



Review of the Scheme of Special Planning Control for O'Connell Street & Environs 2016 and Preparation of Proposed Draft Scheme 2022

Introduction

First introduced in 2003, the current Scheme of Special Planning Control (SSPC) for O'Connell Street & Environs has been in force since September 2016. It is proposed to update the current SSPC to ensure that it remains fit for purpose with a view to the future, following disruption to some land uses during the Covid 19 pandemic, and having regard to changing retail patterns, and the need to promote upper floor uses.

The purpose of the SSPC is to guide investment toward the creation of a busy thriving commercial area in O'Connell Street and environs, while protecting and enhancing architectural, historical, cultural and civic character of this nationally important civic thoroughfare.

The SPPC sets out objectives and development management measures to enhance the character of the street, protect existing uses of special significance and discourage the emergence of less appropriate uses for the area. In policy terms, the SSPC sits in the context of the Dublin City Development Plan 2016 – 2022 (the Development Plan) and associated Retail Strategy. The Retail Strategy broadly identifies streets in the area according to Category 1 and 2, with related land-use requirements/restrictions associated with these categories. The SSPC therefore supplements the above, providing more refined guidance. It is essential that Dublin City Council (DCC) has the right land use policies in place to protect the character of the O'Connell Street area and facilitate compatible land uses to support the growth of the area.

The geographical boundary of the SPPC is shown on the attached map.

Summary of proposed Draft Scheme

The initial Special Planning Control Scheme was adopted in 2003 to address concerns regarding the potential growth of lower end retail and other inappropriate uses in O'Connell Street and the surrounding area. This approach was later adjusted and refined through subsequent schemes, and an up to date land use survey has been carried out (February 2022) to assess current land uses and understand changes in the area. The main findings of the survey are as follows;

- Overall, a small increase was recorded in the number of vacant units at ground floor level, with significant vacancy on O Connell Street Lower. A number of vacant units were formerly occupied by retail, banks, cafes and tourist offices in the previous survey. This change most likely reflects both changes in banking and the impact of the pandemic.
- Of the ground floor units which were vacant in the last survey and now occupied, there is no noticeable trend in regard to the particular uses. They offer a broad range of retail and services.
- Whilst there are some areas where upper floors are fully occupied, many upper floors are clearly underutilised. There remains an opportunity to maximise the use of these upper floors.
- The redevelopment/refurbishment of some key sites on O Connell Street (including the 'Carlton site' and Clery's department store building) have collective potential to create new vitality through a balance of office, residential, and retail uses in the area.

This survey has informed a review of the existing SSPC, and the main elements proposed for inclusion in the Draft SSPC are set out below, section by section.

Vision and introduction.

This section is being updated to make reference to the renewed market interest in the O'Connell Street area. There is also a recognition that area's regeneration potential can work in tandem with conservation objectives to make the area architecturally, historically, culturally, and civically vibrant.

Executive Summary.

This section will be updated based on the content of the main document.

Part 1 – Land Use.

This section highlights the importance of specific existing uses that are key components in the area by reason of their importance in architectural, historical, cultural, or social terms. The section also sets out general development management measures to achieve an appropriate mix and balance of uses in the O'Connell Street SSPC area. Policy references will be updated as necessary. The section addresses planning exemptions relating to changes within the same use classes. Specific land use controls are also set out for a number of key streets to ensure that street specific needs are addressed whilst meeting the overall objectives of the vision for the SSPC.

Planning permission will be required for any change to existing important historic premises and use(s) which contribute to the special interest of the area including changes to retail format, subdivision, layout, and fit out of premises.

It is now recommended policy not to grant permission for the following as ground floor uses *anywhere* within the SSPC:

- Amusement arcade.
- Adult entertainment shop.

