



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

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# **Chief Executive's Report on Submissions Received on the Proposed Material Alterations to the Draft Dublin City Development Plan 2022-2028**

**21st September 2022**

**Report No. 261/2022**



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# Part 1

## Introduction

## Introduction

This Report forms part of the statutory procedure for the preparation of the Dublin City Development Plan 2022-2028, as required by the Planning and Development Acts 2000 (as amended) and is submitted to the Members of Dublin City Council for their consideration. It consists of the Report of the Chief Executive on the submissions/observations received on the Proposed Material Alterations to the Draft Dublin City Development Plan 2022-2028.

As required by Section 12(8) of the Planning and Development Act, 2000 (as amended) the report sets out to:

- i) List the persons or bodies who made submissions or observations under this section i.e. during the public consultation period of the Proposed Material Alterations to the Draft City Development Plan 2022 - 2028 and the Draft Environmental Report and Natura Impact Report;
- ii) Summarise the recommendations, submissions and observations made by the Office of the Planning Regulator;
- iii) Summarise the submissions and observations made by any other persons in relation to the proposed material alterations and
- iv) Give the response of the Chief Executive to the issues raised, taking account of any directions of the Members of the authority or the committee under Section 11.4, the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and any relevant policies or objectives in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

At the special Council meetings held in July 2022 as per Section 12 (6), the Elected Members amended the Draft Plan. As per Section 12 (7), it is the proposed material alterations and the associated environmental reports and determinations that were on display from the 27<sup>th</sup> of July 2022 to the 1<sup>st</sup> of September 2022. Section 12 (7) invites submissions on the amendments and 12 (8) sets out that the Executive shall prepare a report on the submissions received “*in relation to the Draft Plan in accordance with this section*”, which is taken to mean submissions in relations to the proposed material alterations to the Draft Plan. Therefore, the responses and recommendations set out below relate to issues raised on the proposed material alterations.

## Process to Date

The consultation period for the making of the Dublin City Development Plan 2022-2028 commenced with the launch of an Issues Paper which was on public display from 15<sup>th</sup> December 2020 to 22<sup>nd</sup> February 2021. A total of 752 written submissions from individuals, communities, infrastructure providers, sectoral groups, statutory agencies and adjoining local authorities were taken into account.

The Members having considered the views expressed by the public proposed 1,078 pre-draft motions which were considered at the Special Council meetings on the 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> of June 2021 at which Members gave direction to the Chief Executive regarding strategic and policy issues to include in the Draft Development Plan.

The Chief Executive prepared the Pre-Draft Plan which was circulated to Members for their consideration only, on foot of which, Members submitted 301 motions. All changes agreed at the Special Council meetings held on 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> September to consider the proposed Draft Development Plan and the Chief Executive's Report on motions received informed the Draft Dublin City Development Plan 2022-2028. The Draft Dublin City Development Plan 2022-2028 was placed on public display on 25<sup>th</sup> November 2021 for a period of 12 weeks until 14<sup>th</sup> February 2022. A total of 4,323 submissions/observations were received in response to this stage of the public consultation process.

In accordance with the requirements of Section 12(4)(b) of the Planning and Development Act 2000 (as amended), the Chief Executive's report was prepared, which summarised and detailed the submissions received on the Draft Dublin City Development Plan and provided a response and recommendations of the Chief Executive to the issues raised during the consultation.

The Members, having considered the views expressed by the public proposed 526 motions giving direction to the Chief Executive regarding strategic and policy issues to amend in the Draft Dublin City Development Plan. The Chief Executive provided a response and recommendations to the issues raised in the motions.

The Members of Dublin City Council considered the Draft City Development Plan 2022-2028 and the Chief Executive's Report on submissions received and the Chief Executive's Report on motions received at Special Council Meetings held on 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> of July 2022 and resolved to amend the Draft Plan.

As these amendments constituted a material alteration to the Draft Dublin City Development Plan, the Council resolved to place the proposed material alterations on statutory public display in accordance with the provisions of the Planning and Development Act 2000, as amended.

The display period for the proposed material alterations of the Draft Dublin City Development Plan took place from the 27<sup>th</sup> of July to the 1<sup>st</sup> of September 2022.

## **Format of Report**

The structure of this report is as follows:

- **Part 1:** Introduction
- **Part 2:** A summary of the submissions by the Office of the Planning Regulator and the Chief Executive's Response and Recommendations on the issues raised.

- **Part 3:** A summary of the issues raised by the submissions/observations on Volumes 1, 2, 4, 5, 6 and 7 (Written Statement, Appendices, Record of Protected Structures, Strategic Environmental Assessment Report, Natura Impact Report and Strategic Flood Risk Assessment), and the Chief Executive's Response and Recommendations on the issues raised.
- **Part 4:** A summary of the issues raised by the submissions/observations on Volume 3 – Zoning Maps, and the Chief Executive's Response and Recommendations on the issues raised.
- **Part 5:** A list of the persons or bodies who made submissions/observations.

## Navigation

A total of 1,096 submission/observations were received which is almost a four-fold increase in the number of submissions/observations received compared with the amount received at the same stage during the 2016-2022 Development Plan. A large number of these submissions however, related to one specific site in the form of a petition letter. As two submissions/observations were received after the prescribed deadline they are excluded from further consideration and are not provided for in this report.

Each submission/observation was fully considered. The issues raised in the submissions/observations have been summarised in the Chief Executive's Report which includes his response and recommendation to the issues.

Where submissions/observations were received the relevant Material Alteration Reference Number is quoted in this report; however, the text is generally not repeated. Accordingly, in addition to the Draft Dublin City Development Plan, this report should be read in conjunction with the Proposed Material Alterations of the Draft Dublin City Development Plan Report (July 2022).

For ease of reference, the Material Alteration Reference Number is quoted. The issues raised in the submissions are grouped and addressed under each Material Alteration Reference.

In instances where there are no submissions on a material alteration, it does not appear in this report.

Minor typographical errors or discrepancies will be amended in the final Plan. Similarly, where draft plans or policy documents, prepared by other bodies, have been up-dated or approved during the Development Plan preparation process, these will be amended accordingly in the final Development Plan, as will changes to names of Government Departments or any bodies/agencies.

All policy and objective numbering will be updated in the final Plan. Also any changes made that impact on the figures for the core strategy will be reflected in the final core strategy tables. Data from the Dublin Housing Task Force Returns and census will also be updated prior to publication.



Where the report references an amendment in the body of the Chief Executive's response the proposed amendment is shown as per the amendment document that was on display i.e.:

Text highlighted in ~~(red)~~ are proposed deletions and text in {green} are proposed additions to the Draft Plan.

Where the Chief Executive makes a recommendation for a further minor modification this is shown in the recommendation section with additions to text or changes to mapping set out in {green} print. Deletions to the text are shown in ~~(red)~~ print. Recommendations may also include the omission of an amendment.

To assist those utilising a screen reader:

Amendments are enclosed with brackets with the following format: { }

Deletions are enclosed with brackets with the following format: ~~()~~

Please note, if you are using a screen reader, the level of punctuation may need to be amended throughout the text in order to identify these brackets correctly.

## Consultation Strategy

A detailed public notice was placed in the Irish Independent on the 27<sup>th</sup> July 2022 advising of the Council's decision to amend the Draft Plan and that the amendments constitute material alterations. The notice indicated where the proposed material alterations and related documentation could be accessed and invited submissions during the public display period up to and including the 1<sup>st</sup> September 2022.

In addition to the public display which took place in locations throughout the city including all public libraries and area offices, all public documents were placed on the website specially designed for consultation on the Draft Plan – [www.dublincitydevelopmentplan.ie](http://www.dublincitydevelopmentplan.ie). The website included a facility to make submissions/observations on-line. Submissions could also be made by post. All written submissions (including attachments) are available, in full, online. This enables members of the general public, and others, to view each submission electronically.

Posters were erected on a selection of bus shelters, big belly bins and large poster advertising stands to advertise the consultation period. The locations were chosen for their high-profile, geographic spread and frequency of use and included a number of city parks.

The City Council's dedicated social media sites were used to publicise the material alteration display period. For clarity, 'Impressions' means the number of times people saw the tweet/post and 'Total Engagement' means the total number of people who interacted in some way with the tweet/post. 'Reach' means the number of people reached by the post/tweet. The main social media channel used during this stage was Twitter. Over the public consultation period there were a total of 3,612 'impressions' with a 'total engagement' of 109 and '937 views'.

## Next Steps

The Members will consider the Proposed Material Alterations to the Draft Plan and the Chief Executive's Report at a Special Meeting of the City Council on the **2<sup>nd</sup> of November 2022**.

Pursuant to Sections 12(9) and 12(10) of the Planning and Development Act 2000, as amended, the Members shall, by resolution, having considered the proposed amendments and the Chief Executive's Report, make the Plan with or without the proposed amendments, except that where they decide to accept the proposed amendment, they may do so subject to any modifications to the amendment as they consider appropriate subject to Section 12(10) (c) of the Planning and Development Act 2000 (as amended), which states:

*“(c) A further modification to the alteration –*

*(i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,*

*(ii) shall not be made where it relates to –*

*(I) an increase in the area of land zoned for any purpose, or*

*(II) an addition to or deletion from the record of Protected Structures”.*

The Development Plan shall have effect six weeks from the day that the Plan is made.

Section 12(11) of the Planning and Development Act 2000 (as amended) states:

*“In making the Development Plan under subsection (6) or (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.”*

<b>Key Dates</b>	
Motion Deadline	30 <sup>th</sup> September 2022
CE Report on Motions	21 <sup>st</sup> October 2022
Special Council Meeting	2 <sup>nd</sup> November 2022
Plan Comes into Effect	14 <sup>th</sup> December 2022

## **Information Sessions for Members**

To assist members in their consideration of the Proposed Material Alterations and the Chief Executive's Report on the submissions received, an information session for Members only has been arranged for the following date:

28<sup>th</sup> September 2022

Additional information sessions for Members will be arranged if necessary and the Development Plan team can be contacted with specific queries.

### **Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA)**

#### Strategic Environmental Assessment (SEA)

The Proposed Material Alterations to the Draft Dublin City Development Plan 2022 – 2028 were placed on public display accompanied by an Environmental Report providing information in support of the Strategic Environmental Assessment of the plan in accordance with the SEA Directive and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 / 2011.

Following a review of the issues raised during the prescribed public consultation period, the Chief Executive's Report on Public Submissions on the Proposed Material Alterations to the Draft Dublin City Development Plan 2022 – 2028 has been prepared.

The Strategic Environmental Assessment process has informed the Chief Executive's Report on Public Submissions on Proposed Material Alterations to the Draft Plan so that the Plan can be implemented successfully without having adverse effects on the environment. All amendments proposed to the plan have been screened for their potential to have significant environmental effects and it has been concluded that the proposed amendments to the plan do not give rise to significant / uncertain environmental effects.

The SEA Environmental Report will be finalised and an SEA Statement will be prepared following Plan adoption, which will detail the SEA process undertaken for the Plan.

#### Appropriate Assessment

The Proposed Material Alterations to the Draft Dublin City Development Plan 2022 – 2028 were placed on public display accompanied by an NIR which provided information in support of the AA of the plan in accordance with Article 6 of the Habitats Directive (92/43/EEC).

Following a review of the issues raised during the prescribed public consultation period, the Chief Executive's Report on Public Submissions on the Proposed Material Alterations to the Draft Dublin City Development Plan 2022 – 2028 has been prepared.

In accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act 2000 (Part XAB) (as amended); and the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) the amendments proposed to the plan have been assessed for their potential to have likely significant effects on European sites.

Following assessment, it has been concluded that the proposed amendments pose no risk to European sites. It has been concluded that following the successful implementation of mitigation measures already contained within the Plan, there will be no adverse effects on the integrity of European sites arising from the plan in isolation or in combination with other plans and projects.

The NIR of the Plan will be updated to document the accepted amendments to the Plan and a final AA Determination of the Plan will be undertaken by the Planning Authority at the adoption stage.

## **Part 2**

**A summary of the submission by the Office of the Planning Regulator and the Chief Executive's Response and Recommendations on the issues raised**

# **Office of the Planning Regulator**

**Submission Number:** DCC-C43-MA-346

## **Summary of the Observations, Submissions and Recommendations of the Planning Regulator**

The OPR has evaluated and assessed the material alterations to the Draft Plan under the provisions of sections 31AM (1) and (2) of the Planning and Development Act 2000 (as amended) and within the context of the office's earlier recommendations and observations.

The submission of the OPR has been reviewed and the Chief Executive sets out below a summary of the substantive issues raised followed by the response and recommendation of the Chief Executive. For ease of reference, the same heading structure set out in the submission is used.

### **Overview**

#### **Summary of the OPR Submission**

The OPR welcomes the many changes proposed as material amendments to the Draft Plan, noting in particular the inclusion of a Core Strategy Table and Settlement Hierarchy and changes to Chapter 13 – Strategic Development Regeneration Areas. The range of policies and objectives in the Draft Plan to support the overarching strategic approach to develop a low carbon, sustainable, climate resilient city are also welcomed.

In general, the OPR considers that the majority of the material alterations are reasonable and evidence based but identifies a number of instances where further modification is required to ensure alignment with national and regional policy objectives or section 28 Ministerial guidelines.

The submission notes that whilst some of the material alterations regarding Build to Rent (BTR) are acceptable such as the planning assessment criteria, the material alterations do not address the principal concerns raised in relation to Recommendation 5 of the Office's submission regarding QHSN38 and QHSN39.

The submission sets out one recommendation and three observations.

#### **Chief Executive's Response**

The Chief Executive welcomes the comments from the OPR regarding the Core Strategy Table, Settlement Hierarchy and Chapter 13.

The comments raised by the OPR with regard to BTR, as well as the specific recommendations and observations are addressed further below.

## **Chief Executive's Recommendation**

As per response to individual OPR recommendations/observations – see below.

### **1. Core Strategy and Settlement Hierarchy**

#### **1.1 Core Strategy Table and Distribution Growth**

##### **Summary**

The OPR strongly commends the inclusion of Table 2.8 Core Strategy and Settlement Hierarchy in Chapter 2. The submission details that the inclusion of the table is an extremely positive addition to the Draft Plan and a satisfactory response to Recommendation 1 (i) – (v).

##### **Chief Executive's Response**

The Chief Executive notes and welcomes the comments made by the OPR with regard to the Core Strategy.

##### **Chief Executive's Recommendation**

Retain text as in proposed MA.

#### **1.2 Implementation of Core Strategy**

##### **Summary**

The OPR submission details that the material alterations do not provide for a reduction in the number of proposed LAP's as set out in the Table 2.14. The submission notes that whilst the concerns regarding the rationale for requiring LAPs for areas with limited redevelopment potential remain, that the Office welcomes the flexibility introduced under Material Alteration 2.1 to enable development to be considered through the development management process in the absence of an LAP.

The material alterations to provide for greater consistency in respect of the Draft Plan's requirements for masterplans are welcomed.

The OPR states that the extent of masterplans required for sites within the SDRA's and the requirement for a masterplan on sites over 0.5 ha (Policy SC17) has not been amended. The planning authority is advised to consider making further minor modifications to address this issue in order to provide further clarity for members of the public.

## **Chief Executive's Response**

The Chief Executive welcomes the comments made regarding Material Alteration 2.1.

With regard to the requirement for a masterplan on sites over 0.5 ha (Policy SC17), a detailed response to this matter was set out in the CE report on the Draft Plan Consultation Process (April 2022). As detailed, the masterplan approach is considered an important tool in setting out the detailed design parameters for larger development sites and in particular, complex urban sites. This approach is also intrinsically interlinked with Appendix 3 – Achieving Sustainable Compact Growth – Policy for Density and Building Height in the city and is identified as a key criterion for assessment.

Whilst the elected members did not accept the CE recommendation that the threshold for such masterplans should be increased to sites of over 1 ha, the CE remains of the view that the masterplan approach is appropriate and will ensure a design led approach to density and height in the city. It is considered that the wording of Policy SC17 is adequately clear and does not require further amendment.

## **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **2. Sustainable Development**

### **2.1 Strategic Development Regeneration Areas**

#### **Summary**

The OPR welcomes the inclusion of Table 13.1 in Chapter 13 and notes that it is a positive addition to the plan and provides clarity. The OPR considers that the inclusion of objective SDRAO1 – Overarching Principles and Vision, enhances the alignment of the SDRA section in the Draft Plan with the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). The material alterations included in response to Recommendation 3 and Observation 1 are considered acceptable.

The OPR notes that there are some minor anomalies that should be addressed. As such the OPR set out the following observation:

*MA Observation 1 – Core Strategy Table 2.8 and Strategic Development Regeneration Area Table 13.1*

The planning authority is requested to make minor changes to Table 2.8 – Core Strategy and Settlement Hierarchy in Chapter 2 and Table 13.1 – Capacity of SDRA Designated lands for Residential Use or a Mixture of residential and Other Uses and Supporting Infrastructure in Chapter 13 in relation to the following matters:



- (i) The figures in Table 2.8 and 13.1 regarding the proposed zoned area and residential yield differ in relation to SDRA 8; and
- (ii) SDRA 13 (St. James' Medical Campus and Environs) and SDRA 17 (Werburgh Street) are missing from Table 2.8.

### Chief Executive's Response

The comments of the OPR are noted and it is recommended that the necessary amendments are made to Tables 2.8 and 13.1 to address the OPR's comments.

### Chief Executive's Recommendation

#### Material Alteration 2.4

Amend text in proposed MA as follows:

**Delete Table 2.8: Capacity of SDRA Designated Lands for Residential Use or a Mixture of Residential and Other Uses and**

**Replace with new subheading, text and table to this section, before subheading "Capacity of SDRA lands."**

#### {Table 2.8 - Core Strategy and Settlement Hierarchy}

<u>Settlement Hierarchy</u>	<u>Relevant SDRAs/Strategic Lands</u>	<u>Character and general density applied*</u>	<u>Proposed Zoned Area</u>	<u>Proposed Residential Yield</u>	<u>Estimated population</u>
<b>Inner City</b>					
<u>City Core</u>	<u>Docklands (SDRA 6 and KUV)</u>	<u>Mixed use</u>	<u>24</u>	<u>7,900</u>	<u>15,800</u>
	<u>Dolphin House (SDRA 12)</u>	<u>Residential</u>	<u>6</u>	<u>350</u>	<u>700</u>
	<u>Grangegorman/Broadstone (SDRA 8)</u>	<u>Primarily education/health</u>	<del>(10)</del> <u>11.5</u>	<del>(800)</del> <u>1,200**</u>	<del>(1,500)</del> <u>3,000</u>
	<u>Heuston and Environs (SDRA 7)</u>	<u>Mixed use</u>	<u>14</u>	<u>1,250</u>	<u>2,500</u>
	<u>Liberties &amp; Newmarket Square (SDRA 15)</u>	<u>Mixed use</u>	<u>30</u>	<u>2,500</u>	<u>5,000</u>
	<u>Markets Area and Environs (SDRA 13)</u>	<u>Mixed use</u>	<u>8</u>	<u>400</u>	<u>800</u>
	<u>North East Inner City (SDRA 10)</u>	<u>Mixed use</u>	<u>12</u>	<u>850</u>	<u>1,700</u>
	<u>St. Teresa's Gardens (SDRA 11)</u>	<u>Residential and open space</u>	<u>13</u>	<del>(950)</del> <u>1,500</u>	<del>(1,900)</del> <u>3,000</u>
	<u>Werburgh Street (SDRA 17)</u>	<u>Mixed use</u>	<u>2</u>	<u>0</u>	<del>(200)</del> <u>0</u>
	<u>St. James's Medical Campus and Environs (SDRA 14)</u>	<u>Primarily health</u>	<u>:</u>	<u>:</u>	<u>:</u>
	<u>Other KUVs- Phibsborough</u>				

<u>MASP Corridors</u>					
<u>North East Corridor</u>	<u>Clongiffin/Belmayne (SDRA 1 and KUV)</u>	<u>Mixed use</u>	<u>52</u>	<u>6,950-7,350</u>	<u>14,700</u>
	<u>Oscar Traynor Road (SDRA 16)</u>	<u>Residential and open space</u>	<u>17</u>	<u>850</u>	<u>1,700</u>
	<u>Other KUVs- Santry (Omni), Northside, Donaghmede</u>	<u>Mixed use</u>			
<u>North West Corridor</u>	<u>Ballymun (SDRA 2 and KUV)</u>	<u>Primarily residential</u>	<u>35</u>	<u>2,200-2,350</u>	<u>4,700</u>
	<u>Finlas Village Environs and Jamestown (SDRA 3 and KUV)</u>	<u>Mixed use</u>	<u>52</u>	<u>2,800</u>	<u>5,600</u>
	<u>Glasnevin***</u>	<u>Mixed use regen</u>	<u>-</u>	<u>-</u>	
<u>South West Corridor</u>	<u>City Edge/Inchicore lands***</u>	<u>Mixed use regen</u>	<u>-</u>	<u>-</u>	
	<u>Emmett Road (SDRA 9)</u>	<u>Primarily residential</u>	<u>15</u>	<u>1,050</u>	<u>2,100</u>
	<u>Naas Road (SDRA 5 and KUV)</u>	<u>Mixed use</u>	<u>18</u>	<u>3,300</u>	<u>6,600</u>
	<u>Park West and Cherry Orchard (SDRA 4)</u>	<u>Residential and open space</u>	<u>49</u>	<u>2,500-3,100</u>	<u>6,200</u>
	<u>Other KUVs- Ballyfermot, Crumlin</u>	<u>Mixed use</u>			
<u>South East Corridor</u>	<u>Other KUVs- Rathmines</u>	<u>Mixed use</u>			
<u>Urban Consolidation</u>					
<u>City Centre within M50</u>	<u>Infill/smaller scale Brownfield and opportunity sites</u>	<u>Primarily residential</u>	<u>(189) 187.5</u>	<u>(13,000) 12,900</u>	<u>(23,400) 23,220</u>
<u>TOTAL</u>			<u>(544) 546</u>	<u>(48,800) 47,950 - 49,100</u>	<u>(88,800) 97,320</u>

\*Densities from extant LAPs/SDZs/existing permissions are included; over and above that, potential yields outside of these areas are estimated using standard densities of 200 units per hectare (uph) for inner city areas and 100 uph for areas in the suburbs, where sites are primarily residential. For mixed use zonings the figures are reduced to take account of the impact of other non-residential developments.

\*\*Refers to primarily student and supported residential accommodation. KUVs outside of SDRAs present opportunities for some densification and infill, however the housing yield this is not quantified due to the highly speculative and underdetermined nature of such estimation.

\*\*\* these lands are not yet zoned for residential purposes but it is anticipated that they will, through the variation process, come forward for first phase of development during the lifetime of the Plan.}

## Material Alteration 13.2

Amend text in proposed MA as follows:

Delete Table 13.1 and replace with following table:

**{Table 13.1: Capacity of SDR Designated Lands for Residential Use or a Mixture of Residential and Other Uses and Supporting Infrastructure}**

<u>SDRA Ref.</u>	<u>City Area Name</u>	<u>Estimated Capacity</u>	<u>Area (Ha)</u>	<u>Supporting Infrastructure</u>
<u>SDRA 1</u>	<u>Clongriffin/Belmayne and Environs</u>	<u>6,950 – 7,350</u>	<u>52</u>	<u>DART+, Bus Connects, completion of Main Street, social infrastructure</u>
<u>SDRA 2</u>	<u>Ballymun</u>	<u>2,200 – 2,350</u>	<u>35</u>	<u>Metrolink, Bus Connects</u>
<u>SDRA 3</u>	<u>Finglas Village Environs and Jamestown Lands</u>	<u>2,800</u>	<u>52</u>	<u>Luas Finglas, Bus Connects, social infrastructure</u>
<u>SDRA 4</u>	<u>Park West/Cherry Orchard</u>	<u>2,500 – 3,100</u>	<u>49</u>	<u>DART+, Bus Connects, social infrastructure.</u>
<u>SDRA 5</u>	<u>Naas Road</u>	<u>3,300</u>	<u>18</u>	<u>Bus Connects, Luas stop, Water service upgrade</u>
<u>SDRA 6</u>	<u>Docklands</u>	<u>7,900</u>	<u>24</u>	<u>DART+, Dodder Bridge, Bus Connects, Luas Poolbeg, District Heating, social infrastructure</u>
<u>SDRA 7</u>	<u>Heuston and Environs</u>	<u>1,250</u>	<u>14</u>	<u>DART+, Bus Connects</u>
<u>SDRA 8</u>	<u>Grangegorman/Broadstone</u>	<del>(900)</del> <u>1,200</u>	<del>(11)</del> <u>11.5</u>	<u>Bus Connects</u>
<u>SDRA 9</u>	<u>Emmet Road</u>	<u>1,050</u>	<u>15</u>	<u>Bus Connects, social infrastructure</u>
<u>SDRA 10</u>	<u>North East Inner City</u>	<u>850</u>	<u>12</u>	<u>DART+, Bus Connects, social infrastructure</u>
<u>SDRA 11</u>	<u>St. Teresa's Gardens</u>	<del>(950)</del> <u>1,500</u>	<u>13</u>	<u>Bus Connects</u>
<u>SDRA 12</u>	<u>Dolphin House</u>	<u>350</u>	<u>6</u>	<u>Bus Connects</u>
<u>SDRA 13</u>	<u>Markets Area and Environs</u>	<u>400</u>	<u>8</u>	<u>Public realm</u>
<u>SDRA 14</u>	<u>St. James' Medical Campus and Environs</u>	<u>-</u>	<u>-</u>	<u>Bus Connects</u>
<u>SDRA 15</u>	<u>Liberties and Newmarket Square</u>	<u>2,500</u>	<u>30</u>	<u>Bus Connects, social infrastructure, public realm</u>
<u>SDRA 16</u>	<u>Oscar Traynor Road</u>	<u>850</u>	<u>17</u>	<u>Bus Connects</u>
<u>SDRA 17</u>	<u>Werburgh Street</u>	<del>(100)</del> <u>0</u>	<u>2</u>	<u>Public realm</u>
	<u>Total</u>	<del>(34,750 – 35,950)</del> <u>35,050 – 36,200</u>	<del>(358)</del> <u>{358.5}</u>	

## 2.2 Building Height

### Summary

The OPR considers that the guiding principles regarding building height in the individual SDRA's are generally acceptable and support National Policy Objectives (NPO) NPO 3 and NPO 6. The OPR welcomes the mapping and text changes in SDRA 6 and SDRA 7 which support additional landmark buildings.

The OPR notes that whilst the planning authority's intention to reassess the 'cone of vision' at Heuston and Environs is welcomed, it is considered that the Draft Plan should include a specific time commitment to complete this work, given the area's significant potential for housing delivery served by high quality public transport. In this regard, the OPR sets out the following observation:

#### *MA Observation 2 – Re-assessment of Cone of Vision at euston and Environs*

Having regard to national policy objectives NPOs 3, 6 and 11 of the National Planning Framework and Regional Planning Objective (RPO) RPO 5.4 of the Regional Spatial and Economic Strategy regarding future development of strategic residential development areas within the Dublin Metropolitan area, and the significant potential of Strategic Development Regeneration Area 7 to assist with housing delivery over the plan period, the planning authority is requested to make a minor modification to the text in section 13.9 the subject of Material Alteration 13.32 to include a specific time commitment for the completion of the reassessment within one year of adoption of the Development Plan.

### Chief Executive's Response

The CE notes the OPR comments with regard to Material Alteration 13.32. Whilst the CE concurs with the sentiment of the submission, it is considered that a one year time scale is too short a time frame to commit to the preparation of such a study. There are a large number of objectives that require action in the Plan and in this context, there is a need to balance competing pressure points in the allocation of resources. Furthermore, the preparation of such a study is likely to require procurement, and a year time frame is considered unrealistic in this context. The CE, therefore, recommends that a commitment to prepare such a study should be within two years of adoption of the Development Plan.

### Chief Executive's Recommendation

<b>Material Alteration Reference Number 13.32</b>
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Amend text in proposed MA as follows:

Building heights should respond to the 'Cone of Vision' identified in the Guiding Principles Map. {Within two years from the adoption} (the lifetime) {of the Development Plan, a re-assessment of the Cone of Vision shall commence} (take place) {having regard to the national planning context requiring the need

to accommodate increased densities on urban brownfield sites, and the landscape character for protection within the cone, such as landmarks, buildings, views, corridors, etc., identified and weighted.}

### **3. Housing Strategy and Relevant Policies**

#### **3.1 Build to Rent**

##### **Summary**

The OPR notes that Recommendation 5(i) of the Office's submission regarding the Draft Plan's policies on BTR required the omission of policy QHSN39 or alternatively, that the policy be revised to apply clear and reasonable performance based criteria for the evaluation of communal facilities. The submission also notes that the OPR sought an amendment to the text of policy QHSN38 and that the office's submission had raised concern regarding the 40% requirement.

The OPR note that the elected members did not accept the CE's recommended changes to Policy QHSN39 in response to part (i) of Recommendation 5 of the office's submission and that the matter has not, therefore, been addressed by the material alterations to the Draft Plan.

The submission states that the Office has considered the CE's response to Recommendation 5 (ii) including the reason provided by the elected members for the change in the minimum requirement from 40% to 60%, and reviewed the material alterations to the text (Material Alteration 5.23 and Material Alteration 5.24) and advises the planning authority that the Office's principal concerns with the policy have not been addressed.

The OPR note that while the material alterations concerning assessment of other permitted and proposed BTR development within a reduced 1km radius of the site and demonstration of how a proposed development would support housing need are considered reasonable, the minimum requirement for standard apartments set out in the Policy QHSN38 'Build to Rent Accommodation' has been increased from 40% to 60% without any evidential basis.

It is stated that Recommendation 5(ii) has not been addressed by the material alterations and that the office considers that the basis for its recommendation to omit Policy QHSN38 for the reasons set out in the submission letter remains unchanged in respect of the material amendment to increase the minimum requirement for standard apartments from 40% to 60%.

The submission also highlights a number of minor inconsistencies in section 5.57 and Policy QHSN38.

##### **Chief Executive's Response**

The Chief Executive notes the comments from the OPR that they consider that Recommendation 5 (i) which required the omission or amendment of Policy QHSN39 has not been addressed to their satisfaction. As detailed in the CE Report on the

Draft Plan Consultation Process (April 2022), it was not the intent of the policy to preclude schemes of less than 100 units in their entirety, rather that they should not be the norm. The CE is of the view that there are instances where a BTR scheme of less than 100 units may be merited, particularly on constrained inner city cities. Revised wording was recommended by the CE to address this issue. However, a decision was taken by the elected members at the Special Council meeting in July 2022 not to accept this recommendation.

The CE welcomes the OPR comments that the material alterations concerning assessment of BTR developments are considered reasonable.

The CE notes the concerns of the OPR that the minimum requirement for standard apartments set out in Policy QHSN38 'Build to Rent Accommodation' has been increased from 40% to 60% without any evidential basis.

The CE Report of April 2022, sets out a detailed rationale for Policy QHSN38. In particular, the report notes that the Planning Authority has had full regard to the guidance set out in the Sustainable Urban Housing: Design Standards for New Apartments 2020 and is satisfied that the proposed policy does not contravene the guidelines or any of the SPPRs therein. As detailed, the Apartment Guidelines sets out two very specific and distinct sets of apartment standards – those pertaining to Build to Rent schemes and those pertaining to standard apartment schemes. There is no policy provision in the guidelines to prevent or preclude a Planning Authority specifying that two different standards should apply to an apartment scheme. The policy approach proposed in the Draft Plan does not circumvent or negate the application of SPPRs 7 and 8 to those units that are designed to a BTR standard.

With regard to the OPR comments regarding the increase in the minimum requirement from 40% to 60%, the CE highlights that a clear rationale for the 40% requirement was set out in the CE Report (April 2020) on pages 54-55. However, the CE would concur with the OPR's view that the increase to 60% lacks a clear evidential basis. In this regard, it is recommend that the Draft Plan is amended to revert to 40%.

The comments regarding the minor textual inconsistencies are noted and it is recommended that these are addressed.

Please see also CE response and recommendations to MA 5.23, MA 5.24 and MA 15.8.

### **Chief Executive's Recommendation**

<b>Material Alteration Reference Number 5.23</b>
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Amend text in proposed MA as follows:

It is recognised that Build to Rent (BTR) serves an important role in meeting housing demand and can fill a gap in tenure mix in established areas of owner-occupier housing. Recent emerging trends however, would indicate that the dominance of

BTR in large schemes can be to the detriment of ~~{standard designed apartment}~~ ~~(build-to-sell)~~ units. Whilst such development has its place in the hierarchy of provision of homes across the city, the Planning Authority will seek to avoid over proliferation of such use in certain areas and encourage such development as part of a healthy mix of tenure in order to create sustainable communities and neighbourhoods.

BTR should be concentrated ~~(in prime inner-city areas and also)~~ in ~~{significant employment locations,}~~ ~~(areas of high intensity employment use, such as within 500 metres walking distance of a high area i.e. more than 500 employees per hectare,)~~ within 500m of major public transport interchanges ~~((e.g. Connolly Station, Tara Street Station and Heuston Station))~~ and within identified Strategic Development Regeneration ~~(s-Zones)~~ ~~{Areas}~~. Furthermore, applications for BTR schemes should be required to demonstrate ~~{how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment and}~~ that there is not an over-concentration of Build to Rent Accommodation within an area, including a map showing all such facilities within ~~{a 1km radius}~~ ~~((3km))~~ of a proposal. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning Authority will have regard to factors such as:

- the number and scale of other permitted ~~{and proposed}~~ BTR development in the vicinity ~~{(within a 1km radius)}~~ ~~((3km))~~ of the site,
- the household tenure and housing type of existing housing stock in the approximate vicinity ~~{(within a 1km radius)}~~ ~~((3km))~~ of the site,
- and the proximity of the proposal to high capacity urban public transport stops and interchange (such as DART, Luas and BusConnects).

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, a minimum of ~~{40%}~~ ~~(60%)~~ of standard ~~{designed}~~ ~~(build-to-sell)~~ apartments will be required in such instances. BTR schemes of less than 100 units will generally not be supported. The concept of Built to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

#### **Material Alteration Reference Number 5.24**

Amend text in proposed MA as follows:

#### **Policy QHSN38 Build to Rent Accommodation**

To facilitate the provision of Build to Rent (BTR) Accommodation in the following specific locations:



- ~~(Within the Inner City (i.e. within the canal ring)).~~
- Within 500 metre walking distance of {significant employment locations} ~~(a high employment area i.e. more than 500 employees per hectare.)~~
- Within 500 metres of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and
- Within identified Strategic Development Regenerations Areas.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure {there are opportunities for} a sustainable mix of tenure and long term sustainable communities, a minimum of {40%} ~~(60%)~~ of ~~(standard build to sell apartments)~~ {units within a development must be designed as standard apartments in accordance with the requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, December 2020} ~~(will be required in such instances)~~. There will be a presumption against the proliferation and over concentration of BTR development in any one area. In this regard, applications for BTR developments should be accompanied by an assessment of other permitted {and proposed} BTR developments {within a} ~~(in the vicinity)~~ {1km} ~~((3km))~~ {radius} of the site to demonstrate:

- that the development would not result in the overconcentration of one housing tenure in a particular area and take into {account} ~~(regard)~~ the ~~(geographical area)~~ {location} of the {proposed} BTR.
- {how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.}

#### Material Alteration Reference Number 15.8

Amend text in proposed MA as follows:

“Build to Rent” (BTR) refers to purpose built residential accommodation and associated amenities built specifically for long term rental that is managed and serviced in an institutional manner by an institutional landlord. Recent emerging trends would indicate that the dominance of BTR in large schemes can be to the detriment of {standard designed apartment} ~~(the build to sell)~~ units. Dublin City Council will consider “Built to Rent” developments in specific locations as follows:

- ~~(Within the Inner City (i.e. within the canal ring)).~~
- Within 500 metre walking distance of {significant employment locations} ~~(a high employment area i.e. more than 500 employees per hectare)~~
- Within 500m of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and within identified Strategic Development Regenerations {Areas} ~~(Zones)~~.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable



mix of tenure and long term sustainable communities, a minimum of ~~{40%}~~ ~~(60%)~~ of standard ~~{designed}~~ ~~(build to sell)~~ apartments will be required in such instances.

**{Please refer to section 5.5.7 of this City Development Plan – Policy QHSN38.}**

BTR schemes of less than 100 units will generally not be supported. The concept of Built to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

Furthermore, whilst BTR is considered to be an integral part in achieving an appropriate mix of housing in the right locations, there will be a presumption against the proliferation and over concentration of Build to Rent development in any one area (refer to Section 5.5.7 of Chapter 5 Quality Housing and Sustainable Neighbourhoods). Applications for “Build to Rent” developments should be accompanied by an assessment of other permitted ~~{and proposed}~~ BTR developments ~~{within a}~~ ~~(in the vicinity)~~ ~~{1km}~~ ~~((3km))~~ ~~{radius}~~ of the site to demonstrate:

- that the development would not result in the over concentration of one housing tenure in a particular area.
- **{how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.}**

### 3.2 Traveller Accommodation

#### **Summary**

The OPR welcomes the material alterations to the Draft Plan regarding Traveller accommodation. It notes that whilst the mapping amendments do not identify new halting sites that the office considers that the material alteration substantially addresses recommendation 6.

#### **Chief Executive’s Response**

The Chief Executive notes and welcomes the comments made by the OPR with regard to the material alterations to the Draft Plan regarding Traveller accommodation.

#### **Chief Executive’s Recommendation**

Retain text as in proposed MA.

