

To the chairperson and members of  
the North Central Area Committee

Meeting: 20/03/2023

---

**PROPOSED DRAFT VARIATION (NO. 1)  
OF THE DUBLIN CITY DEVELOPMENT PLAN 2022 – 2028  
RE: Site at 80 Philipsburgh Avenue, Dublin 3**

---

## **1 PROPOSAL**

It is proposed to vary the Dublin City Development Plan 2022-2028, by changing the land use zoning of a site at 80 Philipsburgh Avenue, Dublin 3

**From: Zoning Objective Z9 – To preserve, provide and improve recreational amenity, open space and ecosystem services**

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

This proposed draft variation is delineated on the attached map, an extract from Map E, Volume 3 of the Dublin City Development Plan 2022 – 2028.

## **2 SITE LOCATION AND DESCRIPTION.**

The lands are located at Philipsburgh Avenue and form a small part of the Fairview pitch and putt course, accessed off Philipsburgh Avenue, Dublin 3. The area of the variation site is 0.052 ha (0.13 acres) and is a small part of the wider pitch and putt course which adjoins the two storey Fairview Marino Sports and Social Club building addressing Philipsburgh Avenue. The lands, subject to this variation, are located to the north-east of this existing building and adjoin a single storey dwelling to the north.

The pitch and putt course is located to the rear of mainly two storey housing fronting onto Philipsburgh Avenue, Shelmartin Avenue, Brian Road and Shelmartin Terrace, all within the well established residential area of Fairview. The built environment surrounding the pitch and putt course comprises mainly Z1 (Sustainable Residential Neighbourhoods) and Z2 (Conservation Areas) zoning objectives.

The existing two storey Fairview Marino Sports and Social Club building, set back off Philipsburgh Avenue is zoned Z1 (Sustainable Residential Neighbourhoods). The area to

the rear, that incorporates the pitch and putt course and which includes the small variation site, is zoned Z9 (open space/amenity/ green networks).

### **Relevant Planning History**

There is one application of particular relevance to the subject lands of this variation. Additional Information has been requested by Dublin City Council on this planning application. A very similar planning application was made earlier in 2022, which was declared invalid for technical reasons.

5176/22:

Address: 80 Philipsburgh Avenue, Fairview, Dublin 3, D03 H3F1

Applicant: Cabhrú Housing Association

Proposal: The development proposes the demolition of the existing 2 storey building on site (approx. 1020.5 sq.m GFA), amendments to the quantum of existing car parking, removal of existing substation on Philipsburgh Avenue, and the construction of 48 no. new residential apartment units (48 no. 1 bed units) in 2 no. apartment building, consisting of 1 no. 2-4 storey building (Building A fronting Philipsburgh Avenue) and 1 no. 2-4 storey (Building B rear block). Building A provides 22 no. 1 bed apartment units and Building B provides 26 no. 1 bed apartment units. All units are intended to provide housing for independent living for older residents (60 years plus). An office room (7.2 sq.m), communal room (34.2 sq.m) and Kitchenette/WC (10.5 sq.m) associated with the apartment units will be provided. The development also proposes approx. 372.8 sq.m of communal open space, balconies/terraces associated with individual apartment units, associated secure bicycle parking, car parking (4 no of spaces) and bin storage, ESB Substation, hard and soft landscaping and all other associated site works and services above and below ground on an overall site area of approx 2681 sq.m Access to the development will be via the existing access point along Philipsburg Avenue, which will be upgraded to provide enhanced pedestrian/vehicular access. Access to adjacent pitch and putt club lands is maintained via the provision of vehicular/pedestrian gates in the south east corner of the site.

### **3 PURPOSE OF THE PROPOSED DRAFT VARIATION**

Cabhrú Housing Association has submitted a planning application for 48 no. homes for independent living for older residents on the site, on lands that are zoned Z1 (Sustainable Residential Neighbourhoods), with the exception of a small L shaped parcel that is located between the existing residential housing zoning to the north and the residentially zoned area of the site. This small area of land was previously zoned Z1 in the 2016 Development Plan. At the Development Plan meeting on the 2<sup>nd</sup> November 2022 the Elected Members voted to change the zoning of this small part of the site to Z9 (Amenity/Open Space Lands/Green Network) due to concerns in relation to the impact on two of their 18 tee boxes within the course.

In a letter to the City Planning Officer on 22<sup>nd</sup> December 2022, Cabhrú Housing Association have advised that agreement has been reached with the Pitch and Putt Club on the relocation of the two tee boxes to the satisfaction of the Pitch and Putt club that resolves the risk of a negative impact on the course and now request that consideration be given to

initiating a Variation process to the Development Plan to re-instate the Z1 zoning to the portion of lands currently zoned Z9 within the application site.

