issues with flooding on the Harmonstown Road and associated footpaths in heavy rain.

13.6 Chief Executive's Response

Principle of Rezoning to Z10 & Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land to meet the City and regional future growth projections, including those for housing demand. Notwithstanding the generally positive response on this issue, there are submissions which object to the proposed rezoning.

In relation to a call for a local plan and concerns regarding the change of zoning, the lands in question are considered infill in character and would not require a separate local area plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The National Planning Framework (NPF) sets a target of at least 50% of all new homes for Dublin City and suburbs to be delivered within its existing built-up footprints. This site has potential to provide new housing within an established area which is well served by transport and community facilities.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level.

It should be noted that the change of zoning does not require any change to the current uses, who can continue to operate and policies and objectives contained within the City Development Plan support this.

Services / Facilities / Social Infrastructure

The comments of the IDA and others with respect to local amenities are noted, and as outlined above, the wider study will address the issues of local services and amenities. It is considered that the lands are generally already well serviced by existing infrastructure.

Movement and Transport

In respect to the other points raised, it is considered that issues such as traffic impact, road safety and mobility management would be most appropriately addressed as part of the development management process, where the exact nature and scale of any redevelopment is known.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the site specific SFRA and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

13.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation No. 13 (Harmonstown Road) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 14 - Chapelizod Bypass / Kylemore Road

14.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

14.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.14	Chapelizod Bypass/Kylemore Road, Dublin 20	119, 146, 148, 149, 165, 170, 178, 181, 203, 233, 234, 236, 243, 261, 276, 281, 282

14.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to Z6 lands measuring 3.57ha in total. The lands are located in the outer suburban part of the city at Chapelizod / Ballyfermot. The lands are well served by Dublin Bus (Lucan - City Centre' Quality Bus Corridor and along Kylemore Road).

The lands are bound the Chapelizod bypass to the north and east. To the west is Gaels-Drumfinn Avenue Park and the CDETB Ballyfermot Training Centre is to the south of the Z6 lands. The lands are accessed off the Kylemore Road. There is easy access from the lands to the M50 / N4 junction.

The Z6 study area comprises primarily of light industrial, pharmaceutical and warehousing uses, and contain a large unused site on the larger portion.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These Z6 lands comprise a small scale employment land bank located in the outer suburbs. The lands benefit from access to high frequency bus services and potentially from a future Luas Extension to Lucan (final alignment to be decided). The lands are characterised by low scale development with large areas of surface car parking. Given the lands outer suburban location and the current low density commercial uses and the proximity to high frequency public transport; it is recommended the Z6 zoning is no longer appropriate in this area and the area reviewed be re-zoned to Z1 which provides for residential.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

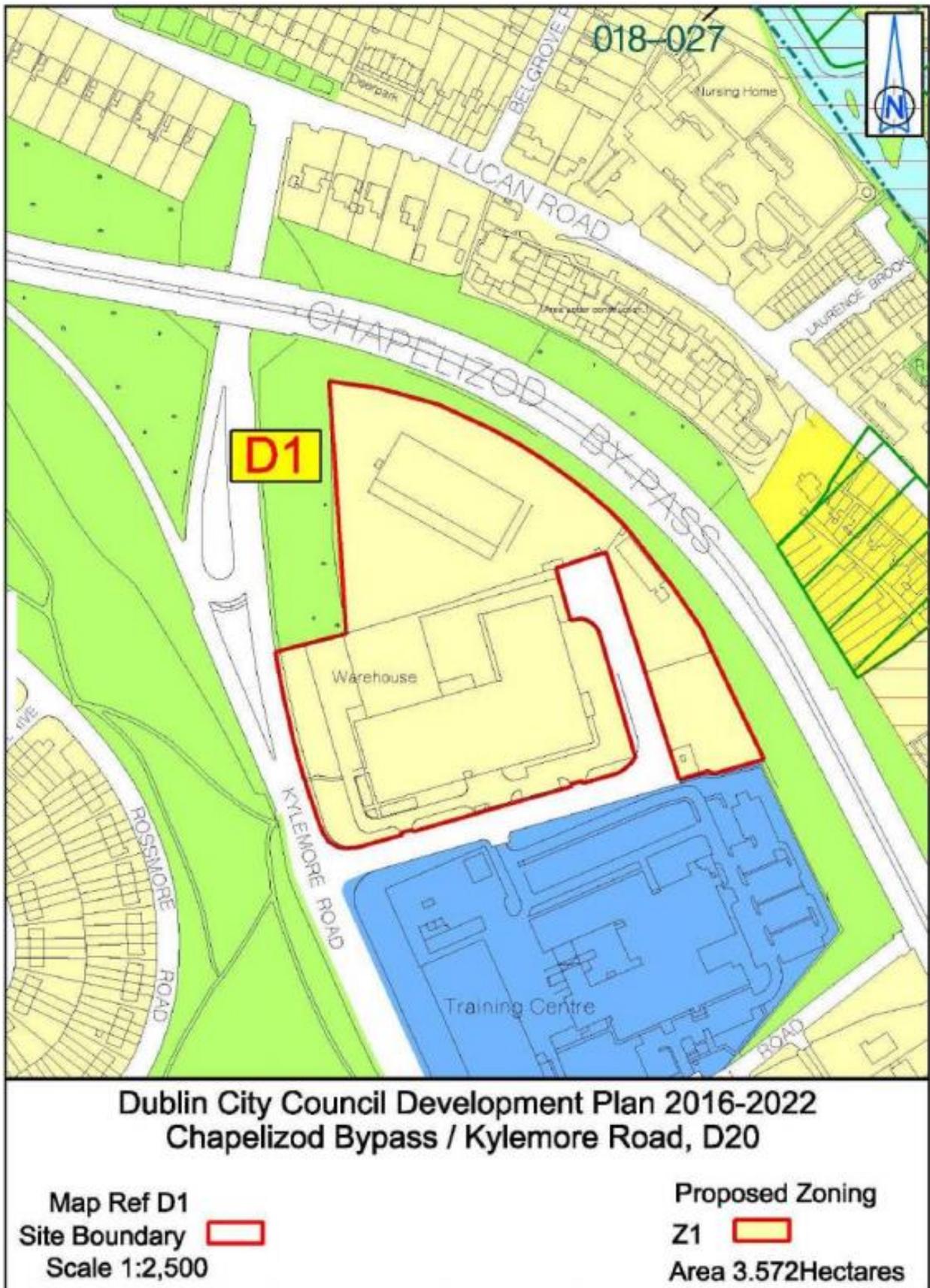
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule

2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

14.4 Map of the Variation



14.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 17 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 14.6 following this layout:

- Principle of rezoning to Z1 & Housing Provision
- Employment
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety
- Planning Safeguards

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1, which is a zoning for residential land use, with a part landowner willing to bring the lands forward for residential development immediately. (See also Section 6 of this Report) The IDA and Dublin Chamber together with individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses.

The IDA submission specifically notes that, given the sites' location and adjacency to a significant road and planned high frequency public transport 'Bus Connects' corridor, a its retention as Z6 or rezoning to Z10 may be more appropriate. Submissions from other groups and individuals (including a part landowner) note that the proposed rezoning does not balance need for residential development with need to retain a full range of important economic activity/ employment and that the lands are not well placed for residential use.

A number of submissions also raise the requirement for a new area plan to be made and in place before a decision is made in respect to rezoning of the lands. A number of submissions highlight existing pressure on local amenities, such as a lack of sufficient school places, and the need for an amenity impact analysis to be carried out.

Employment

Some of the submissions received highlight the need to protect existing good quality jobs in an area which has relatively high levels of unemployment.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). In relation to the subject lands, the DES note that the land area of Variation no. 14 is significant in size and on this basis, undertook an outline projection on the number of primary and post-primary school places that may be required if the lands are developed. Their projection found that the proposed Variation did not have the potential to generate a comparatively significant educational requirement in the local area.

Irish Water (IW) has no objection to the proposed variation.

Other submissions highlight existing pressure on local amenities, such as a lack of sufficient school places, and the need for an amenity impact analysis to be carried out.

Flooding

The Office of Public Works' (OPW) submissions comment on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health & Safety

The Health and Safety Authority (HSA) set out the role and responsibilities of the agency in respect to land use planning and provide a list of current COMAH establishments in the area of Dublin City Council to allow cross-referencing with the proposed Variations. The nearest COMAH site is located off the Naas Road.

Planning Safeguards

A number of submissions raise queries in respect to the planning safeguards that apply to the future development of the lands if the rezoning is successful, with both individuals and organisations concerned about how high density development will impact on residents property values if not executed properly and the potential for residential development to prejudice the continued operation of a landowner's business on site

14.6 Chief Executive's Response to the Issues Raised by the Submissions Received

Principle of rezoning to Z1 and Housing Provision

It is noted that state bodies, Dublin Chamber and a number of individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of a limited resource meet the city and regional future growth projections, including those for housing demand.

The concerns raised in respect to the proposed rezoning are noted and the longstanding and existing commercial use a portion of the lands is acknowledged.

It is considered that the proposed zoning will not prejudice the continued operation of existing businesses on the lands and that issues in respect to land use compatibility / the continuing operational requirements of the existing uses on site would be most appropriately dealt with in the context of the development management process where options such as buffer zones and appropriate uses can be included in any redevelopment. The detail of what is required is best addressed within the development management process. It is further considered that the lands are well placed in terms of servicing and infrastructure, located close to a range of local services and transport, and that their residential zoning would make the most sustainable use of a large area of land that is currently vacant.

Considering the location and nature of the lands, it is not considered that a local area plan is warranted. The comments with respect to local amenities are noted and it is considered that the lands are well serviced by existing infrastructure and a local amenities, and any particular constraints can be address directly through dialogue with the agency relevant, such as the DES.

Need for Plan / Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. Objective MT01 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development. It is noted that individual submissions raise the requirement for an area plan. Given the relatively small scale of the site, it is considered that an area plan would not be required.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level.

It is noted that, in part of the site, there is an existing use, with a submission from the owner objecting to the proposed variation. It should be noted that the zoning change does not impact on the continuing use of the lands as they are. The zoning policy for residential in the City Development Plan is supportive of this. What the variation does provide for is that the intent of the lands is for regeneration for housing and/or mixed use; and that if the lands were, for any reason, to become vacant, that their redevelopment would not be focussed on new industrial uses or development.

Flooding

The comments of the OPW in respect of this proposed variation are noted – specifically those in relation to pluvial flooding. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information). Any planning application on this small parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

Planning Safeguards

The proposed Variation sits within the framework of the operational City Development Plan (CDP), which sets the city wide planning policy framework for all development within the city, with all development proposals being assessed against the policies and objectives of this plan during the planning application process. The CDP outlines a range of planning policies, objectives and standards to safeguard residential amenity and the environment.

14.7 Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 14) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 15 – 11 Ballyfermot Road Lower

15.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

15.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.15	11 Ballyfermot Road Lower, Dublin 10	119, 146, 149, 165, 170, 178, 203, 233, 234, 236, 243, 261, 276, 281, 282

15.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates Z6 lands measuring 0.168ha. The lands are located in Ballyfermot in the outer suburban part of the city. The site is currently unoccupied. The lands are well served by Dublin Bus (Lucan - City Centre' Quality Bus Corridor and along Ballyfermot Road).

The lands are accessed from the Ballyfermot Road to the south with the Chapelizod bypass located to the north and the De La Salle school to the west. The lands are surrounded by residential development. The site is bounded by palisade fencing along the Ballyfermot Road.

The Z6 study area comprises an existing vacant site previously used as a fuel (coal and timber) yard.

PURPOSE OF THE PROPOSED DRAFT VARIATION

Given the lands outer suburban location, the pattern of residential development in proximity and the proximity of the lands to high frequency public transport; it is recommended the Z6 zoning is no longer appropriate in this area and the area reviewed be re-zoned to Z1 which provides for residential development.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