### 3.3 Universal Design

#### Summary

The OPR submission outlines that whilst the Office appreciates the Planning Authority's motivation for the changes to Objective QHSNO10, that the Development Plan is not the appropriate vehicle to address design requirements in relation to apartments that are the subject of other statutory codes and regulations. In this regard, the OPR sets out the following observation:

#### *MA Observation 3 – Objective QHSNO10 Universal Design*

The planning authority is requested to review the need for the proposed material alterations to Objective QHSNO10 (Universal Design) and section 15.9.2 (Unit Size/Layout) in the form set out in material alterations 5.6 and 15.7. Should the planning authority wish to retain similar requirements for universal design in apartment development, the planning authority is requested to ensure that the text changes to Objective QHSN10 (Universal Design) and section 15.9.2 (Unit Size/Layout) are consistent with paragraph 3.8 of the section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments (2020).

#### Chief Executive's Response

The OPR comments are noted. This issue was raised in a number of submissions on the material alterations and is addressed comprehensively on the CE response to MA 5.16. It is acknowledged the requirement regarding universal design must be provided within the parameters of the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020 and the relevant SPPR's set out therein. Textual amendment to the policy is, therefore, recommended to provide clarity in this regard.

#### Chief Executive's Recommendation

<b>Material Alteration Reference Number 5.16</b>
--

Amend text in proposed MA as follows:

#### Objective QHSNO10 Universal Design

~~(It is an Objective of Dublin City Council: To require that a minimum of 10% of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland 2015.)~~

{It is an Objective of Dublin City Council: To ensure where feasible, that the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the

## Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020.}

~~(in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.)~~

### Material Alteration Reference Number 15.7

Amend text in proposed MA as follows:

The majority of all apartments in any proposed scheme of 10 or more apartments (excluding Build to Rent accommodation) shall exceed the minimum floor area types, by a minimum of 10% (any studio apartments must be included in the total, but are not included as units that exceed the minimum by at least 10%). ~~(The layout of the larger units of each type should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015.)~~ {Where feasible, the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020,} ~~(In accordance with the Housing Options for an Ageing Population Policy Statement 2019, 50% of the apartments that are in excess of the minimum sizes should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015)~~ {to ensure that they are suitable for older people, mobility impaired people and people with disabilities.}

### Material Alteration Appendix 1.10

Amend Text in proposed MA as follows:

~~(This housing strategy will support a commitment whereby a minimum of 10 percent of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland, 2015.)~~

{This housing strategy will support an objective to ensure that where feasible, the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020.}

(in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.)

Please refer also to CE response and recommendation regarding MA 5.16, 15.7 and Appendix 1.10.

#### 4. Sustainable Transport and Accessibility

##### **Summary**

The OPR outlines their support for the material alterations to Chapter 8 which support accessibility, active travel and public realm improvements. The amendments with respect to policies SMT20, SMT21 and SMT28 are commended. It is considered that the Planning Authority has provided a satisfactory response to Recommendation 7 parts (i) to (iv) inclusive.

The OPR raises concern regarding material alterations 8.24, 13.41, 13.45 and 13.47 to promote the development of a new rail station serving Croke Park noting that this infrastructure project is not included in the NTA's Draft Transport Strategy for the Greater Dublin Area 2022-2042. It is also detailed by the OPR that the NTA has advised that the potential of a new station in the environs of Croke Park was examined as part of the DART + West project. The OPR request that this alteration is reviewed to avoid creating unrealistic expectations around the delivery of this project and in the interest of clarity and transparency. In this regard, the following recommendation is set out:

##### *MA Recommendation 1 – Rail Station at Croke Park*

Having regard to section 9(6A) of the Planning and Development Act 2000, as amended, and the need to ensure that the Dublin City Development Plan is consistent with the Greater Dublin Area Transport Strategy 2022-2042, the planning authority is required to review material alterations 8.24, 13.41, 13.45 and 13.47, and in particular material alterations 8.24 and 13.41 which '...promote the provision of a station at Croke Park...' and acknowledge that a new station at Croke Park does not form part of the aforementioned strategy or proposed DART+ West project.

##### **Chief Executive's Response**

The Chief Executive acknowledges the recommendation by the OPR that the provision of a new station at Croke Park does not form part of the Greater Dublin Transport Strategy 2022-2042. It is also noted, that whilst the principle of a station at this location may be laudable, the matter was reviewed by the NTA as part of the DART + West project. Having regard to the foregoing, the Chief Executive recommends that references to a potential station at Croke Park should be omitted from the Draft Plan, as the provision of same will not be achieved over the life of the Plan. In addition, the inclusion of such references would not align with national policy.

## Chief Executive's Recommendation

It is recommended that the following text under proposed Material Alterations 8.24, 13.41, 13.45 and 13.47 be deleted:

### Material Alteration Reference Number 8.24

Delete text in proposed MA as follows:

#### Objective SMT014 Additional {Interchanges and} Rail Stations

- (i) To promote and seek the development of a new ~~(commuter rail)~~ {interchange} station at Cross Guns {Glasnevin} ~~(serving the existing rail line infrastructure and)~~ {, subject to environmental requirements being satisfied and appropriate planning consents being obtained, as part of the DART+ and Metro link projects}, ~~(preferably as part of a larger mixed use development.)~~

~~((ii) — To promote the provision of a station at Croke Park Stadium.)~~

### Material Alteration Reference Number 13.41

Delete text in proposed MA as follows:

- ~~• — (To promote the provision of a station at Croke Park.)~~

### Material Alteration Reference Number 13.45

Delete text in proposed MA as follows:

- {To create and implement a quality public realm scheme for Jones' Road to animate the street, and help provide passive surveillance of the canal.}
- ~~• — (To examine the feasibility of a station serving Croke Park at this location in conjunction with Iarnród Éireann/Irish Rail)~~

### Material Alteration Reference Number 13.47

Delete text in proposed MA as follows:

~~(The feasibility of a station serving Croke Park at this location in conjunction with Iarnród Éireann/Irish Rail should be examined).~~

## **5. Climate Action and Renewable Energy**

### **5.1 Climate Action**

#### **Summary**

The OPR welcome the further changes introduced as material alterations such as the Plan's references to the Climate Action Plan 2021 and the Government's higher target for a reduction in greenhouse emissions. The material alterations in respect of policies CA10, CA11, CA12, CA13, CA15, CA16 and CA18 are also welcomed.

#### **Chief Executive's Response**

The Chief Executive notes and welcomes the comments made by the OPR with regard to climate action.

#### **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **6. Zoning Amendments**

#### **Summary**

The OPR commends the planning authority for the manner in which the material alterations to land use zonings are set out and that they consider that the format and layout provide clarity and transparency in respect of each proposed zoning change.

The OPR consider that the zoning amendments and the material alteration with respect to Policy QHSN51 respond to Observation 3 of the Office's submission letter.

It is stated that no recommendations or observations are warranted with respect to the zoning amendments.

#### **Chief Executive's Response**

The Chief Executive notes and welcomes the comments made by the OPR with regard to the proposed zoning amendments.

#### **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **7. Other Matters**

#### **Summary**

The OPR welcomes the updates made to maps, particularly J and K. It is considered that the Planning Authority has provided a satisfactory response to Observation 2 parts (i) to (iii) inclusive.

**Chief Executive's Response**

The Chief Executive notes and welcomes the comments made by the OPR with regard to other matters and mapping.

**Chief Executive's Recommendation**

Retain text as in proposed MA.

## **Part 3**

**Summary of the issues raised by the submissions/observations on Volume 1, 2, 4, 5, 6 and 7 (Written Statement, Appendices, Record of Protected Structures, Strategic Environmental Assessment Report, Natura Impact Report and Strategic Flood Risk Assessment), and the Chief Executive's Response and Recommendations on the issues raised**



# Chapter 1: Strategic Context and Vision

## **Submission Number(s):**

DCC-C43-MA-40, DCC-C43-MA-148, DCC-C43-MA-217, DCC-C43-MA-257, DCC-C43-MA-301, DCC-C43-MA-337, DCC-C43-MA-338.

## **General**

A submission was received raising concerns regarding aspects of the transport strategy, including Bus Connects C1 and C2 routings, and the DART+ project. This submission requests that the Development Plan commits to a deliver the Luas extension to Poolbeg West SDZ within the lifetime of the Plan. The CE notes that the delivery and roll out for strategic public transportation infrastructure development and its operation is a matter for the public transport providers/operators and the relevant agencies including the NTA and TII. The issue raised is not subject of a Material Alteration and no change can be recommended.

## **Material Alteration Reference Number 1.4**

### Summary of Issues

The submission from the Department of Environment, Climate and Communications supports this Material Alteration and welcomes references to the principles of circularity and the transition from a linear to a circular model.

### Chief Executive's Response

The support for MA 1.4 is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 1.5**

### Summary of Issues

The submission supports the Material Amendment on the basis that the Council have a responsibility to contribute proactively and deliberately to the realisation of the 17 Sustainable Development Goals of the United Nations' 2030 Agenda for Sustainable Development.

### Chief Executive's Response

The support for MA 1.5 is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 1.8**

#### Summary of Issues

A number of the submissions support this Material Alteration, including the Dublin Airport Authority who also recommend consultation with the Irish Aviation Authority and the Irish Aviation Authority Air Navigation Services Provider.

#### Chief Executive's Response

The support for MA 1.8 is noted and welcomed. The Irish Aviation Authority are part of the statutory consultee process for planning applications and, therefore, are consulted on planning applications as part of the development management process.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 2: Core Strategy

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-36, DCC-C43-MA-78, DCC-C43-MA-114, DCC-C43-MA-140, DCC-C43-MA-151, DCC-C43-MA-156, DCC-C43-MA-158, DCC-C43-MA-214, DCC-C43-MA-317, DCC-C43-MA-331, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348, DCC-C43-MA-372.

## **General**

Submissions were received in support of Material Alterations Refs. 2.1, 2.5, 2.6, 2.8, 2.10 and 2.13. These are noted and welcomed by the CE.

## **Material Alteration Reference Number 2.1**

### Summary of Issues

One submission gives broad support for the Material Alteration but seeks that the role of the Living City Initiative should be reconsidered in light of the housing crisis. One submission seeks inclusion of the M50 tunnel within Graphic 2.1.

### Chief Executive's Response

The support for MA 2.1 is noted and welcomed by the CE. The Living City Initiative was not raised as a Material Alteration within this chapter and, therefore, the observation, as an issue raised, is not subject of a Material Alteration and no change can be recommended.

Graphic 2.1, the Core Strategy is a high level conceptual diagrammatic visualisation for the city, with the legend focusing on areas of strategic re-development and the connections to public transport networks /linkages. As such, it is not considered appropriate to include the M50 Tunnel.

### Chief Executive's Recommendation

Retain text as in proposed MA.

Retain Graphic 2.1 as in proposed MA.

## **Material Alteration Reference Number 2.2**

### Summary of Issues

A submission in support of the MA was received. The submission from the Department of Education notes the changes to population but that they will not be adjusting the school placement requirements. A similar comment was made by the Department with respect to MA 2.3. Two submissions seek that the CSO estimate for 2021 is revised to reflect the recent Census 2022 data, with a further submission seeking revisions to housing figures and population based on the latest CSO data, post Census 2022.

### Chief Executive's Response

The CE welcomes the support for the principles of the Core Strategy and notes the Departments of Education's comments regarding school placement requirements. It is considered best practice to update text and tables to reflect the latest CSO figures, in this case, Census 2022 data, as appropriate.

### Chief Executive's Recommendation

As detailed in the introduction of this report, prior to the publication of this Development Plan, the most up to date Census Data available will be incorporated into the Core Strategy chapter.

## **Material Alteration Reference Number 2.4**

### Summary of Issues

Submissions in support of the MA were received. One submission queried whether the figures in Table 2.8 were caps, another referenced the discrepancy with MA 2.4 and MA 2.5 regarding residential unit figures, while a third, Irish Water welcomed the Material Alteration but identified a numerical error to be corrected in the final Table.

### Chief Executive's Response

The support for MA 2.4 is noted and welcomed. Discrepancies between this Material Alteration and Material Alteration 2.5 are acknowledged. In the interest of clarity, Table 2.8 will be adjusted to account for MA 2.5 and the estimated capacity of St. Teresa's Gardens updated. Other minor amendments have been made to Table 2.8 to reflect the comments of the OPR – please refer to the CE response to the submission of the OPR for further detail.

### Chief Executive's Recommendation

Amend text in proposed MA.

Refer to revised Table 2.8 under the Chief Executive's response to the OPR submission.

## **Material Alteration Reference Number 2.5**

### Summary of Issues

Two submissions were received, one of which gave broad support for the Material Alteration. Both submissions identify a discrepancy arising between Material Alteration 2.5 and Material Alteration 2.4 which relates to Table 2.8 (that includes details of the housing and population capacities of each SDRA). It is requested that Table 2.8 is updated to refer to the correct population capacity of St. Teresa's Gardens, SDRA 11.

### Chief Executive's Response

Support for MA 2.5 is noted and welcomed. The wording of MA 2.5 is correct and requires no adjustment. As above, the CE recommends that Table 2.8, associated with Material Alteration 2.4, is updated to refer to the revised population capacity and yield for St. Teresa's Gardens.

### Chief Executive's Recommendation

Amend text in proposed MA.

Refer to revised Table 2.8 under the Chief Executive's response to the OPR submission.

## **Material Alteration Reference Number 2.6**

### Summary of Issues

A submission queries the social housing numbers stated. Another submission expresses caution on what lands to use for social housing. Two of the submissions, related to matters concerning the Affordable Housing Act 2021 and possible consequences arising to the current wording of this Material Alteration.

### Chief Executive's Response

Social housing has been dealt with as part of the Housing Strategy, Appendix 1, Volume 2, underpinned by Government targets that have been included within the HNDA, extracts of which are included as part of Chapter 2 to ensure consistency.

MA 2.6 directly arises on foot of a submission received from EMRA, a statutory consultee (CE Report April 2022 P.17-18, refers) and seeks to provide a non-technical summary of housing need in Dublin City based on the draft Housing Strategy and HNDA set out in Appendix 1 of the Plan.

The reference to 'social housing' in the text of MA 2.6 is in a general sense to refer to the different types of supported housing available under current legislation.

In the interest of clarity, a textual amendment is recommended to the text of MA 2.6 by the deletion of the first sentence and addition of new text.

## Chief Executive's Recommendation

### **Material Amendment reference Number 2.6**

Amend text in proposed MA as follows:

~~(The conclusion of the HNDA and Housing Strategy is that there is a requirement for the full 20% complement of social housing to be provided under the provisions of Part V.)~~ {The conclusion of the HNDA and Housing Strategy is that Dublin City Council will require the maximum allowable provision under the Planning Act (as amended) for social, affordable purchase & cost rental housing need as part of future planning permissions, reflecting the high levels of demand within the City. The HNDA modelling indicates that over the six-year plan period of 2023-2028, there is an estimated need for 10,247 social homes in Dublin City as well as 7,887 affordable homes; 4,997 households are estimated to be able to access private ownership in Dublin City, while 4,088 households are estimated to be able to meet their needs in the private rental market.}

### **Material Alteration Reference Number 2.8**

#### Summary of Issues

Submissions were received in support of the amendment.

One submission seeks a further textual amendment to provide the opportunity to bring forward a first phase of development within the City Edge area at Inchicore during the lifetime of the Plan (potentially in advance of any statutory designation or Local Area Plan).

Another submission seeks the early redevelopment of strategic sites within the land bank in advance of the adoption of a Statutory Local Plan on the basis that there is no timeline for the delivery of the local plan and that a specific site in this area is available for redevelopment in the short term.

One other submission raises a number of queries on the Dublin Industrial Estate lands including its lack of SDRA status, retention of Z6 zoning objective (that excludes residential use), Glasnevin used as part of the naming of these lands and a comparison with the 'Kilemore/Naas Road' lands, which was both designated as an SDRA and rezoned.

#### Chief Executive's Response

Support for MA 2.8 is noted and welcomed.

The Draft Development Plan provides a timeline for three priority plan areas (North East Inner City, Naas Road Lands, Glasnevin (Dublin Industrial Estate)). DCC commits to commencing all three priority plans during the course of the Plan period, as identified in the title of Table 2.13: Schedule of Statutory Local Plans to be

Commenced over the Plan Period, which is captured as part of Material Alteration 2.8. Given this stated commitment, it is considered inappropriate to include specific details of individual named sites to be brought forward at this stage. In the absence of an appropriate planning framework for these lands, it would be premature to bring forward specific sites for redevelopment.

The queries associated with one of the named priority areas under this Material Alteration are matters that are not directly related to this specific Material Alteration. The issues raised are not the subject of a Material Alteration and no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 2.10**

#### Summary of Issues

A submission was received supporting this amendment but seeking to allow a specific named site, located on one of the priority named areas, to come forward for development in the absence of any future statutory plan on the basis that no timelines has been provided.

#### Chief Executive's Response

The support for MA 2.10 is noted and welcomed. The Draft Development Plan does provide a timeline for these three priority plan areas. DCC commits to commencing all three priority plans during the course of the Plan period. In the absence of an appropriate planning framework for these lands, it would be premature to bring forward specific sites for redevelopment.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 2.13**

#### Summary of Issues

Submissions were received from two groups welcoming support for the 'Greater Dorset Street Plan', as a named example of a local initiative that could be used to inform the future LEIP for this area.

#### Chief Executive's Response

The support for MA 2.13 is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.



# Chapter 3: Climate Action

## **Submission Number(s):**

DCC-C43-MA-2, DCC-C43-MA-36, DCC-C43-MA-41, DCC-C43-MA-114, DCC-C43-MA-150, DCC-C43-MA-265, DCC-C43-MA-301, DCC-C43-MA-317, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-372, DCC-C43-MA-378

## **General**

Submissions were received in support of Material Alterations 3.2, 3.5, 3.7, 3.9, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 3.24, 3.25, 3.26, 3.27, and 3.28.

The submission from the Department of the Environment, Climate and Communications notes the commitment to strengthening the Draft Plan in the areas of climate action, energy use in the built environment, energy utilities, the circular economy, sustainable development, adaptation and mitigation. In particular, the submission welcomes and supports the range of proposed alterations including:

- Adaptation and reuse of buildings.
- The commitment to the development of district heating and renewable energy.
- The strengthening of the intent and effect of MA 3.17 regarding geothermal energy.
- The additional references to the principles of circularity and the transition from a linear to a circular model to keep resources in use as long as possible.
- The promotion of new technologies such as electric vehicles.
- The amended reference to the 2014 “Offshore Renewable Energy Development Plan”.

The comments of the Department are noted and welcomed by the CE.

This submission also requests that the Council engages with the Renewable Electricity Division of the Department in the formulation of plans for renewable energy generation. The request is noted by the CE.

The submission from the EPA, in their role as an SEA environmental authority, notes the requirements for SEA in respect of the proposed Material Alterations. Whilst the submission did not relate to any specific material amendment, the submission is acknowledged by the CE.

## **Material Alteration Reference Number 3.1**

### Summary of Issues

The submission notes that the Draft Plan Section on Climate Action focuses solely on emissions and fails to take account of water or wastewater as they relate to the Water Framework Directive, the Bathing Water Quality Directive and the River Basin

Management Plan. A submission calls for more to be done by DCC to incorporate water conservation measures into new build design.

A number of submissions note the importance of energy and renewable energy as part of climate action, with specific reference made to wind, wave, and solar energy, microgeneration, green infrastructure, and district heating. A submission refers to the Codema 'Zero Together' strategy.

#### Chief Executive's Response

The issue raised is not subject of a Material Alteration and no change can be recommended.

Notwithstanding this, the CE notes that water resilience, water conservation and the requirements of the Water Framework Directive are comprehensively addressed in Chapter 9 Sustainable Environmental Infrastructure and Flood Risk of the Draft Plan through Policies SI1 - SI 12, inclusively. In respect of energy, the CE notes that Policies CA5-CA21 of the Draft Plan address energy and climate adaptation in the built environment, renewable energy and district heating. The role and requirement for green infrastructure is addressed in Policies CA25 - CA29. It is, therefore, considered that the policies contained in the Draft Plan comprehensively address the matter raised.

The CE notes that Dublin City Council are a Project Partner of the City of Dublin Energy Management Agency (Codema), along with the other Dublin authorities of Fingal County Council, South Dublin County Council and Dun Laoghaire Rathdown County Council. Codema prepared the Climate Change Action Plan for Dublin City 2019-2022 for Dublin City Council and the Policies and Objectives of the Draft Plan are consistent with this Action Plan.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 3.2**

#### Summary of Issues

The submission from the Department of the Environment, Climate and Communications commends the Council for its ambitious targets to reduce greenhouse gas emissions by 55% and carbon neutrality by 2050, as per the Covenant of Mayors, which furthers the national emissions targets as required by the Climate Action and Low Carbon Development (Amendment) Act 2021.

#### Chief Executive's Response

The support for MA 3.2 is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 3.7**

#### Summary of Issues

A number of submissions support and welcome the Material Alterations.

The specific submission from the HSE seeks commitment in the Plan that the active travel network is expanded in the City and Region.

#### Chief Executive's Response

The support for MA 3.7 is noted and welcomed.

The issue raised is not subject of a Material Alteration and no change can be recommended. However, the CE notes that Active Travel is addressed throughout the Development Plan, specifically in Chapter 8 Sustainable Movement and Transport through Policies SMT10, SMT15, SMT16, SMT17 and SMT18. It is, therefore, considered that the policies contained in the Draft Plan comprehensively address the matter raised.

### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 3.12**

#### Summary of Issues

The submission from the Department of the Environment, Climate and Communications notes and welcomes the additional references to the principles of circularity and the transition from a linear to a circular model to keep resources in use as long as possible.

A submission requests that development standards are applied on a case by case basis to avoid overly prescriptive and onerous requirements at planning application stage. This submission requests that a flexible approach is applied as new standards, technologies and best practice is constantly evolving.

A submission suggests that the Plan should provide guidance on the content of necessary assessments to assist applicants.

#### Chief Executive's Response

The support for MA 3.12 is noted and welcomed.

The suggestion that Policy CA8 is modified to allow flexibility during development management is noted. MA 3.12 seeks to strengthen the requirement for Climate Adaptation in the Built Environment, which is consistent with the Dublin City Council Climate Change Action Plan 2019-2024. Material Alteration 3.12 is consistent with this and, therefore, it is not considered necessary to modify this policy. Guidance regarding Climate Action and Energy Statements is set out in section 15.7.3 of the Draft Plan and further guidance on such matters will be addressed through the development management process.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 3.29**

#### Summary of Issues

The submission requests that a taskforce is established to coordinate the agencies involved in the flood defence enhancement, re-engineering of sewage outfall and off-road cycleway projects along Strand Road, and that the Development Plan includes a timeline for the delivery of these projects.

#### Chief Executive's Response

The issue raised is not subject of a Material Alteration and no change can be recommended. The matter of the establishment of a taskforce is considered an operational matter and outside the scope of the Development Plan.

Furthermore Policy CA29, is a general policy in support of Coastal Zone Management. It does not reference specific projects and in this context, it would be inappropriate to set out fixed timelines.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 4: Shape and Structure of the City

## **Submission Number(s):**

DCC-C43-MA-148, DCC-C43-MA-236, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-378

## **General**

Submissions were received in support of Material Alterations 4.4 and 4.7. These are noted and welcomed by the CE.

A submission was received by the HSE supporting consolidation of the city through investment to improve cycling/pedestrian and green infrastructure and the contribution to improved quality of life. It notes that the HSE will continue to work in partnership with DCC in the provision of supports for local people. Whilst the submission did raise issues that are not the subject of a Material Alteration and no change can be recommended, the sentiment is acknowledged and welcomed by the CE.

## **Material Alteration Reference Number 4.1**

### Summary of Issues

Submissions were received supporting, in general, the Material Amendment. One submission notes that there are a number of development sites in the Grangegorman area that are suitable for regeneration having regard to their proximity to TU Dublin. Specific reference is made to the Hendron's site and 36-40 Dominick Street and that these lands should be zoned Z5 so that a range of uses including student accommodation, offices and neighbourhood facilities could be developed.

### Chief Executive's Response

The support for MA 4.1 is noted and welcomed.

A comprehensive review of the zoning of all lands in the city was carried out as part of the review of the City Development Plan. Grangegorman and adjoining lands on Prussia Street are identified as a Strategic Development Regeneration Area (SDRA).

There are no specific material amendments relating to either the Hendron's site or 36-40 Dominick Street and neither are referenced under MA 4.1. In this regard, the sites are not the subject of a Material Alteration and no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 4.2**

### Summary of Issues

Submissions note that it is considered that Phibsborough is not located outside the canal belt and seek a further amendment to Policy SC1 to include Broadstone and Mountjoy.

### Chief Executive's Response

As detailed in the previous CE report (April 2022), Phibsborough is an urban village and is considered to form part of the inner suburbs. Phibsborough is one of a number of urban villages which are protected by a suite of policies set out throughout the Draft Plan, including a detailed chapter on built heritage and archaeology in Chapter 11. The area along the Royal Canal is designated a conservation area, with detailed policies set out under section 11.5.3 of the Draft Plan and under policies BHA9 and BHA10. With regard to the inclusion of other neighbourhoods within Policy SC1, the CE considers that sufficient examples are provided within the policy and it is not considered necessary or appropriate to name every neighbourhood within the inner city.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 4.6**

### Summary of Issues

Submissions comment that Phibsborough is not largely located outside the canal belt and, therefore, cannot be regarded as an inner suburb as per the definition of the Development Plan.

### Chief Executive's Response

As detailed in the previous CE report (April 2022), Phibsborough is an urban village and is considered to form part of the inner suburbs. The Draft Plan clearly defines descriptions of what constitutes the inner city and inner suburbs in the Glossary, with the area delineated on Map K. The Glossary provides the following definition:

“Inner city (see also city centre): The inner city is bounded on the northside by the North Circular Road, Phibsborough Road, the Royal Canal, North Strand Road and East Wall Road, and on the southside by the South Circular Road, Suir Road, the Grand Canal from Dolphin Road to Grand Canal Street Upper, Bath Avenue, Londonbridge Road, Church Avenue and Beach Road (See Map K).

Inner suburbs (see also outer city): Those areas beyond the inner city (see definition above) which comprise the 19th century built-up areas, including Drumcondra, north Phibsborough, Rathmines and Ballsbridge.” (Page 795, Vol. 1, Part 2 Glossary).

This definition has been in successive development plans.

The amendment to include Phibsborough as a suburban community largely outside the canal belt was made on foot of motions (Motion Refs. 4.3 and 4.4) and agreed at the Special Council meetings in July 2022, and is, therefore, considered appropriate.

#### Chief Executive’s Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 4.9**

#### Summary of Issues

A submission was received from the DAA supporting the amendment. The submission notes that there should be consultation with the IAA and the IAA-ANSP.

#### Chief Executive’s Response

The support for MA 4.9 is noted and welcomed. It is considered that consultation with IAA regarding proposals for enhanced scale and height is most appropriately addressed through the development management process.

#### Chief Executive’s Recommendation

Retain text as in proposed MA.

# Chapter 5: Quality Housing and Sustainable Neighbourhoods

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-25, DCC-C43-MA-36, DCC-C43-MA-106, DCC-C43-MA-139, DCC-C43-MA-144, DCC-C43-MA-156, DCC-C43-MA-161, DCC-C43-MA-174, DCC-C43-MA-175, DCC-C43-MA-179, DCC-C43-MA-182, DCC-C43-MA-184, DCC-C43-MA-185, DCC-C43-MA-192, DCC-C43-MA-197, DCC-C43-MA-201, DCC-C43-MA-203, DCC-C43-MA-213, DCC-C43-MA-214, DCC-C43-MA-217, DCC-C43-MA-219, DCC-C43-MA-220, DCC-C43-MA-231, DCC-C43-MA-241, DCC-C43-MA-242, DCC-C43-MA-247, DCC-C43-MA-264, DCC-C43-MA-265, DCC-C43-MA-272, DCC-C43-MA-282, DCC-C43-MA-283, DCC-C43-MA-288, DCC-C43-MA-290, DCC-C43-MA-292, DCC-C43-MA-299, DCC-C43-MA-303, DCC-C43-MA-306, DCC-C43-MA-309, DCC-C43-MA-315, DCC-C43-MA-316, DCC-C43-MA-317, DCC-C43-MA-331, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348, DCC-C43-MA-354, DCC-C43-MA-358, DCC-C43-MA-361, DCC-C43-MA-372, DCC-C43-MA-378, DCC-C43-MA-380

## **General**

Submissions were received in support of Material Alterations 5.6, 5.7, 5.8, 5.9, 5.12, 5.17, 5.25, 5.26 and 5.32. These are noted and welcomed by the CE.

A submission was made seeking clarification in the Draft Plan on Objective QHSNO11 Community Infrastructure Audit SDRAs and how will this impact on the existing Z15 zonings in the Ringsend/Irishtown areas. The submission also states that a plan-led approach is needed for micro sites within the community, such as community use Z15 and other lands with development potential and critical corridors of connectivity. The issue raised is not subject of a Material Alteration and no change can be recommended.

A submission requests the city council to provide clarity on intentions to update the Ringsend and Irishtown LEIP and seeks proactive engagement with DCC on LAP/master planning for the area. It is considered that this relates to an operational issue and is out of scope. Whilst these submissions were made on Chapter 14, the issues raised do not relate to any specific material amendment and substantively addresses issues in Chapter 5.

A submission objects to the provisions of draft policy QHSN41. The issue raised is not subject of a Material Alteration and no change can be recommended.



## **Material Alteration Reference Number 5.3**

### Summary of Issues

A submission from the HSE referring to MA Ref. 5.3 advocates for HSE representation within DCC on relevant working groups and steering committees including an Occupational Therapist representative in the Housing Grants section.

### Chief Executive's Response

It is considered that this relates to an operational issue and is out of scope.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 5.5**

### Summary of Issues

A number of submissions welcome reference to the Brent Geese and the need to integrate these lands in the Clontarf Promenade Development and Flood Protection scheme. The Department of Housing, Local Government and Heritage welcomes the recognition in this Material Alteration of the importance of the lands along Alfie Byrne Road for Brent Geese, and states that any future development proposal for this section of land, if it is rezoned in line with this amendment, will have to take into account the possibility that the development might be considered to have an adverse ex-situ effect on the South Dublin Bay and River Tolka Estuary SPA, if a reduction in the grassland foraging area available to the Brent Geese were to occur as a result of the development proposed.

A submission made by TII seeks that the objective is amended to provide greater clarity on the procedure for/ status of the masterplan and also to refer to the requirements for Dublin Tunnel Structural Safety as outlined in Draft Plan Appendix 5. A submission by the Department of Education acknowledges the provisions of Objective QHSNO2 regarding the potential future uses of this site, including a possible new second level school.

### Chief Executive's Response

The support for MA Ref. 5.5 is noted. The CE Response to MA Ref. E-0144 under Volume 3 of this report addresses the issue raised by the Department of Housing, Local Government and Heritage regarding the possibility that any future development proposal for this section of land will have to take into account the possibility that the development might be considered to have an adverse ex-situ effect on the South Dublin Bay and River Tolka Estuary SPA if a reduction in the grassland foraging area available to the Brent Geese were to occur as a result of the development proposed. It is noted that the Draft Plan already provides for sufficient protective measures for Natura 2000 sites under Section 1.5.2, which requires that

all plans and development proposals be subject to an assessment of the significance of effects on a European Site(s).

The issues raised by TII and the Department of Education are not subject of a Material Alteration and no change can be recommended. It is noted however, that Section 8.5.9 of the Plan describes the importance of the Dublin Tunnel and provides through Policy SMT29 'Transport Tunnels', to require the submission of appropriate development assessments for all development proposals located in the vicinity of Dublin Tunnel, the requirements of which are set out in Appendix 5, Volume 2 of the Plan. Appendix 10, Section 5 - City Scale Infrastructure (Page 340) also describes the importance of the Dublin Tunnel.

The CE highlights for information that Volume 2 of the Plan (Appendix 5, Page 278) provides extensive advisory information for the Dublin Tunnel and LUAS, including details in relation to the assessment of surface and sub-surface developments in the vicinity of the Dublin Tunnel. It is considered that sufficient guidance is provided for in the Plan in this regard.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 5.6**

#### Summary of Issues

A submission from the HSE referring to MA Ref. 5.6 encourages a collaborative approach between authorities to extend the active travel network from the city to the wider region.

#### Chief Executive's Response

It is considered that this relates to an operational issue and is outside the scope of the plan.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 5.9**

#### Summary of Issues

Under MA Ref. 5.9 (Policy QHSN11), a submission seeks the addition of text regarding children's playing facilities in new residential development and generally.

### Chief Executive's Response

The provision of children's playing facilities in new residential development and mixed developments is addressed under Policy GI52 of the Draft Plan. It is considered that this addition is satisfactorily addressed in the Plan and that to add such a reference to QHSN11 would be unnecessary repetition.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 5.13**

### Summary of Issues

A submission in respect of MA 5.13 requests the introduction of the word "or" in front of "the Universal Design Guidelines for Homes in Ireland 2015" to ensure designers can ensure compliance with one standard instead of two different standards.

### Chief Executive's Response

It is considered appropriate to retain the existing wording of Policy QHSN21 under Material Alteration 5.13 because as stated in the Universal Design Guidelines for Homes in Ireland 2015, the Guidelines are informed by national policies such as the Quality Housing for Sustainable Communities 2007 and provide a flexible framework for designers to apply the guidelines creatively to all new home types through incremental steps and provide guidance to raise awareness and assist in person-centred design.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference No. 5.16**

### Summary of Issues

A number of submissions were received in relation to Material Alteration Reference Number 5.16, which deals with Objective QHSNO10 Universal Design. Several submissions seek clarity on which guidance standards are to be complied with, the quantum of proposed apartments required to meet Universal Design requirements and that a definitive percentage should be provided (5% of apartments in schemes over 100 units) to be adapted to accommodate people with disabilities and older people in accordance with the relevant universal design guidelines. A submission recommends that the policy should be omitted until further guidance and clarity is provided by the Department of Housing, Local Government and Heritage regarding universal design standards.

Several submissions seek the omission of Objective QHSNO10, that there is a phased introduction of Universal Design requirements and state that the proposed

universal design requirements would have significant cost implications for new residential development and impact negatively on their viability.

Some submissions suggest a return to the policy detailed in the Draft Plan - that 10% of dwellings in all schemes over 100 units be designed to accommodate people with disabilities and older people. A submission states that the amendments under QHSNO10 and the requirement under Policy CUO22 for 5% community, arts and culture and artist workspaces will have implications for cost, design and delivery of apartments.

A number of submissions state that Objective QHSNO10 goes beyond the requirements of current building regulations, is contrary to the Apartment Guidelines, Development Plan Guidelines and that Universal Design is appropriately considered in Part M of the Building Regulations. Submissions highlight a number of conflicts between the Universal Design Guidelines and the Apartment Guidelines, particularly in terms of unit size and mix, dual aspect units, lift cores and car parking requirements. It is also queried whether such standards apply to BTR units.

### Chief Executive's Response

The CE notes that Objective QHSNO10 and related MA 15.7 are a direct response to submissions received on the Draft Plan (CE Report April 2022) from groups including the National Disability Authority (NDA), the NCBI and Age Friendly Ireland. It is considered appropriate that, having regard to the needs of the aging population, mobility impaired people, people living with dementia and people with disabilities, to retain the reference that 50% of apartments in any development that are required to be in excess of minimum sizes should be designed in accordance with the Universal Design Guidelines where feasible. In order to meet the needs of our ageing population and future proof housing stock, it is not considered appropriate to reduce this threshold to 5% or 10% as suggested in some of the submissions. Nor is it considered appropriate or practical to introduce a phased approach to the introduction of Universal Design requirements.

It is acknowledged however, that this requirement regarding universal design must also be provided within the parameters of the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020 and the relevant SPPR's set out therein. Textual amendment to the policy is, therefore, recommended to provide clarity in this regard.

The Chief Executive acknowledges that conflicts arise between the guidelines set out in the Sustainable Urban Housing: Design Standards for New Apartments, December 2020, particularly Section 3.8, and guidance provided under the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019. The OPR has highlighted this conflict in their submission and the Council has an obligatory requirement to comply with the SPPRs set out in the Apartment Guidelines. The CE notes that the Development Plan cannot circumvent such national standards.

This conflict is regrettable but must be addressed at a national level. In this regard, the CE also recommends that the issue is referred to the Planning SPC to write to the Department of Housing, Local Government and Heritage highlighting the conflicting standards in the various policy documents.

The CE recommends amendments to the wording of Objective QHSNO10 to require that where feasible, the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020. This wording clarifies that the application of the Universal Design Guidelines must be within the confines of the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020 and the SPPRs therein, particularly with regard to unit mix, apartment size and dual aspect.

In terms of the requests in submissions to provide clarity on which Universal Design standard should be complied with (UD Home, UD Home+ or UD Home++ standards), the Universal Design Guidelines for Homes in Ireland 2015 provides a flexible framework for designers to apply the guidelines creatively to all new home types through incremental steps and provides guidance to raise awareness and assist in person-centred design. This is a matter for detailed design, and it is not considered appropriate that the policy be prescriptive in this regard.

It is considered that the policy does apply to BTR units in so far as it does not conflict with the Apartment Guidelines and in particular SPPR 8 set out therein.

With regard to Part M of the Building Regulations (which is a separate code), it is noted that the Universal Design Guidelines, include a suite of measures to address good design for older people/mobility impaired people that can be innovatively incorporated into the design and layout of apartment units without compromising building regulations (which are implemented under a separate code).

Issues in regard to Policy CUO22 for 5% community, arts and culture and artist workspaces are addressed under Chapter 12 of this CE Report.

#### Chief Executive's Recommendation

<b>Material Alteration Reference Number 5.16</b>
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Amend text in proposed MA as follows:

#### **Objective QHSNO10 Universal Design**

~~(It is an Objective of Dublin City Council: To require that a minimum of 10% of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland 2015.)~~

{It is an Objective of Dublin City Council: To ensure where feasible, that the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020.} ~~(in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.)~~

Refer matter to Planning SPC.

