



# Chief Executive's Report on Submissions Received on the Proposed Amendments to the Draft Dublin City Development Plan 2016-2022

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Dublin City Council



**CHIEF EXECUTIVE’S REPORT  
ON SUBMISSIONS RECEIVED ON THE PROPOSED AMENDMENTS TO THE  
DRAFT DUBLIN CITY DEVELOPMENT PLAN 2016 - 2022**

	<b>PAGE</b>
Part 1 – Introduction	1
Part 2 – Submission on behalf of Minister for the Environment	6
Part 3 – Summary of submissions and CE Response/Recommendation	8
1 STRATEGIC CONTEXT FOR THE CITY DEVELOPMENT PLAN 2016-2022	
2 VISION AND CORE STRATEGY	
3 ADDRESSING CLIMATE CHANGE	
4 SHAPING AND STRUCTURE OF THE CITY	
5 QUALITY HOUSING	
6 CITY ECONOMY AND ENTERPRISE	
7 RETAILING	
8 MOVEMENT AND TRANSPORT	
9 SUSTAINABLE ENVIRONMENTAL INFRASTRUCTURE	
10 GREEN INFRASTRUCTURE, OPEN SPACE AND RECREATION	
11 CULTURE AND HERITAGE	
12 SUSTAINABLE COMMUNITIES AND NEIGHBOURHOODS	
13 MONITORING, IMPLEMENTATION AND DEVELOPMENT MANAGEMENT	
14 LAND USE ZONING	
15 STRATEGIC DEVELOPMENT AND REGENERATION AREAS	
16 DEVELOPMENT STANDARDS	
Part 4 – Site Specific Zoning	115
Part 5 – Persons or Bodies who made submissions / observations	125



# Part 1

## Introduction

## **The Chief Executive's Report on the Submissions to the Proposed Amendments to the Draft Dublin City Development Plan 2016– 2022**

### **Introduction**

This Report forms part of the statutory procedure for the preparation of the City Development Plan, as required by the Planning and Development Acts 2000 (as amended). It consists of the Report of the Chief Executive on the submissions/observations received on the Proposed Amendments to the Draft Dublin City Development Plan 2016-2022.

The Report contains the following:-

- A summary of the Submission by the Minister for the Environment, Heritage & Local Government (Part 2)
- A summary of the issues raised by the submissions/observations, The Chief Executive's Response to the issues raised and The Chief Executive's Recommendations on the issues raised (Part 3)
- Site Specific Zoning (Part 4)
- A list of the persons or bodies who made submissions/observations (Part 5).

For ease of reference the Material Alteration Reference Number from the Amended Draft is quoted. The layout of this report is similar to the previous Chief Executive's Report in that submission issues are grouped by topic and each topic is dealt with in chapter order and section order as per the Draft Plan. In instances where there are no submissions on a particular topic, the corresponding section 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.

In accordance with Section 12 (7) of the Planning and Development Act 2000 (as amended), this report addresses only those submissions made in relation to the Proposed Amendments and likely significant effects on the environment of implementing the proposed amendments.

### **Process to Date**

The consultation period for the making of the Dublin City Development Plan 2016-2022 commenced with the launch of an Issues Paper which was on public display from 10<sup>th</sup> November 2014 to 14<sup>th</sup> January 2015. A series of public information sessions and consultation workshops were held throughout the city to inform the Draft Plan. A total of 303 written submissions, together with opinions and comments arising from public consultation sessions and consultation with 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 394 pre draft motions which were considered at the Special Council on 5<sup>th</sup> May 2015 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 561 motions. All changes agreed at the Special Council meeting held on 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> September 2015 to consider the proposed Draft Development Plan and the Chief Executives Report on motions received informed the Draft Dublin City Development Plan 2016-2022.

The Draft Dublin City Development Plan 2016-2022 was placed on public display from the 1<sup>st</sup> October 2015 to 11<sup>th</sup> December 2015. A total of 1484 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 (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 392 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 2016-2022 and the Chief Executives Report on submissions received and the Chief Executives Report on motions received on 30<sup>th</sup> and 31<sup>st</sup> of May and June 1<sup>st</sup> 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 amendments on 4 weeks statutory public display in accordance with the provisions of the Planning and Development Act 2000 as amended. The display period for the Proposed Amendment of the Draft Dublin City Development Plan took place from 21st June 2016 until 19th July 2016. The Proposed Amendment of the Draft Dublin City Development Plan was accompanied by an Addendum Report prepared in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended) and in accordance with Article 6 of the Habitats Directive (92/43/EEC). As the Proposed Amendment of the Draft Dublin City Development on public display omitted a small number of proposed amendments a further Supplemental Report with the omitted Proposed Amendments was placed on public display from 6th July to 4th August 2016.

### **Submissions**

A total of 298 submission/observations were received which is a 160% increase in the number of submissions/observations received compared with the amount received at the same stage during the 2011-2017 Development Plan. Furthermore, petitions and groups of submissions were received for Bridgefoot Street and St Teresa's Gardens.

As 2 submissions/observations were received after the prescribed deadline they are excluded from further consideration and are not provided for in this report.

The full text of all the written submissions/observations received during the second public display period is available in soft copy to Members. A hard copy of each submission/observation is also available in the Planning Department. 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 Amendment of the Draft Dublin City Development Plan report and the Supplemental Report.

### **Consultation Strategy**

In addition to the public display which took place in locations throughout the city 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 and 245 such submissions/observations were received electronically.

The JCDecaux billboards (which form part of the public amenities and outdoor advertising concessionary contract) were used throughout the city to promote participation in the consultation process and radio adverts were run on City FM. The City Council's dedicated social media sites were used and advertisements were placed in the national newspapers.

Public information days took place each Wednesday afternoon throughout the public display period for this stage where planning staff were available to answer questions in relation to the Proposed Amendment of the Draft Dublin City Development Plan.

### **Strategic Environmental Assessment (SEA) & Appropriate Assessment (AA)**

The Proposed Amendment of the Draft Dublin City Development Plan was accompanied by an Addendum Report prepared in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended) and in accordance with Article 6 of the Habitats Directive (92/43/EEC). The SEA & AA process have been integrated into the plan-making process. Any amendments proposed arising from the Chief Executive's Recommendations have been screened and assessed for the purposes of SEA & AA. The Environmental Report and Appropriate Assessment Report will be modified to take account of any material amendments and additional mitigatory measures, and the provisions of the Addendums that formed part of the second public display, will be incorporated in the final SEA & AA Reports. An SEA Statement and an AA Conclusion Statement / Natura Impact Report (NIR) will also be prepared on final adoption of the plan, demonstrating how environmental and ecological considerations have been integrated into the Plan.

### **Next Steps**

The Members have up to 6 weeks to consider the Chief Executive's Report and accordingly Members will consider the Proposed Amendments to the Draft Plan and the Chief Executive's Report at a Special Meeting of the City Council on **Friday 23<sup>rd</sup> September 2016**



**from 15:30pm until 21:30pm**, and any unfinished business at an adjourned meeting on **Monday 26<sup>th</sup> September 2016 from 13:30** if necessary.

Pursuant to Sections 12(9) and 12(10) of the Planning and Development Act 2000 as amended, having considered the amendments and the Chief Executive's Report the Members shall, by resolution, make the Development Plan with or without the proposed amendments except where it is decided to make a modification to a material alteration providing 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'. The Act also stipulates that a further modification shall not be made where it relates to an increase in the area of land zoned.

The Development Plan shall have effect 4 weeks from the day that it is made.

### **Information Sessions for Members**

To assist members in their consideration of the Proposed Amendments and the Chief Executive's Report on the submissions received, information sessions for Members only have been arranged for the following dates:-

Thursday 25<sup>th</sup> August @ 13:00 to 14.30pm

Monday 29<sup>th</sup> August @ 8:30- 9.30am

Additional information sessions for Members will be arranged if necessary.

# Part 2

**Submission on behalf of the Minister for the  
Environment, Community and Local Government**

## **Submission on behalf of the Minister for the Environment, Community and Local Government**

### **Summary of Issues**

The Department of Environment, Community and Local Government on behalf of the Minister generally welcomes that the observations made in the submission of 11th December 2015 have been addressed in the proposed amendments, particularly those relating to urban regeneration, active land management, the vacant site levy, the removal of the passive house requests, the inclusion of revised apartment guidelines; the amendments to the student accommodation standards and the housing strategy. All of these measures support the delivery of much needed housing.

The Department is concerned about the proposed reduction in maximum height for residential development from 28 to 24m (Inner City) and from 16m to 13m (outer city), as it will have a negative impact on the delivery of housing, as set out in the Core Strategy.

The Department expresses specifically its concern about the amendment requirement for 15% open space and 20% open space (including a 80m x 130m playing pitch) at O'Devaney Gardens and St Theresa's Gardens respectively, and requests the City Council to be mindful of the need to promote housing in well located areas.

The Department considers the above concerns also apply to the proposed amendment on Z9 open space, confining the applicant for any exceptional housing to be the sports club owner/occupier. As such, these stipulations should be removed as they reduce the capacity to deliver housing in sustainable locations.

The Department notes that while the inclusion of 3 retail centres (Clongriffin, Phibsborough and Naas Road) has merit, they are not identified as Level 3 centres in the Regional Retail Strategy. It recommends that such designation be considered in a revised regional strategy. There is also concern by the Department about the proposed ban on new fast food outlets within 250m of schools as it may be at odds with the mix of uses needed in town centres.

The Chief Executive's Report considers all of the above matters in the relevant sections below.

# Part 3

## **Summary of submissions and Chief Executive's Response and Recommendations**

# **Chapter 1 - Strategic Context for the City Development Plan 2016-2022**

**Submission Number(s):**

4151, 4259, 4264

## **Section: 1.2 - A New Approach**

### **Summary of Issues**

#### **Material Alteration Reference Number 1.1**

The vacant land levy is welcomed. Levy should be ring fenced for local areas such as Phibsborough.

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

The Urban Regeneration and Housing Act (2015) in Section 23 sets out the following:

“(1) Any money received by a planning authority pursuant to section 15 shall be spent by it:

(a) where the vacant site comprises residential land, on the provision of housing on residential land in the vicinity of the site,

(b) where the vacant site comprises regeneration land, on the development and renewal of regeneration land in the vicinity of the site.”

The issues raised in the submissions are fully covered by the Act as set out above and so no change is recommended.

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

Retain text in Amended Draft.

## Chapter 2 - Vision and Core Strategy

### Submission Number(s):

4016, 4085, 4108, 4116, 4127, 4129, 4151, 4155, 4186, 4255, 4256, 4259, 4264, 4266, 4267, 4271, 4272

### Section: 2.2.8.1 Area Specific Plans

#### Summary of Issues

##### Material Alteration Reference Number 2.4

The proposed LAPs and SDZ are welcomed. There is an urgency regarding the O'Devanney Gardens LAP. The Harolds Cross LAP is welcomed. The Phibsborough LAP could be started soon as much work has already been done.

Sandmount & Merrion Road Residents Association express concerns about Poolbeg West SDZ and potential negative impacts. It is stated that some of these lands were constructed from hazardous waste.

#### Chief Executive's Response

The welcome for the LAPs and the SDZ is noted. Concerns about the Poolbeg West SDZ can be addressed in the preparation and assessment of the SDZ scheme. The Amendment states that; **"The ordering of the delivery of such LAPs to be determined by City Councillors"**.

#### Chief Executive's Recommendation

Retain text in Amended Draft.

## Chapter 3 - Addressing Climate Change

### Submission Number(s):

4006, 4009, 4012, 4160, 4186, 4229, 4236, 4266

### Section: 3.2 Achievements

#### Summary of Issues

##### Material Alteration Reference Number 3.1

ESB Networks in their submission (4006) set out the role of ESB Networks in the electricity industry. They are a separate business unit within the ESB group which serves all electricity customers in the ROI. They own the Electricity network and licensed Distribution System which is responsible for planning, operating and maintaining all the sub transmission networks which in Dublin City include the 110kv and 38kv network the medium voltage (10kv) network and low voltage network. They request that the highest priority be assigned to the provision of electricity infrastructure should future development necessitate the reinforcement of the Distribution System. They set out in their submission a number of their current planned reinforcement requirements, which also includes over the long to medium term a new HV substation in the region east of O'Connell Street/Parnell Square/North Fredrick Street and a new substation in the South city region between Ballsbridge and Elm Park/Merrion.

#### Chief Executive's Response

The Amendment reads as follows:

##### **"Amend First Bullet point (page 17**

The Council, in co-operation with CODEMA (City of Dublin Energy Management Agency) has embarked on various initiatives/events to help reduce **domestic** energy usage. These include the 'Think Energy' campaign, a 3-year programme to reduce energy demand, and also other initiatives for business/industrial sector including the 'Green IFSC' initiative and E-merge project"

The submission from ESB Networks is welcomed, and Dublin City Council is committed to working with all the service providers and in particular where it is intended to enhance or upgrade existing facilities or networks, subject to proposals being consistent with the provisions set out in the current Dublin City Development Plan, including those requirements pertaining to environmental protection, visual amenities, and amenities of residential properties.

#### Chief Executive's Recommendation

Retain text in Amended Draft.

### Section: 3.3 Challenges

## **Summary of Issues**

### **Material Alteration Reference Number 3.3**

To retain the phrase “33% reduction by 2020”

## **Chief Executive’s Response**

This Amendment set out the following:

“Amend first paragraph , last line (page 17) under challenges.

Dublin City has sought a more ambitious target of a **33% reduction by 2020** 20% reduction for the whole city and for a 33% reduction for the Council’s own energy by 2020, and the EU Mayors Adapt Initiative has agreed to reduce Carbon Dioxide emissions by at least 40% by 2030. “

This amended text was agreed by council. on foot of a submission from Codema, in the Chief Executives Report on Submissions , see page 54/55. (March 2016) . The figure of 33% relates to Dublin City Council’s own energy targets but that overall , the target is 20% emissions reductions for the whole city.

## **Chief Executive’s Recommendation**

Retain text in Amended Draft.

## **Section: 3.4 Policies and Objectives**

## **Summary of Issues**

### **Material Alteration Reference Number 3.9**

A number of submissions were received in relation to the Amendment 3.9 which relates to the omission of objective CCO11, (see below) ‘

**CCO11: All new buildings will be required to meet passive house standards or equivalent. In this case ‘equivalent’ means where there is robust evidence to support a buildings efficacy (with particular regard to indoor air quality, energy performance, and prevention of surface/interstitial condensation). The only exceptions shall be buildings specifically exempted from BER ratings by the SEAI. ‘**

The submissions outline reasons for the re-introduction of a Passive House Energy Standard and refer to a similar energy standard being introduced by the City Council by way of a variation to the then City Development Plan 2007. A reference is also made to similar provisions for Passive House Energies being adopted and included by both Fingal County Council, Dun Laoghaire Borough County Council and Wicklow County Council in their reviews of their respective County Development Plans. Another submission addresses the legal objections outlined in the Department of the Environments submission to the fact that the proposal may be ultra-various and contrary to competition law. Further submissions refer to the current global effects to reduce CO2 emissions and that the Energy Performance Building Directive (EPBD) will require all buildings from 2020 be designed and constructed to achieve almost zero energy. This submission also notes that if a Passive House Energy Standard



cannot be introduced by way of the City Development Plan then the City Council should give consideration to introducing it by way of a bye-law.

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

The submissions are deemed out of order as they are inconsistent with national legislation – Section 9 Planning & Development Act as amended refers. Furthermore section 130 of the Local Government Act 2001-2014 states that “it is the duty of

every Chief Executive to carry into effect all lawful directions of the elected council”. Any changes to internal energy standards for buildings should be implemented via changes to the Building Regulations at National level. The Building Regulations Part L (2008 and 2011) and relevant national policy and guidelines cover this area. To use the Development Plan to impose a standard different from the Statutory Building Regulations will leave the City Council open to litigation. It would make deciding on planning applications problematic as it would effectively impose on the Planning Authority the requirement to consider the proposed standard rather than objectively considering the requirements of proper planning and sustainable development. It would also result in a situation where you had conflicting standards being applied by the city council as a Building Control Authority and a Planning Authority. There would be no planning means of enforcing the different standard and as the standard would be different from the Building Regulations it could not be enforced under that legislation. Application and implementation would be uncertain and difficult to comply with so effectively a loophole would be created that could be exploited to the detriment of the public.

An additional reason not to include the standard is the additional upfront costs. To impose higher costs on an already struggling Dublin City market without the same costs being applicable to the commuter belt would likely lead to families being further priced out of the market. This could lead to an increase in unsustainable commuting with all its consequent impact on quality of life, long days in childcare, separation from extended family and supports, increased emissions etc.

A further point is that this is anti competitive. The passive house standard is proprietary and there are other providers with their own standards. It would be very difficult to ascertain what is an equivalent standard without a clear common measure. In addition the passive house standard has not been tested in this State against European standards, and there are concerns that it does not calculate carbon emissions.

It should be noted that the Building Control Standards in Ireland covering energy efficiency are currently being updated in accordance with the DECLG policy document "Towards Nearly Zero Energy Building in Ireland - Planning for 2020 and Beyond" which is part of the Energy performance of Building Directive from the EU. The stated policy is that by 2020 all new buildings in Ireland will have a minimum BER of A3 or higher. The Building Standards Division of the DOE has recently published a series of documents supporting the conservation of fuel and energy in buildings, all in support of Irelands National Climate Change Policy and which are at least the equivalent of other proprietary standards. Dublin City Council as a Building Control Authority fully supports the introduction of these higher energy efficiency standards for all buildings nationally.

Finally, it is pointed out that the City Council as a Planning Authority is fully committed to

encouraging the efficient use of energy in new and refurbished buildings in the City. For the first time, the draft City Development Plan has an entire chapter (Chapter 3) devoted to addressing climate change, which includes objectives on energy from renewable sources, district heating and embodied energy.

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

Retain text in Amended Draft (Delete CCO11).

## Chapter 4 - Shape and Structure of the City

### Submission Number(s):

4057, 4085, 4151, 4162, 4177, 4255, 4256, 4259, 4264

### Section: 4.4 The Strategic Approach

#### Summary of Issues

##### Material Alteration Reference Number 4.1

There are 2 no. submissions relating to Section 4.4 of the Amended Draft Plan.

One submission states that the amendment to Section 4.4. of the Draft Plan was not discussed at the City Council meetings of 30th May 2016, 31st May 2016 and 1 June 2016. The submission states that the additional wording ("which are designed to facilitate walking and cycling") should be removed as this section is not presented as amended by Motion 2032 and the additional wording was never discussed or agreed by City Councillors.

A separate submission on behalf of Ringsend Housing Action Group seeks to amend the second bullet point in Section 4.4 of the Draft Plan, by inserting the additional sentence "Communities to be involved in the development process, including by means of cooperative and 'co-housing' initiatives".

#### Chief Executive's Response

The Amendments to the second bullet point of Section 4.4 state:

"The creation and nurturing of sustainable neighbourhoods, **which are designed to facilitate walking and cycling**, close to public transport **insofar as possible**, and a range of community infrastructure, in quality, more intensive mixed-use environments." (page 18 of June Amendments)

Members agreed that the Chief Executives report on Submissions was agreed unless the item was the subject of a Motion. In relation to the second bullet point in section 4.4 the Chief Executives report on Submissions (page 67) recommended the addition of the words "which are designed to facilitate walking and cycling" before the words "close to public transport".

The Motion submitted sought that the words "insofar as possible" be added after the words "close to public transport". The Chief Executives recommendation to adopt the Motion and amend the bullet point to read as follows:

"The creation and nurturing of sustainable neighbourhoods, close to public transport **insofar as possible**, and a range of community infrastructure, in quality, more intensive mixed use environments" was not agreed and instead the Motion was put and carried.

As the Motion did not seek the removal of the words "which are designed to facilitate walking and cycling" from the Submissions report the Material Alteration that was

placed on public display included that wording in addition to the wording sought by the Motion to read as follows:

“The creation and nurturing of sustainable neighbourhoods, **which are designed to facilitate walking and cycling**, close to public transport **insofar as possible**, and a range of community infrastructure, in quality, more intensive mixed use environments”

With regard to the submission on behalf of the Ringsend Housing Action Group, the matter raised was not a material alteration on the Draft Plan and is **outside the scope** of the plan at this stage. Notwithstanding this, the matter is adequately addressed elsewhere in the Plan.

Section 5.4 of the Draft Plan outlines the Strategic Approach for the Quality Housing chapter, and the second last bullet point in Section 5.4 states ‘Providing the right quantity of appropriate housing in the right locations that is accessible and affordable for all residents of the city through the implementation of the housing strategy’. In addition, Policy QH4 states that it is policy of Dublin City Council to support proposals from the Housing Authority and other approved housing bodies and voluntary housing bodies in appropriate locations subject to the provisions of the Development Plan.

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

Retain text in Amended Draft.

## **Section: 4.5 Policies and Objectives**

### **Summary of Issues**

#### **Material Alteration Reference Number 4.11**

#### **Section 4.5.5 The Public Realm**

The submission from Dublin Chamber of Commerce questions the removal of the reference to ‘wider footpaths’, and states that it would make sense that increased numbers of pedestrians can be accommodated on pavements in and around College Green. Wider footpaths should be considered in areas, i.e., Nassau Street and Merrion Row, where road space can be reduced without negatively impacting the amount of road space required to cope with existing traffic volumes.

### **Chief Executive’s Response**

Amended Objective SCO8 states the following:

“To prioritise the redevelopment of College Green as a civic space, **to include including** the pedestrianisation of Foster Place, **and to include the provision of wider footpaths.**”

Objective SCO8 is composed in the context of the re-development of College Green, and includes reference to Foster Place. Accordingly, the text relating to the provision of wider footpaths should not be read as relating to wider footpaths in the broader city centre or citywide contexts, as SCO8 relates to College Green and Foster Place.

Accordingly, there is a significant framework being developed to address the re-development of College Green as a largely pedestrianised civic space, and similarly the matter of adequate footpath widths elsewhere in the city centre is a matter for the City Centre Public Realm Masterplan.

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

Retain text in Amended Draft.

## **Section: 4.5.1.1 Approach to the Inner City**

### **Summary of Issues**

#### **Material Alteration Reference Number 4.3**

The submission seeks to expand Policy SC1 to include 'Ringsend Former Glass Bottle Site'.

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

The Amended Policy SC1 states:

"To consolidate and enhance the inner city by linking the critical mass of existing and emerging clusters and communities such as Docklands, Heuston Quarter, Grangegorman, Stoneybatter, [Digital Hub, Newmarket](#), Parnell Square, the Ship Street Area and Smithfield with each other, and to regeneration areas".  
(page 18 of June Amendments)

An SDZ Scheme is currently being prepared for Poolbeg West, which includes the former Glass Bottle Site. The inclusion of Ringsend Former Glass Bottle Site at this stage is a new topic and is out of order as it was not the subject of a material amendment on display.

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

Retain text in Amended Draft.

## **Section: 4.5.1.2 Approach to the Docklands and the Port**

### **Summary of Issues**

#### **Material Alteration Reference Number 4.7**

One submission seeks to insert the following additional text after the last paragraph of Section 4.5.1.2: "A Docklands Heritage Trail be established to promote the history, heritage and amenities of the area".

A separate submission from Transport Infrastructure Ireland (TII) states that with regard to proposals to support additional hotel and exhibition facilities in the area east of the Point, that the Council will be aware of the strategic road and light rail projects

planned for this area. TII requests that such development proposals are developed cognisant of the strategic transport schemes identified by the NTA Transport Strategy for the Greater Dublin Area 2016-2035 and requests consultation as proposals progress.

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

The Amended Section 4.5.1.2 Approach to Docklands and the Port states the following:

“New proposals by Dublin Port to accommodate cruise ships directly east of the East Link Toll Bridge will **if permitted** further animate the campshires and general Docklands area, enhance the social and commercial environment of this urban quarter and will improve connectivity between the port and the city. There is potential to include a marine services, **hotel and exhibition** centre **in** the Point area immediately east of the SDZ, to consolidate this cluster **and complement the Cruise Shipping facility**. Dublin City Council recognises Dublin Port as a major source of employment in the area as well as the need for a ferry terminal service and linkages to the natural amenities of Dublin Bay.”

(page 19 of June Amendments)

The Draft Plan contains a range of details relating to heritage and amenities of the Docklands.

SDRA 6 Docklands (SDZ and wider Docklands Area) sets out under Section 15.1.1.7 (Docklands Area) the aim of developing and championing a Maritime Heritage Strategy to attract visitors to the Docklands Area, and of promoting the Docklands as a location of sustainable tourism including cultural, recreational and business tourism.

In addition, under Section 11.1.5.16 (City Heritage Plan), Policy CHC13 is to promote the awareness of Dublin's industrial, military and maritime (including lock-keepers' dwellings) heritage.

Other more detailed policies and objectives relating to heritage are also contained elsewhere in Chapter 11 (Culture and Heritage), such as Objective CHCO16, which is to undertake a feasibility study to identify suitable uses, potential partners, funding opportunities and a conservation strategy for the former Pigeon House hotel and former Pigeon House Power Station.

Accordingly, it is considered that the matter of the promotion of the history, heritage and amenities of the area are already adequately addressed elsewhere in the Draft Plan.

Furthermore, the pedestrian wayfinding scheme in the Docklands is now well established, and Policy SC22 (Section 4.5.7 Pedestrian Wayfinding Scheme) is to consolidate and expand the scheme which will provide a basis for a more coherent system of pedestrian signage. As the emphasis of the wayfinding scheme is on key cultural, civic and religious places of interest, the consolidation and expansion of the scheme in Docklands and elsewhere facilitates people in locating the many attractions of the city along the most appropriate route.

With regard to the submission from TII, it is recognised that as part of the development management process, it is a requirement of the planning regulations that planning applications are referred to certain bodies, where appropriate. One of the bodies specified (in the Planning and Development Regulations 2001, as amended), in cases where development might significantly impact on surface transport in the Greater Dublin Area, is Dublin Transportation Office, or any body that replaces that

office. Accordingly, this is an operational matter, and as such no further amendments to Section 4.5.1.2 are recommended.

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

Retain text in Amended Draft.

## **Section: 4.5.4.1 Approach to Taller Buildings**

### **Summary of Issues**

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

The submission from An Taisce and one other separate submission state that the proposed amendments in Section 4.5.4.1 show that 10 areas are in the mid-rise category, and that only 9 areas are listed as being suitable for mid-rise buildings in the table at Section 26.7.2 (*sic*) of the Draft Plan. This would appear to be an error.

The submission from Dublin Chamber of Commerce states that density and building heights pose a fundamental question for Dublin's future development. Dublin Chamber is an advocate for higher density commercial development.

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

Amended Section 4.5.4.1 states the following:

"4.5.4.1 Approach to Taller Buildings

Of the 15 14 specific areas identified for mid-rise (up to 50m) and taller (above 50m) buildings...

- ...11 10 are in the mid-rise category of which 6 4 are in areas already subject of local area plans and SDZs
- ....4 are in taller category, and comprise the Docklands Cluster, Connolly, Heuston and George's Quay. (Part of the Docklands is covered by the SDZ planning scheme)."

(page 19 of June Amendments)

The numbers set out in green above are correct taking into account the inclusion of the NCHQ and Phibsborough.

The inclusion of the National Concert Hall Quarter and removal of the removal of Phibsborough brings the total number of areas in the mid-rise category to 10.

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

Retain text in Amended Draft.

## **Section: 4.5.5 The Public Realm**

### **Summary of Issues**

#### **Material Alteration Reference Number 4.10**

The submission from Phibsborough Tidy Towns welcomes the undertaking to carry

out an audit of existing street furniture and removal of at least 20% of redundant elements. It is requested that this audit be initiated in Phibsborough where there is an inordinate level of “pole littering”.

With regard to the Amended Objective SCO6, the Chamber believes that a percentage above 20% should be possible, and that consideration should be given to removing redundant street furniture items such as bollards, guardrails, signposts, etc.

Consideration should also be given to removing the need for lamp posts by suspending street lights from nearby buildings. Much improved cycle parking areas are required also to help the amount of bicycles which are tied to lamp posts on pavements and in areas which are difficult to navigate for pedestrians.

### **Chief Executive’s Response**

Amended Objective SCO 6 states:

“To carry out an audit of existing street furniture poles and signage in the public realm, with the aim of removing **at least** 20% of such redundant elements, in order to reduce street clutter and to seek the multiple uses of poles for road and directional signage including butterfly bike locking.”

With regard to the submissions received from both Phibsborough Tidy Towns and Dublin Chamber of Commerce in relation to Amended Objective SCO6, the implementation of this objective is an operational matter, and is a matter for the relevant SPC. No further changes to Objective SCO6 are recommended.

