



Proposed Variation (No. 32) of Dublin City Development Plan 2016 – 2022

Executive Summary

The Variation

It is proposed to vary the Dublin City Development Plan 2016-2022, by changing the land use zoning of the 1.7 ha Ballsbridge Hotel (formerly Jurys) site at the junction of Pembroke Road and Landsdowne Road, Ballsbridge, Dublin 4 from zoning objective Z1 (residential) to zoning objective Z6 (employment).

The Purpose of the Variation

The Planning Authority is proposing to change the zoning of the subject lands in response to a request from the State Department of the United States to consider such a change. This change will align the zoning policy to facilitate the consideration of a proposed development of a new Embassy of the United States of America on the lands. The new Embassy will have an office character and function and as such the Z6 zoning is considered appropriate. The proposed new zoning will provide a more suitable zoning context for such a use.

Submissions

In total eight submissions were received, all from public bodies, including the Office of the Planning Regulator (OPR), Department of Education and Skills, the Eastern and Midlands Regional Assembly, the Office of Public Works (OPW), Irish Water, the Irish Aviation Authority, Health and Safety Authority and the Environmental Protection Agency.

Issues Raised

Almost all of the submissions either had no comment to make, or supported the proposed variation as being in line with the NPF and RSES. The submission from the OPW and the OPR raised issues regarding the Strategic Flood Risk Assessment (SFRA) completed for the lands; reflecting the fact that the location is within the Dodder flood zone; and have recommended a number of updates to the SFRA to address the matters raised; including a clearer map; policies on SUDs and climate change and an expanded justification test for the lands.

Response

1. A revised and updated SFRA for the proposed variation has been completed (and is attached as Appendix A to this report). Elected Members are requested to review and consider the contents of this report as part of their decision on the proposed variation.
2. Also recommended is the addition of a text note for the lands to reflect the points raised by the OPW and OPR on the need for future development on these lands to fully respond to the flood risk challenges in this area, as follows:-

“Note: Future development proposals on these lands will be required to comprehensively address the existing flood risk within this area, and the impact that climate change could have in changing the extent of risk. Future buildings

will need to design in flood resilience, including raised floor levels, defensive design and also include a range of sustainable urban drainage measures (hard and soft) across the lands to ensure that any new development will result in improved surface water management and reduced flows from these lands into the surface water network, taking into account the content of the SFRA for this Variation. The design and boundaries (including territorial, if relevant) of the lands will ensure that access to the Swan culvert is maintained.”