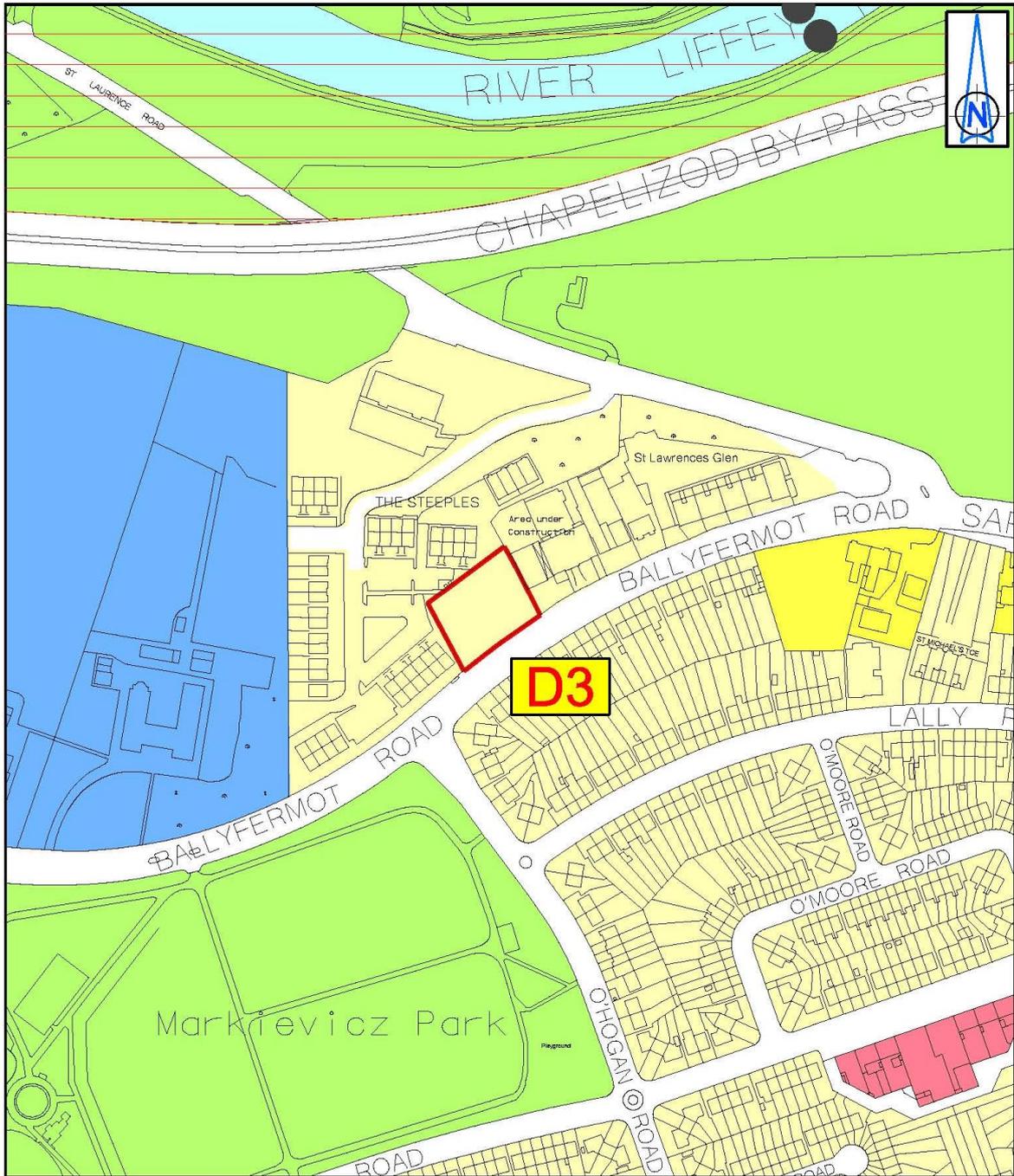
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account

observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

15.4 Map of the Variation



Dublin City Council Development Plan 2011-2017 No.11 Ballyfermot Road Lower, D10

Map Ref D3
Site Boundary 
Scale 1:2,500

Proposed Zoning
Z1 
Area 0.168 Hectares

15.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 15 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 15.6 following this layout:

- Principle of Rezoning to Z1 & Housing Provision
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1. (See also Section 6 of this Report). The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. In relation to this site, the IDA stresses the importance and potential for achieving a higher density in this location.

A minority of submissions received object in principle to the rezoning and feel that it is not required, with some putting forward alternate zonings and proposals for specific land uses.

Flooding

The Office of Public Works' (OPW) Submissions comment on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding.

15.6 Chief Executive's Response

Principle of Rezoning to Z1 & Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land to meet the City and regional future growth projections, including those for housing demand. Notwithstanding the generally positive response on this issue, there are submissions which object to the proposed rezoning.

In relation to a call for a local plan and concerns regarding the change of zoning, it should be noted that the change of zoning does not require any change to the current uses, which can continue to operate and policies and objectives contained within the City Development Plan support this. The proposed zoning allows for housing to be the preferred option if and when the sites become available for redevelopment.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

15.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation No. 15 (11 Ballyfermot Road Lower) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 16 - Goldenbridge Industrial Estate

16.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas.

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

It is also proposed to add the following text to section 14.8.9 of the Dublin City Development Plan 2016 – 2022, as a last text paragraph relating to Land-Use Zoning Objective Z9 – Amenity/Open Space Lands/Green Network – Zone Z9. “Adjacent development shall be designed to complement the Z9 area and to provide passive surveillance. Any future amendment in the width of a Z9 area, which is considered to be minor in nature, will be considered in special circumstances where the proposal will benefit the character of the area and there is no net loss of Z9 land”.

16.2 Submission Received (Reference No’s)

Proposed Variation	Subject Lands	Submissions Made
No.16	Goldenbridge Industrial Estate, Tyrconnell Road, Dublin 8	1, 12, 21, 119, 146, 149, 165, 170, 177, 178, 210, 212, 213, 214, 219, 220, 222, 223, 224, 225, 226, 230, 233, 234, 236, 240, 243, 252, 261, 276, 281, 282

16.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This Z6 land bank measures 4.2959 HA and is located in the inner suburbs within approx. 400m of the Blackhorse Luas Stop. Vehicular and pedestrian access is via Tyrconnell Road.

The land bank comprises

- Units within Goldenbridge Industrial Estate
- 2 no. blocks on Oblete View (mixed use residential and commercial)
- Kermoor House.

Uses are mixed and include a house of worship, warehousing, food suppliers, training centres, light industry, garages, factory shops, recreational, childcare and commercial.

PURPOSE OF THE PROPOSED DRAFT VARIATION

This is an inner suburban location in Inchicore served by Dublin Bus and in close proximity to the Blackhorse Luas stop. The lands characterised by low volume of use with a noticeable level of vacancy amongst existing units.

The units in operation serve a certain level of functionality and include uses such as light industry, community, warehousing, residential and offices. Planning history demonstrates an existing pressure on these lands to shift away from historical uses towards office, retail and residential. It is considered appropriate to rezone these lands to a mixed use zoning (with residential the predominant use) to encourage better use of lands.

A strip of Z9 (Open Space) zoning is proposed through these lands where they abut the Camac River. This will ensure that the setting of the Camac is protected and to improve the quality of public open space and allow for an appropriate setback for future development, which will benefit from overlooking a green/blue corridor.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

16.4 Map of the Variation



16.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 32 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 16.6 following this layout:

- Principle of rezoning to Z9, Z10 and new Z9 text
- Need for Plan / Masterplan for Area
- Housing
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding
- Health & Safety
- Other issues

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z9, Z10 and new Z9 text

A number of submissions received from State Bodies and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objectives Z9 and Z10. The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber of Commerce (DCoC) and Fingal County Council (FCC), specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the delivery of more intensive, efficient and sustainable land use through urban compaction. The IDA and Dublin Chamber together with individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality. In respect to the proposed addition of text to Section 14.8.9, the Office of Public Works (OPW) requests that the following statement (or a derivative thereof) be added as supplemental text in order to provide greater certainty and policy direction: "...following the correct assessment and application of the Planning and Flood Risk Management Guidelines and relevant circular ensuring flood risk is given due consideration before any amendments are made". In relation to the subject Variation, the OPR also endorses the proposed amendment of section 14.8.9 of the City Development Plan to include additional text in order to improve the functionality and passive surveillance of Z9 lands, whilst EMRA specifically recognise that the rezoning of these lands which abut the Camac River has the potential to lead to general environmental

improvements along the watercourse and to support the development of metropolitan scale green infrastructure/ amenities.

Submissions from other groups and individuals also support the mixed use and amenity / open space rezoning and note that, on the basis of the lands' proximity to amenities/ public transport/ existing residential areas, it is reasonable to make more efficient use of this underutilised land potentially as a landmark community centred on sustainable mobility or an a creative/ cultural space. In this regard, multiple submissions draw attention to the Scoping Report on development of Inchicore / Kilmainham which was recently prepared by Dr. Jack Nolan and link the development potential of the subject lands to the recommendations of this report.

Need for Plan / Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands such as these, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration whilst promoting sustainable modal choices. A number of individual submissions also raise the requirement for a new area plan to be made and in place before a decision is made in respect to rezoning of the lands. The NTA recommends that the variation is approved subject to the inclusion in the variation of the need for a Masterplan including a transport assessment prior to planning.

Housing

The Industrial Development Authority (IDA) support the principle of the rezoning of these lands in and recognise the need to provide a range and quantum of housing opportunities.

Employment

Submissions highlight the requirement to increase business, employment and entrepreneurship in the area by creating opportunities for local artisans, crafts and traders.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). In relation to the subject lands, the DES note that the land area of Variation no. 16 is significant in size and on this basis, undertook an outline projection on the number of primary and post-primary school place that may be required if the lands are developed. Their projection found that the proposed Variation did not have the potential to generate a comparatively significant educational requirement in the local area.

Irish Water (IW) has no objection to the proposed variation.

Other submissions note existing pressure on local amenities, such as a lack of sufficient school and crèche places, highlight issues of crime, anti-social behaviour and point to how a lack of investment in the Inchicore / Kilmainham area has contributed to high levels of social and economic disadvantage

Movement and Transport

Transport Infrastructure Ireland (TII) supports the proposed rezoning of the subject lands on the basis of their close proximity to public transport (PT) infrastructure.

Flooding

The Office of Public Works' (OPW) submissions comment on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it states that the impact from daylighting the Camac Culvert on flooding has not been assessed. The OPW recommends using the Camac project steering group to discuss and agree an approach for the assessment of the opportunities and risks associated from opening the culvert traversing the lands (as part of the flood alleviation scheme or at a later stage). The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact. The OPW states that this assessment should be carried out before the lands are rezoned.

Health & Safety

The Health and Safety Authority (HSA) set out the role and responsibilities of the agency in respect to land use planning and provide a list of current COMAH establishments in the area of Dublin City Council to allow cross-referencing with the proposed Variations. The nearest COMAH sites are in the vicinity of the Naas Road.

16.6 Chief Executive's Response

The comments received supporting the proposed variation No. 16 (Goldenbridge Industrial Estate) are noted and welcomed.

Principle of Rezoning to Z9, Z10 and new Z9 text

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city and regional future growth projections, including those for housing demand. The references to the Scoping Report prepared by Dr. Jack Nolan are noted and it is considered that the zoning changes proposed are in line with the recommendations in the report.

Need for Plan / Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. Objective MT01 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development.

It is noted that individual submissions raise the requirement for an area plan. Given the relatively small scale of the site, it is considered that an area plan would not be required, but that detailed design and layout are best addressed as part of the development management process.

Housing

The comments of the IDA in respect to the need to provide a range and quantum of housing are noted and supported.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. The proposed rezoning will not affect the continuing operation of existing business and employers on the lands and the mixed use zoning will facilitate greater opportunities for new enterprise, creative and cultural activities.

Services / Facilities / Social Infrastructure

The comments of the IDA and others with respect to local amenities are noted. It is noted that Irish Water (IW) has no objection to the proposed variation.

The comments with respect to local amenities are noted and it is considered that the lands are already well serviced by existing infrastructure.

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term

Movement and Transport

TII's support of the rezoning of the lands on the basis of their close proximity to public transport (PT) infrastructure is noted.

Flooding

The comments of the OPW in respect of this proposed variation are noted. It is proposed to rezone lands along the alignment of the Camac Culvert as Z9 (Open Space). This is for the purposes of allowing, should it be deemed desirable in the future that the Camac Culvert to be opened for its length through the lands, potentially enabling river protection, rehabilitation, increased biodiversity and amenity. If this is not the case, it is appropriate to retain a green area over the river to take account of its path and contribute to a greenway connection.

The 'daylighting' of the Camac Culvert could potentially, be delivered as part of the flood alleviation scheme or at a later stage and any such proposal will be required to address the suitability or not with a full and detailed flood risk assessment. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

Health & Safety

The comments of the HAS are noted. The lands the subject of this proposed variation lie outside the consultation distance associated with the nearest COMAH sites which are located around the Naas Road.

Other issues

It was noticed following publication of the variation that a typographical error resulted in a slight difference between the text of the public notice and that contained in the Variation report regarding the proposed change of wording to Section 14.8.9 of the City Development

Plan. It should be noted that the wording used in the Public Notice is the proposed change and for clarity is repeated below:

“Adjacent development shall be designed to complement the Z9 area and to provide surveillance. Any future amendments to the width of a Z9 area, which is considered to be minor in nature, will be considered in special circumstances where the proposal will benefit the character of the area and there is no net loss of land”.

16.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive’s Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 16) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 17 – Esmond Avenue

17.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

17.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.17	Esmond Avenue, Fairview Strand, Dublin 3	146, 149, 165, 170, 178, 185, 233, 234, 236, 243, 261, 276, 281, 282

17.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

The Z6 lands are located in an inner suburban location in Fairview. This area is well served by Dublin Bus. They are characterised by low intensity and low scale uses surrounded in the main by residential uses.

To reflect the residential character of the wider area it is considered appropriate to rezone these lands for residential purposes.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

17.4 Map of the Variation



**Dublin City Council Development Plan 2016-2022
Esmond Avenue, Fairview Strand, D3**

Map Ref E6
 Site Boundary
 Scale 1:2,500

Proposed Zoning
 Z1
 Area 0.222Hectares

17.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 14

no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 17.6 following this layout:

- Principle of Rezoning to Z1 & Housing Provision
- Employment
- Services / Facilities / Social Infrastructure
- Movement and Transport
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. variations and are not site specific.

Principle of Rezoning to Z1 & Housing Provision

A number of submissions received from State Bodies, organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1. (See also Section 6 of this Report). The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced/ underutilised brownfield sites which are centrally located and within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. In relation to this site, the IDA stresses the importance and potential for achieving a higher density in this location.

A number of submissions received object in principle to the rezoning and feel that it is not required, with some putting forward alternate zonings and proposals for specific land uses.

Employment

It is requested in a submission that this site be retained as industrially zoned land due to its close proximity to the city centre.

Services / Facilities / Social Infrastructure

A number of submissions point to existing pressure on local amenities

Movement and Transport

A number of submission raise concerns regarding traffic and congestion.

Flooding

~~The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the site specific SFRA and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).—~~ The Office of Public Works' (OPW) submissions comment on the Strategic Flood Risk Assessment for Proposed variations No.'s 8 to 27. In respect of this proposed variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding.

17.6 Chief Executive's Response

Principle of Rezoning to Z1 & Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land to meet the City and regional future growth projections, including those for housing demand. Notwithstanding the generally positive response on this issue, the submissions which object to the proposed rezoning.

In relation to a call for a local plan and concerns regarding the change of zoning, the purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. The zoning will allow for appropriately scaled infill housing, whilst respecting the Z2 zoned housing on Philipsburgh Avenue and the narrow access which is unsuitable for industrial traffic.

Employment

The purpose of the proposed Variations is to bring these well serviced but underutilized employment (Z6) zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level.

