

28th April 2026

Administrative Officer,
Proposed Variation No. 11,
Planning and Property Development Department,
Block 4, Floor 3,
Dublin City Council,
Civic Offices,
Wood Quay,
Dublin 8.

Re: Proposed Variation No. 11 to the Dublin City Development Plan 2022-2028

A chara,

Thank you for your authority's work on preparing the Proposed Variation No. 11 (proposed Variation) to the Dublin City Development Plan 2022-2028 (City Development Plan).

As Dublin City Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (Office) is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the proposed Variation pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546 and this submission has been prepared accordingly.

Recommendations issued by the Office further to section 58(9) of the Act relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government. As such, planning authorities are requested to implement or address any recommendation (made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations issued by the Office pursuant to section 546 of the Act may take the form of a request for further information or justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are considered

necessary to ensure alignment with policy and legislative provisions. Planning authorities are requested by the Office to action an observation.

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

On adoption of the Variation, the Office will assess it in accordance with the statutory framework in section 63 of the Act.

Overview

The proposed Variation includes a number of changes to the City Development Plan with regard to the implementation of the housing growth requirements, the core strategy and zoning amendments.

The Office notes the submission of the Chief Executive's Report (CE's Report) in relation to the recently published NPF Implementation: Housing Growth Requirements (2025) (Housing Growth Guidelines) which outlines to the elected members how it proposes to secure the objectives of the Housing Growth Guidelines and the National Planning Framework First Revision (2025) (NPF). The Office welcomes the CE's Report statement that the core strategy contains sufficient lands in the city to meet the updated housing growth requirements. In order to provide the additional provision of up to 50% over and above the housing growth requirement required in the Housing Growth Guidelines. However, the proposed Variation is one of a suite of variations which will result in increased housing yields on sites throughout Dublin City and will address housing delivery to the end of the current plan period.

The Office notes the contents of the proposed Variation and, in particular, the Office notes and welcomes the following:

- the review of the core strategy Strategic Development and Regeneration Areas (SDRAs) to identify the potential for future housing opportunities in these key strategic and sustainable areas, which are well located and connected to existing and proposed infrastructure. It is estimated that an

additional capacity of 8,600 additional units may be achieved across the 8 identified SDRAs;

- the re-zoning of seven sites (approximately 38ha) from Z6 (Employment/Enterprise) to Z1 (Sustainable Residential Neighbourhoods), Z10 (Inner Suburban and Inner City Sustainable Mixed-Uses) and lands at East Wall Road/Bond Road, adjacent to the Tunnel Control Building at East Wall Road and East Point Business Park to Z14 (SDRAs) which will deliver approximately 1,200 units (not including rezoning at the Docklands); and
- the prioritising of a framework plan for Santry in order to ensure its future sustainable development.

The Office wishes to highlight a number of matters in relation to flood risk management and transportation which the Planning Authority should address prior to the adoption of the proposed Variation.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within this context that the submission below sets out one (1) recommendation and two (2) observations under the following key themes:

Key theme	Recommendation	Observation
Flood Risk Management	Recommendation 1	Observation 1
Transportation	-	Observation 2

1. Flood Risk Management

The Office notes and welcomes the preparation of the Strategic Flood Risk Assessment (SFRA) for the proposed Variation. The Office however understands from engagement with the Office of Public Works (OPW) that the latest flood mapping, including the National Coastal Flood Hazard Maps (NCFHM) and that contained within the Jamestown Masterplan, may not have been utilised by the Planning Authority. This may have implications for Site F1 (Lands at East Point Business Park), Site F2 (Lands at East Wall Road) and Site A2 (Lands at North Road) which the SFRA identifies as being located within Flood Zone C. Where it is found that highly vulnerable development (Flood Zones A/B) or less vulnerable

development (Flood Zone A) is proposed and the Plan Making Justification Test has not been passed, the Planning Authority is required to amend the proposed land use zonings to water compatible uses only. The Planning Authority should clarify its allowance for climate change, ensure that the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) and the sequential approach are adhered to, avoiding or substituting for a lesser vulnerable type of development zoning in areas of flood risk. Any recommendation should be transposed into the plan in the form of an objective on the relevant site and be cross-referenced within the zoning map.