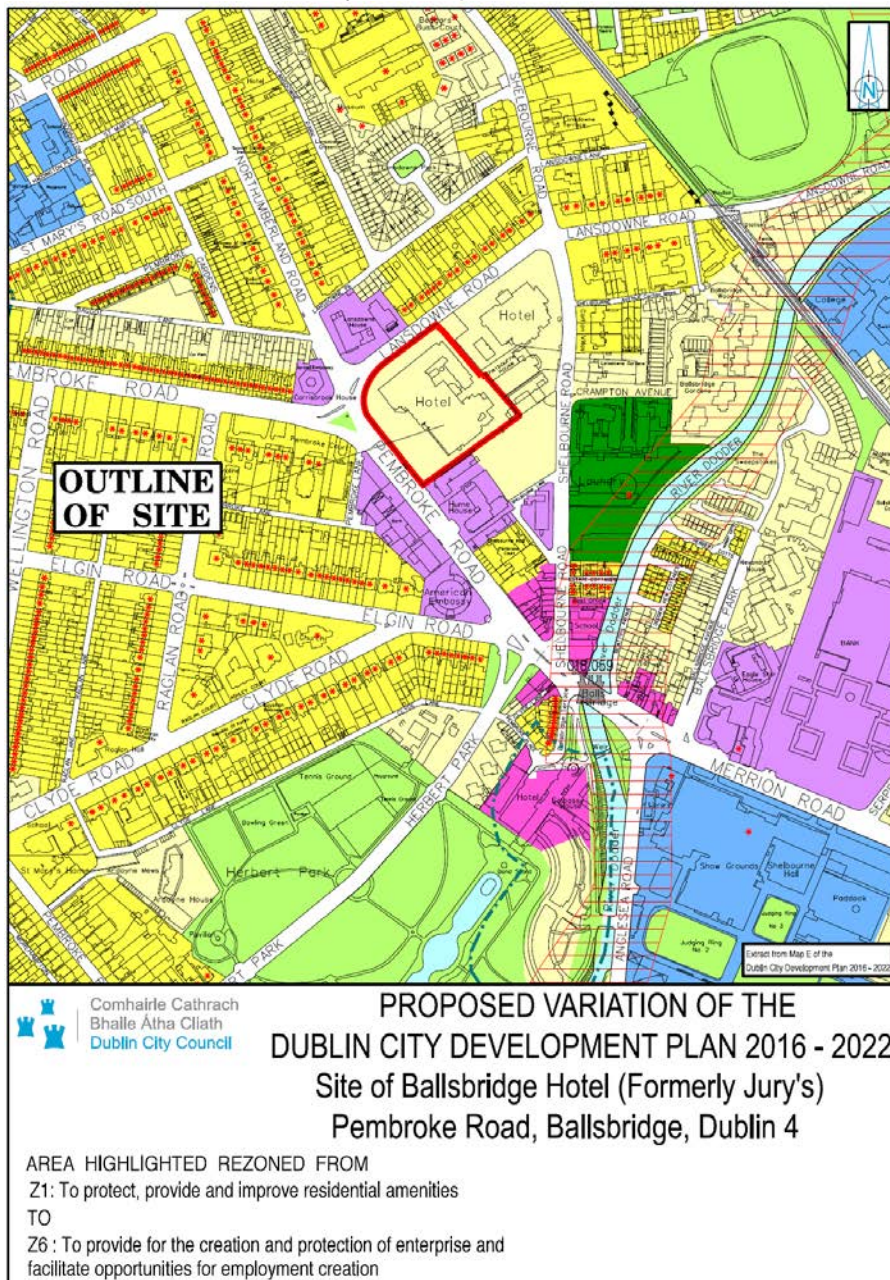
1. Proposal

It is proposed to vary the Dublin City Development Plan 2016-2022, by changing the land use zoning of the subject lands at the junction of Pembroke Road and Landsdowne Road, Ballsbridge, Dublin 4.

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

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

This proposed draft variation is delineated on the attached map, an extract from Map E, Volume 3 of the Dublin City Development Plan 2016 – 2022.



2. Procedure Followed

Public Notice and Public Display

Members of the public were invited to make submissions regarding the Proposed Draft Variation. In accordance with the procedures set out in the Planning and Development Acts 2000 as amended, the proposed variation was placed on public display from the 15th of March to the 15th of April 2021 inclusive and a public notice was inserted into the Irish Independent.

Copies of the Proposed Draft Variation, together with the SEA and AA screening reports and AFRA, were made available for inspection, by appointment, at the Civic Offices, Wood Quay, Dublin 8 within the above listed dates. Details were also available on the City Council's website at www.dublincity.ie.

STRATEGIC ENVIRONMENTAL APPRAISAL

The Planning Authority determined, using the screening criteria set out in Schedule 2A Planning and Development Regulations 2001-2004, the DoEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment is not required for the Proposed Variation to the Dublin City Development 2016-2022 set out above.

APPROPRIATE ASSESSMENT SCREENING

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). The Proposed Variation is not predicted to have a likely impact on the key features or the conservation function of any Natura 2000 sites.

The prescribed bodies were notified of the above determinations in relation to SEA and AA, and no objections to the conclusions were received within the appropriate period.

3. Purpose of the Proposed Variation

The Planning Authority is proposing to change the zoning of the subject lands from Z1 (residential) to Z6 (employment and enterprise) in response to a request from the State Department of the United States to consider such a change. This change will align the zoning policy to facilitate the consideration of a proposed development of a new Embassy of the United States of America on the lands. The new Embassy will have an office character and function as such the Z6 zoning is considered appropriate. The proposed new zoning will provide a more suitable zoning context for such a use.

The State Department has informed the Planning Authority that it needs to develop a new larger facility, as the current building is no longer suitable in scale to cater for their needs. The location of these lands, located in close proximity of the current Embassy will allow the long established continuing presence of the US Embassy in Ballsbridge. The site is also close to the traditional embassy belt in Ballsbridge, and at 1.7ha, it is large enough to provide for the growing Embassy as it responds to the increasing trade and services between the USA and Ireland.

The desire to relocate the Embassy is due to a number of reasons including:

1. The existing building is approximately 55 years old and no longer meets the requirements in terms of size of the expanding American diplomatic presence in Ireland.

2. The current building is too small and there is an urgent need for expansion due to the growing activity across the Embassy's diplomatic, foreign trade delegation, trade office and public embassy office functions.
3. The current building does not conform to new construction and security requirements issued by the State Department in Washington DC
4. The current building has a capacity for only 150-200 staff and this is not adequate to meet the growing demands placed on the various diplomatic and trade activities of the Embassy.
5. The current building has a large atrium, is not efficient for modern occupational needs, nor modern environmental/sustainability objectives.
6. The existing building will remain as the US Embassy, or as an Annex to the US Embassy over the next 5-10 years during the transition period between the existing operation to the new US Embassy on this site.

In relation to the proposed new Embassy the following information is provided:

1. The US have been upgrading their embassies around the world to modern sustainable buildings. One of the most recent examples of this is in London, where the new Embassy was opened to the public on the 13 December 2017.
2. The new Embassy in Dublin will provide a larger presence for the US in Ireland which will increase and enhance the exceptional relationship already in place between the two countries and will facilitate the required expansion in activity across the Embassy's diplomatic, foreign trade delegation, trade office and public embassy office functions.
3. The building will facilitate modern functional space and is in line with the US State Departments' desire to be sustainable from an environmental perspective which will be capable of doubling the numbers of staff present; or up to 400 employees.
4. In addition, the envisaged increased scale of the building, together with the increased number of employees at the US Embassy will lead to a commensurate knock-on economic benefit to the local service providers catering for the existing US Embassy.
5. The US Embassy team in Ireland works to protect and promote US interests in Ireland with the US. US companies have over \$160 billion foreign direct investment in Ireland. This equates to approximately 8% of all US investment in the EU.
6. The relocation of the US Embassy to this site, will retain the US Embassy in the now well established 'embassy belt' in Ballsbridge.
7. During the construction phase of the project it is estimated that there will be approximately 500 jobs created. There will also be significant knock-on multiplier effects in the local economy during this construction phase as construction workers spend in local shops, cafes and services.

4. Report on Submissions and observations

4.1 List of Submissions Received

The following persons or bodies made submissions or observations in relation to the proposed variation of the Development Plan.

