



South Dublin County Council

# Development Plan 2016 – 2022

## Proposed Variation No.1 & Proposed Variation No.2

### Chief Executive's Report on Public Consultation

April 2018  
Land Use Planning and  
Transportation Department  
South Dublin County Council

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## 2.0 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 No.1 and Proposed Variation No. 2 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 1 and 2 where appropriate.

## 3.0 Outline of the Public Consultation Programme

On the 16<sup>th</sup> February 2018, South Dublin County Council (SDCC) gave notice that it had prepared Proposed Variations No.1 and No. 2 to the South Dublin County Development Plan 2016-2022, pursuant to Section 13 of the Planning and Development Act 2000 (as amended). The proposed variations related to the following:

### Proposed Variation No.1 - Zoning Amendment to Lands at Grangecastle West

It is proposed to change the zoning objective of 193 hectares of land from zoning objective RU (Rural and Agriculture) to objective EE (Enterprise and Employment). These lands are located in the townlands of Loughtown Upper and Milltown, which are south of the Grand Canal and west and north of the R120, adjoining the existing Grange Castle Business Park. It is also proposed to realign the indicative route for the Western Dublin Orbital Route (North).

### Proposed Variation No.2 - Vacant Site Levy

The proposed variation provides for the incorporation of new requirements introduced by the Urban Regeneration and Housing Act 2015 in respect of the implementation of the Vacant Site Levy in the written statement.

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, the proposed variation provides for the inclusion of mandatory objectives for the development and renewal of areas that are in need of residential development and/or regeneration and the identification of areas in need of residential development and/or regeneration which may be subject to the application of the vacant site levy in the future.

The Public consultation period took place from the 16<sup>th</sup> February 2018 to 16<sup>th</sup> March 2018 inclusive (a period of 4 weeks) during which time information on the Proposed Variations No.1 and No.2 to the South Dublin County Development Plan 2016-2022 and environmental reports (Strategic Environmental Assessment Environmental report, SEA Screening Reports, Appropriate Assessment Screening Reports and Strategic Flood Risk Assessment) were disseminated to the public and submissions were invited as follows;

- Notification of the preparation and display of the Proposed Variations No.1 and 2 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 16<sup>th</sup>

February 2018 and in *The Echo* on the 22nd of February 2018 together with information on the public consultation programme and an invitation for submissions.

- Letters that provided notification of the Proposed Variations No. 1 and No.2 consultation programme and an invitation for submissions were posted together with a report on the Proposed Variations, Strategic Environmental Assessment Environmental Report and Screening and Scoping reports, Appropriate Assessment screening report and Strategic Flood Risk Assessment report to, inter alia, the Minister for Housing, Planning and Local Government and relevant prescribed authorities.
- Public information displays together with copies of the Proposed Variations No. 1 and No.2 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 hard copies of the Proposed Variations No. 1 and No. 2 reports, environmental reports, a copy of the newspaper notice and a map.
- A Facebook and Twitter campaign took place during the 4 week public consultation period.

#### 4.0 Outcome of the Public Consultation Programme

The number of submissions that were received during the public consultation period came to 17. 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 submissions**

Person	Company (if applicable)	Ref
Cian O'Mahony	Environmental Protection Agency	<a href="#">PV12CDP0001</a>
Vincent Dolan	Clondalkin Youth Band	<a href="#">PV12CDP0002</a>
Minister for Culture, Heritage and the Gaeltacht	Dept. of Culture, Heritage and the Gaeltacht	<a href="#">PV12CDP0003</a>
Philip Deane		<a href="#">PV12CDP0004</a>
Cllr Francis Timmons		<a href="#">PV12CDP0005</a>
Cllr Francis Timmons		<a href="#">PV12CDP0006</a>
Cian O'Mahony	Environmental Protection Agency	<a href="#">PV12CDP0007</a>
Patrick McCormack		<a href="#">PV12CDP0008</a>
Minister for Housing, Planning, and Local Government	Department of Housing, Planning and Local Government	<a href="#">PV12CDP0009</a>
David Clements	National Transport Authority	<a href="#">PV12CDP0010</a>
Tara Spain	Transport Infrastructure Ireland	<a href="#">PV12CDP0011</a>
John Power		<a href="#">PV12CDP0012</a>
Cllr. Madeleine Johansson	People Before Profit	<a href="#">PV12CDP0013</a>