This proposed zoning change will align the zoning policy to facilitate the consideration of a proposed development for 48 senior citizens, the large majority of which are to be located on lands currently zoned Z1; but where a small area of land, the subject of this variation, is required to be rezoned to Z1 to allow the residential layout to be considered in compliance with the zoning policy for the area.

Notwithstanding various concerns raised regarding the protection of the Fairview pitch and putt course during the development plan process, the solution outlined above, and cited by the applicant as agreed by the various interested parties, is considered to provide a satisfactory outcome for the continued operation of the pitch and putt course (through an agreed reconfiguration of the course) together with the potential for much needed sheltered housing to support older members of society to remain within the community and will facilitate an integrated approach and positive addition to the streetscape of Philipsburgh Avenue.

A brief planning profile of the proposed variation site (0.052ha) is as follows:

There are;

- no statutory designations (e.g. a protected structure or Architectural Conservation Area [ACA] etc.),
- no specific objectives attaching (e.g. red hatch conservation area, site or area of archaeological interest etc.)
- no Natura 2000 sites on or beside the variation site
- no NHA (Natural Heritage Area) or a proposed NHA on or beside the variation site and,
- no significant flooding issues as identified in the accompanying SFRA statement to this variation documentation, which classifies the site as Flood Zone C (with a low probability of flooding) suitable for a vulnerable use such as housing without the need for a justification test, all as per the Section 28 Guidelines on Flooding 2009, as amended.

The development plan recognises the need to encourage a more compact and consolidated urban form within the footprint of the city that is consistent with a sustainable use of existing resources including land, services and utilities. The small sliver of Z9 facing the street severs two residential zonings and a more consolidated approach to zoning will enable the achievement of a co-ordinated policy approach and quality street frontage to Philipsburgh Avenue.

In this regard, it is Dublin City Council planning and housing policy to promote and facilitate the supply of much needed housing for all housing needs, in this instance, a focus on elderly housing needs, and to combine this with a high quality urban environment.

Therefore the proposed re-zoning will provide a more suitable and appropriate zoning context for such an intended residential use located in a residential area.

## 4 CONCLUSION

For the reasons and considerations noted above, it is proposed to initiate the statutory public consultation for this Variation of the Dublin City Development Plan 2022-2028 in respect of the site at 80 Philipsburgh Avenue, Dublin 3 which would change the land use zoning objective pertaining to the lands:

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

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

## 5 ENVIRONMENTAL ASSESSMENT CONCLUSION STATEMENTS

### **Strategic Environmental Appraisal**

Determination of Strategic Environmental Assessment (SEA) Screening under Section 13K of the Planning and Development Regulations, 2001, as amended and the Planning and Development Act 2000, as amended for the Proposed Draft Variation (No.1) of the Dublin City Development Plan 2022-2028 to change 0.052 ha of land on Philipsburgh Avenue, Dublin 3 from Z9 (Amenity/Open Space Lands/Green Network) to Z1 (Sustainable Residential Neighbourhoods).

A Strategic Environmental Assessment (SEA) Screening Determination has been made by Dublin City Council regarding the proposed Variation (No.1) to the Dublin City Development Plan 2022 – 2028. The Planning Authority has determined that the proposed Variation (No. 1) 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.

### **Strategic Flood Risk Assessment (SFRA) statement**

The proposed variation, that seeks to change an area of land (0.052ha) from Z9 to Z1 and where the primary use of such a zoning objective is largely likely to be residential in nature, is located on land that is classified as Flood Zone C (a low probability of flooding), where residential use (categorised as a vulnerable use) is considered appropriate and not requiring a justification test under the Section 28 Planning Guidelines on Flooding, 2009, as amended. Therefore any future planning application that may arise from same that adequately addresses, through design, the flood risk requirement as part of the planning application process, through development management, complying with the development standards and relevant policies and objectives of the Dublin City Development Plan 2022 – 2028, is not likely to change flood risk in the area, upstream or downstream.

### **Appropriate Assessment Screening**

Determination of Appropriate Assessment Screening in compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011 and Planning and Development Act 2000 (as amended) (Section 177U) for the Proposed Draft Variation (No. 1) of the Dublin City Development Plan 2022-2028 to change

0.052 ha of land on Philipsburgh Avenue, Dublin 3 from Z9 (Amenity/Open Space Lands/Green Network) to Z1 (Sustainable Residential Neighbourhoods).