In terms of rezoning Site E17 at Fumbally Lane/Malpas Street/Blackpitts, the SFRA identifies the site as being situated predominantly in Flood Zone C and Flood Zone B, abutting Flood Zone A to the west and partially lying in Flood Zone A on the north-western corner of the site. According to the SFRA, the site has been subject to significant pluvial flooding (0.31m during a 1% AEP (100-year) flood event). It is noted that whilst the River Poddle Flood Alleviation Scheme will be constructed by the end of 2026, the SFRA states that it will not significantly affect flood risk at this site. To manage the current flood risk and ensure a sustainable development approach, the SFRA concludes that less vulnerable development is considered viable at ground floor level while all residential units will be restricted to the first floor and above. This is also considered viable in the future medium range flooding scenario. However, further to discussions with the OPW, the Office understands that the area comprised within Flood Zone B may be more extensive than what the SFRA has indicated. Consequently, it is recommended that the Planning Authority updates their flood risk assessment for Site E17, clarify their allowance for climate change and ensure that the Flood Guidelines and the sequential approach are adhered to by restricting less vulnerable development on the ground floor and all residential usage to the first floor and above. Any recommendation should be transposed into the plan in the form of an objective on the site and be cross-referenced within the zoning map.

In relation to rezoning of Site H1 (Harold's Cross), the Office notes that the SFRA identifies the site as being substantially within Flood Zone C. However, as the River Poddle traverses the lands, access to some of the site is located in Flood Zone B. The SFRA therefore concludes that access and egress during flooding of the River

Puddle must be planned. This recommendation should be transposed into the plan in the form of an objective on the site and be cross-referenced within the zoning map.

Finally, the Office notes that in relation to climate change, only a reference to the mid-range future scenario has been included within the SFRA in relation to Sites F1, F2 and E17. Given that these sites are all or partially located within the high-end future scenario climate change extents, the Office advises the Planning Authority to address flood risk management taking account of the potential impacts of climate change on flood risk.

Recommendation 1 – Flood Risk Management

Having regard to:

- NPO 78 of the NPF (in relation to flood risk management);
- RPO 7.12 of the RSES (to avoid inappropriate land use zonings and development in areas at risk of flooding); and
- Planning System and Flood Risk Management Guidelines for Planning Authorities (2009);

the Office recommends that the Planning Authority:

- (i) takes account of the updated mapping contained within the National Coastal Flood Hazard Maps (NCFHM) and Jamestown Masterplan in respect of Sites F1, F2 and A2. Where it is found that highly vulnerable development (Flood Zones A/B) or less vulnerable development (Flood Zone A) is proposed and the Plan Making Justification Test has not been passed, the Planning Authority is required to amend the proposed land use zonings to water compatible uses only; and
- (ii) transposes any recommendation into the plan in the form of an objective on the site and cross-reference it in the relevant zoning map.

The Planning Authority is advised to liaise with the Office of Public Works to address this recommendation.

Observation 1 – Flood Risk Management-Climate Change Scenario

Having regard to flood risk management and in particular to:

- NPO 78 of the NPF (potential impacts of climate change on flooding and flood risk);
- RPO 3.7 and 7.12 of the RSES (to avoid inappropriate land use zonings and development in areas at risk of flooding); and
- the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009);

the Planning Authority is advised to amend the Strategic Flood Risk Assessment to discuss how potential future climate change risk and any associated mitigation measures have been considered in relation to Sites F1, F2 and E17.

The Office of Public Works should be consulted in relation to the Planning Authority's response.