Services / Facilities / Social Infrastructure

The comments of the IDA and others with respect to local amenities are noted, and as outlined above, the wider study will address the issues of local services and amenities. It is considered that the lands are generally already well serviced by existing infrastructure.

Movement and Transport

In respect to the points raised, it is considered that issues around site-specific access constraints and traffic impact will be considered and addressed in detail within the context of the development management process, where the exact nature and scale of any redevelopment is known.

Flooding

The comments of the OPW in respect of this proposed variation are noted. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

17.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation No. 17 (Esmond Avenue) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 18 - Seville Place

18.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z5 – To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.

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

18.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.18	Seville Place, Dublin 1	12, 146, 149, 165, 170, 178, 184, 233, 236, 243, 261, 276, 281, 282

18.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This Z6 land bank is located in the north inner city near Newcomen Bridge and measures 1.3012ha. The lands are within walking distance of Connolly Station and well served by Dublin Bus. Situated within the land bank is a railway maintenance shed, railway lines and railway bridge.

The land bank is utilised by a sole occupier and functions as a depot for the storage and maintenance of rail carriages and sidings and from which rail traffic passes through northbound from Connolly Station.

PURPOSE OF THE PROPOSED DRAFT VARIATION

Given the inner city location of these lands it is appropriate to rezone the lands from Z6 (employment) to Z5 (City Centre Mixed Use) in order to better reflect the wider zoning objective in the area.

A small parcel of the lands, adjacent the Royal Canal is proposed for to be rezoned Z9 (Open Space). The purpose of this zoning is to protect the setting of this important amenity from inappropriate development and provide for continuity of greenspace.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

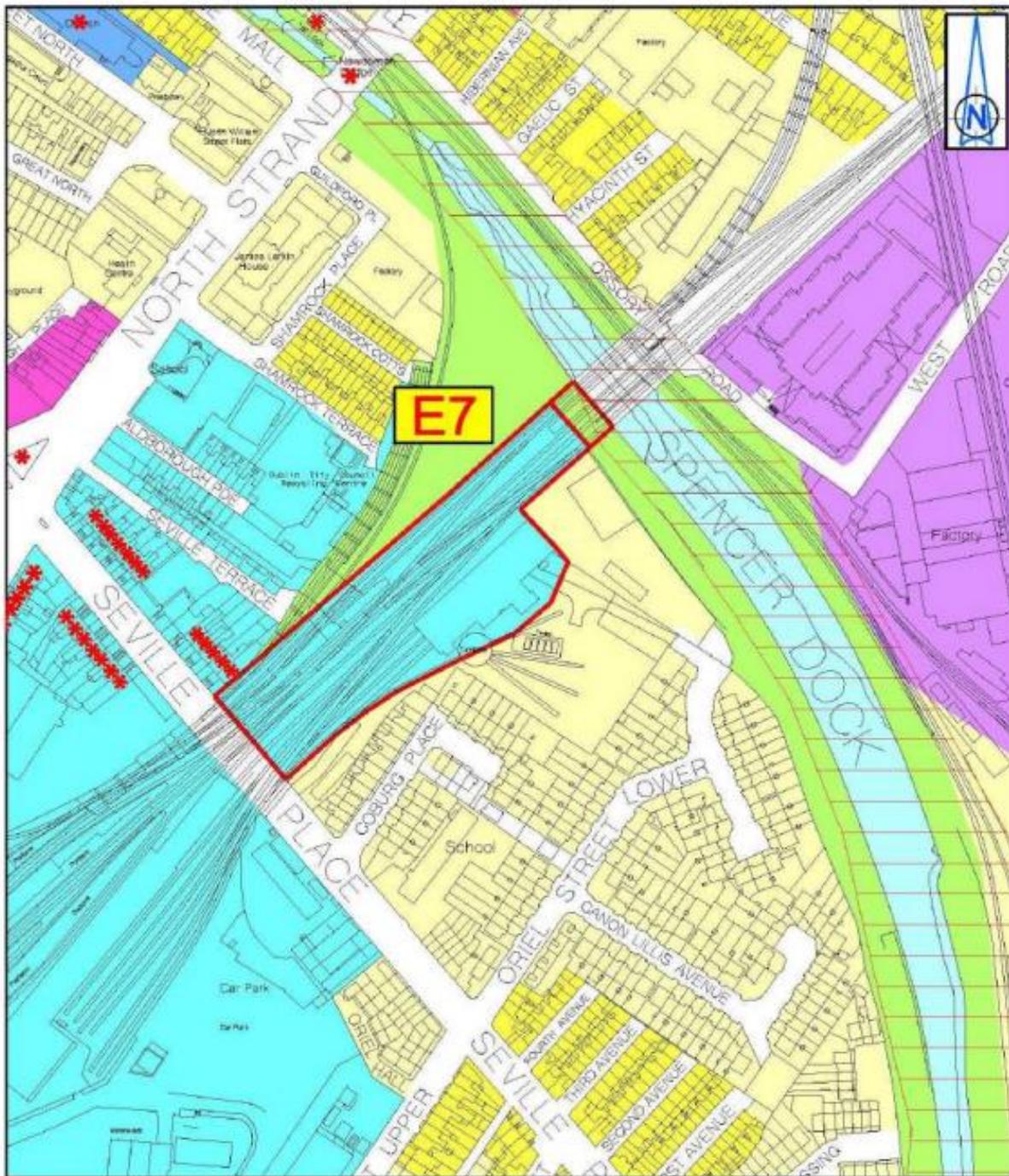
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule

2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

18.4 Map of the Variation



Dublin City Council Development Plan 2016-2022
Seville Place, D2

Map Ref E7
Site Boundary
Scale 1:2,500

Proposed Zoning
Z5 Area 1.180Hectares
Z9 Area 0.044Hectares

18.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 14 no. other submissions were received in respect of this proposed Variation and 3 of these relate specifically to the lands. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under umbrella headings listed below and the Chief Executive's Response in section 8.6 following this layout:

- Principle of rezoning to Z5 and Z9 & Housing Provision
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z5 and Z9

Coras Iompar Éireann (CIE) owns the lands and is supportive of the Variation on the condition that it does not preclude ongoing railway operation/ activities. CIE confirmed that the development of the lands could potentially be constrained by their elevated level and restricted, issues which they suggest can be dealt with through an extension to the zoning boundary.

A number of submissions received from State Bodies and organisations (including Dublin Chamber of Commerce) and individuals support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z5 (mixed use) and Land Use Zoning Z9 (Open Space). The IDA supports the variation. The IDA and Dublin Chamber together with some individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses.

Two submissions received object in principle to the rezoning raising the need for an integrated and holistic area plan / development plan, to be prepared and in place before a decision is made in respect to rezoning of the lands. One submission states that issues needing to be addressed include the need for a vision for the area, traffic analysis, the provision of building form and height which respects the existing character of the area, and the provision of schools.

A submission received outlines concern that the proposed rezoning will lead to significant increases in property value for developers and in response advocates that a tax be placed on the increase in value generated or that the site be purchased by the state to be used for education / elderly / affordable accommodation.

Movement and Transport

The NTA seeks the inclusion of text as part of the Variation seeking that development will be fully integrated with the adjacent railway station.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation the OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 need to be updated to reflect this fact.

18.6 Chief Executive's Response to the Issues Raised by the Submissions Received

Introduction

The comments received in respect of the proposed variation No. 18 (Seville Place) are noted and welcomed.

Principle of Rezoning to Z5 and Z9

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's and regions' future growth, including housing demand.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

Movement and Transport

In response to the NTA's comments as outlined under the section above, it should be noted that Objective MT01 of the Dublin City Development Plan 2016 – 2022 addresses this issue whereby it seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development where appropriate.

Flooding

The comments of the OPW in respect of this proposed variation are noted. An Stage 3 Flood Risk Assessment will be required for all development proposals. All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

18.7 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 Draft Variation (No. 18) of the Dublin City Development Plan 2016-2022

Proposed Variation No. 19 - Old Kilmainham Road / South Circular Road

19.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

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

19.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.19	Lands at Old Kilmainham/South Circular Road, Dublin 8	12, 21, 149, 165, 170, 178, 233, 234, 236, 243, 261, 276, 281, 282

19.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These Z6 lands comprise 4 land banks. They are located in the inner suburbs (off / near South Circular Road) near. St. James Hospital. The lands are well served by Dublin Bus and are within walking distance of a Luas stop.

The sites are located in Kilmainham, Dublin 8 close to the junction of Old Kilmainham, Brookfield Road, Kearns Place and South Circular Road to the west of the St. James Hospital complex. The sites to the north of Old Kilmainham Road are bounded to the rear by the Camac River.

The Z6 lands contain residential uses and a number of warehouse type buildings (containing car sales, repairs and rental etc.) and more recently constructed structures (containing hair beauty products, training academy, and builders providers etc.).

PURPOSE OF THE PROPOSED DRAFT VARIATION

The lands are in an inner suburban location well served by Dublin Bus and within easy walking distance to Luas Red Line and St. James Hospital Campus. Residential development has taken place on these lands and much of the commercial lands are underutilised, low scale in nature and/or vacant. It is recommended that the land Use Zoning should be changed to reflect this.

It is proposed that the two northern sites outlined in red on Map E12 below should be rezoned from Z6 to Z1 and Z9. The proposed Z9 zoning provides for a riparian strip where these lands abut the Camac River on their northern boundary.

It is proposed that the two southern sites outlined in red on Map E12 below should be rezoned to Z1.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

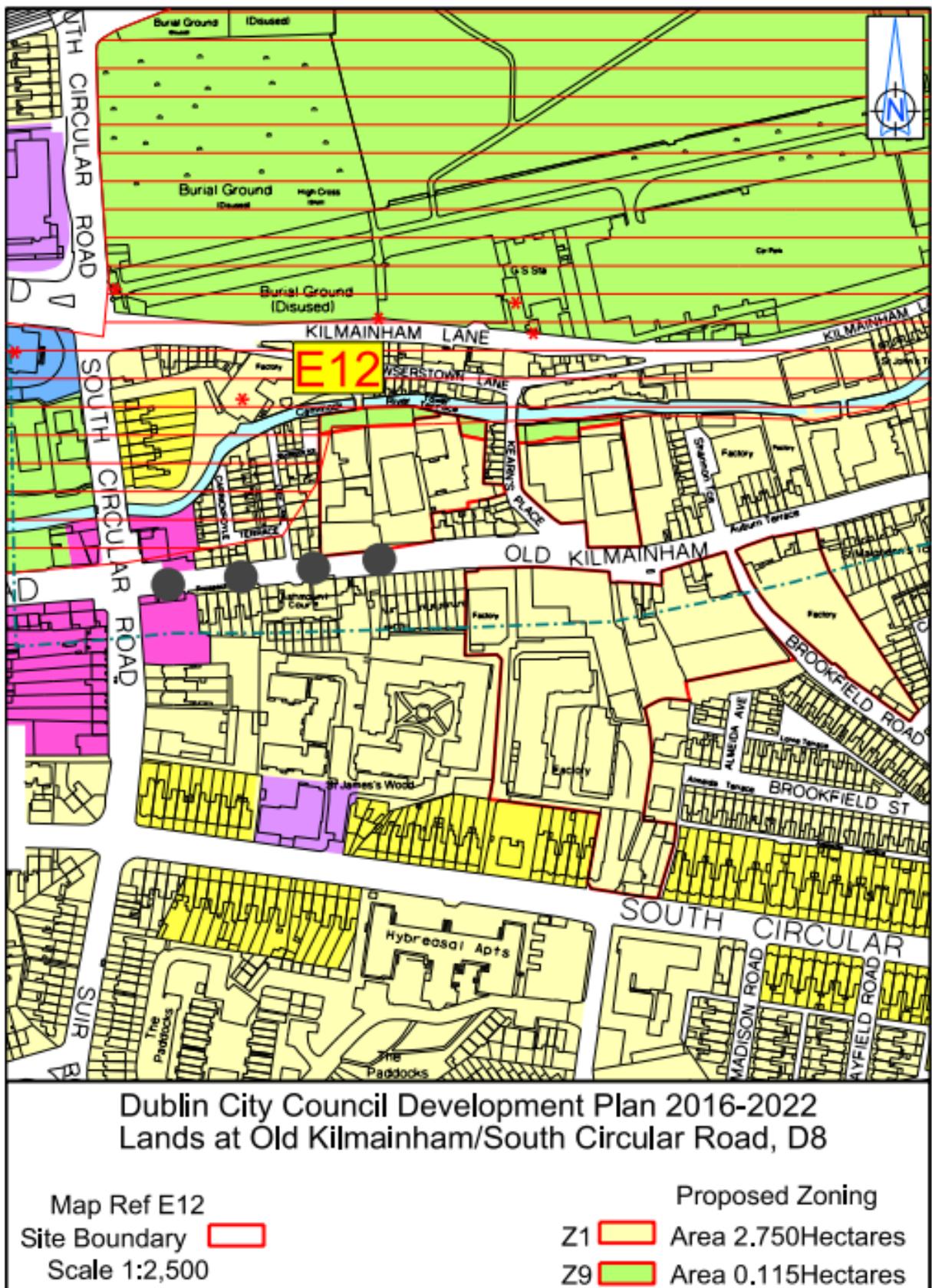
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

19.4 Map of the Variation



19.5 Office of the Planning Regulator (Submission No. 261)

Summary of the Submission

The OPR is concerned that proposed variation does not comply with the Section 28 Guidelines dealing with Flood Risk Management – The Planning System and Flood Risk Management, Guidelines for Planning Authorities (OPW 2009). It notes the Office Of Public Works (OPW) submission that whilst there is a level of protection for the area by the works at Kearns place / Lady Lane, the extent of this protection, its design standard and how it will tie in to the proposed open space (Z9 areas) require further assessment to inform any proposed rezoning. It states that the issue of management of risk to future vulnerable uses on the lands and confirmation that redevelopment would not cause adverse impacts elsewhere needs to be addressed in the SFRA. It states that it would be contrary to the guidelines to rezone further lands for residential development knowing that an adequate level of protection is not being provided. The OPR recommends that the PA engage with the Office of Public Works in relation to the proposal and that it determine the appropriateness of the proposed zoning objective taking account of the Flood Risk Management Guidelines. The PA must confirm if the variation is consistent with the guidelines and if not the Variation should not be proceeded with.

