



South Dublin County Council

Development Plan  
2016 – 2022

  
Comhairle Contae  
Átha Cliath Theas  
South Dublin County Council

# Proposed Variation No. 3

## Chief Executive's Report on Public Consultation

January 2019  
Land Use Planning and  
Transportation Department  
South Dublin County Council

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## 1.0 Introduction

The purpose of this Chief Executive Officer's Report is to present the outcome of the consultation programme carried out on the Proposed Variation to the South Dublin County Council Development Plan 2016-2022, to respond to the submissions made during the consultation period and to make recommendations in relation to Proposed Variation No. 3, where appropriate.

## 2.0 Outline of the Public Consultation

On the 20<sup>th</sup> November 2018, South Dublin County Council (SDCC) gave notice that it had prepared Proposed Variation No. 3 to the South Dublin County Development Plan 2016-2022, pursuant to Section 13 of the Planning and Development Act 2000 (as amended).

It is proposed to amend the zoning objective of approximately 178 hectares of land from zoning objective EE (Enterprise and Employment) to objective REGEN (Regeneration). These lands are located in the Ballymount / Naas Road area, which are south of the Grand Canal and east of the M50, adjoining the boundary with Dublin City Council, all located within the areas of Fox and Geese, Bluebell, Ballymount, Redcow, Gallanstown and Drimnagh.

This proposed variation includes changes to the zoning maps, as well as amendments to policy and addition of text in the Written Statement. The reason for the proposed variation is to facilitate the regeneration of the brownfield lands at this location, which is in close proximity to existing and proposed transport nodes and would provide for a more intensive mix of enterprise and/or residential led development.

The proposed variation supports the implementation of the National Planning Framework (NPF) 2018 and the Eastern and Midland Assembly (Draft) Regional Spatial and Economic Strategy (RSES) 2018, in particular National Strategic Outcome (NSO) No. 1 of the NPF, which seeks to achieve compact growth and consolidation of Ireland's cities as a top priority.

The public consultation period took place from the 20<sup>th</sup> November 2018 to 18<sup>th</sup> December 2018 inclusive (a period of 4 weeks) during which time information on Proposed Variation No.3 to the South Dublin County Development Plan 2016-2022 and environmental reports (Strategic Environmental Assessment Environmental report, SEA Screening Report, Appropriate Assessment Screening Report, Natura Impact Report and Strategic Flood Risk Assessment) were disseminated to the public and submissions were invited as follows;

- Notification of the preparation and display of Proposed Variation No.3 to the South Dublin County Development Plan 2016-2022, including Planning reports and Environmental Reports for the purpose of public consultation were placed in the *Irish Times* on the 20<sup>th</sup> November 2018 and in *The Echo* on the 22<sup>nd</sup> November 2018, together with information on the public consultation programme and an invitation for submissions.
- Letters that provided notification of Proposed Variation No. 3 consultation programme and an invitation for submissions were distributed to, inter alia, the Minister for Housing, Planning and Local Government and relevant prescribed authorities.

- Public information displays of Proposed Variation No. 3 and Environmental Reports were placed in all of the Councils Public libraries, as well as County Hall Tallaght Offices and Clondalkin Civic Offices. The display material included a land use zoning map, Planning Report, environmental reports and a copy of the newspaper notice.
- A Facebook and Twitter campaign took place during the 4 week public consultation period.
- Letters that provided notification of Proposed Variation consultation programme and an invitation for submissions were posted to 38 residential addresses identified within the Variation lands.
- Notification of Proposed Variation consultation programme and an invitation for submissions distributed to the Public Participation Network (PPN) Co-Ordinator.
- Briefing for Elected Members on November 13<sup>th</sup> 2018.

### Outcome of the Public Consultation Programme

The number of submissions that were received during the public consultation period came to 14. All submissions were read, analysed and summarised. A list of all the persons/bodies that made submissions within the public consultation period is provided in Table 1 below, together with a reference number that can be clicked as a link (on electronic copies of this Chief Executive's Report) to a database containing scanned copies of each submission. For reasons of data protection, these links can only be accessed by Elected Members of South Dublin County Council.

**Table 1: List of Persons / Bodies that made submission**

Person	Company (if applicable)	Ref
David Galvin	Environmental Protection Agency	<a href="#">PV3CDP0001</a>
Pauline Riordan	EMRA	<a href="#">PV3CDP0002</a>
John O'Hara	Dublin City Council	<a href="#">PV3CDP0003</a>
Michael McCormack	Transport Infrastructure Ireland	<a href="#">PV3CDP0004</a>
Stephen Blair	John Spain Associates	<a href="#">PV3CDP0005</a>
Ann Mulcrone	Reid Associates	<a href="#">PV3CDP0006</a>
Department of Housing Planning and Local Government	Department of Housing, Planning and Local Government	<a href="#">PV3CDP0007</a>
Declan Brassil	Declan Brassil & Company Ltd	<a href="#">PV3CDP0008</a>
Veronica Cooke	Kildare County Council	<a href="#">PV3CDP0009</a>
Robert Foley	Robert M. Foley & Associates	<a href="#">PV3CDP0010</a>
Sean Burns	David Mulcahy Planning Consultants	<a href="#">PV3CDP0011</a>
Michael Higgins	RPS Group	<a href="#">PV3CDP0012</a>
Cllr Breda Bonner		<a href="#">PV3CDP0013</a>
David Mulcahy	David Mulcahy Planning Consultants	<a href="#">PV3CDP0014</a>

## 4.0 Next Steps

This Chief Executive's Report on the public consultation for the Proposed Variation is hereby submitted to the members of South Dublin County Council for consideration.

The Planning and Development Act 2000 (as amended) outlines that the Elected Members of SDCC have up to 6 weeks to consider the Chief Executive Report and the Proposed Variation. The Chief Executive intends for the Report to be considered on the day of the 11th February 2019 at the County Council Meeting.

The following decision options available to the members for the Proposed Variation, as set out in legislation are summarised as follows:

- (a) Make – No Material Alteration Resolution to make the Proposed Variation, subject to variations and modifications which do not constitute a material alteration. The Proposed Variation is effective immediately.
- (b) Make – Subject to Material Alteration Resolution to make the Proposed Variation, subject to variations and modifications which constitute a material alteration\*.
- (c) Not Make- Resolution not to make the Proposed Variation.

*\*The Planning Authority shall determine if the variations and modifications to the Proposed Variation are material alterations. Material alterations will result in an additional public consultation stage and consideration of AA and SEA implications.*

## 5.0 Summary of Issues Raised in Submissions

All 14 of the valid submissions received by the Council during the public consultation were read, summarised and analysed. A total of 40 issues were identified during this process. Many of the issues raised were interrelated and therefore categorised under 8 separate category headings for the purpose of identifying the issues that were raised more frequently. Each of the category headings, together with the number of times that issues were raised in relation to each heading are detailed in Table 3 below.

**Table 2: Breakdown of issues raised in submissions received for all categories**

Breakdown of Issues for All Categories			
	Topic	Issues Raised	% of Total
1	Strategic Policy	12	30%
2	Economic Development	5	12.50%
3	Specific Local Objective/ Future Plan	9	22.50%
4	Extent of Lands/ Boundary	1	2.50%
5	Traffic & Transport	6	15%
6	Environmental Considerations	3	7.50%
7	Residential Amenity	1	2.50%

8	Strategic Environmental Assessment (SEA) Environmental Report	3	7.50%
		<b>40</b>	

All submissions were generally in support of the Proposed Variation No. 3 to amend the zoning objective of approximately 178 hectares of land from zoning objective EE (Enterprise and Employment) to objective REGEN (Regeneration). The highest number (12 times / 30%) related to Strategic Policy. The second highest proportion of issues raised (9 times / 22.50%) related to Specific Local Objective/ Future Plan and the third highest proportion of issues raised (6 times / 15%) related to Traffic & Transport.