With regard to the suggestion that consideration should be given to suspending street lights instead of using lamp posts, the use of street lights on buildings can have significant implications for lighting provision. Wayleaves are required, and where a building owner does not allow the provision of street lighting on a building, this can adversely impact on the light provision in a given area. Accordingly, while some street lighting on buildings already exists in some locations in the city centre, the provision of street lighting on buildings in lieu of lamp posts as a general approach is unfavourable.

The City Centre Public Realm Masterplan is due to be launched in Autumn 2016. The Public Realm group has advocated for a pedestrian-friendly core. It is intended that a pedestrian friendly core will deliver gains for pedestrian movement where possible.

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

Retain text in Amended Draft.



## Chapter 5 - Quality Housing

### Submission Number(s):

4002, 4057, 4111, 4160, 4162, 4215, 4216, 4239, 4255, 4256, 4259, 4264, 4269

### Section: 5.4 The Strategic Approach

#### Summary of Issues

##### Material Alteration Reference Number 5.1

One submission called for an addition to the amended final bullet point within Section 5.4 of the Draft Plan: (proposed addition underlined):

Providing for the creation **and improvement** of attractive mixed-use sustainable neighbourhoods which benefit from the phased delivery of supporting infrastructure. This will include promoting the involvement of communities in the development process, with special consideration being given to cooperative and 'co-housing' initiatives to provide affordable, socially and generationally inclusive and sustainable housing and other facilities.

Other submissions were received within the context of the strategic approach to housing but did not relate to any specific amendment, rather calling for overall improvements in the delivery of quality housing.

The submission from IBEC called for the Plan to be revised to allow implementation of the 'Action Plan for Housing' which aims to double the output of overall housing to at least 25,000 nationally per year by 2020. An adequate supply of housing would improve Dublin's potential to grow and attract jobs and investment. Increased investment in purpose-built student accommodation and social housing for example would ease pressure on other parts of the private rental market, provide affordable and quality accommodation for our student population and help tackle the homelessness crisis.

#### Chief Executive's Response

The submission which seeks changes under amendment Reference No. 5.1 is in fact seeking the inclusion of additional new content, specifically requesting the involvement of communities in the development process and to give special consideration to cooperative and co-housing initiatives. This is considered outside the context of the amendment set out in reference 5.1 and therefore outside the scope of this stage in the Development Plan process. In any case policy QH6 and the Housing Strategy already promotes neighbourhoods with a variety of housing types and tenures, with supporting community facilities.

Other submissions seeking quality housing, a focus on student housing and social housing are considered to be adequately addressed within the Draft Development Plan. These submissions are not specifically related to any amendment, and are therefore outside the scope of this stage in the Development Plan process. It is however agreed that reference should be made in the Plan to the Government's

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

Retain text in Amended Draft and add:

**“In addition the City Development Plan will through its active land management approach seek to implement the National Action Plan for Housing and Homelessness (2016).”**

## **Section: 5.5.1 National and Regional Guidelines and the Housing Strategy**

### **Summary of Issues**

#### **Material Alteration Reference Number 5.4**

A number of submissions were received in relation to amendment reference number 5.4, which deals with Policy QH3.

A submission seeks to alter the percentage of units reserved for social housing in residential developments from 10% to 30%, with a further 10% reserved for affordable units.

A submission refers to the Draft Plan stage which sought to amend the policy to include the prohibition on any financial or off-site deals to circumvent the 10% social housing requirement within a development, unless the financial amount is received and ring fenced to purchase identified similar quality properties, or the off-site properties are of similar quality, ready for occupation and ownership transferred in advance of development commencement. The submission reiterates this motion stating that an outright prohibition is not sought, rather a prohibition on the types of deals that have in the past resulted in the non-delivery of Part V housing and/or financial contributions.

A further submission sought to further amend Policy QH3 by the inclusion of an additional requirement seeking the promotion of cooperative and co-housing community initiatives.

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

The changes set out in amendment ref. 5.4 for policy QH3 do not relate to the percentage of social housing to be secured through the implementation of the City Council's Housing Strategy. The amendment retains the 10% as per the original Draft Plan with the amendment clarifying that this applies to land and not units, and expands the policy to promote engagement in active land management. The submission which now seeks to change the percentage of social housing from 10% to 30% is out of order. The promotion of cooperative and co-housing community is already in the Housing Strategy which provides sufficient policy framework for this matter.

The amendments did not include the prohibition of any financial or off-site deals to circumvent the 10% social housing requirement within a development, as set out

under Motion 2051 previously submitted. This motion was ruled out of Order. As set out in the CE report previously, the Urban Regeneration and Housing Act 2015 explicitly prohibits the option of providing cash payments in lieu of social housing; whereas it does allow for off-site provision where housing units (and not land) can be provided. The focus of this new legislation is to ensure that social housing units are provided,

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

Retain text in Amended Draft.

## **Section: 5.5.4 Quality Housing for All**

### **Summary of Issues**

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

A submission was received seeking further additions to Section 5.5.4 Quality Housing for All, as amended by Amendment Reference No. 5.6, to add an additional new sentence at the end of the 4th paragraph (page 37/38 of the Draft Plan), as follows (proposed new text underlined):

Add to 4th paragraph (page 37/38)

As people live longer, the number over the age of 65 in Ireland is expected to increase substantially, reaching 1.4 million by 2041, or about 22% of the total population. The Dublin City Age Friendly Strategy 2014- 2019 recognises that there is insufficient alternative accommodation, such as sheltered accommodation and nursing homes in local communities. In this context, the provision of specific accommodation for older people is supported and this would provide alternative residential choices for older people not wishing to enter a nursing home and may free up larger family homes in established residential areas. **As a general rule step-down housing for the elderly should be located in close proximity to existing village centres/ amenities, to enable people to continue to interact with their local communities.**

The planning section of Dublin City Council will give favourable consideration to proposals which include a mix of standard and step-down residential accommodation.

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

The amendment proposed under Reference no. 5.6 includes a statement that step-down housing for the elderly should be located in close proximity to existing village centres/ amenities to allow people to interact with their local communities. The submission seeks a new additional element favouring a mix of standard and step-down residential accommodation. This does not address the proposed amendment, rather seeks additions to the Plan and is therefore **out of order** for this stage in the Development Plan process.

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

Retain text in Amended Draft.

## **Section: 5.5.7 Houses**

## **Summary of Issues**

### **Material Alteration Reference Number 5.8**

Four submissions were received seeking the rejection of amendment reference no. 5.8

QH23: To ensure that new housing development close to existing houses **reflect** **has regard to** the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

And the reinstatement of the original wording for Policy QH23 i.e. The submissions request that the term “reflects” be instated in lieu of “has regard” to.

## **Chief Executive’s Response**

This change came about on foot of public submissions on the Draft Plan which expressed concern that the policy was leading to pastiche developments and was restricting the ability to achieve higher densities on in-fill housing sites within 2-storey housing areas.

The Chief Executive in the response to this submission also had regard to Appendix 17 of the Draft Plan, Guidelines for Residential Extensions, whereby support is given for good contemporary designs in dealing with extensions: Section 17.10 of the Draft Plan states that *“a contemporary or modern approach, providing unique designs, can offer a more imaginative solution to an unusual dwelling type or a contrast to a traditional building and are still required to take account of the design issues outlined in this document. Contemporary solutions should not detract from the character of an area and undeniably, if well designed, can make a positive contribution to the streetscape and the character of the area”*.

It is considered that a similar approach should be taken with regard to new housing and in-fill developments, and that the proposed amendment is appropriate. The policy still requires new development to have regard to the character and scale of existing houses in an area, and indeed new developments must adhere to the development standards set out within Chapter 16 of the Plan. The amended policy does however allow for a modern interpretation within an area. It is also considered that certain housing designs and layouts from the later 20th century should not be reflected in new buildings either in terms of quality or standards.

## **Chief Executive’s Recommendation**

Retain text in Amended Draft.

## **Section: 5.5.8 Demolition and Reuse of Housing**

## **Summary of Issues**

### **Material Alteration Reference Number 5.9 and 5.10**

Under Section 5.5.8 Demolition and Reuse of Housing, it was requested that the following new paragraph be added:

*“The practice of detenanted existing social housing in need of refurbishment over an extended period of time leads to slum conditions for the remaining tenants and dereliction for the property and should be ended”.*

Two submissions were received (one on behalf of the RIAI) in relation to amendment reference number 5.10 and the changes to QH25. Both submissions seek the inclusion of additional text into this amended policy, by inserting after ‘through measures such as the living city initiative’, the following additional text: “encouraging appropriate waivers of building regulations where such regulation is incompatible with the reuse of historic buildings”. The submissions acknowledge that the waiver is not ‘in the gift of the planning process’, but requests that the route to it should be highlighted as a solution to a planning problem.

## **Chief Executive’s Response**

Amendment Reference no. 5.9 on Section 5.5.8 Demolition and Reuse of Housing merely inserted a paragraph break into the first paragraph of this section in order to decouple two different topics and to improve the readability of the Plan. The submission seeking amendments to this section is requesting the inclusion of an entirely new statement in relation to detenanted social housing. As a new addition it is beyond the scope of this stage of the Development Plan process and therefore is considered **out of order**.

The submission on behalf of the RIAI and others, is seeking the Development Plan to encourage waivers of Building Regulations in order to secure the reuse of historic buildings. As set out in previous CE responses on this issue, it is beyond the scope of the Development Plan to promote the waiver of building regulations. The Draft Plan acknowledges that there can be conflicts between the Development Plan standards and Building regulations, and indeed states that residential development standards set in the Development Plan may be relaxed for refurbishment projects subject to the provision of good quality accommodation.

## **Chief Executive’s Recommendation**

Retain text in Amended Draft.

## Chapter 6 - City Economy and Enterprise

### Submission Number(s):

4008, 4018, 4085, 4129, 4136, 4170, 4171, 4177, 4205, 4259, 4264, 4296

### Section: 6.5.3 Tourism/Visitors

#### Summary of Issues

#### Material Alteration Reference Number 6.2 and 6.3

Fáilte Ireland state that the City is experiencing unprecedented hotel occupancy rates peaking at over 94%. Fáilte Ireland has undertaken a detailed assessment of tourist accommodation stock in the City. The assessment identified the scale of additional accommodation required to meet anticipated levels of demand in Dublin over the coming years.

They recommend that the following proposed text be inserted as a new policy CEE in Section 6.5.3:

“To promote and support the development of additional tourism accommodation at appropriate locations throughout the City. The City Council will favourably consider applications for new modes of accommodation where these are compliant with the overall policies of the Plan in order to allow the City’s accommodation stock to diversify in-line with the changing profile of the market and identified needs for accommodation.”

The Environmental Protection Agency welcome the proposed additional policy CEE 13 which commits to supporting the preparation and implementation of a strategic regional tourism related plan for the Dublin City region. There is a need to be sure that development is closely linked to the ability to provide the necessary critical service infrastructures and also a need to ensure that the proposed plan will provide an appropriate level of protection to environmental sensitivities /vulnerabilities.

The RDS (4170) broadly supports the Amendment Reference Number 6.2 which states:

#### **“Add to Policy CEE12 (page 45)**

**(i)“To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors”**

**(ii)“To promote and facilitate the optimum benefits (including the international marketing benefits) to the city of the Convention Centre Dublin, as well as all other major existing and future visitor attractions.”**

However, they request specific recognition of the important city and national role of the RDS. They propose a wording that includes the Council supporting “appropriate consolidation/enhancement of uses at RDS lands (including ancillary office

development), to support the ongoing RDS operations at Ballsbridge all subject to relevant planning considerations

Request to add text stating that as owner of Dalymount Park, DCC commits to the negotiation of a local agreement on permissible concert and event numbers with Phibsborough residents.

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

The RDS submission requesting recognition in the Development Plan for the RDS cannot be included at this stage in the Development Plan process as it is not the subject of a material amendment on public display and to include it would be **out of order**. CEE12 makes no reference to specific venues.

Regarding the Failte Ireland submission, the draft Plan already sets out the following policies:

CEE12: To promote and facilitate tourism as one of the key economic pillars of the city's economy and a major generator of employment and to support the provision of necessary significant increase in facilities such as hotels, aparthotels, tourist hostels, cafes and restaurants, visitor attractions, including those for children.

CEE13: To work with Failte Ireland and other stakeholders, to deliver on the ambitious tourist targets set out in 'Destination Dublin – A Collective Strategy for Growth to 2020'; (Grow Dublin Taskforce, including aim to double the number of visitors by 2020).

The June 2016 Amendments report put out for public consultation included the following addition to Policy CEE13:

**“To support the preparation, adoption and implementation of a strategic regional plan for tourism for the Dublin City region, to provide a framework for the sustainable and efficient provision and management of tourism across the region”.**

Having regard to the importance of tourism to the city, it is considered that the Failte Ireland proposed policy is reasonable to the extent that “To promote and support the development of additional tourism accommodation at appropriate locations throughout the City” could be added to CEE13

As regards consultation re. events and concerts at Dalymount, this is not a matter for the Development Plan.

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

Retain text in Amended Draft CEE12

Retain text in Amended Draft CEE13 and Add

**“This Plan will include policies to promote and support the development of additional tourism accommodation at appropriate locations throughout the City”**



## Section: 6.5.5 Employment, Enterprise and Economic Development Sectors

### Summary of Issues

#### Material Alteration Reference Number 6.6 and 6.7

A submission welcomes the commitment to social labour clause and living wage employment for Dublin City Council Developments . To add new sentence ' All businesses within the City boundaries should be strongly encouraged to embrace living wage employment for their employees'

Diageo (4171) welcomes the reference to the inclusion of 'visitor centres' in the text proposed for CEE18. In this regard they refer to the fact that the Guinness Storehouse is Ireland's No. 1 International Tourist Attraction for paying visitors. Visitor numbers to the Storehouse have continually increased in recent years and they expect this to continue over the coming decade. They expect that this visitor centre will form an important anchor to the new urban quarter on their Southern lands. They note however that there is no specific reference to the Guinness Brewery or the safeguarding of the existing brewery in the Draft City Plan or the Amended Draft overall. This is of concern to their clients and they make proposals for additions to policy to recognise Guinness Storehouse and Guinness Brewery

### Chief Executive's Response

The proposed amendment to Policy CEE17 is **"to promote social labour clauses for Dublin City Council developments to promote social labour clauses and living wage employment for Dublin City Council developments. jobs which provide quality of life and allow workers to play a full social and economic role in the development of the city."**

Policy CEE4(iii) of the Draft Plan sets out: "To promote jobs which provide quality of life and allow workers to play a full social and economic role in the development of the city."

Section 2.2.4 of the Draft Plan on 'Employment and Enterprise Strategy' sets out the following:

"The ultimate purpose of the development plan is social, providing for people's needs in all aspects of their lives and across their life cycle in areas such as housing, employment, recreation, social and commercial services, in a sustainable manner. This is reflected in the three principles of the core strategy and in every chapter of the Development Plan. The social purpose of the Development Plan is complemented by the Local Economic & Community Plan."

Goal 7 of the Local Economic and Community Plan refers to increasing quality employment and the LECP is incorporated into the Draft Plan Vision and Core Strategy. Overall, the Development Plan provides sufficient policy to enable living wage employment to be provided.

However a living wage is not deliverable through the Development Plan, and as such is **outside the scope** of the plan.



Amendment Reference Number 6.7 sets out the following 6.5.5 Employment, Enterprise and Economic Development Sectors

Add to CEE18 (page 47)

(viii) **'To recognise that craft enterprises, designer's studios/workshops etc., along with visitor centres, provide economic development and regeneration potential for the city including the promotion of tourism. To promote Dublin City Centre as a destination for such craft enterprises'**

Diageo request additions to Policy CEE18 as follows after "**visitors centres**" add (including the Guinness Storehouse) and after "**craft enterprises**" add and to support Guinness Brewery in their continued development to safeguards employment, industry and tourism in the Southwest City.

The inclusion of Guinness Storehouse and Guinness Brewery was not the subject of a material amendment on display and so cannot be included at this stage, i.e. **Out of order**

Retain text in Amended Draft and add Policy CEE 17 as follows:

“ To promote social labour clauses and living wage employment for Dublin City Council developments”.

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

Retain text in Amended Draft for CEE17

Retain text in Amended Draft for CEE 18

## Chapter 7 - Retailing

### Submission Number(s):

4022, 4151, 4215, 4216, 4217, 4241, 4266, 4269

### Section: 7.6.1 Primacy of the City Centre & Retail Core Area

#### Summary of Issues

##### Material Alteration Reference Number 7.2

A submission requested that a change be made to revert the minimum floor to ceiling height from 4m to 5m to allow the adaption of ground floor apartments to commercial uses in the retail core area.

#### Chief Executive's Response

Amendment 7.2 reads as follows:

"7.6.1 Primacy of the City Centre & Retail Core Area  
Amend second paragraph (page 52)

The purpose of this designation is to protect the primary retail function of these streets as the principal shopping streets in the retail core with an emphasis on higher order comparison retail and a rich mix of uses. The designation controls the extent of provision of non retail uses at ground floor level, but also allows for uses complementary to the main shopping focus such as a cafés, bars, restaurants and galleries. Also ground floors should have a **minimum** commercial floor to ceiling height **of 4m (4-5m)** for design, use and adaptability reasons."

With regard to the minimum floor to ceiling height, to allow for adaption from apartment to commercial use, a 4m minimum is regarded as a practicable figure for design and adaptability purposes as set out in paragraph 7.6.1.

#### Chief Executive's Recommendation

Retain text in Amended Draft.

### Section: 7.6.4 Retailing in the Wider City

## **Summary of Issues**

### **Material Alteration Reference Number 7.1**

Submissions were concerned that policy RD8A (regarding the location of fast food outlets vis a vis schools) was variously discriminatory, unenforceable, arbitrary, and outside the normal ambit of land use planning. It was proposed that such issues were better dealt with by public health bodies and if such a policy is necessary it should only be introduced after evidence based research has concluded that it is of benefit. The policy was also deemed to be pre-emptive as steps have been taken in recent years to add greater (and healthier) variety to takeaway options and reduce levels of salt, sugar and fat in them as well. Other submissions welcomed the policy.

## **Chief Executive's Response**

Material Alteration Reference Number 7.1 sets out the following;

**“RD8A: To safeguard the health of young people that no further fast food outlets shall be permitted within 250m radius of primary and secondary school.(not to apply to delis and convenience stores)”**

Motion 2070 at the May council meeting stated that “to safeguard the health of young people that no further fast food outlets shall be permitted within 500m of primary and secondary schools. The Motion was amended by reducing the distance to 250m and excluding delis and convenience stores on foot of concerns raised by the Chief Executive regarding restricting competition and protecting existing operators. There are a range of measures that the City Council can and does undertake to encourage healthier lifestyles in the city and amongst people of all ages including those policies to encourage walking and cycling and engagement with sports and also policies outlined in Chapter 10 ‘Green Infrastructure, Open Space and Recreation’. In the light of the submissions received, the Chief Executive remains concerned that the policy would be used to restrict competition and would have other unintended consequences. It is considered that the following should be added:

“unless an evidence based case is made by the applicant that the proposed development would be in the interests of the proper planning and development of the area”

## **Chief Executive's Recommendation**

Retain text in Amended Draft and add text:

**"unless an evidence based case is made by the applicant that the proposed development would be in the interests of the proper planning and development of the area"**

## **Section: 7.6.5 Policies and Objectives**

## **Summary of Issues**

### **Material Alteration Reference Number 7.3**

A submission requested that additional text be added to Policy RD17A to provide mixed use urban villages that provide for and reflect the changing demographic and

increasing number of 1 and 2 person households in the city. Another stated that the most successful urban village models predated the era of shopping centres and that many of these centres in the city are mono use retail outlets.

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

The Amendment sets out the following;

**“RD17A: To promote the retail provision in the Key District Centres, District Centres and Neighbourhood Centres, including the revitalisation of existing established centres, (see Appendix 3 Retail Strategy).”**

In relation to Policy RD17A, residential development, in the various centres described, from district centre to neighbourhood centre will be subject to the development provisos contained in development plan (S16.10 – Standards for Residential Accommodation) relating to new development in the city. These stipulate that a proportion of units suitable for 1 and 2 person households be provided in development above a certain threshold. This will ensure that the city will continue to have residential units suitable for all household sizes and stages in the life cycle.

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

Retain text in Amendment Draft.

## **Chapter 8 - Movement and Transport**

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

4001, 4005, 4007, 4016, 4049, 4057, 4085, 4104, 4123, 4136, 4151, 4154, 4161, 4162, 4166, 4177, 4186, 4191, 4192, 4195, 4196, 4205, 4223, 4230, 4251, 4257, 4259, 4264, 4266, 4271, 4272, 4275, 4276, 4284, 4285

### **Section: 8.1 Introduction**

#### **Summary of Issues**

##### **Material Alteration Reference Number 8.1**

The National Transport Authority strategy will do little to improve journey times . Congestion charges should be implemented within the canals. Concern raised regarding the lack of cycleways in the city

Alteration 8.1 has the effect of incorporating the National Transport Authority strategy 2016-35 into the development plan. If this is to be done then the NTA strategy must be subject of Strategic Environmental Assessment by Dublin City Council . Hence this alteration should be omitted.

The Department of Environment, Community and Local Government supports the proposed alteration.

##### **Material Alteration Reference Number 8.2**

Health is not mentioned in relation to avoidance of exhaust fumes and particulate matter. There are ways of minimising exposure. Community housing and car-pooling initiatives should be encouraged.

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

##### **Material Alteration Reference Number 8.1**

The proposed alteration is solely an updating of the title of the strategy.

##### **Material Alteration Reference Number 8.2**

Text in the proposed alteration already relates to the principle of needing to reduce transport related emissions , implicitly for health reasons. Alternatives to private car use are addressed in section 8.5.5 which includes mobility management.

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

##### **Material Alteration Reference Number 8.1**

Retain text in Amended Draft.

## **Material Alteration Reference Number 8.2**

Retain text in Amended Draft.

## **Section: 8.3 Challenges**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.3**

Environmental Protection Agency ; The Plan should support relevant aspects of the forthcoming National Policy Framework for Alternative Fuels Infrastructure for the Transport Section ( AFF)

National Transport Authority ; The Transport strategy does not in fact state a 30% mode share target for walking and cycling. The City Centre Transport Study similarly does not set out mode share targets. The references to targets being stated in those documents should therefore be removed and replaced with either separate stand alone target or a qualitative objective

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

The proposed alteration should be modified to a qualitative objective as suggested.

i.e. delete final bullet point par 8.3 page 58 of Draft Plan and replace with qualitative objective rather than the text proposed in the Amended Draft.

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

Delete final bullet point in 8.3 and delete the proposed Amendment and Add:

**Increasing significantly the existing mode share for active modes, i.e. walking and cycling, and supporting the forthcoming National Policy Framework for Alternative Fuels Infrastructure.**

## **Section: 8.4 The Strategic Approach**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.4**

Alteration 8.4 has the effect of incorporating the National Transport Authority strategy 2016-35 into the development plan. If this is to be done then the NTA strategy must be subject of Strategic Environmental Assessment by Dublin City Council. Hence this alteration should be omitted ( submissions by Dublin City Traders Alliance and some individual companies)

'Dart' should be spelled in capital letters.

The emphasis on public transport and commitment to Metro North is welcomed.

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

The National Transport Authority website states that ;

In compliance with Article 9(1) of SI 435 of 2004, a Strategic Environmental Assessment (SEA) of the draft Strategy has been carried out. An Environmental Report has been prepared which assesses, at a strategic level, the likely significant effects on the environment of implementing the draft Strategy. An SEA Statement was prepared on approval of the Strategy.

Given that Strategic Environmental Assessment has already been conducted, there is no obligation for Dublin City Council to carry out a second assessment.

'Dart' should indeed be spelled 'DART' as it is an acronym.

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

Retain text in Amended Draft and amend 'Dart' to 'DART' (upper case)

## **Section: 8.5.1 Integrated Land-use and Transportation**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.6**

There is conflict between the proposed omission of Dublin City Centre Transport Study (DCCTS) and its insertion at proposed alteration reference 8.5

Iarnród Éireann submission;

The National Cycling Policy Framework and also the National Cycling manual should be added to MT1

Remove word 'draft' from National Transport Authority strategy. Also, final paragraph should be expanded to include

Also to ensure that land-uses and zoning are fully integrated with the provision of a high quality transportation network that accommodates the movement needs of Dublin City and the Region . . . . . (to be added).. Development sites adjacent the public Transport corridors shall ensure that proposed building layouts and construction methodologies do not pose a safety risk or curtail the operating environment of the public service provider during the construction and occupational phases of development.

#### **Material Alteration Reference Number 8.7**

Proposed alteration Ref 8.7 is supported by Dublin Chamber of Commerce

#### **Material Alteration Reference Number 8.8**

Reference to the CCTS should be removed. It has already been proposed for removal from section 8.5.1 under Amendment reference 8.6 (motion 2079 relates). The democratic decision should be recognised.

Alteration reference 8.8 has the effect of incorporating the Dublin City Transport Study into the Development Plan. The requirement to examine associated impacts using Strategic Environmental Assessment has not been followed and therefore neither the public nor the elected representatives have been properly informed of the impacts. Hence this alteration should be omitted.

## **Chief Executive's Response**

### **Material Alteration Reference Number 8.6**

The omission of the DCCTS from MT1 at 8.5.1 **Dublin City Centre Transport Study** under amendment 8.6 is at broad policy level, and results in a document list that is strategic in nature and applicable to all Planning Authorities in the Dublin Region. The proposed inclusion of reference to the DCCTS under section 8.4 (alteration ref 8.5) is more appropriate as it provides more focused detail .

It is agreed that the National Cycling Policy Framework (Dept of Transport) and also the National Cycling Manual (sic) -a National Transport Authority initiative, should be added to MT1 (note that the correct title is national Cycle manual)  
It is agreed that the word 'draft' should be removed from 'National Transport Authority's Draft ..' strategy in bullet no. 2

The text recommended in the Iarnrod Eireann submission, whilst relevant generally is not appropriate in this policy section as it is not strategic in nature – but rather relates to implementation and development management, wherein proposals adjacent to public transport corridors can be referred to IE for comment.

### **Material Alteration Reference Number 8.7**

Acknowledged

### **Material Alteration Reference Number 8.8**

The paragraph on CCTS is simply a commentary that a draft city centre transport strategy is underway as the overall approach to transportation as set out in the draft Development Plan . Proposed amendment 8.5 includes reference to the study as one of a set of principles informing the strategic approach. Its wholesale removal from the plan would be a lost opportunity to improve traffic management arrangements and also public realm.

In relation to Strategic Environmental Assessment , the CCTS consists of a series of interlinked projects all of which will be screened for SEA / EIS / AA and as part of due process and procedure. The Transport study must also be consistent with the policies and objectives of the Development Plan. If and when the CCTS is approved it can be included under Policy MT1 at a future date.

## **Chief Executive's Recommendation**

### **Material Alteration Reference Number 8.6**

Delete text as proposed in Amendment Draft (5th bullet) and delete the word Draft from the second bullet point and Add final bullet point.

MT1 ; To support the sustainability principles set out in the following documents;

- The National Spatial Strategy/National Planning Framework.
- The National Transport Authority's **Draft** Transport Strategy for the Greater



Dublin Area.

- Smarter Travel, A sustainable Transport Future 2009-2020.
- Regional Planning Guidelines for the Greater Dublin Area
- **Dublin City Centre Transport Study**
- Design Manual for Urban Roads and Streets.
- **National Cycling Policy Framework and National Cycle Manual**

#### **Material Alteration Reference Number 8.7**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 8.8**

Amend text in Amended Draft to read as follows for 8.5.1

This **Draft** Plan supports the approach of **the any approved** City Centre Transport Study, in redefining the transport network and improving public realm.

### **Section: 8.5.3 Public Transport**

#### **Summary of Issues**

##### **Material Alteration Reference Number 8.5**

Alteration 8.5 has the effect of incorporating the Dublin City Transport Study into the development plan. SEA process has not been followed. Hence this alteration should be omitted ( submissions by Dublin City Traders Alliance and others)

A specific objective should be inserted to implement the proposals of the City centre transport study. Alternatively, a listing of specific measures could be included ( NTA submission)

This alteration attempts to insert a new section to reference the City Centre Transport Study (a study not yet completed or adopted by the City Council ) without any motion having been submitted to effect this addition. Motion 2079 was passed by the City Council by 21 votes to 2 thus requiring an amendment to Section 8.5.2 by removal of reference to the DCC Dublin City Centre Report Study as agreed by the councillors by way of the vote. In this same section, the CE has now attempted to add a reference to the City Centre Transport Study to the Development Plan, notwithstanding the vote taken to remove it. Its removal must be effected to ensure that the democratic decision of the members is reflected. Request that the references to the Dublin City Centre Transport Study at Section 8.4 (ref 8.5) and at 8.5.1 (ref 8.8) be removed.