O'Connell Street, Henry Street, North Earl Street and Middle Abbey Street

It is policy not to grant planning permission for the following ground floor uses in this area (i.e. category 1 streets as per the Development Plan retail strategy) Note that definitions for each of these specific uses are provided in the current SSPC:

- Bookmakers.
- Catalogue Shop.
- Collect Store.
- Discount Shop or Supermarket/End of lines/Closing down/Euro Store.
- Estate Agent.
- Fast Food Outlet (these will be open for consideration on North Earl Street and Middle Abbey Street, provided they include significant internal floor area for sitting/dining).
- Launderette/Dry cleaners.
- Mobile phone shop & related goods.
- Mortgage Store/Financial Institution.
- Newsagents/Convenience store.
- Off-licence/Wine Shop.
- Outlet selling hot food for consumption off the premises (i.e. a take-away).
- Personal Care and Grooming services.
- Phone Call centre/Internet Café.
- Travel Agents/Sale of tickets.
- Seasonal Shop.
- Supermarket.
- Tourist information centre/tourist services & sale of tickets.

In relation to fast food outlets, changes made to the SSPC allowable uses reflect an increasing diversity of existing fast food outlets in regard to the range and quality of food available. Such outlets must allow for consumption on the premises (i.e. they are not takeaways).

Planning applications for the following ground floor uses are open for consideration and will therefore be considered on their individual merits in the same area (O'Connell Street, Henry Street, North Earl Street and Middle Abbey Street).

- Charity shop.
- Cosmetics/beauty products.
- Hairdressers.
- Pharmacy.
- Souvenir/Gift Shop.
- Ice cream parlours.

Westmoreland Street and D'Olier Street

In relation to Westmoreland Street and D'Olier Street, it is proposed to modify the text to take account of the fact that Westmoreland Street is identified in the Retail Strategy as a Category 2 street, and the list of uses modified as necessary. Text in Table 1 is also revised to reflect the fact that Luas Cross-City is now operational

In relation to uses, "Fast Food Outlets" will now be "open for consideration" rather than not permissible. This will only apply to D'Olier Street and provided such outlets include significant internal floor area for sitting/dining.

In relation to all the above recommended changes, Table 1 will be modified to provide clarity in relation to ground floor uses for each specific sub area of the SSPC.

Part 2 – Maximising the Use of Buildings.

This section sets out the objectives of the SSPC in relation to the use of upper floors and basements in order to provide for intensification of use, creating opportunities for the provision of appropriate uses including offices, residential, services and retail. Given the degree of current vacancy, more attention will be given to encouraging office and residential above first floor level.

Part 3 – Shopfronts & Advertisement Structures.

The SSPC de-exempts all signage and advertisements, both external and internal within the SSPC area. This section recognises the Outdoor Advertising Strategy (see Development Plan Appendix 19) and sets out development management measures for shopfront design and signage.

Part 4 – The Built Fabric.

This section sets out the objectives of the SSPC to secure the retention of the historic fabric of the area, and development management measures for works that would materially affect the character of the structure and area. This accords with the O’Connell Street Architectural Conservation Area Plan.

In relation to the section titled “works to the interiors of non-protected structures”, which seeks retention or reinstatement of interior joinery, fittings and plasterwork, it is proposed to add text to allow for exceptions to this, where DCC satisfied that the overall impact of the development is generally compatible with the main aims of the SSPC and where there is significant public gain.

Part 5 – The Public Realm

The key objective is to promote high quality and inclusive design to improve the quality of the public realm and open spaces. This section sets out standards for the development and maintenance of the public realm in the context of the Dublin City Public Realm Strategy and Luas Cross City.

Other changes throughout the document.

Any references to other documents, such as relevant legislation and development plan references, will be updated as necessary to reflect the current position.

Procedure to be followed

Subject to approval by the Elected Members, the Draft SSPC for O’Connell Street & Environs will be put on public display for a period of eight weeks to allow for public consultation. A full report will then be prepared on the submissions and observations received and brought before the City Council for consideration.

Recommendation

It is recommended that the public consultation process be commenced.



Richard Shakespeare
Assistant Chief Executive

25th March 2022