Submission Number	Persons or Bodies
1	Office of the Planning Regulator
2	Department of Education and Skills
3	Irish Aviation Authority
4	Office of Public Works
5	Eastern and Midland Regional Assembly
6	Health and Safety Authority
7	Irish Water
8	Environmental Protection Agency

4.2 Submission by the Office of the Planning Regulator (OPR)

Summary of Submission

The OPR notes that the proposed variation is in keeping with the NPF and the policies and objectives of the City Development Plan. It states that the variation will contribute to the consolidation and sustainable development of Dublin City, and therefore will contribute to the reduction of energy use and the reduction of greenhouse gas emissions arising from transport activity, as the location of the site will enable future employees to undertake a greater proportion of trips by public transport and by active transport modes in line with government policy on transport, *Smarter Travel (2009)*.

The submission examines the Strategic Flood Risk Assessment due to the site's location within a flood risk area. They accept that the proposed land-use is less vulnerable, but state that the justification test carried out in the SFRA does not provide sufficient clarity, nor has it sufficiently taken into account the 2016 City Development Plan SFRA and that the flood map is not clear enough.

The OPR makes one observation seeking that the justification text is updated as part of the SFRA.

Chief Executive's Response

The support of the OPR in recognising the compliance of the variation with the NPF is noted. An updated SFRA has been prepared and is attached as Appendix A with this Report including a second map with a closer perspective on the lands; more detail in relation to the Dodder flood relief works and in relation to climate change and Sustainable Urban Drainage Systems (SUDs) policies. To highlight the particular challenges these lands will need to address in any future development it is also proposed to add new text to the variation to make clear the significant points made in the SFRA.

Recommendation

It is recommended that the updated SFRA is considered and noted by the Elected Members as part of their consideration of the Proposed Variation.

It is recommended that the following additional text, in the form of a note, be included with the proposed variation

“Note: Future development proposals on these lands will be required to comprehensively address the existing flood risk within this area, and the impact that climate change could have in changing the extent of risk. Future buildings will need to design in flood resilience, including raised floor levels, defensive design and also include a range of sustainable urban drainage measures (hard and soft) across the lands to ensure that any new development will result in improved surface water management and reduced flows from these lands into the surface water network, taking into account the content of the SFRA for this Variation. The design and boundaries (including territorial, if relevant) of the lands will ensure that access to the Swan culvert is maintained.”

4.3 Submission by the Eastern and Midland Regional Assembly

Summary of Submission

The Regional Assembly consider that the proposed variation would support compact sustainable growth and regional policy to promote Dublin as an international gateway by building international relationships and trade, and as such is consistent with the Regional Spatial and Economic Strategy 2019-2031.

Chief Executive's Response

The support of the Eastern and Midland Regional Assembly is noted.

Recommendation

Submission is noted; no change recommended.

4.4 Submission by the Environmental Protection Agency (EPA)

Summary of Submission

The EPA has no additional comments to make on the specifics of the proposed variation and refers the Planning Authority to the comments made in their previous submission dated 22nd of February 2021.

Chief Executive's Response

The Chief Executive takes note of the comments and guidance that the agency has provided in their previous submission dated 22nd of February 2021, and the general points raised in this submission.

Recommendation

Submission is noted; no change recommended.

4.5 Submission by the Department of Education and Skills, Irish Aviation Authority Irish Water, Health and Safety Authority.

Summary of Submission

All of these particular submissions noted the proposed variation and outlined that they had no comments or issues to raise in relation to it.

Chief Executive's Response

The submissions and the lack of concerns raised in relation to the variation is noted.

Recommendation

Submissions are noted; no change recommended.

4.5 Submission by the Office of Public Works (OPW)

Summary of Submission

The OPW submission makes a number of comments regarding the Strategic Flood Risk Assessment for the proposed variation including (i) correction to description of three stages of assessment; (ii) request a larger scale map is used; (iii) more detail is included in the justification test; and (iv) that the potential impacts of climate change are recognised and (v) that the SFRA identifies the benefits of integrated and area based SUDs (Sustainable Urban Drainage systems) interventions.

Chief Executive's Response

The comments with regard to the SFRA are noted and an updated and expanded SFRA is now attached as Appendix A to this report, addressing the comments made.

Also proposed is additional text to the variation to ensure that the flood risk challenges that must be addressed in any future development of these lands are clear.

Recommendation

It is recommended that the updated SFRA is considered and noted by the Elected Members as part of their consideration of the Proposed Variation.

It is recommended that the following additional text, in the form of a note, be included with the proposed variation

“Note: Future development proposals on these lands will be required to comprehensively address the existing flood risk within this area, and the impact that climate change could have in changing the extent of risk. Future buildings will need to design in flood resilience, including raised floor levels, defensive design and also include a range of sustainable urban drainage measures (hard and soft) across the lands to ensure that any new development will result in improved surface water management and reduced flows from these lands into the surface water network, taking into account the content of the SFRA for this Variation. The design and boundaries (including territorial, if relevant) of the lands will ensure that access to the Swan culvert is maintained.”

5. Recommendation to City Council

Having regard to the submissions received and to the Chief Executive's Response to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 32) of the Dublin City Development Plan 2016-2022 to change the zoning of lands at Ballsbridge from Z1 (Residential) to Z6 (employment).