2. Transportation

As you are aware, the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines) acknowledges that the primary purpose of the national road network is to provide strategic transport links between the main centres of population and employment, including key international gateways such as the main ports and airports, and to provide access between all regions. Consequently, the National Roads Guidelines require the Planning Authority to protect the capacity, efficiency and safety of national roads. The Greater Dublin Area Transport Strategy 2022-2042 also reflects this need to protect the national road network. The Office particularly welcomes that the Planning Authority is committed to working with Transport Infrastructure Ireland (TII) to safeguard the Dublin Port Tunnel.

The Office also notes and welcomes that the Planning Authority is proposing to rezone some of the last major development parcels within the northern Docklands as part of an integrated set of regeneration areas capable of delivering high-density,

mixed-use, transit-oriented development. This will aid the transition of these legacy employment areas into creating balanced and integrated urban neighbourhoods.

The Office acknowledges that the proposed rezoning of two of the sites at East Wall Road/Bond Road and adjacent to the Tunnel Control Building at East Wall Road (Site F2) from zoned Z6 (Employment/Enterprise) to Z14 (Strategic Development and Regeneration Area) is partly driven by land and property vacancy and underutilisation. However, from engagement with TII and the National Transport Authority (NTA), it would appear that the operational and security requirements associated with the Dublin Tunnel and the Motorway Traffic Control Centre may require greater consideration by the Planning Authority. Specifically, the Planning Authority should liaise with TII and NTA with regard to Amendment 16, which provides the Guiding Principles for Key Opportunity Sites (sites 19 and 20), in terms of establishing the requirements associated with these critical elements of the national road network infrastructure and how these would interact with the requirements of a residential community. These discussions may also have ramifications for Amendments 17, 18 and 21 which identify the extent of the two opportunity sites.

In order to ensure that public transport and active modes are incorporated into the future development of the lands at East Point Business Park (Site 21), the guiding principles for its masterplan (Amendment 16) should require that the public transport path facilitates modern electric bus vehicles. There should also be the provision for buses to terminate, turnaround and layover within the site.

Observation 2 - Transportation

Having regard to:

- NSO 2 and 5 of the NPF (in relation to enhanced regional accessibility and sustainable mobility);
- RPO 5.2, 5.3, 8.1, 8.2 and 8.3 of the RSES (in relation to sustainable transport, integrating transport and land use planning, maximising efficiency and protecting the strategic capacity of the transport network);

- Spatial Planning and National Road Guidelines – Guidelines for Planning Authorities (2012);
- sections 8.2 and 13.3 of the NTA Greater Dublin Area Transport Strategy 2022-2042 related to national roads as well as integrating land use and transport planning; and
- sections 8.5.6 and 8.5.8 Dublin City Development Plan 2022-2028 related to sustainable transport modes, streets, roads, bridges and tunnel infrastructure;

the Office advises that, prior to the adoption of the proposed Variation, the Planning Authority engages with TII and NTA in relation to Amendments 16, 17, 18 and 21 in order to ensure the protection of the Dublin Tunnel and the Motorway Traffic Control Centre.

The guiding principles for the masterplan for the lands at East Point Business Park (Site 21 Amendment 16) should stipulate that the public transport path facilitate modern electric bus vehicles and that provision will be made for buses to terminate, turnaround and layover within the site.

Summary

The Office requests that your authority addresses the recommendation and observation outlined above. As you are aware, the report of the Chief Executive of your authority, prepared for the elected members under section 58(11) of the Act must summarise this recommendation and how the Chief Executive proposes to address the recommendation.

At the end of the process, your authority is required to notify the Office **within one week** of the decision of the Planning Authority in relation to the proposed Variation. Where your authority decides not to comply with the recommendation of the Office, then it shall inform the Office as soon as practicable and provide reasons for the decision not to so comply.

Please be advised that planning authorities are also required to publish notice of the Variation within a week of the adoption, stating that a copy of the City Development

Plan as varied will be available for inspection on a website and at a place specified in the notice no later than five weeks after the date of adoption.

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.

Is mise le meas,



Niall Cussen

Planning Regulator

Designated Public Official under the Regulation of Lobbying Act 2015