## 6.0 Categorisation and Summary of Issues Raised

This Section presents a summary of each of the issues raised under the relevant category heading and the Chief Executive's response and recommendation. Each of the issues listed includes a reference that can be clicked as a link (on electronic copies of this Chief Executive's Report) to a database containing scanned copies of each submission. For reasons of data protection, these links can only be accessed by Elected Members of South Dublin County Council.

### 6.1 Strategic Policy

1. Submission on behalf of the Eastern and Midlands Regional Assembly supports the proposed Variation and considers it to be consistent with Regional Planning Guidelines for the Greater Dublin Area (GDA) 2010-2022, which promotes the sustainable growth of Dublin and supports the redevelopment of sites at appropriate locations. ([PV3CDP0002](#), [Pauline Riordan, EMRA](#))
2. Submission outlines that there is general merit in the proposal as there is undoubted scope for converting the area into an excellent community. The area has excellent transport links, being close to the M7, the M50 and M4 with access to a very good public transport network. ([PV3CDP0013](#), [Cllr Breeda Bonner](#))
3. Submission outlines uncertainty in relation to the need to vary the Development Plan and questions if it would not be better to plan in a coherent fashion, within the county plan. ([PV3CDP0013](#), [Cllr Breeda Bonner](#))
4. Submission on behalf of landowner of circa 8.9 hectares to the north of the New Nangor Road.

The submission strongly welcomes the zoning objective amendment and outlines that there is a clear vision for the area and the extensive support for the proposal in national, regional, and local policy. In light of the support for the amendment, the submission seeks to outline how the landowner envisages the role of the site in delivering the vision outlined in the published planning report.

The subject site to which the submission relates, is currently used as vehicle storage, office and some industrial uses. These uses are demonstrated to contribute little and they are an unsustainable use of such well-located land, which benefits from such good access to public transport. Therefore, the subject site is extremely well located to lead the way in delivering aims of the Vision as set out by SDCC once the Variation is adopted. The landowner has undertaken an initial review of the site and outlined some brief masterplan objectives for the site which they feel can direct development on the site. The submission strongly supports

SDCC in their rezoning of these lands and propose that the subject site to which this submission relates can be at the forefront of this exciting regeneration proposal.

[\(PV3CDP0012, Michael Higgins, RPS\)](#)

5. Submission from Dublin City Council outlining support for the proposed variation. DCC considers that the significant scale and the location of the proposed zoning change has important implications for the City and the Dublin Region. DCC highlight that the current Draft Dublin Metropolitan Area Spatial Plan (MASP) outlines the proposed variation lands and the adjoining City Council area as key redevelopment brownfield opportunity lands for meeting the National Policy Objectives of the National Planning Framework for compact sustainable growth. DCC lands about the variation lands to the north and east. In the current 2016 Development Plan, the lands to the north are zoned predominately enterprise (Z6) and to the east are zoned a mix of enterprise (Z6), rejuvenation (Z14), residential (Z1) and public open space (Z9). The Naas Road lands to the east were the subject of a Local Area Plan adopted by the Council in 2011 and extended by the Council in 2017 until 2023. DCC are currently preparing a study of lands zoned Z6 (enterprise) within the City Council area. The study is examining the zoning of the Z6 lands to the north and east as part of the study. DCC note the successfully achieved joint bid with South Dublin County Council for funding to undertake studies of this area through the Department of Housing, Planning & Local Government's Urban Regeneration Development Fund which will inform the future detailed planning approach for this area.  
[\(PV3CDP0003, John O'Hara, Dublin City Council\)](#)
6. Kildare County Council has no observations to make regarding Proposed Variation No. 3.  
[\(PV3CDP0009, Veronica Cooke, Kildare County Council\)](#)
7. Hibernia REIT plc supports the rationale for the proposed variation brought forward by SDCC to rezone lands along the Naas Road from Employment/Enterprise to REGEN to align with the policies and objectives set out in the National Planning Framework and the draft RSES. As set out in the supporting documentation there are strong locational advantages to these lands given their accessibility to both transport and other infrastructure and their proximity to the city centre, which should be capitalised upon.  
The submission also supports the proposed plan led approach to securing the future regeneration of these lands. The submission suggests that SDCC in addition to progressing the necessary master planning of the subject lands, would seek to identify and bring forward proposals to facilitate the development of other well connected infill and brownfield lands within the city and suburbs to deliver housing in the short to medium term.  
The landowner would welcome the opportunity to work closely with South Dublin County Council to maximise the benefits of the regeneration of the subject lands by taking into consideration the linkages and connections with the wider area located to the east and west along the Naas Road.  
[\(PV3CDP0005, Stephen Blair, John Spain Associates\)](#)
8. The landowner supports the objective of the proposed Variation to support regeneration and more intensive compact urban development. [\(PV3CDP0006, Ann Mulcrone, Reid Associates\)](#)
9. The Department highlights the strong alignment for the proposed variation with the policy objectives of the National Planning Framework and the Draft Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly. [\(PV3CDP0007, Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government\)](#)
10. The Department reminds SDCC to have regard to any observations made by the Office of Public Works, the Department of Culture, Heritage and the Gaeltacht, the National Parks & Wildlife Service, the Environmental Protection Agency and Irish Water and meet the relevant requirements as appropriate. [\(PV3CDP0007, Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government\)](#)
11. Submission on behalf of the Harris Group (landowner) welcomes and supports the proposed variation. Submission outlines that the variation reflects the urgent need to establish a planning

policy framework at County level to implement the stated objectives of the National Planning Framework and the Draft Regional Spatial and Economic Strategy to deliver homes and supporting employment and community infrastructure at sustainable densities concentrated on high capacity public transportation corridors within established urban areas. ([PV3CDP0008](#), [Declan Brassil](#))

12. TII supports the approach to transform this sustainable brownfield area within the M50 to support compact development in accordance with the NPF. TII consider the area as a city gateway for both the N/M7 and the Red Line Luas service. ([PV3CDP0004](#), [Michael McCormack](#), [Transport Infrastructure Ireland](#))

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

The Chief Executive welcomes the support of the Department of Housing, Planning and Local Government, the Eastern and Midlands Regional Assembly and Transport Infrastructure Ireland for the proposed variation, which it considers to be in accordance with national, regional and local planning policies and objectives.

It is acknowledged by the submissions received that the Proposed Variation No.3 is in response to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) and the Eastern and Midland Assembly (EMA) Draft Regional Spatial and Economic Strategy (RSES) in 2018. The NPF includes a National Strategic Outcome (NSO) to achieve compact growth and consolidation of Ireland's cities as a top priority. The NPF targets a significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas. Through the 'REGEN' land use zoning objective in the Development Plan, South Dublin County Council (SDCC) seeks to facilitate the regeneration of existing brownfield lands, close to existing and proposed transport nodes, to provide for a more intensive mix of enterprise and/or residential led development in accordance with the NPF.