6. Resolution on Adopting Variation 32.

I recommend that the Elected Members adopt the following resolution:

'The members of the authority having considered the proposed variation and the Chief Executive's Report No. 126/2021, and the issues raised, the proper planning and sustainable development of the City, the statutory obligations of the local authority and the relevant policies or objectives of the Government or of any Minister of the Government; the City Council resolves that Variation No. 32 of the Dublin City Development Plan 2016-2022 as amended is hereby made and that the necessary notices of the making of Variation No. 32 of the Dublin City Development Plan 2016-2022 be published'.

Richard Shakespeare
Assistant Chief Executive
26th April 2021

Appendix A:

Strategic Flood Risk Assessment for Proposed Variation (No. 32) of the Dublin City Development Plan 2016-2022

Updated April 2021

1. Introduction

Dublin City Council has commenced the preparation of proposed variation no. 32 for lands located at the site of **Ballsbridge Hotel (Formerly Jury's), Pembroke Road, Ballsbridge, Dublin 4** that will facilitate the expansion of the American Embassy for Ireland located in Dublin city. The area of the site is approximately 1.7 ha and delineated in red, identified in Figure 1 below.

The Office of Public Works (OPW) is the lead agency for flood risk management in Ireland. The coordination and implementation of Government policy on the management of flood risk in Ireland is part of its responsibility. The European Communities (Assessment and Management of Flood Risks) Regulations 2010 (S.I. No. 122) identifies the Commissioners of Public Works as the 'competent authority' with overall responsibility for implementation of the Floods Directive 2007/60/EC. The OPW is the principal agency involved in the preparation of Flood Risk Assessment and Management studies (FRAMs).

As a variation to the Dublin City Development Plan 2016 – 2022, the preparation of the Proposed Variation No. 32 documentation, apart from the principal variation report, includes a Strategic Environmental Assessment (SEA) Screening, an Appropriate Assessment (AA) Screening and this document, which represents the Strategic Flood Risk Assessment (SFRA) of the variation.

The SFRA, prepared as part of the Dublin City Development Plan (CDP) 2016 – 2022 and which informed the preparation of the CDP, had regard to the DEHLG Guidelines for Planning Authorities (DEHLG & OPW, 2009) on '*The Planning System and Flood Risk Management*' as amended by Circular PI2/2014 together with Technical Appendices. These Guidelines (the 2009 Guidelines) were issued under Section 28 of the Planning and Development Act 2000 as amended, and require Planning Authorities to introduce flood risk assessment as an integral and leading element of Spatial Planning. This requirement is also sought for variations to any development plan.

The Strategic Flood Risk Assessment (SFRA) for the administrative area of Dublin City Council is captured under Volume 7 to the City Development Plan (CDP), with Chapter 9 (Sustainable Environmental Infrastructure) of Volume 1, the Written Statement, of the CDP citing policies and objectives relating to Flood Management. Any future planning application arising from this Proposed Variation No. 32 will be required to comply with the flood risk management provisions of the Dublin City Development Plan 2016 – 2022.

1.1 The Proposed Variation

It is proposed to vary the Dublin City Development Plan (CDP) 2016-2022, by changing the land use zoning of the subject lands at Ballsbridge Hotel (Formerly Jury's), Pembroke Road, Ballsbridge, Dublin 4

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

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

This proposed variation is delineated on the attached map, Figure 1, an extract from Map E, Volume 3 of the Dublin City Development Plan 2016 – 2022.

Note: This is a zoning map change only and requires no change to the written statement. It should be noted that the CE Report on the public consultation now recommends the inclusion of a note regarding flood risk.