Peter Minnock	Kildare County Council	<a href="#">PV12CDP0014</a>
Jim Conway	Eastern and Midland Regional Assembly	<a href="#">PV12CDP0015</a>
Martin McNulty	Newcastle Golf Centre	<a href="#">PV12CDP0016</a>
Deirdre Forrest	Irish Aviation Authority	<a href="#">PV12CDP0017</a>

As previously noted, there were 2 separate proposed variations on public display during this period, referred to as Proposed Variation No. 1 (Zoning Amendment to Lands at Grangecastle West) and Proposed Variation No. 2 (Vacant Site Levy). Of the 17 submissions received, reference was made to one or both of the proposed variations in the submission. In the interests of clarity, the table below indicates the breakdown of submissions made and to which proposed variation the submission pertains.

**Table 2: Overview of Submissions according to Proposed Variation**

Person	Proposed Variation No. 1	Proposed Variation No. 2	Ref
Cian O'Mahony (EPA)	✓	✓	<a href="#">PV12CDP0001</a> <a href="#">PV12CDP0007</a>
Vincent Dolan	✓		<a href="#">PV12CDP0002</a>
Minister for Culture, Heritage and the Gaeltacht	✓		<a href="#">PV12CDP0003</a>
Philip Deane	✓		<a href="#">PV12CDP0004</a>
Cllr Francis Timmons	✓		<a href="#">PV12CDP0005</a> <a href="#">PV12CDP0006</a>
Patrick McCormack	✓		<a href="#">PV12CDP0008</a>
Minister for Housing, Planning and Local Government	✓	✓	<a href="#">PV12CDP0009</a>
David Clements (National Transport Authority)	✓		<a href="#">PV12CDP0010</a>
Tara Spain (Transport Infrastructure Ireland)	✓	✓	<a href="#">PV12CDP0011</a>
John Power	✓		<a href="#">PV12CDP0012</a>
Cllr. Madeleine Johansson	✓		<a href="#">PV12CDP0013</a>

Peter Minnock, Kildare County Council	✓		<a href="#">PV12CDP0014</a>
Jim Conway, Eastern and Midlands Regional Assembly	✓	✓	<a href="#">PV12CDP0015</a>
Martin McNulty, Newcastle Golf Centre	✓		<a href="#">PV12CDP0016</a>
Irish Aviation Authority	✓		<a href="#">PV12CDP0017</a>

## 4.0 Next Steps

This Chief Executive's Report on the public consultation for the Proposed Variations 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 Variations. The Chief Executive's Report will be considered at the May County Council Meeting. Each variation will be considered separately i.e. Proposed Variation No. 1 and Proposed Variation No.2.

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

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

*\*The Planning Authority shall determine if the variations and modifications to the Proposed Variation(s) 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 17 of the valid submissions received by the Council during the public consultation were read, summarised and analysed. A total of 41 issues were identified during this process. Many of the issues raised were interrelated and therefore categorised under 12 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 3: Breakdown of issues raised in submissions received for all categories**

Breakdown of Issues for All Top-Level Categories			
	Topic	Issues Raised	% of Total
1	Variation No.1 Strategic Policy	5	12.2%
2	Variation No.1 Traffic, Transport and Noise	7	17.07%
3	Variation No.1 Masterplan	1	2.44%
4	Variation No.1 Environmental Considerations	15	36.59%
5	Variation No.1 Proposed Rezoning	1	2.44%
6	Variation No.1 Strategic Flood Risk Assessment	1	2.44%
7	Variation No.1 Public Amenity	1	2.44%
8	Variation No.1 General	2	4.88%
9	Variation No.1 Errors and Discrepancies	2	4.88%
10	Variation No.2 Strategic Policy	2	4.88%
11	Variation No.2 Environmental Considerations	3	7.32%
12	Variation No.2 General	1	2.44%
		41	