Chief Executives Response

The comments of the OPR in respect of this proposed variation are noted and which impact a small section of this variation. In view of the fact that Camac Flood Alleviation Scheme will not be in place for one year it is considered appropriate not to proceed with the proposed variation on the lands to the north of the Old Kilmainham Road, (which is the smaller portion of the variation) at this time and to reconsider the zoning of these lands as part of the overall Development Plan review process when the Camac scheme will be complete. The flood risk does not impact on the lands proposed for a zoning change on the south of the Old Kilmainham Road and it is proposed to recommend that these lands for variation.

19.5.1 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 14 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below and the Chief Executive's Response and Recommendation on these issues are set out:

- Principle of rezoning to Z1 and Z9
- Services / Facilities / Social Infrastructure
- Flooding
- Other Issues

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1 and Z9

A number of submissions received from State Bodies, and individuals alike, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1 and Z9 which is a residential zoning and an open space zoning. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

The NTA recommends that the variation is approved subject to the inclusion in the variation of the need for a Masterplan including a transport assessment prior to planning.

The IDA seeks to stress the importance and potential of achieving a higher density in this particular location. One submission seeks that no rezoning decisions be made until either a local area plan or a new city development plan is put in place.

Services / Facilities / Social Infrastructure

Irish Water has no objection to the proposed variation. These lands will need more detailed assessment / sewer modelling or water network reinforcement depending on the nature of the development proposals that are forthcoming

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it states that the level of protection provided by existing flood defence works at Lady's Lane / Kearns Place and how it will tie in to the proposed open space (Z9 area) needs to be further assessed. This area has been flooded in the past and it would be contrary to the guidelines to rezone the lands for residential development knowing that an adequate standard of protection has not been provided and both fluvial and pluvial issues may still exist.

Other Issues - correction

It has been brought to the attention of the Planning Authority by the OPW that the Key to Map E12 for proposed variation No. 19 incorrectly references the map. The Z9 zoning should be shown as 'Area 0.807 ha' and the Z1 zoning should be shown as 'Area 2.750 ha' and not the other way round as indicated.

19.6 Chief Executive's Response to the Issues Raised by the Submissions Received

Principle of Rezoning to Z1 and Housing Provision

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the City's and regions' future growth, including housing demand. It is considered that taking into account the small scale of the lands in question, that the design approach taken is best addressed through the development management process.

In response to the NTA's comments as outlined under the section above, it should be noted that Objective MT01 of the Dublin City Development Plan 2016 – 2022 addresses this issue whereby it seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development where appropriate.

Services / Facilities / Social Infrastructure

The Council recognise the issues raised by Irish Water, and will work closely with the Agency and any relevant landowners to address any infrastructure needs within the area.

Flooding

See R1 Chief Executives Recommendation to OPR Recommendation above.

The comments of the OPR and the OPW in respect of this proposed variation are noted and which impact a small section of this variation. In view of the fact that Camac Flood Alleviation Scheme will not be in place for one year it is considered appropriate not to proceed with the proposed variation on the lands to the north of the Old Kilmainham Road, (which is the smaller portion of the variation) at this time and to reconsider the zoning of these lands as part of the overall Development Plan review process when the Camac scheme will be complete. The flood risk does not impact on the lands proposed for a zoning change on the south of the Old Kilmainham Road and it is proposed to recommend that these lands for variation.

Other Issues

The key for Map 12 has been corrected.

19.7 Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 19) of the Dublin City Development Plan 2016-2022 only in respect to the lands outlined in red to the south of Old Kilmainham Road.

Proposed Variation No. 20 - 109 – 114 Cork Street

20.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas.

20.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.20	109-114 Cork Street, Dublin 8	21, 80, 146, 149, 165, 170, 233, 234, 236, 243, 261, 276, 281, 282

20.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These Z6 lands (0.572 ha) are located in the inner city to the north of Cork Street at 109-114 Cork Street, Dublin 8. These Z6 lands are made up of a number of different units and premises in various states of maintenance. A plant shop takes up a significant portion of the lands. The lands are located along a QBC.

They are bounded to the south by Cork Street and, partly, to the east by John Street South. The northern boundary of the site includes Allingham Street.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The context for these lands is mixed use. Presently, the overall site is underused, with Number 110-111 vacant. The subject site is located in the city centre and is considered to have significant potential for development/redevelopment.

As the lands comprise an underutilised inner city site on a key communication corridor, it is considered that a change of zoning to Z10 (mixed use) would be a more appropriate zoning at this location.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

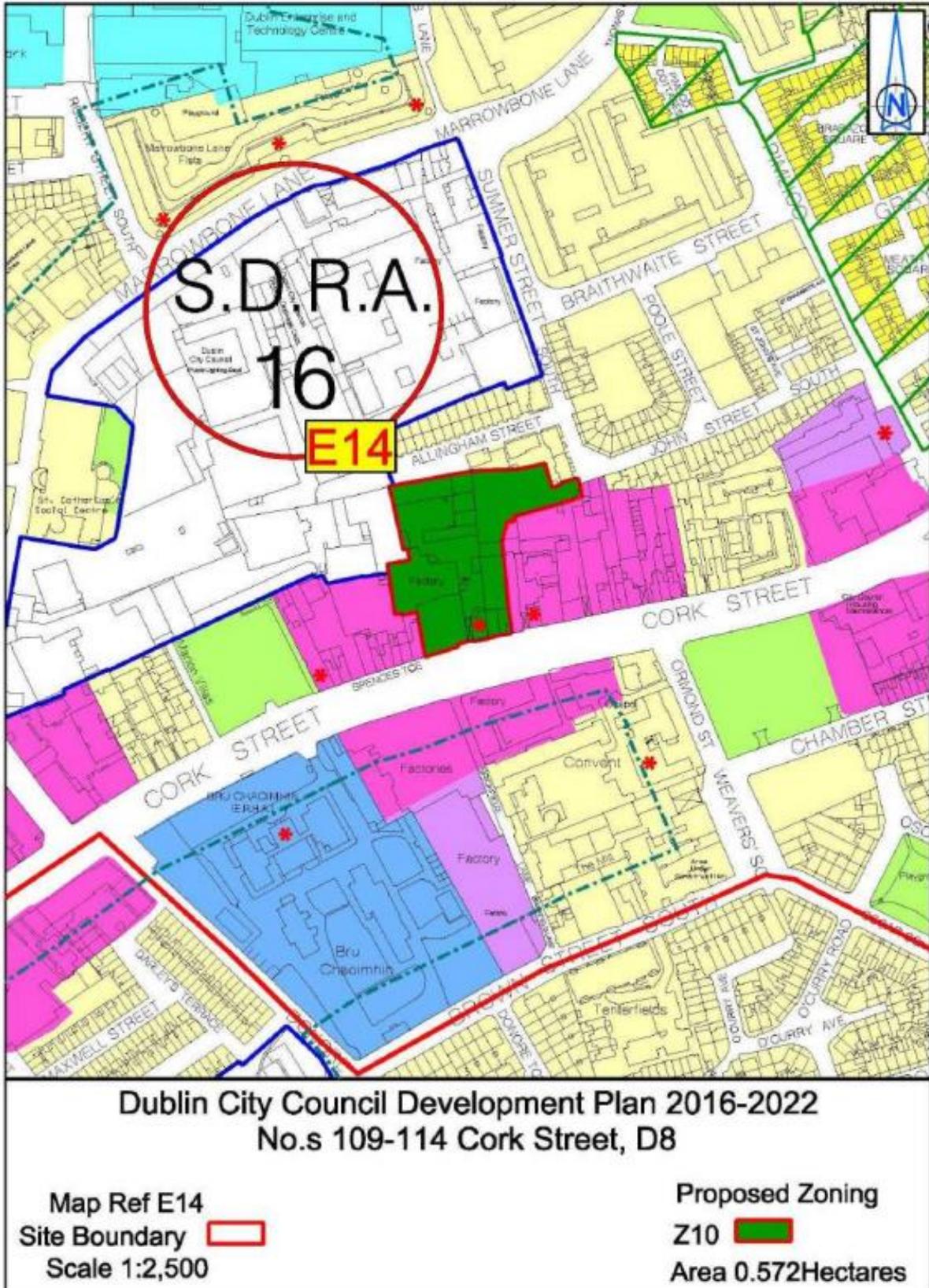
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account

observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

20.4 Map of the Variation



20.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 14 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 20.6 following this layout:

- Principle of rezoning to Z10
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety
- Other Issues

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z10

A number of submissions received from State Bodies, a landowner and individuals alike, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z10 which is a mixed use land use zoning.

The land owner of a portion of the lands (Alphabet ABC Properties) has made a submission supporting the proposed rezoning.

The IDA support this variation.

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

Two submissions received object in principle to the rezoning raising the need for an integrated and holistic area plan / development plan, to be prepared and in place before a decision is made in respect to rezoning of the lands. One submission states that issues needing to be addressed include the need for a vision for the area, traffic analysis, the provision of building form and height which respects the existing character of the area, and the provision of schools.

A submission received outlines concern that the proposed rezoning will lead to significant increases in property value for developers and in response advocates that a tax be placed on the increase in value generated or that the site be purchased by the state to be used for education / elderly / affordable accommodation.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, such as these lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department has no specific comments in respect of this proposed Variation. The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools).

Irish Water has no objection to the proposed variation.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation the OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health and Safety

The Health and Safety Authority (HSA) set out the role and responsibilities on the agency in respect to land use planning, and provided a list of current COMAH establishments (Major Accidents Directive) in the area of Dublin City Council.

Other Issues - Correction

The lands proposed to be rezoned do not include No. 109 Cork Street which is not located on Z6 lands. The proposed rezoning has been shown correctly on Map E14.

20.6 Chief Executive's Response

The comments received supporting the proposed variation No. 20 (Cork Street) are noted and welcomed.

Principle of Rezoning to Z10

It is noted that a landowner of a portion of the landbank supports the proposed variation.

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of its land and public monies to meet the citys' and regions' future growth, including housing demand.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

Need for Plan /Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. As this is a small site the use of a mechanism such as a masterplan or area plan is not considered necessary or appropriate to guide development on these lands. The City Development Plan contains the necessary development guidance and standards to achieve the proper planning and sustainable development of these lands.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this small parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application. All Flood Risk Assessments for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

Health and Safety

The comments of the HAS are noted. The lands the subject of this proposed variation lie outside the consultation distance associated with the nearest COMAH sites which are located at Dublin Port.

20.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 20) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 21 - Davitt Road

21.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

21.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.21	Davitt Road, Crumlin, Dublin 12	81, 146, 149, 165, 170, 178, 179, 233, 234, 236, 243, 261, 276, 281, 282

21.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to Z6 lands (c1.8h in area) located on Davitt Road, in the south west inner suburbs (just outside the canals) in Drimnagh. The site is served by Luas (Red Line) and bus. The lands comprise light industrial uses and commercial.

The lands are bounded by Davitt Road to the north, Benbulbin Road to the west, Galtymore Road to the south and by the Good Counsel GAA club to the east.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The Z6 lands reviewed comprise low scale / low intensity employment uses with obvious vacancy and dereliction. Given the inner suburban location of the lands which are serviced by the Luas Red Line, it is considered that this is an inefficient use of these lands. It is considered that a change of land use zoning from Z6 (employment) to residential would be appropriate for these lands.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

21.4 Map of the Variation



Dublin City Council Development Plan 2016-2022 Davitt Road, Goldenbridge, Crumlin, D12

Map Ref E35
Site Boundary 
Scale 1:2,500

Proposed Zoning
Z1 
Area 1.802Hectares

21.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 15 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 21.6 following this layout:

- Principle of rezoning to Z1
- Site Development Issues
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1

A number of submissions received from State Bodies and individuals, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1 which is a residential land use zoning.

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet a range and quantum of housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

The IDA states that it has no comment on this variation but stresses the importance of high density development at this location.

The Dublin Chamber, which supports businesses employing in total 300,000 people, supports the rezoning of centrally located fully serviced and accessible brownfield lands, for housing purposes. The Dublin Chamber recognises that the success of the city in terms of its business environment and quality of life is hampered by the historic and compound problems of urban sprawl and current low housing output. It therefore supports the regeneration of brownfield lands for housing.

One submission objects to the rezoning at Davitt Road because the lands provide valuable employment in the local community as well as services but sites such as these lands could be looked at on a case by case basis should the land owner seek a variation.

Two submissions received object in principle to the rezoning raising the need for an integrated and holistic area plan / development plan, to be prepared and in place before a decision is made in respect to rezoning of the lands. One submission states that issues needing to be addressed include the need for a vision for the area, traffic analysis, the provision of building form and height which respects the existing character of the area, and the provision of schools.

A submission received outlines concern that the proposed rezoning will lead to significant increases in property value for developers and in response advocates that a tax be placed on the increase in value generated or that the site be purchased by the state to be used for education / elderly / affordable accommodation.

Site Development Issues

Transport Infrastructure Ireland (TII) has indicated that any redevelopment of the lands should not impact adversely on the efficient operation of Luas.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, such as these lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

One submission states that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department has no specific comments in respect of this proposed Variation. The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools).

Irish Water has no objection to the proposed variation.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health and Safety

The Health and Safety Authority (HSA) set out the role and responsibilities on the agency in respect to land use planning, and provided a list of current COMAH establishments (Major Accidents Directive) in the area of Dublin City Council.

21.6 Chief Executive's Response

The comments received supporting the proposed variation No. 21 (Davitt Road) are noted and welcomed.