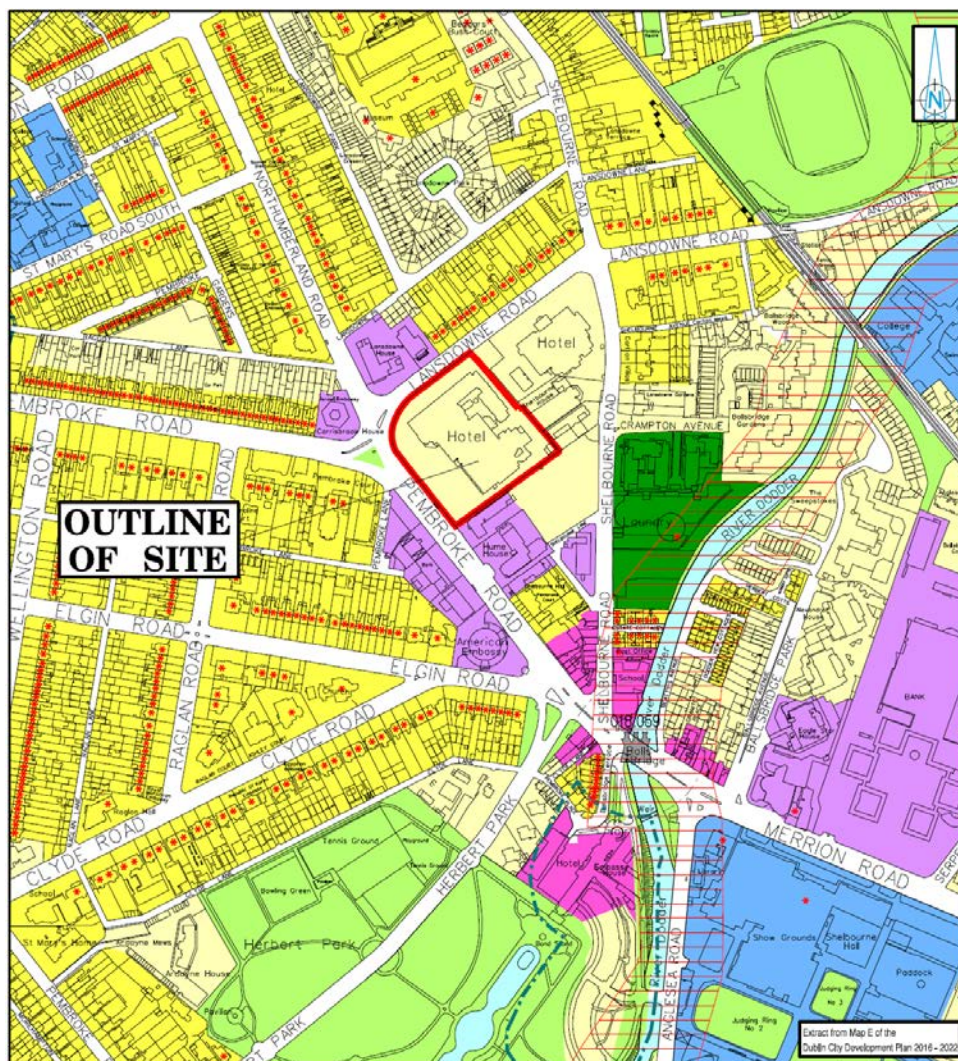


Figure 1 Location of Proposed Variation No.32

1.2 Purpose of the Proposed Variation

The Planning Authority is proposing to change the zoning of the subject lands from Z1 (residential) to Z6 (employment and enterprise) in response to a request from the State Department of the United States to consider such a change. The needs of the existing American Embassy has outgrown its current location, located close by, necessitating a larger site to accommodate the future expansion needs of the State Department. The preferred location for this future expansion is to remain in the general area in order to continue an established presence in the area, and remain close to its existing landholding. The subject site satisfies the profile of the new site required, both in size and location.

This proposed change of the existing Z1 zoning to a Z6 land use zoning objective will align the zoning policy to facilitate the consideration of a proposed development of a new Embassy of the United States of America on the lands. The proposed new zoning will provide a more suitable zoning context for such a use. The use, 'embassy office' is permitted in principle on lands zoned Z6. The land-use definition provided in Appendix 21 to Volume 2 of the CDP states: '*Embassy: Office*

*A building or part thereof, or land used by a foreign government for diplomatic purposes, where the use of the building is **primarily commercial** and where the residential content is minimal, which may include a foreign trade delegation, trade office or public embassy offices.'*
[Author's emphasis.]

It is considered that the purpose of the variation is reasonable and the change in the existing land-use zoning objective from Z1, attaching to the lands, to a Z6 land-use zoning is appropriate.

1.3 Planning Context

Under the *Dublin City Development Plan 2016-2022*, the subject site is zoned *Zone Z1 – To protect, provide and improve residential amenities.* The site is located on Map E, Volume 3 to the CDP. In reviewing Map E, there are no specific objectives attached to the site. There are a number of sites in the vicinity which are already zoned Z6 (employment).

2. Flood Risk Guidance

The 2009 Guidelines recommend a staged approach to Flood Risk Assessment (page 14) which is outlined in tabular form below:

Table 1: Staged Approach to Flood Risk Assessment

Stage 1: Flood Risk Identification	To identify whether there may be any flooding or surface water management issues related to either the area that may warrant further investigation at the appropriate lower level plan or application level.
Stage 2: Initial Flood Risk Assessment	To confirm sources of flooding that may affect a plan area, to appraise the adequacy of existing information and to scope the extent of the risk of flooding which may involve preparing indicative flood zone maps. Where hydraulic models exist the potential impact of a development on flooding elsewhere and of the scope of possible mitigation measure can be assessed. In addition, the requirements of the detailed assessment should be scoped.
Stage 3: Detailed Flood Risk Assessment	To address flood risk issues in sufficient detail and to provide a quantitative appraisal of potential flood risk to a proposed or existing development or land to be zoned, or its potential impact on flood risk elsewhere and of the effectiveness of any proposed mitigation measures

The CDP's SFRA provides a flood extents map for the entire area of the city. This comprises the three flood zone classifications identified in the Guidelines, Flood Zones A, B and C. Flood Zones A and B are described as being of high probability of flooding and moderate probability of flooding respectively and low probability of flooding for Flood Zone C (page 24). These are colour coded (dark blue and lighter blue for Flood Zones A and B respectively) and where no colour is equivalent to Flood Zone C.

Land-uses and types of development are accorded a vulnerability class, as set out in Table 3.1 of the Guidelines (page 25). The intended land use of the proposed variation is, as stated above, for *embassy-office* and the type of development is considered *commercial*, as stated in the above land use definition, as extracted from Appendix 21 to Volume 2 of the CDP. The vulnerability class is therefore described as a '*less vulnerable development*'.

A matrix of what vulnerability class is appropriate for each flood zone has been provided in Table 3.2 of the Guidelines (page 26).

	Flood Zone A	Flood Zone B	Flood Zone C
Highly vulnerable development (including essential infrastructure)	Justification Test	Justification Test	Appropriate
Less vulnerable development	Justification Test	Appropriate	Appropriate
Water-compatible development	Appropriate	Appropriate	Appropriate

Table 3.2: Matrix of vulnerability versus flood zone to illustrate appropriate development and that required to meet the Justification Test.