Reference to RPA and NRA should be amended to read 'Transport Infrastructure Ireland (TII)'.

##### **Material Alteration Reference Number 8.9**

The concept of the Airport Metro as shown is not supported by Dublin Cycling campaign.

The National Transport Authority strategy includes Luas Green line enhancements (Transport Infrastructure Ireland)

Iarnrod Éireann seeks to remove 'draft' from National Transport Authority strategy. Sub divide 1st bullet into two ;Metro Nth and South, and secondly, DART Expansion including DART underground. Also, in relation to the last line of the amendment, this should be changed to include ;

"Transport Infrastructure Ireland (in relation to Metro, Luas and Road Developments) and Iarnrod Éireann (in relation to DART expansion and DART Underground) will be consulted" ...(etc)

Figure 9 should be updated to reflect all infrastructure shown on updated Map J.

National Transport Authority submission states ;'In the longer term' should be removed.

'is guided by' should be replaced with ' must be consistent with'

Reference to Dart underground should be replaced with the 'DART expansion programme', as this include necessary extensions .

Map J

All future projects ( BRT Luas, Metro and Dart expansion) should all be qualified in the legend by a footnote stating that the details shown are 'indicative and subject to design development'

Separate submissions seek the deletion of Luas to Poolbeg from Map J because it has no current status and there are safety concerns ( J Spain on behalf of Amphitheatre Ireland 3 Arena) which need further assessment.

#### **Material Alteration Reference Number 8.11**

The amendment to MTO5 is generally supported.

Iarnrod Éireann has investigated the potential of opening the entrance and has concluded that it is not cost effective. It is not in the capital investment programme. That said, there is no objection to it assuming funding can be secured.

National Transport Authority submission; The start of the new insertion should read 'subject to a station layout assessment ....'

#### **Material Alteration Reference Number 8.12**

The proposal is welcome, but a timeline for delivery of this rail station is required. Other submissions seek a stand alone development (rather than integrated into a mixed uses scheme)

Iarnrod Éireann states that a new station at Cross Guns is not included in the transport strategy for the Greater Dublin Area. It is premature to include MTO6A in the Plan without any prior assessment by Iarnrod Éireann or the National Transport Authority regarding feasibility and passenger demand projections. DCC should seek clarification from the National Transport Authority

A further submission has sought a change to the text to state "... at Cross Guns and the New Cabra Road serving the development ..."

National Transport Authority have requested that MTO6A should start with 'Subject to an economic assessment ...'etc

## **Chief Executive's Response**

### **Material Alteration Reference Number 8.5**

The paragraph on CCTS is simply a commentary that a draft city centre transport strategy is underway as the overall approach to transportation as set out in the draft Development Plan . Proposed amendment 8.5 includes reference to the study as one of a set of principles informing the strategic approach. Its wholesale removal from the plan would be a lost opportunity to improve traffic management arrangements and also public realm.

In relation to Strategic Environmental Assessment , the CCTS consists of a series of interlinked projects all of which will be screened for SEA / EIS / AA and as part of due process and procedure. The Transport study must also be consistent with the policies and objectives of the Development Plan. If and when the CCTS is approved it can be included under Policy MT1 at a future date.

The Draft Dublin City Centre Transport Study (DCCTS) was referenced in the Draft Reference to RPA in MT6(i) should be amended to read 'Transport Infrastructure Ireland (TII)'.

### **Material Alteration Reference Number 8.9**

Metro North as proposed is considered progressive in supporting public transport accessibility.

Green line enhancements to Luas can be added to the bullet point setting out key public transport elements of the strategy

It is agreed that the word 'draft' should be removed ( from 'Draft Transport Strategy') . Also, 'DART Expansion including' DART underground can be added to the first bullet point.

It is recommended that Figure 9 should be updated to include routes shown on updated Map J ; ie Luas to Poolbeg and also the eastern bypass route.

'In the longer term' can be removed from the text of the proposed alteration. 'Is guided by' can be replaced with ' must be consistent with' Reference to DART underground should be replaced with the 'DART expansion programme', as this include necessary extensions .

In relation to Map J; The first line of the existing note at the base of the box titled ' Proposal under Draft Transport Strategy for the GDA 2016-2035' can be amended to read ; 'The routes shown are indicative only and subject to design development' Requests to omit the illustrated Luas to Poolbeg route are not accepted given that the route is contained in the National Transport Authority strategy for the Greater Dublin Area .

### **Material Alteration Reference Number 8.11**

Iarnród Éireann's concern is understood, but because funding may be secured at a later date it would not be necessary to omit the proposed amendment which remains relevant.

The amendment could indeed be modified to read ‘subject to a station layout assessment ....’ ( National Transport Authority recommendation)

#### **Material Alteration Reference Number 8.12**

It is not possible for Dublin City Council to provide a timeline for delivery as this is beyond the control of the Council.

Limiting the potential of the site to a stand alone station is not in the interests of the public who may benefit from potential mixed uses ( such as improved local services). An integrated development may optimise airspace and site potential.

In relation to the submission from Iarnrod Eireann stating that the objective is premature, the objective is not to develop a station but rather to ‘promote and seek the development of’ . In addition, a station at this location has previously been included in an earlier Phibsborough plan and it is understood that the National Transport Authority had no objection at that time. Future feasibility and passenger demand projections may influence future policy.

The proposed text change to include New Cabra Road would relate to the provision of a second station at New Cabra Road. This does not relate to the amendment per se.

In relation to the NTA request that MTO6A should start with ‘Subject to an economic assessment ...’ this is not recommended as the provision of a station would be subject to multiple assessments including passenger and demand projections, economic and other feasibility studies etc. These all relate to later stages in the process, whereas the objective is primarily to support the principle of a station at this location.

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

#### **Material Alteration Reference Number 8.5**

Retain text in Amended Draft and Add to section 8.4

#### **Any approved project in the Study will be subject to Environmental Screening and Assessment**

Replace acronym ‘RPA’ in first line of MT6(i) to read ‘**Transport Infrastructure Ireland (TII)**’.

#### **Material Alteration Reference Number 8.9**

Retain text in Amended Draft subject to the following at 8.5.1 to read as follows ;

(amend 1st para p 59)

**In the longer term**, Dublin City Council policy on public transport **is guided by must be consistent with** the content of the National Transport Authority’s **Draft** Transport Strategy for the Greater Dublin Area 2016-2035. Key Public Transport elements of this strategy include ;

- **Alignments for** Metro North and South and the DART **expansion programme including** DART underground..
- Luas to Lucan, Finglas and Poolbeg, **and also Green Line enhancements.**

- Road Link from Port Tunnel to the South Port
- Bus Rapid Transit Network and also Core Bus Network

Whilst delivery of these will take longer than the immediate Development Plan period, it is policy to protect route alignments from inappropriate development. The National Transport Authority and Transport Infrastructure Ireland will be consulted in relation to all significant proposals along these routes.

Also on Map J;  
Title of inset box

**‘Proposals under Draft Transport Strategy for the GDA 2016-2035’**  
**‘Proposals under Transport Strategy for the GDA 2016-2035’**

The first line of the existing note at the base of this box to be amended to read ; **‘The routes shown are indicative only and subject to design development’**

Figure 9 on p 60 (s. 8.5.3) to be updated to include routes shown on updated Map J ; ie Luas to Poolbeg and also the eastern bypass route. Cross reference to Map J also to be provided

#### **Material Alteration Reference Number 8.11**

Retain text in Amended Draft and Add:

**Subject to a station layout assessment** at MTO5 (ii)

#### **Material Alteration Reference Number 8.12**

Retain text in Amended Draft.

## **Section: 8.5.4 Promoting Active Travel: Cycling & Walking**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.13**

Reference 8.13 is welcome. There is a problem with cyclist behaviour however – they are using footpaths (Dublin Chamber of Commerce).

Text could indicate that permeability and accessibility studies would relate to both Luas routes and station ( Transport Infrastructure Ireland)

#### **Material Alteration Reference Number 8.14**

MT7 is supported as it will ensure the protection of natural environments and habitats in the implementation of walking and cycling routes.

#### **Material Alteration Reference Number 8.15**

Dublin Cycling Campaign seeks MT10 to be reinstated and amended to include the whole city.

The National Transport Authority does not support complete removal of this policy but recommends the following ;‘To assess on a case by case basis, and implement where appropriate, 30kph speed limits in residential neighbourhoods in order to enhance safety and to promote walking and cycling’.

Another submission states that MT10 should be reinstated to improve road safety

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

Policy MT8 should be amended to include “ cycling Ireland” after the words ‘Green Schools initiative’. Secondly to insert the word ‘Unit’ after ‘smarter travel’ ( The Dublin Cycling Campaign)

### **Chief Executive’s Response**

#### **Material Alteration Reference Number 8.13**

Cyclists using footpaths may be a problem -but it is not a development plan matter.

It is accepted that the policy could indicate that permeability and accessibility studies would relate to both Luas routes and stations. Having considered this, it is considered that the text should be amended to relate to routes and stations of all Luas, Rail and BRT (rather than Luas alone)

#### **Material Alteration Reference Number 8.14**

Content of submission is accepted.

#### **Material Alteration Reference Number 8.15**

MTO10 was removed at material amendment stage because another more appropriate objective was agreed for inclusion. i.e. MTO10A which states "to support the implementation of appropriate speed limits throughout the city in accordance with guidelines published by the Department of Transport Tourism and Sport." It is considered that this proposed objective addresses the concerns raised in the submissions.

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

Inserting ‘unit’ is reasonable. Reference to cycling Ireland is however is **outside the scope** as it was not a material alteration.

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

#### **Material Alteration Reference Number 8.13**

Retain text in Amended Draft at 8.5.3 and Add:

MT10A; To continue to promote improved permeability for both cyclists and pedestrians in existing urban areas in line with the National Transport Authority’s document “ Permeability – a best practice guide”. Also to carry out a permeability and accessibility study of appropriate areas in the vicinity of **all Luas, Rail and BRT**

**routes and stations**, in cooperation with Transport Infrastructure Ireland and the National Transport Authority.

#### **Material Alteration Reference Number 8.14**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 8.15**

Retain text in Amended Draft (ie the deletion of MT 10).

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

Retain text in Amended Draft and Add the word unit after smarter travel to read as follows:

MT8 ; To work with and actively promote initiatives by relevant agencies and stakeholders such as An Taisces Green Schools Initiative and the NTAs Smarter Travel **Unit**, to promote active travel in schools and communities, recognising the health and social benefits of walking and cycling as well as the environmental benefits.

### **Section: 8.5.4.1 Cycling**

#### **Summary of Issues**

##### **Material Alteration Reference Number 8.17**

MTO7 should refer to the Draft City Centre Cycle Parking Strategy

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

This is addressed already in the proposed alteration.

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

Retain text in Amended Draft.

### **Section: 8.5.4.2 Walking**

#### **Summary of Issues**

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

Urgent action is required to implement MTO16A . The bridge sought in MTO16B should be located west of Dakota Apartments. Concern expressed at lack of footpath on South side of Whitworth Road.

'Subject to a feasibility assessment ..' should be added to start of MTO 16A ( National Transport Authority submission)

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

Given the range of considerations and possible design options it is considered

appropriate to commence the text with ‘Subject to a feasibility assessment ..’

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

Retain text in Amended Draft as follows:

MTO16A ; Subject to a feasibility assessment, to upgrade Cross Guns Bridge Phibsborough for pedestrian and cyclist use.

## **Section: 8.5.5 Mobility Management and Travel Planning**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.19**

The new objective is welcome (Phibsborough Tidy Towns). A prioritised timeline is requested (Phibsborough combined residents group)

#### **Material Alteration Reference Number 8.21**

National Transport Authority submission states ;It is dubious that a pedestrian/cycle bridge can be provided given the space constraints in this area. If retained, the following should be added to the start ; ‘Subject to a feasibility assessment ..’

A submission states that; The bridge referenced in MTO 16B should be located west of Dakota Apartments to maximise permeability. The lack of a footpath on the southern side of this road makes it dangerous.

Iarnrod Eireann should be consulted at early design stage to ensure adequate clearances and design.

The proposal should maximise permeability.

### **Chief Executive’s Response**

#### **Material Alteration Reference Number 8.19**

It is not possible to provide a definitive timeline for completion at this stage, given the necessary research and feasibility work that is required.

#### **Material Alteration Reference Number 8.21**

The NTAs submission is accepted and therefore ‘Subject to a feasibility assessment’ should be added .

Matters relating to siting, position, design, and permeability are all non-strategic matters and relate to the later design stage.

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



Retain text in Amended Draft.

#### **Material Alteration Reference Number 8.21**

Retain text in Amended Draft and Add at

MTO16B **Subject to a feasibility assessment**

## **Section: 8.5.6 Car Parking**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.23**

MT13 should be removed ( Dublin Cycling Campaign).

Another submission states that MT13 should be changed to “To balance any loss of on street parking , particularly in areas of high demand, with an improvement in public transport infrastructure, public realm and cycle lane”

National Transport Authority Submission ; Removal of this policy was recommended previously by the NTA . An alternative wording should be considered ;  
‘To minimise the loss of on street car parking, except where such removal is required for, or in relation to sustainable transport provision, access to new developments, or a public realm improvement.’

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

National Transport Authority request the deletion of the proposed alteration to MT 14

### **Chief Executive’s Response**

#### **Material Alteration Reference Number 8.23**

The submissions relate to the desire to generally maintain a necessary level of parking whilst not militating against the facilitation of improved public transport infrastructure and services.

Having considered the various comments it is considered that the policy should not be removed. The suggested text of the National Transport Authority is appropriate subject to amendment, such that it states

‘To minimise the loss of on street car parking, while recognizing that some loss of spaces is required for, or in relation to sustainable transport provision, access to new developments, or a public realm improvement.’

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

Having considered the limited potential impact of the proposed alteration in conjunction with the National Transport Authority’s comment, the proposed alteration should be deleted.

## **Chief Executive's Recommendation**

### **Material Alteration Reference Number 8.23**

The Amended Draft is adopted as amended to read as follows:

Amend Policy MT13

'To minimise the loss of on street car parking, while recognizing that some loss of spaces is required for, or in relation to sustainable transport provision, access to new developments, or public realm improvements.'

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

Delete text in Amended Draft and retain text in Draft Plan as follows:

MT14 ; To discourage commuter parking and to ensure adequate but not excessive parking provision for short term shopping, business and leisure uses.

## **Section: 8.5.7 Road and Bridge Improvements**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.25**

It is understood that the bridge connecting Fishamble Street with Arran Street East is for walking, cycling and public transport. The idea of buses coming through Arran Street East would be strongly resisted by local residents.

Arran Street East is unsuited to buses on residential amenity grounds. Residents are not in favour of it. This should have been a matter for wider discussion before being entered in the amendments. Buses coming through Arran Street East would be detrimental to amenity by reason of noise and fumes. The proposal should have gone to public consultation prior to inclusion in the plan.

The link from the Dublin tunnel to the south port included in alteration 8.9 and 8.26 could also be included at alteration ref 8.25

Submission from National Transport Authority ;The following text should be added to the introductory para of MTO27 '....and subject to compliance with the 'principles of Road Development' set out in the Transport Strategy'

The bridge to connect Fishamble Street and Arran St East has not been identified in the City Centre Transport Study. The amended draft does not set out the function of the bridge. As such its inclusion in the plan cannot be supported by the National Transport Authority. It should be removed or its function clarified in a manner that can be supported by the Authority.

#### **Material Alteration Reference Number 8.26**

MTO27A should be deleted in order to reduce carbon emissions and to avoid sterilising land

Sandymount & Merrion Road Residents Association state that the proposal was deleted by the Councillors whose reserved function it is to make a Development Plan, at the special Council meeting to debate the draft held in May 2016. The reinsertion of this proposal by the Executive of Dublin City Council is in conflict with the expressed wish and vote of elected Councillors. The study of future/possible strategies /or routes does not impose a statutory obligation to include it within a Development Plan as if it were a fact. The proposal sterilises lands within the inner and outer city and is in part in conflict with a number of possible road routes within Dublin Port which has been changed in the Port plans for redevelopment of Alexandra Basin as passed by An Bord Pleanála. They seek deletion of this proposed reinserted amendment by the executive and the retention of the proposal passed by the Councillors in May 2016 which seeks deletion of all references to a proposed route reservation.

Both the Chamber of Commerce and Transport Infrastructure Ireland support the bypass.

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

#### **Material Alteration Reference Number 8.25**

The concept of a bridge at this location has not been previously set out as a requirement by Dublin City Council in relation to the evolving movement network, nor is the proposal part of the National Transport Authority strategy.

Also – the bridge has not been identified in the proposed amendment as a pedestrian/cycle bridge only, and because of this, residents concerns are reasonable in regard to the possibility of buses using Arran Street East. The street is narrow and relatively quiet at present and would be impacted negatively by increased vehicular traffic.

Furthermore, it remains unclear how the proposed bridge would benefit the area including those who might use it.

Because of the above concerns which question the fundamental concept of a bridge at this location, it is recommended that the bridge is omitted from the list. This said, the NTAs recommendation to add the following text to the end of the introductory paragraph is accepted

‘...and subject to compliance with the ‘principles of Road Development’ set out in the Transport Strategy’

(The eastern by-pass is dealt with separately at material alteration 8.26)

#### **Material Alteration Reference Number 8.26**

The Eastern Bypass is planned under National-level policy and there is a legislative obligation to ensure the Planning Authority is consistent with the transport strategy. Section 9 (6A) of the Planning and Development Act (as amended) relates. There is no evidence at present that omitting the objective would reduce carbon emissions and similarly no evidence that land would be sterilised if the objective is retained.

Notwithstanding the expressed wishes of both elected representatives and others (including Sandymount & Merrion Road Residents Association), the omission of the objective would be contrary to both legislation and national policy. This is not

considered an appropriate course of action given the responsibilities of Dublin City Council as a Planning Authority.

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

#### **Material Alteration Reference Number 8.25**

Delete text on Amended Draft and amend MTO27 by Adding;

To initiate and/or implement the following road improvement schemes and bridges within the six year period of the development plan, subject to availability of funding, environmental requirements, **and compliance with the 'Principles of Road Development' set out in the NTA Transport Strategy**.

#### **Material Alteration Reference Number 8.26**

Retain text in Amended Draft.

## **Section: 8.5.8 Traffic Management**

### **Summary of Issues**

#### **Material Alteration Reference Number 8.27**

In relation to MTO32, Transport Infrastructure Ireland welcomes consultation where there would be implications for national roads and Luas.

#### **Material Alteration Reference Number 8.28 and 8.29**

Cabra Road Residents Association

MTO36 should be extended to include objectives V9 and G105 of the Draft

Phibsborough LAP 2015. ie ;

V9 ; 'upgrade public open space and the quality of the public realm, landscaping, and recreational areas in the plan area, including the expansion of Mount Bernard Park, providing an important link to the Royal Canal.'

G105 ; 'To expand and enhance Mount Bernard Park ;

- a) Liaise with the RPA in relation to the new LUAS Stop at the entrance to Mount Bernard Park, and to improve the access to the park.
  - b) Extend the park northwards to the Canal, following agreement with the RPA/ CIE.
  - c) Provide a bridge over the Canal, linking the park to the wider Canal corridor subject to agreement with the NTA.
  - d) Provide a new nature garden and/or allotments north of the Canal, subject to agreement with CIE.
  - e) Provide improved play facilities at Mount Bernard Park
  - f) To monitor and control the spread of invasive species in the park.
- The above to be carried out as part of an overall landscape strategy for the Park"

#### **Material Alteration Reference Number 8.30**

The text needs amending to recognise the accessibility and parking needs of

residents, businesses and visitors at different parts of the day. This is because there is proliferating coach parking in the vicinity of Trinity College and Merrion Square, where coaches and buses idle for lengthy periods.

Also ; a tourist tax should be applied in return for free public transport access.

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

In relation to the traffic layout at Doyles Corner, the Phibsborough Combined residents group state that action should be taken within 2 years of the plan coming into effect

Other submissions state that commitment to review the existing traffic layout is welcome as the layout at Doyles corner is a problem at present.

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

#### **Material Alteration Reference Number 8.27**

It is normal procedure to consult with Transport Infrastructure Ireland in relation to any significant proposals for traffic management that may affect national roads and their operation.

#### **Material Alteration Reference Number 8.28 and 8.29**

The submission material does not appear to relate to the content of the alterations

#### **Material Alteration Reference Number 8.30**

The wording as amended does in fact refer to the need to recognise the needs of the city through different parts of the day. No change is therefore required to the wording.

The idea of imposing a tourist tax in return for free public transport access, was not subject of public display as a material amendment, and so is **outside scope** of Plan at this stage.

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

The wording of the proposed amended objective recognises the need for improvements to the junction. It is however not possible on resource grounds to commit to action being taken on site within two years. The layout review as sought within the lifetime of the Plan will however go to inform future work and a design re-evaluation.

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

#### **Material Alteration Reference Number 8.27**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 8.28 and 8.29**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 8.30**

Retain text in Amended Draft.

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

Retain text in Amended Draft.

### **Section: 8.5.10 Dublin Port Tunnel Structural Safety**

#### **Summary of Issues**

##### **Material Alteration Reference Number 8.34**

Iarnrod Eireann submission ;

MT21 should indicate the Development Assessment requirements of DART underground in addition to the Dublin Port Tunnel. Section 6 of the DART underground Corridor Protection report ( submitted to Dublin City Council on 04/04/16) included details of Development Assessment required to determine if the integrity of the Dart underground would be compromised. Appendix 6 of the Development Plan should also include these Development Assessment Requirements.

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

Whilst DART underground is not specifically mentioned in MT21 as amended, it is appropriate that its corridor is appropriately protected and that this is reflected in policy. MT21 should be modified to refer to the protected corridor for Dart Underground . Details of the development assessment required are not considered necessary in this high-level policy.

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

Retain text on Amended Draft MTO27 and Add;

MT21 ; To require the submission of a Development Assessment for all development proposals located in the vicinity of Dublin Port Tunnel, **the proposed DART Underground protected corridor**, **or and** any proposed public transport tunnel. Detailed requirements for Dublin Port Tunnel are set out in Appendix 6, and Iarnrod Eireann should be consulted in relation to heavy rail.

## Chapter 9 - Sustainable Environmental Infrastructure

### Submission Number(s):

4016, 4057, 4151, 4171, 4189, 4223, 4233, 4259, 4260, 4264, 4266

### Section: 9.2 Achievements Section

#### Summary of Issues

##### Material Alteration Reference Number 9.1

“Achievements Section 9.2 Add new text after last paragraph text (page 69) ‘Text to be inserted on District Heating Project.’ This should also be cross referenced to Chapter 3, Section 3.5.2.(See Paragraph under District Heating).

The Dublin District Heating System (DDHS) is currently being progressed by Dublin City Council, initially focussing on the Dublin Docklands Strategic Development Zone (SDZ) and the Poolbeg Peninsula. The Dublin Waste to Energy Plant and other industrial facilities have been identified as potential and initial sources of waste heat within the local docklands area. Elements of the DDHS have been installed within the north docklands area, and within the new Liffey Tunnel which facilitates the roll out of district heating network both north and south of the river Liffey. During the Lifetime of the Plan DCC shall work to ensure the successful implementation of this critically important piece of infrastructure which will make Dublin City a more sustainable and energy efficient city, less dependent on imported and fossil fuels, more competitive and environmentally clean, thus attracting foreign direct investment, and aiming to be an effective leader in managing climate change.

One submission suggests that the private owners, a foreign holding company will benefit by the sale of heated water and by the receipt of grants or subsidies claimed for the provision of renewable energy. Whether this will be environmentally clean is debatable. There are other ways and sources of providing block and /or community heating which are sustainable and not dependant on one source or the production of unnecessary waste material in order to maintain it. Unclear as to where or what additional plant will be required , the cost, or on what sites it would be constructed in order to pump the heated water from and to the Poolbeg area. Another submission proposes amending reference no. 9.1 by replacing the second sentence as follows:

The Dublin District Heating System (DDHS) is currently being progressed by Dublin City Council, initially focussing on the Dublin Docklands Strategic Development Zone (SDZ) and the Poolbeg Peninsula. *“The Council will undertake a comprehensive review of the Dublin Waste to Energy Plant in order to address concerns regarding safety and ongoing emissions”.*

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

District heating has been shown to be a modern , competitively priced utility that provides a cost effective and environmentally sustainable utility option for Dublin.

The WtE plant in Poolbeg which is well underway will accelerate European sustainable status for Dublin. The public Private Partnership (PPP) project between the Dublin Local authorities and Covanta is currently under construction . The new facility will be a key factor in enabling Ireland to meet both domestic and EU waste targets. The energy from treating waste at Poolbeg will eventually go into the new district heating project which will be central heating for Dublin underground. Currently Dublin waste is being transported on trucks down the M7 to Cork Port , then being shipped to Stockholm and Amsterdam for incineration , which is not sustainable. When the plant was first proposed it was recognised that there were indeed concerns over emissions but all these early concerns were comprehensively dealt with through an innovative stakeholder engagement process including assembling a Community interest group (CIG) to represent the views of the local people.

As part of the WtE plant a licence was obtained from the EPA. The Environmental Protection Agency is the competent authority to deal with all issues relating to environmental licencing and pollution and will enforce the licence.

As part of the WtE plant a licence was obtained from the EPA. The Environmental Protection Agency is the competent authority to deal with all issues relating to environmental licencing and pollution and will enforce the licence.

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

Retain text in Amended Draft.

## **Section: 9.5.12 Energy Facilities**

### **Summary of Issues**

#### **Material Alteration Reference Number 9.12**

A submission seeks the insertion of new text after line ' or provide new infrastructure in order to extend or strengthen energy supply to meet demand' add new text ' And meet climate change reduction targets.

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

"9.5.12 Energy Facilities Add new text (page 80)

The development of a secure and reliable energy network is recognised as an important element for not only supporting economic development but also to provide for the needs of every sectoral interest in the city. Dublin City Council will support a wide range of energy supply solutions to meet future demand, with particular emphasis on renewable energy sources and those which are less carbon intensive. Dublin City Council is cognisant of the future requirements of the service providers in relation to enhancing and upgrading existing facilities or networks for all users , both domestic , FDI , commercial or industrial. Where possible, Dublin City Council will support the statutory providers of national grid infrastructure by safeguarding strategic corridors where identified from other developments which might inhibit the provision of energy supply networks.

Dublin City Council will be open to the future requirements of the major service providers including Bord Gais, Eirgrid and the ESB, where it is proposed to enhance or upgrade existing facilities or networks, or provide new infrastructure in order to



extend or strengthen energy supply to meet demand.

The proposed addition is considered reasonable.

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

Retain text in Amended Draft and add text after the proposed amended text to read;  
'and meet climate reduction targets'

## **Section: 9.5.3 Flood Management**

### **Summary of Issues**

#### **Material Alteration Reference Number 9.4**

The submission states that as proposed material alteration Reference No. 9.4 would ensure that all planning applications illustrate how they meet the requirements of the Flood Risk Management Guidelines. The requirements of Objective SIO8 are not only considered excessive but are also unnecessary and may conflict with the provisions of Policy SI 10 where the Guidelines clearly do not support the requirement for a site specific Flood Risk Assessment. Based on this it is requested that the Planning Authority either remove Objective SIO8 as the requirement for site-specific Flood Risk Assessments is now addressed under Policy SI 10 or amend this Objective in line with the provisions of the Flood Risk Management Guidelines and Policy SI10 as follows

#### **Material Alteration Reference Number 9.5**

The Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs: consider that some of the proposed amendments have the potential to impact on the natural heritage. These include the proposed upgrading of bridges, the new objective SIO 12A for coastal defence works including Sandymount and at Clontarf (ref 9.8.) and the Amendment to GI15 (Ref. 10.6 ) It is unclear what the amendments to GI 15 (including daylighting where safe and feasible) means exactly.

It is stated that the proposed amendments regarding bridges and GI 15 have been deemed to have no significant impact on European sites (AA screening ) and no potential adverse impacts on the EPS(SEA screening) . The reason given appears to be that mitigatory policies and objectives are included in the draft plan. It would appear however that SIO12A has not been assessed. Depending on the nature of the erosion protection there is a potential for a significant effects on European sites and this issue needs to be screened for AA and it seems likely that it may require AA. Depending on the nature of the protection methods envisaged. The assessment may need to consider coastal processes and any resulting changes in the movement of sediments, which may lead to erosion elsewhere. In addition the assessment will need to consider impacts on roosting and feeding areas for birds and impacts on annexed habitats. In combination effects of erosion protection need to be assessed, Any AA screening assessment made must include complete and precise findings and a conclusion capable of removing all reasonable scientific doubt as to the effect of the amendments proposed on qualifying interests of European sites in light of their conservation objectives.