Principle of Rezoning to Z1

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's' and regions' future growth, including housing demand.

The objection to the proposed rezoning on the grounds of the loss of valuable employment is noted. As the lands are presently characterised to an extent by vacancy and dereliction and given the immediate residential context for the site, it is considered that the proposed change of use of the land use zoning to a residential use would be beneficial for these lands and the locality.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

Site Development Issues

The comment of TII are noted. Ensuring that future works on these lands will not impact on the Luas system can be dealt with by way of a planning condition for a planning permission as part of the development management process.

Need for Plan /Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. The relevant land bank is small and therefore the appropriate means of ensuring the proper planning and sustainable development of the lands is through the application of the development plan policies, objectives and standards. .

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application. As part of any development proposal for the lands pluvial risk is to be catered for by the development on site.

All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk

Management Plans along with any updates on these since May 2018 (latest available information).

Health and Safety

The comments of the HSA are noted. The lands the subject of this proposed variation lie outside the consultation distance associated with the nearest COMAH sites which are located at Dublin Port.

21.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 21) of the Dublin City Development Plan 2016-2022

Proposed Variation No. 22 - Herberton Road / Keeper Road (Glenview Industrial Estate)

22.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

22.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.22	Herberton Road / Keeper Road (Glenview Industrial Estate), Drimnagh, Dublin 12	12, 21, 119, 149, 165, 170, 178, 179, 180, 233, 234, 236, 243, 261, 276, 281, 282

22.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

The Z6 lands (3.9187 ha) are located in the inner suburbs in Drimnagh, (just outside the Grand Canal), off Herberton Road / Keeper Road in Dublin 12. The lands are well served by public transport (Luas & Bus).

The lands are generally contained behind existing houses on Dolphin Road, Mourne Road, Herberton Road and Keeper Road in Drimnagh. The land bank comprises industrial type units with some office buildings on the Herberton Road side. The surrounding streets are predominantly residential in nature, made up of two storey terraced dwellings. There is a neighbourhood centre row of commercial units on Keeper Road, to the south of the subject lands.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The Z6 lands reviewed comprise low scale / low intensity employment uses. Given the inner suburban location of the lands which are serviced by the Luas Red Line, it is considered that this is an inefficient use of these lands. It is considered that a change of land use zoning from Z6 (employment) to residential would be appropriate for these lands.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

22.4 Map of the Variation



22.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 17 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 22.6 following this layout:

- Principle of rezoning to Z1
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety

Principle of Rezoning to Z1

A letter and submission of support to the proposed rezoning of the lands to Z1 has been submitted from a landowner at Glenview Industrial Estate. The landowner has signalled an intent to deliver residential development on the lands subject to the adoption of the variation. The submission includes an outline of the development potential of the relevant lands.

A number of submissions received from State Bodies, the landowner and individuals alike, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1 which is a residential land use zoning.

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality. The IDA stresses the importance and potential of achieving a higher density in this location.

The IDA states that it has no comment on this variation but stresses the importance of high density development at this location.

The Dublin Chamber, which supports businesses employing in total 300,000 people, supports the rezoning of centrally located fully serviced and accessible brownfield lands, for housing purposes. The Dublin Chamber recognises that the success of the city in terms of its business environment and quality of life is hampered by the historic and compound problems of urban sprawl and current low housing output. It therefore supports the regeneration of brownfield lands for housing.

One submission objects to the rezoning at Herberton Road / Keeper Road because the lands provide valuable employment in the local community as well as services but points out that sites such as these lands could be looked at on a case by case basis should the land owner seek a variation.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, such as these lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration. The NTA recommends that the variation is approved subject to the inclusion in the variation of the need for a Masterplan including a transport assessment prior to planning.

One submission states that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department of Education and Skills identifies that the proposed variation will generate an additional educational requirement in the local area. The Department of Education and Skills (DES) makes a general submission highlighting the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools).

Irish Water has no objection to the proposed variation.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it states the latest information on the Puddle FAS should be considered before rezoning and the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27 should be updated accordingly.

The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health and Safety

The Health and Safety Authority (HSA) set out the role and responsibilities on the agency in respect to land use planning, and provided a list of current COMAH establishments (Major Accidents Directive) in the area of Dublin City Council.

22.6 Chief Executive's Response

The supportive comments received supporting the proposed variation in No. 22 (Herberton Road/ Keeper Road) are noted and welcomed.

Principle of Rezoning to Z1

It is noted that state bodies, Dublin Chamber, a landowner and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's' and regions' future growth, including housing demand.

The objection to the proposed rezoning on the grounds of the loss of valuable employment is noted. The purpose of the proposed Variations is to bring these well serviced but underutilized employment zoned brownfield lands into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. It should be noted that the zoning change does not impact on the continuing use of the lands as they are.

Need for Plan /Masterplan for Area

The comments of TII in respect of ensuring that lands located at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. The detailed master planning / development of these lands is best addressed at the development management stage. The City Development Plan and relevant Section 28 Guidelines contain the necessary development guidance and standards to guide proposed development and to achieve the proper planning and sustainable development of the lands.

Services / Facilities / Social Infrastructure

The DES's submission that the development of these lands may require the provision of additional primary and post primary places in the locality is noted as is the need for improved collaboration and shared research.

The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this small parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

Any development proposal for these lands will be required to use the latest information from the Poddle Flood Alleviation Scheme. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

Health and Safety

The comments of the HAS are noted.

22.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 22) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 23 - White Heather Industrial Estate

23.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

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

23.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.23	White Heather Industrial Estate, Dublin 8	83, 149, 165, 170, 233, 234, 236, 243, 261, 276, 281, 282

23.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to Z6 lands (1.464 ha) located inside the Grand Canal in Dolphin's Barn within walking distance of a Luas stop. The lands comprise an Industrial Estate.

The lands are bounded by the South Circular Road to the north, Priestfield Cottages to the east, the Grand Canal/Parnell Road to the south and Dolphin's Barn Road to the west.

PURPOSE OF THE PROPOSED DRAFT VARIATION

This Z6 land bank (1.464ha) comprises a small inner city industrial lands complex comprising of low scale and low intensity development. The area is well served by public transport. A change of zoning from Z6 to a residential zoning is proposed, with a Z9 zoning adjacent to the Grand Canal and existing Z9 zoning to function as a riparian buffer.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

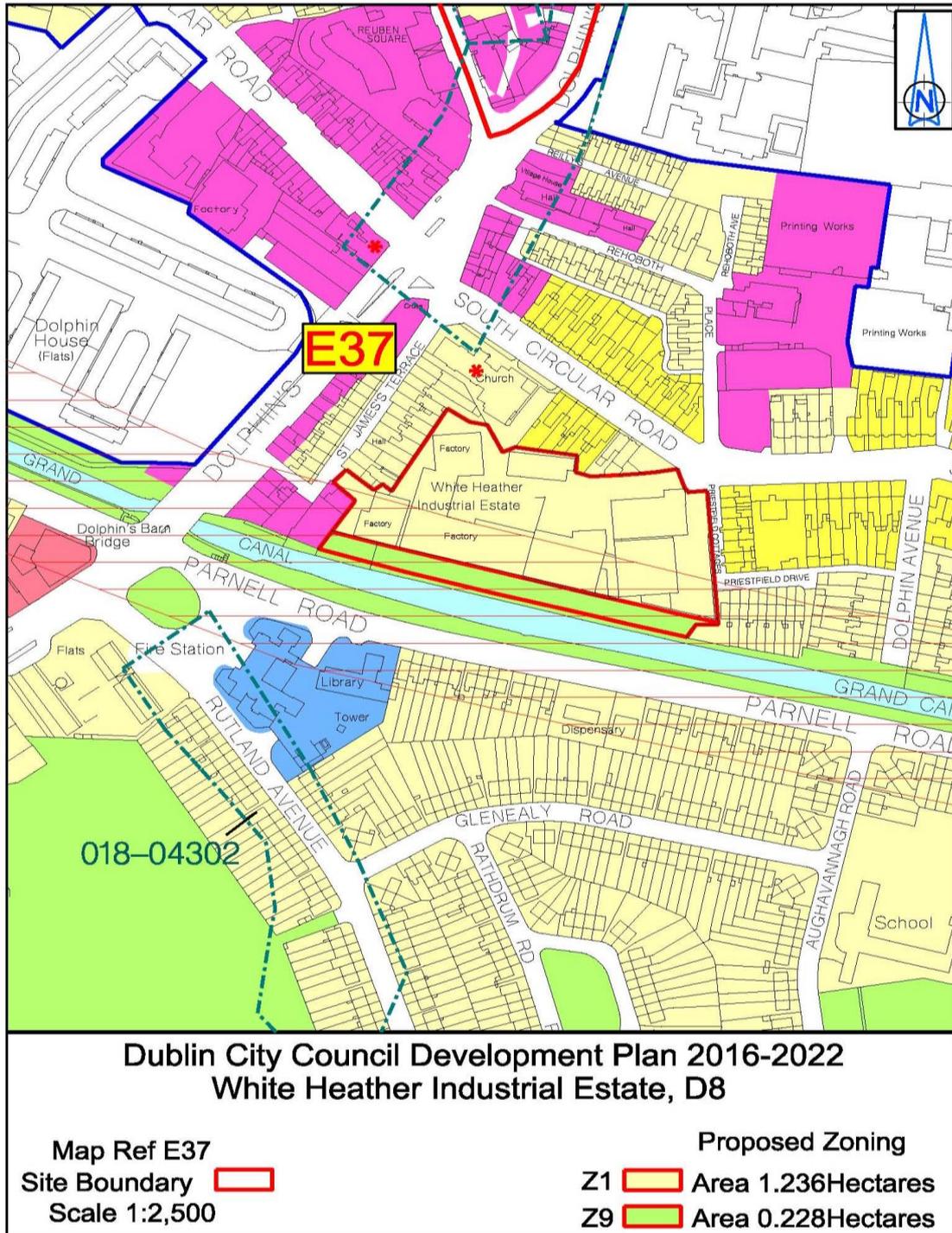
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats

Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

23.4 Map of the Variation



23.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 12 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 23.6 following this layout:

- Principle of rezoning to Z1 and Z9
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety

Principle of Rezoning to Z1 and Z9

A submission in support to the proposed rezoning of the lands to Z1 and Z9 has been submitted from a landowner at White Heather Industrial Estate. The landowner has signalled an intent to deliver residential development.

A number of submissions received from State Bodies, the landowner and individuals alike, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1 which is a residential land use zoning and Z9 (Open Space).

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

The IDA states in its submission that considering the location of the lands, its proximity to current and proposed large scale redevelopment and existing and planned public transport upgrades it suggests that a Z6 or other mixed use zoning would be more appropriate at this location.

The Dublin Chamber, which supports businesses employing in total 300,000 people, supports the rezoning of centrally located fully serviced and accessible brownfield lands, for housing purposes. The Dublin Chamber recognises that the success of the city in terms of its business environment and quality of life is hampered by the historic and compound problems of urban sprawl and current low housing output. It therefore supports the regeneration of brownfield lands for housing.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, such as these lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

One submission states that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department of Education and Skills make no specific comment in respect of these lands. The Department of Education and Skills (DES) highlights the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools). It states that as has happened with the Strategic Housing Development process, it has found it difficult to assess the incremental impact of Variations to the City Development Plan on overall school numbers relative to the total projected residential numbers envisaged for the life of the development plan.

Irish Water has no objection to the proposed variation.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

Health and Safety

The Health and Safety Authority (HSA) set out the role and responsibilities on the agency in respect to land use planning, and provided a list of current COMAH establishments (Major Accidents Directive) in the area of Dublin City Council. The nearest COMAH sites are at Dublin Port.

23.6 Chief Executive's Response

The comments received supporting the proposed variation No. 23 (White Heather) are noted and welcomed.

Principle of Rezoning to Z1 and Z9

It is noted that state bodies, Dublin Chamber, a landowner and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's' and regions' future growth, including housing demand.

The comments of the IDA that these lands would more suitably used as Z6 lands (employment) or mixed use lands are noted. The lands proposed for rezoning are located

within the inner city and while their immediate context is residential, the lands lie within walking distance of the city centre and within walking distance of adjacent strategic development and employment lands at St. James (SDRA 15) and St. Teresa's Gardens and Environs (SDRA 12). Lands along Cork Street are also primarily zoned Z4 (District Centre) which is a mixed use land use zoning. Given the residential context of the lands proposed for rezoning and their location along the canal, and in light of national and regional policy to provide for more housing lands in centrally located and accessible locations such as between the canals, it is considered that the more suitable land use zoning objective for these lands is a residential zoning. It should be noted that the zoning change does not impact on the continuing use of the lands as they are.

Need for Plan /Masterplan for Area

The comments of TII in respect of ensuring that lands located at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. The detailed master planning / development of these lands is best addressed at the development management stage. The City Development Plan and relevant Section 28 Guidelines contain the necessary development guidance and standards to guide proposed development and to achieve the proper planning and sustainable development of the lands.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

Health and Safety

The comments of the HSA are noted. The lands the subject of this proposed variation lie outside the consultation distance associated with the nearest COMAH sites which are located at Dublin Port.

23.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 23) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 24 - Park Gate Street / Wolfe Tone Quay

24.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z5 – To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.

24.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.24	Parkgate Street / Wolfe Tone Quay, Dublin 8	81, 149, 165, 170, 178, 233, 234, 236, 243, 261, 276, 281, 282

24.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

This report relates to Z6 lands measuring c.0.012 ha in total with one small building located on the lands. The disused building is located on Parkgate Street on the north side of the River Liffey near Heuston Station. The lands are served by high frequency public transport and located in an area of significant historic, amenity and tourism importance.