Extract: Table 3.2: Matrix of vulnerability versus flood zone to illustrate appropriate development and that required to meet the Justification Test (taken from the 2009 Planning Flood Risk Management Guidelines).

For 'less vulnerable development', a plan-making justification test is required for lands in flood Zone A, but not for Flood Zone B or Flood Zone C as these are considered 'Appropriate'. The justification test is set out in the Guidelines under Box 4.1 (page 37). The location of the proposed variation no. 32 is identified with all three Flood Zones categories, A, B and C and thus captured in the plan-making justification tests of the City Development Plan (CDP), see Figure 2 below. The plan-making justification tests of the CDP follow the criteria set out in the above referenced Guidelines under Box 4.1 (page 37).

Justification Test

The proposed variation forms part of a site that has been studied in closer detail under Appendix 3 Justification Test Tables (page 120, Volume 7 of the CDP). This site is named **Site 9. Dodder: Liffey to Ballsbridge**. Under section heading 3 **Specific Flood Risk Assessment**, of the Justification Test for Development Plans, for Dublin City Council, it states:

'On the west side of the Dodder, development proposals should follow the general requirements for FRAs in the SFRA. On the east, potential flood mechanisms are more complex and the FRA should be prepared with

consideration of the risks from the Dodder and from the sea. The location for this proposed variation is west of the River Dodder.

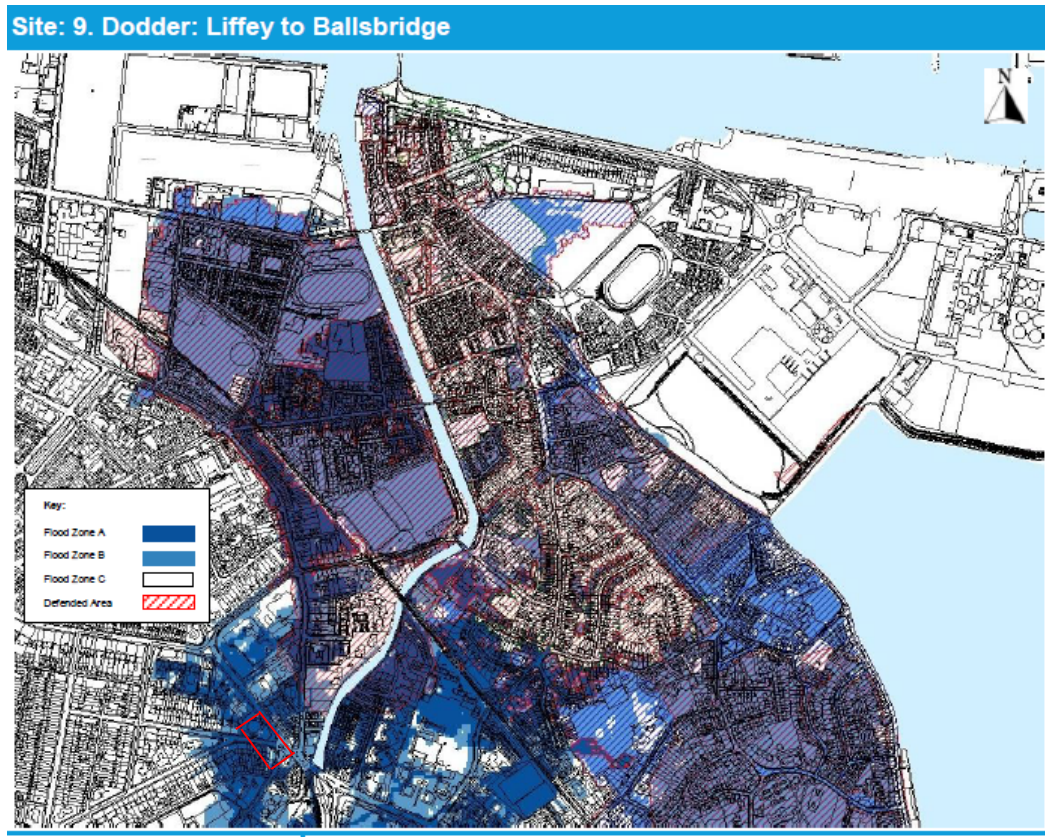
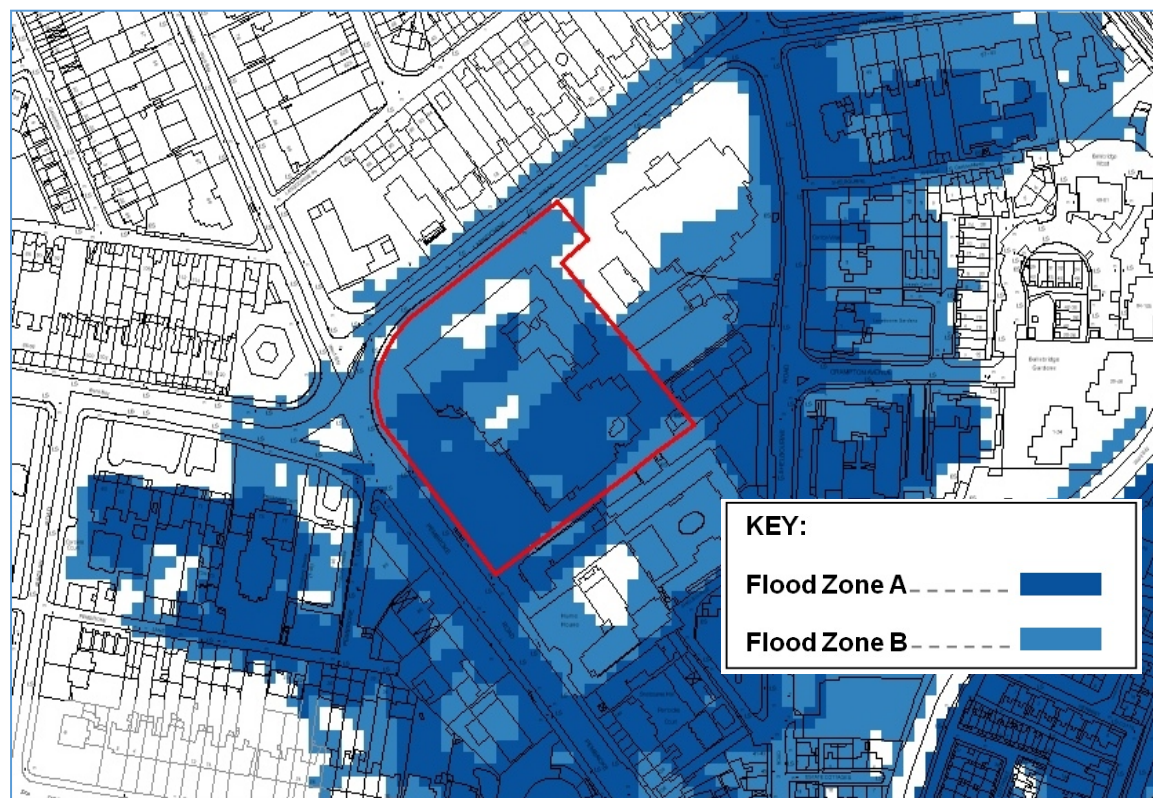


