



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

04 December 2020

Ms Avril Feeney
Administrative Officer
(Variations No. 31)
Planning and Property Development Department
Block 4, Floor 3
Dublin City Council
Civic Offices,
Wood Quay,
Dublin 8

Re: Proposed Variation No.31 Dublin City Development Plan 2016-2022

A chara,

Thank you for your authority's work in preparing proposed Variation no.31 Dublin City Development Plan 2016-2022 (the variation).

As your authority will be aware, one of the key functions of the Office includes assessment of statutory plans, including variations of plans, to ensure consistency with legislative and policy requirements relating to planning. This includes a requirement to make submissions on statutory plans and variations, including any observations or recommendations the Office considers necessary to ensure the effective co-ordination of national, regional and local planning requirements.

Recommendations issued by the Office will typically relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government as set out in the Ministerial guidelines under section 28 of Planning and Development Act 2000, as amended (the Act). There is an obligation on the planning authority to implement or address any recommendation included in submissions.

Observations may take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a variation on issues that are required to ensure alignment with policy and legislative provisions.

On adoption of the variation, the Office will consider whether the variation has been made in a manner consistent with the recommendations of the Office and whether the plan as varied sets out an overall strategy for the proper planning and development of the area concerned.

The Office has evaluated and assessed the proposed variation, under the provisions of sections 31AM(1) and (2) of the Act.

This submission has been prepared to provide a strategic level input to your authority in finalising the proposed variation.

1. Compact Growth, Regeneration and Heritage

The compact growth objectives of the National Planning Framework and the Regional Spatial and Economic Strategy, as well as the provisions for increased residential density in such locations under the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009) and the *Sustainable Urban Housing: Design Standards for New Apartments* (2018), provide clear policy support for high density compact growth in inner city urban sites.

While it is reasonable that support for higher density development must be balanced against objectives to protect and enhance built heritage (National Policy Objective 17 and National Policy Objective 60) and to support enhanced heritage and amenities (National Strategic Outcome 7), the nature of the development restrictions under Section 10.17 *Policy Guidance – Mews Developments* of the proposed variation has the potential to mitigate against the regeneration of the area in accordance with the principles of compact growth.

The Office advises, therefore, that the effectiveness of the variation in facilitating/encouraging the redevelopment of the properties along Rutland Place for active residential use should be kept under review, with a view to implementing changes to maximise same, as necessary.

Summary

Arising from the foregoing evaluation and assessment of Proposed Variation No. 31 of the Dublin City Development Plan 2020-2026, the Office concludes that no recommendations are warranted under the provisions of section 31AM(3)(a) of the Act. Notwithstanding this, the Office advises the planning authority to have regard to the above in order to ensure that the proposed variation provides an appropriate framework for the delivery of compact growth in the Dublin City area.

Your authority is required to notify this Office within **5 working days** of the making of the variation and send a copy of the written statement and maps as made, in accordance with section 31AM(6) of the Act. **Please note that this statutory timeline differs from the requirement for other consultees and must be complied with.**

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Yours sincerely,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