The Z6 study area comprise an unused (historic) ESB substation (a street based structure) and part of an urban green space, enclosed by railings.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The surrounding land use is Z5 (City Centre) and this would be the most appropriate zoning response for these particular lands, allowing for a new suitable use to be found for the building located on site.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

Strategic Environmental Assessment

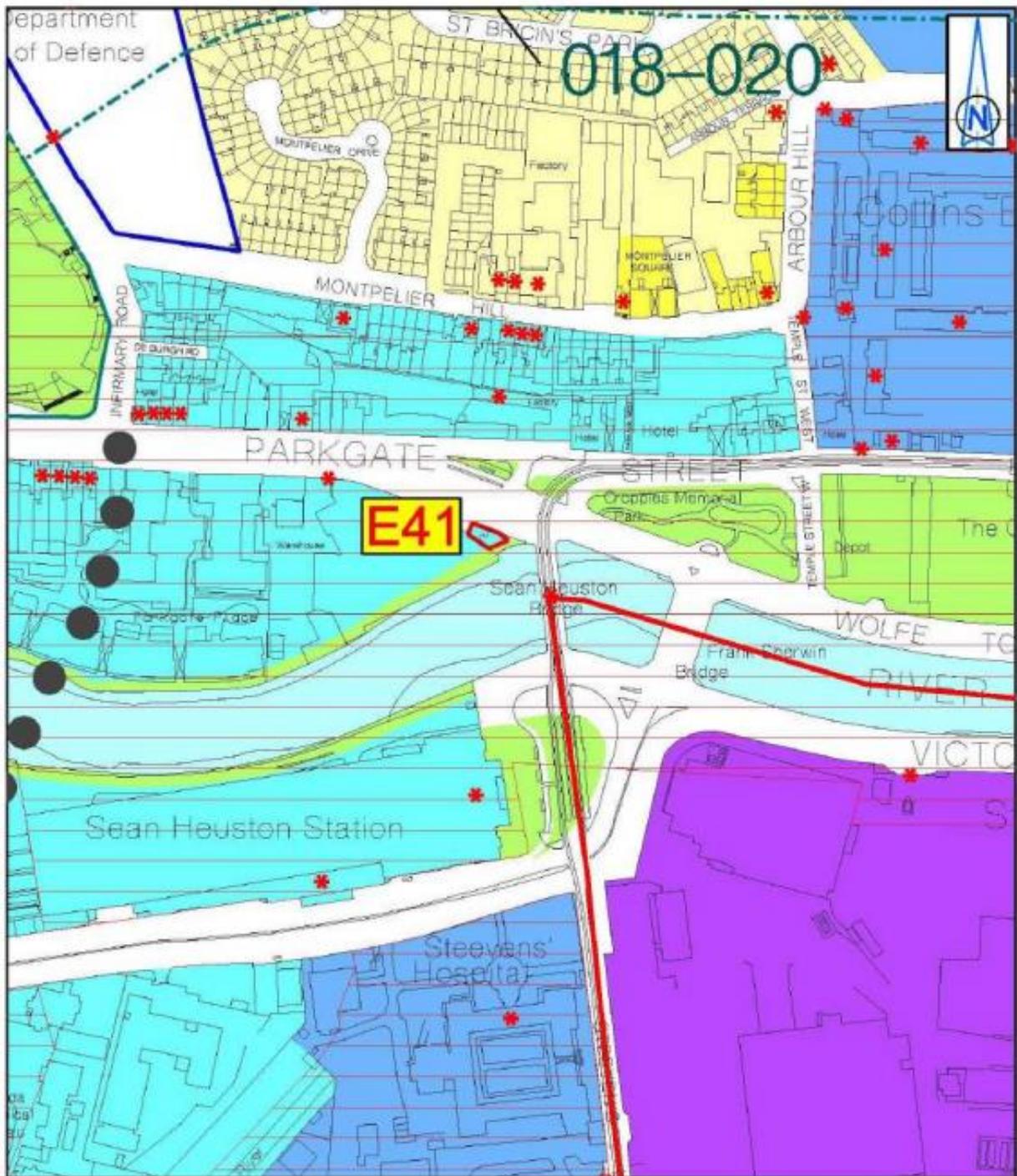
The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats

Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

24.4 Map of the Variation



Dublin City Council Development Plan 2016-2022
Parkgate Street / Wolfe Tone Quay, D8

Map Ref E41
Site Boundary
Scale 1:2,500

Proposed Zoning
Z5
Area 0.012Hectares

24.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 13 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 24.6 following this layout:

- Principle of rezoning to Z5
- Site Development Issues
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding
- Health & Safety

Principle of Rezoning to Z5

A number of submissions received from State Bodies and individuals alike, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z5 which is a city centre mixed use.

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of these lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

To ensure the ongoing success of FDI in Dublin the IDA identifies the need to provide a range and quantum of housing opportunities along with services and amenities in the city. The IDA supports high density employment uses / mixed uses at strategic locations well serviced by good quality public transport where it's appropriate to its context. The IDA stresses the importance of achieving a higher density development at this location.

The Dublin Chamber, which supports businesses employing in total 300,000 people, supports the rezoning of centrally located fully serviced and accessible brownfield lands, such as these lands, for housing purposes. The Dublin Chamber recognises that the success of the city in terms of its business environment and quality of life is hampered by historic problems of urban sprawl and current low housing output.

Site Development Issues

Transport Infrastructure Ireland (TII) has indicated that any redevelopment of the lands should not impact adversely on the efficient operation of Luas.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

One submission states that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department of Education and Skills make no specific comment in respect of these lands. The Department of Education and Skills (DES) highlights the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools).

Irish Water has no objection to the proposed variation.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it states that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

24.6 Chief Executive's Response

The supportive comments received in respect of the proposed variation No. 24 Parkgate Street / Wolfe Tone Quay are noted and welcomed.

Principle of Rezoning to Z5

It is noted that state bodies, Dublin Chamber, and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of its land and public monies to meet the city's' and regions' future growth, including housing demand.

Site Development Issues

The comment of TII are noted. Ensuring that future works on these lands will not impact on the Luas system can be dealt with as part of the development management process.

Need for Plan /Masterplan for Area

The comments of TII in respect of ensuring that lands located near / at public transport nodes are integrated with public transport (light rail) to ensure greater modal choice for communities are noted. The relevant land bank is small and therefore the appropriate means of ensuring the proper planning and sustainable development of the lands is through the application of the development plan policies, objectives and standards. .

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

24.7 Chief Executives Recommendation

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 24) of the Dublin City Development Plan 2016-2022.

Proposed Variation No. 25 - East Wall Road

25.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas.

25.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.25	East Wall Road, Dublin 3	12, 21, 81, 118, 146, 149, 165, 170, 178, 216, 233, 234, 236, 243, 261, 276, 281, 282

25.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These lands, which measure 10.9453ha, are located in the inner city and are bounded by East Wall Road to the south and the Dublin Port Tunnel to the north. The land use is characterised by low scale light industrial, retail, storage and office development. The lands are strategically located close to Dublin Port and the East Link Bridge and are served by Dublin Bus.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These lands are strategically located close to Dublin Port and the East Link Bridge and are well served by Dublin Bus.

The predominant uses on the lands are commercial and light industrial with the land use characterised by low scale / intensity of development. To reflect the mixed use character of the wider area a change of zoning from employment uses to mixed uses (including residential) would be appropriate at this location.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

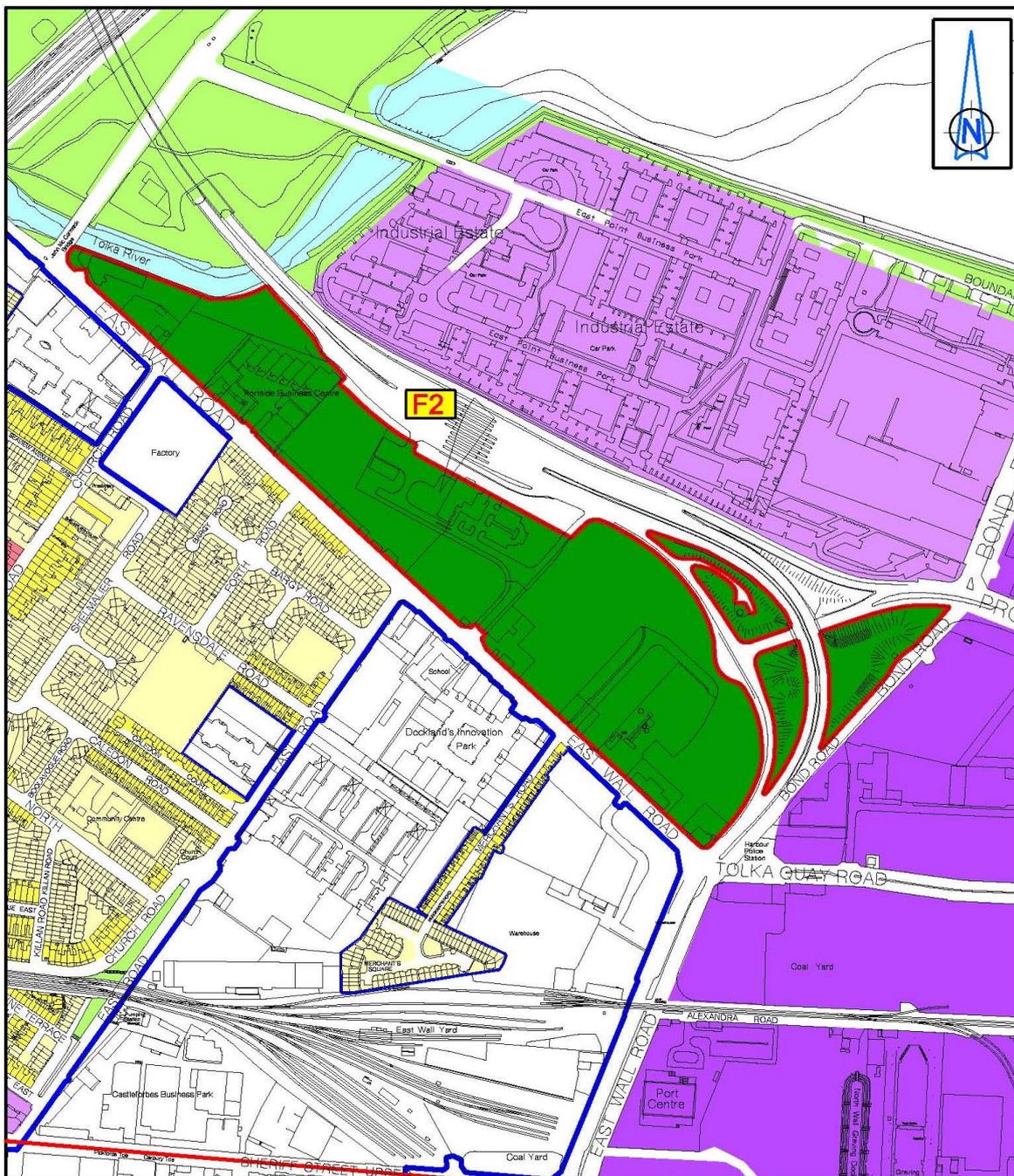
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019.

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

25.4 Map of the Variation



**Dublin City Council Development Plan 2016-2022
Sites at Portside Business Centre, East Wall Road, D3**

Map Ref F2
Site Boundary
Scale 1:5,000

Proposed Zoning
Z10
Area 10.947 Hectares

25.5 Office of the Planning Regulator (Submission No. 261)

Summary of the Submission

The OPR is concerned that proposed Variation does not comply with the Section 28 Guidelines dealing with Spatial Planning and National Roads – Spatial Planning and National Roads Guidelines for Planning Authorities (DECLG, 2012). It notes national, regional and development plan objectives for the protection of the Dublin Port South Access, from Port Tunnel to Poolbeg. The OPR notes that the referred Section 28 Guidelines seek to ensure that [roads] development objectives are not comprised by the zoning of lands and that cognisance should be had of the potential for zoning to impact the value of land such as to affect the viability of the project as it could be assumed in this instance. The OPR recommends that the Planning Authority (PA) consider in conjunction with Transport Infrastructure Ireland (TII) whether Variation No. 25 is compatible with the above referred corridor study and Section 28 Guidelines and if not the Variation should not be proceeded with.

Chief Executives Response

The specific comments from the OPR in respect of this proposed Variation are noted. The Planning Department notes the strategic importance of the delivery of the M50 South Port Access to the city and region as outlined in the National Planning Framework and the National Development Plan, the NTA's Transport Strategy for the Greater Dublin Area 2016 – 2035, and, the Dublin City Development Plan 2016 – 2022.

In view of the OPR's submission that the proposed rezoning could potentially prejudice the delivery of the M50 South Port Access, it is considered the proposed rezoning is premature at this time.

25.5.1 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 18 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below and the Chief Executive's Response and Recommendation on these issues are set out:

- Principle of rezoning to Z10
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding

Principle of Rezoning to Z10

A number of submissions have been received in respect of the proposed rezoning of these lands. These submissions recognise the strategic importance of these lands given their location adjacent the M50, Dublin Port and the Dublin Port Tunnel and their existing and potential role in servicing the city. The IDA supports the rezoning on these lands and welcomes the opportunity being presented through the proposed variation for further development adjacent to the successful North Lotts Planning Scheme.

Transport Infrastructure Ireland (TII) has indicated concerns about the proposed rezoning of the lands to a mixed use zoning which would include a residential element. It states that the impacts and effects of the proposed rezoning of the lands on the safety, efficiency and capacity of Dublin Port Tunnel which is critical national infrastructure have not been assessed. It seeks that as far as is reasonably practicable that the Dublin Port Tunnel will continue to serve its intended purpose.