Another submission states that the inclusion of Sandymount in this proposal is linked elsewhere with proposals to construct a major coast road and which involve reclamation of designated SPA, SAC , pNHA and Ramsar 2000 foreshores in the

absence of any inquiry into or consideration of the adverse effects. Coastlines of and tidal influences on Clontarf and Sandymount are completely different. It is recognised that in many cases where soft coastlines are involved the accreting , natural sand banks and emergent dune formations provide the best effective means of coastal flood defence and coastal zone management. Hard engineered proposals, could result in additional flooding of the now lower lying residential areas landward of any such construction. In the amended flood risk assessment maps it is difficult to identify the areas concerned due to the scale and similarity of colours.

A submission proposes addition after 'National Guidelines; "Home insurance companies will be kept informed of all flood defence work carried out in the City so that these protective measures can be reflected in their insurance policies."

## **Chief Executive's Response**

### **Material Alteration Reference Number 9.4**

The amendment under 9.4 was added on foot of motions and proposes additional policy which reads as follows:

"9.5.3 Flood Management Add to Policy SI10 (page 75)

**(ii)To require planning applicants and all statutory and non statutory plans to illustrate how they meet the requirements of the Guidelines for Planning Authorities on the Planning System and Flood Management and Technical Appendices, 44 November 200, published by the Department of Environment Community and Local Government, as may be revised/updated , when submitting planning applications and in the preparation of such plans"**

However the requirements for applicants to submit site specific flood risk assessments is already set out in Objective SIO8, and SIO9 of the draft Plan (see page 76). It is considered that these sufficiently deal with applications to carry out site specific flood risk assessments. The issue of requiring site specific flood risk assessment under Objective SIO8 was dealt with previously in the Chief Executives Response on Submissions page 159 (March 2016). The issue with not requiring a FRA for a particular small development (eg single house) is that the new development might be in a flood risk location or in a flood path and hence it is better and in keeping with the OPW Guidelines, to carry out an appropriate level Flood Risk Assessment. A change of use application could be problematic for example if the proposal is to introduce usage to say a basement or some other vulnerable location. Objective SIO9 of the draft Plan sets out the approach to be taken in 'minor developments' such as small-scale infill , small extensions to houses and most changes of use etc. These should be assessed in accordance with the Guidelines for Planning Authorities and Technical Appendices, having regard to Section 5.28 which sets out the requirements for Strategic Flood Risk Assessments.

It is recommended that the Amendment Reference 9.4 be deleted in the interests of clarity as this is already covered under objective SIO8 (page 76 of the draft).

### **Material Alteration Reference Number 9.5**

Amendment 9.5 reads as follows:

"9.5.3 Flood Management Add New Objective after SIO12 (Page 76) SIO12A: **To undertake a programme of flood defence works for the City and in particular to protect its coastal area (including Sandymount and Clontarf) from the effects of flooding and climate change in line with National Guidelines"**

It is acknowledged that some of these amendments may have the potential to impact on the AA Natura 2000 sites or some of the Environmental Protection Objectives. However Dublin City Council has assessed these impacts and have put in ample mitigation to offset any potential impacts that may arise. With regard to Movement and Transport Chapter , an overriding statement has been put into the plan,( see Section 8.4.1,page 58 draft plan) which will ensure that all developments relating to movement and transport infrastructure including any new or upgrading of bridges, will be subject to Article 6 EU Habitats Directive Assessment to ensure that there are no likely significant effects on the integrity of any European Site(s). Similarly this was put into Chapter 9 relating to Environmental Infrastructure (see section 9.4.1, page 72) and also chapter 10 , relating to green infrastructure and open space (see section 10.4.1 ,page 82 draft plan),

The Department has suggested that the SEA may not have assessed objective SIO 12A. Depending on the nature of the erosion protection there is a potential for a significant effect on European sites and this issue needs to be screened for AA and it seems likely that it may require AA. Depending on the nature of the protection methods envisaged, the assessment may need to consider coastal processes and any resulting changes in the movement of sediments, which may lead to erosion elsewhere. The assessment may also need to consider impacts on roosting and feeding for birds and impacts on annexed habitats.

The Draft Plan already addresses this matter; Policy SI 14 of the draft plan (page 75) currently seeks to protect the Dublin Coastline from flooding as far as reasonably practicable, by implementing the recommendations of the Dublin Coastal Flood Protection Project and the Dublin Safer Project. This policy has been environmentally assessed. This policy is considered sufficient in this regard and it is recommended that this proposed new objective be omitted. It is recommended however that an additional policy be included to require an environmental assessment of all proposed flood protection or flood alleviation works, after policy SI 16 on page 75 of the draft plan.

The matter raised about home insurance companies being kept informed of flood defence works is not a matter for the Development Plan. This should be referred to the Environment SPC.

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

#### **Material Alteration Reference Number 9.4**

Delete text in Amended Draft in Policy SI10

#### **Material Alteration Reference Number 9.5**

Delete text in Amended Draft policy SIO12A and Add a new policy after SI16A

#### **SI16A: To require an environmental assessment of all proposed flood protection or flood alleviation works**

The matter raised that home insurance companies be kept informed of flood defence works should be referred to the Environment SPC.

## Section: 9.5.5 Waste Management Section

### Summary of Issues

#### Material Alteration Reference Number 9.7

A submission welcomes the commitment to implement the Litter Management Plan through enforcement of the litter laws, street cleaning and education awareness campaigns. It is requested that DCC use all its powers to deal with landlords in the Phibsborough to ensure full compliance of landlords and tenants of the litter laws.

Amend wording of objectives SIO18 (page 77) Dublin City Council shall liaise with local communities in implementing the current litter management plan 2016-2018.

#### Material Alteration Reference Number 9.8

A submission on behalf of Diageo Ireland: questions added policy which requires any development on potentially contaminated brownfield sites to be accompanied by a qualitative risk assessment. They request that the requirements of the proposed Qualitative Risk Assessment be clarified and in the finalised City Plan. They are unsure as to whether this is required at planning application stage or as to the level of information or the criteria that should be included.

### Chief Executive's Response

#### Material Alteration Reference Number 9.7

Amendment Reference No. 9.7 reads;

“9.5.5 Waste Management Section

Amend wording of Objective SIO18 (page 77)

SIO18: To implement the **new** current Litter Management Plan **2016-2018 ( that is currently under preparation)** through enforcement of the litter laws, street cleaning and education and awareness campaigns. “

The 2016-2018 Litter Management Plan for Dublin City was adopted in April of this year. Enforcement of the Litter Management Plan is an operational matter; it could be considered by the Environment SPC.

As part of the preparation of the Litter Plan, Dublin City Council consulted widely with individuals, residents, community groups, businesses and politicians. All matters relating to enforcement of the litter management plan is an operational matter and should be referred to the Environment SPC.

#### Material Alteration Reference Number 9.8

Amendment Reference Number 9.8 reads as follows:

“ 9.5.5 Waste Management Add new paragraph after waste management section (page 77), and before Air Quality, and also new Policy SI21A, (to be inserted between Policies SI21 and SI22)

**Some brownfield lands within Dublin City have been created through reclamation over a period of time and have a history of heavy industrial uses. Prior to redevelopment of any of these lands a qualitative risk assessment**

should be carried out. Any remediation measures proposed should be based on the severity of the risk indicated for the sites or neighbouring receptors. All contaminated sites shall be remediated to internationally accepted standards prior to redevelopment. The remediation shall incorporate international best practice and expertise in innovative ecological restoration techniques including specialist planting and green initiatives that create aesthetically improved sites, healthy environments and contribute to the provision of new green open spaces and integral parts of newly created areas.

It is the Policy of Dublin City Council:

SI21A That any development on potentially contaminated brownfield sites should be accompanied by a qualitative risk assessment, which sets out the degree of remediation measures required. All contaminated sites shall be remediated to internationally accepted standards prior to redevelopment”

Contaminated soils are encountered on some Brownfield sites as a result of uncontrolled discharges, spillages or historical activities.. The extent of contamination will only become evident on the carrying out of site specific surveys.

The Environmental Protection Agency (EPA) is the statutory body responsible for protecting the environment in Ireland. They regulate and police activities that might otherwise cause pollution. Currently there is no specific legislation addressing contaminated land in Ireland and to date the ad hoc application of standards and methodologies from other countries have been applied.

Any unearthed contaminants will require some form of remediation measures.

Remediation measures may require a licence from the EPA.

Having assessed the submission , it is considered that the amendment should be modified as recommended below.

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

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

Retain text in Amended Draft.

#### **Material Alteration Reference Number 9.8**

Amend text in Amended Draft to read as follows

“Some brownfield lands within Dublin City have been created through reclamation over a period of time and have a history of heavy industrial uses. **Soil Contamination generally arises as a result of spillages, leaks and improper handling of raw materials, manufactured goods and waste products. The Environmental Protection Agency (EPA) is the statutory body responsible for protecting the environment in Ireland. Any unearthed contaminants will require varying degrees of remediation measures, which may require a licence from the EPA. The EPA have published guidance in relation to the management of contaminated land and groundwater at EPA licensed sites.**

All contaminated sites shall be remediated to internationally accepted standards prior to redevelopment

It is the Policy of Dublin City Council:

SI21A: All potentially contaminated sites shall be remediated to internationally

accepted standards prior to redevelopment. **Any unearthed contaminants will require some form of remediation measures, which may require a licence from the Environmental Protection Agency(EPA)."**

## **Section: 9.5.7 Noise Pollution**

### **Summary of Issues**

#### **Material Alteration Reference Number 9.9**

A submission from Dublin Airport acknowledges the new reference noise zones in the Draft Plan Ref. 9.9 . They request that DCC amend this alteration with the following:

“The Outer Noise Zone in respect of Dublin Airport extends into the administration areas of DCC , as shown on the accompanying Development Plan Maps A and B. Proposals for noise sensitive developments falling within the Outer Zone, will be required to submit noise assessment and incorporate adequate noise mitigation proposals in the form of sound insulation to ensure appropriate noise levels within habitable rooms can be achieved.”

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

Amendment 9.9 reads as follows;

“9.5.7 Noise Pollution Add new paragraph following the last paragraph in 9.5.7 (page 78)

**There are DCC lands located within Dublin Airport's Outer Noise Zone. The Dublin Airport Authority, (DAA), ([www.dublinairport.com](http://www.dublinairport.com)) have produced Noise Contour Maps detailing these areas. These contours relate to the protection/prevention of noise sensitive uses within the noise zones."**

It is acknowledged that there are lands within the administration area of Dublin City Council that would be within the outer noise limit zone as per the maps produced by the Dublin Airport Authority. There is a need to minimise the adverse impact of noise within the City without placing unreasonable restrictions on development. Dublin Airport has two zones the Inner Zone and the Outer Zone. There are lands shown on Map B of the zoning maps that would fall within the Outer Zone only. The Planning Authority assesses proposed development having regard to noise zone and consults with the relevant authorities.

It is not anticipated based on the current noise maps, that noise from the air port would cause any serious issues in relation to the 'habitableness' of residential properties in this outer zone area and these issues can be assessed and managed through the planning application process.

The Dublin Agglomeration Noise Action Plan sets out broad principles and actions to mitigate excessive environmental noise and protect areas of good acoustical quality within the Dublin Agglomeration. As regards aircraft noise, the European Commission REGULATION (EU) No 598/2014 and the process devised by the International Civil Aviation Organisation, set out a range of available measures, namely the reduction of aircraft noise at source, land-use planning and management, noise abatement operational procedures and operating restrictions, are considered in a consistent way with a view to addressing the noise problem in the most cost-effective way.

The proposed additional policy by Dublin Airport is not considered appropriate partly on the basis of 'the polluter pays principle'. It is open to the Dublin Airport Authority to

make submissions on any particular planning application.

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

Retain text in Amended Draft.



## **Chapter 10 - Green Infrastructure, Open Space and Recreation**

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

4016, 4043, 4085, 4097, 4140, 4151, 4154, 4166, 4205, 4259, 4264, 4271, 4296

### **Section: 10.5.2 Landscape**

#### **Summary of Issues**

##### **Material Alteration Reference Number 10.3**

The Dublin Bay Biosphere Partnership suggests that for the purposes of the City Development Plan the Biosphere should be defined in more specific, technical terms, as proposed below.

The core zone of Dublin Bay Biosphere comprises 50km<sup>2</sup> of areas of high natural value. These are strictly protected ecosystems, designated as SAC and SPAs which contribute to the conservation of Ireland's Eye, Howth Head, North Dublin Bay including Bull Island, South Dublin Bay including the Tolka Estuary and Dalkey Island.

The buffer zone comprises 82km<sup>2</sup> of public and private green spaces such as parks, green belts and golf courses, which surround and adjoin the core zones. It is used for activities compatible with sound ecological practices that can reinforce scientific research, monitoring, training and education.

The transition zone comprises 173km<sup>2</sup> of residential areas, harbours, ports, and industrial and commercial areas and is the part of the Biosphere where the greatest activity occurs. Ecologically sustainable and economic development is promoted. It is important to note that the amendment in 10.3 has a bearing on other sections of the Development Plan.

Section 10.5.5 states that Dublin Bay Biosphere covers a total area of 21,182 hectares (212km<sup>2</sup>), but the website indicates that the total area of Dublin Bay Biosphere is 305 km<sup>2</sup> (30,537 ha). The boundaries of the Biosphere and the SAC and SPA listed above, as depicted on Figure 12 are incorrect.

They suggest reference be made to their website.

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

The submission from the Dublin Bay Biosphere Partnership wishes to see the biosphere defined in more specific terms as per the above text, and also notes that section 10.5.5 of the draft plan states that the Dublin Bay Biosphere covers a total area of 21,182 hectares (212km<sup>2</sup>), whereas in fact it covers an area of approximately 305km<sup>2</sup> (30,537 ha). It is recommended that this be amended in the final document. The website is already included in material amendment 10.3.

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

Retain text in Amended Draft and add new text at end of Section 10.5.5 Dublin Bay (page 87 draft plan) as follows:



Dublin Bay Biosphere contains three different zones , which are managed in different ways:

The Core zone of Dublin Bay Biosphere comprises 50km<sup>2</sup> of areas of high natural value. Key areas include the Tolka and Baldoyle Estuaries, Booterstown Marsh, Howth Head, North Bull Island, Dalkey Island and Ireland's Eye.

The buffer zone comprises 82Km<sup>2</sup> of public and private green spaces such as parks, greenbelts and golf courses which surround and adjoin the core zones. The transition zone comprises 173km<sup>2</sup> and forms the outer part of the Biosphere . It includes residential area, harbours, ports and industrial and commercial areas.

Amend text in Section 10.5.5 Dublin Bay after 2nd paragraph (page 87 draft plan)

The Dublin Bay Biosphere covers a total area of **21,182** circa 30,537 hectares (305km<sup>2</sup>) across the three local authorities around Dublin Bay – Fingal County Council, Dublin City Council and Dun Laoghaire- Rathdown County Council.

## **Section: 10.5.3 Park and Open Spaces**

### **Summary of Issues**

#### **Material Alteration Reference Number 10.13 (Supplemental Report)**

Wish to support this new Objective in Section 10.5.3 (Supplemental Report ) as this will assist in the achievement of the long standing objective of DCC for the development of a park in Scullys Field.

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

Retained text is noted.

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

Retain text in Amended Draft.

## **Section: 10.5.4 Rivers, Canals and the Coastline**

### **Summary of Issues**

#### **Material Alteration Reference Number 10.6**

The Department of Arts, Heritage, Regional , Rural and Gaeltacht Affairs: consider that some of the proposed amendments have the potential to impact on the natural heritage. These include the proposed upgrading of bridges, the new objective SIO 12A for coastal defence works including Sandymount and at Clontarf (ref 9.8.) and the Amendment to GI15 (Ref. 10.6 ) It is unclear what the amendments to GI15 to protect, maintain, and enhance the natural and organic character of the watercourses in the city, **including day lighting where safe and feasible.**

#### **Material Alteration Reference Number 10.7**

The EPA submission notes that the proposed new objectives GIO 18A in relation to the

LA preparing and implementing a Maintenance and Improvement Plan for the length of the River Dodder. The Plan should reflect the relevant recommendations of the Eastern Catchment Flood Risk Assessment and Management – CFRMAs and associated Unit of Measurement Flood Risk Management Plan(s) and associated SEA Environmental Reports . There is merit in linking the environmental related aspects of the CRAMS (including monitoring and mitigation aspects) with this proposed environmental management plan for the Dodder to ensure a coordinated flood risk management approach is promoted.

Another submission wishes to support this amendment to add a new Objective

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

#### **Material Alteration Reference Number 10.6**

The above comments are noted.

#### **Material Alteration Reference Number 10.7**

The above comments from the EPA are noted. It is recommended that new text be added to proposed new objective SIO18A.

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

#### **Material Alteration Reference Number 10.6**

Amend text in Amended Draft:

Including **opening up to daylighting daylight**; where safe and feasible .

#### **Material Alteration Reference Number 10.7**

Retain text in Amended Draft and add new text as follows:

“GIO18A: To co- operate with the relevant adjoining authorities of Dunlaoghaire Rathdown and South Dublin Council in developing a strategy for the preparation and graduated implementation of an integrated maintenance, improvement and Environmental Management Plan for the entire length of the River Dodder and to support the establishment of a co-ordinating River Dodder Authority or equivalent body to implement that strategy. **This plan should reflect the relevant recommendations of the Eastern Catchment Flood Risk Assessment and Management and associated Unit of Measurement Flood Risk Management Plan(s) and associated Environmental Reports.**”

## **Section: 10.5.6 Biodiversity**

### **Summary of Issues**

#### **Material Alteration Reference Number 10.8**

The submission expresses support for the amendment to minimise environmental impact of external lighting on wildlife.

## **Chief Executive's Response**

Submission noted.

## **Chief Executive's Recommendation**

Retain text in Amended Draft.

## **Section: 10.5.7 Policies and Objectives**

### **Summary of Issues**

#### **Material Alteration Reference Number 10.4**

Submissions welcome the proposal for a new bridge across the Royal Canal linking Mount Bernard Park with the Green Way. It should be extended to insert into the City Development Plan Objective V9 and GIO5 of the Draft Phibsborough LAP 2015 , V9 upgrade public open space and the quality of the public realm, landscaping and recreational areas in the plan area, including the expansion of Mount Bernard Park providing an important link to the Royal Canal. GIO5 to expand and enhance Mount Bernard Park a) Liaise with the RPA in relation to the new LUAS stop at the entrance to Mount Bernard Park and to improve the access to the park, b) extend the park northwards to the Canal, following agreement with the RPA/CIE c) provide a bridge over the Canal , linking the park to the wider Canal corridor subject to agreement with the NTA, d) provide a new nature garden and/or allotments north of the Canal corridor subject to agreement with CIE, e) provide improved play facilities at Mount Bernard Park. F) to monitor and control the spread of invasive species in the park.

#### **Material Alteration Reference Number 10.5**

"Amend Policy GI12 (page 86)

GI12: To ensure equality of access for all citizens to the public parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible. In this regard the 'Fields in Trust' benchmark for green/recreational space city wise shall be a policy goal and quality standard."

## **Chief Executive's Response**

The welcomes above are noted. It is considered that for the purposes of the Development Plan that the new objective GIO14A which seeks to expand Mount Bernard Park northwards to the Royal Canal with a bridge connecting with the Green way ' is a strategic policy. More detailed proposals for Mount Bernard Park will be covered in the Local Environmental Improvement Plan (LEIP) for the area.

## **Chief Executive's Recommendation**

#### **Material Alteration Reference Number 10.4**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 10.5**

Retain text in Amended Draft.

## **Section: 10.5.8 Sport, Recreation and Play**

## **Summary of Issues**

### **Material Alteration Reference Number 10.10**

Welcome the decision to redevelop Dalymount Park, Bohemians home ground with a sporting, recreational and heritage remit.

## **Chief Executive's Response**

Retained text is noted.

## **Chief Executive's Recommendation**

Retain text in Amended Draft.

## Chapter 11 - Culture and Heritage

### Submission Number(s):

4011, 4065, 4166, 4171, 4189, 4231, 4259, 4260, 4264, 4266

### Section: 11.1.4 Strategic Approach

#### Summary of Issues

##### Material Alteration Reference Number 11.2

A submission notes the reference to 'Extension of the Thomas Street ACA' However there is no map which shows the proposed extension of the Thomas Street ACA. This is located in close proximity to their buildings on James's Street. It is considered that the introduction of any further designations on the Diageo south lands such as an extension to the Thomas Street ACA would not add meaningfully to the protection of the areas built heritage, and could inhibit regeneration and undermine the achievement of the LAP objectives. They request the at the extension to the Thomas Street ACA would not include lands or structures in their ownership.

Another submission proposes the assessment of a second phase of areas for ACA designation including inter alia Ranelagh Village. While the review of these areas is welcomed, we request that when considering the ACA boundary only areas necessary for the preservation of the character of the ACA are included within the boundary. While this is considered a logical request in keeping with the purpose of the ACA designation itself, we again note that notwithstanding a submission at public consultation stage in relation to the Sandymount ACA, the Tesco store, which is a modern structure that does not contribute to the character of the ACA, was included in and adopted as part of the ACA boundary. This was considered not only unnecessary and unwarranted having regard to the role of the ACA but it may also have unintentional impacts on the operation of the store. We request that Dublin City Council carefully consider the boundaries of future ACA's and avoid the inclusion of modern structures that are not of special interest and which do not contribute to the character of the area being protected.

Submissions welcome the protection of buildings on and around Mountjoy Square and the proposal for Arbour Hill to become a main cultural attraction. Decision to include Stoneybatter, Oxmanstown for designation as ACA after the historic core areas is to be welcomed.

A submission requests that poor English in the first sentence in green after the first piece of red text should be changed and also change 'Stoneybatter/Oxmanstown' to 'Stoneybatter/Oxmanstown/Arbour Hill', to ensure the Barracks, church, and St Bricin's are included.

A submission from the Residents of Ceannt Fort (currently Zoned Z2) would like to see this unique estate given an ACA designation. Our Estate will be celebrating its centenary next year in 1917 and is considered an Architectural Gem. Ceannt Fort, formally known as the McCaffery estate, was originally one of the first Dublin City Council estates in the country constructed in the former Orchards of the South Dublin

Union. The Ceannt Fort Estate was designed by Architect TJ Byrne. All of the Dwellings have different elevations and layouts and have many very unusual building details such as concrete eaves and concrete skirtings internally.

A submission was received from Development Applications Unit, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in relation to the new name of the Department and its insertion at appropriate locations.

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

The Strategic Approach as set out in Section 11.1.4 of the Draft Development Plan (as materially amended) provides that the City Council will undertake a phased survey and review, area based approach, to protecting and enhancing the city's built heritage.

The survey and review will be conducted outwards from the historic core and will focus in its first phase on 10 priority areas, situated within the historic core that have high concentrations of protected structures, but are presently sited outside designated Architectural Conservation Areas.

As the work on the first phase nears completion, a second phase of areas will be assessed for ACA designation, based on the criteria outlined above, including the following:

- Extension of the Thomas Street ACA;
- Pembroke Estate/Rathmines Lower & Upper/Belgrave Square;
- Stoneybatter/Oxmanstown;
- Ranelagh Village.

The City Council will survey these areas of special historic and architectural interest with a view to:

- ,Reviewing the Record of Protected Structures .1
- Reviewing the recommendations of the National Inventory of Architectural .2
- ,Heritage
- ,Reviewing conservation zoning objectives .3
- ,Reviewing non-statutory conservation designations .4
- Designating Architectural Conservation Area's where special interest is .5
- .identified

The consideration of a proposed extension to the Thomas Street Architectural Conservation Area (ACA) and for a proposed ACA for Ranelagh Village is referred to in the second phase of areas to be assessed for ACA designation in accordance with the survey and review outlined at a) to e) above. This assessment will provide the rationale for the boundary of any proposed ACA. It is not a statutory requirement, nor would it be appropriate to designate any proposed ACA boundary prior to its survey, review and assessment.

In preparing to designate an Architectural Conservation Area for a particular area, place, group of structures or townscape, the City Council is bound primarily by the statutory requirements of Section 51 of the Planning and Development Act, 2000 (as amended), including its (or their) special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or the contribution it makes/they make to the appreciation of protected structures.

The preparation and designation of an Architectural Conservation Area provides for public notifications, public display, an invitation to make submissions and observations and the consideration of same; including submissions by property owners and

occupiers. The adoption of an Architectural Conservation Area is a reserved function of the City Council.

The submission supporting the material amendments is noted.

Submission accepted in relation to the issue of Arbour Hill and the grammatical change.

In relation to Ceannt Fort the Strategic Approach as set out in Section 11.1.4 of the Draft Development Plan (as materially amended) provides that the City Council will undertake a phased survey and review, area based approach, to protecting and enhancing the city's built heritage.

The area of Ceannt Fort / Mount Brown will be considered for survey, review and assessment as a candidate Architectural Conservation Area (ACA) in subsequent phasing, once phase 1 has been completed.

Amendment of the name of the government Department is acknowledged and accepted. Insert new name of the Department where appropriate. These will all be updated in the final version of the Plan.

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

Retain text in Amended Draft except Delete text in red below and Add text in green.

The rationale for **this area** selection **These are areas** is that they **are** areas **sited** within the historic core that have high concentrations of protected structures but are presently sited outside designated Architectural Conservation Areas.

- Stoneybatter/Oxmanstown/**Arbour Hill**.

## **Section: 11.1.5.3 Protected Structures - Policy Application**

### **Summary of Issues**

#### **Material Alteration Reference Number 11.6**

A submission notes the wording of the amendment of 11.6 which includes the wording 'and site development standards'. They welcome this amendment and request that this be retained in the finalised plan.

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

The submission supporting the material alteration is noted.

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

Retain text in Amended Draft.

## **Section: 11.1.5.4 Architectural Conservation Areas &**

## Conservation Areas

### Summary of Issues

#### Material Alteration Reference Number 11.7

A submission states that while it welcomes the protection of the character and special interest of Conservation Areas (CA), as proposed for inclusion in Policy CHC3, it seeks to apply a 'one size fits all' approach to development in such areas. Given that each CA has its own unique character and features that constitute its special interest a broad brush approach, as proposed in Policy CHC3 is not considered appropriate and should be replaced by guidance that is to be applied on a case by case basis. For example the Henry Street Conservation Area has very different characteristics to a residential Conservation Area in suburban Dublin City and therefore, while the application of the above restrictions may be appropriate in the context of the residential area they may inhibit development in the commercial area of Henry Street. Also the addition of item no. 5, i.e. "constitute a visually obtrusive or dominant form", is open to interpretation, introducing a level of uncertainty for owners of structures in CAs and if applied should also have regard to the context of an individual CA.

In order to ensure that the character and features that constitute the special interest of a CA are protected, while allowing for development appropriate to the specific context of each CA, we propose the following changes to Policy CHC3: Amendment ; Development within all Conservation Areas will be assessed on a case by case basis. Having regard to the context of the Conservation Area development will, however, generally be resisted that:

1. Harms buildings, spaces, original street patterns or other features which contribute positively to the special interest of the conservation area.
2. Involve the loss of traditional, historic or important building forms, features, and detailing including roofscapes, shopfronts, doors, windows and other decorative detail
3. Introduce inappropriate design details and material.
4. Harm the setting of a conservation area.

### Chief Executive's Response

It is noted that the submission 'welcomes the protection of the character and special interest of Conservation Areas (CA)'.

The key concern raised, refers to a 'one-size fits all' approach to development across Conservation Areas, rather than guidance on a case-by-case basis in relation to the characteristics particular to each area. Policy CHC3 provides the (overall) Council policy for Conservation Areas in the Draft Development Plan. This policy does not simply stand on its own, but is supported by Objectives CHCO 1-8 and elaborated upon in the text. Notwithstanding this, the issues raised are not material amendments which were on public display and are **outside the scope** of the Development Plan at this stage.

### Chief Executive's Recommendation

Retain text in Amended Draft.

## **Section: 11.1.5.6 Conservation Area - Policy Application**



## **Summary of Issues**

### **Material Alteration Reference Number 11.4**

It is submitted that the list in Appendix 8 is incomplete and does not include Shandon Road, which has granite kerbing, which requires protection from damage arising from utility works. It is also submitted that the reference in Policy CHC14 should refer to 'Appendices 7 and 8' and not Appendices 12 and 13.

### **Material Alteration Reference Number 11.5**

The proposed addition of Reference No. 11.5, to add a new Policy after CHC08 (page 97) which specifically relates to Bewley's Café on Grafton Street is welcomed. It is submitted that the proposed wording of Objective CHCO8A should be amended from:

**Objective CHCO8A "Bewley's Café is deemed to be a use of special significance to Grafton Street, and an essential part of the street's character. It is an objective, in accordance with the Scheme of Special Planning Control for Grafton Street and Environs, to protect this use which contributes significantly to the special interest and unique character of the area."**

to the following:

Objective CHCO8A: Bewley's Oriental Café at No. 78/79 Grafton Street, is deemed to be a use which contributes significantly to the special and unique character and is considered an essential part of the street and the wider area. It is an objective, in accordance with the Scheme of Special Planning Control for Grafton Street and Environs, to protect this use as a café which is intrinsic to the special character of that building, including the entire building and in particular the basement, ground floor and first floor".