The Chief Executive acknowledges and welcomes the willingness from various stakeholders and landowners to work alongside SDCC to achieve its vision. This vision is to transform this brownfield area of national significance into a sustainable, vibrant, mixed use urban quarter that capitalises on its strategic location and the existing Luas Red Line, creating a sense of identity and place that reaches out and connects with the surrounding urban context. SDCC is committed to working with all relevant stakeholders and landowners to deliver this vision and to integrate land-use with public transport by maximising the potential of the Luas Red line and Bus Connects radial Spine 'D' and Southern Orbital route S4.

SDCC is committed to delivering a plan led approach for the redevelopment of the area and as highlighted by Dublin City Council, in their submission, a joint bid was submitted to the Minister for Housing, Planning and Local Government (DHPLG) and funding has been allocated under the Urban Regeneration Development Fund (URDF) to support a series of studies to inform the future spatial planning of the area. The rezoning of the lands to REGEN is an integral part of the joint URDF bid and expedites future opportunities for significant capital funding for enabling infrastructure in the area.

The Chief Executive acknowledges the level of uncertainty expressed in relation to the need to vary the Development Plan. The Proposed Variation is recommended in order to align the current Development Plan with the NPF and the Draft RSES to create the conditions for redevelopment of the area in partnership with Dublin City Council. Furthermore, given the complexity of the challenges to regenerating the area, a variation to the Development Plan at this time is required to provide an amended Development Plan policy framework for SDCC to proceed with the regeneration of the area.

Having regard to the above, the Chief Executive recommends that no alterations are made to the Proposed Variation No. 3.

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

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

## **6.2 Economic Development**

1. The submission considers that zoning amendment is likely to bring about uncertainty, with potential profiteering by property speculators. The submission hopes that the undoubted potential of this land to house new communities would be harnessed by the state and that private companies would not be allowed to profit in an excessive fashion from its development. To leave this development to the private sector and to market forces would be to fail on our duty to future generations who will be depending on us to plan good communities. ([PV3CDP0013](#), [Cllr Breeda Bonner](#))
2. The Department highlights that strategic planning considerations should be applied to the relocation of displaced employment and related activities so as to enable continued functioning and location of employment in close proximity to future communities. ([PV3CDP0007](#), [Department of Housing Planning and Local Government](#), [Department of Housing, Planning and Local Government](#))
3. The Department notes the allocation of funds jointly to South Dublin County Council and Dublin City Council to assist in examining the infrastructural and other requirements for the Naas Road area, which will allow a comprehensive understanding of transport, economic, surface water, flooding and other aspects of a future regeneration strategy. ([PV3CDP0007](#), [Department of Housing Planning and Local Government](#), [Department of Housing, Planning and Local Government](#))
4. The Department urge SDCC to make no provisions under the variation that would prejudice the determination of such future masterplanning exercises or would tend to increase land values in advance of putting in place an agreed delivery mechanism, such as a common infrastructure funding and implementation strategy involving all the relevant stakeholders. ([PV3CDP0007](#), [Department of Housing Planning and Local Government](#), [Department of Housing, Planning and Local Government](#))
5. The proposed variation will support and enable the relocation of the Harris Group activities to more appropriate employment- based locations, releasing key regeneration sites of scale that will act as a catalyst for the necessary infrastructural investment and the release of other sites. ([PV3CDP0008](#), [Declan Brassil](#))

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

The Chief Executive acknowledges the concerns raised regarding market uncertainty and profiteering as a result of the proposed rezoning and the content of the Department of Housing Planning and Local Government submission.

SDCC is committed to delivering a plan led and sustainable approach for the redevelopment of the area and in response to the NPF and the National Development Plan 2018 - 2027, South Dublin County Council was allocated joint funding with DCC for the Naas Road/ Ballymount area under the €2 Billion URDF to support strategic growth and urban renewal in Dublin. The funding will support a series of studies to inform the future spatial planning of the area, including a Transport Assessment and Strategy,

an Economic Viability Study, a Surface Water Management Strategy, a Flood Risk Assessment and a Constraints Study.

The rezoning of the lands to REGEN supports the joint URDF Category B funding and expedites future opportunities for significant capital funding in a Category A bid to deliver a range of projects for the area.

The Proposed Variation will initiate a plan led approach to development of the brownfield lands and the baseline studies undertaken through the URDF will accelerate the preparation of a masterplan in 2019, with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) zoned lands. The masterplan, which is in line with national and regional planning policy, will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use, as well as blue and green infrastructure.

A number of mechanisms are proposed to ensure a plan-led approach to development of the variation lands and to negate market uncertainty. The preparation of a masterplan in 2019, with a view to preparing a Local Area Plan or other appropriate mechanism will ensure the strategic development of the lands. The baseline studies undertaken through the URDF will accelerate the preparation of a masterplan, which is in line with national and regional planning policy and will provide a framework for the sequential and phased development of the lands; integrating sustainable transport, land-use, as well as blue and green infrastructure. With regard to the potential for profiteering, all landowners and developers will need to accord with the requirements of any future masterplan, ensuring appropriate uses, density of development, as well as the provision of both physical and social infrastructure are achieved in a coordinated manner. This is likely to be supported by the establishment of the Government's Land Development Agency, who may have a future role to play in site assembly and coordinating development on strategically important lands in areas such as the Naas Road/Ballymount. In addition to this, mechanisms such as Part V (which will be applicable to the REGEN zoned lands) and the development management process will also be integral to ensuring the sustainable development of the subject lands.

The accumulation of these mechanisms will ensure that the Proposed Variation and subsequent masterplan will initiate a plan led approach to development of the brownfield lands and negate market uncertainty and potential for profiteering.

The Chief Executive agrees with the Department's recommendation in relation to strategic planning, infrastructure and the need to involve all relevant stakeholders in the masterplanning process. The Proposed Variation which relates primarily to zoning, establishes the principle for redevelopment thereby enabling the implementation of the vision for the variation lands which is to transform this brownfield area of national significance into a sustainable, vibrant, mixed use urban quarter. The subsequent masterplan will provide specific objectives for the area which will be informed by the baseline studies and research undertaken as part of the URDF. The delivery mechanism of the masterplan, such as a common infrastructure, funding and implementation strategy will involve and consider all relevant stakeholders required for the process.

Having regard to the points as outlined above, the Chief Executive recommends that no alterations are made to the Proposed Variation No. 3.

### Chief Executive's Recommendation

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

### 6.3 Specific Local Objective / Future Plan

1. Submission on behalf of landowner of circa 8.9 hectares to the north of the New Nangor Road.

The submission strongly welcomes the zoning objective amendment and outlines that there is a clear vision for the area and the extensive support for the proposal in national, regional, and local policy. In light of the support for the amendment, the submission seeks to outline how the landowner envisages the role of the site in delivering the vision outlined in the published planning report.