It also states that the proposed rezoning of the lands to Z10 (mixed use) is premature pending further evaluation of the requirements for the M50 Dublin Port South Access as set out in the National Planning Framework and the National Development Plan; the DOECLG Section 28 Statutory Guidance Spatial Planning and National Road Guidelines for Planning Authorities 2012; the NTA's Transport Strategy for the Greater Dublin Area 2016 – 2035; the Dublin City Development Plan 2016 - 2022; and, the Dublin Eastern Bypass Corridor Protection Study Sector A: Dublin Tunnel to Sandymount Strand (September 2014) M50 South Port Access. The referred documents contain objectives supporting the M50 South Port Access and the study document entitled 'Dublin Eastern Bypass Corridor Protection Study Sector A: Dublin Tunnel to Sandymount Strand (September 2014) M50 South Port Access', provides a protection corridor for the proposed M50 South Port Access which pertains to significant portion of these lands.

Dublin Port Company objects to the proposed rezoning of these lands to Z10 (mixed use). The DPC uses 4.4 ha of these lands for the transit storage of imported vehicles (Dublin Port's Area Q) and seeks that it be rezoned to Z7 (heavy industry) as per the adjacent Dublin Port lands. The Port lands are recognised as critical national infrastructure under European and national port policies and they are recognised as strategic employment lands at the regional and local planning level. All Port lands are currently being developed out in accordance with a masterplan for the port which includes the lands the subject of this variation. Based on the Port's use of the lands and their proximity to the M50, the Port and the Dublin Port Tunnel, the DPC states that these lands should also be considered as economically strategic sites and therefore should be retained as Z6 or changed to Z7 (Heavy Industry). DPC states that the proposed rezoning is anomalous.

Two submissions received object in principle to the rezoning raising the need for an integrated and holistic area plan / development plan, to be prepared and in place before a decision is made in respect to rezoning of the lands. One submission states that issues needing to be addressed include the need for a vision for the area, traffic analysis, the provision of building form and height which respects the existing character of the area, and the provision of schools.

A submission received outlines concern that the proposed rezoning will lead to significant increases in property value for developers and in response advocates that a tax be placed on the increase in value generated or that the site be purchased by the state to be used for education / elderly / affordable accommodation.

Need for Plan /Masterplan for Area

The NTA supports proposed Variation No. 25 as due to its strategic location it offers opportunities through the creation of linkages especially for pedestrian and cyclists across the M50 to better integrate adjacent lands (East Point Business Park) into the city and improvement to public transport network. This would require masterplanning.

Transport Infrastructure Ireland (TII) has indicated that the development of lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

One submission states that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The DES note that land area of Variation no. 25 is significant in size and on this basis, undertook an outline projection on the number of primary and post-primary school place that may be required if the lands are developed. Their projection found that the proposed Variation had the potential to significantly increase the population of East Wall and generate additional requirements at both primary and post-primary level.

Irish Water has no objection to the proposed variation. These lands will need more detailed assessment / sewer modelling or water network reinforcement depending on the nature of the development proposals that are forthcoming.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it states the flood risk along the Tolka for this particular site might be assessed further before rezoning and a requirement for Stage 3 Detailed FRA added as a requirement of any planning application.

The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

25.6 Chief Executive's Response to the Issues Raised by the Submissions Received

Principle of Rezoning to Z10

The specific comments from the OPR, the NTA, the IDA, TII and the Dublin Port Company in respect of this proposed Variation are noted. The Planning Department notes the strategic importance of the delivery of the M50 South Port Access to the city and region as outlined in the National Planning Framework and the National Development Plan, the NTA's Transport Strategy for the Greater Dublin Area 2016 – 2035, and, the Dublin City Development Plan 2016 – 2022.

In view of the OPR's and TII's submissions that the proposed rezoning could potentially prejudice the delivery of the M50 South Port Access or possibly impact on future upgrade works to the tunnel, it is considered the proposed rezoning is premature at this time. Dublin City Council will undertake further work with TII and the NTA regarding refinement of the reservation corridor and will address this issue in the upcoming review of the City Development Plan.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

Need for Plan /Masterplan for Area

TII comments that lands located near / at public transport nodes be integrated with public transport (light rail) to ensure greater modal choice for communities are noted. Objective MT01 of the Dublin City Development Plan 2016 – 2022 seeks the preparation of plans for areas surrounding key transport nodes where appropriate in order to guide future sustainable development where appropriate.

Services / Facilities / Social Infrastructure

When the lands are proposed for development Dublin City Council will work closely with Irish Water to address lands water network reinforcement necessary depending on the nature of the development proposals that are forthcoming.

Flooding

The comments of the OPW in respect of this proposed variation are noted.

It is considered that as part of any development proposals for these lands a Stage 3 Site Specific Flood Risk Assessment will pick up any flood risk issues along the Tolka. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

25.7 Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council withdraw the Proposed Variation (No. 25) of the Dublin City Development Plan 2016-2022 at this time.

Proposed Variation No. 26 - Brickfield House & Sunshine Estate

26.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

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

26.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.26	Brickfield House and Sunshine Estate, Crumlin Road, Dublin 12	146, 149, 156, 165, 170, 179, 233, 234, 236, 243, 261, 276, 281, 282

26.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These Z6 lands (2.2932) comprise the Sunshine Industrial Estate and Brickfield House in Crumlin. The lands are located in an inner suburban location and are served by Crumlin Road, a major arterial route into the City from the west and a public transport corridor (QBC and proposed Bus Connects Route).

The land use is primarily warehousing, storage, commercial and light industry characterised by low scale / intensity of development.

PURPOSE OF THE PROPOSED DRAFT VARIATION

The Z6 lands reviewed comprise low scale / low intensity employment uses; a significant element of the land bank is vacant. Given the inner suburban location of the lands which are serviced by a public transport corridor and in order to reflect the broadly residential character of the wider surrounding area of the area a change of use from Z6 to Z1 (residential) zoning is proposed.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

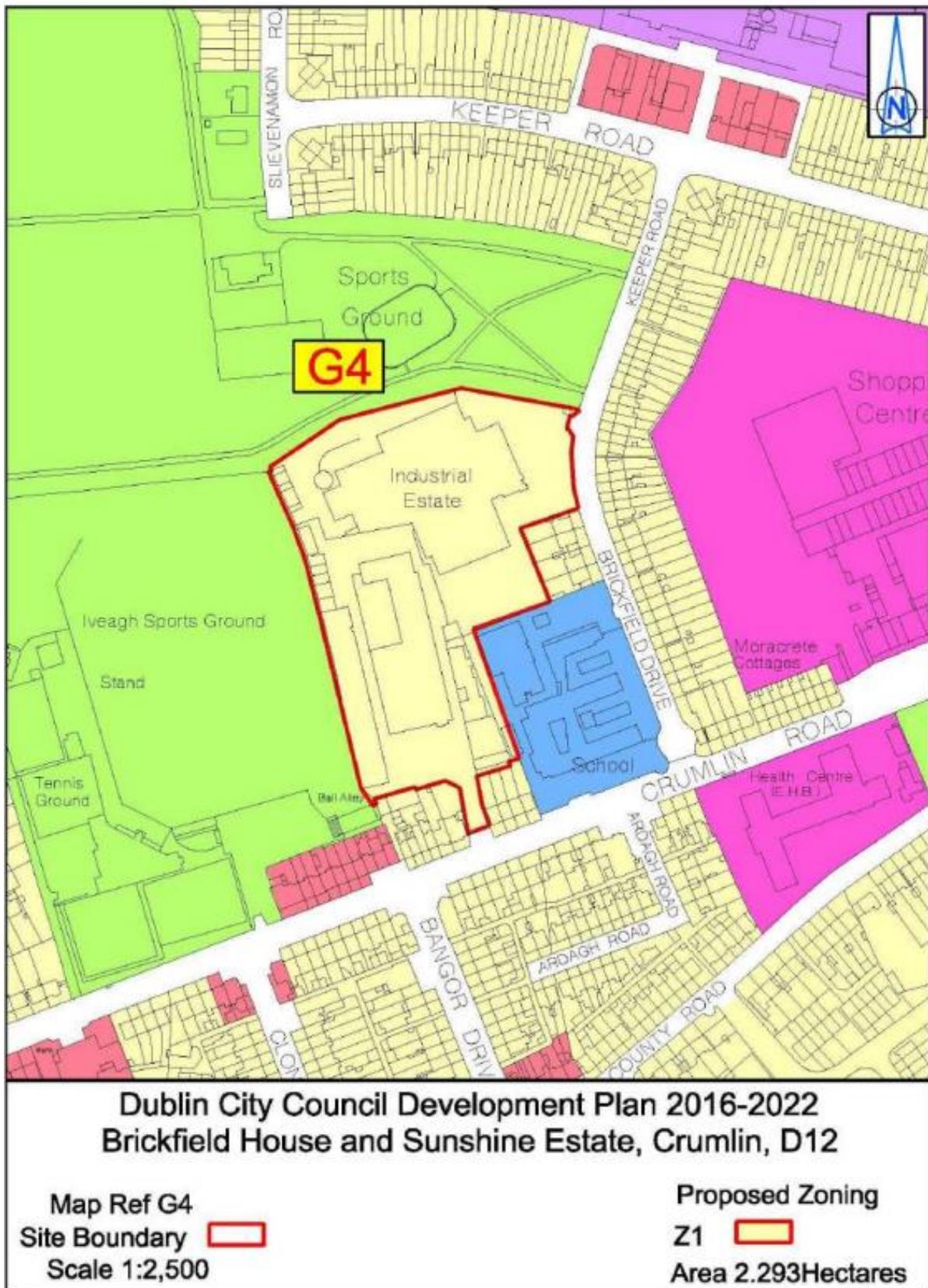
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019.

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

26.4 Map of the Variation



26.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency, 14 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 26.6 following this layout:

- Principle of rezoning to Z1
- Need for Plan / Masterplan for Area
- Services / Facilities / Social Infrastructure
- Flooding

It should be noted that a number of the submissions are general in nature, addressing all 20 no. Variations and are not site specific.

Principle of Rezoning to Z1

A number of submissions received from State Bodies and individuals, support and welcome the proposed rezoning of these lands to Land Use Zoning Objective Z1, a residential land use is zoning. The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of such lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. The IDA and Dublin Chamber and individual submissions highlight their support for the rezoning of well serviced, brownfield, centrally located lands, within walking distance of public transport nodes / stops / stations in order to facilitate increased housing and mixed uses. These institutions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

To ensure the ongoing success of FDI in Dublin the IDA identifies the need to provide a range and quantum of housing opportunities along with services and amenities in the city. The IDA stresses the importance of achieving a higher density development at this location.

The Dublin Chamber, which supports businesses employing in total 300,000 people, supports the rezoning of centrally located fully serviced and accessible brownfield lands, such as these lands, for housing purposes. The Dublin Chamber recognises that the success of the city in terms of its business environment and quality of life is hampered by historic problems of urban sprawl and current low housing output. It therefore supports the regeneration of brownfield lands for housing.

A submission from ARC (Addiction Response Crumlin) states that it is not in favour of rezoning these lands to Z1 on the basis that the city has the potential to provide for c.52,000 homes and the rezoning of these lands should not be considered until this is depleted. It states that there are other lands nearby which can cater for housing development and it is possible under the

Z6 land use zoning objective to provide housing on Z6 lands. The rezoning of the lands could result in land speculation and dereliction as appears to be the case at Crumlin Shopping Centre.

One submission objects to the rezoning because the lands provide valuable employment in the local community as well as services but points out that sites such as these lands could be looked at on a case by case basis should the land owner seek a variation.

Two submissions received object in principle to the rezoning raising the need for an integrated and holistic area plan / development plan, to be prepared and in place before a decision is made in respect to rezoning of the lands. One submission states that issues needing to be addressed include the need for a vision for the area, traffic analysis, the provision of building form and height which respects the existing character of the area, and the provision of schools.

A submission received outlines concern that the proposed rezoning will lead to significant increases in property value for developers and in response advocates that a tax be placed on the increase in value generated or that the site be purchased by the state to be used for education / elderly / affordable accommodation.

Need for Plan /Masterplan for Area

Transport Infrastructure Ireland (TII) has indicated that the development of lands, which lie directly adjacent to public transport stations/stops (light rail) should be subject to the use of masterplans in order to ensure enhanced access and integration.

Submissions received state that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place.

Services / Facilities / Social Infrastructure

The following submissions relate to servicing / infrastructural issues for the lands.

The Department of Education and Skills (DES) has no specific comments in respect of this proposed Variation.

The Department of Education and Skills (DES) highlights the requirement for regular structured engagement between DCC and DES to discuss the forthcoming Development Plan Review and also to ensure future growth is aligned with the adequate provision of enabling infrastructure (including schools).

ARC (Addiction Response Crumlin) provides a community service (partly funded by DCC) to a very vulnerable client base at this location. These employment lands allow for the locating of local services in a central accessible location in Crumlin, including the ARC service. The rezoning of the lands would lead to the loss of this flexible land use.

Irish Water has no objection to the proposed variation. These lands will need more detailed assessment / sewer modelling or water network reinforcement depending on the nature of the development proposals that are forthcoming.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this proposed Variation it states that it is for DCC to

carry out an assessment to an appropriate level of detail (as per the guidelines) to satisfy themselves that that this site is not at risk from pluvial flooding. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

26.6 Chief Executive's Response

The comments received in respect of the proposed variation No. 26 (Brickfield House and Sunshine Estate) are noted and welcomed.

Principle of Rezoning to Z1

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the City Council in seeking to make the best use of brownfield land to meet the city's' and regions' future growth, including housing demand.

The objection to the proposed rezoning on the grounds of the loss of valuable employment is noted. The purpose of the proposed Variations is to bring well serviced but underutilized employment zoned brownfield lands, such as these lands, into more productive, efficient and intensive use in accordance with National and Regional planning policy and, in order to allow for a more compatible zoning objective at the local level. Given the wider residential context of the lands proposed for rezoning and in light of national and regional policy to provide for more housing lands in centrally located and accessible locations within the M50, it is considered that the more suitable land use zoning objective for these lands is a residential zoning. Some of the existing uses within the variation area are suitable Z1 uses and would be permissible as part of an intensification of these lands. The Council is willing to work closely with key service providers to ensure their long term space needs are met.