Figure 2: Subject site with indicative delineated red line boundary, located to the west of the River Dodder.

Source: Extract from DCC CDP, SFRA Volume 7, Appendix 3, Site 9

Figure 3: Dodder 1% Zone A and 0.1% Zone B Flood Mapping.



However, for the purposes of clarity; a re-examination of the Justification Test has been undertaken for this variation focussing specifically on the variation lands.

Table 2: Assessment of Variation Lands on Justification Test Criteria.

Justification Criteria	Variation Assessment
1. The urban settlement is targeted for growth under the NSS (now replaced by the NPF).	This is an inner urban area of land currently in use as a large scale hotel. It has the potential to support the growth of this part of Dublin City as a national hub of commerce in line with the NPF and RSES.
2. Zoning or designation of lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement -is essential to facilitate regeneration -comprises significant previously developed under-utilised lands -is within or adjoining the core of an established urban settlement -will be essential to achieving compact growth -no suitable alternative lands for the particular use	The lands in question are a part of a remaining triangle of land that has undergone significant regeneration from relatively low level development (including single and low buildings with extensive areas of surface level parking/storage) to high quality, efficient land uses at sustainable densities, supporting compact growth. The redevelopment of these lands will provide for a greater density of use (a large portion of which is occupied by single storey buildings) The lands are located within the inner urban core of Dublin City. The change in zoning allows for employment uses rather than residential; which will allow the US Embassy expand on a site large enough for its needs beside the current Embassy building. This area is currently limited in the availability of other undeveloped larger scale lands that could meet their specific needs.
3. A flood risk assessment to an appropriate level of detail has been carried out as part of the Development Plan process	As these lands are already zoned for development, and are part of the inner urban area of the City, they were subject to a detailed flood risk assessment as part of the preparation of the 2016 City Development Plan with a site specific risk assessment undertaken and a justification test applied. This variation updates the relevant aspects of the 2016 SFRA.

It is noted that the most recent grant of permission on the subject site under register reference 3502/19, outlined in the main variation report under heading Planning History, included a flood risk assessment. Dublin City Council's Floods Projects and Water Framework Directive Division updated the status of 'under construction' flood protection measures in the general area affecting the subject site, since the making of the City Development Plan, for the planning application. The report identified that Flood defences in Herbert Park installed in 2017 prevent the flood route from the Dodder 100 year flood to the proposed development at Lansdowne Road. The 1000 year flood risk is also reduced, but the extent to which it will be is not yet known and will be reported upon once the works at Donnybrook are completed. These works are scheduled for completion in Q3 2022.

A second issue for the lands is the existence of a culvert on the western corner of the site, for which maintenance access will be required. This can be addressed as part of the design on any future application; and maintaining this access is particularly relevant in the context of the proposed Embassy use.

Climate Change

The challenges facing the world in relation to the potential impacts of climate change have relevance to strategic flood risk assessments. Expected climate change impacts for Dublin include increased rainfall events, increased sea levels and storm surges and less predictable weather patterns.

It is essential that Dublin City, as a coastal low lying City, builds into future development greater resilience to allow for levels of increased risk.

Climate change is also a call to action; and sustainable development within infill regeneration locations is part of the actions being taken by DCC to respond to the climate change challenge by delivering compact growth; reducing the demand for greenfield development and loss of natural water networks, and making efficient use of brownfield lands; without increasing risk to people or property; through the appropriate mechanisms of SFRA. The lands subject to the proposed variation form an edge part of a flood risk area. It is important that detailed flood risk assessments prepared for any future planning applications on these lands build into any modelling the potential impact of climate change. The detail of the standards applied should be agreed in advance with the Council's Floods Projects and Water Framework Directive Division and reflect the most up to date Government advice. The preferred model year is 2100, taking into account these lands will involve new development with a significant lifetime.