The landowner has undertaken an initial review of the site and outlined some brief masterplan objectives for the site which they feel can direct development on the site. The submission strongly supports SDCC in their rezoning of these lands and propose that the subject site to which this submission relates can be at the forefront of this exciting regeneration proposal. ([PV3CDP0012](#), [Michael Higgins](#), [RPS](#))

2. Submission outlines that the area is in need of regeneration. The standard and quality of the industrial buildings in this area will need to be removed and replaced with new high quality buildings, both residential and commercial. In this submission, consideration requested to be given to the following:
  - Buildings must be of a high standard;
  - Roads must be of a good standard with cycle lane and tree planting;
  - Ditch lines with streams or rivers to be retained 10m wide reserved area;
  - Rivers that are running overground to be maintained overground and not to be culverted;
  - Green planted area to be provided with playgrounds;
  - Corner shops to be provided;
  - Community buildings to be provided by developers; and
  - Flora and fauna to be protected in the developments and in particular along natural river and stream lines. ([PV3CDP0010](#), [Robert Foley](#))
3. Submission notes that the location of the proposed future road bisects the JP Sisk and Sons Ltd landholding and it is considered that rather than intensifying urban development and regeneration at this location, the variation would have the unintended consequence of sterilising this area of land and would undermine the sustainable master planning of these lands.
4. Submission states that the proposed variation has not re-examined the road alignment or its function in light of the revised land use strategy, which will concentrate on the need for urban design led development rather than road dominant development.
5. The road layout in the development plan map is indicative and should not prejudice plan led and urban design led strategies at the subject site.
6. Submission recognises the need for improvement of road infrastructure in the wider area but it is considered that it must emanate from the transport and urban design studies and be the subject of detailed consultation with the landowners, with a view to facilitating incremental development rather than potentially sterilising road reservations, which may ultimately undermine the objectives to secure regeneration of the subject lands.
7. Submission states that it is understood that the proposed alignment of the road and the proposed development of the road may not ultimately proceed or proceed at all as shown and in this context should be omitted; and the proposed variation is a timely opportunity to do this.

8. Submission states that the Council application for funding under the Urban Regeneration Development Fund (URDF) is to support a series of studies to inform the future spatial planning of the area and submission requests the re-examination of the need, location and future function of the subject road within the context of a newly emerging urban village context and character necessary to sustain the diversification and mix of uses to secure the regeneration of the subject lands. Submission considers that this could be accelerated by key decisions and clarity on the road alignment either to omit it or substantially reduce its impact on the overall regeneration potential of the lands.  
([PV3CDP0006](#) , [Ann Mulcrone, Reid Associates](#))
9. The Department notes the allocation of funds jointly to South Dublin County Council and Dublin City Council to assist in examining the infrastructural and other requirements for the Naas Road area, which will allow the comprehensive understanding of the transport, economic, surface water, flooding and other aspects of a future regeneration strategy. ([PV3CDP0007](#), [Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government](#))
10. The Department considers that the variation be best progressed as an enabling rather than definitive planning policy alignment step pending a more comprehensive local area planning/masterplanning process that will take all of the relevant planning and delivery considerations into account, including the Draft Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly currently at public consultation. ([PV3CDP0007](#), [Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government](#))
11. The Department urge SDCC to make no provisions under the variation that would prejudice the determination of future masterplanning exercises or would tend to increase land values in advance of putting in place an agreed delivery mechanism, such as a common infrastructure funding and implementation strategy, involving all the relevant stakeholders. ([PV3CDP0007](#), [Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government](#))
12. Submission highlights that the planning report accompanying the proposed variation does not include reference to Section 28 DoECLG Spatial Planning and National Roads Guidelines. TII considers that the preparation of any subsequent LAP or Masterplan should have regard to these guidelines considering the sites proximity to the strategic national road network and the extent and nature of development to be accommodated in the zoning objective REGEN. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))
13. Submission states that any Masterplan exercise for variation lands and subject to Specific Local Objectives CS6 SLO1 should be subject to consultation with statutory stakeholders. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))
14. TII recommends that any subsequent Masterplan and SEA undertaken for the variation lands and subject to Objective CS6 SLO1 would address the following:

*National Roads:*

- Masterplan to address DoECLG Section 28 Guidance document taking account of implicate for M50,N/M7 to ensure future development proposals are progressed in compliance with the provision of official policy;
- Reference be made to TII Publications Area Based Transport Assessment Guidance Notes. Consideration to be given to identifying methods/techniques proposed for works in proximity to national road network.
- Have regard to TII's Publications and TII's Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (National Roads Authority, 2006)

- Consider Environmental Noise Regulations 2006 (SI 140 OF 2006) and how future development proposals will affect future action plans by the relevant competent authority, which may include the incorporation of noise barriers to reduce noise impacts.

*Existing/Operational Light Rail Network:*

- Reference to be made to NTA's Transport Strategy for the Greater Dublin Area, 2016-2035.
- Address permeability through proposed development and neighbouring lands refer to Permeability Best Practice Guide, 2015, National Transport Authority.
- Reference to TII Publications Area Based Transport Assessment (ABTA) Guidance Notes.
- Proposals located in close proximity to Luas Line should ensure no adverse impacts on Luas operation and should comply with 'Code of Practice for Working On, Near of Adjacent Luas Tram'. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))

### Chief Executive's Response

The Chief Executive has carefully considered the issues raised in relation to Specific Local Objectives / Future Plans pertaining to Proposed Variation No.3 and provides responses and recommendations under the following subheadings:

- Masterplanning Process / Future Plan
- Location of Roads
- National Policy
- Stakeholder Consultation

#### Masterplanning Process / Future Plan

SDCC is committed to delivering a plan led approach for the redevelopment of the area. To this end, a joint bid with Dublin City Council (DCC) has been submitted to the Minister for Housing, Planning and Local Government (DHPLG) for financial assistance under the Urban Regeneration Development Fund (URDF) to support a series of studies to inform the future spatial planning of the area. The rezoning of the lands to REGEN is an integral part of the joint URDF allocation and expedites future opportunities for significant capital funding for enabling infrastructure in the area.

The Proposed Variation No. 3 establishes the principle for the redevelopment and regeneration of the area and the studies undertaken as part of the URDF will provide a baseline for the masterplan to be undertaken in conjunction with Dublin City Council. The Chief Executive generally agrees with the submissions, which raise issues to be considered when preparing the masterplan and advises that the Planning Authority will refer to Section 11.2.2 of the South Dublin County Council Development Plan 2016-2022 for guidance and to identify key considerations and outcomes to be addressed by Masterplans as listed in table 11.17 of Development Plan and Table 3 below.

A Local Area Plan or other appropriate mechanism will be prepared on foot of the masterplan and will provide a statutory footing and an opportunity to the public and interested parties to comment and have an input on the more detailed planning aspects for the area.

**Table 3: Masterplan Considerations - South Dublin County Council Development Plan 2016- 2022**

KEY CONSIDERATIONS	KEY OUTCOMES
Access and Movement	Identification of the major strategic links throughout the area for different modes,

	<p>showing key points of access and links between key destinations</p> <p>Identification of a street hierarchy showing the function of streets and the appropriate design responses</p> <p>Creation of a highly walkable and cycleable environment that offers pedestrian and bicycle users direct access and route choice throughout.</p>
Open Space and Landscape	<p>Creation of an open space network with a hierarchy of spaces suited to a variety of functions and activities.</p> <p>Retention of significant natural features and Green Infrastructure links, such as trees, hedgerows and watercourses and their integration within the open space network</p> <p>Careful placement of major parks and squares so that they function as focal points and central features within neighbourhoods and centres.</p>
Land Use and Density	<p>Distribution of land uses to create a sustainable and efficient urban structure by directing more intensive uses and higher densities towards centres, transport nodes and along key movement corridors</p> <p>Facilitation of a range of uses to promote integrated and active places.</p> <p>Provision of a range of dwellings and/or commercial unit types and sizes to support a balanced mix of household types and market choice.</p>
Built Form	<p>Clear definition of streets and spaces (public, semi-private and private) to create a legible and secure environment.</p> <p>Distribution of heights to reinforce the urban structure with taller buildings located along key movement corridors and within centres and nodes.</p> <p>Use of landmarks, gateways and other changes in built form and landscaping to promote a legible structure.</p>
Phasing	<p>Division of the site/development into manageable sections for detailed design and assessment</p> <p>A logical programme for development that ensures the coordinated and incremental development of the lands.</p> <p>Identification of critical infrastructure (such as streets, parks, schools and community facilities) with delivery linked to the completion of individual phases.</p>

### Location of Roads

The Chief Executive acknowledges the concern raised regarding the location of the 'Long Term Road Proposal' on the zoning map of the County Development Plan 2016-2022. The proposed location of these roads is indicative only and may be subject to change following a Transport Assessment which will be undertaken as part of the URDF studies.