The lands in question are considered infill in character and would not require a separate local plan. Issues of form, access and movement can be fully addressed through the development management process and the relevant policies and objectives of the City Development Plan.

The lands proposed for rezoning are in private ownership. All lands within the city are zoned for a variety of purposes. The zoning land is a reserved function and responsibility of the Council. There are no proposals for compulsory purchase of this site as part of this variation process.

Need for Plan /Masterplan for Area

TII comments that lands located near / at public transport nodes be integrated with public transport (light rail) to ensure greater modal choice for communities are noted. Similarly other submissions seeking that any rezoning for the lands take place as part of the development plan review process / other plan processes, are noted.

The City Development Plan and relevant Section 28 Guidelines contain the necessary development guidance and standards to guide proposed development and to achieve the proper planning and sustainable development of these lands.

Services / Facilities / Social Infrastructure

The Department of Education and Skills (DES) submission is noted as is the need for improved collaboration and shared research. The Planning Department is currently in the process of setting up a DCC / DES working group to progress school requirements for the City in the context of the Development Plan Review and school planning at the local level for the short / medium to long term.

The submission by ARC is noted. Given the wider residential and local park context of the lands proposed for rezoning and in light of national and regional policy to provide for more housing lands in centrally located and accessible locations within the M50, it is considered that a residential zoning is the best use of these lands, with key community and residential services contained within the development where necessary; this could include some of the existing uses on the lands.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

As part of any development proposal for the lands pluvial risk is to be catered for by the development on site. All proposals for development will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 (latest available information).

26.6 Chief Executive's Response

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 26) of the Dublin City Development Plan 2016-2022

Proposed Variation No. 27 - Greenmount Industrial Estate

27.1 Zoning Change Proposed:

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z10 – To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas.

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

27.2 Submission Received (Reference No's)

Proposed Variation	Subject Lands	Submissions Made
No.27	Greenmount Industrial Estate, Harolds Cross, Dublin 6W	18, 21, 28, 119, 146, 149, 165, 170, 178, 217, 227, 228, 231, 233, 234, 235, 236, 238, 241, 243, 248, 250, 261, 269, 276, 281, 282

27.3 Proposed Variation Context & Environmental Assessment

SITE LOCATION AND DESCRIPTION

These Z6 lands are located off the Harold's Cross Road, close to the junction with Parnell Road and consists of the Greenmount Industrial Estate. The area is accessed from Greenmount Avenue which is off the Harold's Cross Road.

The lands include three protected structures. The remaining industrial estate is made up of 1 and 2 storey buildings originally associated with the mill and more modern single storey factory units.

PURPOSE OF THE PROPOSED DRAFT VARIATION

These lands comprise low scale, low intensity employment uses and include protected structure. Given the inner suburban location of the lands which are serviced by a public transport corridor and in order to encourage mixed use development which would include residential uses and employment uses, it is considered that the land bank to the west on Map H1 below should be rezoned to Z10 (mixed use) and the land bank to the east be rezoned to Z1 (residential).

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND APPROPRIATE ASSESSMENT (AA)

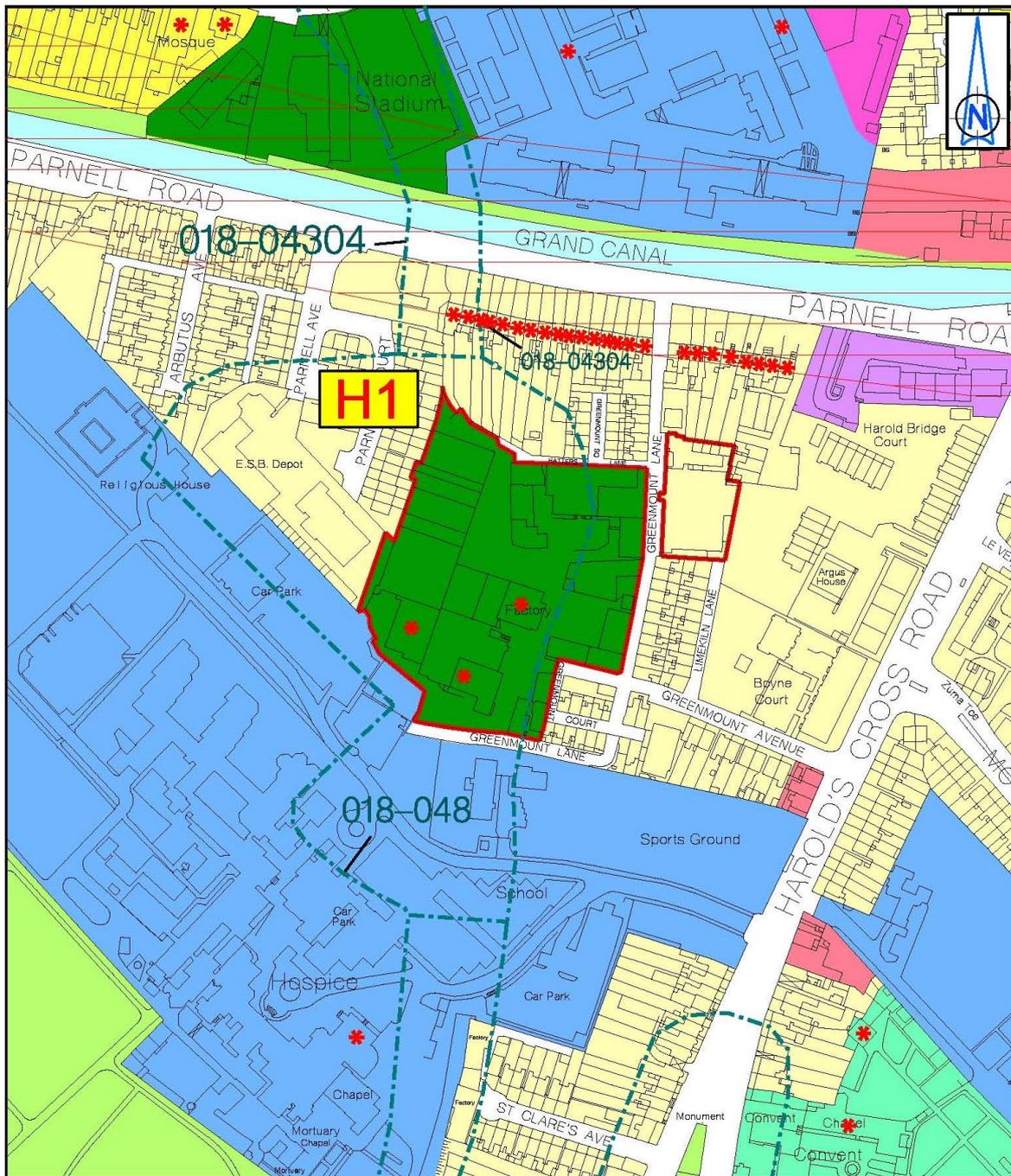
Strategic Environmental Assessment

The Planning Authority has determined that the proposed Variation would not be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended, and taking into account observations by the EPA dated 25th November 2019 and Inland Fisheries dated 21st November 2019;

Appropriate Assessment

An Appropriate Assessment Screening was undertaken of the proposed Variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC). The Stage 1 Screening determines that Appropriate Assessment of the proposed Variation (the draft Land use plan) is not required as the proposal, individually or in combination with other plans or projects, is not likely to have a significant effect on a European Site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), has determined that an Appropriate Assessment of the proposed Variation is not required. The observation from Inland Fisheries Ireland dated 21st November 2019 was taken into account.

27.4 Map of the Variation



Dublin City Council Development Plan 2016-2022 Greenmount Industrial Estate, Harolds Cross, D12

Map Ref H1
 Site Boundary
 Scale 1:2,500

Proposed Zoning
 Z1 Area 0.189Hectares
 Z10 Area 1.476Hectares

27.5 Summary of All Other Submissions

In addition to the submissions received from the Office of the Planning Regulator and from the Regional Assembly, National Transport Authority and Environmental Protection Agency 28 no. other submissions were received in respect of this proposed Variation. As required by the Planning and Development Act, 2000, as amended, the response and recommendation made to the issues raised by the above mentioned agencies are outlined in the earlier section above, and should be read in conjunction with the following responses.

The issues raised in all other submissions are grouped, as appropriate, under the umbrella headings listed below, with the Chief Executive's Response in section 27.6 following this layout:

- Principle of rezoning to Z10 and Z1
- Need for Plan / Masterplan for Area
- Movement / Transport
- Flooding
- Planning Safeguards
- Windfall / CPO

Principle of Rezoning to Z10 and Z1

A number of submissions received from State Bodies, the landowner and individuals alike, support the proposed rezoning of these lands to Land Use Zoning Objective Z10, a mixed use land use zoning and to Z1, a residential land use zoning.

The landowner has made a submission supporting the proposed variation stating that it will allow for the entirety of the lands to be developed in a more coherent manner which better reflects current development trends and demand in the area. The IDA also support the proposed variation.

A number of individual submissions and a local community group oppose the proposed variation on the grounds that the mix of uses currently on the site are better protected by the current zoning. The rezoning of the lands as proposed would force out lower value uses. It is also stated that the lands are not underutilized.

The Irish Industrial Authority (IDA), Transport Infrastructure Ireland (TII), the Dublin Chamber and Fingal County Council specifically support the principle of the rezoning of such lands in the context of delivering National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) objectives particularly relating to the need for the compact growth of the city. These submissions also support the need for increasing densities on such lands in order to meet housing demand, where applicable, while at the same time protecting local amenity, environment, heritage and quality of life aspects of the locality.

Need for Plan /Masterplan for Area

A number of submissions received state that no rezoning decisions should be made until a new City Development Plan / Local Area Plan is in place. The state that a Harold's Cross Local Area Plan is required so that any redevelopment of the lands benefits the wider area.

Movement / Transport

A submission received states that the proposed variation lacks a traffic analysis and another comments on the fact that any redevelopment will result in traffic increases on what is a backland site with narrow access roads.

Flooding

The OPW submissions comments on the Strategic Flood Risk Assessment for Proposed Variations No.'s 8 to 27. In respect of this Variation it advises that the latest information on the Poddle FAS should be considered before rezoning takes place and the SFRA as provided be updated accordingly. The OPW advises that Flood Risk Management Plans as part of the Eastern CFRAM Study have been published since 2018 and that the SFRA for the Proposed Variations No.'s 8 to 27 needs to be updated to reflect this fact.

One submission received states that the SFRA for the proposed variation recognises that the access road to the lands floods. It states that the proposed rezoning may be premature prior to defence work on the Poddle. This submission also states that it is not correct to state that there are no suitable alternative lands for development in the wider area as indicated in the SFRA.

Planning Safeguards

One submission queries if planning safeguards are in place / the effectiveness of planning safeguards, to protect their property / amenity in the event of the lands being developed.

Windfall / CPO Lands

Submission received state that any rezoning on the lands will result in a financial windfall for the owners. Such a windfall should be taxed. Similarly submissions state that the lands should be the subject of a Compulsory Purchase Order and used for uses to benefit the local population e.g. local housing / residential services for elderly etc.

27.6 Chief Executive's Response to the Issues Raised by the Submissions Received

Principle of Rezoning to Z10 and Z1

It is noted that state bodies, Dublin Chamber and individuals fully endorse the compact development and brownfield renewal principles of the NPF and RSES and therefore support in principle the city council in seeking to make the best use of brownfield land and public investment to meet the city's' and regions' future growth, including housing demand.

The concerns raised to the proposed rezoning on the grounds of the loss of local services is noted. The Planning Authority also acknowledges that Greenmount Industrial Estate is a well used estate. Notwithstanding this observation it is noted that, in the context of the lands location near the canal ring and on a public transport corridor, these well serviced lands comprise low scale and low intensity employment development. The purpose of the proposed Variation is to bring site such as Greenmount Industrial Estate into more productive, efficient and intensive use in accordance with National and Regional planning policy. The proposed land use zonings (mixed use and residential) allow for the provision of more housing on these lands and the retention of existing employment uses as appropriate.

The zoning proposed will strengthen the continued growth of this location as a mixed use urban space; whilst also allowing for necessary sustainable urban densification. The site presents a number of opportunities for intensifying the existing uses within the current buildings, including historic structures, and to enable other parts of the lands be used for much needed urban housing.

Need for Plan /Masterplan for Area

In relation to the call for a local area plan, it should be noted that LAPs are prioritised where substantial urban renewal and growth is planned, and particularly for areas of disadvantage. Issues of form, heritage protection and protection of residential amenities are best addressed through the development management process. The City Development Plan and relevant Section 28 Guidelines contain the necessary development guidance and standards to guide proposed development and to achieve the proper planning and sustainable development of the lands.

Also in relation to the issue of a local plan, it should be noted that a masterplan for the lands will be required as part of the development management process, taking into account the size and location of this variation.

Movement / Transport

Issues of access and movement can be fully addressed through the development management process, when detailed information of the type of movements to and from any new development is identified.

Flooding

The comments of the OPW in respect of this proposed variation are noted. Any planning application on this parcel of land will be required to prepare a detailed Site Specific Flood Risk Assessment as part of the planning application.

All FRA's for development proposals will be required to take into account the City Development SFRA, the SFRA for the Variation and the Eastern CFRAM Study with relevant Flood Risk Management Plans along with any updates on these since May 2018 and the Poddle Flood Alleviation Scheme (latest available information).

Planning Safeguards

The proposed variation sits within the framework of the operational city development plan, which sets the city wide planning policy framework for all development within the city, with all development proposals being assessed against the policies and objectives and standards of this plan. The CDP outlines a range of planning policies, objectives and standards to safeguard the residential amenity of neighbourhoods.

Windfall / CPO Lands

It is not proposed to CPO these lands.

27.7 Recommendation to City Council:

Having regard to the submissions received and to the Chief Executive's Response and Recommendations to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 27) of the Dublin City Development Plan 2016-2022

Owen P. Keegan

Chief Executive

20th February 2020