### **Material Alteration Reference Number 11.8**

The submissions note the wording of this alteration / amendment and considers it unduly restrictive and prohibitive. The provision of clear way finding is vital to facilitate facilities such as Guinness Storehouse etc.

The proposed restrictions are more appropriate in Georgian core areas; elsewhere, they represent a serious impediment to sustaining commercial uses, such as restaurants and specialist shops and prevent more imaginative approaches to advertising, sensitive to the particular conservation area.

Other submissions propose the addition of text at the end of Paragraph 4 of Section 11.1.5.6 which acknowledges that whether or not certain works require planning permission will be dependent on a case by case assessment of the impact on the character of the ACA.

The proposed addition as contained in the material alterations is at odds with the ethos and guidance of Section 11.1.5.6 as it seeks to apply a broad brush approach to advertising material in such areas placing restrictions on materials and seeking to 'severely restrict' advertising in the absence of any appraisal and therefore, irrespective of the impact on the character of the ACA. The requirement for an individual appraisal provided for in the remainder of Section 11.1.5.6 should carry

through in any addition to this Section, specifically in relation to advertising where the context of the CA, including the surrounding structures and their existing advertising, should determine both the materials and level of signage which is appropriate in any given instance. Failure to provide for the individual assessment of signage in CAs could prove to be anti-competitive effectively providing two separate standards, one for existing retailers and another for new retailers. In addition, the rigid application of specific materials in all contexts may have serious impacts on the effectiveness and visibility of signage in particular instances, which would defeat the purpose of the signage. Having regard to the above we request that the wording of material alteration Reference No. 11.8 is amended in line with the ethos and provisions of the remainder of Section 11.1.5.6 and having regard to the requirement for a case by case assessment. Such appraisals will also seek to ensure that advertising material in conservation areas is of a

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

#### **Material Alteration Reference Number 11.4**

The matters raised in relation to Thomas Street ACA and Ceannt Fort have been addressed under 11.2 and in addition, it is recommended that Objective CHC02 should be amended to include the reference to 'Arbour Hill' after 'Stoneybatter/Oxmanstown'.

#### **Reference Material Alteration Reference Number 11.5**

Amendment of Objective CHC08 agreed, with some changes to the proposed text, particularly for the purpose of clarity with regard to the protection of the use as a café for the entire building.

#### **Reference Material Alteration Reference Number 11.8**

The subject amendment arises as a result of Motion 2173 and a recommendation for its adoption.

Having regard to the submission, it is considered that the amendment as recommended is unduly restrictive, in particular, given that Sections 16.24.2 and 16.24.3 of Chapter 16 of the Development Plan (already) provide as follows (for all new shopfronts and signage across the city):

##### **16.24.2 Shopfronts**

Shopfronts are one of the most important elements in defining the character, quality, and image of streets in both the city centre and our urban villages/radial streets.

Dublin City Council seeks to protect and retain traditional and original shopfronts and to encourage new and contemporary shopfronts that are well designed. This will protect local character and foster vibrant and successful retail centres. There should be a regular change and rhythm to shopfronts to create visual interest, preferably a new shopfront, or change to the design of a long shopfront, every 5-8 metres.

New shopfronts or alterations to existing shopfronts should:

1. Relate satisfactorily to the design, proportions, materials and detail of the upper part of the building.
2. Complement their context and the quality and character of adjoining shopfronts, especially where these form part of a consistent group of traditional shopfronts.

3. Wherever possible, be accessible to all and provide a level threshold to the entrance.
4. Re-instate missing architectural detail, where appropriate.
5. Not harm or obscure original architectural detail such as corbels, console brackets, fascias, pilasters and stallrisers, or involve the removal of existing shopfronts of historic or architectural interest.
6. Not involve the installation of solid or perforated external shutters.
7. Not be entirely or largely openable.
8. Be of good quality contemporary design, where appropriate.

Shopfront signage should:

1. Be located at fascia level.
2. In the case of shop blinds, comprise traditional retractable awnings.

#### **16.24.3 Signs of Shopfronts and Other Business Premises**

- The signage relating to any commercial ground floor use should be contained within the fascia board of the shopfront. The lettering employed should be either on the fascia, or consist of individually mounted solid letters mounted on the fascia. The size of the lettering used should be in proportion to the depth of the fascia board.
- Signage internal to the premises, including interior suspended advertising panels, which obscure views into the shop or business and create dead frontage onto the street shall not normally be permitted.
- Corporate signs will only be permitted where they are compatible with the character of the building, its materials and colour scheme and those of adjoining buildings.
- Advertisements and signs relating to uses above ground floor level should generally be provide at the entrance to the upper floors, in a form and design which does not detract or impinge upon the integrity of the ground floor shopfronts, or other elevational features of the building.
- Shopfronts sponsored by commercial brands will generally not be permitted.
- Proposals for shopfront signage shall have regard to the contents of the Retail Design Manual, 2012, Dublin City Council's Shopfront Design Guide, 2001 and the O'Connell Street Area Shopfront Design Guidelines, 2003, where appropriate, [www.dublincity.ie](http://www.dublincity.ie)
- All proposals for shopfronts shall have regard to the guidelines for illuminated signs as set out in the Appendices in this plan.

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

#### **Material Alteration Reference Number 11.4**

Retain text in Amended Draft and Add text in green below

CHCO2:..... Stoneybatter / Oxmanstown / **Arbour Hill**; Ranelagh Village.

## Reference Material Alteration Reference Number 11.5

Amend Objective CHCO8A to read as follows:

**CHCO8A:** Bewley's Oriental Café at No. 78/79 Grafton Street, is deemed to be a use **of special significance that contributes significantly to the special and unique character of Grafton Street and, as such, is considered an essential part of the street street's character**. It is an objective, in accordance with the Scheme of Special Planning Control for Grafton Street and Environs, to protect **this use which contributes significantly to the special and unique character of the area the use of the entire building as a café, which is intrinsic to the special character of the building**.

## Reference Material Alteration Reference Number 11.8

Delete text in Amended Draft:

**To ensure that no advertising material other than brass or stone name-plate type signs or other suitable quality material will be permitted in conservation areas. On commercial properties leasing (sic; presumably 'leading') into such areas, advertising will be severely restricted, and shall only relate to the service provided in the premises.**

And to replace it with:

All new shopfronts and signage shall comply with the development standards provided Sections 16.24.2 and 16.24.3 of Chapter 16 of the Development Plan, the Dublin City Shopfront Design Guide (2001), and the Retail Design Manual (DoECLG/DAHG April 2012).

Specific requirements for the management and control of shopfronts and signage within Architectural Conservation Areas (ACAs) are set out in the respective ACA documents

## Section: 11.1.5.15 Industrial Heritage

### Summary of Issues

#### Material Alteration Reference Number 11.9

It is submitted that in the interest of sustainable and progressive development, the requirement to protect the city's industrial heritage needs to be balanced against the need to allow the city's built form to regenerate and evolve to meet the city's contemporary needs and functions. Much of Dublin's industrial heritage is located in the Docklands area, where heritage buildings of conservation merit are already designated for protection under the Record of Protected Structures. Proposals to designate further industrial buildings in this area as Protected Structures would undermine Council planning and development policy. The Docklands area, for example, is designated as a Strategic Development Zone (SDZ) for residential and commercial development that is deemed of social and economic importance to the

state, with a clear and block-specific roadmap provided for its redevelopment. The Docklands is the city's most significant regeneration area and functions as a key business district for multinational companies and related commercial activity. Due to this SDZ designation, brownfield sites (often redundant industrial uses) in this area are very valuable and need to be redeveloped to accommodate a sufficient quantum of commercial or residential development to ensure the most efficient use is made of this zoned and serviced urban land. Measures to add additional industrial structures to the Record of Protected Structures, which are currently non-designated, would undermine statutory planning and development policy and would directly jeopardise Ireland's international competitiveness and future economic growth. We urge you to think carefully about the wider implications of this heritage policy.

Other submissions propose an addition to end of paragraph 2. Page 100 after 'in this regard', that "The unique Docklands industrial /marine heritage will be surveyed and promoted as part of the SDZ developments on the North and South Docks".

#### **Material Alteration Reference Number 11.10**

A submission notes the amendment to objective CHCO9 and in particular point 13. They would request that DCC omit item No. 13 of Amendments Number 11.10 from the Finalised Plan, viz:

Dublin City Council will seek to work with Diageo to undertake a more comprehensive industrial heritage survey of the constituent historic buildings within the Guinness Brewery complex at St. James's Gate.

#### **Material Alteration Reference Number 11.23**

Add new policy CHC023D

**"All large scale, mixed-use development (as defined by this Development Plan) of office or residential space will include cultural/artistic uses."**

It is submitted that this policy represents an extension of the state's '1% for Art' scheme and should not apply to private development, as this increases overall building costs; whilst government policy via Department of Housing, Planning and Local Government is seeking to reduce same.

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

##### **Material Alteration Reference Number 11.9**

It is not the case that much of the city's industrial heritage is located in the Docklands. Much of the city's industrial heritage is actually located elsewhere across the city, including for example the Kilmainham and Inchicore areas, the Guinness complex and environs, and other structures and artefacts relating to and within the environs of the railways and canals within the city.

The North Lotts and Grand Canal Dock SDZ Planning Scheme (2014), includes Chapter 4.6 on Built Heritage, together with a map (Figure 17) illustrating the Record of Protected Structures within the designated areas of the Scheme. The Chapter also states that

*“The area also includes industrial heritage artefacts which may not be listed on the Record of Protected Structures (RPS), but identified as worthy of protection in the Dublin City Industrial Heritage Record (DCIHR). The SDZ Planning Scheme promotes the retention of these artefacts where possible.”*

The NIAH is established on a statutory basis under the provisions of the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999, by and on behalf of the Minister for Arts, Heritage, Gaeltacht and Islands (at that time); now the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. It is a state initiative the purpose of which “is to identify, record, and evaluate the post-1700 architectural heritage of Ireland, uniformly and consistently as an aid in the protection and conservation of the built heritage”, and to meet Ireland’s obligations under Article 2 of the 1985 Convention for the Protection of the Architectural Heritage of Europe (Granada Convention). Accordingly, the form and content of the NIAH inventory and recommendations in relation to Dublin City is a matter for the Minister.

It should be noted that the purpose of the NIAH inventory (on its formal recommendation in phases by the Minister) is to assist Dublin City Council in the maintenance of a comprehensive Record of Protected Structures (RPS); which is the primary mechanism for the protection of the architectural heritage in the city.

The City Council, as planning authority, is required under Section 53 of the Planning and Development Act, 2000 (as amended) to consider the Minister’s recommendations for additions to the RPS and, with this in mind, it is proposed to undertake such considerations as part of the strategic approach outlined in Section 11.1.4 of Chapter 11 of the (draft) Development Plan.

It is to be noted that any proposal for the making of an addition of a structure to the Record of Protected Structures (RPS) involves a formal process of notification and invitation of submissions involving the owner(s), occupier(s) and the public, with the decision on such addition being a reserved function of the City Council.

The North Lotts and Grand canal Docks (SDZ) Planning Scheme was approved by An Bord Pleanála on the 16th May 2014 and makes provision for the protection of heritage in the Scheme.

#### **Material Alteration Reference Number 11.10**

The City Council has an obligation with regard to the city’s industrial heritage, as stated in No. 6 of CHCO9, as amended:

**To have regard to the city’s industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans (LAPs) and the assessment of planning applications and to publish the DCIHR online. To review the DCIHR in accordance with Ministerial recommendations arising from the national Inventory of Architectural Heritage (NIAH) survey of Dublin City and in accordance with the Strategic Approach set out in Section 11.1.4 of this Chapter**

In this regard, the City Council intends to undertake a survey of the industrial heritage of the constituent historic buildings within the Guinness Brewery complex at St. James’s Gate, and it would be hoped that this survey can be undertaken in cooperation and association with Diageo Ireland, in accordance with the amended Objective CHCO9 point 13.

#### **Material Alteration Reference Number 11.23**

The submission refers to the state’s ‘1% for Art’ scheme, that relates to the

procurement of an art project/product as part of state infrastructure provision. This is not what is intended by the proposed policy, which is for the provision of cultural/artistic uses within all large scale mixed-use developments; as per Motion 2206.

With reference to the additional costs of construction/development raised in the submission, the Chief Executive's response to that Motion (2206), states as follows:

"Planning Guidance from the Department of the Environment, Community and Local Government (sic) mandates that private development not be burdened with contributions in addition to the City Council's own Development Contribution Scheme. The Development Contribution Scheme, adopted by the City Council, provides the contributions to be paid in respect of development and the distribution of such contributions in relation to the provision and improvement of city infrastructure and amenities, including community and cultural infrastructure."

The amendment is contrary to the guidance of the Department of Housing, Planning and Local Government and as such not be included in the Development Plan.

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

#### **Material Alteration Reference Number 11.9**

Retain text in Amended Draft.

Note: All names of Government Departments will be updated at the end of Development Plan Process.

#### **Material Alteration Reference Number 11.10**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 11.23**

Retain text in Amended Draft.

## **Section: 11.1.5.16 City Heritage Plan**

### **Summary of Issues**

#### **Material Alteration Reference Number 11.11**

Submission No. 4171: Diageo Ireland support the inclusion of the new objective CHCO16C and request that the City Council include this in the finalised City Plan.

#### **Material Alteration Reference Number 11.14**

Amend Policy CHC14 in respect of Section 11.1.5.16; Policy CHC14 and Appendix 8:



It is submitted that the list in Appendix 8 is incomplete and does not include Shandon Road, which has granite kerbing, which requires protection from damage arising from utility works. It is also submitted that the reference in Policy CHC 14 should refer to 'Appendices 7 and 8' and not Appendices 12 and 13.

#### **Material Alteration Reference Number 11.16**

Submissions state that the proposal for a detailed Masterplan for Mountjoy Prison complex is long overdue.

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

#### **Material Alteration Reference Number 11.11**

Submission supporting alteration is noted.

#### **Material Alteration Reference Number 11.14**

On inspection of Shandon Road, it was noted that historic granite kerbing is largely intact along its length.

The reference in Policy CHC12 as amended is incorrect and should refer to Appendices 7 and 8 (rather than 12 and 13). All errors will be correct in final plan.

#### **Material Alteration Reference Number 11.16**

Mountjoy Prison is currently in use as a prison and is likely to remain so for the foreseeable future. The provisions of Policy CHC 19B seek the preparation of a detailed Masterplan for the prison complex, if and when it is intended to cease the use of the facility as a prison and/or to relocate the functions of the prison elsewhere. The preparation of the Masterplan would then be required prior to any proposed future redevelopment of the facility, its lands and buildings.

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

#### **Material Alteration Reference Number 11.11**

Retain text in Amended Draft.

#### **Material Alteration Reference Number 11.14**

Retain text in Amended Draft and Add:

Appendix 8; Schedule 8.2 "Paved Areas and Streets with Granite Kerbing" to add to the list the following streets: **Shandon Road**.

and Replace '**12 and 13** with **7 and 8** of the Development Plan' in Policy CHC 14

#### **Material Alteration Reference Number 11.16**

Retain text in Amended Draft.



## **Section: 11.2.1 Introduction**

### **Summary of Issues**

#### **Material Alteration Reference Number 11.17**

A submission supports the amendment to amend Policy CHC3, as this will assist in the enhancement of the character and appearance of all ACA and Conservations Areas of Dublin. This will also assist in preventing the development of adverse and dominant structures and buildings.

#### **Response:**

The submission supporting the material alteration is noted.

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

The submission supporting the material alteration is noted.

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

Retain text in Amended Draft.

## **Section: 11.2.5 Policies and Objectives**

### **Summary of Issues**

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

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

## **Section: 11.2.5.1 Leading the Cultural Development of Dublin City**

### **Summary of Issues**

#### **Material Alteration Reference Number 11.23**

It is submitted that that the proposed policy CHCO23D represents an extension of the state's '1% for Art' scheme and should not apply to private development, as this increases overall building costs; whilst government policy via Department of Housing, Planning and Local Government is seeking to reduce same.

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

The submission refers to the state's '1% for Art' scheme, that relates to the procurement of an art project/product as part of state infrastructure provision. This is not what is intended by the proposed policy, which is for the provision of cultural/artistic uses within all large scale mixed-use developments; per Motion 2206.

With reference to the additional costs of construction/development raised in the submission, the Chief Executive's response to that Motion (2206), states as follows:

"Planning Guidance from the Department of the Environment, Community and Local Government (sic) mandates that private development not be burdened with contributions in addition to the City Council's own Development Contribution Scheme. The Development Contribution Scheme, adopted by the City Council, provides the contributions to be paid in respect of development and the distribution of such contributions in relation to the provision and improvement of city infrastructure and amenities, including community and cultural infrastructure."

The amendment is contrary to the policies of the Department of Housing, Planning and Local Government and may be considered to be ultra vires with regard to the provisions of the Planning and Development Act, 2000 (as amended).

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

Retain text in Amended Draft except delete CHCO23D

**"All large scale, mixed-use development (as defined by this Development Plan) of office or residential space will include cultural/artistic uses."**

## Chapter 12 - Sustainable Communities and Neighbourhoods

### Submission Number(s):

4057, 4111, 4140, 4147, 4151, 4160, 4231, 4239, 4259, 4264, 4271

### Section: 12.3 Challenges

#### Summary of Issues

##### Material Alteration Reference Number 12.1

Two submissions were received in relation to proposed amendment Reference Number 12.1, to include the following additional text within Section 12.3: ***"The City Development Plan must ensure that all significant developments can only take place where sufficient schools, public transport, employment opportunities, parks, community facilities and resources (Garda, Fire Services and Ambulance provision etc) are either in place or proposed"***.

One submission expressed concerns over the proposed new text, stating that if development is limited to areas where there is existing services, then no new areas can be developed, which will in turn limit the ability to provide much needed new residential development.

A submission seeks the inclusion of additional text to Section 12.3 of the Draft Plan, seeking special consideration for cooperative and co-housing initiatives.

#### Chief Executive's Response

The additional text proposed to Section 12.3 (amendment 12.1) states that services supporting new developments must either be in place or proposed. It does not prohibit the development of large-scale new housing development, but seeks to ensure that services are provided in tandem with such, in order to ensure the successful delivery of sustainable communities. It complements the policy requirement to provide social audits for large schemes and the delivery of LAPs/ SDZs for larger areas of redevelopment.

A submission does not relate specifically to the proposed amendment, but rather seeks the inclusion of additional new text seeking special consideration for cooperative and co-housing initiatives, and is such therefore outside the scope of this stage in the Development Plan process.

#### Chief Executive's Recommendation

Retain text in Amended Draft.

## Section: 12.5.4 Schools and Educational Facilities

### Summary of Issues

#### Material Alteration Reference Number 12.3

A number of submissions were received in relation to proposed amendment reference 12.3, which seeks to include new objective SN03A: *“To assist the Department of Education and Skills with regard to the provision of a new school site at the Smurfit Complex on Botanic Road or at another appropriate location in the locality”*.

A number of submissions support this objective but request that the words “or at another appropriate location in the locality” be removed.

A submission was also received on behalf of the owners of the northern portion of the Smurfit site requesting that the proposed new objective SN03A be either omitted in totality or amended to read as follows:

*“SN03A: To assist the Department of Education and Skills with the identification of a potentially suitable new school site within the Phibsborough LAP area or at another appropriate location in the locality. Such a site will be identified in consultation with the Department of Education and landowners in the preparation of the new Phibsborough LAP, as envisaged under Sub-section 2.2.8.1 of the Dublin City Development Plan.”*

The submission states that the delivery of a school at this site is not deliverable as 96% of the site is currently under lease thus removing the ability of the Planning Authority to secure this objective, and thus rendering it at odds with Section 15 of the Planning Acts. The objective is also considered prejudicial to the Phibsborough LAP preparation process.

### Chief Executive’s Response

Objective SN03A was proposed in response to public and Councillor Submissions to transfer key objectives the Draft Phibsborough LAP 2015 into the City Development Plan. The amended Draft Development Plan proposes the incorporation of key landuse objectives from the Draft LAP into the City Development Plan, of which Objective SN03A is one.

The 2008 Phibsborough/ Mountjoy LAP which has now lapsed contained an objective for a new school at this site; and following consultation with the Department of Education and Skills, the 2015 Draft Phibsborough LAP also contained an objective for a new school at the Smurfit Complex.

It is a mandatory objective of the Planning and Development Acts (Section 10(2)(1)) that a Development Plan shall include objectives for *“the provision, or facilitation of the provision, of services for the community including, in particular, schools, crèches and other education and childcare facilities”*. The proposed new objective is considered in keeping with this provision of the Act. The wording of the proposed objective clearly indicates the desire for a school at this site, as requested by the Department of Education and Skills, while at the same time allowing for the consideration of other sites in the locality, should they become more readily available. In this regard the Chief

Executive acknowledges the submissions from both the residents of this area and from the key landowner, but recommends that the wording of Objective SN03A remains as set out in the Amended Plan.

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

Retain text in Amended Draft.

## Chapter 13 - Monitoring, Implementation and Development Management

Submission Number(s):

4057

### Section: 13.2.3 Monitoring, Implementation and Phasing

#### Summary of Issues

##### Material Alteration Reference Number 13.2

A submission requested that an additon be made to the existing text by adding in particular:

NAMA is critical to ensuring that lands become available for development , which may also require the provision of certain infrastructure and, as such, collaboration with NAMA , their clients, and other agencies is essential. NAMA shall have regard to the proper planning and sustainable development of the City, as expressed in the City Development Plan. In particular, NAMA will work with communities and housing groups to ensure that the maximum social benefit will accrue from the development of the former Ringsend Glass Bottle Site.

#### Chief Executive's Response

The Draft Plan states that the role of NAMA is critical to ensuring that lands become available for development , which may also require the provision of certain infrastructure and, as such, collaboration with NAMA , their clients, and other agencies is essential.

The text proposed in the Amended Draft is to add after the above:

**NAMA shall have regard to the proper planning and sustainable development of the City, as expressed in the City Development Plan.”**

It is considered that this is sufficient development plan policy context to address issues raised in the submission. The SDZ for Poolbeg West will be subject to a separate consultative process.

#### Chief Executive's Recommendation

Retain text in Amended Draft.

## Chapter 14 - Land-use Zoning

### Submission Number(s):

4003, 4004, 4010, 4011, 4013, 4014, 4015, 4016, 4021, 4048, 4057, 4058, 4065, 4079, 4095, 4096, 4099, 4105, 4108, 4110, 4111, 4116, 4150, 4152, 4156, 4158, 4159, 4160, 4162, 4170, 4172, 4173, 4181, 4182, 4185, 4186, 4202, 4207, 4210, 4223, 4226, 4234, 4245, 4247, 4255, 4256, 4259, 4260, 4262, 4264, 4265, 4270, 4282, 4288, 4289, 4290, 4291, 4292, 4293, 4294, 4295, 4296, 4297

### Section: 14.8.1 Sustainable Residential Neighbourhoods

#### Summary of Issues

##### Material Alteration Reference Number 14.1

Submissions received opposed to the inclusion of up to 10% office space in the open for consideration uses in the Z1 zoning section.

Commercial uses should not be permitted in Z1 Residential Neighbourhoods

#### Chief Executive's Response

This amendment was introduced by Councillor Motion agreed by City Council at the May Special Meeting.

As indicated on page 252 of the Chief Executives Report on submissions; it is part of the sustainable mixed use approach underpinning this Development Plan to allow for a variety of uses which contribute to a neighbourhood, especially those within walking/cycling range, whilst avoiding bad neighbour uses. The Z1 zoning does contain a range of generally permissible uses, including home based economic activity and it is on balance considered unnecessary to include limited office space, given the distribution of employment and related zonings across the city.

It is also considered that the office market is more buoyant than the residential market at this moment in time and allowing 10% of much needed residential land to be used for office space may exacerbate the current housing crisis.

#### Chief Executive's Recommendation

Amend text in Amended Draft to:

"Bed and Breakfast, Betting office, Car park, Civic and amenity/recycling centre, Garden centre, Golf course and clubhouse, **Embassy office**, Hostel, Hotel, Industry (light), Live-work units, media-associated uses, Petrol station, Pigeon lofts, Public house, Restaurant, Veterinary surgery, **Up to 10% office space**"

### Section: 14.8.2 Residential Neighbourhoods (Conservation Areas)

## **Summary of Issues**

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

The submission received seeks a further amendment of paragraph 2 on page 121 of the Draft by adding including social mix and sustainable communities to the end of the paragraph.

## **Chief Executive's Response**

In the Chief Executive's Report on Motions, it is considered appropriate that the paragraph be clarified/amended as the intention was to emphasise the primarily residential use of Z2 areas but that other uses can be considered as set out in the Z2 land use category and in the context of the architectural quality of the streetscape and the area.

Accordingly, it was recommended in the Addendum to the Chief Executives Report that the second paragraph of section 14.8.2 under Z2 zoning, page 121 be amended from:

"The principal land-use in residential conservation areas is housing but can include a limited range of other secondary and established uses such as those outlined above in respect of Z1 lands. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area".

To:

"The principal land-use in residential conservation areas is housing but can include a limited range of other uses. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area".

It was agreed by motion to add the following text to the above: **"and to protect the residential character of the area."**

It is considered that the wording as per the amended draft adequately emphasises the primarily residential use of Z2 areas but that other uses can be considered as set out in the Z2 land use category and in the context of the architectural quality of the streetscape and the area, and to revert back to the previous wording as per the draft plan would be a regressive step.

## **Chief Executive's Recommendation**

Retain text in Amended Draft.

## **Section: 14.8.4 District Centres - Zone Z4**

## **Summary of Issues**

### **Material Alteration Reference Number 14.4**

The submissions received request the provision of additional text within the 3rd paragraph of Section 14.8.4 as follows: "Developments on lands zoned for District



Centre use may be anchored by a supermarket type retail unit over 1,000 sqm. In such cases, on sites within Parking Zones 1 and 2, maximum parking provision will be 1 parking space per 30 sqm GFA.

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

It is considered that the provision of the recommended text "Developments on lands zoned for District Centre use may be anchored by a supermarket type retail unit over 1,000 sq.m.", is not necessary for this zone, as shop (district) is a permissible use under this land use category. A shop (district) is defined in the land use definitions in Appendix 21 as a shop (excluding retail warehousing) which is larger in scale and more varied in what it may sell than a neighbourhood shop, and therefore serves a wider area, including the district centres. A district centre would usually contain at least one food supermarket or superstore and non-retail services. With this in mind is considered that the recommended text is not necessary and is captured by the permissibility of a shop (district) in this zone.

In relation to the recommendation made in the submission received with regard to parking, it is considered that this zoning and associated parking requirements have been set out having regard to the provision of large scale retailing in Z4 zones. Accordingly, it is considered that the existing text and associated parking requirements as per the amended draft are adequate to deal with the expected retail uses and associated parking requirements in Z4 zones.

The submission does not relate to the content of the amendment.

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

Retain text in Amended Draft.

## **Section: 14.8.7 Employment (Industry) - Zone Z7**

### **Summary of Issues**

#### **Material Alteration Reference Number 14.6**

Submissions received seek clarification as to what "Port related activities" entails.

To amend the first paragraph of this section by the deletion of the line "They can sometimes lead to disamenities such as noise, smells, heavy goods traffic, etc.", so as to remove any negative connotations associated with industrial zones.

To amend the first paragraph of this section by the inclusion of the following text after the phrase "other areas": "The needs of the local communities in the Docklands and Dublin Port areas must be considered in any future land use rezoning."

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

With regard to the phrase port related activities as per Material Alteration 14.6, port related activities are addressed in Para 4.5.1.2 and 16.21 of the Draft Plan, and the Planning and Development Regulations 2001 (as amended), with Class 24 referring to Exempted Development Works that can be carried out by a Harbour Authority. Paragraph 14.8.7, goes on to clarify what Z7 Industrial uses (and not specifically ports) entail, by stating "The primary uses in these areas are those that can result in a

standard of amenity that would not be acceptable in other areas. They can sometimes lead to disamenities such as noise, smells, heavy goods traffic, etc. Activities include industry, other than light industry; manufacturing repairs, open storage, waste material treatment, and transport operation services.”

With regard to the request to amend the first paragraph of this section by the deletion of the line "They can sometimes lead to disamenities such as noise, smells, heavy goods traffic, etc.", so as to remove any negative connotations associated with industrial zones, it is considered that Industrial zones by their very nature may result in some disamenities such as noise, smells, heavy goods traffic, etc, which need to be managed.