Furthermore, a Local Area Plan or other appropriate mechanism will be prepared on foot of the masterplan and will provide a statutory footing and an opportunity for further public consultation on the more detailed planning aspects for the area, such as the location of roads / streets etc.

### National Policy

The masterplan / LAP or other appropriate mechanism to plan for the area will take all of the relevant planning and delivery considerations into account, including Section 28 of the Spatial Planning and National Roads Guidelines and the Draft Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly currently at public consultation.

### Stakeholder Consultation

The preparation of a masterplan / LAP or other appropriate mechanism to plan for the area will include consultation as part of the process.

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

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

## 6.4 Extent of Lands / Boundary

1. Submission requests that the boundary for the proposed variation no. 3 is extended to include lands at Bushel Loaf. The lands are currently zoned for Enterprise and Employment (EE) and Residential (RES); and the landowner considers that these lands are more suitable for sustainable brownfield regeneration, and as such should be included as part of the proposed variation in the interest of proper planning and development. ([PV3CDP0014](#) [PV3CDP0011](#), [David Mulcahy Sean Burns](#))

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

The Chief Executive acknowledges the content of the submission and its overall support for the Proposed Variation, however, considers that the request to include the lands at Bushel Loaf within this Proposed Variation No. 3 would not be spatially consistent or in line with national or local planning policy, which forms the basis for the variation.

The area subject of the proposed variation lies adjacent to and would constitute an extension of the existing REGEN zoning objective to the south east, which serves 'To facilitate enterprise and/or residential-led regeneration' and will provide additional opportunities for compact growth and sustainable intensification in established urban areas, through brownfield redevelopment on 'REGEN' zoned lands. The lands are strategically located and promote the consolidation and re-intensification of infill/brownfield lands, which reinforces the principles of the NPF.

The subject lands have significant locational advantages, including:

- Located inside the M50, within 6km of Dublin City Centre;
- Occupy a pivotal location along a gateway corridor to Dublin City Centre;
- Serviced by the Luas Red Line, connecting the area with the city centre, Heuston Station, St. James's Hospital and other key destinations;
- In close proximity to the Kildare rail line, providing regional and national connectivity;
- Access to a range of existing and proposed bus services, both Dublin Bus and nationally: and
- High quality regional road connections, traversed by the Naas Road, Long Mile Road and Ballymount Road.

The Bushel Loaf lands are c. 3km to the west of the variation lands and are separated by the M50 and by lands subject to a number of zonings, including RES (Residential), OS (Open Space) and EE (Enterprise and Employment). The rezoning of Bushel Loaf lands to REGEN in isolation would be contrary to the Core Strategy, Policies and Objectives in the South Dublin County Council Development Plan 2016-2022 and the National Planning Framework, which promotes compact and consolidated growth.

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

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

### **6.5 Traffic and Transport**

1. Submission outlines concerns in relation to the ability of the transport links to support future potential development. All of the roads in the area are at saturation point. The Luas is at full capacity at peak times. Without significant investment in new transport infrastructure, the building of new housing and other development would be likely to cause increased gridlock. ([PV3CDP0013](#), [Cllr Breedá Bonner](#))
2. Submission notes that the location of the proposed future road bisects the JP Sisk and Sons Ltd landholding and it is considered that rather than intensifying urban development and regeneration at this location, the variation would have the unintended consequence of sterilising this area of land and would undermine the sustainable master planning of these lands.
  - Submission states that the proposed variation has not re-examined the road alignment or its function in light of the revised land use strategy which will concentrate on the need for urban design led development rather than road dominant development.
  - The road layout in the development plan map is indicative and should not prejudice plan led and urban design led strategies at the subject site.
  - Submission recognises the need for improvement of road infrastructure in the wider area but it is considered that it must emanate from the transport and urban design studies and be the subject of detailed consultation with the landowners with a view to facilitating incremental development, rather than potentially sterilising road reservations which may ultimately undermine the objectives to secure regeneration of the subject lands.
  - Submission states that it is understood that the proposed alignment of the road and the proposed development of the road may not ultimately proceed or proceed at all as shown, and in this context should be omitted and the proposed variation is a timely opportunity to do this.
  - Submission states that the Council application for funding under the Urban Regeneration Development Fund (URDF) is to support a series of studies to inform the future spatial

planning of the area and submission requests the re-examination of the need, location and future function of the subject road within the context of a newly emerging urban village context and character necessary to sustain the diversification and mix of uses to secure regeneration of the subject lands. Submission considers that this could be accelerated by key decisions and clarity on the road alignment, either to omit it or substantially reduce its impact on the overall regeneration potential of the lands. ([PV3CDP0006](#), [Ann Mulcrone, Reid Associates](#))

3. Submission suggests that the proposed road reservation shown on the land use map, the subject of the variation, be omitted as being counterproductive to the planning strategy, as it would ultimately sterilise the lands unnecessarily, which is contrary to the overall objective for the regeneration of the area. ([PV3CDP0006](#), [Ann Mulcrone, Reid Associates](#))
4. The submission recommends that a transport plan be prepared which both promotes sustainable transport and also advocates protecting the strategic road network. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))
5. TII recommends that any subsequent Masterplan and SEA undertaken for the variation lands and subject to Objective CS6 SLO1 would address the following:

*National Roads:*

- Masterplan to address DoECLG Section 28 Guidance document taking account of the implications for the M50 and N/M7 to ensure future development proposals are progressed in compliance with the provision of official policy;
- Reference be made to TII Publications Area Based Transport Assessment Guidance Notes;
- Consideration to be given to identifying methods/techniques proposed for works in proximity to national road network;
- Have regard to TII's Publications and TII's Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (National Roads Authority, 2006); and
- Consider Environmental Noise Regulations 2006 (SI 140 OF 2006) and how future development proposals will affect future action plans by the relevant competent authority, which may include the incorporation of noise barriers to reduce noise impacts.