## **Material Alteration Reference Number 5.18**

### Summary of Issues

Submissions were received supporting MA Ref. 5.18. A submission raises concerns that there is a need to recognise the difficulty in sourcing accommodation suitable for homeless/temporary accommodation outside the city centre areas and that this policy may increase the number of homeless persons rough sleeping due to insufficient beds/temporary accommodation being made available. The submission suggests that consideration be given to including an additional line indicating "that every effort will be made to provide more temporary/homeless accommodation in areas not currently providing such services."

### Chief Executive's Response

It is recommended that the wording of this new policy under MA Ref. 5.18 includes reference to the provision of more temporary/homeless accommodation in areas not currently providing such services as part of the review of the existing provision of temporary/homeless accommodation in the city centre.

### Chief Executive's Recommendation

Amend text in proposed MA as follows:

## **Material Alteration Reference Number 5.18**

### {Policy - Temporary Accommodation Located in the City Centre:

It is the Policy of Dublin City Council: To ensure a review of the existing provision of temporary/homeless accommodation in the city centre, with a specific regard to Dublin 1, 7 and 8. The aim of which should be to reduce the overconcentration of services in those locations and to provide more temporary/homeless accommodation in areas not currently providing such services. There will also be a general presumption against the development and expansion of any new temporary/homeless accommodation services

within Dublin 1, 7 and 8, including adaptation of tourist hostels and hotels, in acknowledgement of the existing concentration of such uses.}

## **Material Alteration Reference Number 5.22**

### Summary of Issues

A submission from the HSE proposes the inclusion of the "provision of sanitation units, upgrades to sewage systems and water supply on halting sites as outlined in the Dublin City Council Traveller Accommodation Programme 2019-2024".

### Chief Executive's Response

It is considered that this issue is addressed in Policy QHSN28 and MA Refs. 5.19 and 5.21 in regard to securing the implementation of the Dublin City Council Traveller Accommodation Programme 2019-2024.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Numbers 5.23 and 5.24**

### Summary of Issues

The main issues raised regarding these material alterations (relating to Build To Rent [BTR] standards) are in relation to locational requirements and mix standards requiring a percentage of standard designed apartment units.

Some submissions state that the locational restrictions proposed will impact on the viability of developments, particularly apartments and will, therefore, reduce housing provision in the city. Submissions state that omitting the inner city is inconsistent with national and regional policy that seeks to integrate land use and transport planning, capitalise on public transport investment, and promote compact growth in urban areas. A number of submissions request amendments to ensure BTR schemes are facilitated in suitable locations consistent with 'central/accessible urban locations' set out in the Apartment Guidelines 2020. Submissions also note that the provision of BTR proposals within 500 metres of a high employment area (more than 500 employees per hectare) will be impractical due to the absence of any evidence base to demonstrate which areas of the city have more than 500 employees per hectare.

Submissions from residents associations express support for the alterations proposed, including the removal of the inner city as a location to facilitate the provision of Build to Rent, stating that BTR should not be explicitly facilitated in the remaining locations.

Submissions seek the removal of a requirement for 60% of BTR units to be designed as standard apartments as it directly conflicts with Section 28 Ministerial Guidelines,

national and regional policy objectives of the National Planning Framework and the Apartment Guidelines 2020 and will serve as a barrier to future proposals for BTR in Dublin City which will delay and prevent the delivery of available housing to rent and impact viability. Other submissions states that the Plan should revert to the 40% threshold set out in the Draft Plan. A submission states that the presumption against 100% BTR developments does not comply with national and regional policy. A submission suggests that there should be greater clarity that applications can still be made for 100% BTR typology schemes, provided such schemes demonstrate that 40% or 60%, whichever is adopted, have been designed as standard apartments.

A submission states that it may be more beneficial to require all large scale residential developments to explicitly indicate the tenure mix and that this tenure mix should reference the local housing tenure and typology needs and the Dublin City Council Housing Need and Demand Assessment. A submission also suggests including reference in this section indicating that the gap in rental supply detailed in the DHPLG circular issued in 2016 has now been bridged and more balanced development that ensures standard build units for sale and social housing/affordable cost rental now need to be prioritised.

A number of submissions support the reduction from 3km to 1km in assessing the matter of overconcentration. A submission suggests that a more appropriate approach would be to consider the number and scale of other permitted BTR developments within a 1km vicinity of the BTR site within the inner city and SDRAs, and within a 2km radius for outer city and suburbs.

In general terms, it is stated that despite outlining concerns on the provision of BTR development, the Draft Plan does not include a metric for what is considered as an 'oversupply', nor does it provide factual analysis to support the assertion that this currently exists and opposes the restrictions on this type of housing. It is requested that this should be clarified in the adopted version of the Plan.

### Chief Executive's Response

See also submission by the Office of the Planning Regulator and the Chief Executive's Response and Recommendations on the issues raised (Section 3.1).

The CE highlights that a clear rationale for the 40% BTR requirement was set out in the CE Report (April 2020) on pages 54-55. It is considered that the requirement for 40% of units within a scheme (including a BTR scheme) to be designed as standard apartments, future proofs the city's housing stock and provides for a higher quality of development. However, the CE is of the view that the increase to 60% lacks a clear evidential basis. In this regard, it is recommend that the Draft Plan is amended to revert to 40%.

The Council acknowledge the lack of data to provide accurate research on the number of employees per hectare and in this regard, it is recommended to amend the wording from "within 500 metres of a high employment area (more than 500 employees per hectare)" to "significant employment locations" in line with the Section



28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020, to ensure better consistency with national policy.

The submission regarding an amendment to the policy to refer to tenure mix is noted. The CE however, considers that this issue is adequately addressed in the Draft Plan through policies SC12, QHSN3, QHSN36 and QHSN32 which seek to encourage a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA.

The CE opposed the removal of reference to “Within the Inner City” from Policy QHSN38 and Section 15.10 of the Draft Plan (CE Report April 2022) to provide greater clarity to the Plan. However, reference is retained in Policy QHSN38 regarding facilitating BTR accommodation in significant employment locations, major public transport interchanges and within SDRAs. The Plan is considered generally consistent with the Sustainable Urban Housing: Design Standards for New Apartments (2020), where it is stated that Build to Rent accommodation is more suitable for central locations and/or proximity to public transport services. In this context, the locational criteria set out in the policy regarding significant employment locations and major public transport interchanges and within SDRAs are considered appropriate. The CE notes that the OPR has raised no objection to the revised criteria to exclude inner city.

The comments regarding revised distance thresholds for considering the matter of oversupply in inner city and SDRAs versus the outer city and suburbs are noted. However, the CE considers the 1km threshold is appropriate.

In relation to comments regarding ‘oversupply’ of BTR development, it is noted that as this issue was not the subject of a material amendment, no change can be recommended. Notwithstanding this, the CE notes that a detailed assessment of the BTR trends in the city and the matter of overconcentration were set out in the CE report in April 2022.

#### Chief Executive’s Recommendation

<b>Material Alteration Reference Number 5.23</b>
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Amend text in proposed MA as follows:

It is recognised that Build to Rent (BTR) serves an important role in meeting housing demand and can fill a gap in tenure mix in established areas of owner-occupier housing. Recent emerging trends however, would indicate that the dominance of BTR in large schemes can be to the detriment of **{standard designed apartment} (build to sell)**-units. Whilst such development has its place in the hierarchy of provision of homes across the city, the Planning Authority will seek to avoid over proliferation of such use in certain areas and encourage such development as part of a healthy mix of tenure in order to create sustainable communities and neighbourhoods.

BTR should be concentrated ~~(in prime inner-city areas and also)~~ in {significant employment locations,} ~~(areas of high intensity employment use, such as within 500 metres walking distance of a high area i.e. more than 500 employees per hectare,)~~ within 500m of major public transport interchanges ~~((e.g. Connolly Station, Tara Street Station and Heuston Station))~~ and within identified Strategic Development Regeneration ~~(s-Zones)~~ {Areas}. Furthermore, applications for BTR schemes should be required to demonstrate {how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment and} that there is not an over-concentration of Build to Rent Accommodation within an area, including a map showing all such facilities within {a 1km radius} ~~((3km))~~ of a proposal. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning Authority will have regard to factors such as:

- the number and scale of other permitted {and proposed} BTR development in the vicinity {(within a 1km radius)} ~~((3km))~~ of the site,
- the household tenure and housing type of existing housing stock in the approximate vicinity {(within a 1km radius)} ~~((3km))~~ of the site,
- and the proximity of the proposal to high capacity urban public transport stops and interchange (such as DART, Luas and BusConnects).

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, a minimum of {40%} ~~((60%))~~ of standard {designed} ~~((build to sell))~~ apartments will be required in such instances. BTR schemes of less than 100 units will generally not be supported. The concept of Built to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

#### Material Alteration Reference Number 5.24

Amend text in proposed MA as follows:

#### Policy QHSN38 Build to Rent Accommodation

To facilitate the provision of Build to Rent (BTR) Accommodation in the following specific locations:

- ~~((Within the Inner City (i.e. within the canal ring))~~.
- Within 500 metre walking distance of {significant employment locations} ~~((a high employment area i.e. more than 500 employees per hectare.))~~
- Within 500 metres of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and
- Within identified Strategic Development Regenerations Areas.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure {there are opportunities for} a sustainable mix of tenure and long term sustainable communities, a minimum of {40%} {60%} of ~~(standard build to sell apartments)~~ {units within a development must be designed as standard apartments in accordance with the requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, December 2020} ~~(will be required in such instances)~~. There will be a presumption against the proliferation and over concentration of BTR development in any one area. In this regard, applications for BTR developments should be accompanied by an assessment of other permitted {and proposed} BTR developments {within a} ~~(in the vicinity)~~ {1km} {(3km)}{radius} of the site to demonstrate:

- that the development would not result in the overconcentration of one housing tenure in a particular area and take into {account} ~~(regard)~~ the ~~(geographical area)~~ {location} of the {proposed} BTR.
- {how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.}

## Material Alteration Reference Number 5.27

### Summary of Issues

A submission from the HSE seeks the inclusion of "towards universal healthcare" after "2021-2023 prioritises two reform programmes for implementation including improving safe, timely access to care, promoting health and well-being and addressing health inequalities."

### Chief Executive's Response

It is considered that MA Ref. 5.27 provides sufficient reference to the Sláintecare Plan 2021-2023 and no further alteration is required.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## Material Alteration Reference Number 5.28

### Summary of Issues

Submissions were received from the HSE seeking that Policy QHSN50 Slainte Care is augmented by other policies and objectives which would support health care provision and support the assessment of need for new and expanded healthcare facilities and facilitate their provision in terms of the healthcare sectors operational, functional, land use and clinical requirements.

### Chief Executive's Response

It is considered that Policy QHSN50, as amended under MA Ref, 5.28, is sufficiently robust in supporting the HSE and other statutory, voluntary, private agencies and community based services in the provision of appropriate healthcare facilities. Furthermore, the CE notes the requirements of Policy QHSN46 – Community and Social Audit that requires the assessment of the need for additional social infrastructure for all residential applications over 50 units.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 5.29**

### Summary of Issues

A submission was received from the Department of Education supporting this material amendment, which will enable the Department to meet school accommodation requirements arising in Dublin City. A submission states that there needs to be further clarity in terms of the agreement with the Department of Education in relation to use of a school site no longer required for school provision and that the word “existing” should be removed from sub paragraph (ii) so that Policy QHSN51 applies to all schools.

### Chief Executive's Response

The support for MA Ref. 5.29 is noted and welcomed. Section 14.7.14 of the Draft Plan and MA Ref. No. 14.12 provide criteria for development on Z15 lands and criteria for development following cessation of Z15 use, including that proposals should be subject to consultation with the relevant stakeholder e.g. Department of Education, and the cessation of an existing Z15 institutional/social/community use on a site or change in land ownership does not extinguish / negate the purpose of these lands for community and social infrastructure use. It is the objective of the council that such lands should be retained for a use in accordance with the zoning objective unless exceptional circumstances prevail.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 6: City Economy and Enterprise

## **Submission Number(s):**

DCC-C43-MA-265, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-378.

## **General**

A submission was received from the HSE regarding the availability of accommodation for healthcare workers and the importance of good active travel infrastructure to healthcare facilities. The requirement for a Health Need Analysis for Community Health Networks was also raised. The CE notes this submission however, the issues raised are not subject of a Material Alteration and no change can be recommended. The CE notes that the matter of active travel is addressed comprehensively in Chapter 8 of the Draft Plan. Healthy place-making and health infrastructure is addressed comprehensively under Chapter 5.

Submissions were received in support of MA 6.7 and 6.9 which are noted and welcomed by the CE.

## **Material Alteration Reference Number 6.3**

### Summary of Issues

The submission from the HSE seeks the omission of MA 6.3 and requests that Dublin is promoted as a destination that supports Health and Wellbeing and positive lifestyle behaviours.

### Chief Executive's Response

The CE notes the importance of health, wellbeing and positive lifestyle behaviours as fundamental characteristics of Healthy Place-making. These matters are sufficiently addressed in the Draft Development Plan, particularly in Chapter 5. MA 6.3 responds to continued growth in the distilling and brewing sector, and appropriately reflects the contribution of same to employment and tourism in the City. It is considered appropriate to retain references to this sector in respect of Key Economic Sectors, Tourism, Hotels and Events.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 6.6**

### Summary of Issues

The submission from the HSE requests the amendment of MA 6.6 to include events promoting physical activity/sports and notes that other events should promote health. Reference is also made to the sponsorship of such events.

### Chief Executive's Response

The CE notes the submission by the HSE. MA 6.6 is not an exhaustive list of tourism initiatives, and includes some of the significant tourism development initiatives being undertaken by Fáilte Ireland and other stakeholders in the city. Other relevant events and initiatives are not precluded by MA 6.6 and, therefore, no additional alterations are required.

The matter of event sponsorship is not a Development Plan matter and is outside the scope of the plan.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 7: The City Centre, urban Villages and Retail

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-94, DCC-C43-MA-104, DCC-C43-MA-114, DCC-C43-MA-119, DCC-C43-MA-121, DCC-C43-MA-123, DCC-C43-MA-171, DCC-C43-MA-202, DCC-C43-MA-265, DCC-C43-MA-266, DCC-C43-MA-270, DCC-C43-MA-299, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-340, DCC-C43-MA-356, DCC-C43-MA-365, DCC-C43-MA-378, DCC-C43-MA-381

## **General**

Submissions were received in support of Material Alterations 7.1, 7.3, 7.4, 7.11, 7.14, and 7.18. These are noted and welcomed by the CE.

A submission was received from DublinTown expressing support for the ambition set out in the Draft Plan regarding the city and in particular, the support for the Dublin One project. The submission also noted support for greater meeting spaces/ green infrastructure/ hotel expansion/ more kerbside use and local dining/ multi-storey car parks/ taxi services within the city/ enhancement of the public realm.

Whilst these matters were not the subject of material amendments and consequently no change can be recommended, the CE notes that the Draft Plan contains comprehensive policies and objectives on these issues including CCUV19 Parking and the Retail Core, CCUVO6 Car Parks and Last Mile Delivery, CCUV30 Cafes/Restaurants, CCUV31 Food and Beverage Clusters, CCUV32 Outdoor Dining, CCUV38 High Quality Streets and Spaces, CCUV42 Public Realm – Key Urban Villages/Urban Villages, CCUVO14 City Centre Public Realm Strategy and Objective SMT04 Taxi Ranks. Chapter 10 sets out detailed policies regarding green infrastructure in the city.

The submission also considers that the Category 1 and Category 2 retail street designations used in the Plan are obsolete. This matter was not the subject of a material amendment and, therefore, no change can be recommended. The CE notes however, that a comprehensive review of Category 1 and 2 streets was carried out during the review of the Plan, and amendments made to the policy approach to ensure that Henry Street and Grafton Street remain as primary retail streets supported by a wide range of complementary uses and services on the Category 2 streets.

## **Material Alteration Reference Number 7.1**

### Summary of Issues

Submissions in respect of MA No. 7.1 (Section: 7.3 Challenges, subheading Investment in Key Urban Villages) support the material amendment.

### Chief Executive's Response

The Chief Executive notes these submissions and welcomes support for this material amendment.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 7.3**

### Summary of Issues

A number of submissions in respect of MA No. 7.3 (Policy CCUV13 – Vacant Units) support the material amendment.

One submission from HSE in respect of MA No. 7.3 (Policy CCUV13 – Vacant Units) notes that vacant units can be used as social enterprise or community hubs for health and wellbeing.

### Chief Executive's Response

The Chief Executive notes these submissions.

Policy CCUV13 promotes the temporary use of vacant units that can contribute to the economic, social and cultural vitality of the city centre and key urban villages. It is considered that uses, such as social enterprise or community hubs, would be classed as uses that would contribute to social vitality. In this regard, the policy is sufficiently flexible to allow for a range of uses and no further amendment is required.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 7.4**

### Summary of Issues

A number of submissions in respect of MA No. 7.4 (Policy CCUV14 Adult Shops, Betting Shops and Gaming Arcades) support the material amendment.

A submission was received seeking the insertion of a new policy after Policy CCUV14, to prohibit betting shops, amusement arcades and adult shops from street level premises on Category 1 and Category 2 shopping streets for reasons of protecting and enhancing the quality of retail in the city.

A submission from the HSE states that the policy should revert back to Draft Plan text for Policy CCUV14, i.e. 'to seek to prohibit' and 'to seek to prevent' and that the policy should be expanded to include limiting the access to off licences and bars.



### Chief Executive's Response

The Chief Executive notes and welcomes the submissions in support of the MA.

The submission requesting a new policy does not relate to Material Amendment 7.4 which proposes amendments to an existing policy - CCUV14 Adult Shops, Betting Shops and Gaming Arcades and, therefore, no change can be recommended.

Notwithstanding this, it is noted that Policy CCUV16 – Category 1 and Category 2 Streets states:

“To protect the primary retail function of Category 1 streets in the city and to provide for a mix of retail and other complementary uses on Category 2 streets. To promote active uses at street level on the principal shopping streets in the city centre retail core having regard to the criteria for Category 1 and Category 2 streets (see Appendix 2 and Figure 7.2).”

Appendix 2 states:

“Dublin City Council will seek to prohibit adult shops, betting shops and gaming arcades on Category 1 and 2 principle shopping streets in Dublin.”

In this regard, it is considered that this matter is fully addressed in the Plan in policy terms.

The HSE's comments on the Material Amendment to Policy CCUV14, which seeks that the text revert to the Draft Plan wording, are noted. The amendment to this policy was made on foot of a motion(s) and agreed at the Special Council meeting in July 2022, and is, therefore, considered appropriate.

It is not the purpose of a Development Plan to ban development. Every application must be considered on its own merits. The matter of limiting access to licenced premises is not a Development Plan matter.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 7.11**

### Summary of Issues

Submissions in respect of MA No. 7.11 (Objective CCUVO10 Shopfront Improvement Scheme) support the material amendment.

### Chief Executive's Response

The Chief Executive notes and welcomes these submissions.

## Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 7.14**

#### Summary of Issues

A number of submissions in respect of MA No. 7.14 (New Policy - Public Realm – City Centre) support the material amendment.

A submission from the NTA welcomes the new policy proposed under MA 7.14 (New Policy on Public Realm – City Centre) but notes that a balance needs to be struck between enhancement of the public realm and cycling and public transport accessibility. Some minor textual amendments are proposed to address this matter and the CE recommends that the following text is added to the policy: 'taking into account the objective to enhance access to and within the city centre by public transport and cycling.'

Another submission supports the material alteration and seeks that the delivery of traffic free spaces in the city is expedited.

A further submission seeks that a new policy is included in the Plan to ban the use of bicycles and mechanically propelled vehicles (excluding wheelchairs) from the city's pedestrian zones in order to enhance and provide a safer public realm that is accessible and welcoming to all.

#### Chief Executive's Response

The Chief Executive notes and welcomes the submissions in support of the MA.

The CE notes the comments by the NTA and concurs that Policy 7.14 would benefit from further refinement.

The support for MA 7.14 is noted, however, the matter of the implementation of traffic free zones, is an operational matter and is outside the scope of the Development Plan.

The submission requesting the inclusion of a new policy does not relate to material amendment 7.14, and, therefore, no change can be recommended. Notwithstanding this, it noted that the control and ban of bicycles and mechanically propelled vehicles (excluding wheelchairs) from the city's pedestrian zones is a traffic enforcement matter and is not within the remit of the Development Plan.

## Chief Executive's Recommendation

### **Material Alteration Reference Number 7.14**

Amend text in proposed MA as follows:

#### **{Policy - Public Realm – City Centre**

**To move to a low traffic environment generally and to increase the amount of traffic free spaces provided in the city centre over the lifetime of the Plan as well as create new high quality public realm areas where possible taking into account the objective to enhance access to and within the city centre by public transport and cycling}**

### **Material Alteration Reference Number 7.15**

#### **Summary of Issues**

A submission supports the Material Alterations to Objective CCUVO13 (Objective CCUVO13 Civic Spine / College Green Dame Street Project) and notes that the project should be expedited.

The submission from TII seeks further amendments to Objective CCUVO13, having regard to the fact that the Luas runs through College Green. Textual amendments are sought including the omission of 'traffic free' from the objective and to include the words 'pedestrian' public realm.

A further submission seeks that additional wording be added to the objective to state 'with a traffic free, **bicycle free, scooter free, all mechanically propelled vehicle free, excepting wheelchairs, fully pedestrianised** world class public realm'.

#### **Chief Executive's Response**

The submission in support of the material amendment is noted and welcomed.

The CE acknowledges that the Luas runs through College Green. The policy's reference to 'traffic free' refers to vehicular traffic and not essential public transport. Furthermore, as the project is subject to full design, public consultation and consent, it is considered that the final design will have full regard to this existing infrastructure. It is not considered appropriate to limit the public realm to pedestrians only, as the final design may also incorporate other sustainable modes, including cyclists.

In a similar manner, it is not considered appropriate in advance of the detailed design of such a project to preclude bicycles, scooters etc.

#### **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **Material Alteration Reference Number 7.16**

### Summary of Issues

A number of submissions were received in relation to the new objective to support the full pedestalisation of South William Street. Whilst some submissions expressed support for such pedestrianisation, others outlined concerns, with some submissions requesting that the policy be omitted or that traffic access should be retained with an enhanced public realm.

The submission from the NTA notes that South William Street would be appropriate for the delivery of a much-enhanced public realm. However, it is recommended that textual amendments are made to state that such works would be subject to feasibility as it relates to the accommodation of demand for cycling in this part of the city. Concerns raised in relation to the policy include:

- Such a proposal would cause congestion, particularly on surrounding streets such as Wicklow Street and George's Street and have consequent negative impacts on customer's experience of the city centre. May result in illegal parking and block coach access.
- The proposal is questioned given that the street is primarily characterised by restaurants and bars which operate outside of core business hours.
- Consider that a detailed environmental appraisal would need to be carried out to assess potential impacts, including environmental and traffic impacts, noise and nuisance and socio economic impacts. Stakeholder engagement will be required.
- State that further details regarding such a proposal is required, including the extent of the proposal and what restrictions would apply.
- Concerns that such a proposal could potentially restrict access to the existing Grafton car park, undermining its viability and operational requirements.
- Consider that the proposal may impact negatively on deliveries and service and taxi access in the area.
- Concern regarding potential safety and security impacts as well as potential anti-social impacts.
- Procedural concerns regarding the proposed material amendment and its planning rationale.

### Chief Executive's Response

The submissions in support of the material amendment are noted. However, the CE also acknowledges the significant and legitimate concerns raised in a number of submissions.

The Grafton Street Quarter Public Realm Plan advocates for an extension of the delivery cordon delivering a pedestrian friendly area throughout the fine grain network of streets. Some locations are suitable for full or partial pedestrianisation, and streets, including South William Street, may also be suitable on foot of feasibility / traffic studies.

It is acknowledged by the CE that any proposal to pedestrianise South William Street would have to be the subject of a further detailed feasibility study, and if viable, would be subject to a consent process including a full assessment of potential environmental impacts as well as stakeholder engagement. The CE also notes the NTA comments regarding accommodation of demand for cycling.

The CE however, considers that the proposal to pedestrianise South William Street has significant merit and has the potential to bring many benefits to the city and surrounding area as the recent pedestrianisation of Capel Street has demonstrated. In this regard, it is recommended that the policy is retained. To address the matters raised however, the CE recommends the addition of the words 'subject to feasibility including opportunities for cycling provision' to the policy.

#### Chief Executive's Recommendation

<b>Material Alteration Reference Number 7.16</b>
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Amend text in proposed MA as follows:

#### **{Objective – Pedestrianisation South William Street**

**To support the full pedestrianisation of South William Street, subject to feasibility including opportunities for cycling provision}**

#### **Material Alteration Reference Number 7.17**

#### Summary of Issues

Submissions received raise concerns regarding the omission of the 'Markets Area Public Realm Plan 2021' from Objective CCUVO15 as part of the proposed Material Alterations to the Draft Plan. These submissions outline support for such a plan and seek that support for same should be explicitly stated in the Development Plan.

#### Chief Executive's Response

The Markets Area Public Realm Plan is currently at draft stage and it was for this reason that it was proposed to omit reference to it from Objective CCUVO15. However, having regard to the submissions received, it is considered appropriate to include reference to the forthcoming public realm plans such as for the City Market area.

## Chief Executive's Recommendation

### **Material Alteration Reference Number 7.17**

Amend text and delete text in proposed MA as follows:

#### **Objective CCUVO15 Public Realm Plans / Masterplans**

To support the implementation of the following public realm plans / masterplans (listed below) and companion manuals:

- 'The Heart of the City' Public Realm Masterplan for the City Core 2016;
- Grafton Street Quarter Public Realm Improvement Plan, 2013;
- Public Realm Masterplan for the North Lotts & Grand Canal Dock SDZ Planning Scheme 2014;
- Temple Bar Public Realm Plan 2016; and
- ~~(Markets Area Public Realm Plan 2021.)~~
- {Other forthcoming public realm plans such as for the City Market Area.}

### **Material Alteration Reference Number 7.18**

#### Summary of Issues

A number of submissions in respect of MA No. 7.18 (Objective CCUVO20) support the material amendment.

A submission considers that it is unclear what redundant signage means and notes that all private advertising structures which do not contribute financially to public transport companies or the city council are redundant, and superfluous to the needs of the people of Dublin. It is detailed that the council should conduct an audit of the planning status of the advertising structures in the city and seek enforcement orders against those in breach.

One submission, while welcoming the MA to Objective CCUVO20, is seeking a change to the wording of the Material Alteration as follows:

**“Dublin City Council will investigate and implement measures to promote removal of 100 ...”.**

#### Chief Executive's Response

The submissions in respect of the material amendment are noted and welcomed.

The amendments to CCUVO20 clearly require that an audit is to be carried out of redundant, unused and unnecessary street furniture. The matter of deciding what is unused and redundant is an operational matter and will be addressed at implementation stage of the Plan. The submission is, therefore, considered outside the scope of the Plan.

The submission seeking a change of wording to the amendment is also noted. It is considered that the existing wording as proposed under the MA 7.18 ‘....Dublin City Council will aim to remove 100 ...’, sufficiently expresses the Council’s commitment to audit and remove redundant and unnecessary street furniture.

Chief Executive’s Recommendation

Retain text as in proposed MA.

# Chapter 8: Sustainable Movement and Transport

## **Submission Number(s):**

DCC-C43-MA-41, DCC-C43-MA-78, DCC-C43-MA-94, DCC-C43-MA-114 DCC-C43-MA-202, DCC-C43-MA-216, DCC-C43-MA-265, DCC-C43-MA-268, DCC-C43-MA-299, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-378, DCC-C43-MA-381

## **General**

Submissions were received in support of Material Alterations 8.3, 8.5, 8.7, 8.8, 8.11, 8.13, 8.15, 8.16, 8.17, 8.18, 8.19, 8.21, 8.22 and 8.33. These are noted and welcomed by the CE.

## **Material Alteration Reference Number 8.2**

### Summary of Issues

The submission supports MA 8.2 (amendments to Policy SMT9) and would like to see it used to encourage service/utility providers to locate their services underground, to deal with the increasing number of service boxes clogging streets, such as College Green.

### Chief Executive's Response

The support for the policy is noted and welcomed by the CE. There are a number of other policies within the Draft Plan in Chapter 7 (namely CCUV38 and CCUV43) which further support Policy SMT9 to provide well-designed, high quality and clutter free public realm which are accessible and inclusive to all users. The technical requirements, location, scale, quantum and type of service cabinets within the public realm will be considered through the Development Management process and will have regard to the policies and objectives of the Development Plan.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.4**

### Summary of Issues

The HSE in their submission note their support of the Material Alteration and seek additional wording to ensure better cost-effective connectivity and movement to various healthcare services. Additional reference to the provision of smoke-free active travel routes is also recommended.



### Chief Executive's Response

The support for the MA (alteration to Policy SMT10) is noted and welcomed by the CE. It is considered that the additional wording to ensure connectivity to various healthcare services is already addressed in the policy having regard to the reference of linking key 'public' buildings. Chapter 8 also contains a suite of policies to support active travel.

In relation to the provision of smoke-free active travel routes, the Development Plan is a strategic land use document and not the appropriate mechanism for the implementation of specific public health guidance. Furthermore, as the issue raised is not subject of a Material Alteration, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.5**

### Summary of Issues

A number of submissions support the material alterations to SMT02. The HSE in their submission support the overall objective and recommend that additional wording be included to ensure bus stops are located to complement community facilities and health centre locations.

### Chief Executive's Response

The submissions in support of MA 8.5 (amendments to Policy SMT02) are noted and welcomed by the CE. The intent of the suggested alterations from the HSE is noted. However, it is more applicable in the context of the effective integration of land use and transportation and Policy SMT3 (Integrated Transport Network) and Policy SMT4 (Integration of Public Transport Services and Development). In that regard, it is considered that the concerns of the HSE are already addressed in existing policies within the Plan.

It is considered that the issues raised by the HSE are largely outside the scope of the Development Plan. The decision making relating to the location of bus stops is an operational matter and the responsibility of the National Transport Authority (NTA), in consultation with Dublin City Council and the relevant service provider (e.g. Dublin Bus). When assessing the appropriate location for bus stops, consideration is given to adjacent uses/destinations including public buildings such as health centres.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.6**

### Summary of Issues

The submission recommends that the word 'wheelchair' is added to the objective, to enhance our city and public realm and to recognise the unique difficulties faced by peoples using wheelchairs.

### Chief Executive's Response

The intent of the submission is noted. In the interests of inclusivity for all abilities and disabilities, as well as conciseness and clarity in the wording of policies and objectives, it is considered more appropriate to utilise 'accessible and inclusive for a range of users' in this policy, as opposed to highlighting the needs of a particular group over another. Objective SMT02 (Improving the Pedestrian Network) also complements Objective SMT04 (Taxi Ranks) in regards to the matters raised.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.12**

### Summary of Issues

The submission is concerned at the removal of focus on school children in Policy SMT16 and wants it reinstated. The submission also welcomes the increased focus on school children in Policy SMT19 (MA 8.19).

### Chief Executive's Response

The concern raised in the submission is noted. However, the intent of the changes in the MA to Policy SMT16 is to consolidate the policies regarding active travel and schools and avoid duplication of policies. The wording proposed to be removed in Policy SMT16 (as per MA 8.12) has been relocated to Policy SMT19 (as per MA 8.19) and as such, remains a policy focus within the Development Plan.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.13**

### Summary of Issues

A number of submissions note the support for the proposed changes to the policy. A submission requests additional wording to the end of the policy to recognise the unique difficulties faced by peoples using wheelchairs.

### Chief Executive's Response

A number of submissions support MA 8.13 (amendments to Policy SMT17) which are noted and welcomed by the CE.

The intent of the submission suggesting additional wording to the end of the policy is noted. In the interests of inclusivity for all abilities and disabilities, as well as conciseness and clarity in the wording of policies and objectives, it is considered more appropriate to utilise 'accessible to all in accordance with best accessibility practice' in this policy, as opposed to highlighting the needs of a particular group over another.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.14**

### Summary of Issues

The submission welcomes Objective SMT07 however, it raises concerns about the definition of 'successful' and seeks to ensure that any permanent measures are carried out in an open and transparent manner and in consultation with local stakeholders.

### Chief Executive's Response

The submission notes the support for the objective in principle. The issue raised however, is not subject of a Material Alteration. However, the CE notes that where temporary pedestrian and cycling improvements are made permanent, the appropriate consultation will take place in accordance with the relevant mechanism of delivery (e.g. Roads Act, Part 8 etc.).

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 8.15**

### Summary of Issues

A number of submissions note support for the proposed changes to the objective. A submission further requests that DCC provide off-road cycling facilities along the Strand Road section of the S2S cycleway project, appropriately funded.

### Chief Executive's Response

A number of submissions supports MA 8.15 (insertion of a new objective after SMT08) which are noted and welcomed by the CE.

The issue raised relating to the S2S cycle project, is not subject of a Material Alteration and no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 8.16**

#### Summary of Issues

A number of submissions note support for the proposed inclusion of the new objective. A submission requests amendments to the wording to include "wheelchair ability facilities" in the new objective.

#### Chief Executive's Response

A number of submissions support MA 8.16 (insertion of a new objective in Section 8.5.6) which are noted and welcomed by the CE.

The intent of the submission requesting the wording of the objective to be altered to include reference to wheelchair users is noted. Highlighting the needs of a particular group over another is not considered appropriate within the objective.

There are a range of policies and objectives in the Development Plan regarding accessibility for all users, ensuring compliance with universal design principles, as well as having regard to the UN Convention on Rights of Persons with Disabilities (UNCRPD), the National Disability Inclusion Strategy, 2018 and gender proofing. Through the Development Management process, the scope of the Walking and Cycling Audits will be considered in the context of the above, ensuring all ages and abilities are considered within major developments.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 8.20**

#### Summary of Issues

A submission seeks to add additional wording to the end of the policy to include reference to wheelchair users.

#### Chief Executive's Response

The intent of the submission requesting the wording of the policy to be altered to include reference to wheelchair users is noted. Highlighting the needs of a particular group over another is not considered appropriate within the policy. However, it is recommended that the wording of the policy should be expanded to ensure it is

inclusive of all users and abilities and the additional wording 'and users of all abilities' is added.

#### Chief Executive's Recommendation

#### **Material Alteration Reference Number 8.20**

Amend text in proposed MA as follows:

#### **{Policy - Accessibility and Design at Schools**

**To ensure that the development of new schools or expansion of existing schools demonstrate accessibility by sustainable transport options and that the layout and design shall be optimised to prioritise permeability and safe routes for pedestrians, ~~(and)~~ cyclists and users of all abilities.**

#### **Material Alteration Reference Number 8.24**

#### Summary of Issues

A submission notes that the NTA's GDA Transport Strategy does not make reference to a train station in the environs of Croke Park. They also seek that Objective SMT014 include reference to a train station at Kylesmore (Dublin 12) in order to unlock the potential of the City Edge project.

The National Transport Authority (NTA) in their submission advises against reference to Croke Park Stadium in the MA on the basis that the provision of a rail station at Croke Park is not part of the scope of the DART+ West project. It recommends that DCC consider the viability of, and the need for, the provision of a station at Croke Park as it relates to the physical constraints identified by the NTA and the presence of Drumcondra station within short walking distance, a station that is planned to be served by DART under the current NTA investment.

#### Chief Executive's Response

The CE notes the recommendation in the NTA's submission regarding the reference to the provision of a train station at Croke Park. The potential of a new station in the environs of Croke Park was explored as part of DART+West and does not form part of the NTA's Draft GDA Transport Strategy 2022-2042.

Omitting reference to the provision of Croke Park Station is also raised by the OPR in their submission where they advise against creating unrealistic expectations around the delivery of this project.

Taking the above into consideration, it is recommended that Objective SMT014 be amended to omit reference to Croke Park Station – please refer to CE response to OPR submission.

Regarding the inclusion of a train station at Kylemore, the CE supports the intent of the submission and raised this issue at public consultation stage for DART + South West. The NTA has indicated that a station at Kylemore is not within the scope of the DART + South West project. However, the project will be future proofed to facilitate the provision of a station at a later date.

#### Chief Executive's Recommendation

#### **Material Alteration Reference Number 8.24**

Amend text in proposed MA as follows:

Objective SMT014 Additional {Interchanges and} Rail Stations

- (i) **To promote and seek the development of a new ~~(commuter rail)~~ {interchange} station at Cross Guns ~~{Glasnevin}~~ ~~(serving the existing rail line infrastructure and)~~ {, subject to environmental requirements being satisfied and appropriate planning consents being obtained, as part of the DART+ and Metro link projects}, (preferably as part of a larger mixed use development.)**

~~**((ii) — To promote the provision of a station at Croke Park Stadium.)**~~

Please see also CE's response to the OPR submission.

#### **Material Alteration Reference Number 8.29**

#### Summary of Issues

A submission notes the overall support in principle to the Material Alteration but recommends suggested wording changes to reflect the role of Dublin Port Company in the delivery of SPAR and the function of the road.

#### Chief Executive's Response

The overall support for the MA is noted and welcomed by the CE. There is no objection in principle to the reference to Dublin Port in the wording on the policy, however, given that other stakeholders may be consulted as necessary, it is considered more appropriate to amend the wording to include 'other relevant stakeholders'.

It is not considered necessary to specify that the SPAR will serve the southern port lands and port activities as this is inherent to the project title *Southern Port Access Route*.