With regard to the request to amend the first paragraph of this section by the inclusion of the following text after the phrase "other areas": "The needs of the local communities in the Docklands and Dublin Port areas must be considered in any future land use rezoning.", it is considered that the purpose of this text is to set the context for the City's Z7 zones and to include text relating to surrounding residential areas is unnecessary as all future land use zoning takes into consideration the amenity of surrounding residential areas.

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

Retain text as per Amended Draft.

## **Section: 14.8.8 Georgian Conservation Areas - Zone Z8**

### **Summary of Issues**

#### **Material Alteration Reference Number 14.8**

The submissions received request the removal of "retail" from the open for consideration uses for Z8 zones.

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

With regard to the inclusion of retail in the open for consideration uses in Z8 zones it is noted that 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. Accordingly, it is considered that an open for consideration use will only be permitted if it is in keeping with the zoning objective for the applicable zone. The objective of Z8 is to protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective. With this in mind it is considered that any application for a retail use in a Z8 zone will be assessed on its merits and on its adherence to the applicable zoning objective.

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

Retain text as per Amended Draft.

## Section: 14.8.9 Amenity/Open Space Lands/Green Networks - Zone Z9

### Summary of Issues

#### Material Alteration Reference Number 14.9

A submission requests that the text for Z9 zones be amended to ensure that Where Z9 lands and Z15 zoned lands co-exist in an overall campus, limited once off development will apply to both Z9 and Z15 objectives subject to the primary use of the site being retained for current institutional use.

- Other submissions request the removal of the requirement for the applicant to be the sports club owner/occupier when making a planning application for housing on lands zoned Z9 that are a sporting facility.

Other submissions object to the amendment to the last sentence because providing for the sale of lands zoned Z9 (sport and amenity) for residential development is a retrograde step which results in the reduction of playing areas, and open areas in the city. It is argued that such an amendment be restricted to areas considered totally unsuitable for the provision of sport or recreation.

- Other submissions received request that section 14.8.9 be amended to ensure that lands within the south inner city and in other areas with a similar dearth of sports grounds, be excluded from this amendment.

### Chief Executive's Response

With regard to the recommended revision to the text for Z9 zones, it is considered that the inclusion of the text "Where Z9 lands and Z15 zoned lands co-exist in an overall campus, limited once off development will apply to both Z9 and Z15 objectives subject to the primary use of the site being retained for current institutional use.", as per the submission is not appropriate and is **outside the scope** of the Development Plan at this stage. The Z15 objective (Institutional Lands) contains separate criteria to safeguard playing field etc, which were not part of a submission at material amendment stage.

With regard to the request for the removal of the requirement for the applicant to be the sports club owner/occupier when making a planning application for housing on lands zoned Z9 it is considered that removing this requirement would promote the sale of these lands to a third party and reduce the land parcel owned by the sporting organisation, which may result in piecemeal development in Z9 zones on the fringes of sporting grounds.

With regard to the submissions that infer that this amendment will result in the reduction of playing areas, and open areas for of recreation, it is considered that the main objective of this section of the draft is the continuation of sports clubs and facilities to enhance sustainable city living. It is also considered that the text as per Material Alteration 14.9 **"In all cases the applicant shall submit a statement, as part of a legal agreement under the Planning Acts, demonstrating how the sports facility will be retained long term on site."**, contains sufficient detail so as to prevent the diminution of sports fields, playing and training areas and areas suitable for recreation and sports.

With regard to the request that section 14.8.9 be amended to ensure that lands within the south inner city and in other areas with a similar dearth of sports grounds, be excluded from this amendment, it is considered that the proposed amendment will in fact assist in the continuation of sports clubs and facilities to enhance sustainable city living, allowing some limited development at these locations, but protecting the main use on site, so as to prevent the relocation of inner city sports organisations to the suburbs for financial reasons.

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

Retain text in Amended Draft.

## **Section: 14.8.12 Institutional Land (Future Development Potential) - Zone Z12**

### **Summary of Issues**

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

The submission received requests an increase from 10% to 30% for social housing provision, with a further 10% reserved for affordable housing, in line with the Council's Land Initiative.

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

The maximum allowable percentage for social housing under Section 94 (4) of the Planning and Development Act 2000 (as amended) has been reduced to 10% by Article 33 of Part 5 of the Housing and Urban Regeneration Act 2015. Thus the maximum percentage for social housing that can be reserved in any development for residential and other uses is 10%.

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

Retain text in Amended Draft.

## **Section: 14.8.14 To protect and provide for institutional and community uses - Zone Z15**

### **Summary of Issues**

#### **Material Alteration Reference Number 14.11**

The submission received supports the inclusion of material amendment no. 14.11 and is seeking additional wording to be included. Specifically this submission is seeking the inclusion of text (3rd paragraph Amend (page 128) in material amendment no 14.11 which would allow "In exceptional circumstances, where an ancillary non-conforming use can be demonstrated to support and sustain the overall Z15 use (confirmed through a Section 47 agreement), it will be considered on its merits."

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

Material Amendment 14.11 amends the 3rd paragraph on page 128 as follows:

“With any development proposal on these lands, consideration should be given to their potential to contribute to the development of a strategic green network (see also Chapter 10) **and to the delivery of housing in the city**. In addition, development at the perimeter of the site adjacent to existing residential development shall have regard to the prevailing height of existing residential development and to standards in section 16.7 in relation to aspect, natural lighting, sunlight, layout and private open space, and in section 14.7 in relation to the avoidance of abrupt transitions of scale between zonings.”

It is considered that the additional text proposed in this submission is not necessary as sections 14.4 to 14.6 deal with permissible and non-permissible uses and non-conforming uses. In cases where exceptional circumstances arise the development plan variation or material contravention process remains open to relevant parties under the Planning and Development Act 2000 (as amended).

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

Retain text in Amended Draft.

## Chapter 15 - Strategic Development and Regeneration Areas: Guiding Principles for Development

### Submission Number(s):

4019, 4020, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4044, 4045, 4046, 4047, 4048, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4059, 4060, 4061, 4062, 4063, 4064, 4066, 4067, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4090, 4091, 4092, 4094, 4098, 4099, 4100, 4101, 4102, 4103, 4106, 4108, 4109, 4112, 4113, 4114, 4115, 4117, 4118, 4119, 4120, 4121, 4122, 4124, 4125, 4126, 4128, 4130, 4131, 4132, 4133, 4134, 4135, 4137, 4138, 4139, 4141, 4142, 4143, 4144, 4145, 4146, 4148, 4157, 4160, 4163, 4165, 4167, 4168, 4176, 4177, 4178, 4179, 4180, 4183, 4184, 4186, 4187, 4188, 4190, 4193, 4197, 4198, 4199, 4200, 4201, 4203, 4204, 4206, 4211, 4212, 4213, 4214, 4220, 4224, 4235, 4237, 4242, 4244, 4246, 4255, 4256, 4259, 4261, 4263, 4264, 4273, 4277, 4278, 4279, 4280, 4281, 4282, 4283

### Section: 15.1.1.7 Docklands Area

#### Summary of Issues

##### **Material Alteration Reference Number 15.4**

Transport Infrastructure Ireland request further amendments under Ref. No. 15.4 in relation to the proposed amendment in the text of the 2nd bullet point on page 138 of the Draft Plan. The request is for the inclusion for the provision of the Eastern Bypass and Southern Port Access Route as part of this amendment.

Another submission requests the addition of the word “heritage” into the text of amendment reference number 15.4, relating to the 8th bullet point under the heading of Social, (Section 15.1.1.7 Docklands Area).

#### Chief Executive’s Response

The submission from the TII calls for amendments to the 2nd bullet point on page 138 under the heading of Movement/Transport, amendment ref no. 15.4, to include reference to the Eastern Bypass and Southern Port Access Route as specifically provided for in the NTA Transport Strategy for the Greater Dublin Area, 2016-2035, to ensure the Development Plan is consistent with the NTA Strategy.

Given that both LUAS and the Eastern Bypass and Southern Port Access Route form part of the 2016-2035 Strategy, it is considered reasonable to insert a reference to such into this proposed amendment in the interest of clarity.

Section 15.1.1.7 contains the following guiding principles within the 8th bullet point under the heading of “Social” (page 136 of the Draft Plan):

- *To develop an inclusive strategy for culture in the Docklands Area based on the*

*findings of the cultural audit 'The Docking Station' (2013) which was undertaken through engagement with the cultural, community and corporate stakeholders in Docklands and to ensure that the cultural strategy reflects social regeneration objectives.*

Amendment reference no. 15.4 adds the following text to the above point:

***“To facilitate the building of a best practice dance theatre with state of the art facilities to complete part of the cultural provision of providing such amenities.”***

The submission seeks the inclusion of the word “heritage” after “cultural” and before “provision”. There is no objection to the provision of this additional word.

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

Retain text in Amended Draft and add the following text in the 2nd bullet point (page 138):

To allow for the extension of the Luas, **the Eastern Bypass and Southern Port Access Route** (in accordance with NTA Transport Strategy for the Greater Dublin Area 2016-2035) and provision of regular bus service from the City to the Docklands area including out to the Poolbeg Peninsula.

Retain text in Amended Draft and Add text to the 8th bullet:

“To facilitate the building of a best practice dance theatre with state of the art facilities to complete part of the cultural **and heritage** provision of providing such amenities.”

## **Section: 15.1.1.9 Poolbeg West**

### **Summary of Issues**

#### **Material Alteration Reference Number 15.5**

Transport Infrastructure Ireland requests that the map on page 135 be amended to show the Eastern Bypass Corridor. The submissions also requests that the route of the Luas Poolbeg Extension is reflected in the relevant mapping to ensure consistency with the NTA Transport Strategy.

### **Chief Executive’s Response**

The map on page 135 which the TII requests to show the Eastern Bypass Corridor is an OS map showing the current built environment and merely illustrates the boundaries for the DDDA, the Docklands SDZ and the West Poolbeg boundary. It is not intended to show future developments and in this respect it is recommended that it is not altered.

Amendment reference no. 15.5 states that the map on page 140 should be amended to have regard to the revised eastern by-pass corridor. It is considered reasonable that this map also shows the proposed Luas Poolbeg Extension as already shown in amended map J-J1 (page 137 of the proposed amendments). While it is acknowledged that the route still needs to be finalised, the map on page 140 is indicative only showing the key development principles for Poolbeg West.

## **Chief Executive's Recommendation**

Retain text in Amended Draft and add:

Amend map on page 140 of the Draft Plan to have regard to the revised eastern by-pass corridor **and the Luas Poolbeg Extension** as per the Transport Strategy for the Greater Dublin Area 2016-2035.

## **Section: 15.1.1.10 SDRA Heuston & Environs**

### **Summary of Issues**

#### **Material Alteration Reference Number 15.6**

Section 15.1.1.10 of the Draft Plan, SDRA 7 Heuston and Environs

Submission requests that any new developments within this zone shall be the subject of a visual impact assessment and shall not adversely affect this view. A Visual Impact Analysis shall be submitted with planning applications to demonstrate this view is not undermined.

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

There are effectively two elements to this proposal: firstly to remove reference to the 2003 Heuston Framework Plan, and secondly to reiterate the request for visual impact assessment. The 2003 Heuston Framework Plan is referenced in this section as this Plan provided much of the background information for the SRDA guiding principles now set out for the Heuston area. The cone of vision referenced within the Draft Plan is identical to that set out in the 2003 Plan. In the interests of transparency it is considered that it should remain in the Plan. A visual impact analysis is already a requirement of the text and there is no need to reiterate it.

## **Chief Executive's Recommendation**

Retain text in Amended Draft.

## **Section: 15.1.1.14 SDRA 11 Stoneybatter, Manor Street & O'Devaney Gardens**

### **Summary of Issues**

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

Section 15.1.1.14 of the Draft Plan, SDRA 11

A submission was received from the Northwest Inner City Network, endorsed by a local Councillor in his submission, which addresses the proposed amendments to SDRA 11, namely:

1. Submission expresses concern over the inclusion of the new sentence "**To include commitment to retaining social and affordable housing as the**



**primary use of the O'Devaney Gardens site". The submission seeks clarification on the definition of "social" and "affordable" housing, and has concerns over the inclusion of the word "primary" in relation to the use. The Northwest Inner City Network seeks the development of an attractive sustainable community that caters of a mix of private, rental, affordable and local authority homes, attractive to those on a variety of incomes including higher incomes. The submission seeks clarity on the social mix intended for the site.**

2. Submission welcomes the addition to the 5th bullet point seeking the provision of a MUGA, community centre, community garden, green space.

3. Regarding the proposal to require a minimum of 15% of the site be given over to green space, it is requested that some of the green space be public space, and not all hidden within courtyards.

4. Submission also requests a specific role for community consultation during the design and build stages of the sites development.

The submission from the Department of Housing, Planning, Community and Local Government raises concerns over the requirement for 15% open space on this site, in light of "the pressing need to support the practical delivery of sustainable well located housing and compact urban development". It requests that "full consideration should be given to the broader availability of parks and playing pitches within the general area".

A further submission welcomes the proposal for the use of O'Devaney Gardens for social and affordable housing and for a minimum of 15% of land reserved for green space.

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

The three key issues which were raised in the submissions and which will be dealt with below are: (i) percentage of the site given over to open space, and the proposed provision of MUGA, community centre, community garden, green space; (ii) the inclusion of a commitment for social and affordable to act as the primary uses within the O'Devaney Gardens site; and (iii) community consultation.

#### **(1) Open Space and Community Centre**

The proposed amendments under Reference Number 15.7 includes the following additions to the guiding principles for SDRA 11:

***"To provide space for an all-weather pitch, Multiple Use Games Area (MUGA), Community centre, and community garden. -Provide quality open green spaces consisting of a minimum of 15% of the site area. Green spaces can serve as sites of social exchange and communicate a respect for nature as a guiding design principle for the site."***

***"To guarantee a minimum of 15% of the O'Devaney Gardens site to be given over to green spaces".***

The current Dublin City Development Plan requirement for Z14 areas is for 10% public open space. This is in addition to the open space standards for individual houses and apartments, which also have a requirement for additional private/ communal open space.

The Guiding Principles set out in SDRA 11 within the Draft Plan currently includes the

following key principles (page 145 of the Draft Plan):

*“The development of a high-quality residential quarter comprising quality new homes supported by a complementary range of mixed commercial, community and recreational facilities will be promoted for this site.”*

*“The development of a neighbourhood park as a key feature of the design to provide recreational amenities, encourage community interaction and provide a focal point/meeting place for the wider local community; the location will be bounded by high-quality streetscapes accommodating commercial, community and residential uses to generate activity, encourage active use of the space and provide passive surveillance.”*

The O'Devaney Gardens site forms one of the key sites identified by the Housing Land Initiative with the potential to be fast tracked for development and in particular for the delivery of housing. To this end it should be noted that there is an existing extant planning consent for the delivery of Phase 1A of O'Devaney Gardens, approved by An Bord Pleanála, under section 175 of the Planning and Development Acts. As part of this planning approval a Masterplan for O'Devaney Gardens was prepared and submitted to An Bord Pleanála. Phase 1A as approved includes the provision of neighbourhood park (of 4,680 sq.m.) to act as a new focal point within the area; set along a key landscaped boulevard and integrated into the public domain with a 'traditional' street pattern that would allow it to integrate seamlessly with the surrounding residential road network. This park was proposed as a multi-functional space, including landscaping, grass areas and hard landscaped civic areas for events and community interaction. A children's play area and communal seating was also proposed. Subsequent phases were identified for the provision of a smaller local park. This open space provision, which is in the order of 10% meets the Development Plan standard and has been assessed and approved by An Bord Pleanála. As noted in the submission from the Minister of the Environment, Community and Local Government, the site at O'Devaney is a prime urban site and its surrounding context should be taken into account. To this end it is noted that the site is located next to the Phoenix Park, and is also within walking distance of the relatively recent MUGA at Aughrim Street, adjoining the Aughrim Street Sports Centre, which is currently not used.

In view of the above, it would appear that the proposed additions to the text after the 5th bullet point as set out in amendment no. 15.7 are not necessary and the facilities requested are catered for in the Masterplan for O'Devaney Gardens, a plan produced following intensive public consultation. While it is accepted that the open space is a valuable component of regeneration, it should be noted that the proposed increase to 15% plus is likely to have implications for the number of homes that can be provided and the timescale for the approval of the amended Masterplan.

#### (ii) Social and Affordable Housing

Amendment ref. Number 15.7 also proposes including the following new text after the 2nd bullet point:

***“To include commitment to retaining social and affordable housing as the primary use of the O'Devaney Gardens site.”***

While there is support for this addition in one of the submissions, the other submissions from the Northwest Inner City Network and supported by a local Councillor pose concerns over this addition. The Northwest Inner City Network seeks the development of an attractive sustainable community that caters of a mix of private, rental, affordable and local authority homes, attractive to those on a variety of incomes

including higher incomes. This approach is in line with the Development Plan core strategy which is for the delivery of quality homes in a sustainable community; providing a mix not only of unit sizes and types but also a mix of tenure so that the overall housing needs of the City can be met in a long-term sustainable manner. Indeed the recently published Government's "Action Plan for Housing and Homelessness" specifically points to the need to achieve good tenure mix "*to create long-term sustainable communities and avoid the mistakes of the past*".

It is the recommendation of the Chief Executive that the percentage of social and/or affordable of housing to be delivered for this site should be agreed as part of the Housing Land Initiative which is seeking to fast track the delivery of DCC lands for housing with a minimum requirement for 30% social housing. The balance of the remaining 70% will take on board the financial considerations in relation to being able to deliver on the site and the need to achieve good tenure mix. In achieving such it is considered that an appropriate mix of private homes, starter homes, cost rental homes should be provided on site.

It is therefore recommended that the proposed new text be omitted from the Plan.

#### (iii) Community Consultation

As a strategic Landuse Policy document detailing requirements for community consultation during the design and build stages of the sites development is considered outside the remit of the Plan. The Development Plan includes an objective for a Local Area Plan for this area, which will provide opportunities for community involvement.

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

Delete text in Amended Draft (page 145, second bullet point of the Draft Plan,

Retain text in Amended Draft after 5th bullet point, except delete final proposed Amendment (as duplication)

## **Section: 15.1.1.15 SDRA 12 St. Teresa's Gardens and Environs**

### **Summary of Issues**

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

#### **Summary of Submissions**

The Department of the Environment, Community and Local Government submission raises concern about the provision of increased open space and of a large playing pitch on the St Teresa's Gardens site having regard to the identified capacity of the site indicated in Table E of the Core Strategy of the Development Plan.

A significant number of submissions were received from local residents, sporting groups and schools that support the amended draft relating to the provision of playing pitch(es) and open space on the St Teresa's Gardens site. The submissions refer to the need for such facilities in the area, the positive impact of the provision of sporting facilities for young persons and society in general, and the historic legacy of such facilities on the St Teresa's site. The GAA county board made a submission requesting that an increased size of playing pitch be considered, measuring 90m by 145m.

A submission was received from the St Teresa's Regeneration Board indicating serious concerns in relation to the impact of the alteration to the draft Plan in relation to SDRA 12. It states that the Regeneration Board was convened in 2006 in partnership with Dublin City Council and the residents of St. Teresa's Gardens and is composed of the residents of St. Teresa's Gardens and environs, elected representatives, Dublin City Council officers and associated stakeholders and is tasked with consultation / liaison, oversight, and facilitation in relation to the delivery of the Regeneration of the St.Teresa's Gardens lands.

It is stated that the Regeneration Board considers that the current Part 8 and schematic master plan for the lands delivers on the objectives outlined above. It is noted that the re-zoning of the lands in 2009 by variation to the development plan and also the subsequent designation under the current development plan follows the broad aspirations of the 2006 Framework Plan.

The concerns relate to the deliverability of the regeneration project that has been the subject of a significant amount of consultation and work and which has a Part 8 permission that will be compromised. It is stated that enabling works contracts are underway to facilitate the new build contract and works to the park.

It should be noted that Councillor Criona Ni Dhalaigh and Councillor Tina McVeigh have indicated that they do not support the submission made by the Regeneration Board.

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

The proposed amendments were put on public display on foot of Councillor Motions.

As indicated on page 373 of the Chief Executives Report in relation to submissions received on the draft Plan, a large quantum of open space is shown in the North East section of the study area on the map on page 147 of the draft plan. This is designated as Parks and Sports facilities in the key associated with the map on page 147. It should also be noted that that one of the objectives for SDRA 12 on page 146 of the draft plan states that a new public park is proposed as a landmark feature with passive supervision by residential and other uses. It will have a comprehensive landscaping strategy to provide significant greenery within the scheme and will make provision for a diverse range of recreational and sporting facilities for use by the wider neighbourhood. This area equates to c20% of the overall site area, includes a variety of recreational areas for all ages groups and a MUGA pitch.

It is considered that the agreed draft Plan contains adequate objectives for the provision of sports facilities, together with much needed housing and other community facilities as part of the overall regeneration plan for the area. To provide for the large playing pitch required by the proposed amendment would have significant implications for the deliverability of the SDRA goals and objectives agreed by Council following extensive work and consultation. Issues of land ownership, site permeability and overall deliverability of the regeneration of the SDRA for St Teresa's Gardens are significant concerns and it is considered that the proposed amendments are not in accordance with the agreed Masterplan for the development of this key regeneration site.

It is also considered that the concerns raised by the Department of the Environment, Community and Local Government are significant in relation to the impact of the proposed amendment to the provisions of the Core Strategy of the Development Plan and to the ability of the City Council to address the current housing crisis.

In addition, the Government's Action Plan for Housing and Homelessness overarching aim is to expedite the delivery of much needed housing across all tenures.

It is recommended that the text in the Development Plan be amended to reflect proposals in the agreed Masterplan for the area.

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

Amend text in Amended Draft after 2nd bullet point

To provide for an area **zoned** sufficient in size to accommodate **a minimum 80m by 130m playing** pitch **an all weather sports pitch as part of a municipal sports facility**.

Amend text in Amended Draft after 3rd bullet point

To acknowledge the existing sports lands of St Teresa's gardens and its environs and act to **retain replace and** augment these lands as sporting facilities for the benefit of the wider community and use by local sports clubs.

That **at least** 20% of **the St Teresa's Gardens site SDRA 12** be retained for public open space, recreation & sporting facilities including an area to facilitate organised games.

## **Section: 15.1.1.20 SDRA 17 Oscar Traynor Road**

### **Summary of Issues**

#### **Material Alteration Reference Number 15.9**

Submissions seek the reinstatement of the sentence that "heights of up to 10 storeys will be considered in the north-west corner of the site as slender land mark features". In order to deliver residential units in addition to green/open space the possibility of providing buildings of up to 10 storeys should be kept.

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

Providing strategically located "gateway" buildings is a well established principle of urban design to denote landmark spaces and/or act as gateways. A good example of this is the nearby "Gateway" (student) housing in Ballymun, where two buildings on opposite sides of the road articulate the "gateway" or entrance to the Main Street. These buildings are 9 and 11 storeys, slender in design and are not considered out of keeping with the surrounding streetscape or landscape. It is considered that a similar approach should be open for consideration on the Oscar Traynor Road site, a substantial site of 17.2 ha, and one that denotes a key approach into the urban area of the City. The Chief Executive therefore is in agreement with the submissions received to reinstate the statement that "heights of up to 10 storeys will be considered in the north-west corner of the site as slender land mark features". It is also important to note that all applications for "higher buildings" are subject to the assessment criteria for higher buildings as set out in section 16.7.2 of the Draft Plan, which addresses in detail the relationship between any proposed building and the surrounding context.

## **Chief Executive's Recommendation**

Retain text in Amended Draft to Add to first bullet point

To support the Increase provision of Senior Citizens homes on the Oscar Traynor site.

And retain 3rd bullet point rather than delete it (page 152 Draft Plan) as follows

**Heights of up to 10 storeys will be considered in the north-west corner of the site as slender land-mark features.**

## **Section: 15.1.1.21 SDRA 18 National Concert Hall Quarter**

### **Summary of Issues**

#### **Material Alteration Reference Number 15.10**

A number of submissions were received in relation to amendment reference number 15.10 which included a new SDRA for the National Concert Hall Quarter.

The majority of submissions received including those from the Irish Georgian Society, An Taisce, and various resident associations object strongly to the inclusion of this new SDRA and/or in particular the proposal to promote the development of commercial buildings of up to 9-storeys in height, i.e. 36 metres, within an historic and architecturally important area of Dublin City. There is a fear that the new heights proposed will undermine the scale and grain of this portion of Dublin's Georgian Core and it was put that there was no evidence basis or assessment for the proposed increase in height. A number of submissions queried the need for the designation of this area as a Strategic Development and Regeneration Area, stating that this is not an area in need of regeneration as are other parts of the city. The An Taisce submission states that the focus for SDRA designation should be on areas of greenfield urban expansion and brownfield areas such as the Docklands where there is large-scale redundancy of uses.

Three submissions were received supporting the proposed SDRA designation for this area, notably from the Clancourt Group and the Dublin Chamber of Commerce. The latter called for a new objective to be added for the creation of an "urban village", while the former called for clarity within the Plan in relation to height, principally that the NCHA be added to the mid-rise category of the building height table and Figure 19 (Building Height in Dublin Context). Also that SDRA 18 be added to Map K. A submission from a private individual(s) sought a number of amendments seeking extensions to the areas where public realm improvements will be sought and also seeking the preparation of a Local Area Plan for the overall Quarter in order to fully assess building heights.

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

The proposal to create a new SDRA for the National Concert Hall quarter formed the basis of a public submission at the Draft Development Plan stage. While the Chief Executive's response and recommendation was to not include it, it was subsequently submitted and passed as a motion at the Special Council meetings on the 30th and 31st of May and 1st June 2016, and is included as amendment reference no. 15.10.

Objections have been received on this amendment and in particular in relation to the

proposed heights allowable. These submissions largely follow the same reservations as previously set out in the report of the Chief Executive which was considered by the Members of Dublin City.

With regard to the issue of height, any discrepancies in relation to tables and maps within the Plan will be addressed in compiling the final Plan for publication, including the insertion of the NCHQ into the table on Building Height (page 162 of the Draft Plan), and Figure 19, and the SDRA will be added to Map K. It is acknowledged that concerns have been raised in relation to the new maximum heights permissible in this area, however it must also be noted that any application for “tall” buildings will be assessed under the detailed criteria for such as part of the Development Management process which seeks to ensure the proper planning and sustainable development of the area. It is also noted that the guiding principles specifically request the preparation of a visual impact assessment and photomontages for tall building applications, in order to verify the appropriateness of any proposed development in its city-wide and local context.

The request for a new Local Area Plan for this area is **outside the scope** of this stage in the Development Plan process, and is nonetheless not considered appropriate for this area. It is also not considered necessary to extend the area shown on the map for enhanced public domain. The map is indicative, focusing attention on the areas where improvements are most sought. This does not preclude enhancements to other parts of the area subject to funding availability.

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

Retain text in the Amended Draft.

Insert the National Concert Hall Quarter into the table on Building Height (page 162 of the Draft Plan), and into Figure 19: Building Height in Dublin Context.

Include SDRA 18 in Map K: Strategic Development and Regeneration Areas and Key District Centres.



## Chapter 16 - Development Standards

### Submission Number(s):

4011, 4048, 4065, 4088, 4089, 4093, 4099, 4107, 4108, 4111, 4116, 4140, 4151, 4153, 4154, 4155, 4160, 4171, 4173, 4174, 4175, 4177, 4186, 4208, 4209, 4210, 4215, 4217, 4218, 4219, 4221, 4222, 4228, 4231, 4232, 4238, 4240, 4243, 4247, 4248, 4249, 4250, 4252, 4253, 4254, 4255, 4256, 4258, 4259, 4260, 4262, 4264, 4265, 4268, 4269, 4271, 4274

### Section: 16.2.1.2 Sustainable Development

#### Summary of Issues

##### Material Alteration Reference Number 16.1

There was one submission that made a detailed case that the view that demolition leads to a loss of embodied energy is somewhat dated given that LEED buildings require the reuse of demolition material. They outline that demolition should be considered as a viable option for the many obsolete commercial developments in the city and in recognition that contemporary building regulations (fire safety, disability access and energy efficiency) can mean that the retrofitting of older buildings is uneconomic. They ask for flexibility and that each case be taken on its merits.

#### Chief Executive's Response

16.2.1.2 Sustainable Development Add to final sentence of first (page 154)

"Design should optimise natural or heat recovery ventilation, minimise overshadowing, minimise glare and excessive solar gain.