*Existing/Operational Light Rail Network:*

- Reference to be made to NTA's Transport Strategy for the Greater Dublin Area, 2016-2035.
  - Address permeability through proposed development and neighbouring lands refer to Permeability Best Practice Guide, 2015, National Transport Authority.
  - Reference to TII Publications Area Based Transport Assessment (ABTA) Guidance Notes.
  - Proposals located in close proximity to Luas Line should ensure no adverse impacts on Luas operation and should comply with 'Code of Practice for Working On, Near of Adjacent Luas Tram'. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))
6. Submission considers that while the vacant site levy may apply to lands if left vacant, the road alignment would have the effect of a significant portion of the JP Sisk and Sons Ltd lands being sterilised in anticipation of a future long term road reservation, which may or may not

proceed. Submission considers the proposed intensification of land use mix within the area is premised on the accessibility to public transport, which is the primary driver of urban design objectives for the area, and the transport assessment and strategy to be undertaken in accordance with the URDF should not be constrained by the proposed road reservation. ([PV3CDP0006](#), [Ann Mulcrone, Reid Associates](#))

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

The Chief Executive acknowledges concern raised regarding the existing transport infrastructure and its ability to support potential future development as a result of the proposed variation. A series of studies to inform the future spatial planning of the area, including a Transport Assessment and Strategy will be undertaken as part of the URDF in conjunction with Dublin City Council. This Transport Assessment and Strategy will highlight the strengths of the area in terms of transport and connectivity and will also identify any challenges, which may arise as a result of the proposed 'REGEN' zoning and future development. This Strategy will inform the masterplan / LAP or other appropriate mechanism in terms of traffic and transportation provision, including provision for new road layouts.

The subject lands at Ballymount/ Naas Road have significant locational and infrastructural advantages over other lands in Dublin, including access to high quality public transport, services and proximity to Dublin City Centre. In the context of the objectives of the NPF and the Draft RSES, the area is considered to be a key regional transformation opportunity to support the compact development of Dublin.

Inside the M50, there is considerable radial trip demand into the city centre. In terms of public transport, this is served by both rail and bus, with the main rail station on the Kildare Line (Cherry Orchard/ Parkwest) located in close proximity to the lands at Ballymount/ Naas Road. The area is also served by a number of city bus services, with most areas falling within the local catchment of either bus or rail. The vision for the area is to integrate land-use with public transport by maximising the potential of the Luas Red line and Bus Connects radial Spine 'D' and Southern Orbital route S4.

The Chief Executive acknowledges the concern raised regarding the location of the 'Long Term Road Proposal' on the zoning map of the County Development Plan 2016-2022. The proposed location of these roads is indicative only and may be subject to change following the Transport Assessment and Strategy, as noted above.

Furthermore, a Local Area Plan or other appropriate mechanism will be prepared on foot of the masterplan and will provide a statutory footing and an opportunity for further public consultation.

The Chief Executive agrees with the submission by TII, which recommends that the Transport Assessment and Strategy should promote sustainable transport and should also support the protection of the strategic road network. The masterplan, SEA and subsequent LAP or other appropriate mechanism will consider all of the national and regional guidance documents, as highlighted by Transport Infrastructure Ireland in their submission.

The application of the vacant site levy is being carried out in accordance with the Urban Regeneration and Housing Act 2015 and SDCC will assess each site on a case by case basis. In general, it is not anticipated that existing owners of active sites will be eligible for the vacant site levy. Allied to this, due consideration will be given to the impact of future infrastructure and the phased delivery of sites as part of the application of the vacant site levy.

### Chief Executive's Recommendation

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

### 6.6 Environmental Considerations

1. Submission on behalf of the Environmental Protection Agency which makes no objection to the variation but points to relevant policy documentation which should be considered in preparation of the variation and SEA. ([PV3CDP0001](#), [David Galvin, Environmental Protection Agency](#))
2. Submission outlines that the area is in need of regeneration. The standard and quality of the industrial buildings in this area will need to be removed and replaced with new high quality buildings, both residential and commercial. In this submission, consideration requested to be given to the following:
  - Buildings must be of a high standard;
  - Roads must be of a good standard with cycle lane and tree planting;
  - Ditch lines with streams or rivers to be retained 10m wide reserved area;
  - Rivers that are running overground to be maintained overground and not to be culverted;
  - Green planted area to be provided with playgrounds;
  - Corner shops to be provided;
  - Community buildings to be provided by developers; and
  - Flora and fauna to be protected in the developments and in particular along natural river and stream lines.([PV3CDP0010](#), [Robert Foley](#))
3. The Department reminds SDCC to have regard to any observations made by the Office of Public Works, the Department of Culture, Heritage and the Gaeltacht, the National Parks & Wildlife Service, the Environmental Protection Agency and Irish Water and meet the relevant requirements as appropriate. ([PV3CDP0007](#), [Department of Housing Planning and Local Government, Department of Housing, Planning and Local Government](#))

### Chief Executive's Response

The Chief Executive welcomes support from the EPA and highlights that all relevant national and regional policy will be considered in preparation of the variation, SEA and subsequent masterplan / LAP or other appropriate plan making mechanism applied. Appropriate regard and consideration will be given to any observations made by the Office of Public Works, the Department of Culture, Heritage and the Gaeltacht, the National Parks & Wildlife Service, the Environmental Protection Agency and Irish Water and meet the relevant requirements, as recommended by the Department of Housing Planning and Local Government.

The Chief Executive generally agrees with the submission which raises issues to be considered when preparing the masterplan and advises that the Planning Authority will refer to Section 11.2.2 of the South Dublin County Council Development Plan 2016-2022 for guidance and to identify key considerations and outcomes to be addressed by masterplans, as listed in table 11.17 of Development Plan and Table 3 (above).

A Local Area Plan or other appropriate plan making mechanism will be prepared on foot of the masterplan and will provide a statutory footing and a further public consultation.

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

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

## **6.7 Residential Amenities**

1. Concerns raised about the impact of the proposal on the existing residents in the area. These residents were severely impacted by the industrial estates in the past. The residents live in single storey, cottage type housing. Under the proposed variation, these would be demolished and replaced by higher density development. In the meantime, the residents would probably have to endure many years of dereliction while the new area is planned and then many years of building. Submitter feels that this is too much to ask of these residents, most of whom are now elderly. ([PV3CDP0013](#), [Cllr Breeda Bonner](#))

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

The Chief Executive acknowledges the concerns raised regarding the protection of the existing residential amenity. The proposed REGEN zoning seeks 'To facilitate enterprise and/or residential led regeneration'. The Naas Road / Ballymount area provides a unique opportunity to regenerate a historical industrial/manufacturing edge location in Dublin to provide for new homes, jobs, schools, community facilities and amenities. The Proposed Variation will facilitate the emergence of a new residential community, which is envisaged will improve the overall area for existing residents and bring vibrancy and vitality to these predominantly underutilised industrial lands.

The masterplan and subsequent LAP or other appropriate plan making mechanism will ensure that the residential amenity of the local community is duly considered. A phased basis for development will ensure the sequential and integrated provision and delivery of necessary infrastructure for the area in conjunction with the construction of residential settlements and other land uses. The plan making process will also consider specific land uses for appropriate locations and carefully consider the relationship between new and existing communities. The development management process will also play a role in ensuring that the residential amenity of existing communities is safeguarded and protected during the assessment of individual planning applications for the area.

Detailed consideration will be given to existing communities throughout the masterplanning /LAP or other appropriate plan making process and due consideration will be given to ensuring adequate levels of public consultation are achieved during these processes.