#### Chief Executive's Recommendation

Amend text in proposed MA as follows:

<b>Material Alteration Reference Number 8.29</b>
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### **SMT28 National Road Projects**

To protect national road projects as per the NTA {Transport} Strategy for the Greater Dublin Area ~~(2016 – 2035)~~ {2022 – 2042} and its review, {and in consultation with TII, NTA and other relevant stakeholders, to support} ~~(including)~~ the ~~(provision)~~ {delivery} of ~~(a)~~ {the} Southern Port Access Route to Poolbeg, {as a public road. The indicative alignment of this road link is shown on Map J.}

### **Material Alteration Reference Number 8.31**

#### Summary of Issues

The submission notes the references to Sean Moore Road and the bridge across the Dodder which are critical to the provision of transport to the Glass Bottle site, and requests that these works are completed within the lifetime of the Plan.

#### Chief Executive's Response

The issue raised is not subject of a Material Alteration and no change can be recommended.

However, the CE notes that work is progressing on the Sean Moore Road project to date and the Dodder Bridge will form part of a Bus Connects application to An Bord Pleanála, anticipated to be submitted this year.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 9: Sustainable Environmental Infrastructure and Flood Risk

## **Submission Number(s):**

DCC-C43-MA-36, DCC-C43-MA-41, DCC-C43-MA-81, DCC-C43-MA-114, DCC-C43-MA-123, DCC-C43-MA-148, DCC-C43-MA-250, DCC-C43-MA-301, DCC-C43-MA-306, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348

## **General**

Submissions were received in support of Material Alterations 9.6, 9.10, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19 and 9.20.

The submission made by the Department of the Environment, Climate and Communications (DoECC) expresses support for MA 9.15, 9.16, 9.17 and 9.18 and commends the council for its approach to addressing the Circular Economy.

These submissions in support are noted and welcomed by the CE.

A number of submissions were received in respect of the Draft Plan sections on Water Supply and Wastewater, Flood Management, Waste Management and Circular Economy Practice, Noise Pollution, SEVESO Directive, Energy Utilities. It is considered that, as these submissions sought edits or additions to the Draft Plan that were not directly related and/ or relevant to a proposed Material Alteration, no change can be recommended.

## **Material Alteration Reference Number 9.1**

### Summary of Issues

A submission was received requesting greater detail be provided in the Draft Plan Section on Water Supply and Wastewater.

### Chief Executive's Response

It is considered that, as this submission sought additional alterations to the Draft Plan text that were not directly relevant to MA 9.1, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.



## **Material Alteration Reference Number 9.4**

### **Summary of Issues**

A submission was received that noted the inclusion of new references to the Irish Coastal Wave and Water Level Modelling Study 2018 and National Coastal Flood Level Mapping 2021 under MA 9.4. The submission also requested that the council expedite flood management projects at Strand Road and Sandymount.

### **Chief Executive's Response**

The acknowledgement of MA 9.4 is noted and welcomed.

It is considered that, as the comments in respect to area-specific flood management projects are not directly relevant to MA 9.4, no change can be recommended. The matter of the implementation of flood management projects is an operational matter and outside the scope of the Development Plan.

### **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **Material Alteration Reference Number 9.6**

### **Summary of Issues**

The submission made by the Office of Public Works (OPW) expresses support for MA 9.6.

### **Chief Executive's Response**

The support from the OPW for MA 9.6 is noted and welcomed.

### **Chief Executive's Recommendation**

Retain text as in proposed MA.

## **Material Alteration Reference Number 9.7**

### **Summary of Issues**

A submission has been made in respect of the proposed material alteration to Policy SI15 (Site-Specific Flood Risk Assessment) and specifically to the proposed last bullet point. This submission outlines the following concerns about the wording of the bullet point: it contradicts other elements of Policy SI15; it does not align with the Flood Risk Guidelines; and, it will be read as a blanket ban on new residential development on suitably zoned sites which have passed the Development Plan Justification Test, and lead to development of residentially or mixed use zoned sites being restricted to water compatible development only.

## Chief Executive's Response

The content of the submission is noted. The OPW in its submission on the Draft Development Plan sought the inclusion of this / related text. The last proposed last bullet point of Policy SI15 is not a ban on new residential on suitably zoned sites which have passed the Development Plan Justification Test. It relates to individual sites where a small proportion of the site is at significant flood risk only and not all sites proposed for development. Similarly it accords with the Flood Risk Guidelines.

It is considered that the proposed last bullet point to Policy SI15 can be amended to clarify that it refers to lands at significant risk of flooding.

## Chief Executive's Recommendation

### **Material Alteration Reference Number 9.7**

Amend text in proposed MA as follows:

#### **Policy SI15 Site-Specific Flood Risk Assessment**

All development proposals shall carry out, to an appropriate level of detail, a Site-Specific Flood Risk Assessment (SSFRA) that shall demonstrate compliance with:

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (2009), as revised by Circular PL 2/2014 {and any future amendments}, and the Strategic Flood Risk Assessment (SFRA) as prepared by this Development Plan.
- The application of the sequential approach, with avoidance of {highly and less vulnerable} development in areas at risk of flooding as a priority {and/ or the provision of water compatible development only}. Where the Justification Test for Plan Making and Development Management have been passed, the SSFRA will address all potential sources of flood risk and will consider residual risks including climate change {and those associated with existing flood defences}. The SSFRA will include site-specific mitigation measures, flood-resilient design and construction, and any necessary management measures (the SFRA and Appendix B(4) of the above mentioned national guidelines refer). Attention shall be given in the site-specific flood risk assessment to building design and creating a successful interface with the public realm through good design that addresses flood concerns but also maintains appealing functional streetscapes. {Allowances for climate change shall be included in the SSFRA.}
- {On lands where the Justification Test for Plan Making has been passed and where a small proportion of the land is at significant risk of flooding, the sequential approach to development will be applied, and development will be limited to Minor Development (Section 5.28 of the Planning System and Flood Risk Management Guidelines 2009) on the portion at significant risk of flooding. There will be a presumption against the granting of permission for highly or less vulnerable development which encroaches

onto or results in the loss of the flood plain. Water compatible development only will be considered in such areas at risk of flooding which do not have existing development on them.}

## **Material Alteration Reference No. 9.10**

### Summary of Issues

The submission made by the Department of Housing, Local Government & Heritage (DoHLGH) acknowledges MA 9.10 and draws the council's attention to the location of Sandymount Strand within designated Natura 2000 sites. The Department recommends additional amendments to Policy SI19 to ensure that the proposed development of flood defences between Sandymount and Irishtown is subject to a consideration of any potential effects on local Natura 2000 sites.

A further submission received in respect to MA 9.10 noted the inclusion of new references to the Irish Coastal Wave and Water Level Modelling Study 2018 and National Coastal Flood Level Mapping 2021 under MA 9.4.

### Chief Executive's Response

The acknowledgment of and support for MA 9.10 is noted and welcomed.

The submission made by the DoHLGH is noted and it is considered that the Draft Plan already provides for sufficient protective measures for Natura 2000 sites under Section 1.5.2, which requires that all plans and development proposals are subject to an assessment of the significance of effects on a European Site(s).

It is considered that as the comments in respect to area-specific flood management projects are not directly relevant to MA 9.4 or MA 9.10, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 9.19**

### Summary of Issues

A submission was received from the DAA supporting MA 9.19. The submission notes that there should be consultation with the IAA and the IAA-ANSP.

### Chief Executive's Response

The support from the DAA for MA 9.19 is noted and welcomed. It is considered that consultation with IAA regarding proposals for enhanced scale and height is most appropriately addressed through the development management process.

### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 9.20**

#### Summary of Issues

A submission was received from the ESB supporting the amendment.

Another submission requested that greater detail be provided in the Draft Plan Section on Energy Utilities in respect to energy plans and projects in the city.

The submission made by the Department of the Environment, Climate and Communications (DoECC) supports MA 9.20 and commends the council for its approach to facilitating security of electricity supply. It further notes that energy security is an increasingly evolving policy space and requests that the following text be added to the end of the 3<sup>rd</sup> paragraph of Section 9.5.12 (page 341) to reflect this "the National Energy Security Framework and any emerging national policies relating to energy and electricity supply or security".

#### Chief Executive's Response

The support from the ESB for MA 9.20 is noted and welcomed.

It is recommended that the proposed last paragraph of Section 9.5.12 should be amended to include the additional text as requested.

The comments in respect to providing additional detail on energy plans and projects are not directly relevant to MA 9.20 and as such, no change can be recommended.

#### Chief Executive's Recommendation

### **Material Alteration Reference Number 9.20**

Amend text in proposed MA as follows:

Gas and electricity are the energy utilities which have traditionally heated and powered Dublin City, which is identified as a major energy demand centre. The development of low carbon, resilient, reliable and indigenous energy sources and networks is recognised as very important to supporting the social and economic development of ~~(the city)~~ {**Dublin**}, especially if ~~{the city}~~ (**Dublin**) is to fulfil its role as a digital connectivity hub which attracts high technology industries. Support for decentralised and indigenous energy sources such as the Dublin district heating project will have an important role to play in achieving this objective alongside small scale/ community investment in solar and other domestic scale renewables. {In the short to medium term, it is prudent that existing electricity generation capacity needs to be retained in order to ensure security of electricity supply. Any potential impact of large energy users will be assessed against this need.}

The Council will support energy utility providers in their efforts to {to deliver,} reinforce and strengthen existing ~~(utility infrastructure and)~~ {electricity and natural gas} transmission/ distribution {grid infrastructure,} ~~(networks)~~ {electricity interconnection and electricity storage in order to ensure security of electricity supply and support the growth of renewable electricity generation. The council} will {also} support new infrastructure projects and technologies with particular emphasis on renewable, alternative and decentralised energy sources, and those which are less carbon intensive in line with the Electricity and Gas Networks Sector Climate Change Adaptation Plan (2019) {, Shaping our Electricity Future - A Roadmap to achieve our Renewable Ambition (2021), the National Energy Security Framework and any emerging national policies relating to energy and electricity supply or security}.

# Chapter 10: Green Infrastructure and Recreation

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-41, DCC-C43-MA-44, DCC-C43-MA-78, DCC-C43-MA-149, DCC-C43-MA-265, DCC-C43-MA-276, DCC-C43-MA-299, DCC-C43-MA-302, DCC-C43-MA-311, DCC-C43-MA-337, DCC-C43-MA-378

## **General**

Submissions were received in support of Material Alterations 10.2, 10.9, 10.11, 10.13, 10.14 and 10.18. These are noted and welcomed by the CE.

Submissions was received by the HSE broadly commenting on policies (Material Amendments 10.7 and 10.16). It is noted that these submissions did not relate to any specific material amendment, however, the sentiment is acknowledged and welcomed by the CE.

## **Material Alteration Reference Number 10.7**

### Summary of Issues

A submission from the HSE seeks the addition of text to Objective GIO28 - Parks and Open Spaces, regarding the promotion / enabling of healthy food choices at parks / open spaces.

### Chief Executive's Response

The Chief Executive notes this submission. The issue raised is outside the scope of the Development Plan, and is not subject of a Material Alteration and no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 10.9**

### Summary of Issues

A submission received supports Material Alterations 10.9 (New objective Mount Bernard Park). Also TII outlines support in principle for the Material Alteration, while referring the council to the technical requirements for development near or adjacent the Luas system.

### Chief Executive's Response

These submissions are noted and welcomed. In respect of TII's submission, it is noted that Appendix 5 of the Draft Plan outlines technical requirements for transport and mobility development / projects in the city near or adjacent the Luas system and any development at the park will need to have cognisance of the referred technical requirements. The matter is, therefore, considered to be sufficiently addressed in the Draft Plan.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 10.11**

### Summary of Issues

A submission has been received which supports and welcomes Objective GIO34 Water Animation Strategy Docklands. It states that a focus on cultural uses within the George's Dock area will assist in increased footfall and the area becoming established a true destination within the city for visitors and residents alike.

### Chief Executive's Response

This submission is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 10.12**

### Summary of Issues

A submission questions why Merrion and Poolbeg/Shelly Banks beaches are proposed to be omitted from Objective GIO36 and the submission calls for their reinstatement.

The same submission also requests that the Draft Plan provide for a specific, detailed and collaborative plan which focuses on the protection, enhancement and management of the Dublin Bay UNESCO Biosphere.

### Chief Executive's Response

The Chief Executive considers that rather than listing all beaches in the city under Objective GIO36, the objective can be amended to refer to the protection of all bathing locations in the city.

The Chief Executive notes the call for a plan which focuses on the protection and enhancement of Dublin Bay UNESCO Biosphere. The issue is not the subject of a

Material Alteration and no change can be recommended. Notwithstanding this, the CE notes that section 10.5.6 of the Draft Plan sets out protective policies regarding Dublin Bay (GI37).

#### Chief Executive's Recommendation

Amend text in proposed MA as follows:

<b>Material Alteration Reference Number 10.12</b>
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#### {Objective GIO36 Bathing Beaches and Blue Flag Status

To maintain} ~~{beaches for}~~ {bathing} ~~{at Dollymount and Sandymount}~~  
~~{locations to a high standard and to protect and improve water quality & bathing facilities at designated and other monitored waters in order to bring them to 'Blue Flag' standard.}~~

#### **Material Alteration Reference Number 10.16**

##### Summary of Issues

A submission from the HSE seeks that under Policy GI52 Children's Playing Facilities in New Residential and Mixed Developments, consideration should be given in the provision of children's play facilities to early years playgrounds; intergenerational interaction, spaces that encourage families to go outside; safe active travel options and support services; temporary closure streets; and working with community organisations.

##### Chief Executive's Response

This submission is noted. The issue raised by the HSE is not the subject of a Material Alteration and no change can be recommended.

##### Chief Executive's Recommendation

Retain text as in proposed MA.

#### **Material Alteration Reference Number 10.17**

##### Summary of Issues

In order to minimise public expenditure on sport stadia projects in the city, the submission seeks that the reference to 'Tolka Park' is removed from Objective GIO51.

##### Chief Executive's Response

This submission is noted.



As set out in the Chief Executive's Report on Submissions on the Dublin City Draft Development Plan in April this year, Dublin City Council acquired both Tolka Park and Dalymount Park in order to ensure that both clubs could be retained in the city. While the original intention was to develop one municipal stadium capable of accommodating both football clubs, the objective now, as set out under Objective GIO51, is to utilise / redevelop these facilities for football / sports use. The council supports these proposals to support sport / football on the north side of the city and, therefore, it is not considered that the proposed material alteration should be amended as suggested.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 10.18**

#### Summary of Issues

Submissions support the construction of an outdoor Lido in George's Dock under Objective GIO53 Water Sports and Leisure Activities.

Other submissions received do not support the development of a public lido at George's Dock / seek the removal of all references to 'George's Dock' under Objective GIO53 and seek that further public consultation with relevant stakeholders is undertaken in respect to the future development of recreational / cultural facilities at George's Dock.

One submission seeks the following amendments to MA Ref. 10.18: "To support the development of a public lido ~~{at George's Dock, and to strive to achieve this within the first three years of the Development Plan being adopted,}~~ at an appropriate location within the city, subject to public consultation, and to provide other water sports and leisure activities in the city centre and at the Liffey, canals and other key water bodies."

#### Chief Executive's Response

The submissions are noted.

The amendment to this objective was made on foot of a motion (Motion Ref. 10.16 refers) and agreed at the Special Council meeting in July 2022, and is, therefore, considered appropriate.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 11: Built Heritage and Archaeology

## **Submission Number(s):**

DCC-C43-MA-152, DCC-C43-MA-153

## **Material Alteration Reference Number 11.5**

### Summary of Issues

Two submissions were received that raised objections to the inclusion of Blessington Street/Eccles Street/Nelson Street in Dublin 7 as a priority Architectural Conservation Area on the basis that it would be financially onerous for residents. Concerns were also raised that such a designation would preclude investment and occupation of residential accommodation.

### Chief Executive's Response

There were no material alterations on display that related to Blessington Street/Eccles Street/Nelson Street in Dublin 7 as a priority Architectural Conservation Area. The Draft Plan lists the priority ACA projects on page 401 and does not include any of these areas. The only proposed addition to the list was proposed under MA 11.3 – Iveagh Gardens, Crumlin.

The locations detailed in the submission were not the subject of a Material Alteration and no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 12: Culture

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-27, DCC-C43-MA-41, DCC-C43-MA-94, DCC-C43-MA-142, DCC-C43-MA-154, DCC-C43-MA-165, DCC-C43-MA-214, DCC-C43-MA-217, DCC-C43-MA-229, DCC-C43-MA-240, DCC-C43-MA-265, DCC-C43-MA-292, DCC-C43-MA-309, DCC-C43-MA-331, DCC-C43-MA-334, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348, DCC-C43-MA-356, DCC-C43-MA-361, DCC-C43-MA-372, DCC-C43-MA-378, DCC-C43-MA-381

## **General**

Submissions were received in support of Material Alterations 12.5, 12.9, 12.11, 12.15, 12.16, 12.20, 12.22, 12.24, 12.30, 12.31, 12.32 and 12.35. These are noted and welcomed by the CE.

A number of submissions raised issues which are related to a topic or theme on which there is an MA but are not a direct comment on the MA itself; and some suggested new text for inclusion in the Draft Plan. However, none of these submissions raise issues directly related to a MA. Therefore, as these issues raised are not the subject of a Material Alteration, no change can be recommended.

Submissions sought continued contact with the Department of Education to promote the Irish language through education, promoting Irish language use in Dublin City (and in dedicated spatial locations), designation of new development with names in Irish and promoting networks of Irish language at urban village level, introducing bilingual advertising promotion as well as specific suggestions on the types of rooms that should be incorporated into cultural spaces to promote wellbeing and enhance health. As these issues raised are not the subject of a Material Alteration, no change can be recommended. Some of the issues raised are also outside the scope of the Development Plan. The CE notes however, that the Draft Plan includes a comprehensive section supporting the Irish Language and Culture in the city under section 12.5.6 as well as a number of policies and objectives including policies CU26-CU28 and objectives CUO45 - 52

## **Material Alteration Reference Number 12.9**

### Summary of Issues

Submissions were received supporting the material amendment and the reference to textile craft in the Liberties. One submission sought additional text to the MA to include “and Liberties Textile Museum and these will be addressed in this Plan”.

### Chief Executive’s Response

The support for MA 12.9 is noted. The additional text seeks to change the meaning of the statement into an objective and this is not considered appropriate at this stage

of the plan making process. Therefore, as the issue raised is not the subject of a Material Alteration, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 12.19**

### Summary of Issues

Submissions were received both supporting and seeking changes to the material amendment.

A number of submissions comment on Objective CUO22 in specific reference to Cultural Infrastructure requirements for larger scale developments above 10,000 sq. m. must provide a minimum 5% internal community, arts and culture floor-space.

Such submissions generally state that the proposed requirement will significantly impact on the viability of a wide range of developments in the city and will consequently push up the cost of housing provision in the city, significantly impacting the viability of apartment schemes and would come at a time of significant construction cost inflation which is already stated to be threatening the viability and delivery of housing.

These submissions generally request that the Planning Authority provide flexibility on the application of this requirement, for it to be considered on a case-by-case basis for smaller urban infill sites, or that a financial contribution be considered towards the provision and enhancement of existing community halls and cultural and artist workspace areas in the locality in fulfilment of this objective, where it is not possible to meet requirements.

### Chief Executive's Response

The support expressed for MA 12.19 is noted. The response in relation to MA 13.5 refers as some of CUO22 is included in the Material Alteration.

The CE has previously outlined (CE Report June 2022) that it is considered that the 10,000 sq. m. threshold and the 5% provision requirement strike the essential balance needed in ensuring delivery of new cultural and community spaces in tandem with new housing and commercial developments that have the scale to support such investment and are of a scale that justifies such a requirement from their own project.

Setting a higher threshold or providing for an overly flexible approach, or the introduction of exemptions would undermine the purpose of the objective in seeking to develop new cultural spaces. However, the CE recommends a minor textual amendment to clarify that such floorspace must be 'predominantly' internal, allowing some design flexibility.

It should be noted that the full text of CUO22 does allow for relocation of a portion (up to half) of the requirement be achieved through a contribution to an existing project in the vicinity. Such a project can be community led or could be initiated by the developer prior to application stage; working with the Arts or Community section of DCC. It is considered that this gives a range of options to any future project to achieve the aim of the objective.

#### Chief Executive's Recommendation

Retain text as in proposed MA and update CUO22 to reflect MA 13.5 to ensure consistency in the Plan.

#### **Material Alteration Reference Number 12.19**

Amend text in proposed MA as follows:

#### **Objective CUO22 SDRAs and Large Scale Developments**

All new regeneration areas (SDRAs) and large scale developments above 10,000 sq. m. in total area must provide for 5% community, arts and culture and artist workspaces **{predominantly}** internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need.

**{\*Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence to justify the 5% going to one sector.}**

#### **Material Alteration Reference Number 12.22**

##### Summary of Issues

Submissions were received supporting the material amendment with one pointing out risks when considered with objective CUO23.

##### Chief Executive's Response

The support for MA 12.22 is noted. The point made is noted; it is considered that such possible risks can be managed through the Development Management process and where initiatives seek to re-use buildings that are underused due to other reasons than economic ones.

##### Chief Executive's Recommendation

Retain text as in proposed MA.

## Material Alteration Reference Number 12.25

### Summary of Issues

One submission from the NTA was received seeking that reference to 'HGV' is removed from Section 12.5.4, as service vehicles can be many different types.

### Chief Executive's Response

This request is noted and it is considered that the reference to HGV is not necessary and the deletion does not impact the intent of the Material Alteration. It is considered that it is appropriate to delete the words 'of HGV'.

### Chief Executive's Recommendation

## Material Alteration Reference Number 12.25

Amend text in proposed MA as follows:

{Also critical to the functioning of many larger cultural spaces is the maintenance} ~~(of HGV)~~ {delivery access of large sets/gig equipment; which needs to be taken into consideration for both applications for expansion by the venue and for proposed public realm projects immediately adjacent to such spaces.}

## Material Alteration Reference Number 12.26

### Summary of Issues

One submission supported the material alteration by its aim to increase inclusion. One submission was received seeking to add the word 'elders' to this objective.

### Chief Executive's Response

This request is noted and it is considered that including the phrase 'elders' does not impact on the overall intent of the Material Alteration and this alteration is recommended.

### Chief Executive's Recommendation

## Material Alteration Reference Number 12.26

Amend text in proposed MA as follows:

## Policy CU22 Range of Cultural and Amenity Options

To seek and encourage a range of cultural and amenity options for residents and visitors within the city that are independent of licenced premises to allow options for

younger people, **families** **elders** and others to engage and enjoy a range of activities in the city during evening hours.

## **Material Alteration Reference Number 12.28**

### Summary of Issues

Submissions were received raising concerns in respect to Objective CUO35 (which encourage larger developments, including large hotels, to provide purpose built 'black box' spaces that can accommodate evening and night time activities) and requests the omission of MA 12.28 on the basis that such spaces are not commercially viable or appropriate and that the requirement is overly onerous. The definition of a large hotel (100+ bedrooms) is contested given that the industry considers a large hotel to consist of 300+ bedrooms. Clarity is also sought on how Objective CUO35 would apply to aparthotel developments. The submission suggests that reference to 'large hotels' and 'over 100 bedrooms' be removed and that the objective only apply to 'new larger regeneration developments'.

### Chief Executive's Response

The comments and concerns raised for MA 12.31 are noted. In relation to hotels, the objective makes it clear that the requirement is not specifically for "black box" spaces but can be achieved through "designing in" flexibility in other spaces within larger hotels - such as within function rooms, conference spaces or music bar areas (which could host particular music/performance nights for example). It is not considered that such a requirement is unreasonable or commercially unviable in seeking new built large hotels to arrange the design of a function room or a bar area to accommodate a future event/music evening and be able to adapt to future possibilities of hosting a cultural event.

It is considered that the hotel threshold at 100 bedrooms may be too low, and it is recommended to raise this to 150; as such hotels are of a scale to include ancillary facilities such as conference/seminar spaces and larger bar areas. For clarity, it is also recommended that 'aparthotels' are added to the policy.

### Chief Executive's Recommendation

## **Material Alteration Reference Number 12.28**

Amend text in proposed MA as follows:

### **Objective CUO35 Purpose Spaces for Evening and Night Time Activities**

To encourage the opportunity presented by new larger developments, **including a requirement for all new large hotels\* and aparthotels\*,** to provide high quality designed for purpose spaces that can accommodate evening and night time activities, such as basement/roof level "black box" spaces that can be used for smaller scale performance/theatre **music**/dance venues, and **or** for flexibility in

the design of larger spaces, such as conference spaces, to be adaptable for evening uses.

~~{\*Over} (100) {150 bedrooms}~~

### **Material Alteration Reference Number 12.30**

#### Summary of Issues

Submissions were received supporting the material amendment.

One submission was received seeking to add the word ‘including wheelchair users’ to this objective.

#### Chief Executive’s Response

The support for MA 12.24 is noted. The objective states “To encourage people of all abilities and ages to take part fully in the city’s culture as creators, artists, workers and consumers by supporting a high standard of accessibility in new and existing cultural assets.”

As the intent of the objective is to reflect the full breadth of people with all types of ability; to single out and reference only one particular group would undermine the meaning of the objective to all other groups of people who have other disabilities or challenges that should and need to be considered in the provision of cultural infrastructure. It is not, therefore, considered appropriate to name-check one group to the exclusion of all others.

#### Chief Executive’s Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 12.34**

#### Summary of Issues

Submissions were received supporting in general the objective and the material amendment.

One submission queries the location of the Dublin City Language and Cultural Hub on Harcourt Street due to severance caused by busy traffic/Luas, limited footpath and building floorspace and the dominance of office uses in this location. The submission suggests that the hub should be located in an area with pedestrian zones and proximity to an Irish language-medium school. It is requested that the taskforce is created to select a more suitable location for the hub.

#### Chief Executive’s Response

The support for MA 12.32 is noted. In relation to the Hub, it should be noted that the objective in the Draft Plan is reflecting national policy from the National Development



Plan. The Department of Education is proceeding with a Gaelscoil project in the immediate vicinity. The issues of public realm improvement can be considered at a local level following the development of the project.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 12.36**

#### Summary of Issues

Submissions were received supporting in general the objective and the material amendment. One submission from TII welcomes the intent of the new objective under MA 12.36 but raises the importance of ensuring the continued protection of the light rail operation at the Broadstone Plaza and seeks that the text of the new objective be amended to include reference to consulting with TII.

#### Chief Executive's Response

The support for MA 12.36 is noted. The request to include reference to consulting with TII (alongside already reference TU Dublin and the Grangegorman Development Agency) is considered appropriate and does not alter the meaning of the objective.

#### Chief Executive's Recommendation

<b>Material Alteration Reference Number 12.36</b>
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Amend text in proposed MA as follows:

#### **Objective - Broadstone Plaza**

"To undertake a study to examine the potential of utilising the Broadstone Plaza for hosting public events and markets and to explore opportunities to work with TU Dublin, **TII** and Grangegorman Development Agency in developing new opportunities for public events in the area".

# Chapter 13: Strategic Development Regeneration Areas

## Submission Number(s):

DCC-C43-MA-23, DCC-C43-MA-36, DCC-C43-MA-41, DCC-C43-MA-81, DCC-C43-MA-94, DCC-C43-MA-111, DCC-C43-MA-123, DCC-C43-MA-149, DCC-C43-MA-151, DCC-C43-MA-161, DCC-C43-MA-162, DCC-C43-MA-163, DCC-C43-MA-164, DCC-C43-MA-166, DCC-C43-MA-167, DCC-C43-MA-180, DCC-C43-MA-183, DCC-C43-MA-186, DCC-C43-MA-187, DCC-C43-MA-188, DCC-C43-MA-190, DCC-C43-MA-191, DCC-C43-MA-195, DCC-C43-MA-196, DCC-C43-MA-199, DCC-C43-MA-200, DCC-C43-MA-204, DCC-C43-MA-206, DCC-C43-MA-207, DCC-C43-MA-209, DCC-C43-MA-210, DCC-C43-MA-211, DCC-C43-MA-214, DCC-C43-MA-215, DCC-C43-MA-222, DCC-C43-MA-224, DCC-C43-MA-225, DCC-C43-MA-226, DCC-C43-MA-227, DCC-C43-MA-228, DCC-C43-MA-229, DCC-C43-MA-233, DCC-C43-MA-234, DCC-C43-MA-238, DCC-C43-MA-239, DCC-C43-MA-243, DCC-C43-MA-245, DCC-C43-MA-252, DCC-C43-MA-253, DCC-C43-MA-254, DCC-C43-MA-255, DCC-C43-MA-256, DCC-C43-MA-261, DCC-C43-MA-267, DCC-C43-MA-269, DCC-C43-MA-271, DCC-C43-MA-272, DCC-C43-MA-273, DCC-C43-MA-274, DCC-C43-MA-275, DCC-C43-MA-276, DCC-C43-MA-277, DCC-C43-MA-282, DCC-C43-MA-289, DCC-C43-MA-291, DCC-C43-MA-296, DCC-C43-MA-301, DCC-C43-MA-305, DCC-C43-MA-309, DCC-C43-MA-311, DCC-C43-MA-313, DCC-C43-MA-314, DCC-C43-MA-316, DCC-C43-MA-317, DCC-C43-MA-319, DCC-C43-MA-320, DCC-C43-MA-321, DCC-C43-MA-322, DCC-C43-MA-324, DCC-C43-MA-327, DCC-C43-MA-328, DCC-C43-MA-331, DCC-C43-MA-333, DCC-C43-MA-335, DCC-C43-MA-336, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-342, DCC-C43-MA-343, DCC-C43-MA-345, DCC-C43-MA-347, DCC-C43-MA-348, DCC-C43-MA-350, DCC-C43-MA-352, DCC-C43-MA-353, DCC-C43-MA-355, DCC-C43-MA-357, DCC-C43-MA-359, DCC-C43-MA-361, DCC-C43-MA-372, DCC-C43-MA-379

## General

Several submissions were received in support of the material alterations as they relate to individual SDRAs, for example Material Alteration Reference Number 13.44 related to Russel St./North Circular Road and Material Alteration Reference Number 13.48 related to Summer Street North. This is acknowledged and welcomed by the CE. In the interests of brevity these submissions of support have not been addressed separately, detailed below. Some submissions raise issues that do not form any part of a material alteration that went on display and, therefore, no additional action or change to the Draft Plan can be recommended.

## **Material Alteration Reference Number 13.2**

### Summary of Issues

Submissions raise queries in respect to apparent discrepancies with SDRA capacities for SDRA 11 lands cited in MA's 2.4, 2.5 and 13.2. It is requested that this capacity should be increased to 1,500 in SDRA 11 to reflect the planning history of the area. Further queries are raised regarding capacity and area figures for SDRA 8.

### Chief Executive's Response

MA 2.4 provides for an adjustment of SDRA 11 to an estimated capacity to 1,500. In the interest of clarity, Table 2.8 and Table 13.1 will be adjusted to account for MA 2.5.

The discrepancy between the "Capacity" and "Area" of SDRA 8 in Table 2.8 of Section 2.3.1, Chapter 2 and Chapter 13, Table 13.1 is acknowledged. These tables have been amended for consistency and to take account of the updated boundary to the SRDA proposed under MA 13.37 to include Prussia Street as well as other related consequential amendments (see CE Response to OPR for updated tables).

In the interests of clarity and consistency, the alterations proposed are shown in the CE's Response and Recommendation to the issues raised by the OPR under Material Alteration 2.4 and 13.2.

### Chief Executive's Recommendation

Please refer to the CE's Response and Recommendation to the issues raised by the OPR under Material Alteration 2.4 and 13.2.

## **Material Alteration Reference Number 13.3**

### Summary of Issues

One submission opposes the change from "minor deviations" to "some flexibility...will be applied" under material alteration 13.3 on the basis that it leaves too much scope for interpretation and exploitation. A further submission supports the alteration on the basis that it allows for greater scope to respond to the specific conditions and attributes of the site, local context and prevailing socio economic environment.

### Chief Executive's Response

The CE has previously highlighted (CE's Report June 2022) that SDRA maps are indicative and that flexibility will be applied to the guiding principles subject to delivering upon the overall intent of the SDRA. This is considered a reasonable approach, where it can be demonstrated that the overall intent of the guiding

principles have been incorporated and that an appropriate development response for the site has been developed. The support for the alteration is welcomed.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 13.4**

#### Summary of Issues

A submission received by a residents association notes the reference to facilitating the growth and expansion of Dublin Port as a strategic growth enabler for Dublin City and calls on DCC and Dublin Port Company (DPC) to minimise further infrastructure expansion on Poolbeg Peninsula.

#### Chief Executive's Response

The CE notes the content of the submission received, however as the issues raised do not relate directly to the material alteration on display, no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 13.5**

#### Summary of Issues

A number of submissions comment on Objective SDRAO1 in specific reference to Cultural Infrastructure requirements where SDRAs and larger scale developments above 10,000 sq. m. must provide a minimum 5% internal community, arts and culture floor-space.

Submissions generally state that the proposed requirement will significantly impact on the viability of a wide range of developments in the city and will consequently push up the cost of housing provision in the city, significantly impacting the viability of apartment schemes and would come at a time of significant construction cost inflation which is already stated to be threatening the viability and delivery of housing.

Submissions generally request that the Planning Authority provide flexibility on the application of this requirement, for it to be considered on a case-by-case basis for smaller urban infill sites, or that a financial contribution be considered towards the provision and enhancement of existing community halls and cultural and artist

workspace areas in the locality in fulfilment of this objective, where it is not possible to meet requirements.

The OPW welcomes the inclusion of Objective SDRAO1, Material Alteration No. 13.5 in particular, the requirement for developments to install SuDs and river restoration opportunities. The Plan making justification tests for SDRA's are contained in Appendix C of the SFRA and this should be referenced in this objective. The OPW has also indicated that it notes there is no text in relation to climate change contained in the SDRA objective and it seeks that this be addressed.

### Chief Executive's Response

It is highlighted that the Cultural Infrastructure requirements included in SDRAO1 arise from objective CUO22 (Chapter 12). In this regard, the CE's response to the substantive issues raised is addressed under Chapter 12 of this report.

The CE has previously outlined (CE Report June 2022) that it is considered that the 10,000 sq. m. threshold and the 5% provision requirement strike the essential balance needed in ensuring delivery of new cultural and community spaces in tandem with new housing and commercial developments that have the scale to support such investment and are of a scale that justifies such a requirement from their own project.

Setting a higher threshold or providing for an overly flexible approach, or the introduction of exemptions would undermine the purpose of the objective in seeking to develop new cultural spaces. However, the CE recommends a minor textual amendment to clarify that such floorspace must be 'predominantly' internal, allowing some design flexibility.

The submission from the OPW in respect of Objective SDRAO1 is noted. It is agreed that Objective SDRAO1 can be amended to include a reference to the Plan making justification tests for SDRA's which are contained in Appendix C of the SFRA. Similarly, it is agreed that references to climate change in the aspects of the Objective which deal with flood management can be included.

### Chief Executive's Recommendation

<b>Material Alteration Reference Number 13.5</b>
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Amend text in proposed MA as follows:

**{Surface Water Management: All development proposals should provide for sustainable surface water management including climate change provisions and the installation of sustainable drainage systems (SuDS) in order to reduce surface water runoff and potential flooding. This should be considered in**

conjunction with open space design and greening/biodiversity initiatives. See Appendix 11, 12 and 13 for further detail.}

{Flood Risk: All development proposals within the SDRA's will have regard to restrictions / measures to mitigate identified flood risk outlined in the Strategic Flood Risk Assessment (SFRA) and in particular, Appendices A, B and C including climate change provisions in the SFRA.}

{Cultural Infrastructure: All new regeneration areas (SDRAs) and large-scale development above 10,000 sq. m. in total area must provide at a minimum 5% community, arts and culture predominantly internal floorspace as part of their development. See policy CUO21 for further detail.}

### **Material Alteration Reference Number 13.8**

#### Summary of Issues

Several submissions welcome MA 13.8 stating that it will provide greater flexibility on the use mix and density ranges in SDRA 3 - Finglas Environs and Jamestown Lands.

#### Chief Executive's Response

The CE notes and welcomes the support expressed.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 13.9**

#### Summary of Issues

A submission requests that the graphic map for SDRA 3 Finglas Village Environs and Jamestown Lands be amended to include additional lands in the 'Village' Character Area to facilitate a more flexible and appropriate land use mix.

#### Chief Executive's Response

The CE notes the content of the submission received, however, as the issues raised do not relate directly to the material alteration on display, they cannot be considered at this stage and no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

## Material Alteration Reference Number 13.11

### Summary of Issues

A submission from the LDA in respect to SDRA 4 Park West/ Cherry Orchard) states that the minor alterations referred to regarding landmark building configurations in LAP Key Development Site 5 should refer to Sites 4 and 6 (rather than Site 5) on which the LDA have commenced design development.

In addition, the LDA are seeking that Landmark building configurations on the Guiding Principles Map reverts back to that shown in the Draft Development Plan in order to ensure flexibility in the location of such landmark buildings.

The Land Development Agency request clarity that the precise locations and configurations of future landmark buildings are indicative only and subject to alteration, where supported by detailed design rationale and justification.

### Chief Executive's Response

The CE notes the content of the submission received. It is acknowledged there is a minor textual error under MA 13.11 and it is recommended that this is rectified. To refer to Development Site 4 and 6 as opposed to 5. The CE has previously highlighted (CE's Report June 2022), that SDRA maps are indicative and that flexibility will be applied to the guiding principles subject to delivering upon the overall intent of the SDRA. This is considered a reasonable approach, where it can be demonstrated that the overall intent of the guiding principles have been incorporated and that an appropriate development response for the site has been developed.

### Chief Executive's Recommendation

## Material Alteration Reference Number 13.11

Amend text in proposed MA as follows:

- Minor change to landmark building configurations in LAP Key Development Site **{s 4 and 6} (5)** (to north-west and south east of Parkway Cherry Orchard Train Station).

