



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

16 April 2021

Administrative Officer
(Variation No. 33)
Planning and Property Development Department
Block 4, Floor 3
Dublin City Council
Civic Offices,
Wood Quay,
Dublin 8

Re: Proposed Variation No. 33 Dublin City Development Plan 2016-2022

A chara,

Thank you for your authority's work in preparing Variation no. 33 of the Dublin City Development Plan 2016-2022 (the proposed Variation).

The Office of the Planning Regulator (the Office) notes that the purpose of the proposed Variation is to provide for more varied and intense mixed use development on existing underutilised employment zoned lands within the M50 and built up area of the City in close proximity to public transport infrastructure.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The

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Office has evaluated and assessed the proposed Variation, under the provisions of sections 31AM (1) and (2) of the Planning and Development Act 2000 (as amended) (the Act) and this submission has been prepared accordingly.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within the above context that the submission sets out three observations.

1. Consistency with the National Planning Framework (NPF)

The proposed Variation entails the re-zoning of underutilized employment (Z6) zoned brownfield lands within the M50 and built-up area of the City in close proximity to public transport infrastructure (existing and planned) to allow for more varied and intense mixed use development. This will facilitate infill development and the regeneration and revitalisation of urban areas consistent with National Strategic Outcome 1 (NSO 1) of the NPF.

The proposed Variation is consistent with National Policy Objective 2a (NPO2a), NPO 3b, and NPO6 in relation to the proportion of national population growth to be delivered in the

cities, compact growth targets for Dublin City and the regeneration and rejuvenation of cities respectively.

The proposed Variation will support the key growth enablers for Dublin in the NPF¹, in particular for regeneration and the relocation of less intensive uses outside of the M50 ring road.

2. Core Strategy, Compact growth and Regeneration

This proposed Variation seeks to amend the core strategy by increasing the extent of residential lands in the city (43.11ha) and the number of additional housing units (approximately 2,200²) that potentially can be accommodated. It is noted that the strategic justification for the proposed rezoning of the subject low intensity employment lands was assessed as part of a wider study of the City's employment / industrial lands in 2018/19. While the review's findings have not been detailed as part of this proposed Variation, they were included in the planning report for Variations 8-27 of the Dublin City Development Plan 2016 - 2022. In this regard, the Planning Authority is advised to cross reference the Industrial Land Study as appropriate in the Chief Executive's Report on submissions received to this variation in order to demonstrate this evidence based approach.

The proposed Variation sets out to increase the overall potential of additional long-term housing development through accommodation of planned, integrated brownfield development and will remain consistent with the Core Strategy and its defining principle of achieving compact sustainable mixed use growth supported by high quality public transport. Furthermore, the capacity provided by these lands will aid the Council in meeting its future housing targets in tandem with the other designated Strategic Development and Regeneration Area (SDRA) lands and it will be particularly relevant to the brownfield targets of the NPF.

¹ Page 37 of the NPF

² At an anticipated density of 100 units per hectare.

To ensure that the development of the subject lands occurs in a sustainable and coherent manner, the proposed Variation states that a masterplan shall be prepared as per the guiding principles of the SDRA by all the major landowners, to be agreed with the Planning Authority, before the lodgement of any planning application.

While this is welcomed, the Office also considers that there is a need to consider other stakeholders given the size of the regeneration area and its immediate proximity to the boundary with Fingal County Council. In this regard, the Office advises of the need for a more comprehensive and co-ordinated approach to inform the masterplan for the subject lands and the provision of infrastructure therein in consultation with a number of statutory bodies and interested stakeholders.

Observation 1 – Strategic Development Regeneration Area (SDRA)

Having regard to the scale of the Strategic Development and Regeneration Area (SDRA), the surrounding land use context and the proximity of the land to Fingal County Council's administrative area, the planning authority is requested to include a further guiding principle for the SDRA in Section 15.1.1.22 to require that the masterplan be developed in consultation with Fingal County Council and various statutory stakeholders including the Eastern and Midland Regional Assembly, National Transport Authority, Transport Infrastructure Ireland, Irish Water, Department of Education and Skills and others as necessary to ensure that supporting infrastructure delivery for these lands and the immediate surrounding area is coordinated in a sustainable and comprehensive manner.

3. Economic Development & Employment

The proposed Variation will result in a substantial land bank of approximately 43ha being rezoned from employment uses to mixed uses. The framework plan set out in the proposed Variation is welcomed along with the requirement for a masterplan to be prepared for these lands which will ensure that the future development of the lands occurs in a coordinated and sustainable manner that can act as a catalyst to regenerate and support the revitalization of Finglas village.

4. Transport and mobility/accessibility

These lands shall be developed to support and avail of the proposed public transport infrastructure (existing and proposed) and the development of a sustainable and compact urban form. The Office welcomes the potential that this proposed Variation can deliver in integrating land use and transportation as per NPO28 and NPO33 of the NPF and Regional Policy Objective 8.3 (RPO 8.3) and RPO 8.4 of the Regional Spatial and Economic Strategy (RSES) / Dublin Metropolitan Area Strategic Plan (MASP), encouraging a compact urban form with integrated land use and sustainable transportation. It is considered that the proposed Variation is also consistent with the Transport Strategy for the Greater Dublin Area 2016 – 2035.

It is noted that the framework plan refers to *'The Design Manual for Urban Roads and Streets, DTTS and DECLG (2013)'* rather than the revised 2019 version.

Observation 2 – The Design Manual for Urban Roads and Streets, DTTaS and DECLG (2019)

The planning authority is requested to update the references in the framework plan to the revised 2019 version of *'The Design Manual for Urban Roads and Streets, DTTaS and DECLG'*.

5. Climate Action

The Office strongly supports the guiding principles for this SDRA which require that green infrastructure will be a key input as well as enabling the transition to a low carbon future through a range of measures including sustainable urban drainage systems, (SUDS) requirements for district heating and electric charging points.

The Office is satisfied that the proposed Variation has the potential to have a positive impact in terms of climate action under section 10(2)(n) of the Act by virtue of enabling more compact and sustainable urban development.

6. Management of surface water

The Office notes that a Strategic Flood Risk Assessment (SFRA) was published with the proposed variation which determined that these lands are situated within flood zone C, and thus have a low risk associated with fluvial flooding and therefore, the justification test is not required having regard to *The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009)*.

It is recognised that there is an opportunity to manage surface water, through green infrastructure, having regard to the impact any future development may have on watercourses downstream and, in this regard the five recommendations set out in Section 5.2 and 5.3 of the SFRA are welcomed. It is advised that the recommendations should be included in full within the masterplan requirements of the Variation given the capacity constraints which exist in the area.

Observation 3 – Strategic Flood Risk Assessment

The planning authority is requested to include all of the recommendations set out in Section 5.2 and 5.3 of the SFRA in the masterplan requirements of the variation and specifically include that “Future developments on the subject lands shall allow for the control of outflow to the River Tolka, with surface water discharges limited to 0-2l/s/ha for the 1 in 100-year storm event, including an additional 20-30% to allow for climate change”.

Summary

Arising from the foregoing evaluation and assessment of proposed Variation 33, the Office concludes that the proposed Variation is generally consistent with national and regional planning policies and the Dublin City Development Plan 2016 – 2022.

Notwithstanding, the planning authority is advised to address the matters raised in the three observations set out above.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the proposed Variation.

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 style with a diagonal slash at the end.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