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

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

## 6.8 Strategic Environmental Assessment (SEA) Environmental Report

1. Submission on behalf of the Environmental Protection Agency which makes no objection to the variation but points to relevant policy documentation which should be considered in preparation of the variation and SEA. ([PV3CDP0001](#), [David Galvin, Environmental Protection Agency](#))
2. SEA scoping report does not include reference to Section 28 DoECLG Spatial Planning and National Roads Guidelines nor the NTA's Transport Strategy for the Greater Dublin Area 2016-2035. It is recommend that the Subsequent SEA address these national policy documents. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))
3. TII recommends that any subsequent Masterplan and SEA undertaken for the variation lands and subject to Objective CS6 SLO1 would address the following:

### *National Roads:*

- Masterplan to address DoECLG Section 28 Guidance document taking account of implications for the M50 and N/M7 to ensure future development proposals are progressed in compliance with the provision of official policy;
- Reference be made to TII Publications Area Based Transport Assessment Guidance Notes. Consideration to be given to identifying methods/techniques proposed for works in proximity to national road network;
- Have regard to TII's Publications and TII's Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (National Roads Authority, 2006); and
- Consider Environmental Noise Regulations 2006 (SI 140 OF 2006) and how future development proposals will affect future action plans by the relevant competent authority which may include the incorporation of noise barriers to reduce noise impacts.

### *Existing/Operational Light Rail Network:*

- Reference to be made to the NTA's Transport Strategy for the Greater Dublin Area, 2016-2035.
- Address permeability through proposed development and neighbouring lands refer to Permeability Best Practice Guide, 2015, National Transport Authority.
- Reference to TII Publications Area Based Transport Assessment (ABTA) Guidance Notes.
- Proposals located in close proximity to Luas Line should ensure no adverse impacts on Luas operation and should comply with 'Code of Practice for Working On, Near of Adjacent Luas Tram'. ([PV3CDP0004](#), [Michael McCormack, Transport Infrastructure Ireland](#))

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

The Chief Executive welcomes support from the EPA and highlights that all relevant national and regional policy will be considered in preparation of the variation, SEA and subsequent masterplan / LAP or other appropriate plan making mechanism.

## Chief Executive's Recommendation

No alteration(s) to the proposed variation to the South Dublin County Council Development Plan 2016-2022.

## 7.0 Conclusion

Following a meeting on the 20<sup>th</sup> November 2018, South Dublin County Council initiated the process for public consultation to commence in accordance with Section 13 of the Planning and Development Act 2000 (as amended) with regards to the variation. The proposed variation relates to the following:

### Proposed Variation No.3 - Zoning Amendment at Ballymount / Naas Road

It is proposed to amend the zoning objective of approximately 178 hectares of land from zoning objective EE (Enterprise and Employment) to objective REGEN (Regeneration). These lands are located in the Ballymount / Naas Road area, which are south of the Grand Canal and east of the M50, adjoining the boundary with Dublin City Council, all located within the areas of Fox and Geese, Bluebell, Ballymount, Redcow, Gallanstown and Drimnagh.

This proposed variation includes changes to the zoning maps, as well as amendments to policy and addition of text in the Written Statement. The reason for the proposed variation is to facilitate the regeneration of the brownfield lands at this location, which is in close proximity to existing and proposed transport nodes and would provide for a more intensive mix of enterprise and/or residential led development.

Following a 4 week consultation process, a number of submissions were received from a range of relevant agencies, organisations and the wider public, through which a number of prominent issues emerged.

As detailed in Section 5.0, the most prominent issues emerged in relation to Proposed Variation No. 3 (Zoning Amendment to Lands at Ballymount / Naas Road) under the categories of Strategic Policy, Economic Development, Specific Local Objective / Future Plan, Extent of Lands / Boundary, Traffic and Transport, Environmental Considerations and Residential Amenity. These issues and associated categories are addressed below.

The proposed variation is generally supported under the category 'Strategic Policy' with the acknowledgement that the variation is in response to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) and the Eastern and Midland Assembly (EMA) Draft Regional Spatial and Economic Strategy (RSES) in 2018. An issue is raised relating to uncertainty around the need to vary the development plan. In response, it is submitted that the Proposed Variation is recommended in order to align the current Development Plan with the NPF and the Draft RSES to create the conditions for redevelopment of the area in partnership with Dublin City Council. Furthermore, given the complexity of the challenges to regenerating the area, a variation to the Development Plan at this time is required to provide an amended Development Plan policy framework for SDCC to proceed with the regeneration of the area.

Under the category 'Economic Development', issues were raised with regards to market uncertainty and profiteering as a result of the proposed rezoning. A number of mechanisms are proposed to ensure a plan led approach to development of the variation lands and to negate market uncertainty. The preparation of a masterplan in 2019, with a view to preparing a Local Area Plan or other appropriate plan making mechanism will ensure the strategic development of the lands. The baseline studies undertaken through the URDF will accelerate the preparation of a masterplan, which is in line with national and regional planning policy and will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land-use and blue and green infrastructure. With regard to the potential for profiteering, all landowners and developers will need to accord with the requirements of any future masterplan, ensuring appropriate uses, density of development, as well as the provision of both physical and social infrastructure are achieved in a coordinated manner. This is likely to be supported by the establishment of the Government's Land Development Agency, who may have a future role to play in site assembly and coordinating development on strategically important lands in areas such as the Naas Road/Ballymount. In addition to this, mechanisms such as Part V (which will be applicable to the REGEN zoned lands) and the development management process will also be integral to ensuring the sustainable development of the subject lands.

Under the category 'Specific Local Objective / Future Plan', issues were raised with regards to the location of proposed future roads, consideration of specific items to be addressed as part of the proposed masterplan and recommendations from the Department to consider relevant planning and delivery mechanisms. The location of roads are indicative only and may be subject to change or alteration following the preparation of a Transport Assessment and Strategy, which will be undertaken under the URDF funding. Furthermore, a LAP or other appropriate mechanism will be prepared on foot of the masterplan and will provide a statutory footing and an opportunity for public consultation on more specific items, such as location of roads and streets. The preparation of the masterplan will follow the guidance, as set out in the County Development Plan 2016-2022 and will also consider delivery mechanisms, including the Draft Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly, as recommended by the Department.

Under the category 'Extent of Lands / Boundary' a request to include specific lands at Bushel Loaf within the variation was proposed by the landowner. The lands at Bushel Loaf do not adjoin any existing REGEN zoned lands and their rezoning would not be spatially consistent or in line with national or local planning policy, which forms the basis for the variation. The area subject to the variation lies adjacent to and would constitute an extension of the existing REGEN zoning objective to the south east and are strategically located and promote the consolidation and re-intensification of infill/brownfield lands which reinforces the principles of the NPF. The Bushel Loaf lands are c. 3km to the west of the variation lands and are separated by the M50. It is considered that the rezoning of Bushel Loaf lands to REGEN in isolation would be contrary to Core Strategy, Policies and Objectives in the South Dublin County Council Development Plan 2016-2022 and to the National Planning Framework, which promotes compact and consolidated growth.

Under the category 'Traffic and Transport', issues were raised in relation to the ability of the existing transport links to support potential development as a result of the variation. The location of a proposed future road and its implications for the development of a specific site owned by JP Sisk and Sons Ltd including the application of the vacant site levy was also raised. TII also make specific recommendation for national and regional policies and objectives to be adhered to as part of the plan making process. The Transport Assessment and Strategy to be undertaken as part of the URDF funding will assess the strengths of the area in terms of traffic and transport and will identify challenges or shortcomings, which may arise as a result of the new zoning. The area currently has significant locational advantages and access to high quality public transport. Location of specific roads and streets are likely to be informed by the Transport Assessment and Strategy and will be implemented through the masterplan and subsequent LAP or other appropriate plan making mechanism. It is not anticipated that existing owners of active sites will be eligible for the vacant site levy. The Transport Assessment and Strategy will promote sustainable transport and the protection of the strategic road network. The masterplan, SEA and subsequent LAP or other appropriate mechanism will consider all of the national and regional guidance documents, as highlighted by Transport Infrastructure Ireland in their submission.