## Material Alteration Reference Number 13.12

### Summary of Issues

A submission states that MAs 13.12 and 13.13 (Section 13.7 - SDRA 5 Naas Road) are supported in principle as they ensure the draft Development Plan refers to all six

key sites whereas previously only three of the six Key Development/ Opportunity Sites, were listed in the Draft Development Plan, despite being illustrated on the SDRA Map.

A submission from Irish Water requests that references to 'Former Irish Water and Bluebell Road Regeneration Area' are replaced with 'Former Bluebell Road Regeneration Area'.

#### Chief Executive's Response

The CE highlights that MA 13.12 provides for six sites as per the accompanying map Figure 13-5 and welcomes the comments made in the submissions in support. The comments made regarding renaming 'Former Irish Water and Bluebell Road Regeneration Area' are acknowledged and will be addressed.

#### Chief Executive's Recommendation

### **Material Alteration Reference Number 13.12**

Amend text in proposed MA as follows:

The {SDRA} (~~plan~~) contains (~~three~~) {6} remaining key re-development sites, namely:

- Royal Liver Retail Park
- Motor Distributors Ltd site (Volkswagen factory)
- Nissan plant site
- {Bluebell Avenue}
- ~~{Former Irish Water and Bluebell Road Regeneration Area}~~ {Former Bluebell Road Regeneration Area}
- Nass Road Industrial Estate and surrounding lands}

### **Material Alteration Reference Number 13.13**

#### Summary of Issues

A submission notes that 'SDRA 5 – Naas Road' continues to omit any reference to the ongoing operation of existing buildings on the Naas Road, focusing exclusively on redevelopment, and argues that the potential impact on existing businesses must be a key consideration. The submission raises general concerns in respect to the proposed changes to the land use character of the Naas Road on foot of the proposed SDRA/ City Edge project and explains that the BOC distribution facility could not be easily moved elsewhere due to its highly specialised and high cost plant infrastructure.



### Chief Executive's Response

The CE notes the content of the submission received, however, as the issues raised do not relate directly to the material alteration on display, they cannot be considered at this stage and no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 13.28**

### Summary of Issues

A submission requests that the former City Arts Centre site be designated as a Landmark Building on City Quay, instead of locally higher building as shown on MA 13.28. The submission details the suitability of the site for a 'Landmark Building'.

### Chief Executive's Response

The CE notes the content of the submission received, however as the issues raised do not relate directly to the material alteration on display, they cannot be considered at this stage and no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 13.36 & 13.37**

### Summary of Issues

One submission strongly objects to the inclusion of lands on Prussia Street in the Grangegorman/Broadstone Strategic Development Regeneration Area on the basis that it is not justified in the CE report and conflicts with national planning policy and guidance. The submission states that the lands on Prussia Street do not meet the characteristics of SDRA lands and inclusion of the land in the SDRA would delay the delivery of housing development in a manner that conflicts with national planning policy. Other submissions received from residents groups support the material alterations.

### Chief Executive's Response

The CE notes the content of the various submissions received. In relation to opposition to the inclusion of lands at Prussia Street, the CE is of the view that this

represents is a logical extension of the SDRA in planning terms in order to further support the wider regeneration the Prussia Street area in a more holistic manner.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 13.38**

#### Summary of Issues

A submission rejects this Material Alteration as it is stated that it will fail the children of this SDRA and consequently will be a breach of the rights of the child under the EU and UN charters. It is stated that this alteration now envisages a proposed new recreational space is to be situated on the locked private working graveyard, Golden Bridge Cemetery.

#### Chief Executive's Response

The CE highlights, that on foot of a motion received, the main substantive change proposed under MA 13.38 is the inclusion of the St. John Bosco Youth & Community Centre on Davitt Road (which does not include Golden Bridge Cemetery) as part of the SDRA lands. This is considered a logical alteration having regard to the proximity to SDRA lands. The planning reason for this inclusion (CE Report June 2022) is that this will account for the redevelopment and upgrading of the Community Centre, will promote sustainable development and will upgrade the provision of community amenities in the area.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 13.41**

#### Summary of Issues

A number of submissions received support for the inclusion of Croke Park rail station as part of SDRA 10, which will reduce unsustainable car usage and assist government efforts to cut CO2 emissions.

A submission from the National Transport Authority (NTA) advises against reference to Croke Park Stadium in SDRA 10 (Sites 3, 4 and 15) on the basis that the provision of a rail station at Croke Park is not part of the scope of the DART+ West project and recommends that the council consider the viability of, and the need for, the provision of a station at Croke Park as it relates to the physical constraints identified by the

NTA and the presence of Drumcondra station within short walking distance, a station that is planned to be served by DART under the current NTA investment programme.

### Chief Executive's Response

The submissions made in support of the proposed alteration are acknowledged. With reference to the issues raised by the National Transport Authority, it is considered that these are intrinsically linked to identical issues raised in relation to Chapter 8 – Sustainable Movement and Transport as well as by the OPR. The matter is comprehensively addressed in the CE Response under Chapter 8 and the response to the OPR Submission.

### Chief Executive's Recommendation

Please refer to Chapter 8 and the CE's response to the OPR submission under Part 2 of this report for CE Response and Recommendation.

## **Material Alteration Reference Number 13.50, 13.51, 13.52**

### Summary of Issues

A submission was received that supports SDRAs of being of fundamental importance to the city.

A number of submissions were received that raised similar or interlinked issues in relation to MA 13.50, 13.51, 13.52 for SDRA 11, St. Teresa's Gardens and Environs. In the interest of clarity, it is proposed to summarise and respond to the issues raised collectively in one section.

A large number of submissions state that they relate to MA's 13.5, 13.51 and 13.52, but that the comments made are more general and that the following alterations are generally sought to the Draft Plan to bring it in line with the Adopted 2017 Framework Plan. In summary the main issues raised are requests to:

- Reduce number of 'locally higher buildings', which are typically up to 50 metres in height, from twelve to two as per the Adopted 2017 Framework Plan.
- Protect the character of the Player Wills Protected Structure by removing the 'locally higher buildings' from the Player Wills site.
- Amend the SDRA map to include the local park on the Bailey Gibson site as per the Adopted 2017 Framework Plan.
- Update the SDRA map to include the new houses on Margaret Kennedy Road, the Player Wills Protected Structure, the demolished St. Teresa's Gardens blocks, and the Coombe laboratory building.
- Include "Rehoboth" to the list of streets on the boundary of the SDRA site. Rehoboth has been excluded from the list and the existing established residential

amenity of Rehoboth should be respected to the same level as the already mentioned streets.

A submission states that the proposed building heights and intensity are out of keeping with the needs and character of the area, which comprises primarily period housing and older buildings, that there is insufficient green space to meet the needs of the population. Furthermore, development needs to be consistent with existing architecture, and the needs of the existing community and new inhabitants.

Further points made in submissions state that modifications made to the SDRA result in a worse outcome for the area. That the quantum of housing envisaged on the site could be provided by lower buildings and terraced townhouses or just by the 'locally higher buildings'. It is stated that the Development Plan will allow super densities on the lands which would blot the skyline and result in traffic problems. It is stated that high buildings are not required for density and urban legibility.

#### Chief Executive's Response

The CE notes and acknowledges the significant number of submissions made in relation to SDRA 11 and to the multiple issues raised therein. The CE wishes to clarify that that MA's 13.50, 13.51, 13.52 are generally limited to the following proposed alterations:

- A greater range for the lower levels of the height strategy (from 6 to 3) to allow more design flexibility to achieve sympathetic step downs to the existing area. For the upper range of the height strategy, a significant reduction from 22 to 15-storey housing.
- The requirement that any future design shall protect the special character of the listed Player Wills factory and its setting.
- The removal of citywide landmark buildings for more appropriate locally higher buildings.

The issues raised in submissions received do not directly relate to the scope of the material alterations that went on display and, therefore, no change can be recommended.

The CE also notes and acknowledges the submission received in support of the proposed MA.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 13.60**

### Summary of Issues

A submission from Transport Infrastructure Ireland (TII) supports the further regeneration and intensification of health, research and educational uses within SDRA 14 and also seeks that the details/ status of the required Masterplan and interaction between the Luas and the proposed St. James's Street Gateway/ James's Walk/ Grand Canal Park Campus are clarified and addressed by the alteration (to Graphic Map) with further consultation with TII carried out.

### Chief Executive's Response

The CE notes the support from TII and acknowledges that there will be a need for ongoing consultation with all stakeholders, including TII, over the life of the Plan. It is noted that the issues raised regarding mapping did not form part of a material alteration and, therefore, no change can be recommended at this time.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 13.65 and 13.68**

### Summary of Issues

Submissions seeks more sports facilities for Liberties area – particularly for young people. Submissions raise specific concerns with the proposed use and zoning of the Marrowbone Depot site under SDRA 15 and the removal of reference to development of a green infrastructure/ recreational area, and the implications for the development of a playing pitch/ depot on the site. It is stated that there is an urgent need for officials in DCC to provide a clear roadmap to rectify and address this issue of the area being devoid of green space and playing fields as a matter of urgency.

### Chief Executive's Response

The CE notes the issues raised in the submissions. The Chief Executive also notes the support for Objective GIO55 Marrowbone Lane Depot (CE Report April 2022) which supports the development of council owned lands as a Recreational Area. The Chief Executive acknowledges the need to evaluate the use and quality of playing fields in the city as a result of planned population growth, increased female participation in sport and the general increase in demand for playing pitches. It is in this regard that Objective GIO45 Playing Fields's Study, page 383 of Plan, proposes that a playing fields study will be carried out city wide. Furthermore, with regard to open space generally, it is noted that the SDRA sets out specific guiding principles to support a general improvement in the quality and quantum of open space provided

within the area including the extension of amenity/recreation spaces in association with St. Catherine's sports centre and a new public space onto Marrowbone Lane, in addition to recent public open space additions at Bridgefort Street and Weaver Street.

Chief Executive's Recommendation

Retain text as in proposed MA.

# Chapter 14: Land Use Zoning

## **Submission Number(s):**

DCC-C43-MA-24, DCC-C43-MA-36, DCC-C43-MA-38, DCC-C43-MA-41, DCC-C43-MA-57, DCC-C43-MA-58, DCC-C43-MA-65, DCC-C43-MA-73, DCC-C43-MA-84, DCC-C43-MA-85, DCC-C43-MA-95, DCC-C43-MA-108, DCC-C43-MA-123 DCC-C43-MA-129, DCC-C43-MA-131, DCC-C43-MA-141, DCC-C43-MA-143, DCC-C43-MA-144, DCC-C43-MA-156, DCC-C43-MA-158 DCC-C43-MA-173, DCC-C43-MA-218, DCC-C43-MA-221, DCC-C43-MA-230, DCC-C43-MA-249, DCC-C43-MA-292 DCC-C43-MA-299, DCC-C43-MA-316, DCC-C43-MA-317, DCC-C43-MA-326, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-344, DCC-C43-MA-378, DCC-C43-MA-381

## **General**

A number of submissions were made in relation to Chapter 14 Material Amendments that in fact relate to proposed zoning changes under Volume 3 – Zoning Maps. The Chief Executive's response to these submissions is addressed under this section of the CE report.

One submission was made relating to all of the material amendments under Chapter 14 which sought the rezoning of a parcel of lands at Inchicore from Z9 to Z3. The parcel of land referred to was not the subject of a Material Alteration and no change can be recommended. It is not possible to consider new zoning proposals at this stage of the plan making process.

One submission states that inadequate reasons have been provided regarding the decision not to zone a land parcel at Merrion Road from 'Z15' and 'Z6' to 'Z12' as sought in their submission to the Draft Development Plan. The CE notes that this site was not the subject of a Material Alteration and no change can be recommended. It is not possible to revisit previous zoning proposals at this stage of the plan making process.

## **Material Alteration Reference Number 14.2**

### Summary of Issues

A submission was made seeking a textual amendments to the Material Alteration 14.2 to add additional text to state:

A Zone Z2 area may also be open space located within or surrounded by an Architectural Conservation Area and/or a group of protected structures.

The rationale for this amendment is to protect and improve the ACA and protected structure areas from unsuitable new development which may have a negative impact on the architectural quality of an area.

### Chief Executive's Response

The Draft Plan states that “residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale”.

Nonetheless, the Chief Executive has no objection to the proposed textual amendment.

### Chief Executive's Recommendation

#### **Material Alteration Reference Number 14.2**

Amend text in proposed MA as follows:

Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale.  
{A Zone Z2 area may also be open space located within or surrounded by an Architectural Conservation Area and/or a group of protected structures.}

#### **Material Alteration Reference Number 14.5**

##### Summary of Issues

A submission notes that embassy residential is proposed as an open for consideration use under the Z6 zoning objective. It is considered in this context, that Z6 lands are ideally suited to employment generating land uses with a subsidiary element of residential development to foster a cohesive mix of uses.

A further submission raised concerns that ‘embassy residential’ is deemed acceptable on Z6 lands when other forms of residential are not. It notes that residential development is not appropriate in industrial areas due to the risk of major accidents. On this basis, the submission requests the removal of ‘embassy residential’ as an open for consideration use under the Z6 zoning.

### Chief Executive's Response

The submission seeking an amendment regarding ‘residential’ as an open for consideration use is not addressed under Material Alteration 14.5. The issue raised is not subject of a Material Alteration and no change can be recommended.

The concerns regarding ‘embassy residential’ on Z6 lands are acknowledged. The CE however, notes that whilst many of the Z6 lands in the city are industrial in character, some are also characterised by office development, within which ancillary ‘embassy residential’ use may be appropriate. It is considered that as the use is ‘open for consideration’ it would be considered in the context of the guidance set out in paragraph 14.3.1 of the Draft Plan which states: “an open for consideration use is one which may be permitted where the planning authority is satisfied that the proposed development would be compatible with the overall policies and objectives



for the zone, would not have undesirable effects on the permitted uses, and would otherwise be consistent with the proper planning and sustainable development of the area.” In this regard, through the development management process, the planning authority would have regard to issues such as the proximity of Seveso sites when considering such a proposal. Having regard to the foregoing, the CE recommends that no further amendment is appropriate.

#### Chief Executive’s Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 14.7**

#### Summary of Issues

A submission was received seeking the retention of the requirement to include a legal agreement to demonstrate how the sports facility will be retained and enhanced on the site. It is also stated that the wording “with the exception of land disposed of prior to the adoption of the plan” is unclear and should be deleted. Reference is made in the submission to a previous legal decision. The submission states that a sports pitch/playing field remains in such use, even if it has been sold. The submission also notes that where development is proposed, that this must take into account the increased demand generated by the development itself.

#### Chief Executive’s Response

As detailed in the Draft Plan, in certain very exceptional circumstances, a limited degree of residential or commercial development may be permitted on Z9 lands where it can be demonstrated that such development would be essential in order to ensure the long term retention, enhancement and consolidation of a sporting facility on the site. This provision has been in successive development plans, and the purpose of the amendments is to provide clarity on the exact criteria that would be required in order to justify such a limited residential or commercial proposal. It is considered that a legal agreement on balance is an overly restrictive and onerous requirement on such sporting organisations, many of which have limited resources and finances.

The last clause referred to states that “in all cases {(with the exception of land disposed of prior to the adoption of the plan),} the applicant shall be the sports club owner ~~{(occupier)}~~ {or have a letter of consent from the owner.}”

This clause does not relate to the potential use of the land but rather ownership. If the land is not in the ownership of a sports club owner, it is not considered reasonable or appropriate that consent would be required for land that may have been disposed of prior to the adoption of the Plan. Irrespective of this clause, lands that are zoned Z9 still have the same limitations for residential and commercial development and must comply with all of the criteria set out under the zoning objective.

The CE considers that the strict criteria set out under the Z9 zoning objective are entirely appropriate and no further amendment is recommended.

Matters relating to the need and demand for open space generated by a residential development are dealt with elsewhere in the Development Plan, including the residential standards (Chapter 15).

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Number 14.8**

#### Summary of Issues

The submission states that uses such as sports pitches are part of the network of open space lands and in this regard, it is questionable that the terms Sport Ground and Playing Pitches are not specifically included in the list of Permissible Uses.

#### Chief Executive's Response

The submission seeks to name specific land uses within the general umbrella of permissible uses under the Z9 open space zoning objective. The issue raised is not subject of a Material Alteration and no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 14.10**

#### Summary of Issues

A submission was received seeking the omission of the land use mix ranges set out under Material Amendment 14.10. The submission considers that the mix is overly onerous, and that this coupled with other requirements in the Plan regarding universal design and the requirement for community/arts/cultural use floorspace will impact negatively on the viability of apartment schemes in the city. It is considered that these requirements will limit apartment development in the city and conflict with national and regional policy.

Concern is also expressed that the wording of the amendment risks residential use being confined to a minority on these lands. The submission also highlights a misalignment between the 5% community/arts/cultural use objective and the Z10 requirement for a minimum of 30% of Z10 lands to be provided as 'one particular use'. The submission concludes by suggesting that greater flexibility is necessary to consider site specific circumstances and that the wording of the Z10 zoning wording at page 247 of the extant Dublin CDP 2016-2022 should be incorporated into the adopted 2022 Plan.

### Chief Executive's Response

The purpose of the Z10 zoning objective is to promote mixed use in order to deliver sustainable patterns of development in line with the principles of the 15-minute city. The proximity principle is a core concept in the Draft Plan and it is considered reasonable and appropriate to prescribe an appropriate mix of uses on such lands. The CE considers that given the wide variety of uses permissible and open for consideration under the Z10 zoning objective, that there is sufficient flexibility to ensure that a mixed-use approach is pursued on such lands and is not an onerous requirement. It is not considered that there is not any basis to the assertion that the zoning objective will result in a dominance of office/commercial development on such lands. The amendments as proposed provides for greater flexibility, particularly for smaller sites. The policy approach is considered appropriate and no further amendment is recommended.

With regard to concerns raised regarding Universal Design and the 5% community/arts/cultural use objective, this matter is addressed in the CE response in Chapter 5 and Chapter 12.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 14.11**

### Summary of Issues

Some submissions raise objections to the inclusion of Build to Rent as a 'permissible' use under the Z14 zone. Another submission welcomes this addition noting that SDRAs are considered ideal locations for the accommodation of BTR as they support a wide range of uses, generally benefit from good access to public transport connections, contribute to a mix of tenures and assist with the aims of the 15-minute city as set out in the Draft Plan.

### Chief Executive's Response

The support for the amendment is noted and welcomed by the Chief Executive. Whilst the concerns raised in some submissions are acknowledged, the CE considers that the Z14 zoning objective, is an appropriate place for the BTR form of residential tenure given that Z14 lands are in highly accessible locations with close proximity to existing and planned public transport. They are also areas that are either proximate to, or planned for, significant economic and employment development. The specific nature of a Z14 - Strategic Development and Regeneration Areas (SDRAs) - zoning objective is such that regeneration needs a mixed tenure approach. 'BTR residential' is one such typology that can be part of a mixed tenure approach and the CE considers that is appropriate as a 'Permissible' use under the Z14 zoning subject to compliance with Policies QHSN38 and QHSN39 in Section 5.5.7 (Specific Housing Typologies) and Section 15.10 of the Draft Plan. In this regard, no further amendment is recommended.

## Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 14.12**

#### Summary of Issues

A number of detailed submissions were received regarding Material Alteration 14.12 which relates to land use zoning objective Z15, with some noting the importance of such lands for accommodating schools and community infrastructure such as crèches. The submission from the Department of Education welcomes the amendment and outlines their support for the Council in protecting and retaining Z15 zoning on a number of school sites, which are required to meet future educational requirements.

Whilst there were some submissions in support of the amendments, concerns and objections were raised in a number of other submissions. Some submissions related to specific sites, noting their suitability for housing and that planning applications were being progressed which could be undermined by the proposed policy. The principle points raised were as follows:

- Concerns that policy is too restrictive and will prevent the delivery of housing on strategically located surplus lands. Some submissions state that the policy is contrary to the Apartment Guidelines.
- The changes proposed to the current 'Z15' zoning would have the effect of sterilising the land from development potential and would constitute an unlawful breach of property rights.
- Submissions request that residential should be an 'open for consideration' use under the Z15 zoning objective.
- Consider that greater flexibility is required. Submissions seek the removal of references to 'limited' residential/commercial development and 'highly exceptional circumstances'. State that these criteria lack clarity and are not defined and are overly onerous.
- Concern that the term 'subordinate in scale' is not defined in the Plan and may be open to legal challenge as it is a matter that will be open to interpretation.
- Consider that a requirement for a variation or a material contravention should be omitted. One submission suggested that this is replaced with a requirement to prepare a planning application supported by a masterplan. The legality and practicality of these processes is also raised in some submissions.
- Some submissions request that restaurant and shop (local) should remain as open for consideration uses. Their omission is considered overly restrictive and could prevent existing social, community, institutional uses on such lands from providing such ancillary facilities to support the overall planning use, or alternatively could prevent new residential developments on surplus Z15 lands providing suitable shop or restaurant facilities in appropriate locations.
- Notes that surplus institutional lands are a vital source of land supply for the delivery of housing for AHBs for social housing. Consider that the amendment may undermine the delivery of social and affordable housing. Request a further

amendment to the policy to provide that social and affordable housing be open for consideration.

- Concern that the distinction in the policy regarding lands where there is a cessation of a Z15 use could result in the sterilisation of lands.
- One submission suggests that there is no requirement to provide text addressing a scenario where there is a cessation of a Z15 use having regard to a recent legal judgement. State that it is absolutely unacceptable for the ownership of a site to come into consideration in land-use planning terms. Note that institutional or community use may still be needed and/or ongoing even after a change of ownership.
- Concern that the amendments may result in open space being developed in one area in order to preserve Z9 lands in another area thereby, prioritising one community over another.
- Consider that the first bullet point of the amendment lacks clarity as to how it would be determined that future anticipated needs would not be compromised.
- State that the definition of Z15 should be expanded to acknowledge the important role for Z15 lands in terms of the green network/biodiversity. Any proposed change to use of or development on these lands should be required to address the impact such a change would have on the existing habitat prior to the cessation of use or change of ownership.

### Chief Executive's Response

A detailed response to the matter of the Z15 zoning objective was set out in the CE report on the Draft Plan Consultation Process (April 2022). This noted that the Council have sought to strengthen the recognition and role of the city's Z15 land-bank under the Draft Plan by protecting, improving and encouraging the ongoing use and development of lands zoned Z15 in the Draft Plan for community and social infrastructure. The Council specifically recognises that institutional lands are an important community resource and should be preserved and protected as a strategic asset for the city.

As previously detailed, it is considered appropriate that limited residential/commercial development will only be allowed in highly exceptional circumstances where it can be demonstrated that the proposed development is required in order to maintain or enhance the function/operational viability of the primary institution on the lands. The purpose of this proviso is to ensure that the development of residential/commercial accommodation is directly associated with the social and community use of the lands in order to manage the risk of further piecemeal erosion and/or fragmentation of the city's Z15 land-bank. In this context, the provisions of the Draft Plan that residential/commercial development should only be in exceptional circumstances and should be subordinate to the overall social and community use on the site, is considered entirely appropriate in order to safeguard these lands over the Plan period.

There is sufficient land under the core strategy to meet the housing needs of the city over the Plan period. The CE considers that contrary to the assertions of many of the submissions, that it is entirely appropriate for a Development Plan to zone particular lands for social and community use. The Development Plan Guidelines 2022 set out clear guidance regarding the purpose of land use zoning and states that the "zoning

of land is the primary spatial expression of the strategy of the Development Plan and is a key element of the plan-making process. This includes zoning for particular types of development (e.g. residential or employment), but also for other important land uses such as recreation, open space and agriculture. Land-use zoning is, therefore, about identifying the quantity of land needed for particular use types, the best locations for such land-uses and the acceptability or otherwise of the various classes of land-use within any particular zoning”.

Section 6.2.6 of the guidelines also notes:

“When making zoning decisions, in addition to the provision of strategic and enabling water/drainage/transport and other infrastructure, consideration must also be given to the future availability of (or the capacity to provide) supporting local community and amenity services and infrastructure. This is applicable to employment-related, as well as to new residents and communities, including:

- community facilities;
- medical and health-care facilities;
- schools and childcare;
- public parks and major open spaces;
- recreation and sports facilities;
- public transport.”

In this context, it is considered that it is entirely appropriate and in accordance with best practice, to ensure that lands are zoned in the Plan for social and community infrastructure.

It is considered that there is a clear and robust rationale for the proposed Z15 zoning. It is entirely appropriate in the context of national policy which promotes urban consolidation in tandem with healthy place-making and the need for appropriate social and community infrastructure. It is not considered that the zoning is overly restrictive and it does provide opportunities for limited residential development in appropriate circumstances.

Concerns regarding the terminology ‘limited’, ‘highly exceptional circumstances’ and ‘subordinate in scale’ are noted. The CE considers however, that the wording of the zoning objective is very clear as to what constitutes exceptional circumstances, and that proposals for residential or commercial development will only be considered where it can be adequately demonstrated that the development is required in order to maintain or enhance the function/operational viability of the primary institutional/social/community use on the lands and/or other institutional social community use within the Dublin City Council area in the control of the land owner/applicant.

Z15 lands vary significantly in the character across the city. It is not considered appropriate to specify prescriptive quantum of development that would be appropriate on such lands. The matter of whether a development is subordinate in scale will be determined through the development management process on a case by case basis, where such development is deemed appropriate in accordance with the criteria set out under the objective.

The requirement for a material contravention or a variation is considered necessary to fully demonstrate that where such lands that are no longer in Z15 use are to be developed, that it is adequately demonstrated that the land is no longer necessary or suitable for social and community use. As noted previously, Z15 lands are a finite land bank and it is essential that they are appropriately planned to ensure that there is sufficient lands to meet the social and community needs of the city.

However, having regard to the submissions received and the strict criteria set out under the Z15 zoning objective, the CE considers that it would be appropriate to include 'residential' as an open for consideration use under the Z15 zoning objective, subject to the caveat regarding the 'highly exceptional circumstances'. The CE is satisfied that this approach would ensure better consistency in the plan and would not undermine the overriding objective of the Z15 zoning to protect and enhance the social and community assets of the city. The CE does not consider it appropriate to distinguish social housing from other forms of housing as a use class.

The submissions regarding the omission of 'shop (local)' and 'restaurant' from the open for consideration uses is noted. On balance, the CE accepts that there may be limited circumstances where such uses would be appropriate on Z15 lands to complement a residential development, and in this context, it is recommended that these uses be included as open for consideration.

With regard to concerns regarding Clause B – Development Following Cessation of Z15 lands, the CE considers that it is entirely appropriate to provide appropriate policy and guidance for lands where this situation arises. There may well be scenarios where an existing institutional use will cease to operate/function over the life of the Plan. It is important that the Plan provides clear guidance in this regard. The Plan is clear, that irrespective of a cessation of use or change of ownership, this does not extinguish/negate the purpose of Z15 lands for community and social infrastructure use. The Plan is clear that the lands should be retained for such use unless exceptional circumstances prevail. In such circumstances, a variation or material contravention will be required to develop the lands for alternative uses such as residential or commercial purposes. It is considered that this approach is appropriate and proportionate.

The comments that the policy may result in open space being developed on in one area to preserve Z9 lands in another area are noted. The policy provision allows for a scenario, where Z15 lands may be developed in order to maintain or enhance the function /operational viability of another institutional/social/community use in the administrative area of the city. This approach is considered appropriate having regard to the fact that the City Plan is a strategic plan for the city area and not for specific local areas/sites. The policy applies to Z15 lands and not Z9 lands.

The importance of the Z15 landbank as part of the green network is acknowledged by the CE. It is considered that there are adequate protective policies in the Plan, particularly in Chapter 15, to address issues such as the protection of biodiversity, habitat and mature trees.

**Material Alteration Reference Number 14.12**

Amend text in proposed MA as follows:

**Land-Use Zoning Objective Z15: To protect and provide for community uses and social infrastructure**

Z15 lands ~~(typically)~~ comprise {a variety of} ~~(large)~~ sites, often consisting of long established complexes of institutional/community buildings and associated open grounds. ~~(, but also comprise smaller sites usually in more central areas.)~~ The existing uses on these lands generally include community, {social or institutional} ~~(related)~~ development such as schools, colleges, sports grounds, residential institutions and healthcare institutions, such as hospitals.

Such facilities are considered essential in order to provide adequate community and social infrastructure commensurate with the delivery of compact growth {and the principle of the 15 minute city}. It is the policy of the council to promote the retention, protection and enhancement of the city's Z15 lands as they contribute to the creation of vibrant neighbourhoods, {healthy placemaking} and a sustainable well connected city.

The city's Z15 landbank also accommodates many nationally important institutions such as the RDS and St. James' Hospital, and the Council are committed to safeguarding their continued operation, consolidation and enhancement.

In recent years, Z15 lands have come under increased pressure for residential development. However, protecting and facilitating the ongoing use of these lands for community and social infrastructure, {as well as their use in some instances for charitable purposes,} is a key objective of the Council. The Council are committed to strengthening the role of Z15 lands and will actively discourage the piecemeal erosion and fragmentation of such lands.

{The following paragraphs sets out the criteria for:

- A) Development on Z15 lands
- B) Development following cessation of Z15 use}

{A: Development on Z15 Lands}

Limited residential/~~(office)~~{commercial} development on Z15 lands will only be allowed in highly exceptional circumstances where it can be demonstrated by the ~~(institutional)~~ landowner/{applicant} that the proposed development is required in order to maintain or enhance the function / operational viability of the primary institution{al}/social/community use on the lands {and/or other institutional social/community use within the Dublin City Council area in the control of the landowner/applicant} ~~((see paragraph 14.3.1 above))~~. The following criteria must also be adhered to:



- {In proposals for any residential/commercial development, the applicant must demonstrate that the future anticipated needs of the existing use, including extensions or additional facilities would not be compromised.}
- Any such residential/~~(office)~~ {commercial} development must demonstrate that it is {subordinate} ~~(ancillary)~~ in scale to the primary {institutional}/social/community use.
- {Where appropriate, proposals should be subject to consultation with the relevant stakeholder e.g. Department of Education/Health Service Executive.}
- The development must not compromise the open character of the site and should have due regard to features of note including mature trees, boundary walls and any other feature/s as considered necessary by the council.
- ~~(Only a once-off development in respect of the site / lands in the ownership of and /or use by the institution will be considered).~~
- In all cases, the applicant shall submit a statement, {typically in the form of a business plan,} ~~(as part of a legal agreement under the Planning Acts,)~~ demonstrating how the existing institutional~~{/social/community}~~ facility will be retained {and enhanced} ~~(long term)~~ on {the} site~~{/lands}~~.
- In all cases {(with the exception of land disposed of prior to the adoption of the plan),} the applicant shall be the ~~(institutional)~~ {land} owner~~(/occupier)~~ {or have a letter of consent from the landowner.}
- ~~(In cases of rationalisation of an existing use in order to facilitate such a residential/office development, the applicant must demonstrate that the future anticipated needs of the existing use, including extensions or additional facilities would not be compromised.)~~

For clarity, the above criteria do not apply to residential institution use {, including ancillary staff accommodation or assisted living/retirement home.} ~~(e.g. supported living units).~~ {Student accommodation will only be considered in instances} where it is related to the primary use on the Z15 lands.

{Any proposed development for 'open for consideration' uses on part of the Z15 landholding, shall be required to demonstrate to the planning authority how the proposal is in accordance with and assists in securing the aims of the zoning objective;} ~~(how it provides for significant new community and social infrastructure that will be of benefit to the wider community; -)~~ {and, how such a development would preserve, maintain or enhance the existing social and community function(s) of the lands subject to the development proposal.}

#### {B: Development Following Cessation of Z15 Use}

~~(In instances where all or part of a Z15 landholding, is sold or otherwise disposed of for development (e.g. where there has been a cessation of the~~

~~existing use or the lands or part thereof are sold effectively severing them from the existing primary institutional landholding), the use of the lands will continue on the basis that the existing community and social infrastructure function of the lands remains.)~~ The cessation of an existing {Z15 institutional}/social/community use on a site or change in land ownership does not extinguish / negate the ~~(function of such lands for)~~ {purpose of these lands for} community and social infrastructure {use. It is the objective of the Council that such lands should be retained for a use in accordance with the zoning objective unless exceptional circumstances prevail.}

In {such} ~~(these)~~ circumstances, (i.e. cessation of use on a Z15 site or disposal of all or part of a Z15 site), a variation or {material contravention} to the Development Plan will be required to develop such lands for ~~(other uses including)~~ residential/~~(office)~~{commercial} purposes. Any such variation/{material contravention} would need to be supported by a detailed {community and social infrastructure audit} ~~(masterplan)~~ which should clearly demonstrate why the land is not viable / suitable for social and community use {{defined as the physical infrastructure necessary for successful communities, i.e. community infrastructure such as schools, libraries, community centres, cultural spaces, health centres, facilities for the elderly and persons with disabilities, childcare facilities, parks, and other facilities and spaces for play and recreational activity) in accordance with the zoning objective.}

### {Masterplan Requirement}

In either scenario A or B, it is a requirement that for sites larger than 1ha that a masterplan is provided.} ~~(The Masterplan should also set out a clear vision for the {Z15} lands and provide for)~~ {The masterplan must set out the vision for the lands and demonstrate that} a minimum of 25% of the overall development {site/} lands {is retained} for open space and/or community and social facilities. This requirement need not apply if the footprint of existing buildings to be retained on the site exceeds 50% of the total site area.

~~(The masterplan must incorporate landscape features that contribute to the open character of the lands and ensure that public use including the provision of sporting and recreational facilities which would be available predominantly for the community are facilitated.)~~ The 25% public open space shall not be split up, unless site characteristics dictate otherwise, and shall comprise mainly of soft landscaping suitable for recreational and amenity purposes and should contribute to, and create linkages with, the strategic green network. {Development proposals must incorporate landscape features that contribute to the open character of the lands and ensure that public use, including the provision of sporting and recreational facilities which would be available predominantly for the community, are facilitated.}

Where there is an existing sports pitch or sports facility on the Z15 lands subject to redevelopment, commensurate sporting/recreational infrastructure will be required to be provided and retained for community use where appropriate as part of any new development (see also Chapter 10: Green Infrastructure and Recreation, Policy GI49).

~~(Any proposed development for ‘open for consideration’ uses on part of the Z15 landholding, shall be required to demonstrate to the planning authority how the proposal is in accordance with and assists in securing the aims of the zoning objective; (how it provides for significant new community and social infrastructure that will be of benefit to the wider community); and, how such a development would preserve, maintain or enhance the existing social and community function(s) of the lands subject to the development proposal.)~~

### **Z15 – Permissible Uses**

{Assisted living/retirement home,} Buildings for the health, safety and welfare of the public, café/ tearoom {{associated with the primary use}}, cemetery, childcare facility, club house and associated sports facilities, community facility, cultural/recreational building and uses, education, medical and related consultants, open space, place of public worship, {primary health care centre}, public service installation, residential institution (and ancillary residential accommodation for staff), sports facility {and recreational uses}.

### **Z15 – Open for Consideration Uses**

Allotments, ~~(assisted living/retirement home), (bed and breakfast)~~, car park ancillary to main use, civic and amenity/recycling centre, conference centre {{associated with the primary use}}, crematorium, craft centre/ craft shop {{associated with the primary use}}, ~~(delicatessen, funeral home, guesthouse, hostel (tourist))~~, municipal golf course, ~~(primary health care centre)~~, {residential (only in accordance with the highly exceptional circumstances set out above)}, {restaurant, shop (local)}, student accommodation (associated with the primary institutional use), training centre {{associated with the primary use}}, veterinary surgery. ~~((see (paragraph 14.3.1 and) above paragraphs in relation to residential/office proposals).)~~

# Chapter 15: Development Standards

## **Submission Number(s):**

DCC-C43-MA-23, DCC-C43-MA-36, DCC-C43-MA-51, DCC-C43-MA-72, DCC-C43-MA-148, DCC-C43-MA-197, DCC-C43-MA-214, DCC-C43-MA-265, DCC-C43-MA-272, DCC-C43-MA-282, DCC-C43-MA-292, DCC-C43-MA-301, DCC-C43-MA-309, DCC-C43-MA-317, DCC-C43-MA-331, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348, DCC-C43-MA-378

## **General**

Several submissions were received in support of Material Alterations including MA 15.11 and 15.4. These are noted and welcomed by the CE.

## **Material Alteration Reference Number 15.2**

### Summary of Issues

Several submissions were received supporting the material alteration, including submissions from the Department of the Environment, Climate and Communications as well as residential associations. One submission was received that raises concerns regarding the reasonableness/ appropriateness of requiring applicants to demonstrate that options such as refurbishment, extension or retrofitting are not possible. The submission seeks that more flexible wording is provided for, i.e. replacing 'possible' with 'viable'.

### Chief Executive's Response

The support for MA 15.2 is noted and welcomed.

As detailed in the previous CE Report on Motions (June 2022), the purpose of the MA is to support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible in order to encourage a transition to a circular economy, reduce carbon emissions, build climate resilience and reach climate targets. It is not considered unduly onerous in this context to encourage applicants to give consideration to refurbishment or retrofitting options.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 15.3**

### Summary of Issues

A submission was received that advocates development standards be applied on a case-by-case basis to avoid overly prescriptive and onerous requirements at planning application stage and that this should be reflected in Material Alteration 3.12 and Material Alteration 15.3. The submission cautions against any overly prescriptive development standards linked to climate action as new standards, technologies and best practice is constantly evolving, will continue to do so over the period of the Plan and a flexible approach should, therefore, be taken when setting any development standards around climate action. Furthermore, assessment for embodied energy is considered to form part of detailed design stage post-planning and should not be required at planning application stage.