Sustainable Urban Drainage Systems (SUDs)

The provision of SUDS within any new development should inform the design process at the outset. Dublin City Council has a number of policies and objectives within the City Development Plan that address the implementation of SUDs for new development in the City (see Sc9.5.4, SI18, SIO13, SIO14). As part of the review of the City Development Plan it is the intent of the Council to update these.

Four principles of SUDS should frame the design approach- quantity, quality, amenity and biodiversity.

In relation to **Quantity** what must be addressed includes whether infiltration is appropriate for the site or whether rainfall will be managed as runoff; how flow rates and volumes will be managed; what is the contributing area of impermeable hard surface; sub-catchment design, flow control locations and storage locations and approximate volumes to appropriate flow rates including overflow arrangements from each storage location; exceedance routing when design volumes are exceeded, or flows are generated from outside the site and allowances for climate change and urban creep.

For **Quality** what is expected is that there are sufficient SUDs surfaces to meet interception losses, that there is sufficient treatment is available to manage pollution risk along the management train; details on how spillage could be managed, and how runoff could be managed during construction.

In relation to **Amenity**, that SUDs is understandable to people using the site and maintenance personnel; that the site is generally accessible or at least viewable to people and is safe by design, that the visual character of the SUDs will enhance the development; that spaces and connecting routes are multi-functional and can be used when not providing a SUDs function for rainfall management.

For **Biodiversity**, that water is clean as soon as possible along the management train using the principle of source control; where feasible that water is kept at or near the surface as it flows from the beginning to the end of the SUDs management train and demonstrate ecological design and the creation of habitats within the SUDs corridor; and confirm 'management practices' to enhance habitat development during maintenance.

Requirements of a Site Specific Flood Risk Assessment for Future Planning Applications.

The most recent update from the Floods Projects and Water Framework Directive Division reports that the requirements of the City Development Plan SFRA can be met as part of a new build where the building design and uses takes fully into account the risks within this area and as such the lands in question can be considered for larger scale developments, subject to a full and detailed site specific flood risk assessment being prepared in line with the requirements outlined in the CDP SFRA Sections 4.11 to 4.15 (inclusive).

The Site Specific SFRA will need to clearly demonstrate how (i) the potential impacts of climate changes, including changes to flood risk, could impact the lands; and (ii) detail a comprehensive SUDs strategy for the lands that fully meet drainage requirements, taking into account the scale of the lands, maximise opportunities to provide both “soft” and “hard” solutions (including green roofs, permeable paving, all within a target of reducing runoff to 2l/s/Ha or less, supplemented where possible with additional tree planting). It will also need to provide for maintenance access to the existing culvert on the lands.

Also relevant to the site is the position of the Swan culvert, which runs across a small section of the north east corner of the site. (See map in Appendix A1). The design and layout of any future development will need to protect access to this culvert. Given that the possible future use of the lands may be an Embassy, it is imperative that this section of the site remains accessible and does not form part of the respective country’s territory to allow maintenance and prevent possible flood risk.

3. Conclusion

The Flood Risk Assessment for the Proposed Variation No. 32 at the 1.7 ha site at **Ballsbridge Hotel (Formerly Jury’s), Pembroke Road, Ballsbridge, Dublin 4** has been undertaken in accordance with the requirements of Section 28 Guidelines for Planning Authorities: ‘*The Planning System and Flood Risk Management*’, 2009.

The subject site, with areas of both Flood zones A and B classification, that forms part of Site 9 of Appendix 3 to the City Development Plan has been assessed under the criteria set out for the plan making justification test required under the Section 28 Flood Risk Management Guidelines, 2009 as amended. This justification states that any proposals west of the Dodder should carry out a site specific flood risk assessment at planning application stage.

Any future planning proposal for development will be required to comply with the Greater Dublin Strategic Drainage Study for surface water management, the SUDs policies and objectives of the 2016 City Development Plan and the additional variation specific criteria outlined in this report. This is to ensure that there is no increase in flood risk to properties upstream or downstream as a result of future development.

Notwithstanding that the purpose of the proposed variation is to facilitate the expansion of the American Embassy requiring a more appropriate land use zoning objective to enable a compliant planning application be lodged for same, the future stated intended use, embassy: office, classified as a commercial use, is categorised as a less vulnerable use for the purposes of the Flood Risk Management Guidelines and therefore by its nature and the opportunities presented to replace the existing hotel use with a purpose built flood resilient building(s) and landscaping reduces the potential impacts of flood risk that may be caused by flood events.

More broadly, this proposed variation, to rezone Z1 lands to Z6 lands, will limit the potential impacts of potential flood risk owing to the nature of permissible uses and open for consideration uses under a Z6 land-use zoning objective when compared to the existing Z1 residential land use zoning on the lands that largely feature more vulnerable uses,

notwithstanding that such uses under a Z1 zoning can be permitted subject to the above referenced appropriate flood risk assessment (FRA), at planning application stage.

Having reviewed the flood risk assessment in accordance with the above Guidelines the following has been determined:

The proposed variation and any future planning application arising from same that adequately addresses, through detailed design, the flood risk requirement as part of the planning application process, is not likely to change flood risk in the area, upstream or downstream.

Appendix A1: Map of drainage network of Variation lands showing Swan Culvert.