Under the 'Environmental Considerations' category, the EPA support the variation and highlight relevant policy documentation which should be considered in preparation of the variation and the SEA. The Department remind that observations by specific statutory bodies including the Office of Public Works, the Department of Culture, Heritage and the Gaeltacht, the National Parks & Wildlife Service, the Environmental Protection Agency and Irish Water are observed and relevant requirements are met as appropriate. A number of specific design standards and considerations are requested to be considered as part of the masterplan. Support and recommendations are welcomed from the EPA and the Department, and consideration will be given to the items noted where applicable and where consistent with key considerations and outcomes, which need to be addressed in the preparation of masterplans as per table 11.7 of the County Development Plan and as per table 3 above.

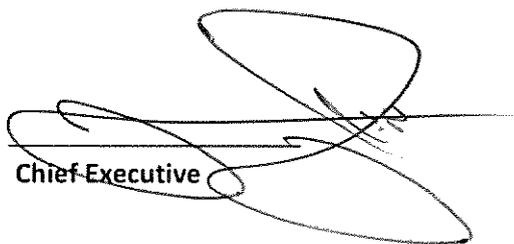
Under the 'Residential Amenity' category concerns were raised about the impact of the proposal on the existing residents in the area in terms of building heights and the overall construction process. The Proposed Variation will facilitate the emergence of a new residential community, which is envisaged will improve the overall area for existing residents and bring vibrancy and vitality to these predominantly underutilised industrial lands. Detailed consideration will also be given to existing communities throughout the masterplanning/LAP process and ultimately as part of the development management process for individual planning applications. The impact on local communities will also be considered in the context of phasing of development, location of specific land-uses to ensure residential amenity is protected and the relationship between existing communities and new development. Due consideration will also be given to ensure adequate levels of public consultation is achieved and to ensure that the views of the local communities are considered at the plan making stage.

Support from the EPA in the 'Strategic Environmental Assessment (SEA) Environmental Report' category is welcomed it is noted that all relevant national and regional policy will be considered in preparation of the variation, SEA and subsequent masterplan / LAP or other appropriate mechanism.

In conclusion, all submissions were read, analysed and considered following the public consultation period for the Proposed Variation and this Chief Executive's Report is hereby submitted to the members of South Dublin County Council, for consideration. In doing so, it is important to reaffirm that proposed Variation No.3 is in response to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) and the Eastern and Midland Assembly (EMA) Draft Regional Spatial and Economic Strategy (RSES) in 2018. Through the 'REGEN' land use zoning objective in the Development Plan, South Dublin County Council seeks to facilitate the regeneration of existing brownfield lands, close to existing and proposed transport nodes, to provide for a more intensive mix of enterprise and/or residential led development in accordance with the NPF.

The Proposed Variation No.3 is required to align the Development Plan with the NPF and the Draft RSES to create the conditions for the redevelopment of this strategically important area. Given the complexity of the challenges to regenerating the area, a variation to the Development Plan at this time is required to provide an amended policy framework that will enable South Dublin County Council to optimise the use of brownfield land and deliver compact growth, in line with national policy.

Taking account of the proper planning and sustainable development of the County, it is recommended that Proposed Variation No.3 to the South Dublin County Council Development Plan 2016 – 2022 be made in accordance with the recommendations of this report.

  
Chief-Executive

18/1/19  
Date

**PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED  
PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL  
ASSESSMENT) REGULATIONS 2004-2011  
NOTICE OF PROPOSED VARIATION NO.3  
OF SOUTH DUBLIN COUNTY COUNCIL DEVELOPMENT PLAN  
2016-2022**

Notice is hereby given pursuant to Section 13 of the Planning and Development Act 2000 (as amended) that South Dublin County Council is initiating a variation of the South Dublin County Council Development Plan 2016-2022 in accordance with Section 13 of the Planning and Development Act 2000 (as amended) in the following manner;

**Proposed Variation No. 3 - Zoning Amendment to Lands at Ballymount / Naas Road**

It is proposed to amend the zoning objective of approximately 178 hectares of land from zoning objective EE (Enterprise and Employment) to objective REGEN (Regeneration).

These lands are located in the Ballymount / Naas Road area, which are south of the Grand Canal and east of the M50, adjoining the boundary with Dublin City Council, all located within the areas of Fox and Geese, Bluebell, Ballymount, Redcow, Gallanstown and Drinnagh.

This proposed variation includes changes to the zoning maps, as well as amendments to policy and addition of text in the Written Statement.

The reason for the proposed variation is to facilitate the regeneration of the brownfield lands at this location, which is in close proximity to existing and proposed transport nodes and would provide for a more intensive mix of enterprise and/or residential led development.

The proposed variation supports the implementation of the National Planning Framework (NPF) 2018 and the Eastern and Midland Assembly (Draft) Regional Spatial and Economic Strategy (RSES) 2018, in particular National Strategic Outcome (NSO) No. 1 of the NPF, which seeks to achieve compact growth and consolidation of Ireland's cities as a top priority.

Accompanying Proposed Variation No.3 is:

- A Planning Report
- Amended Development Plan Map No. 5
- A Strategic Environmental Assessment (SEA) Screening and Scoping Report and an Environmental Report in accordance with the SEA Directive (DIR 2001/42/EC) and pursuant to the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011.
- Appropriate Assessment (AA) Screening and Natura Impact Report (NIR) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (DIR 92/43/EEC) and
- Other supporting documentation

A copy of the SEA Screening and Scoping Reports, the Environmental Report, AA Screening and Natura Impact Report (NIR) are available for public inspection with the proposed variation.

**Public Display:**

The Proposed Variation No. 3 of the South Dublin County Council Development Plan 2016-2022 along with accompanying planning and environmental reports are being placed on public display and may be inspected from Tuesday 20th November 2018 to Tuesday 18th December 2018 (both dates inclusive) during normal opening hours at County Hall Tallaght, the Civic Offices Clonsilla and in County Library, Tallaght and all Local Branch Libraries during normal opening hours for each library (excluding Bank Holidays).

The documents may also be viewed on South Dublin County Council's website at [www.sdcc.ie](http://www.sdcc.ie)

**Making a submission:**

Written submissions or observations with respect to this proposed variation can be made in writing to the address below no later than 4.00pm 18th December 2018 (12.00 midnight if made online).

Submissions should be in ONE medium only and include the full name and address of the person making the submission, details of organisation, community group or company represented where relevant and clearly marked - *Proposed Variation No. 3 South Dublin County Council Development Plan 2016-2022*. As an online facility has been provided for your convenience, e-mail submissions will not be accepted.

Submissions or observations can be made as follows:

On Line: <https://consult.sdublincoco.ie/> up to 12.00 midnight on 18th December 2018.

OR

By Post: Senior Executive Officer, Forward Planning Section, Land Use, Planning and Transportation Department, South Dublin County Council, County Hall, Tallaght, Dublin 24.

**LATE SUBMISSIONS WILL NOT BE ACCEPTED**

Any written submissions or observations in respect of the proposed variation received within the timeframe will be taken into consideration before the making of the proposed variation.

Laura Leonard  
A/Director of Services  
Land Use Planning and Transportation Department

Web: [www.sdcc.ie](http://www.sdcc.ie)





South Dublin County Council

# Development Plan 2016 – 2022

January 2019  
Land Use Planning and  
Transportation Department  
South Dublin County Council