### Chief Executive's Response

The content of the submission is acknowledged. However, the CE considers it is reasonable to include an assessment of embodied energy impacts to strengthen the preparation of Climate and Energy Statements in order to ensure that future development considers the principles of energy efficiency in the built environment in order to encourage a transition to a circular economy, reduce carbon emissions, build climate resilience and to reach climate targets. It is noted that new standards, technologies and best practice will constantly evolve and will continue to do so over the period of the Plan. This can be appropriately responded to where needed by way of future variation and in the context of future reviews over the life of the Development Plan, including the two-year Development Plan review.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 15.6**

### Summary of Issues

A submission from the Land Development Agency (LDA) requests that due consideration be given to the need for mix flexibility in Section 15.9.1 in order to optimise sites on largely relevant public land to deliver up to 100% affordable and social housing. To address this issue, the LDA are seeking that the final Plan be amended to ensure affordable housing schemes fall under 'other social housing needs' to allow the LDA to seek agreement on unit mix with the Housing and Community Services Department in DCC on relevant state land within the Liberties and Dublin 1 which may not necessarily be in the ownership of DCC.

Further submissions received from residents associations object to the alteration, i.e. the mix requirement in the Development Plan for North Inner City and Liberties should also apply to Build To Rent (BTR) units.

#### Chief Executive's Response

The comments raised in the submission by the Land Development Agency are noted, however, they do not relate to specific material alterations referenced under MA 15.6. As the points raised were not the subject of a material alteration on display, they cannot be considered at this stage and no change can be recommended.

In relation to the issue raised by resident groups, the CE clarified in the previous CE report (April 2022) that the provisions of SPPR1 are applicable to standard designed apartments. In this regard, the unit mix requirements set out in section 15.9.1 and Table 37 are applicable to the percentage of units that would have a standard design in any development. The provisions of SPPR 8 are only applicable to those units that are designed in accordance with the BTR standards under SPPR 7.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Reference Number 15.7**

#### Summary of Issues

A number of submissions received express concern or opposition regarding requirements to implement universal design standards in apartment developments as per section 15.9.2. It is variously stated that the proposed alteration will introduce significant cost implications and impact negatively on viability, goes significantly beyond the requirements of current building regulations and creates ambiguity and uncertainty due to the lack of precision and clarity as to what is exactly required.

Submissions suggest a transitional or phased introduction of requirements to avoid requiring costly scheme redesigns/ delays to planning lodgement and housing delivery. Alternative requirements are proposed, for example, that 5% of proposed apartments be designed in accordance with the universal design guidelines.

#### Chief Executive's Response

The CE notes the comments raised in relation to the proposed alteration to universal design standards, that in the main appear to be strongly opposed to providing adequately through Universal Design for an aging population or persons with disabilities in future residential development proposals, as to do so would introduce cost implications, etc. The CE notes that Objective QHSNO10 (Chapter 5 of Plan) and related MA 15.7 are in response to submissions received on the Draft Plan (CE

Report April 2022) from groups including the National Disability Authority (NDA), the NCBI and Age Friendly Ireland.

As the substantive issues raised in the submissions are similar and intrinsically linked to Objective QHSNO10, the CE Response and Recommendation to the issues raised is provided at Material Alteration Reference Number 5.16 (regarding Chapter 5 - Quality Housing and Sustainable Neighbourhoods) in this report.

#### Chief Executive's Recommendation

Please also refer to CE Response and Recommendation provided at Material Alteration Reference Number 5.16.

#### **Material Alteration Reference Number 15.7**

Amend text in proposed MA as follows:

The majority of all apartments in any proposed scheme of 10 or more apartments (excluding Build to Rent accommodation) shall exceed the minimum floor area types, by a minimum of 10% (any studio apartments must be included in the total, but are not included as units that exceed the minimum by at least 10%). ~~(The layout of the larger units of each type should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015.)~~ {Where feasible, the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020,} ~~(In accordance with the Housing Options for an Ageing Population Policy Statement 2019, 50% of the apartments that are in excess of the minimum sizes should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015)~~ {to ensure that they are suitable for older people, mobility impaired people and people with disabilities.}

#### **Material Alteration Reference Number 15.8**

##### Summary of Issues

The main issues raised regarding the alteration to BTR standards are in relation to locational requirements and mix standards requiring a percentage of build to sell units.

Some submissions state that the locational restrictions proposed will impact on the viability of developments, particularly apartments and will, therefore, reduce housing provision in the city. Submissions state that omitting the inner city is inconsistent with

national and regional policy that seeks to integrate land use and transport planning, capitalise on public transport investment, and promote compact growth in urban areas. There is a request for amendments to ensure BTR schemes are facilitated in suitable locations consistent with ‘central/accessible urban locations’ set out in the Apartment Guidelines 2020.

Submissions seek the removal of a requirement for 60% (or 40% as per the draft Plan) of BTR units to be designed as standard apartments as it directly conflicts with Section 28 Ministerial Guidelines, national and regional policy objectives of the National Planning Framework and the Apartment Guidelines 2020 and will serve as a barrier to future proposals for BTR in Dublin City which will delay and prevent the delivery of available housing to rent and impact viability. A submission states that the presumption against 100% BTR developments does not comply with national and regional policy.

In general terms, it is stated that despite outlining concerns on the provision of BTR development, the Draft Plan does not include a metric for what is considered as an ‘oversupply’, nor does it provide factual analysis to support the assertion that this currently exists and opposes the restrictions on this type of housing. It is requested that this should be clarified in the adopted version of the Plan.

Submissions from residents associations express support for the alterations proposed, including the removal of the inner city as a location to facilitate the provision of Build to Rent, stating that BTR should not be explicitly facilitated in the remaining locations.

#### Chief Executive's Response

The CE notes the comments raised in relation to proposed alteration to BTR standards.

As the substantive issues raised in the submissions are similar and intrinsically linked to Chapter 5, Section 5.5.7 (Subheading Build to Rent) and Policy QHSN38 - Build to Rent Accommodation, it is proposed to respond to the issues raised under the related Chapter 5 proposed Material Alterations, MA 5.23 and MA 5.24, in the interest of clarity and consistency.

#### Chief Executive's Recommendation

<b>Material Alteration Reference Number 15.8</b>
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Amend text in proposed MA as follows:

“Build to Rent” (BTR) refers to purpose built residential accommodation and associated amenities built specifically for long term rental that is managed and serviced in an institutional manner by an institutional landlord. Recent emerging



trends would indicate that the dominance of BTR in large schemes can be to the detriment of {standard designed apartment}~~(the build to sell)~~ units. Dublin City Council will consider “Built to Rent” developments in specific locations as follows:

- ~~(Within the Inner City (i.e. within the canal ring))~~.
- Within 500 metre walking distance of {significant employment locations} ~~(a high employment area i.e. more than 500 employees per hectare)~~
- Within 500m of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and within identified Strategic Development Regenerations {Areas}~~(Zones)~~.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, minimum of {40 %} ~~{60%}~~ of standard {designed} ~~(build to sell)~~ apartments will be required in such instances.

**{Please refer to section 5.5.7 of this City Development Plan – Policy QHSN38.}**

BTR schemes of less than 100 units will generally not be supported. The concept of Built to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

Furthermore, whilst BTR is considered to be an integral part in achieving an appropriate mix of housing in the right locations, there will be a presumption against the proliferation and over concentration of Build to Rent development in any one area (refer to Section 5.5.7 of Chapter 5 Quality Housing and Sustainable Neighbourhoods). Applications for “Build to Rent” developments should be accompanied by an assessment of other permitted {and proposed} BTR developments {within a} ~~(in the vicinity)~~ {1km} ~~((3km))~~ {radius} of the site to demonstrate:

- that the development would not result in the over concentration of one housing tenure in a particular area.
- **{how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.}**

[Note: Please refer to CE Response and Recommendation provided at Material Alteration Reference Number 5.23 and 5.24]

[Note: See also submission by the Office of the Planning Regulator (OPR) and the CE Response and Recommendation on the issues raised.]

## **Material Alteration Reference Number 15.15**

### Summary of Issues

A submission on behalf of Transport Infrastructure Ireland (TII) welcomes the reference to the Dublin Port in the Draft Plan but is concerned at the lack of reference to the Dublin Port Tunnel and seeks that this oversight is addressed in the adopted Plan by inserting additional wording into Section 15.19 as follows: "Impact on capacity efficiency and safety of the Dublin Tunnel".

The TII Submission also recommends that Table 15.1: 'Thresholds for Planning Applications' be amended to reference requirements for development in the vicinity of Dublin Port Tunnel or Light Rail to be assessed.

### Chief Executive's Response

The comments raised in the submission by the Transport Infrastructure Ireland are noted and welcomed, however, they do not relate to specific material alterations referenced under MA 15.15. As the points raised were not the subject of a material alteration on display, they cannot be considered at this stage and, therefore, no change can be recommended.

Nevertheless, the CE notes that Section 8.5.9 of the Plan describes the importance of the Dublin Tunnel and provides through Policy SMT29 'Transport Tunnels', to require the submission of appropriate development assessments for all development proposals located in the vicinity of Dublin Tunnel, the requirements of which are set out in Appendix 5, Volume 2 of the Plan. Appendix 10, Section 5 - City Scale Infrastructure (Page 340) also describes the importance of the Dublin Tunnel.

The CE highlights for information that Volume 2 of the Plan (Appendix 5, Page 278) provides extensive advisory information for the Dublin Tunnel and LUAS, including details in relation to the assessment of surface and sub-surface developments in the vicinity of the Dublin Port Tunnel.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# **Chapter 16: Monitoring and Implementation**

There are no material amendments pertaining to Chapter 16.

# Chapter 17: Glossary & Acronyms

## Other Issues Raised

### **Submission Number(s):**

DCC-C43-MA-150, DCC-C43-MA-213, DCC-C43-MA-220, DCC-C43-MA-265, DCC-C43-MA-363, DCC-C43-MA-373

### **General**

A submission was received that refers to matters including the Record of Protected Structures, the built environment and construction. The issue raised is not subject of a Material Alteration and no change can be recommended.

A submission from the HSE refers to the provision of childcare facilities on a 'not for profit basis', the design of the public realm to promote breast feeding, and the availability of accommodation for healthcare workers. The HSE submission endorses the adaptation of existing facilities that aim to enhance cultural engagement for minority groups e.g. LGBTQIA, Travellers, Mothers groups etc. and states that these facilities promote healthy activities. The submission requests relevant HSE representation within DCC working groups and steering committees, including the Housing Grants section. The issues raised are not subject of a Material Alteration and no change can be recommended. The CE notes that many of the issues raised by the HSE are addressed comprehensively throughout the plan, particularly in Chapter 5.

Submissions refer to the mechanism for making an observation online and note that it is unnecessarily complex, prohibitive and fails to ensure that the community has sufficient access to have its voice heard. The issue raised is not subject of a Material Alteration and no change can be recommended. The CE notes that the portal was designed in a user friendly manner and all documentation published to be accessible. Submissions were welcomed by post as well as online.

Submissions welcome the development of more dense housing in Drumcondra to meet housing need and note that this must be balanced by focussed investment in public amenity space. The issue raised is not subject of a Material Alteration and no change can be recommended.

### **Material Alteration Reference Number 17.1**

#### Summary of Issues

Submissions are general in nature and object to traffic, population, noise and infrastructure to serve the population.

### Chief Executive's Response

As the submissions do not refer to MA 3.1 and cannot be assigned to a material amendment on display, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Material Alteration Reference Number 17.3**

### Summary of Issues

Submissions object to building in this area.

### Chief Executive's Response

As the submissions do not refer to MA 17.3 and the issues raised are not the subject of Material Alteration, no change can be recommended.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Volume 2: Appendices

## **Submission Number(s):**

DCC-C43-MA-94, DCC-C43-MA-132, DCC-C43-MA-151, DCC-C43-MA-197, DCC-C43-MA-214, DCC-C43-MA-272, DCC-C43-MA-292 DCC-C43-MA-309, C-C43-MA-317, DCC-C43-MA-331, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-348, DCC-C43-MA-372

## **General**

Submissions were received in support of material alterations including MAs 3.2 and 5.1. These are noted and welcomed by the CE. Other submissions raised issues regarding BTR standards and universal design standards. For clarity and consistency of approach, the substantive issues raised regarding BTR and universal design are dealt with in the response to issues raised in Chapter 5 - Quality Housing and Sustainable Neighbourhoods and Chapter 15 – Development Standards.

## **Appendix 1: Housing Strategy**

### **Material Alteration Appendix 1.5**

#### Summary of Issues

A number of submissions were received from residential associations that are opposed to the proposed alteration that clarifies that in accordance with SPPR8, a unit mix requirement does not apply to units that are designed to a BTR standard.

As the substantive issues raised in the submissions are similar and intrinsically linked to those raised under MA 15.6, the CE's Response and Recommendation is provided at Material Alteration Reference Number 15.6 (regarding Chapter 15 - Development Standards) of this report.

#### Chief Executive's Response

As per the CE Response and Recommendation provided at Material Alteration Reference Number 15.6, MA Appendix 1.5 references SPPR8 for clarity; it is not for amendment.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

## Material Alteration Appendix 1.10

### Summary of Issues

A number of submissions were received related to proposed requirements regarding universal design standards in future residential development. The issues raised are reflective of those received regarding Material Alteration Reference Number 15.7 and Material Alteration Reference Number 5.16, both of which relate to the same identical requirement regarding universal design standards.

As the substantive issues raised in the submissions are similar and intrinsically linked to Objective QHSNO10, the CE Response and Recommendation to the issues raised is provided at Material Alteration Reference Number 5.16 (regarding Chapter 5-Quality Housing and Sustainable Neighbourhoods) to this report.

### Chief Executive's Response

Please refer to CE Response and Recommendation provided at Material Alteration Reference Number 5.16.

### Chief Executive's Recommendation

Please refer to CE Response and Recommendation provided at Material Alteration Reference Number 5.16.

Consequential amendment to Section 7.2.3 shown below for ease of reference.

## Material Alteration Appendix 1.10

Amend text in proposed MA as follows:

~~(This housing strategy will support a commitment whereby a minimum of 10 percent of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland, 2015.)~~

{This housing strategy will support an objective to ensure that where feasible, the layout of 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, subject to the criteria set out in the Section 28 Guidelines Sustainable Urban Housing: Design Standards for New Apartments 2020.} ~~(in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.)~~

## **Appendix 3: Achieving Sustainable Compact Growth**

### **Material Alteration Appendix No 3.2**

#### Summary of Issues

A number of residents associations express support for the material alteration related to the need for the local prevailing context to be considered in future development in lower scaled areas of the city.

#### Chief Executive's Response

The CE notes and welcomes the support for the material alteration.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Material Alteration Appendix No 3.6**

#### Summary of Issues

Submissions received are not supportive of MA 3.6 regarding sunlight and daylight proposals as they consider that the wording of the alteration will present extreme challenges in meeting standards on dense urban sites, such as within the canal ring. It is requested that the original wording (proposed for deletion under MA 3.6) is reinstated as it strikes the appropriate balance in providing for high quality apartments and amenity while ensuring appropriate densities are provided in urban locations. It is recommended that the appendix revert back to the more flexible earlier text or that the text be updated to reflect the revised BRE Guidelines published in June 2022.

#### Chief Executive's Response

The revised wording proposed by the alteration at Objective 7, P.233 arises on foot of the Motion MOT-01447 (CE Report June 2022) where the intention is to strengthen the commitment in terms of quantitative assessments of impacts on light. This is considered reasonable. The CE notes that it is not always appropriate to have strict adherence to quantitative approaches set out under sunlight and daylight guidance. This is explicitly set out in Appendix 16: Sunlight and Daylight, which details other considerations that may be appropriate to consider and to allow flexibility in certain circumstances.

See also CE Response to MA 16.1.



### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Appendix 5: Transport and Mobility: Technical Requirements**

### **Material Alteration Appendix No 5.1**

#### Summary of Issues

A submission from the National Transport Authority (NTA) notes the reduction in the maximum number of car parking spaces required in Zone 1 to 0.5 spaces per unit and confirms that this material alteration is consistent with the NTA's Transport Strategy. Furthermore, the NTA submission is supportive of other alterations related to transport planning and investment, and the relationship between land use planning and transport planning, including rezoning proposals.

#### Chief Executive's Response

The comment and support of the NTA is noted and welcomed.

### Chief Executive's Recommendation

Retain text as in proposed MA.

## **Appendix 10: Infrastructure Capacity Assessment**

### **Material Alteration Reference Number Appendix 10.1 and 10.2**

#### Summary of Issues

A submission from Irish Water requests that references to NDP cost estimates are omitted due to uncertainty in construction industry costs and the propensity change over the lifetime of the Plan

#### Chief Executive's Response

The request by Irish Water is noted. However, the CE believes that it is important to provide the best current estimates available in relation to strategic investment priorities for major infrastructure. This will facilitate a greater critical appreciation and understanding of the level of investment required for project delivery in the coming years in order to accommodate future projected growth in the region and to provide for security and resilience of major infrastructure.

The CE considers that it is generally widely understood that the cost estimates are a representation of the current situation and will vary over the six year life of the Development Plan having regard to multiple factors.

It is also noted that as the cost estimate provided at Section 4.1.2 'Wastewater Infrastructure' did not form part of the material alterations on display, it cannot be considered at this stage and, therefore, no change can be recommended.

#### Chief Executive's Recommendation

Retain text as in proposed MA.

### **Appendix 16: Sunlight and Daylight**

#### **Material Alteration No. Appendix 16.1**

##### Summary of Issues

A submission requests that Appendix 16 be revised to recognise the latest edition of the BRE Guide (BR209), published in June 2022 as this includes new guidance on how to implement EN17037 testing. Notable changes to the BRE Guide include the omission of Average Daylight Factor (currently mentioned in Section 4 of Appendix 16) as a relevant metric and the introduction of Median Daylight Factor in its place. Additionally, when testing daylight adequacy within proposed residential accommodation the new version of BR209 recommends a grid boundary offset of 0.3m which is intended to override the 0.5m offset detailed in EN17037 standards.

##### Chief Executive's Response

The points made in the submission in relation to sunlight and daylight assessments do not relate directly to the scope of the published material alterations but seek further alterations to Appendix 16 to reflect recently published iterations of BR209. The content of the submission is noted. As this content did not form part of the material alterations on display, it cannot be considered at this stage and no change can be recommended.

However, as referenced in the CE's Response to similar issues raised in CE Report April, 2022, we are currently in a transitional situation in terms of guidance from BR209, BS 8206-2, and BS EN 17037, where the current national policy for assessments as expressed within the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the Sustainable Urban Housing: Design Standards for New Apartments (December 2020) has not yet also been reviewed. Clarification is, therefore, included in Appendix 16, Section 3.6 Understanding and Expectations (Page 401-402) and Section 5.0, Assessment Methodologies (Page 404) of the Draft Plan in anticipation of this situation, that when a revised version of BR 209 is issued, the guidance within this new version will take

precedence until such time as Appendix 16 is revised, post Plan adoption (by way of variation of the City Development Plan if necessary), to also take account of further national policy updates at time of statutory Plan review.

Chief Executive's Recommendation

Retain text as in proposed MA.

# Volume 4 - Record of Protected Structures

## **Submission Number(s):**

DCC-C43-MA-137, DCC-C43-MA-363

## **Introduction**

A submission was received seeking the addition of a number of buildings on Moore Street to the list of protected structures due to their historic importance and association with the 1916 Rising.

There are no specific material amendments relating to the addition of buildings on Moore Street to the Record of Protected Structures. Therefore, the issue raised is not subject of Material Alteration and no change can be recommended.

It should be noted that as part of a separate process, that a number of structures in the Moore Street area have been the subject of a recent statutory public display as proposed protected structures under the Planning Acts, and a separate CE's Report will be brought to the November City Council meeting for decision.

## **Material Alteration Reference Number Appendix RPS 1.4**

### Summary of Issues

A submission supports the amendment to the RPS to refer to just the brick east boundary walls and is supported by a conservation report. It notes that it is intended to construct a house on the subject site.

### Chief Executive's Response

The support for MA 4.1 is noted and welcomed. Any future planning application will be assessed through the development management process in accordance with the Development Plan.

### Chief Executive's Recommendation

Retain text as in proposed MA.

# Volume 5: Strategic Environmental Assessment

**Submission Number(s):**  
DCC-C43-MA-2

## Summary of Issues

The submission from the EPA notes the SEA determination made in respect of the proposed material alterations and advises the Council on the availability of the guidance document 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources' for setting out key recommendations for integrating environmental considerations into the Development Plan. The submission highlights the importance when proposing alterations that the Plan is consistent with the need for proper planning and sustainable development. In considering the alterations, the Council should consider the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendation in sectoral, regional and local climate adaptation plans. The submission advises that future modifications to the Draft Plan should be screened for likely significant effects in accordance with SEA regulations. Once the Dublin City Development Plan is adopted, the submission gives guidance on the content of the Plan's SEA Statement and the requirements for consulting with the prescribed Environmental Authorities.

## Chief Executive's Response

The submission is noted and welcomed. All amendments proposed to the plan are consistent with the need for proper planning and sustainable development and align with national commitments on climate change mitigation and adaptation.

All amendments to the plan have been screened for their potential to have significant environmental effects. It has been determined that the proposed amendments to the plan do not give rise to significant / uncertain environmental effects as they are minor amendments to the Plan which are either neutral or are positive and protective in nature.

The SEA Report will be finalised and an SEA Statement will be prepared when the Plan is adopted. Also see SEA / AA Screening Table accompanying this report which screens all proposed amendments to the Plan.

## Chief Executive's Recommendation

SEA Report to be finalised and an SEA Statement to be prepared when the Plan is adopted. The SEA Statement must be sent to the environmental authorities consulted during the SEA process.

# Volume 6: Appropriate Assessment

## **Submission Number(s):**

DCC-C43-MA-306

## Summary of Issues

A submission from the Department of Housing Local Government and Heritage (Development Applications Unit) sets out heritage related observations / recommendations as follows:

### **Material Alteration Reference Number No. 5.5 Objective QHSNO2 Lands at Alfie Byrne Road and Zoning Amendment E-O144 Map E**

The Department welcomes the recognition of the importance of the lands along Alfie Byrne for Brent Goose, one of the Special Conservation Interest (SCI) bird species / Qualifying Interests (Qis) which the adjacent South Dublin Bay and River Tolka Estuary Special Area (SPA) has been designated to protect under the Birds Directive (79/409/EEC). Flocks of Brent Geese have utilised the amenity grassland areas along Alfie Byrne Road for foraging from late autumn to spring since the 1990s. This recognition of the significance of these lands for the geese is particularly valuable in the context of the additional proposal by the City Council in Zoning Amendment E-0144 to Map E of the Draft Development Plan to rezone a section of land between Alfie Byrne Road and the immediately neighbouring DART railway line to the north west from Z9 Amenity /Open Space Lands /Green Network to Z15 Community and Social Infrastructure.

The Department note that because of the use of the lands along Alfie Byrne Road by the Brent Geese, any future development proposal for this section of land, if it is rezoned in line with this amendment, will have to take into account the possibility that the development might be considered to have an adverse ex-situ effect on the South Dublin Bay and River Tolka Estuary SPA if a reduction in the grassland foraging area available to the Brent Geese were to occur as a result of the development proposed.

### **Material Alteration Reference Number 9.10 Policy SI19 Provision and Upgrading of Flood Attenuation Assets**

The Department has indicated that Sandymount Strand is included within the Natura 2000 sites South Dublin Bay Special Area of Conservation (SAC) and the South Dublin Bay and River Tolka Estuary SPA, and any proposed development of flood defences between Sandymount and Irishtown in line with this amended policy would, therefore, require assessment of its potential effects on the QI habitats and SCI bird species for which these two European sites are respectively designated. The Department recommends accordingly that the following text should be inserted in Policy SI 19 as amended before the word Liffey: "which will include consideration of any potential effects on local Natura 2000 sites".

### Chief Executive's Response

The Chief Executive notes the issues raised in respect of Natura 2000 sites outlined in submissions.

The relevant submissions on Material Alterations No.'s 5.5 and 9.10 are addressed under Chapters 5 and 9 respectively.

Also see SEA / AA Screening Table accompanying this report which screens all proposed amendments to the Plan.

### Chief Executive's Recommendation

NIR to be finalised and a final AA Determination of the Plan to be prepared at the adoption stage. An AA Conclusion Statement, which will detail the AA process undertaken for the plan, to also be prepared following adoption.

# Volume 7: Strategic Flood Risk Assessment

## **Submission Number(s):**

DCC-C43-MA-81, DCC-C43-MA-348

## **General**

Submissions in respect of the Strategic Flood Risk Assessment (SFRA) for the Material Alterations to the Draft Dublin City Development Plan 2022 – 2028 / the SFRA were received and these are addressed below.

Submissions on specific Material Amendments to Flood Management Policies and Objectives are addressed within this CE's Report within the section on Flood Management in Chapter 9 and in Chapter 13.

See SEA / AA / SFRA Screening Table accompanying this report which screens all proposed amendments to the Plan.

## **SFRA - Justifications Test Conclusions**

### Summary of Issues

A submission from the OPW welcomes the alterations to the conclusions of the Justification Tests in the SFRA which clarifies the development that is permissible within the subject areas. The OPW also notes that DCC compared Flood Zones for current and future scenarios to identify locations where climate change scenarios could be significant. The OPW welcomes the amendments to the justification tests to reflect the level of climate change risk and the approach required to manage it.

Another submission outlines an objection to the amendment to the Justification Test to Area 11: Donnybrook Bridge – Dundrum Road (in Appendix B of the SFRA, Volume 7). The submission notes the change to the Conclusion of the Justification Test for Area Assessment 11. It queries how and why this arose given that Area Assessment 11 was deemed to pass the justification test under the Draft Plan and what is the justification for it. It states that this approach goes significantly beyond the provisions of the Flood Risk Guidelines.

It outlines the significant implications this will have, in terms of the assessment of planning applications, for development lands (Former Smurfit Paper Mills, Clonskeagh) which are otherwise deemed to be in accordance with the approach set out in the Flood Risk Guidelines. The referred lands have an extant permission for residential development under Extension of Duration Reg. Ref. 2620/14/X1 and the site has remained zoned for residential development. These are brownfield lands which provides limited flood storage along the River Dodder. Cognisance must be had of the proposed (ongoing) flood defences that will have a significant impact on



the flood extents in the area and will remove the flood risk from the 1% AEP event. Assessing development of the lands for the 0.1% AEP Flood event is too onerous. The submission seeks that the change to the Conclusion to the JT for Area 11 be omitted or revised as follows:

*“Conclusion: The subject area passes **Part 1 and 2 of the Justification Test for Development Plans and although (but) Part 3 has found that new development should be located in Flood Zone C and avoid Flood Zone A and B, in situations where the applicant can demonstrate compliance with the Development Management Justification Test in Box 5.1 of the Flood Risk Management Guidelines, applications will be considered on their merits, having regard to the mitigation and management measures which the development can put in place.**”*

### Chief Executive’s Response

The OPW submission on the Draft Development plan noted that the mitigation measures outlined in the JT’s for this Area Assessment restrict development to that which would not require a Justification Test. It is stated that consideration could be given to amending the conclusion to the Justification Tests. Consequently the SFRA was amended to clarify the development that is permissible within the subject area.

It is considered given the planning history of the relevant site and it’s zoning status that the conclusion to the JT for Area Assessment No. 11: Donnybrook Bridge – Dundrum Road can be amended.

### Chief Executive’s Recommendation

Amend and delete text in Volume 7, SFRA, Appendix B, Area Assessment 11. Area 11: Donnybrook Bridge – Dundrum Road, Conclusion of Justification Test

Conclusion: The subject area passes **{Part 1 and 2 of}** the Justification Test for Development Plans **{and although} (but) {Part 3 has found that new development should be located in Flood Zone C and avoid Flood Zone A and B, in situations where the applicant can demonstrate compliance with the Development Management Justification Test in Box 5.1 of the Flood Risk Management Guidelines, applications will be considered on their merits, having regard to the mitigation and management measures which the development can put in place.}**

## **Material Alteration Reference Number 9.7**

### Summary of Issues

A submission has been made in respect of the proposed material alteration to Policy SI15 (Site-Specific Flood Risk Assessment), and specifically to the proposed last bullet point. This submission outlines the following concerns about the wording of the bullet point: that it contradicts other elements of Policy SI15; it does not align with the Flood Risk Guidelines; and, it will be read as a blanket ban on new residential development on suitably zoned sites, which have passed the Development Plan

Justification Test, and lead to development of residentially or mixed use zoned sites being restricted to water compatible development only.

#### Chief Executive's Response / Recommendation

The submission on Material Alteration No.9.7 is addressed in this CE's Report under Chapter 9.

### **Material Alteration Reference Number 9.9 - 9.11 and 9.13**

#### Summary of Issues

The submission from the OPW welcomes Material Alterations No. 9.9 – 11 and 9.13 which includes references to climate change in policy objectives for flood management. The submission welcomes the amendments to the justification tests to reflect the level of climate change risk and the approach required to manage it.

#### Chief Executive's Response / Recommendation

The submission on Material Alterations No.9.9 – 9.11 and 9.13 are addressed in this CE's Report under Chapter 9.

### **SFRA - SuDs, Green Infrastructure and Nature Based Solutions**

#### Summary of Issues

The OPW welcomes the updated text in Section 4.3 of the SFRA in relation to surface water management and notes DCC's commitment in Policy Objective SIO9 to undertake a Surface Water Management Strategy for each river catchment etc. While the OPW notes that opportunities will arise for integrated and area based provision of SuDs in the development of plans for large scale regeneration areas etc., it notes that there may be other areas, outside of SDRAs and Local Statutory Plan, with the potential for the implementation of SuDs and that DCC should try to identify, to ensure a reliance on individual site-by-site solutions is avoided.

#### Chief Executive's Response

The OPW's comments are noted.

As outlined in the SFRA report which accompanied the Material Alterations to the Draft Dublin City Development Plan 2022 – 2028, the Council has given a commitment to prepare a surface water framework for the city and a green infrastructure strategy.

Under Objective SIO9, the Council proposes to undertake Surface Water Management Plans for each river catchment and as part of this, to include a study of relevant zoned lands within the city in order to ensure that sufficient land is provided for nature-based water management.

It is considered that this approach adequately addresses the OPW's submission.

## Chief Executive's Recommendation

Retain text in Strategic Flood Risk Assessment.

### **Material Alterations Reference Number 13.5**

#### **SFRA and Strategic Development and Regeneration Areas (SDRAs)**

##### Summary of Issues

The submission from the OPW welcomes the inclusion of Objective SDRAO1, Material Alteration No. 13.5 in particular, the requirement for developments to install SuDs and river restoration opportunities. It notes that the Plan making justification tests for SDRA's are contained in Appendix C of the SFRA and this should be referenced in this objective. The submission seeks text in relation to climate change in the SDRA objective.

##### Chief Executive's Response / Recommendation

The submission on Material Alteration No.13.5 is addressed in this CE's Report under Chapter 13.

#### **SFRA - Area 10 Dodder: Ballsbridge to Donnybrook Bridge**

##### Summary of Issues

The OPW submission suggests new text under Area Assessment No. 10 Dodder: Ballsbridge to Donnybrook Bridge to address the issue of the need to reappraise flood risk once new flood defences have been provided.

##### Chief Executive's Response

The contents of the submission are noted. It is considered that the SFRA should be amended to clarify that flood risk should be reappraised as part of any development proposal following the development of flood defences.

##### Chief Executive's Recommendation

Amend text in Volume 7, SFRA, Appendix B, Area Assessment 10. Dodder: Ballsbridge to Donnybrook Bridge, as follows:

**{Once completed, new flood defences may alter restrictions on such developments and a reappraisal of flood risk would be appropriate at the} (project) {design stage for a development proposal, as per this SFRA and the main Development Plan.}**

## **SFRA – Errata**

### Summary of Issues

The OPW has clarified that it is part of the Department of Finance. It is seeking that text regarding CFRAM needs to be updated to state that the CFRAM Programme is complete and that implementation of the outputs from this work is underway. The EU Floods Directive requires Member States to review the PFRA, the FRMPs and the flood maps on a six yearly cycle and consequently, the OPW completed the NIFM Programme in 2019 and continues to update predictive flood mapping to provide the best available flood risk information through the map review programme, where the criteria to trigger a review have been met.

### Chief Executive's Response

The submission from the OPW is noted. It is considered that the appropriate amendments can be made to the SFRA when the document is being finalised.

### Chief Executive's Recommendation

Finalise the SFRA and update text regarding CFRAM.

## **Part 4**

**A summary of the issues raised by the submissions/observations on Volume 3 – Zoning Maps, and the Chief Executive’s Response and Recommendations on the issues raised**

# Volume 3 - Zoning Maps

**Submission Number(s):**[illegible]

MA-325, DCC-C43-MA-327, DCC-C43-MA-328, DCC-C43-MA-329, DCC-C43-MA-330, DCC-C43-MA-332, DCC-C43-MA-335, DCC-C43-MA-336, DCC-C43-MA-337, DCC-C43-MA-338, DCC-C43-MA-339, DCC-C43-MA-341, DCC-C43-MA-342, DCC-C43-MA-343, DCC-C43-MA-347, DCC-C43-MA-349, DCC-C43-MA-350, DCC-C43-MA-351, DCC-C43-MA-353, DCC-C43-MA-354, DCC-C43-MA-355, DCC-C43-MA-357, DCC-C43-MA-358, DCC-C43-MA-359, DCC-C43-MA-360, DCC-C43-MA-362, DCC-C43-MA-364, DCC-C43-MA-366, DCC-C43-MA-367, DCC-C43-MA-368, DCC-C43-MA-369, DCC-C43-MA-370, DCC-C43-MA-371, DCC-C43-MA-373, DCC-C43-MA-374, DCC-C43-MA-375, DCC-C43-MA-376, DCC-C43-MA-377

## **General**

A number of submissions were received in respect to sites that were not subject to a material amendment. These include lands at Coolock Drive, Blunden Drive, Finglas Road, South Circular Road, Kylemore Road, Archdiocese of Dublin church sites, Thorncastle Street, Lands to Rear of Blackhorse Inn Pub, Merrion Road and Claremount Road.

However, as these submissions relate to lands that were not subject to Material Amendment, no change can be recommended.

## **Map Sheet B:**

### **MA Ref. B-0004; Cadbury's Pitch and Putt, Coolock, Dublin 5.**

#### Summary of Issues

A submission was received in support of MA B-0004 (Z6 to Z10). The submission also requested that the Council consider extending the proposed Z10 zoning further west to incorporate a linear site fronting the east side of Coolock Drive, which has a Z3 zoning under the Draft Plan.

#### Chief Executive's Response

The support for MA B-0004 is noted.

It is considered that, as the submission also relates to an adjacent site that was not subject to Material Amendment, no change can be recommended.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **MA Ref. B-0007; Circle K Nevin, Ballymun Road, Dublin 9.**

#### Summary of Issues

A submission was received in support of MA B-0007.

#### Chief Executive's Response

The support for MA Ref. B-0007 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **MA Ref. B-0010; Corpus Christi Parochial Hall, Home Farm Road, Drumcondra, Dublin 9.**

#### Summary of Issues

Multiple submissions were received in support of B-0010 (Z1 to Z15) and noted the importance of the lands as a community facility and public amenity.

#### Chief Executive's Response

The support for MA B-0010 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.



## **MA Ref. B-0012; Grass Verge, Griffith Avenue, Dublin 9.**

### **Summary of Issues**

A number of submissions raise objections to MA B-0012 (Z9 to White Land) with the reasons cited including the need to preserve public green areas, loss of car parking, increased car traffic and adverse impacts on cyclist and pedestrian safety. Many also point to the land being in public ownership, to the availability of alternative accesses to facilitate the development of the adjoining DCU lands and to the CE's response and recommendation on the matter in the preceding CE Report No. 119/2022.

Concerns are also expressed about the potential for tree loss, impacts on wildlife/ biodiversity and climate resilience, the fragmentation of the contiguous Z9 zoned land adjoining the road and the resulting impact on the character of Griffith Avenue. Many submissions draw the Council's attention to an ongoing community leaf mulching/ composting pilot project in the vicinity of the lands. Procedural concerns in respect to the rezoning process are also raised in small number of submissions with others querying the justification for/ validity of dezoning lands and the nature of the development that a white lands designation would facilitate – such as a future vehicular access to the adjoining DCU lands.