Add sentence to beginning of 2nd paragraph

To minimise the waste embodied energy in existing structures, the re-use of existing buildings should always be considered as a first option in preference to demolition and new-build. Buildings should be designed to minimise resource consumption, reducing waste, water and energy"

The Draft Plan recognises the challenges of the significant amount of obsolete office buildings in the city and sets out the following Policy (CEE11):

"CEE11: To promote and facilitate the supply of commercial space, where appropriate, e.g. retail and office including larger floor-plates and quanta suitable for indigenous and FDI HQ-type uses, as a means of increasing choice and competitiveness, and encouraging indigenous and global HQs to locate in Dublin; to consolidate employment provision in the city by incentivising and facilitating the high-quality redevelopment of obsolete office stock in the city"

It is acknowledged that there are buildings where the only viable option is demolition if the economic cost of their refurbishment is unduly onerous when conforming to modern building regulations. A key policy priority is to prevent obsolete office blocks becoming vacant and derelict and this can be achieved by either demolition and rebuild or renewal.

Having regard to the submission it is considered that the following statement is



preferable: “, the re-use of existing buildings should be considered in appropriate cases

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

Retain text in Amended Draft which will read as follows.

Add to final sentence of first paragraph (page 154)

Design should optimise natural or heat recovery ventilation, minimise overshadowing, minimise glare and excessive solar gain.

Add sentence to beginning of 2nd paragraph

Buildings should be designed to minimise resource consumption, reducing waste, water and energy use. The re-use of existing buildings should be considered in appropriate cases

## **Section: 16.5 Plot Ratio**

### **Summary of Issues**

#### **Material Alteration Reference Number 16.3**

The Amended Section 16.5 states:

“A higher plot ratio may be permitted in certain circumstances such as:

- Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed
- To facilitate comprehensive re-development in areas in need of urban renewal
- To maintain existing streetscape profiles
- Where a site already has the benefit of a higher plot ratio
- **To facilitate the strategic role of institutions such as hospitals.”**

(page 82 of June Amendments)

The submissions request that the bullet point “to facilitate the strategic role of institutions such as hospitals” be omitted from the Amended Draft Plan. It is submitted that Ceannt Fort is surrounded on 3 sides, and it is not in the interest of the local communities to allow this intensive development on hospital sites. The indicated plot ratio for institutional/hospital use, i.e., Z15 is already very high at 2.5:1.

The intensification of building will lead to further increase in traffic, congestion and reduction in the welfare of patients, increased pollution and footfall, with no green space left within the institution to mitigate against pollution.

### **Chief Executive’s Response**

The indicative plot ratio for Z15 lands is 0.5-2.5 in the Draft Plan. The Amendments allow for a higher plot ratio in circumstances facilitating the strategic role of institutions such as hospitals.

Section 16.5 of the Draft Plan expressly states that plot ratio standards need to be used in conjunction with other development control measures. Accordingly, it is

considered that there are sufficient safeguards in the Draft Plan to allow for the measured assessment of proposals for institutions such as hospitals, where a higher plot ratio is proposed.

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

Retain text in Amended Draft.

## **Section: 16.7.2 Height Limits and Areas for Low-Rise, Mid-Rise and Taller Development**

### **Summary of Issues**

#### **Material Alteration Reference Number 16.5:**

The submission from the DOE sets out the following:

This amendment proposes to reduce the maximum height of residential development in low-rise Inner city residential from up to 28m to up to 24m and in low rise outer city residential from up to 16m to up to 13m.

The submission from the DOE is particularly concerned that these proposed reductions in building heights will have a negative impact on the practical delivery of housing units, as well as wider developments which are required to be provided in good well located areas.

From a practical point of view taking into consideration the need for extra ground floor height and the need for roof services, the effect of this proposed amendment will be to significantly reduce building height. This issue is particularly acute in the low rise outer city residential area where the effect of the reduction will be to seriously undermine the viability of developing apartment style developments. The overall effect of both reductions in height will be to seriously affect the practical delivery of the housing units outlined in table E of the vision and core strategy chapter of the draft City Development Plan.

In conclusion the Department requests that these revised building heights be revisited with a view to reverting back to the reasonable provisions of the Draft Development Plan.

The relevant national and regional planning policy context strongly supports increased densities in under-utilised urban areas, particularly Dublin and particularly close to public transport, in the interests of sustainable development and the proposed reduction in height is contrary to these policies.

The proposed building height policy is also directly contrary to Section 1.2 of the Draft Development Plan 2016-2022 states that an unsustainable path of low-density development with extensive urban sprawl, unsustainable travel patterns should not be continued.

The Core Strategy of the Draft Development Plan states that there is a total of 440 hectares of undeveloped zoned lands within Dublin City with the potential to deliver 55,000 units. The stated number of units deliverable is based on an average density figure of 125 no. units per hectare (55,000 no. units / 440 hectares = 125 no. units per

hectare). This density of development is highly unlikely to be achievable with the reduced residential building height policy proposed.

The reduction to 13 metres will result in a significant under-utilisation of important residential development opportunities in the inner suburbs. The revision from 28m to 24m for “low-rise” inner city residential and particularly 16m to 13m for “low-rise” outer city residential demonstrates both a lack of ambition and an unwillingness to deal with density issues in Dublin City. Sites should be assessed on the site's context and should not be further by height restrictions.

Height policy should relate to scale and massing, how the structure appears in its context, and should not be limited by the intended use of the structure. Other provisions of the Plan can successfully manage the scale and design of development proposals, particularly in more sensitive areas if this is a concern.

The Draft plan provisions (with no differentiation between commercial and residential height) is superior, fits with national policy to increase densities in urban areas (especially the capital city) and should be retained in the proposed 2016-2022 Plan.

To limit the maximum height of buildings as proposed will put increasing pressure on Dublin city to move outwards onto suburban and greenfield sites, undermining the city's retail cores and commercial business districts.

A further submission identified that one of the challenges is to maintain Dublin as a residential city while still attracting economic investment and jobs. This means we must provide homes for a growing, ageing and changing population. Other challenges include climate change, carbon emissions and the development of public service to meet the need of residential development. To achieve this we must avoid the traditional ‘3 bedroom, semi detached’ style of development. It group proposed the reinstatement of up to 28 metres maximum for low rise in the inner city residential areas and up to 16m maximum for low rise in the outer city residential areas.”

The submission from Dublin chamber of Commerce states that density and building heights pose a fundamental question for Dublin's future development. Dublin Chamber is an advocate for higher density commercial development.

Another submission stated that the height of buildings can be affected by three key factors: flood risk, floor to ceiling height and the necessity to provide for plant, lift over runs and flues.

Plant, flues and lift over runs should not be included in the height of the building. For example, a scheme at Mount Argus Harolds Cross required the provision of a combined heat and power (CHP) system on one of the development blocks in order to serve the entire development's heat energy requirements. The CHP system, which will result in the entire development exceeding the renewable energy requirement by using natural gas only, contributes toward making residential buildings more energy efficient in compliance with Part L of the Building Energy Regulations. The plant and flues associated with this CHP system are to be located at roof level behind a purpose-built flue screen which stands 1.2m above the building's parapet.

A proposal is made for parapet heights with additional height above:  
Low rise Inner City Residential – Up to 24m to shoulder, 29.5m in total. (9 floors)  
Low-rise outer City Residential – Up to 13m to shoulder, 17.5m in total.(5 floors)

The additional height is to allow for more than minimum floor to ceiling height, a retail floor, the lift over run and/or roofscape, but not an additional floor. The intention of the 13m/24m heights is referenced by restricting the height of the building at parapet or shoulder.

A submission considers that the policy on the maximum height of buildings should continue to be expressed in floors/ storeys as is the case in the current Development Plan, as this metric gives flexibility to the development sector to respond to changing building standards and environmental standards and also to market demands for increased floor to ceiling heights.

An example is given of a site of 10,000m<sup>2</sup>

- 13m height limit, 4 storeys, would deliver 75 housing units
- 16m height limit, 5 storeys, would deliver 95 housing units
- A loss of 20 units.]

Another example is given of a site where residential development potential achievable on the submission lands will be reduced by 40%, from approximately 137 apartments to 82 apartments, on foot of the proposed amendments to the Draft Plan, with similar impacts on other schemes across the city.

Employment space achievable on the submission lands will be reduced by 44% from approximately 9,350 sq.m to 5,250 sq.m. This equates to an equivalent reduction of 400 worker spaces in the 'Z6' zoned portion of the subject site, with similar impacts on other schemes across the city.

The reduction in residential and commercial space achievable on the submission lands it is stated, would be detrimental to the financial viability of the entire scheme and would likely result in no further development at this strategic brownfield urban site, contrary to the Core Strategy, and the wider Development Plan housing policies.

If the allowable heights are not to increased, a 'second preference' proposal is made to include the explanatory text contained in Variation No. 14 of the current City Development Plan 2011-2017 in the new Development Plan 2016-2022, which reads as follows:

The residential category also includes provision for commercial uses at ground floor, subject to the relevant land use zoning category.

- The commercial category includes uses (or a mix of uses) such as hotel, office, conference centre, retail, health, education (inc. student housing), etc, and that are permissible/open for consideration under the relevant land use zoning category.
- Mixed developments comprised of over 50% of gross floor area as 'commercial' are subject to commercial maximum heights.
- Mixed developments comprised of over 50% of gross floor area as 'residential' are subject to residential maximum heights.

A submission welcomes the addition of SDRA 18 into the Development Plan. The submission lists of number of consequential amendments which it is felt should be made following the inclusion of SDRA 18 into the Draft Plan, notably:

- Add SDRA 18 to Map K
- Add the National Concert Hall Quarter (NCHQ) to the mid-rise category of the building height table under section 16.7.2, reflecting the provision for buildings up to 9-stories in the guiding principles for SDRA 18.
- Add SDRA 18 to Figure 19 (Building Height in Dublin Context) as a medium-rise area.

Submissions were made in relation to Amendment reference number 16.6 (p83) which sets out the following;

“Add text to underneath the Table Building Height in Dublin (page 162);

**Phibsborough will remain a low rise area with the exception of allowing for (i) up to a max of 19m in the centre of the Smurfit site and immediately adjoining the proposed railway station at Cross Guns Bridge; and (ii) the addition of one additional storey of 4m will be considered in relation to any proposals to re-clad the existing ‘tower’ at the Phibsboro Shopping Centre”**

19m should be replaced with 16m and (ii) should be omitted if it is submitted.

The Leeson Bridge Residents association are concerned about the proposed new low rise heights. The residents are not against height in Dublin but believe it should not overshadow the historical buildings in central Dublin. Another submission stated that the proposal for low-rise residential height inner city to increase to 24m is very disappointing and unnecessary; an increase to 20m would be the maximum that should be allowed. There is no reason for increased height in the National Concert Hall SDRA. 24m height should not be allowed in a Georgian city.

## **Chief Executive’s Response**

### **Material Alteration Reference Number 16.5:**

The proposed Amendment put out for public consultation is as follows:

Amend height in Table Building Height in Dublin (page 162)

Height relates to the prevailing local height and context.

Low-rise Inner City Residential – (Up to **28m** **24m**)

Low-rise Outer City Residential – (Up to **16m** **13m**)

The majority of submissions make a reasonable and strong case that the reduction in heights will result in a significant decrease in housing supply in the city and also in employment and other space. They state that this will be contrary to national and regional planning policy. It will also be contrary to core policies of the draft plan and will encourage unsustainable urban sprawl outside the city boundaries with lengthy and unsustainable travel patterns.

The proposal made for parapet heights has merits. As has the proposal that plant, flues and lift over runs should not be included in the height of the building, as long as they are set-back and properly screened.

However, at this final stage of the plan making process, it is considered that the appropriate solution is to revert to the heights set out in the Draft Plan.

It is also considered that the following additional statement for **material alteration reference number 16.4** is an important clarification and an additional protection:

**“The heights stated in the low-rise and mid-rise categories of the table titled**

**Building Height in Dublin are maximum heights. Notwithstanding the maximum permissible heights specified in this section, proposals will be subject to assessment against standards set out elsewhere in the Development Plan, as will proposals in the high-rise category.”**

In relation to Phibsborough, it is considered that the maximum height of 19m in relation to the Smurfit site be retained, as was agreed at the earlier Council to transfer key aspects of the Draft LAP to the new Development Plan.

The proposals regarding the National Concert Hall SDR are considered appropriate.

It is recommended that the building heights as set out in the Draft Plan be retained.

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

#### **Material Alteration Reference Number 16.5:**

Amend text in Amended Draft to read as follows:

**Category Area Height (m) Low-rise (relates to the prevailing local height and context)**

**Inner City: Up to 28m**

**Outer City: Up to 16m.**

#### **Material Alteration Reference Number 16.6:**

Retain text in Amended Draft

## **Section: 16.10.1 Residential Quality Standards - Apartments**

### **Summary of Issues**

#### **Material Alteration Reference Number 16.9**

There were a variety of submissions regarding residential quality standards. The DOECLG welcomed the revision in apartment standards and advise that they will go some way in delivering housing in the city. Apartment standards should be amended and be generous as they will be the prominent form of residential accommodation in the future. Another submission suggested that there was demand for other residential typologies such as ‘shared accommodation’ which provides occupiers with smaller private accommodation (i.e. a bedroom) and sharing other facilities (e.g. kitchen/living room) with space standards similar to student accommodation. It was also suggested that the criteria regarding location of ‘build to let’ apartments should be relaxed. The 20 year retention requirement for ‘build to let’ should be deleted or reduced.

### **Chief Executive’s Response**

The recently published apartment guidelines ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ (2015) has meant that national policy requirements are now mandatory at City Council level with the discretionary option on many matters removed. The relaxation of standards and criteria regarding ‘shared accommodation’ and ‘build to let’ is considered undesirable.

It is clear from the submissions that there is some uncertainty as to the requirements and location of “build-to-let” schemes, with amendments sought in relation to such. On review of the proposed amendments it is considered that some changes should be made to the text to clarify this issue; that build-to-let schemes in themselves are not restricted to certain parts of the city, but build-to-let schemes with studio units and higher proportion of studios and one-beds, are restricted to within 500m of key centres of employment as set out in the amended Draft. Elsewhere within the City build-to-let schemes will be required to meet the residential mix set out in the Draft Plan for apartments. Minor amendments to section 16.10.1 are accordingly recommended, as are changes to amendment reference no. 0.3 – Appendix 2 Housing Strategy, Section 2.2.4 Implementing Dublin’s Housing Strategy Objectives.

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

Retain text in Amended Draft except add text in green below and delete text in red:

#### Mix of Residential Units

Each apartment development shall contain:

- A maximum of 25-30% one-bedroom units
- A minimum of 15% three- or more bedroom units

These maximum and minimum requirements apply to proposals of 15 units or more and may not apply to certain social housing needs and/or where there is a need for particular form of housing for older people and **students**, and having regard to the housing strategy.

**This mix does not apply to managed student housing or managed ‘build-to-let’ apartment developments.**

**The above mix of unit types will not apply to within** managed ‘build-to-let’ apartment schemes **for mobile workers where** up to 42-50% of the total units may be in the form of one-bed or studio units. Communal facilities such as common rooms, gyms, laundry rooms etc. will be encouraged within such developments. This provision only applies to long-term purpose-built managed schemes of over 50 units, developed under the “build-to-let” model and located within 500m (walking distance) of centres of employment or adjoining major employment sites. Centres of employment are identified in Fig W Housing Strategy Appendix 2A, and for clarity these centres are located within the following Electoral Divisions:

- North Dock B Mansion House A Pembroke West C
- North Dock C Mansion House B Pembroke East E
- North City Saint Kevins Pembroke East D
- Royal Exchange A South Dock Ushers F
- Royal Exchange B
- Mansion House A
- Mansion House B
- Saint Kevins
- South Dock
- Pembroke West C
- Pembroke East E
- Pembroke East D
- Ushers F

- Beaumont B

[Inset new map entitled: Fig W: Person's Working in DCC per Electoral Divisions, Housing Strategy Appendix 2A.]

The applicant shall be requested to submit evidence to demonstrate that there is not an over-concentration of such schemes within an area, including a map showing all 'build-to-let' similar facilities within 0.25km of a proposal.

This particular managed rental model shall be retained in single ownership for 20 years (min) during which period units may not be sold off on a piecemeal basis.

## **Section: 16.10.7 Guidelines for Student Accommodation**

### **Summary of Issues**

#### **Material Alteration Reference Number 16.11**

A proposal is made that in build to let schemes up to 40% of the floor area may be provided in student accommodation format but not restricted to students.

#### **Material Alteration Reference Number 16.12**

Submissions welcome the introduction of studios but state that the minimum size of 25m<sup>2</sup> is excessive and unviable. They propose lowering the floor area to 16 – 18m<sup>2</sup>. Welcome for townhouse but should also be allowed off-campus. Other floor space changes are proposed. Variation 14 clarified for the purposes of building height that student accommodation as 'commercial' and this should be re-stated.

#### **Material Alteration Reference Number 16.13**

There were a variety of submissions regarding car parking in relation to student accommodation. In certain locations such as SDRAs, in proximity to transport corridors or within parking zones 1 or 2 there should be leeway to develop apartments without the stipulation to provide car parking or essentially permit 'car free' development. For build to let apartment schemes the catchment area should also include DEDs located adjoining large centres of employment and within 1km of bus and railway lines. There were also submissions requesting that the floor areas for student accommodation be reduced so as to make them more economic for potential tenants.

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

#### **Material Alteration Reference Number 16.11**

Significant changes have been made to the Draft Plan housing standards and policies including introducing specific policies to allow for 'build to let' and studio apartments. The proposal is a significant reduction in housing standards and is undesirable.

#### **Material Alteration Reference Number 16.12**

Significant changes have been made to the Draft Plan student accommodation guidelines and it is considered that these are sufficient, reasonable and appropriate. The policy framework to support provision of student is set out in Policy CEE 19 of the Draft Plan (p47).

The recent Government housing strategy, "Rebuilding Ireland, an Action Plan for Housing and Homelessness" "commits to the development of a national student accommodation strategy in 2017 by the Department of Education and Skills (DES) in



conjunction with DHPCLG and other stakeholders, including DPER and the Department of Finance. This will set out a broad framework for delivery of an enhanced level of accommodation which will inform local authority housing strategies and the land management process in general, in order to provide suitably located and affordable sites.” (p73-74) any further changes to standards and guidelines can be considered in this context.

### **Material Alteration Reference Number 16.13**

The recent Government housing strategy, “Rebuilding Ireland, an Action Plan for Housing and Homelessness” sets out to encourage student accommodation as part of the solution to the housing crisis. It refers to the 2015 ‘Report on Student Accommodation: Demand & Supply’ by the Higher Education Authority (HEA) estimates an existing level of unmet demand of about 25,000 student bed spaces nationally. The Action Plan “commits to the development of a national student accommodation strategy in 2017 by the Department of Education and Skills (DES) in conjunction with DHPCLG and other stakeholders, including DPER and the Department of Finance. This will set out a broad framework for delivery of an enhanced level of accommodation which will inform local authority housing strategies and the land management process in general, in order to provide suitably located and affordable sites.”

The policy in the Draft Plan seeks to encourage student accommodation and sets out the following (p47):

“CEE19: (i) To promote Dublin as an International Education Centre/Student City, as set out in national policy, and to support and encourage provision of necessary infrastructure such as colleges (including English Language Colleges) and high-quality, custom-built and professionally-managed student housing.

(ii) To recognise that there is a need for significant extra high-quality, professionally-managed student accommodation developments in the city; and to facilitate the high-quality provision of such facilities.”

While student accommodation is a different form of housing, the recently published Dept. of Environment apartment guidelines ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ (2015) are relevant regarding a policy approach to car parking. The document sets out the following:

“car parking provision should be reduced or avoided in very accessible areas such as central business districts and a confluence of public transport systems, ....

Where it is sought to reduce car parking provision, the onus will be on the applicant to demonstrate to the planning authority why car parking provision can be avoided and that the site is sufficiently well located in relation to employment, amenities and services that other non-car based modes of transport will meet the needs of residents, in full or in part. ‘Car free’ development may be permissible in highly accessible city centre locations”

The City Council is committed to reducing the amount of car park provisioned development in the city as outlined in Chapter 8, ‘Movement and Transport’ and whose strategy over the last few development plans has seen a modal shift away from private transport to public transport alternatives

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

### **Material Alteration Reference Number 16.11**

Retain text in Amended Draft.

**Material Alteration Reference Number 16.12**

Retain text in Amended Draft.

**Material Alteration Reference Number 16.13**

Retain text in Amended Draft.

## Appendix 3 - Retail Strategy

### Submission Number(s):

4140, 4186, 4260, 4271

### Section: Appendix 3 - Retail Strategy

#### **Summary of Issues**

##### **Material Alteration Reference Number 0.5**

The submission from the DOECLG recommended that although the inclusion of 3 additional Key District Centres (Clongriffin, Phibsborough and Naas Road) has merit it may be considered prudent to wait for the formal review of the Retail Strategy for the Greater Dublin Area, 2008 – 2016 before proposing their designation. This is due to their not being identified as level three centres in the current retail strategy. This is particularly relevant in the case of Clongriffin and Naas Road which are areas that border adjoining local authorities.

Another submission requested the complete deletion and replacement with new text of the amended paragraph relating to Phibsborough Shopping Centre at the end of the section 'District Centres – Older Centres'. The new text would place the redevelopment of the shopping centre in the context of an area blighted by dilapidated development as a result of misconceived planning policies.

A submission on behalf of Tesco proposed greater clarity in Table 1 in the Retail Strategy, by inserting 'net retail floorspace' in two instances to correspond with that description of 'supermarket' found in the DOECLG 'Guidelines for Planning Authorities – Retail Planning' 2012 (P53).

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

##### **Material Alteration Reference Number 0.5**

Amend Retail Strategy, Table 1, P74 Draft (Volume 2), insert **net food** in two instances, directly after 'A supermarket' inset a new paragraph at the end of section "District Centres – Older centres" (page 77 Volume 2 Draft Plan), as follows:

**A review of the Phibsborough Shopping Centre was carried out as part of the 2015 Draft Phibsborough LAP. Although not adopted a number of objectives came from this report which the Development Plan now seeks to capture. The City Council supports the redevelopment and revitalisation of the existing Phibsboro Shopping Centre which expands the retail offering in keeping with the designation of Phibsborough as a Key District Centre. New development shall be of a suitably high density and mix to create new job opportunities at this key nodal point which is highly accessible by public transport. Uses that create an "evening economy" and enhance the attractiveness of the centre as a destination will be encouraged, as will the integration of the site with the**

adjoining Dalymount Park, ideally creating a new enhanced public entrance to this sporting venue. The provision of a new civic plaza will also be sought.

The inclusion of Clongriffin, Phibsborough and Naas Road in the Draft Development Plan as Key District Centres were on the basis of the areas been identified as major population expansion centres for the future as outlined in S2.2.3, 'Settlement Strategy' in Chapter 2, 'Vision and Core Strategy' and also in the amended text proposed for Appendix 3 (Material Alteration Reference number 0.5). Two are designated LAP areas while Phibsborough will have objectives included in the Draft Development Plan arising from the LAP process. The statutory LAP process allowed for adjoining local authorities (South Dublin County Council in the case of Naas Road LAP and Fingal County Council in the case of Clongriffin LAP) to make submissions at relevant stages and were cognisant of the quantum or retail development being sought. There was no indication that the retail quantum proposed in either location was of concern. Mindful of this and given that it has been indicated that these centres would most likely be designated as 'level three centres' in any updated retail regional planning guidelines, their inclusion in the draft development plan is considered appropriate.

The amended text with regard to Phibsborough Shopping Centre is considered appropriate and indicative of the preferred type of development in the area over the coming years.

With regard to the amendment for 'net retail floorspace' it is acknowledged that the 'Retail Planning Guidelines' 2012 – Annex 1 (P52) defines a 'supermarket' as a 'single level, self service store selling mainly food, with a net retail floorspace of less than 2,500 sqm'. It is reasonable to argue that this definition is the more accurate as although supermarkets mainly retail food there may be a small floor area dedicated for other non food products and the definition of 'net retail floorspace' will include that quantum

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

#### **Retain Material Alteration Reference Number 0.5**

**Retain a new paragraph at the end of section "District Centres – Older centres" (page 77 Volume 2 Draft Plan),**

And amend text in Table 1 (P74) as follows;

"Insert **net food** **net retail floorspace** in two instances. Directly after 'A supermarket < 2,500 sqm' at level 3 – Defining Features – and directly after 'one supermarket sized up to 2,500 sqm' level 4 – Defining Features"

## Appendix 2A - Housing Strategy

### Submission Number(s):

4175, 4186

### Section: Appendix 2A - Housing Strategy (Phase 2)

#### Summary of Issues

##### Material Alteration Reference Number 0.3

- One of the submissions received suggested additional text to Section 2.2.2 (Implementing Dublin's Housing Strategy Objectives) of Appendix 2A as follows: "Proposals for long term build to let rental accommodation of over 50 units shall be considered within walking distance of centres of employment, adjoining major employment sites or proximate to public transport corridors leading to centres of employment."
- The other submission received expressed support for the Housing Strategy as per the Amended Draft.

#### Chief Executive's Response

It is considered that the submission received requests the diluting of the specific text to allow proposals for long term build to let rental accommodation of over 50 units within walking distance of centres of employment, adjoining major employment sites or proximate to public transport corridors leading to centres of employment.

It is considered that the revision suggested removes any certainty from the above requirement. By removing the 500m requirement and the specific list of the centres of employment, this requirement becomes vague, ambiguous and difficult to interpret during the development management process.

However the text should be amended to bring clarity to the section in relation to the location of studios units.

#### Chief Executive's Recommendation

Retain text in Amend Draft and add text in green below:

"Proposals for long-term build-to-let rental accommodation **for mobile workers** of over 50 units shall be considered within 500m (walking distance) of centres of employment. **These schemes shall allow for the provision of "studio" units as set out in Section 16.10.1 of the Development Plan.** These centres are identified within Fig W, based on the 2011 Census of Population (POWSCAR records) which identifies electoral districts that have 5,000 people or more working within them. Provision has also been made to include Beaumont Hospital (3,000 plus employees) as a key employment zone".



# Part 4

## **Site Specific Zoning**

## **Map: B**

**Map Reference:** B  
**Reference Number:** 12  
**Site Address:** Kilmore Road, Artane  
**Submission Number(s):** 4260

### **Summary of Issues**

The submission received seeks to revert from the Z4 “District Centres” zoning to the Z6 “Employment/Enterprise” zoning as per the Draft Plan, having regard to the established character of these lands and the existing Castle District Centre directly opposite and its potential for future enhancement.

### **Chief Executive’s Response**

Artane Shopping Centre is designated as a District Centre, which is a Level 3 retail location under the Retail Strategy for the Greater Dublin Area 2008-2016. Additional retail provision should be based on significant growth in the population or on a demonstrable level of under-provision of retail.

The Retail Strategy under Appendix 3 of the Draft Plan states that flexibility to extend the retail provision of district centres can occur in areas of extensive or intense high density development providing for new areas of population of over 10,000.

The Council’s Retail Strategy has therefore considered future population growth under the Retail Strategy of the Draft Plan.

Another reason for enhanced retail provision is the limited floorspace offer and dated format of the existing district centre. Between the existing Z4 zone at Artane Castle and Z6 zone, there is capacity for the location to achieve a 20,000 sq.m overall GFA and still meet the size criteria for a district centre within the retail hierarchy for the GDA.

Policies of the Draft Plan, such as RD 19, promote competition and innovation in the retail and other service sectors to the benefit of competitiveness and the consumer. The uses which are Permissible in a Z4 zone include enterprise centre, light industry, live work units and science and technology based industry, in addition to shop (district) and shop (neighbourhood). Office space (max 1200 sq.m) is in the Open for Consideration Category in addition to shop (major comparison) and warehousing (retail/non-food)/retail Park. Such uses in a Z4 zone would generate employment creation.

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

Retain Z4, as per Amended Draft.



## **Map: D**

**Map Reference:** D

**Reference Number:** 2

**Site Address:** Rossmore Drive - Kylemore Road

**Submission Number(s):** 4096

### **Summary of Issues**

The submission received states that the proposed rezoning of the Uniphar site from Z6 to Z1 would be completely at variance with the established land use in the area. The site is not suitable for residential development, being cut off from services, shops and schools by extremely busy roads and with no proper pedestrian connectivity. It should also be noted that the site is surrounded by industrially zoned land that is in active use and is not a suitable location for residential development.

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

It is considered that this Z6 zone is isolated, that the overall Z6 parcel is small in relative terms and that there are residential uses in relatively close proximity to the subject site (Rossmore Road, Lough Conn area etc.) That being said, the site is currently in active industrial use and provides significant employment.

With regard to the site being suitable for potential housing and having regard to the location of the subject site, and in line with Council and Government policy in relation to the need to support and provide for increased housing, it is considered that this matter can be reconsidered in the context of the study required by Draft Development Plan Objective CEE04: "To carry out a targeted survey of those industrial estates with likely redevelopment potential, and to make recommendations on how that redevelopment potential might be best achieved."