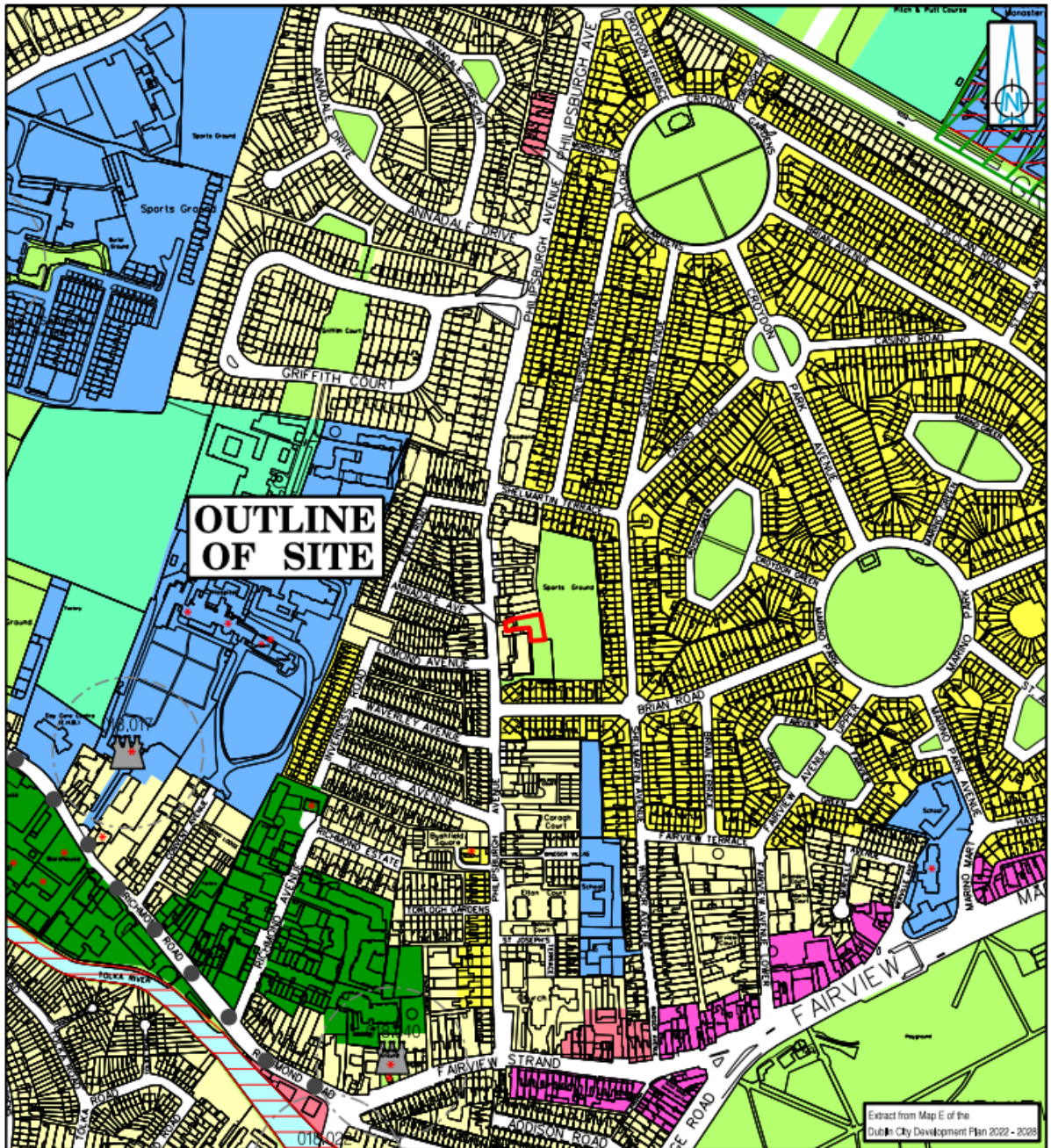
An Appropriate Assessment (AA) screening determination has been made by Dublin City Council (in compliance with Section 177U of the Planning and Development Act 2000 as amended) regarding the proposed Variation. The Stage 1 Screening determines that Appropriate Assessment of the Proposed Variation is not required as the proposal, individually or in combination with other plans or projects will not have a significant effect on a European site. Therefore it is not considered necessary to undertake any further stages of the Appropriate Assessment process.

In carrying out this Assessment, the Council took into account the relevant matters specified under the Planning and Development Act 2000 (as amended), including:

- Existing Dublin City Development Plan 2022-2028 (and associated AA Screening, NIS and SEA reports including the Strategic Flood Risk Assessment [SFRA]);
- The Strategic Environmental Assessment Screening Report on the proposed Variation and the Strategic Flood Risk Assessment (SFRA) statement on this proposed variation.

## **6 RECOMMENDATION**

To note the proposal to initiate the variation process, which entails a 4 week public consultation process, followed by a Chief Executive's Report and Recommendation to the members of the City Council for consideration and decision.




 Comhairle Cathrach  
 Bhaile Átha Cliath  
 Dublin City Council

## PROPOSED VARIATION OF THE DUBLIN CITY DEVELOPMENT PLAN 2022 - 2028 Site at Fairview Pitch & Putt, 80 Philipsburgh Ave, Dublin 3

AREA HIGHLIGHTED REZONED FROM  
 Z9: Amenity / Open Space Lands / Green Network  
 TO  
 Z1: Sustainable Residential Neighbourhoods