### **Chief Executive's Response**

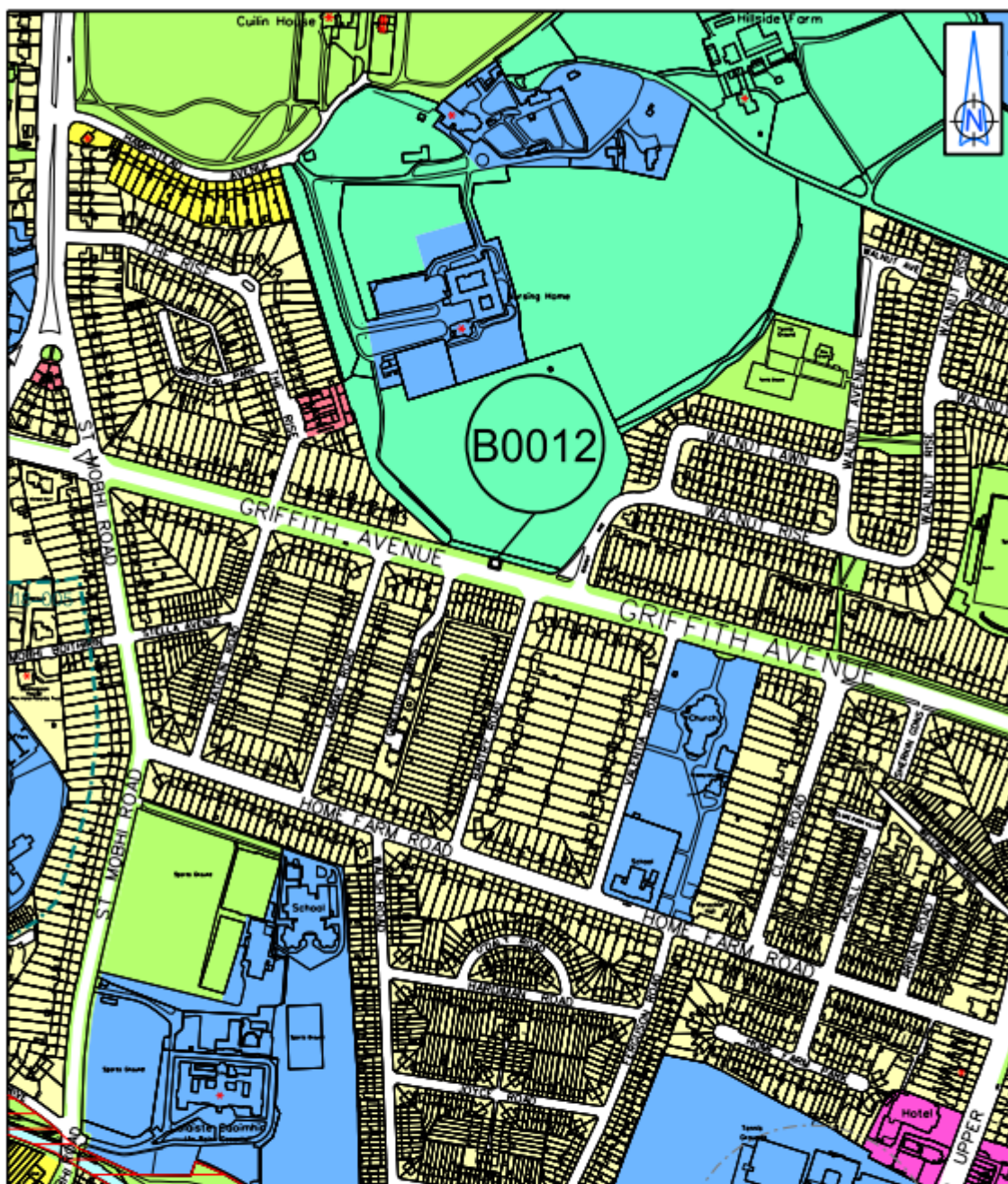
The purpose of the proposed material amendment is to facilitate access to lands which do not have another viable point of access available to them. It has been clarified by DCU in their submission on B-0012, that no viable alternative accesses/ point of access are available to their adjoining Z12 lands on the north side of the avenue. On this basis, the CE considers that it is appropriate to facilitate access given the strategic importance of these educational lands to the future growth of the university.

Notwithstanding this, the various concerns raised in the submissions on MA B-0012 are noted by the CE and in response to the issues raised, the CE proposes to reduce the extent of the lands proposed for rezoning from Z9 to White Land in order to facilitate a reduced width access point of 10m.

### **Chief Executive's Recommendation**

Amend zoning in proposed MA as follows:

Amend from White lands to Z9 (as per Map B-0012).



## Dublin City Development Plan 2022–2028

### Proposed Amendments to Draft Plan CE Recommendation

Grass Verge adjacent to DCU lands,  
 Griffith Avenue, Dublin 9  
 Extract from Map B - B0012

**Ref. B-0017; Site at Malahide Road Industrial Estate, Coolock, Dublin 17.**

Summary of Issues

A submission was received in support of MA B-0017.

Chief Executive's Response

The support for MA B-0017 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref. B-0018; Airvista Office Park, Swords Road, Santry.**

Summary of Issues

A submission was received in support of MA B-0018.

Chief Executive's Response

The support for B-0018 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref B-0033; Slademoire Avenue, Ard Na Greine, Dublin 13.**

Summary of Issues

A large number of submissions were received objecting to MA B-0033 (from Z9 to Z15) on the basis that the area is used as an open space facility for the local community/ recreational amenity for local residents and is considered an important asset.

One submission was received in support of the amendment and requested that the Council consider extending the proposed Z15 zoning further north to incorporate the Member First Credit Union Ayrfield site, which is zoned Z9 under the Draft Plan, to reflect its long established use as a local community service.

Chief Executive's Response

The subject lands comprise an area of open space within a well-established residential area that is currently well served by public transport bus routes and community and social uses and open space in the immediate area.

The site has been identified by the City Housing Department as a suitable site for a small scale infill housing scheme for the elderly. At a city and local level, there is a need to provide appropriate step down housing to meet the needs of our ageing

population. Such a housing scheme at this location enables the elderly to stay within their communities where they have good access to existing facilities and amenities.

Whilst it is recognised that there is strong support at a local level for the zoning of this site as Z9, it is considered by the CE that this is a poor use of an underutilised open space that does not have a high level of amenity and has poor passive surveillance. Furthermore, it is noted that this area is well served by public open space and there is a large area of communal open space to the immediate south at Ayrfield Park.

It is recommended that the site should retain a Z15 zoning as per the current 2016 plan. Under this objective, 25% of the site would be retained as open space. It is considered that the Z15 zoning would be a more appropriate zoning for the site. It would ensure that much needed social housing for the elderly could be delivered in conjunction with high quality open space.

The CE also notes that there was a majority vote to zone the subject lands Z15 at the special council meetings held in July 2022.

It is considered that, as a submission also seeks an extension of the Z15 zoning relates to a site that was not subject to Material Amendment, no change can be recommended.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref. B-0042; St. Francis of Assisi, Priorswood, Dublin 17.**

#### Summary of Issues

A submission was received in support of MA B-0042.

#### Chief Executive's Response

The support for MA B-0042 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref. B-0044; St. John Vianney.**

#### Summary of Issues

A submission was received in support of MA B-0044.

#### Chief Executive's Response

The support for MA B-0044 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref. B-0045; St. Joseph the Artisan, Greencastle Road, Dublin 17.**

#### Summary of Issues

A submission was received in support of MA B-0045.

#### Chief Executive's Response

The support for MA B-0045 is noted.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref. B-0053; St. Paul's Pitches.**

#### Summary of Issues

Submissions were received in support of MA B-0053 (Z15 to Z9). It was noted that a Z9 zoning of the subject lands reflects the existing use of the site as a sports ground and is consistent with a recent judicial review ruling in respect of the lands.

A further submission was received objecting to the zoning proposed for MA B-0053 on the basis that the lands no longer serve as school institutional lands and are serviced/ proven suitable for housing development as per the core strategy/ housing estimates of the current 2016 Plan. The submission states that the de-zoning of the lands is contrary to Development Plan Guidelines/ the owner's property rights and raises concerns in respect to validity of the reasons given for the material amendment.

#### Chief Executive's Response

The CE notes the submissions with regard the subject site. It is noted however, that the site no longer forms part of the institutional lands associated with the adjacent school. The lands have not been in active use as sports pitches for some time. There have been a number of applications for housing development on the site.

The CE previously recommended that the site be rezoned to Z1 in part under the Chief Executive's Report on Draft Plan Consultation Process (Report No. 119/2022) to allow their development in part for residential development, with the remainder being retained for Z9 use, where open space/amenity/playing pitches etc. could be accommodated. This recommendation was based on a consideration of the site's planning history, proximity to existing public transport connections and established social/ community infrastructure, together with the potential to contribute to the principles of compact growth, help alleviate the housing crisis, and also contribute to the recreational needs and ecology of the area.

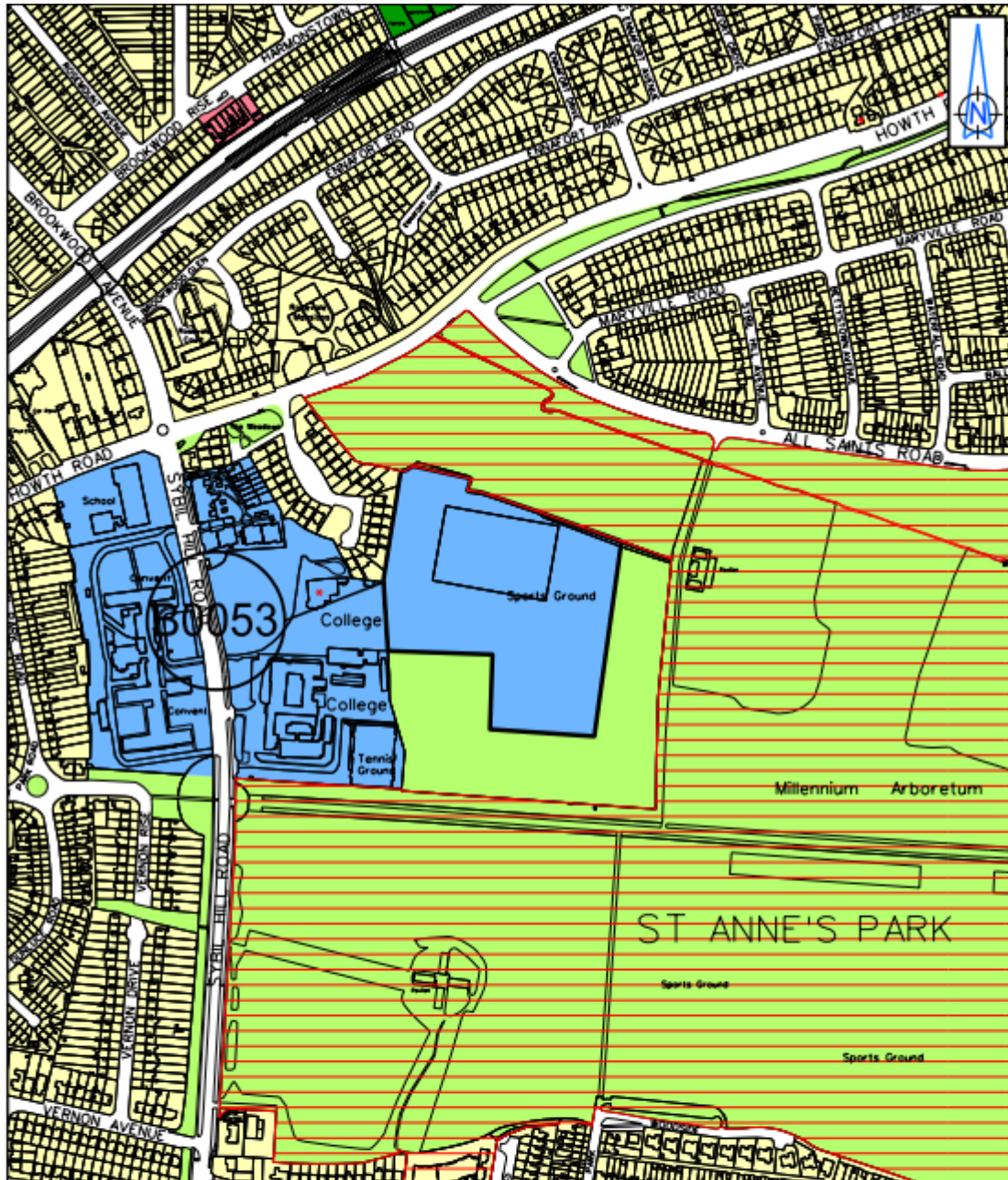
Notwithstanding this, the CE considers that, having regard to this current stage of the plan making process, that the most appropriate zoning is Z9 (amenity/open space lands/green network) and Z15 (community and social infrastructure) rather than Z1. Accordingly, the CE recommends that the zoning reverts back to Z9/Z15 as per the Draft Plan.

#### Chief Executive's Recommendation

Amend zoning in proposed MA as follows:

Amend from Z9 to Z15 (with south and east parcels as Z9, see Map B-0053).





# Dublin City Development Plan 2022-2028 **Proposed Amendments to Draft Plan** **CE Recommendation**

Saint Paul's Pitches  
 Extract from Map B - B0053

## **Map Sheet C:**

### **Ref C-0001; Circle K, Foxhall, Howth Road, Raheny.**

#### Summary of Issues

A submission was received in support of MA C-0001.

#### Chief Executive's Response

The support for MA C-0001 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref C-0021; Site adjoining Clongriffin Train Line**

#### Summary of Issues

A submission was received from the Department of Education (DES) supporting MA C-0021. The DES also commend the Council's rezoning of 17 no. school sites to Z15.

#### Chief Executive's Response

The DES support for MA C-0021 is noted.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.



## **Map Sheet D:**

### **Ref D-0004; Chapelizod Bypass/ Rossmore Drive, Kylemore Road, Dublin 20.**

#### Summary of Issues

A single submission was received which objected to MA D-0004 (Z6 to Z10) on the basis of the incompatibility of the proposed zoning with existing adjoining land uses and supporting infrastructure. Potential conflict with MASP residential development objectives/ the RSES policy requirement to retain employment lands and Draft Plan provisions for transitional zone areas were also raised as issues.

#### Chief Executive's Response

The subject lands are located in a highly accessible area in close proximity to Chapelizod Village, with good public transport links to the city centre. The subject lands are considered suitable for mixed use development given the location of the site within an established residential area to the west and east, and Z6 commercial/ employment lands to the north. The rezoning of the lands to Z10 will act as a buffer between the residential and employment uses and will contribute to the 15 minute city objective. The lands are well served by open space and amenity and are considered suitable for mixed use redevelopment.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Map Sheet E:**

### **Ref E-0003; The Black Church, St. Mary's Place North, Dublin 7.**

#### Summary of Issues

Submissions were received in support of MA E-0003.

#### Chief Executive's Response

This support for MA E-0003 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0005; Thomas Brennan's Bar, 15 Dominick Street, Dublin 7.**

#### Summary of Issues

Submissions were received in support of MA E-0005.

#### Chief Executive's Response

This support for MA E-0005 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0006; 106-107 Dorset Street, Dublin 1.**

#### Summary of Issues

Submissions were received in support of MA E-0006.

A single submission was received which opposed MA E-0006 (Z1 to Z2). The submission sought the reinstatement of a Z1 zoning objective on the subject site.

#### Chief Executive's Response

The submissions made in support of MA E-0006 are noted by the CE.

While the points made in support of retaining a Z1 zoning are noted by the CE, it is considered that the proposed Z2 zoning will not impede the continued use and operation of these buildings as a health/ hospital facility. Having regard to the significant architectural and historical value of the buildings, it is considered that the Z2 zoning is more appropriate and will ensure greater protection of their character.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref E-0012; 16 and 17 Berkeley Street, Dublin 7.**

#### Summary of Issues

Submissions were received in support of MA E-0012 (Z1 to Z2).

#### Chief Executive's Response

This support for MA E-0012 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref E-0018; An Oige, 61 Mountjoy St., Dublin 7.**

#### Summary of Issues

A small number of submissions were received which expressed support for retaining the Z15 zoning to the rear portion of the An Oige site in order to facilitate community uses. The submissions, one of which was supported by a survey of local residents wishes, stated that the site is not required for housing.

#### Chief Executive's Response

While the points made in support of retaining a Z15 zoning are noted by the CE, a balance must be struck between community and housing needs and it is considered that this underutilised site is well placed to facilitate an appropriate infill development. In addition, the CE considers that Z2 is an appropriate zoning for the curtilage of a protected structure. The existing building at the front of the site is proposed to be zoned Z15.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment (i.e. Z2/Z15).

#### **Ref E-0028; Circle K Cabra Road, Dublin 7.**

#### Summary of Issues

A submission was received in support of MA E-0028.

#### Chief Executive's Response

This support for MA E-0028 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0029; Circle K Glasnevin, Finglas Road, Dublin 11.**

### Summary of Issues

A submission was received in support of MA E-0029.

### Chief Executive's Response

This support for MA E-0029 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0033; Construction House and Canal House, Canal Road, Dublin 6.**

### Summary of Issues

A small number of submissions were received which expressed support for a Z10 zoning on the site. One submission raised concerns in respect to the potential for the rezoning to impact on or predetermine the outcome of an ongoing planning application on the site, while another stated that a Z6 zoning would negatively impact on the future development of the site and on the residential character of its surroundings.

### Chief Executive's Response

The CE notes the support for a Z10 zoning expressed in the submissions and wishes to clarify that the current planning application has no bearing on the sites zoning. Whilst there is merit in the Z10 mix use approach, members agreed on Z6 as a MA at the special council meeting in July 2022. Given that the site is currently in commercial use, the CE considers that a Z6 zoning would most appropriately provide for a continuation of the current use.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0034; Crosscare Wellington Centre, 24-26 Wellington Street Upper, Dublin 7.**

### Summary of Issues

Submissions were received in support of MA E-0034.

### Chief Executive's Response

This support for MA E-0034 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0046; Hampton, Grace Park Road, Dublin 9.**

#### Summary of Issues

The submission made by Transport Infrastructure Ireland (TII) notes MA E-0046 and advises that the north-eastern segment of the subject site is located over the Dublin Tunnel corridor protection area and that any development within this area will require a tunnel assessment.

#### Chief Executive's Response

The submission by the TII regarding MA E-0046 is noted, however, it relates to a different site.

The CE considers that the location of the tunnel relative to the subject site would not materially affect the principle of the site zoning. In addition, the CE notes that the lower part of the subject site is already fully built out for residential development, with the northern part of the site being subject to an extant planning permission for residential development which is under construction at present. Notwithstanding the current development status of the site, the requirement for applicants to comply with Draft Plan Policy SMT29 (Transport Tunnels) and the requirements of Appendix 5 (Transport and Mobility: Technical Requirements – Subsection 9.1 Dublin Tunnel Structural Safety) is considered by the CE to sufficiently address the points raised by TII.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0055; Marrowbone Lane, Dublin 8.**

#### Summary of Issues

Submissions received under MA E-0055 (Z9/Z14 to Z14) raise concerns in respect to the intended use and zoning of the Marrowbone Lane Depot. The urgent provision of greenspace and/ or a playing field by the Council on the site/ in the area is the key issue raised in many of the submissions.

#### Chief Executive's Response

The points raised in respect to the desired future use of the subject site for sports and/ or recreation are noted by the CE.

It is considered that the Z14 mixed use zoning proposed, provides for a balanced approach between providing for much needed housing, local open space, and the consolidation of the Council depot into a smaller development (while still providing valuable public services). In addition, Z14 allows for the remedy of a quality urban street along Marrowbone Lane and Summer Street South.

The Marrowbone Lane Depot is located within SDRA 15 Liberties and Newmarket Square which provides for a new public space onto Marrowbone Lane in conjunction with the extension of St. Catherine's sports centre amenity/recreational spaces.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref E-0057; Maxol, 179 Navan Road, Dublin 7.**

#### Summary of Issues

A submission was received in support of MA E-0057.

#### Chief Executive's Response

This support for MA E-0057 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref E-0060; ESB Polefield Site, Portside Business Centre, Aldi and MKN Hotel Site, East Wall Road.**

#### Summary of Issues

The submission by TII seeks that MA E-0060 (Z6 to Z10) is reviewed to take account of the fact that the lands subject of the rezoning to Z10 are directly adjacent to the Dublin Port Tunnel with potential impacts arising for their future development in respect to noise, vibration, emissions etc.

The submission from the ESB concerns the 'Polefield' site at East Wall Road which forms part of MA E-0060. They state that the site, which is currently in temporary use as a car park, forms part of ESB Networks plans for the development of new strategic infrastructure (a 220kV Transmission Station required to reinforce the local 110kV electricity grid and new ESB depot to serve city centre) and is required to meet future demand that is essential to increase electrical service capacity in the area.

The submission states that, given the subject sites proximity to significant Port Tunnel interchange infrastructure (and associated traffic impacts such as noise, vibration, vehicle emissions/dust and lighting/glare), the current Z6 zoning is more compatible with established surrounding land uses on the north side of the East Wall

Road and proposed future electricity infrastructure uses on the site. On this basis, they recommend that the lands revert to a Z6 land use zoning.

#### Chief Executive's Response

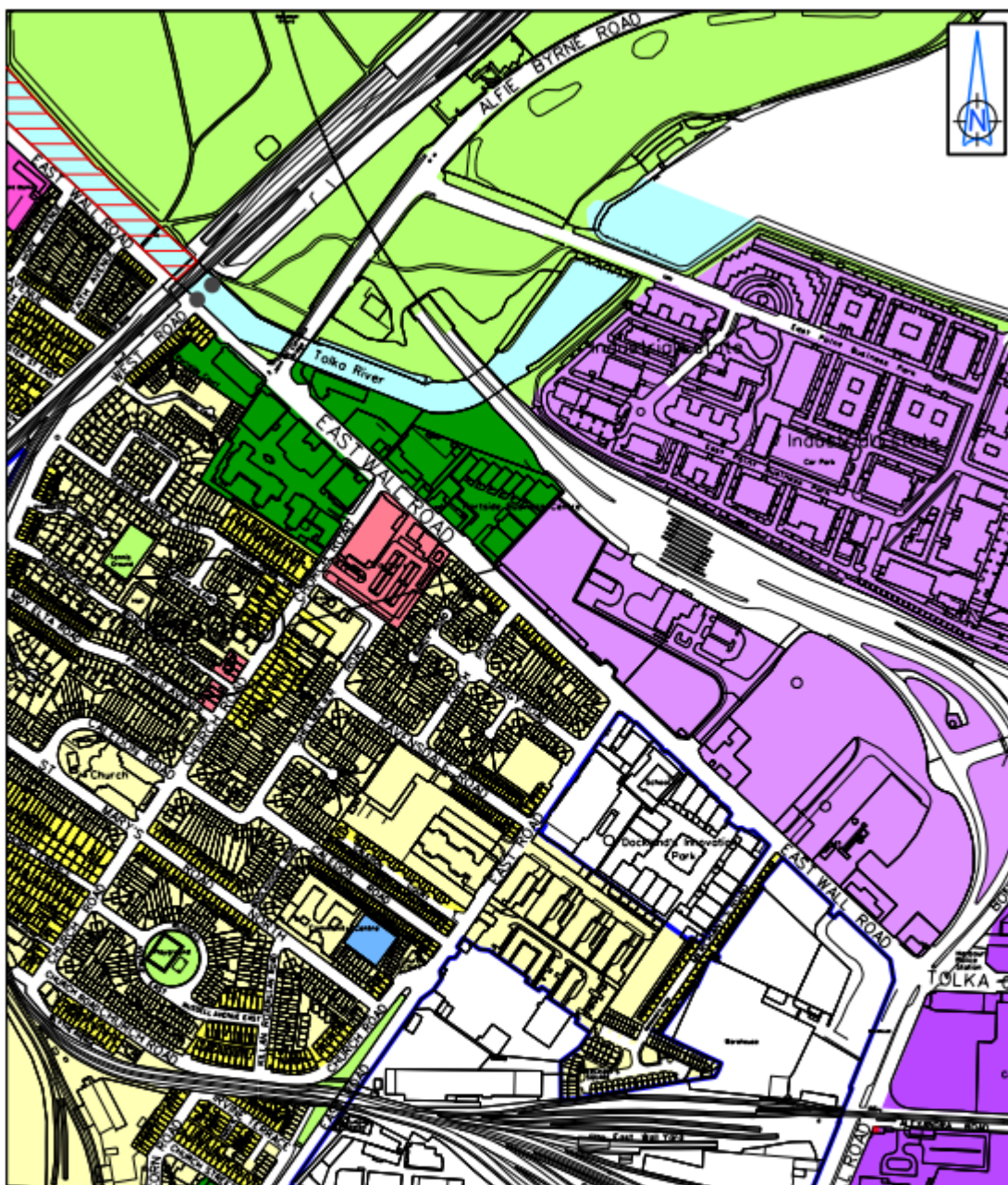
The submissions made by TII and the ESB in respect of E-0060 are noted by the CE.

The CE considers that, given the ESB's plans for the development of a new strategic electricity transmission station and depot on the 'Polefield site', the retention of a Z6 zoning in relation to this portion of the subject lands together with the adjoining residual portion to the east, would be appropriate.

#### Chief Executive's Recommendation

Amend zoning in proposed Material Amendment as follows:

Amend from Z10 to Z6 (i.e. Z6 to south east part of site, see Map E-0060).



## Dublin City Development Plan 2022-2028

### Proposed Amendments to Draft Plan CE Recommendation

ESB Polefield Site, Portside Business Centre,  
 Aldi & MKN Hotel site, Eastwall Road  
 Extract from Map E - E0060



**Ref E-0118; West Side of Camden Street Lower (between Grantham Street and Pleasant's Street).**

Summary of Issues

A submission was received in support of MA E-0118.

Chief Executive's Response

This support for MA E-0118 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref E-0119; Damer Court, 35-47 Wellington Street Upper, D1.**

Summary of Issues

Two submissions received in respect of MA E-0119 sought the retention of a Z15 zoning on the site on the basis that a Z1 zoning did not reflect the sites use as a residential institution for assisted living and a social/ community zoning would better preserve this use.

Chief Executive's Response

The points raised in both submissions are noted by the CE. However, having regard to the existing residential character of the existing use on the site, the CE considers that Z1 is the most appropriate zoning objective for the site.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref E-0122; St. Teresa's, Donore Avenue.**

Summary of Issues

A large volume of mainly identical submissions were received in respect to MA E-0122 (Z15 to Z14).

One submission was received in support of MA E-0122 and another generally welcomes the Archdiocese of Dublin's desire to rezone church sites for residential use.

The majority of submissions call for a Z15 zoning on the lands to allow for the building of community facilities on church lands, with some submissions drawing attention to the dearth of community facilities which exist in the local area and others calling for church lands to be omitted from SDRA 11. One submission states that a key benefit of retaining the Z15 zoning is providing for the continuity of the historic green space and setting of the church.

Concerns about the relationship between the proposed rezoning and specific development proposals/ planning applications – with related development management concerns - are also raised.

The importance of adopting an evidence-based approach to ensuring adequate community facilities and green spaces are provided to counterbalance the scale of new development proposed in the Development Plan is raised in one of the submissions.

One submission raised concerns regarding the zoning base map for MA E-0122 and seeks that it be updated to represent existing structures.

#### Chief Executive's Response

The support for MA E-0122 is noted by the CE.

The points raised in respect to the desired Z15 zoning of the lands are also noted by the CE. Updated base maps are provided periodically by the Ordinance Survey Office.

The CE wishes to clarify that the current planning application/ specific development proposals have had no bearing on the consideration of the sites zoning. The development management process is the most appropriate mechanism for dealing with the need for evidence-based social/ community infrastructure provision in line with Policy QHSN46.

The proposed Z14 zoning is necessary to facilitate the implementation of SDRA 11 that will provide for a range of amenity spaces and community facilities across the development lands.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref E-0124; 2-3 Ballsbridge Park, Dublin 4.**

#### Summary of Issues

A submission was received in support of MA E-0124.

#### Chief Executive's Response

This support for MA E-0124 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref E-0144; Lands at Alfie Byrne Road, Dublin 3.**

#### Summary of Issues

A submission was received from the Department of Education (DES) supporting MA E-0144 and commending the Council's rezoning of 17 no. school sites to Z15.

The submission made by the Department of Housing, Local Government & Heritage (DoHLGH) notes the proposed change in zoning from Z9 to Z15 under MA E-0144. The submission states that the lands along Alfie Byrne Road are of importance for brent goose foraging and advise that any future development proposal in respect of the subject site will need to address ex-situ impacts on relevant Natura 2000 sites.

#### Chief Executive's Response

The acknowledgment of and support for MA E-0144 (Z9 to Z15) is noted.

The submission made by the DoHLGH is noted and it is considered that the Draft Plan already provides for sufficient protective measures for Natura 2000 sites under Section 1.5.2, which requires that all plans and development proposals be subject to an assessment of the significance of effects on a European site(s).

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Map Sheet F:**

### **Ref F-0001; Circle K, Clontarf Road, Dublin 3.**

#### Summary of Issues

A submission was received in support of MA F-0001.

#### Chief Executive's Response

This support for MA F-0001 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref. F-0005; St. Anthony's Parish Church, Clontarf.**

#### Summary of Issues

A submission was received in support of MA F-0005.

### Chief Executive's Response

This support for MA F-0005 is noted by the CE

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref F-0006; Redcourt, Clontarf.**

#### Summary of Issues

A large number of submissions were received regarding the proposed zoning of a site at Redcourt, Clontarf from its current Z2 zoning to a Z1 residential zoning.

Submissions generally state that the proposed Z1 zoning change is inappropriate for a number of reasons including that;

- The site is the subject of a judicial review that is ongoing.
- The site for development was cleared without planning permission.
- A building of architectural value on site was destroyed by fire.

Further issues raised include that a Z2 zoning would better support development in a manner which is sensitive to the surrounding building height, density and streetscape, on-site ecology and proximity to the biosphere. Concerns are also raised in relation to the openness and transparency of the rezoning process, and the procedural process associated with same.

### Chief Executive's Response

The CE notes the number of submissions received regarding the proposed zoning and the issues raised therein of concern to local residents and interested parties. The issues raised regarding the current legal process, procedural matters or alleged unauthorised development are outside the scope of the development plan review process.

The CE has assessed the site in planning terms and notes that the site is located within an area of almost exclusively Z1 zoning. The current Z2 zoning of the site related to a use on the site when it previously accommodated a detached 19th century house and gardens. The house was extensively damaged by fire in 2007 and has since been demolished.

As outlined in the CE's Report (April 2022), the Inspectors Report on the recent permission on the site ABP-311333-21 notes that "there is no unique, special interest/value or historic/architectural interest or character remaining on the site" and questioned the appropriateness of the Z2 zoning objective. The report stated "It is

not making an important contribution to the heritage of the city nor does it make a positive contribution to the streetscape at this location”.

As such, having regard to the above, it is appropriate, given its history, the lack of any significant features of conservation interest on the site, and recent planning approval, that the zoning be amended to Z1 to better reflect its changed status and to ensure consistency with the general pattern of development and zoning in the vicinity, and to bring forward land which would help alleviate the housing crisis.

#### Chief Executive’s Recommendation

Retain zoning as in proposed MA.

#### **Ref F-0019; St. Mathew’s National School, Sandymount.**

#### Summary of Issues

The submission made by the Department of Education and Skills (DES) offers conditional support for MA F-0019 on the basis that it should not impact on existing/ future education provision in the area. The Department also note their support for the rezoning of 17 no. school sites to Z15.

A further submission made in respect of MA F-0019 notes the proposed rezoning, queries why this was the only one proposed by the Council and seeks to draw Councillors attention to the importance of maintaining existing uses regarding sport and leisure facilities including at the YMCA grounds on Claremont Road.

#### Chief Executive’s Response

The support for MA F-0019 (Z15 to Z1) is noted by the CE.

The CE welcomes the DES support for the rezoning of a number of school sites to Z15 and wishes to clarify that the rezoning was sought to facilitate a school move to another site. On this basis, there will be no adverse impact on educational provision in the area.

It is considered that, as the submission in respect to Claremont Road relates to another site that was not subject to Material Amendment, no change can be recommended.

#### Chief Executive’s Recommendation

Retain zoning as in proposed Material Amendment.

## **Map Sheet G:**

### **Ref G-0002; Circle K, Sundrive Road, Kimmage Road Lower Dublin 6W.**

#### Summary of Issues

A submission was received in support of MA G-0002.

#### Chief Executive's Response

This support for MA G-0002 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref G-0005; Ben Dunne Gym and Former Art Gallery, Kimmage Road West.**

#### Summary of Issues

A single submission was received in respect to MA G-0005 and sought that the site retain its Z1/Z9 zoning on account of the area being poorly served by parks and recreational facilities.

#### Chief Executive's Response

The submission received in respect to MA G-0005 is noted by the CE.

The CE notes that the subject site currently accommodates a large gym building and associated parking. It is considered that that, as the subject lands do not currently function as open space and given the existence of a large public park and playing fields to the west, the proposed Z10 zoning is considered to reflect the current land use on the site and will provide for appropriate mix of uses. It is considered that the zoning as Z10 is appropriate and will provide for the appropriate redevelopment of this underutilised site.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref G-0009; Brook's Builders Merchants / Naas Road Industrial Estate, Naas Road.**

#### Summary of Issues

A submission was received in support of MA G-0009.

#### Chief Executive's Response

This support for MA G-0009 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Map Sheet H:**

### **Ref H-0002; Rathmines Library.**

#### Summary of Issues

Multiple submissions were received in support of MA H-0002.

#### Chief Executive's Response

The support for MA H-0002 (Z4 to Z15) is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0003; Rathmines Town Hall, Rathmines Road.**

#### Summary of Issues

Multiple submissions were received in support of MA H-0003 (Z4 to Z15).

#### Chief Executive's Response

The support for MA H-0004 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0004; Cathal Brugha Barracks.**

#### Summary of Issues

Multiple submissions were received in support of MA H-0004.

#### Chief Executive's Response

The support for MA H-0004 is noted by the CE.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0007; Merrion Graveyard - beside Tara Tower, Merrion Road.**

#### Summary of Issues

Multiple submissions were received in support of MA H-0007 (Z1 to Z9).



### Chief Executive's Response

The support for MA H-0007 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0008; Former St. Mary's College, Bloomfield Avenue, Donnybrook, Dublin 4.**

### Summary of Issues

A number of submissions were received in respect to MA H-0008 objecting to the proposed Z12 zoning, with one submission stating that the rezoning was unnecessary and that the lands are needed as open space.

### Chief Executive's Response

The submissions received in respect of MA H-0008 are noted by the CE.

The CE considers that, as the institutional use of the subject site (which has an extant planning permission for significant redevelopment) is redundant and no longer holds any association with St. Mary's College, a Z12 zoning would be more appropriate for the site and would allow for the future residential development of the lands together with the delivery of a significant quantum of public open space.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0011; Circle K, Sandford Road.**

### Summary of Issues

A submission was received in support of MA H-0011 (Z1 to Z3).

Further submissions were received seeking that the site's Z1 zoning be retained on account of the site lands being required as open space/ the zoning being unnecessary.

### Chief Executive's Response

The support for MA H-0011 is noted by the CE.

The submission made in support of retaining a Z1 zoning on the site is also noted by the CE, however, it is considered that a Z3 zoning is more appropriate for the site on balance given the established commercial use of the site as a local neighbourhood service station.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0012; Former Church of Ireland College Educational Lands, Rathmines Road Upper, Dublin 6.**

#### Summary of Issues

A number of submissions were received in support of MA H-0012 (Z9 to Z15), with the potential of the rezoning to assist in addressing the undersupply of land for school/ community uses being recognised. Another submission supported the proposed rezoning from Z9 to Z15, but noted that a Z1 or Z12 zoning may be more suitable given the lands underutilised nature and urban location. A further submission stated that they do not support the proposed rezoning.

#### Chief Executive's Response

The support for MA H-0012 is noted by the CE.

The submissions made in support of retaining a Z9 zoning on the site is also noted by the CE, however, it is considered that a Z15 zoning would facilitate a broader range of social/ community uses whilst also providing for new significant public open space for the community as part of any future redevelopment.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

### **Ref H-0013; Circle K, Martello, Strand Road, Dublin 4.**

#### Summary of Issues

A submission was received in support of MA H-0013 (Z1 to Z3).

A further submission was received seeking that the sites Z1 zoning be retained.

#### Chief Executive's Response

The support for MA H-0013 is noted by the CE.

The submission made in support of retaining a Z1 zoning on the site is also noted by the CE, however, it is considered that a Z3 zoning is more appropriate for the site on balance given the established commercial use of the site as a local neighbourhood service station.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Ref H-0015; Embassy House Lane, Anglesea Road, Ballsbridge.**

### Summary of Issues

The submissions received in respect to MA H-0015 do not support the proposed rezoning of the site from Z4/Z9 to Z4, with one submission stating that the rezoning is unnecessary and that the lands are needed as open space.

### Chief Executive's Response

The submissions made in respect to MA H-0015 are noted by the CE.

The CE wishes to clarify that MA H-0015 was made to correct a mapping anomaly in respect of Embassy House, whereby part of the Z9 zoning encroached onto an existing building line that was brought to the Council's attention during the Draft Plan consultation process. Adjacent lands are zoned Z9 along the River Dodder.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Ref H-0018; Energia Park, Donnybrook Road, Dublin 4.**

### Summary of Issues

The submissions received in respect to MA H-0018 do not support the proposed rezoning of the site from Z9 to Z1, with one submission stating that the rezoning is unnecessary and that the lands are needed as open space.

### Chief Executive's Response

The submissions made in respect to MA H-0018 are noted by the CE.

It is considered by the CE that as the vast majority of lands at this location are to be retained as Z9 which provides for open space, the comparatively small parcel proposed for rezoning to Z1 is considered to be reasonable and appropriate to facilitate small scale infill development adjacent to the existing sports club.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Ref. H-0023; Milltown Park, Sandford Road, Dublin 6.**

### Summary of Issues

A submission was received in support of MA H-0023 (Z15 to Z12). It noted that the proposed rezoning accords with the proper planning and sustainable development of the City as it reflects the permitted scheme on the site, and the ownership of the site

as a private entity. Another submission expressed a desire to see student accommodation provided on site.

Multiple submissions were received seeking that Milltown Park, Sandford Road retain its Z15 zoning. The reasons cited included concerns in respect to local consultation, development management, the impact on childcare provision/ school places/ wildlife/ biodiversity/ local greenbelt/ mature trees/ air quality/ climatic resilience and the local road/ public transport/ water supply and sewerage networks; the current lack of institutional amenities in the area; and, the need for the lands to be used as local greenspace, for educational/community purposes or as a sports facility/ recreational amenity.

A small number of submissions raise procedural concerns in respect to the rezoning and issues in respect to the rationale underlying it and the timing relative to the ongoing judicial review of An Bord Pleanála's grant of permission for a residential development on the lands. They also state that it appears to contradict other CE recommendations, EU-Government policy and undermine wider objectives of the Draft Plan – such as safeguarding land for social and community uses. Some submissions state that they are fearful about the nature, scale, density and affordability of the development/ housing typologies that the rezoning will facilitate given the large amount of residential and office development in the area to date. One submission seeks that the zoning of this land be considered in the context of a forthcoming LAP for Ranelagh.