Accordingly, it is considered that the existing Z6 zoning is appropriate at this moment in time.

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

Amend zoning in the Amended Draft. i.e. Revert to Z6.

## **Map: E**

**Map Reference:** E

**Reference Number:** 1

**Site Address:** Blackhorse Avenue

**Submission Number(s):** 4234

### **Summary of Issues**

This submission expresses support for the rezoning of this site from Z9 to Z1.

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

It is noted that the site has been the subject of a road improvement scheme under Reg Ref 2775/13, and that the land in question is surplus.

Having regard to the need for housing in the city, it is considered that a change of zoning for the overall site is appropriate.

The expression of support for the change in zoning from Z9 to Z1 is noted.

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

Retain Z1, as per Amended Draft.

**Map Reference:** E  
**Reference Number:** 25  
**Site Address:** Davitt Rd, Goldenbridge  
**Submission Number(s):** 4079

**Summary of Issues**

This submission expresses support for the rezoning of this site from Z6 to Z1

**Chief Executive's Response**

This site is a self contained Z6 land parcel bounded by Davitt Road to the north, Benbulbin Road to the east, Galtymore Road to the south and a residential estate (Davitt House) to the west. The site is separated from a further area of Z6 lands to the east by the junction of Davitt Road and Benbulbin Road.

Access to the Goldenbridge LUAS stop is a strategic benefit to optimise a more sustainable use of the site and remove a derelict site in such a prominent and strategic location.

A Z1 zone would be compatible with and integrate successfully with Z1 zoning directly adjoining and south of the site.

The expression of support for the change in zoning from Z9 to Z1 is noted.

**Chief Executive's Recommendation**

Retain Z1. Retain the existing extent of the red lined conservation zone on the north section of this site as per Amended Draft.

**Map Reference:** E  
**Reference Number:** 28  
**Site Address:** Bridgefoot Street  
**Submission Number(s):** 4011, 4021, 4065, 4095, 4156, 4158, 4159, 4181, 4182, 4185, 4202, 4226, 4245, 4262, 4265, 4297

### **Summary of Issues**

A substantial number of submissions and a petition were received, variously expressing support for the rezoning of this site from Z5 to Z9 and / or supporting a park on the site.

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

The subject site has been zoned Z5 in the previous two Development Plans and also under the Liberties LAP, which is the statutory context for the development of the area. The Z5 zoning is a flexible city centre zoning which would facilitate the delivery of the Local Area Plan.

As stated in the Chief Executive's Report on Motions, the 'Greening strategy' is not the statutory context for the development of the area. Rather, the current Local Area Plan is the context to deliver development in the area.

The LAP, which was approved by the City Council and extended to 2019 provides for a combination of open space and housing on this important site.

The Z5 zoning allows the provision of approx 120 residential units largely on the northern end of the site, and a significant urban park, including the area of the present community park. This approach provides for both much needed housing, and provides a quality urban park with inbuilt passive surveillance from the surrounding housing.

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

Amend zoning in Amended Draft i.e. revert to Z5.

**Map Reference:** E

**Reference Number:** 29

**Site Address:** Church Street - OPW site

**Submission Number(s):** 4288, 4289, 4290, 4291, 4292, 4293, 4294, 4295, 4296

### **Summary of Issues**

The submissions received indicate that the site in question is the location for the proposed new Family Law and Children's Court Complex and requests that the Council reconsider the proposal to rezone a portion of the site from Z5 to Z9 and to allow the site to be used for the development of the new Family and Children's Courts building.

A submission received from the OPW states: "In 2014, the OPW, officially announced the site as the location for the Family Law Court for the Courts Service and that the OPW were commencing feasibility studies for the site. Subsequently as recently as last September the Minister for Justice Frances Fitzgerald announced the allocation of capital investment in the Justice Sector, a critical element of which was the dedicated and integrated Family Law and Children's Courts building, together with additional Court rooms for the Supreme Court and other Courts offices, at this site at Hammond Lane."

The Office of Public Works is well advanced with a feasibility Study on the options available for the provision of a building for the Courts Service at this site, and is working towards the lodgement of a planning application for the project. The proposed amendment would seriously undermine the viability of this project, which is a nationally important state courts facility required by the Department of Justice.

Other submissions indicate that it is not clear from the intent of the zoning, what the specific objective would be for the use of the space. Assuming it is intended to be a public space or park, there is no indication that there is any funding available to DCC to acquire the space from the OPW and design, install and manage an additional public space. Furthermore, given the space is west facing, directly adjacent to a proposed 5-7 storey building and surrounded by other buildings ranging from 4 to 8 storeys, the space would be overshadowed and of poor quality.

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

The site is located adjacent to strategic public transport services (Luas) and is located within the city centre zone under the Core Strategy, for which the Z5 zoning is appropriate to maximise the efficient use of zoned serviced land, consolidate the city and provide mixed services, residential and employment uses in the city core, thus limiting encroachment into greenfield areas in the city's hinterland.

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

Amend zoning in Amended Draft i.e. revert to Z5.

## **Map: G**

**Map Reference:** G

**Reference Number:** 5

**Site Address:** Kimmage Road West

**Submission Number(s):** 4110

### **Summary of Issues**

The submission received requests that the vacant former art gallery at the Kimmage Road West Site be rezoned from Z9 to Z1.

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

The site has access from Kimmage Road West and is part of a larger Z9 zoned landbank adjoining to the west. It is considered that the leisure centre and art gallery contribute towards existing leisure/amenity provision in the area. However, the open space to the rear of the site is not publicly accessible. Taking into consideration the objectives and policies of the approved City Development Plan and guidance from the Department of the Environment, Community and Local Government to increase the supply of housing land and units in the city to serve demand, a Z1 zone on the east part of the site is considered appropriate.

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

Retain Z9 zoning for existing leisure club and art gallery and change zoning of open space area and access road from Z9 to Z1 as per Amended Draft.

**Map Reference:** H  
**Reference Number:** 1  
**Site Address:** Greenmount Industrial estate - Harolds Cross  
**Submission Number(s):** 4150, 4173, 4207, 4270

### **Summary of Issues**

Some of the submissions received seek to retain the Z1 zoning as per the Draft Dublin City Development Plan 2016-2022 and make the following points:

- Residential housing supply has become a very real issue in Ireland over the past 5 years. A report by the Housing Agency in July 2015 titled “National Statement of Housing Supply and Demand 2014 and outlook for 2015-2017” states the following with regard to housing supply and demand: “There is a persistent mismatch between supply and demand for housing, particularly in Dublin and surrounding counties, and major cities such as Cork, Galway and Limerick. Nationally, there was an undersupply of the required housing in 2014 (73% of the requirement was provided), allowing for pent up demand from 2013 to 2013. In addition, new household formation is projected to increase for each of the next three years and an accelerated delivery of residential units is required to address this deficit.” Therefore the proposed zoning of the subject site to Z1 – residential, will provide much needed residential development land within Dublin that is well located in terms of transport and supporting services. The residential zoning of this site is logical given the existing surrounding complimentary uses and the road network serving the site, which is unsuitable for industrial use.
- The Draft City Plan sought fit to rezone this site from Z6 to Z1. This is in line with the predominant mix of uses within the city block bounded by Greenmount Lane, Greenmount Avenue, Harold’s Cross Road and Parnell Road.
- The site is in no way fit for purpose in its current use (Z6) and is extremely unsuited due to its relative inaccessibility for large industrial vehicles.
- It does not make sense to have an industrial estate right in between and close to residential dwellings that surround this site.

Other submissions received are supportive of the proposed change from Z1 to Z6 as per the amended draft and make the following points:

- The Z6 zoning is more appropriate and will protect the existing mixed use enterprise and employment centre in this vibrant urban village.

### **Chief Executive’s Response**

The site was zoned for Z1 (Residential) at Draft Plan stage and was changed to Z6 (employment) by motion as a material alteration.

This backland area has a narrow access road which is not suited to industrial traffic. The site is well located for residential uses however, and given the current demand for housing land a Z1 zoning is considered appropriate.

Given the Department of the Environment’s advice to the City Council to take additional steps in the Development Plan to bring forward the supply of much needed housing in the city it is considered that the Z1 zoning is appropriate.

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

Amend zoning in Amended Draft i.e. Revert to Z1.

**Map Reference:** H

**Reference Number:** 5

**Site Address:** Rathmines DIT

**Submission Number(s):** 4003, 4004, 4013, 4014, 4015, 4111, 4172

### **Summary of Issues**

Some of the submissions received are supportive of the proposed change from Z4 to Z15 as per the amended draft.

Other submission received request the retention of the Z4 zoning on site, including a submission from DIT.

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

The existing Z4 zoning for the site, being a district centre zoning in the centre of Rathmines, a key district centre in the draft Plan, is considered to be the appropriate zoning.

As is stated on page 279 of the Chief Executive's Report on Motions, The Z4 zone in the centre of Rathmines encompasses a range of existing uses that provide a community, cultural and recreational role, including the library and sports centre.

It was emphasised that supporting the role of schools in the centre of Rathmines is important. However, the site is in third party ownership and while the submission relates to what may be possible should the site become vacant, there is no guarantee that the DIT site will ever be selected as a site for educational use, or the associated potential risk of vacancy.

Under the Z4 zoning objective, community, education and cultural uses are permissible and the Z4 zone therefore does not preclude the opportunity for the DIT building or site to provide for these uses into the future, should they become available to the schools and an extension sought. It is not unusual within the higher density, mixed use zones of the city that schools are included within mixed use zones as opposed to Z15 zoning.

Development management is the appropriate process to determine the future appropriate redevelopment of this site, including determining suitable uses and design that protects the amenities of schools adjoining. A proposal by the school or DES to extend educational uses into the site or improve boundaries with the school can still be considered under the Z4 zoning.

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

Amend zoning in Amended Draft i.e. Revert to Z4.



# Part 5

## **List of Persons or Bodies who made Submissions/Observations**

# Submissions (All) - Alphabetical

Submission Source <i>Organisation</i>			
<i>Sub. No</i>	<i>Organisation</i>	<i>First Name</i>	<i>Last Name</i>
4255	An Taisce	Ian	Lumley
4195	APK Compressors Ltd		
4012	Architect	Noel	Quinn
4241	Bilfinger GVA	Paul	O'Neill
4160	Blend Residents Associat		
4295	Brady Shipman Martin	Sorcha	Turnbull
4093	Brady Shipman Martin	Sorcha	Turnbull
4159	Bridgefoot Street Group		
4245	Bridgefoot Street Reside		
4088	Brock McClure	Suzanne	McClure
4152	Brock McClure Planning a	Matthew	McRedmond
4153	Brock McClure Planning	Matthew	McRedmond
4150	Brock McClure Planning	Matthew	McRedmond
4010	Brock McClure Planning	Matthew	McRedmond
4284	Brown Thomas & Co Ltd	Stephen	Sealey
4154	Cabra Road Residents A		
4290	Chief Justice		
4298	City Councillor	Tina	MacVeigh
4004	City of Dublin Education	Greg	Flanagan
4293	Civil Legal Aid	Niall	Murphy
4215	Conroy Crowe Kelly Archi	Michael	Crowe
4292	Courts Service	Brendan	Ryan
4272	Cyclist.ie / Dublin Cyclin	Colm	Ryder
4147	Declan Brassil & Co. Ltd	Hennie	
4190	Declan Brassil & Co. Ltd	Declan	Brassil
4189	Department of Art, Herita	Patricia	O'Leary
4186	Department of the Enviro	Ciara	Gilgunn
4296	Dept of Education and Sk	Liz	Marriott

## Submissions (All) - Alphabetic

4163	Donore Boxing Club	Robert	Mc Evoy
4233	Dublin Airport Authority		
4043	Dublin Bay Biosphere Pa	Jenni	Roche
4177	Dublin Chamber of Com		
4297	Dublin City Development	Philip	McDonnell
4294	Dublin Solicitors Bar Ass		
4006	ESB Networks	James	Brennan
4018	Failte Ireland	Mary	Stack
4008	Failte Ireland	Mary	Stack
4022	Food and Drink Industry I	Paul	Kelly
4266	Green Party Councillors	Ciaran	Cuffe
4260	GVA Planning	Caoimhe	Ni Raghallaigh
4274	Hooke & MacDonald	Ken	MacDonald
4269	IBEC	Aidan	Sweeney
4107	IMG Planning Ltd		
4282	Irish Georgian Society	Dough	Cahill
4223	Irish Rail	Peter	Muldoon
4250	John Spain Associates		
4209	John Spain Associates		
4248	John Spain Associates		
4210	John Spain Associates		
4251	John Spain Associates		
4240	John Spain Associates		
4238	John Spain Associates		
4249	John Spain Associates		
4247	John Spain Associates		
4253	John Spain Associates		
4254	John Spain Associates		
4258	John Spain Associates		
4252	John Spain Associates		
4225	John Spain Associates	Robert	Keran

## Submissions (All) - Alphabetical

4232	John Spain Associates	Robert	Keran
4230	John Spain Associates	Robert	Keran
4222	John Spain Associates	Robert	Keran
4228	John Spain Associates	Robert	Keran
4262	Kilmainham Residents A	Mary	Kearney
4268	Leeson Bridge Residents		
4079	MHW Planning	Colm	McLoughlin
4161	MUIR Associates Limited	T.A	Walshe
4285	National Transport Autho	Eoin	Farrell
4231	New Generation Homes	Emma	Gosnell
4151	Phibsborough Tidy Town	Susan	Dawson
4244	Planning and Developme	Jim	Brogan
4243	Property Industry Ireland	Tom	Phillips
4116	Rathgar Residents Assoc		
4003	Rathmines College	Bernadette	Moore
4110	Rathmines Initiative	Ciaran	Ferrie
4021	Residents of Bridgefoot S		
4149	Restaurant Association o	Adrian	Cummins
4048	Richview Residents Asso	Marion	Masterson
4171	RPS		
4169	RPS		
4170	RPS		
4172	RPS		
4016	Sandymount & Merrion R	Lorna	Kelly
4214	Sheridan Woods Architec		
4213	Sinn Féin Group	Daithí	Doolan
4184	St Catherines National S	Des	Cox
4014	St Louis Infant School	Liza	Kelly
4015	St Louis Infant School	Miriam	Mulkerrin Mason
4167	St Teresa's Boys/Girls F.	Liam	Hicks
4013	St. Louis Senior Primary	Pádraic	Carney

## ***Submissions (All) - Alphabetical***

4168	St. Teresa's Gardens Re	Chris	Fitzpatrick
4191	Stanberry Investments Lt	Conor	Keoghan
4175	Stephen Little & Associat		
4174	Stephen Little & Associat		
4173	Stephen Little & Associat		
4208	Stephen Little & Associat		
4221	Stephen Little and Associ	Lorraine	Treacy
4289	The Circuit Court		
4288	The District Court		
4192	The Keoghan Partnership		
4216	The Royal Institute of Arc		
4219	The Royal Institute of Arc		
4217	The Royal Institute of the		
4196	Thomas Street Car Park		
4085	Transport Infrastructure Ir	Michael	McCormack
4009	Urban-asylum	Simon	Keogh
4291	Walls & Toomey	Muriel	Walls

# Submissions (All) - Alphabetical

Submission Source **Private Individual**

Sub. No	Organisation	First Name	Last Name
4206		Kevins Hurling &	
4242		Armelle	
4077		Mary	B.Deevy
4188		Brian	Bolger
4227		Jim	Brogan
4144		Sarah	Browne
4011		Nigel	Buchalter
4087		Cormac	Buggy
4049		Clare	Burke
4038		Lia	Byrne
4046		John	Carr
4090		Amy	Carroll
4185		Sean	Carroll
4138		Edward	Carroll
4123		Philip	Casey
4187		Cliona	Christle
4089		Simon	Clear
4073		David	Coffey
4143		David	Coffey
4263		Annabelle	Comyn
4042		Ashe	Conrad-Jones
4264		Joe	Costello
4259		Joe	Costello
4054		Louise	Courell
4124		Jean	Cousins
4103		Des	Cox
4257		Pat	Coyne
4036		Philomena	Crampton

## ***Submissions (All) - Alphabetic***

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4033	Paul	Crampton
4070	Noel	Cronin
4071	Ciaran	Cronin
4117	Peter	Crotty
4084	Billy	Crowley
4072	Andrew	Cruickshank
4032	Garreth	Cully
4055	Tommy	Daly
4092	Augustine	Daly
4058	Tommy	Daly
4074	Sinead	Deegan
4114	Anita	Dermody
4145	Sara	Donaldson
4111	Dhaithi	Doolan
4137	Michael	Doorley
4096	Jane	Doyle
4007	Hans	Dubois
4045	Sonya	Earls
4065	Jean	Early
4076	Ronan	Evers-Norton
4083	Jean	Evers-Norton
4212	Deirdre	Farrell
4218	Justin	Farrelly
4101	Joseph	Fenlon
4115	Anna	Filipiak
4060	Kate	Fine
4029	Brian	Flannery
4180	Kate	Flinter
4235	Pat	Foudy
4052	Marie	Foudy
4105	Mary	Gallagher

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## ***Submissions (All) - Alphabetical***

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4020	Mary	Gallagher
4037	Kevin	Gannon
4034	Mark	Gardner
4166	Richard	Good
4237	David	Greene
4025	Monica	Grogan
4062	Patricia	Halton
4119	Ciara	Hanlon
4056	Breen	Hardiman
4183	Karl	Harrison
4030	Gary	Hassett
4097	Catherine	Heaney
4061	Geraldine	Hennessy
4066	Vincent	Hennessy
4047	Barry	Hickey
4220	Laura	Hickey
4098	Geraldine	Hicks
4200	Billy	Hicks
4120	Paula	Hicks
4197	Daire	Hicks
4179	Sharon	Hicks
4019	Vincent	Hoban
4113	Iseult	Howlett
4148	Justin	Howlett
4198	Brian	Howlett
4280	Paul	Jacobs
4024	Ken	Jordan
4023	Karen	Jordan
4026	Anne Marie	Keane
4265	Mary	Kearney
4078	Rosarii	Kelly

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## Submissions (All) - Alphabetical

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4067	Rachel	Kelly
4271	Nuala	Kelly
4194	Tony	Kelly
4158	Conor	Kennelly
4027	Sarah	Kenny
4132	Veronica	Kubat
4134	Maggie	Kubat
4118	Anne	Lambert
4106	Michael	Lawrence
4031	Brendan	Lynch
4095	Richard	Maher
4234	Michael	Malone
4135	Emma	Martin
4122	Niamh	Mathews
4133	Gabrielle	McCarron
4126	Stephen	McCarron
4207	Robert	McCarthy
4176	Niamh	McCarthy
4081	Deirdre	McCarthy
4094	Bernard	McCarthy
4276	Darius	McGann
4125	Kevin	McHugh
4100	Patrick	McKenna
4069	Henrietta	McKervey
4104	Reamonn	McLoughlin
4157	Brian	McLoughlin
4050	Stephanie	McSweeney
4181	David	Morse
4199	Larry	Murphy
4129	Peter	Murray
4140	Peter	Murray

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## Submissions (All) - Alphabetical

4136	Peter	Murray
4127	Peter	Murray
4051	Grainne	Murray
4229	Piotr	Nabzdyk
4226	Orlagh	Ni Arrachtain
4040	Iarla	Nolan
4063	Grainne Persse	O' Beirne
4064	Cian	O Cearrbhaill
4165	Pat	O Connell
4182	Tracey	O Connor
4281	Marcus	O Doherty
4121	Daithi	O hAolain
4086	Donnchadh	O' Neill
4202	Brian	O'Boyle
4142	Sheena	O'Brien
4141	Sheena	O'Brien
4099	Carmel	O'Connor
4035	Kieran	O'Connor
4109	Timothy	O'Keeffe
4139	Seamus	O'Loughlin
4041	Paul	O'Mahony
4130	Ciara	O'Mahony
4205	Cian	O'Mahony
4108	Philip	O'Reilly
4039	Cormac	O'Shea
4256	Valerin	O'Shea
4075	Aidan	O'Sullivan
4283	Larry	O'Toole
4201	Sharon	O'Toole
4178	Ann	Patten
4091	Christopher	Plockelman

## ***Submissions (All) - Alphabetical***

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4211	Pat	Power
4057	Mark	Price
4028	Robert	Purcell
4005	Lucy	Pyne
4193	Nigel	Quane
4279	Christina	Reddington
4204	Eoin	Reddington
4203	Eoin	Reddington
4162	Nial	Ring
4224	Niall	Ring
4239	Niall	Ring
4236	Niall	Ring
4017	Declan	Roche
4128	Andrew	Roe
4273	Mark	Rogers
4267	Paula	Russell
4270	Paula	Russell
4156	Mary	Ryder
4082	Aaron	Shearer
4001	Richard	Sheehan
4278	Drew	Smart
4277	Clare	Smart
4044	Lucy	Taylor
4002	Eamonn	Tierney
4053	Marie	Timmons
4246	Criona Ni Dhalai	Tina Mac Veigh
4155	Sorcha	Turnbull
4131	Donal	Tutty
4059	Amy	van den Broek
4080	Jannetje	Van Leeuwen
4102	Aideen	Ward

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***Submissions (All) - Alphabetical***

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4112	Avril	Watson
4261	Mitchel	Wilmot
4275	Julie	Wynne
4146	Emma	Young

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List of names in relation to Bridgefoot Street Submission numbers 4021, 4159 and 4245

Submission Number	First Name	Last Name
4021	Gerard	Malone
	Jay	Lombard
	Frank	O Rourke
	Eddie	Jackson
	Maura	Mooney
	Eric	Mooney
	Tony	O Rourke
	Ro	Dallen
	Nikti	Cirran
	Christine	Curran
	David	Walsh
	Chloe	Hanlon
	Christine	Hanlon
	Noeleen	Curran
	Peter	Graham
	Sandra	Curran
	Lisa	Norton
	Noeleen	Brady
	Ellen	Madden
	Ashling	Walker
	Emma	Hopkins
	Patrick	Moran
	Judy	Brazil
	Charlene	Marshall
	Amanda	Keogh
	Tracy	Quinn
	Debbie	Tighe
	John	Saunders
	Alice	Murphy
	Patrick	Murphy
	Aoife	Kennedy
	Jade	Keogh
	Nicola	Dempsey
	Rachel	Bowes
	Sandra	Flood
	Chris	Kinsella
	Jessica	Gantley
	Carmel	Graham
	Mary	Hughes
	Liz	Tighe
	Jeanette	Stewart
	Joy	Leavy

	Edel	Wosser
	Maria	McGovern
	Elaine	Caffrey
	Frances	Gantley
	Jamie Lee	O'Brien

Submission Number	First Name	Last Name
4159	Gerard	Malone
	Jay	Lombard
	Frank	O Rourke
	Eddie	Jackson
	Maura	Mooney
	Eric	Mooney
	Tony	O Rourke
	Ro	Dallen
	Nikti	Cirran
	Christine	Curran
	David	Walsh
	Chole	Hanlon
	Christine	Hanlon
	Noeleen	Curran
	Anita	Byrne
	Charlene	Green
	Mary	Grehan
	Edwina	Gaffney
	Esther	Stafford
	Carly	Byrne
	Sinead	Quinn
	Sinead	Moran
	Patrick	Gaskin
	T	Cooney
	Antoinnette	Cooney
	Annie	Kenna
	Anthony	Byrne
	Laura	M
	John	Gaffney
	Sara	Goulding
		The Ranch
	Peter	Hynes
	Alan	McCann
	Eamonn	Costello
	Patrick	Osborne
	Mark	Tougher
	Margie	Lynch
	Huan	Tao Lau
	Sabrina	Hawkins
	Nicholas	Barrett
	Mark	Ward
	Rula	Abu Affar

Submission Number	First Name	Last Name
4245	Dionne	O Brien
	Kenneth	Dunne
	Louise	O Dwyer
	Christine	Lynch
	Julie	Barry
	Margaret	Corry
	Cheofke	Tomfos
	Margaret	Lyons
	Edel	O Dwyer
	George	Royal
	Kirsty	McGrane
	Donna	Farrell
	Susan	Doyle
	James	Kennedy
	Barry	Milfer
	Anna	McGrane
	Amanda	Miskella
	Jessica	McGrane
	Amanda	Donegan
	Theresa	O Reilly
	Pat	Murtagh
	Rachel	Mitchell
	karen	McAdams
	Rachel	Murphy
	Adam	Carey
	Lauren	Harford
	Donna	Washington
	Hurelia	Bacizc
	Nial	Bean
	Patricia	Clarges
	Kathleen	Royal
	T	Daly
	Zoe	Obeinhein
	Fergal	Butler
	Conor	Kennelly
	Ciara	Ryder
	Michael	Murtagh
	John	Sloan
	Tina	Bennett
	Liz	McCann etc (Petition)



	Martina	Bradley
	Rena	Roche
	Amanda	Doyle
	Jackie	Lyons
	Lidia	Manzo
	Mark	Farrell
	Valerie	Park
	Christine	Dunne
	Desmond	Kernan
	Jemma	Wilfer
	Ronit	Lentin
	Dion	Wilfer
	John	Roche
	Janet	Lyons
	Margaret	McCabe
	Pauline	McAdams
	Catherine	Farrell
	Derek	Rice
	Mark	Kenny
	Bernie	Brannick
	Alan	Corr
	Sheila	Delaney
	Claire	Brennan
	David	O Connor
	Lynne	Heapes
	Sarah	Cassidy
	Sylvia	Kennedy
	Councillor Tina	McVeigh (with petition)
	Ray	Haran

## **Clarifications on CE Report on Submissions Received on the Proposed Amendments to the Draft Dublin City Development Plan 2016 - 2022**

### **Clarification 1**

#### **Material Alteration Reference Number 11.23**

Material Alteration Reference Number 11.23 appears twice in the report on page 75 and 78 but its first appearance is an error.

The Chief Executive's recommendation is the one shown on page 78 which if agreed by the Elected Members, would mean the deletion of the text below from the Amended Draft

~~All large scale, mixed-use development (as defined by this Development Plan) of office or residential space will include cultural/artistic uses.~~

### **Clarification 2**

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

The Amended Draft (page 78) that was on display proposed to add text to the 2nd bullet point and 5th bullet point of page 145 of the Draft Dublin City Development Plan. The Chief Executive's Report on Submissions on the proposed amendments recommends (page 95) not to add to the 2<sup>nd</sup> bullet point and only to add some of the text to the 5<sup>th</sup> bullet point to avoid duplication.

For the purpose of clarity in this instance the effect of the Chief Executive's recommendation, if agreed by the Elected Members, would be the addition of text in green below to the 5<sup>th</sup> bullet point on page 145 of the Draft Dublin City Development Plan so that the consolidated text reads as follows:

'The development of a neighbourhood park as a key feature of the design to provide recreational amenities, encourage community interaction and provide a focal point/meeting place for the wider local community; the location will be bounded by high-quality streetscapes accommodating commercial, community and residential uses to generate activity, encourage active use of the space and provide passive surveillance. To provide space for an all-weather pitch, Multiple Use Games Area (MUGA), Community centre, and community garden. -Provide quality open green spaces consisting of a minimum of 15% of the site area. Green spaces can serve as sites of social exchange and communicate a respect for nature as a guiding design principle for the site.'

### Clarification 3

#### Material Alteration 16.1

The Chief Executive's recommendation in the Chief Executive's Report on Submissions on the proposed amendments (page 101) received should have stated clearly that the 1<sup>st</sup> and 2<sup>nd</sup> paragraph of Section 16.2.1.2 page 154 of the Draft Dublin City Development Plan should be amended with text in red omitted and text in green added so that the consolidated text reads as follows:

‘Good design has a key role to play on both reducing waste and emissions which contribute to climate change and ensure future occupants will be able to adapt to the impacts of changing climate. These issues must be considered from the outset of the design process, as issues such as density, building orientation, height, form and materials will influence aesthetics, functionality and resource sustainability. ~~Design should optimise ventilation, minimise overshadowing, minimise glare and excessive solar gain.~~

~~To minimise the waste embodied energy in existing structures, the re-use of existing buildings should always be considered as a first option in preference to demolition and new-build.~~ Buildings should be designed to minimise resource consumption, reducing waste, water and energy use. The re-use of existing buildings should be considered in appropriate cases. Design should optimise natural or heat recovery ventilation, minimise overshadowing, minimise glare and excessive solar gain, avoiding large areas of glazing and providing an appropriate balance between solid and void elements. Materials should be selected which are sustainably sourced and existing materials re-used and recycled wherever possible. Measures which will allow the occupants to adapt to the impacts of climate change include natural ventilation, summer shading, openable windows, the incorporation of living roofs and walls, planting and trees, as well as the inclusion of sustainable urban drainage systems and permeable surfaces in adjoining spaces.’