It is stated in the submissions that the proposed rezoning is not consistent with the Department of Education and Skills (DES) need to provide more primary and secondary schools in the area given the large number of recent new housing developments. The submission made by the DES acknowledges the proposed rezoning from Z15 to Z12 under MA H-0023 and commends the Council for rezoning of 17 no. school sites to Z15 in the wider city area. The submission notes that there are instances where a change in zoning on a community/education site is warranted. The DES submission states that if the subject site constitutes such a scenario, then they have no objection to the zoning change.

### Chief Executive's Response

The overall objective of the Draft Plan is to promote balanced, sustainable and mixed-use development in the city. It is considered that a Z12 zoning is appropriate for the subject site and will enable future development of the lands, with this residential development potential being counterbalanced by the Council's safeguarding of established social and community uses through changes made to the Z15 zoning objectives.

It is acknowledged that planning permission has already been granted for a comprehensive redevelopment of the area to provide for a significant number of residential units (ABP Ref: TA29S.311302). It is also noted that the subject lands no longer hold any function associated with the school and have been disposed of. The existing school, Gonzaga College remains within the overall Z15 landholding to the south west of the site and retains sufficient space for its existing sports grounds and any future expansion of the school.

The Z12 zoning will require many of the provisions of Z15 such as 25% open space to be retained and will ensure that the former character and setting of the existing lands is protected in any future development of the lands.

As such, it is considered that Z12 zoning is appropriate for the subject site which will enable future residential development of the lands whilst also having regard to the landscape character and former institutional use.

In addition, it is considered that many of the other matters raised in the submissions would be best addressed as part of the development management assessment of any future development proposals in respect of the site.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref H-0024; Nullamore House, Richmond Avenue South and Milltown Road, Dartry, Dublin 6.**

#### Summary of Issues

Submissions received in respect to MA H-0024 do not support the rezoning of Nullamore House from Z15 to Z12, considering it unnecessary and stating that the lands are needed as open space.

#### Chief Executive's Response

The submissions made in support of retaining a Z15 zoning on the site are noted by the CE.

The site itself is highly accessible being in close proximity to high frequency public transport and is located in a mature residential suburb. Given its underutilised nature at present, the site is considered to be eminently suitable for residential redevelopment and has the ability to contribute to the 15 minute city objective and to provide for additional housing stock in the city.

Notwithstanding this, the CE considers that the subject lands have a distinctive landscape character and setting which it is considered appropriate to retain. As such, it is recommended that the lands be rezoned to Z12 to allow for future residential development whilst having regard to their landscape character and context, and to provide for 25% open space in accordance with the Z12 objective and local need as expressed in the submissions.

#### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Ref H-0026; Neville Road.**

### Summary of Issues

A submission was received in support of MA H-0026 (Z1 to Z2).

### Chief Executive's Response

The support for MA H-0026 is noted by the CE.

### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Ref H-0031; St. Conleth's College, 28 Clyde Road, Ballsbridge, Dublin 4.**

### Summary of Issues

A submission was received in support of MA H-0031 (Z2 to Z15).

Another submission received in respect of MA H-0031 sought to draw the Council's attention to a potential mapping anomaly whereby a portion of development lands adjoining St. Conleth's College were erroneously included in the proposed rezoning. The submission requests an alteration to H-0031 to correct this mapping anomaly in respect to lands at the former St. Mary's Home/ garden of no. 28A Clyde Lane.

### Chief Executive's Response

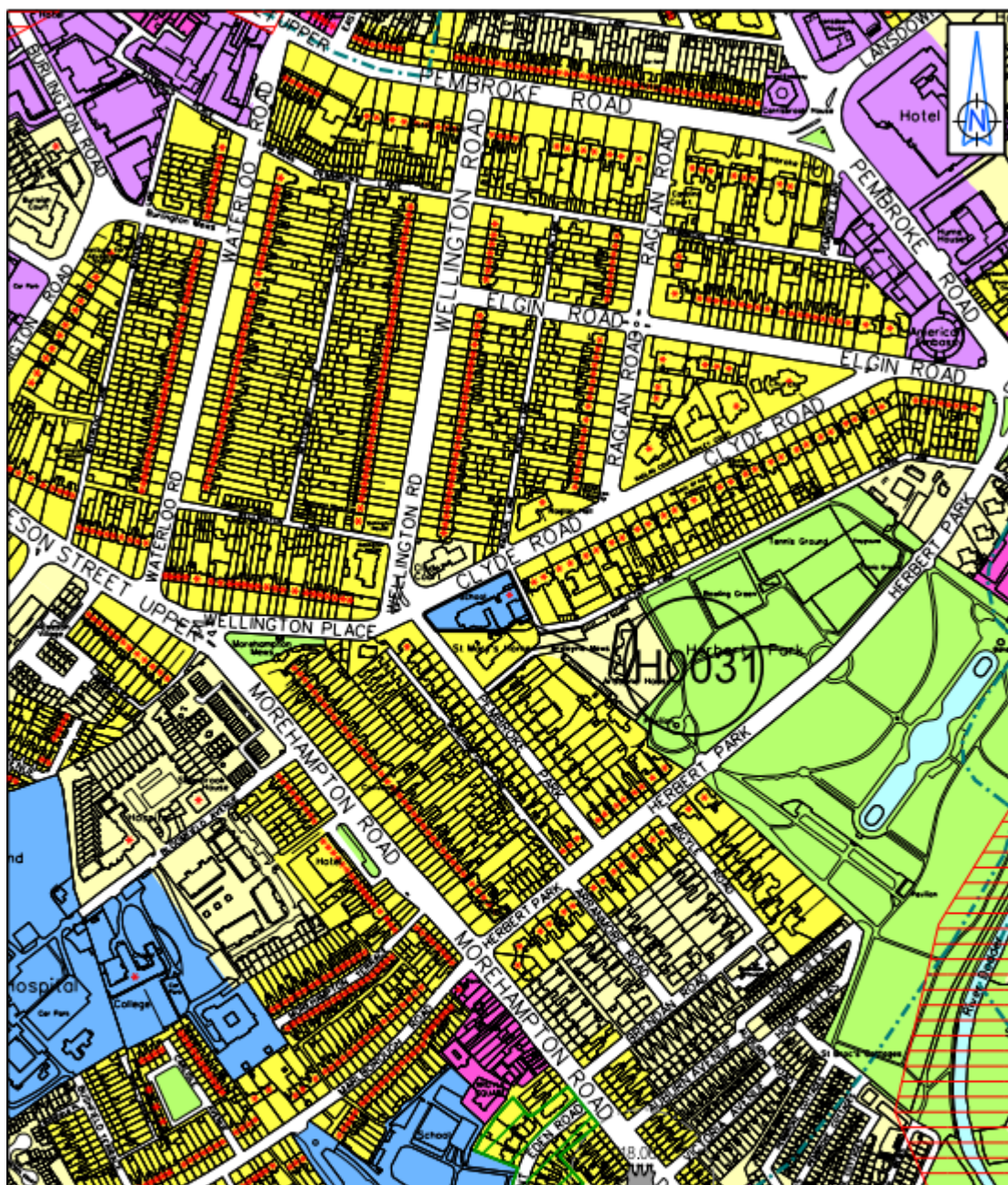
The support for MA H-0031 is noted by the CE.

The CE notes the minor mapping error in respect to MA H-0031 whereby a small portion of an adjoining residential development site, with an extant planning permission, formed part of the lands subject to rezoning to Z15. The CE considers that it is necessary to correct this mapping error to ensure the development lands at St. Mary's Home/ garden of no. 28A Clyde Lane revert back to their original Z2 zoning.

### Chief Executive's Recommendation

Amend zoning in proposed MA as follows:

Amend from Z15 to Z2 (part of the site, see H-0031).



## Dublin City Development Plan 2022-2028

### Proposed Amendments to Draft Plan CE Recommendation

Saint Conleth's College, 28 Clyde Road,  
Ballsbridge, Dublin 4

Extract from Map H - H0031



#### **Ref H-0036; Muckross Park House, Marlborough Road, Donnybrook, Dublin 4.**

##### Summary of Issues

The submission made by the Department of Education and Skills (DES) offers conditional support for MA H-0036 on the basis that it should not impact on existing/future education provision in the area. The Department also note their support for the rezoning of 17 no. school sites to Z15.

One submission expressed support for MA H-0036, with a number of others seeking that the site's Z15 zoning be retained, with some calling the rezoning unnecessary or for the site to be retained as open space.

##### Chief Executive's Response

The CE welcomes the DES support for the rezoning of a number of school sites to Z15. Regarding their submission that the educational use of these lands being safeguarded into the future, the CE is satisfied that MA H-0038 will not impact materially on education provision in the area. In addition, the Draft Development Plan has introduced changes to the Z15 zoning in order to safeguard institutional, social and community uses and support the future expansion of such uses, in the context of more intense development occurring throughout the city.

In respect to the calls for the Z15 zoning to be retained on the lands, the CE notes that the site is no longer in use as a convent by the Dominican Sisters. Therefore, in this context, as a former institutional use, it is considered more appropriate that the subject site be rezoned to Z12 (Institutional Land (Future Development Potential)), to take account of the future development potential of the lands, while ensuring that any development is progressed on the basis of a masterplan and that 25% public open space is provided. The rezoning will facilitate the redevelopment of this important protected structure for an alternative use, ensuring its viability into the future.

##### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

#### **Ref H-0038; Church, Rathmines Rd. Lower.**

##### Summary of Issues

Submissions were received in support of MA H-0038.

##### Chief Executive's Response

The support for MA H-0038 is noted by the CE.

##### Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.



**Ref H-0039; Church, Rathgar Road.**

Summary of Issues

A submission was received in support of MA H-0039.

Chief Executive's Response

The support for MA H-0039 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref H-0040; Church, Brighton Road, Rathgar Road.**

Summary of Issues

A submission was received in support of MA H-0040.

Chief Executive's Response

The support for MA H-0040 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref H-0041; Church, Rathgar Village.**

Summary of Issues

A submission was received in support of MA H-0041.

Chief Executive's Response

The support for MA H-0041 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

**Ref H-0042; Church, Harold's Cross Road.**

Summary of Issues

A submission was received in support of MA H-0042.

Chief Executive's Response

The support for MA H-0042 is noted by the CE.

Chief Executive's Recommendation

Retain zoning as in proposed Material Amendment.

## **Map Sheet K:**

### Summary of Issues

A submission was received from a landowner objecting to MA K.1 on the basis that the proposed inclusion of their lands within SDRA 8 will lead to their rezoning from Z1 to Z2/Z14.

### Chief Executive's Response

The submission made in respect to the boundary amendments to SDRA 8 Grangegorman/ Broadstone is noted by the CE.

The CE considers that the inclusion of the lands at Prussia Street as part of SDRA 8 is warranted as it will facilitate the regeneration of a number of vacant and underutilised sites for mixed use development in line with the objectives of the 15 minute city.

It is further noted that the proposed boundary amendment will not impact the sites Z1 zoning.

### Chief Executive's Recommendation

Retain mapping as in proposed Material Amendment.

## **Part 5**

### **List of the Persons or Bodies Who Made Submissions/Observations**

PORTAL NUMBER	SUBMITTED BY	Type
DCC-C43-MA-1	Tom Phillips + Associates	Organisation
DCC-C43-MA-2	Environmental Protection Agency	Organisation
DCC-C43-MA-3	Dermot Murphy	Individual
DCC-C43-MA-4	Rosie Dillon	Individual
DCC-C43-MA-5	Julie Ennis	Individual
DCC-C43-MA-6	Shay Madden	Individual
DCC-C43-MA-7	Mike Brennan	Individual
DCC-C43-MA-8	Jerome White	Individual
DCC-C43-MA-9	Charlotte Ffrench O Carroll	Individual
DCC-C43-MA-10	Colm Byrne	Individual
DCC-C43-MA-11	Gwenola Ollivier	Individual
DCC-C43-MA-12	Jenny Burns	Individual
DCC-C43-MA-13	Rachel Gray	Individual
DCC-C43-MA-14	Francis Creedon	Individual
DCC-C43-MA-15	Thomas Bittel	Individual
DCC-C43-MA-16	Paul Kinney	Individual
DCC-C43-MA-17	Elaine Lee	Individual
DCC-C43-MA-18	Carl Brady	Individual
DCC-C43-MA-19	Nuala Naughton	Individual
DCC-C43-MA-20	Margaret Harrington	Individual
DCC-C43-MA-21	Philip Mc Entee	Individual
DCC-C43-MA-22	Una Donnellu	Individual
DCC-C43-MA-23	TII	Organisation
DCC-C43-MA-24	Brendan Heneghan	Individual
DCC-C43-MA-25	Richie Bowden	Individual
DCC-C43-MA-26	Ann Hodgins	Individual
DCC-C43-MA-27	The Liberties Weavers	Organisation
DCC-C43-MA-28	Brenna Clarke	Individual
DCC-C43-MA-29	Christine O'Connor	Individual
DCC-C43-MA-30	Lochlann O'Connor	Individual
DCC-C43-MA-31	Sharon McKenna	Individual
DCC-C43-MA-32	Ronan McKenna	Individual
DCC-C43-MA-33	Aoife Lucey	Individual
DCC-C43-MA-34	Poland Wong	Individual
DCC-C43-MA-35	Griffith Avenue and Districts Residents Association	Organisation
DCC-C43-MA-36	Sinead Egan	Individual
DCC-C43-MA-37	Shane O'Leary	Individual
DCC-C43-MA-38	Sheila O'Connor	Individual
DCC-C43-MA-39	Sam Carty	Individual
DCC-C43-MA-40	Sandymount and Merrion Residents Association	Organisation

DCC-C43-MA-41	Sandymount and Merrion Residents Association	Organisation
DCC-C43-MA-42	Una Caulfield	Individual
DCC-C43-MA-43	Eoin Mccullough	Individual
DCC-C43-MA-44	Mark Keane	Individual
DCC-C43-MA-45	Clodagh Murphy	Individual
DCC-C43-MA-46	Aisling Murphy	Individual
DCC-C43-MA-47	Ross Murphy	Individual
DCC-C43-MA-48	Maeve Keane	Individual
DCC-C43-MA-49	Colm Daly	Individual
DCC-C43-MA-50	Kameliya Todorova	Individual
DCC-C43-MA-51	Irish Life Assurance plc	Organisation
DCC-C43-MA-52	Milltown Resident's Association	Organisation
DCC-C43-MA-53	Noel McCormack	Individual
DCC-C43-MA-54	Joan Kelly	Individual
DCC-C43-MA-55	Xin Li	Individual
DCC-C43-MA-56	The Pembroke Road Partnership	Organisation
DCC-C43-MA-57	Shane Creedon	Individual
DCC-C43-MA-58	Eleanor Creedon	Individual
DCC-C43-MA-59	Olivia O'Reilly	Individual
DCC-C43-MA-60	Louis McHugh	Individual
DCC-C43-MA-61	David Brinkman	Individual
DCC-C43-MA-62	Ray Kenny	Individual
DCC-C43-MA-63	Sam Perrin	Individual
DCC-C43-MA-64	Stephen Smith	Individual
DCC-C43-MA-65	Dick Nolan	Individual
DCC-C43-MA-66	Bernard Keville	Individual
DCC-C43-MA-67	Martin Stapleton	Individual
DCC-C43-MA-68	Finín O'Driscoll	Individual
DCC-C43-MA-69	Deirdre Soffe	Individual
DCC-C43-MA-70	Muireann Crowley	Individual
DCC-C43-MA-71	Deirdre Soffe	Individual
DCC-C43-MA-72	IPUT plc	Organisation
DCC-C43-MA-73	Jim Weldon	Individual
DCC-C43-MA-74	Leonard Carty	Individual
DCC-C43-MA-75	Gwenda McInerney	Individual
DCC-C43-MA-76	Cathal Lawlor	Individual
DCC-C43-MA-77	Irish Life Assurance plc	Organisation
DCC-C43-MA-78	Proinsias Mac Fhlannchadha	Individual
DCC-C43-MA-79	Genvest ULC	Organisation
DCC-C43-MA-80	RCB	Organisation
DCC-C43-MA-81	Office of Public Works	Organisation
DCC-C43-MA-82	Rosaleen Howard	Individual
DCC-C43-MA-83	Miriam Doyle	Individual
DCC-C43-MA-84	Brendan Cole	Individual

DCC-C43-MA-85	John Joe Murphy	Individual
DCC-C43-MA-86	V.M. Smith	Individual
DCC-C43-MA-87	Brendan Gaffney	Individual
DCC-C43-MA-88	Brendan Grace	Individual
DCC-C43-MA-89	Kate Sarna	Individual
DCC-C43-MA-90	Hugh McIlvenna	Individual
DCC-C43-MA-91	Mairead Boyle	Individual
DCC-C43-MA-92	Ailish Murphy	Individual
DCC-C43-MA-93	The Lotus Group	Organisation
DCC-C43-MA-94	NTA	Organisation
DCC-C43-MA-95	Aoife Marsh	Individual
DCC-C43-MA-96	Lemford ULC	Organisation
DCC-C43-MA-97	Peter Collins	Individual
DCC-C43-MA-98	Michael Marsh	Individual
DCC-C43-MA-99	Diarmuid Dunne	Individual
DCC-C43-MA-100	Wolfgang Hofmann	Individual
DCC-C43-MA-101	Ard Na Gréine Residents' Association	Organisation
DCC-C43-MA-102	Barry Murphy	Individual
DCC-C43-MA-103	Majella Hofmann	Individual
DCC-C43-MA-104	Brown Thomas Arnotts Limited	Organisation
DCC-C43-MA-105	Shane Tiernan	Individual
DCC-C43-MA-106	Gregor Toohey	Individual
DCC-C43-MA-107	Myles Tuthill	Individual
DCC-C43-MA-108	Breandán Mac Cormaic	Individual
DCC-C43-MA-109	Paul O'Neill	Individual
DCC-C43-MA-110	Frances Ennis	Individual
DCC-C43-MA-111	Liberty Saints RFC	Organisation
DCC-C43-MA-112	Mary O'Brien	Individual
DCC-C43-MA-113	Michael Stein	Individual
DCC-C43-MA-114	DublinTown	Organisation
DCC-C43-MA-115	Noel Kerins	Individual
DCC-C43-MA-116	Niall Bolger	Individual
DCC-C43-MA-117	Richview Residents Association	Organisation
DCC-C43-MA-118	Eddie Lawless	Individual
DCC-C43-MA-119	Stanberry Investments Ltd	Individual
DCC-C43-MA-120	Helen Delaney	Individual
DCC-C43-MA-121	Stanberry Investments Ltd and APK Compressors Ltd	Individual
DCC-C43-MA-122	Thomas Delaney	Individual
DCC-C43-MA-123	BOC Gases	Organisation
DCC-C43-MA-124	Alex Leonard	Individual
DCC-C43-MA-125	Eglinton Residents' Association	Organisation
DCC-C43-MA-126	Claire O'Mahony	Individual
DCC-C43-MA-127	Eilish Byrne	Individual

<b>DCC-C43-MA-128</b>	Brendan O'Reilly	Individual
<b>DCC-C43-MA-129</b>	David O'Flaherty	Individual
<b>DCC-C43-MA-130</b>	Thomas G.R. Foxe	Individual
<b>DCC-C43-MA-131</b>	Patricia Roe	Individual
<b>DCC-C43-MA-132</b>	BPG3	Organisation
<b>DCC-C43-MA-133</b>	Carla Buckley	Individual
<b>DCC-C43-MA-134</b>	Jessie Fuller	Individual
<b>DCC-C43-MA-135</b>	Ann Brannigan	Individual
<b>DCC-C43-MA-136</b>	Jamie Pilkington	Individual
<b>DCC-C43-MA-137</b>	Valerie Driscoll	Individual
<b>DCC-C43-MA-138</b>	Neasa Hourigan	Individual
<b>DCC-C43-MA-139</b>	Neasa Hourigan	Individual
<b>DCC-C43-MA-140</b>	Bartra Capital Property	Organisation
<b>DCC-C43-MA-141</b>	Donna Cooney	Individual
<b>DCC-C43-MA-142</b>	Louis Cullen	Individual
<b>DCC-C43-MA-143</b>	Metro South West Group	Organisation
<b>DCC-C43-MA-144</b>	Armstrong Planning	Organisation
<b>DCC-C43-MA-146</b>	Reilly Lands 2012 SVP Ltd.	Individual
<b>DCC-C43-MA-147</b>	Ranelagh Village Improvement Group	Organisation
<b>DCC-C43-MA-148</b>	Gary Mackin	Individual
<b>DCC-C43-MA-149</b>	Zoe Baker	Individual
<b>DCC-C43-MA-150</b>	Joan Kelly	Individual
<b>DCC-C43-MA-151</b>	Irish Water	Organisation
<b>DCC-C43-MA-152</b>	Jacqueline and Majella Lacey	Individual
<b>DCC-C43-MA-153</b>	Eamonn Smyth	Individual
<b>DCC-C43-MA-154</b>	McCutcheon Halley	Organisation
<b>DCC-C43-MA-155</b>	Circle K Ireland Energy Ltd.	Organisation
<b>DCC-C43-MA-156</b>	Department of Education	Organisation
<b>DCC-C43-MA-157</b>	Liam Kilcullen	Individual
<b>DCC-C43-MA-158</b>	Colorman (Ireland) Ltd.	Organisation
<b>DCC-C43-MA-159</b>	Maeve Crowley	Individual
<b>DCC-C43-MA-160</b>	Fred Taylor	Individual
<b>DCC-C43-MA-161</b>	Downey Planning	Organisation
<b>DCC-C43-MA-162</b>	Sinead Kerins	Individual
<b>DCC-C43-MA-163</b>	Judith Williams	Individual
<b>DCC-C43-MA-164</b>	Conor McCarthy	Individual
<b>DCC-C43-MA-165</b>	Siobhán Lynam	Individual
<b>DCC-C43-MA-166</b>	A McKenna	Individual
<b>DCC-C43-MA-167</b>	Maeve McLoughlin	Individual
<b>DCC-C43-MA-168</b>	Niamh Murphy	Individual
<b>DCC-C43-MA-169</b>	Matt Porter	Individual
<b>DCC-C43-MA-170</b>	Doyle Kent Ltd.	Organisation
<b>DCC-C43-MA-171</b>	Weir & Sons	Organisation
<b>DCC-C43-MA-172</b>	Helen Jakobsen	Individual



DCC-C43-MA-173	Miriam Lambe	Individual
DCC-C43-MA-174	Patrick Farrell	Individual
DCC-C43-MA-175	Angela Shafer	Individual
DCC-C43-MA-176	Antonia Mercer	Individual
DCC-C43-MA-177	David Lawless	Individual
DCC-C43-MA-178	Joan Malone	Individual
DCC-C43-MA-179	Marjolijn Wessel	Individual
DCC-C43-MA-180	Martin Maguire	Individual
DCC-C43-MA-181	Desiree Leavy	Individual
DCC-C43-MA-182	Gina Sparks	Individual
DCC-C43-MA-183	Yvonne O'Toole	Individual
DCC-C43-MA-184	Conn Flynn	Individual
DCC-C43-MA-185	Carmen Tuohy	Individual
DCC-C43-MA-186	Joan Carmichael	Individual
DCC-C43-MA-187	Donnchadh O'Neill	Individual
DCC-C43-MA-188	Ronan Evers-Norton	Individual
DCC-C43-MA-189	Eddie Fogarty	Individual
DCC-C43-MA-190	Katayoun Bahramian	Individual
DCC-C43-MA-191	Aoife Giles	Individual
DCC-C43-MA-192	Drumcondra Triangle Residents Association	Organisation
DCC-C43-MA-193	Collette Gill	Individual
DCC-C43-MA-194	Pauline Taylor	Individual
DCC-C43-MA-195	Mary Alleguen	Individual
DCC-C43-MA-196	Clancourt Group	Organisation
DCC-C43-MA-197	Kennedy Wilson	Organisation
DCC-C43-MA-198	Sandford Living Limited	Organisation
DCC-C43-MA-199	Diarmuid Collins	Individual
DCC-C43-MA-200	Domenico Fioravanti	Individual
DCC-C43-MA-201	Christopher Moran	Individual
DCC-C43-MA-202	Conor O'Neill	Individual
DCC-C43-MA-203	Marie Sherlock	Individual
DCC-C43-MA-204	K Connolly	Individual
DCC-C43-MA-205	Andrew Taylor	Individual
DCC-C43-MA-206	Kay Ferriter	Individual
DCC-C43-MA-207	Elizabeth O'Brien	Individual
DCC-C43-MA-208	Eimear Marsh	Individual
DCC-C43-MA-209	Ciara Franck	Individual
DCC-C43-MA-210	Silvana Benedetto	Individual
DCC-C43-MA-211	Finglas Employer Group	Organisation
DCC-C43-MA-212	Conor Marsh	Individual
DCC-C43-MA-213	Clare Higgins	Individual
DCC-C43-MA-214	Land Development Agency	Organisation
DCC-C43-MA-215	Caitriona McArdle	Individual
DCC-C43-MA-216	Chapelizod Residents Association	Organisation

<b>DCC-C43-MA-217</b>	Alison Gilliland	Individual
<b>DCC-C43-MA-218</b>	The Irish Province of the Order of Carmelites	Organisation
<b>DCC-C43-MA-219</b>	Anne Moylan	Individual
<b>DCC-C43-MA-220</b>	Orlaith Molloy	Individual
<b>DCC-C43-MA-221</b>	The Congregation of Christian Brothers	Organisation
<b>DCC-C43-MA-222</b>	Nigel Quane	Individual
<b>DCC-C43-MA-223</b>	Anne Moylan	Individual
<b>DCC-C43-MA-224</b>	Tom Lynch	Individual
<b>DCC-C43-MA-225</b>	Sam Moore	Individual
<b>DCC-C43-MA-226</b>	Esther Donohoe	Individual
<b>DCC-C43-MA-227</b>	Colm Murphy	Individual
<b>DCC-C43-MA-228</b>	John Mahon	Individual
<b>DCC-C43-MA-229</b>	JMK Group	Organisation
<b>DCC-C43-MA-230</b>	Doyle Kent Ltd.	Organisation
<b>DCC-C43-MA-231</b>	Louise O'Shaughnessy	Individual
<b>DCC-C43-MA-232</b>	Brendan Glynn	Individual
<b>DCC-C43-MA-233</b>	Amanda Waite	Individual
<b>DCC-C43-MA-234</b>	Brian Pluymen	Individual
<b>DCC-C43-MA-235</b>	Gina Sparks	Individual
<b>DCC-C43-MA-236</b>	Western Way Developments Limited	Organisation
<b>DCC-C43-MA-237</b>	Deirdre Hennelly	Individual
<b>DCC-C43-MA-238</b>	Sinead Riordan	Individual
<b>DCC-C43-MA-239</b>	amanda waite	Individual
<b>DCC-C43-MA-240</b>	Western Way Developments Limited	Organisation
<b>DCC-C43-MA-241</b>	Alice Higginbotham	Individual
<b>DCC-C43-MA-242</b>	Michelle Lynam	Individual
<b>DCC-C43-MA-243</b>	JJ Rolfe	Individual
<b>DCC-C43-MA-244</b>	Stephen Boldy	Individual
<b>DCC-C43-MA-245</b>	Balmoral Land Beresford Limited	Organisation
<b>DCC-C43-MA-246</b>	Carl Meehan	Individual
<b>DCC-C43-MA-247</b>	Joan O Sullivan	Individual
<b>DCC-C43-MA-248</b>	Sasha Taylor	Individual
<b>DCC-C43-MA-249</b>	Herberton Road Developments Ltd	Organisation
<b>DCC-C43-MA-250</b>	Electricity Supply Board	Organisation
<b>DCC-C43-MA-251</b>	Timothy Slattery	Individual
<b>DCC-C43-MA-252</b>	Jamestown Village Limited	Organisation
<b>DCC-C43-MA-253</b>	Elizabeth Caffrey	Individual
<b>DCC-C43-MA-254</b>	Conor Ryan	Individual
<b>DCC-C43-MA-255</b>	Robert Gleeson	Individual
<b>DCC-C43-MA-256</b>	Teresa Lawlor	Individual
<b>DCC-C43-MA-257</b>	Geoff Blake	Individual

<b>DCC-C43-MA-258</b>	Kieran Murray	Individual
<b>DCC-C43-MA-259</b>	Mater Private Hospital	Organisation
<b>DCC-C43-MA-260</b>	Heather Spirtos	Individual
<b>DCC-C43-MA-261</b>	Celine Leonard	Individual
<b>DCC-C43-MA-262</b>	Brendan Fagan	Individual
<b>DCC-C43-MA-263</b>	Robert Hopkins	Individual
<b>DCC-C43-MA-264</b>	Aine Clancy	Individual
<b>DCC-C43-MA-265</b>	HSE	Organisation
<b>DCC-C43-MA-266</b>	Lioncor Developments Limited	Organisation
<b>DCC-C43-MA-267</b>	Barbara Cremin	Individual
<b>DCC-C43-MA-268</b>	Dublin Port Company	Organisation
<b>DCC-C43-MA-269</b>	Barbara O'Shea	Individual
<b>DCC-C43-MA-270</b>	Tom Phillips	Individual
<b>DCC-C43-MA-271</b>	Tom Buyckx	Individual
<b>DCC-C43-MA-272</b>	Richmond Homes	Organisation
<b>DCC-C43-MA-273</b>	Sara Donaldson	Individual
<b>DCC-C43-MA-274</b>	Colm O'Brien	Individual
<b>DCC-C43-MA-275</b>	Andrew Guy	Individual
<b>DCC-C43-MA-276</b>	Amanda Waite	Individual
<b>DCC-C43-MA-277</b>	JJ O'Mahony	Individual
<b>DCC-C43-MA-278</b>	Aine Clancy	Individual
<b>DCC-C43-MA-279</b>	Mary Cosgrave	Individual
<b>DCC-C43-MA-280</b>	Karen Hetherton	Individual
<b>DCC-C43-MA-281</b>	Marie Soffe	Individual
<b>DCC-C43-MA-282</b>	Property Industry Ireland	Organisation
<b>DCC-C43-MA-283</b>	Patricia Seery	Individual
<b>DCC-C43-MA-284</b>	Geraldine Cashman	Individual
<b>DCC-C43-MA-285</b>	Ian Gallagher	Individual
<b>DCC-C43-MA-286</b>	Rachel Doyle	Individual
<b>DCC-C43-MA-287</b>	Jeff Hopkins	Individual
<b>DCC-C43-MA-288</b>	HSE	Organisation
<b>DCC-C43-MA-289</b>	Rod Maharg	Individual
<b>DCC-C43-MA-290</b>	Michael Dowling	Individual
<b>DCC-C43-MA-291</b>	Brian Greenan	Individual
<b>DCC-C43-MA-292</b>	Royalton Developments Ireland Limited	Organisation
<b>DCC-C43-MA-293</b>	Ross Bolger	Individual
<b>DCC-C43-MA-294</b>	Rod Maharg	Individual
<b>DCC-C43-MA-295</b>	Eoghan O'Neill	Individual
<b>DCC-C43-MA-296</b>	Ventaway Limited	Organisation
<b>DCC-C43-MA-297</b>	Barbara Hopkins	Individual
<b>DCC-C43-MA-298</b>	Marlet Property Group	Organisation
<b>DCC-C43-MA-299</b>	Clontarf Residents' Association	Organisation
<b>DCC-C43-MA-300</b>	Joan Molloy	Individual

<b>DCC-C43-MA-301</b>	Department of the Environment, Climate and Communications	Organisation
<b>DCC-C43-MA-302</b>	CHQ Building Ltd.	Organisation
<b>DCC-C43-MA-303</b>	Sean Lynch	Individual
<b>DCC-C43-MA-304</b>	Jane Morritt	Individual
<b>DCC-C43-MA-305</b>	Mark Stedman	Individual
<b>DCC-C43-MA-306</b>	Development Applications unit	Organisation
<b>DCC-C43-MA-307</b>	Róisín Shortall	Individual
<b>DCC-C43-MA-308</b>	Rossa Malone	Individual
<b>DCC-C43-MA-309</b>	E to Infinity ICAV	Organisation
<b>DCC-C43-MA-310</b>	Jean Hopkins	Individual
<b>DCC-C43-MA-311</b>	Gavin Daly	Individual
<b>DCC-C43-MA-312</b>	Dagan Malone	Individual
<b>DCC-C43-MA-313</b>	Cormac O'Dwyer	Individual
<b>DCC-C43-MA-314</b>	Gavin Lyons	Individual
<b>DCC-C43-MA-315</b>	Mary Fitzpatrick	Individual
<b>DCC-C43-MA-316</b>	Ringsend Community Development Group	Organisation
<b>DCC-C43-MA-317</b>	Cairn PLC	Organisation
<b>DCC-C43-MA-318</b>	Kirsten Malone	Individual
<b>DCC-C43-MA-319</b>	Jane Ferry	Individual
<b>DCC-C43-MA-320</b>	Antoin Doyle	Individual
<b>DCC-C43-MA-321</b>	Paula Hicks	Individual
<b>DCC-C43-MA-322</b>	Mary Fitzpatrick	Individual
<b>DCC-C43-MA-323</b>	Orna Malone	Individual
<b>DCC-C43-MA-324</b>	Daniel Hegarty	Individual
<b>DCC-C43-MA-325</b>	Michael Murray	Individual
<b>DCC-C43-MA-326</b>	Michael Kelly	Individual
<b>DCC-C43-MA-327</b>	Kevins Hurling & Camogie Club	Organisation
<b>DCC-C43-MA-328</b>	Joe Clarke	Individual
<b>DCC-C43-MA-329</b>	Tom Phillips	Individual
<b>DCC-C43-MA-330</b>	Oran Malone	Individual
<b>DCC-C43-MA-331</b>	Construction Industry Federation	Organisation
<b>DCC-C43-MA-332</b>	Jane Morritt	Individual
<b>DCC-C43-MA-333</b>	Zoe Obeimhen	Individual
<b>DCC-C43-MA-334</b>	Caoimhín Ó Cadhla	Individual
<b>DCC-C43-MA-335</b>	Joseph Clarke	Individual
<b>DCC-C43-MA-336</b>	Zoe Obeimhen	Individual
<b>DCC-C43-MA-337</b>	Broadstone Together	Organisation
<b>DCC-C43-MA-338</b>	District 7 Community Alliance	Organisation
<b>DCC-C43-MA-339</b>	Catherine Mc Sweeney	Individual
<b>DCC-C43-MA-340</b>	Tom Phillips	Individual
<b>DCC-C43-MA-341</b>	Peter Finnegan	Individual
<b>DCC-C43-MA-342</b>	Aideen Darcy	Individual

<b>DCC-C43-MA-343</b>	Marcus Donaghy	Individual
<b>DCC-C43-MA-344</b>	Religious Sisters of Charity	Organisation
<b>DCC-C43-MA-345</b>	Zoe Obeimhen	Individual
<b>DCC-C43-MA-346</b>	Office of the Planning Regulator	Organisation
<b>DCC-C43-MA-347</b>	Gillian Plockelman	Individual
<b>DCC-C43-MA-348</b>	Harley Issuer DAC	Organisation
<b>DCC-C43-MA-349</b>	Finbar Kenny	Individual
<b>DCC-C43-MA-350</b>	Elin Andersson	Individual
<b>DCC-C43-MA-351</b>	Sinead NicCoitir	Individual
<b>DCC-C43-MA-352</b>	Zoe Obeimhen	Individual
<b>DCC-C43-MA-353</b>	Antoinette Gough	Individual
<b>DCC-C43-MA-354</b>	Mary McConnell	Individual
<b>DCC-C43-MA-355</b>	Una Gildea	Individual
<b>DCC-C43-MA-356</b>	Lynn Boylan	Individual
<b>DCC-C43-MA-357</b>	Rachel Flynn	Individual
<b>DCC-C43-MA-358</b>	Kathleen Walsh	Individual
<b>DCC-C43-MA-359</b>	Aoife Murphy	Individual
<b>DCC-C43-MA-360</b>	James O'Brien	Individual
<b>DCC-C43-MA-361</b>	Hibernia REIT	Organisation
<b>DCC-C43-MA-362</b>	Joseph Kearney	Individual
<b>DCC-C43-MA-363</b>	Stephen Troy	Individual
<b>DCC-C43-MA-364</b>	John Logan	Individual
<b>DCC-C43-MA-365</b>	Virtus	Organisation
<b>DCC-C43-MA-366</b>	Colette McGrath	Individual
<b>DCC-C43-MA-367</b>	Robert Stapleton	Individual
<b>DCC-C43-MA-368</b>	Ken Meagher	Individual
<b>DCC-C43-MA-369</b>	Kim Rowan	Individual
<b>DCC-C43-MA-370</b>	Edward and Bernadette O'Dea	Individual
<b>DCC-C43-MA-371</b>	Michael Kirby	Individual
<b>DCC-C43-MA-372</b>	Hines Real Estate Ireland Limited (HREIL)	Organisation
<b>DCC-C43-MA-373</b>	Rathmines Initiative	Organisation
<b>DCC-C43-MA-374</b>	Denis and Pauline Hodson	Individual
<b>DCC-C43-MA-375</b>	Padraic and Mary Carr	Individual
<b>DCC-C43-MA-376</b>	Brendan Walsh	Individual
<b>DCC-C43-MA-377</b>	All Hallows Area Association	Organisation
<b>DCC-C43-MA-378</b>	HSE	Organisation
<b>DCC-C43-MA-379</b>	Dublin Democratic Planning Alliance	Organisation
<b>DCC-C43-MA-380</b>	HSE	Organisation
<b>DCC-C43-MA-381</b>	ClIr Damian O'Farrell	Individual