In terms of the issues that were raised most frequently, all of the issues related to Proposed Variation No.1 (Zoning Amendment to Lands at Grangeastle West). The highest number (15 times / 36.59%) related to Environmental Considerations. The second highest proportion of issues raised (7 times) related Traffic, Transport and Noise and the third highest proportion of issues raised (5 times) related to Strategic Policy.

## 6.0 Categorisation and Summary of Issues Raised

This Section presents a summary of each of the issues raised under the relevant category heading. 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 Issues Directly Relating To Proposed Variation No. 1- Zoning Amendment to Lands at Grangecastle West

#### 6.2 Variation No.1 Strategic Policy

1. Submission on behalf of the DHPLG notes that there is an identified strategic policy basis for the proposal and the zoning change to employment is considered appropriate and is supported by national, regional and local planning objectives. ([PV12CDP0009, Minister for Housing, Planning and Local Government, Department of Housing, Planning and Local Government](#))
2. Submission on behalf of the Eastern and Regional Midlands Assembly supports the growth and consolidation of the Dublin Metropolitan Area and considers the proposed variation would further benefit from a methodology to link quantum of land zoned for enterprise and employment, to density of employment and to projected job numbers. ([PV12CDP0015, Jim Conway, Eastern and Midland Regional Assembly](#))
3. Submission on behalf of the Eastern and Midlands Regional Assembly supports the requirement for additional infrastructure capacity in water, wastewater and transport to facilitate the proposed variation. It considers however that the proposal would benefit from greater clarity on how it is proposed to sequentially manage the expansion of the EE zoned landbank over the stated 15-20 year period, having regard to the significant scale of the proposed rezoning ([PV12CDP0015, Jim Conway, Eastern and Midland Regional Assembly](#))
4. Submission from Kildare County Council (KCC) states that the National Planning Framework supports a two-tier approach to land zoning i.e. that land should be either serviced or serviceable within the lifetime of the plan. Furthermore, the zoning of land should be supported by a quantifiable and budgeted infrastructural assessment. In this regard, KCC state that it would be beneficial if the proposed variation was accompanied by such an assessment, in particular having regard to the scale of the lands to be zoned on the rural/urban fringe. ([PV12CDP0014, Peter Minnock, Kildare County Council](#))
5. Kildare County Council note in their submission that quantitative analysis of employment lands available within the functional area of South Dublin should be provided in order to provide an evidence based approach, in line with the requirements of a core strategy to connect enterprise and employment locations to key physical and social infrastructure, public transport nodes and new and established housing areas. ([PV12CDP0014, Peter Minnock, Kildare County Council](#))



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

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

The Chief Executive acknowledges the submissions and the concerns raised in relation to the expansion of the EE zoned landbank. According to the Regional Spatial and Economic Strategy – Issues Paper November 2017 (RSES Issues Paper), the Eastern and Midland region is the most productive and competitive of the three Irish regions, with the capital city region of Dublin as a national economic driver. The region is responsible for hosting half of all national employment. The region is also the main global gateway to the country with Dublin Airport one of the fastest growing in Europe, and continued growth in international exports through Dublin Port.

Furthermore, the National Planning Framework (NPF) outlines for the period up to 2040, the Eastern and Midland Region will require approximately 330,000 jobs. The extension of the employment lands at Grangecastle maximises the value of existing and planned infrastructural investment within the area. The lands are strategically located adjacent to an established cluster of enterprise and employment uses, which will serve to optimise existing infrastructural investment, to develop complimentary employment uses, whilst creating opportunities for synergistic benefits in terms of innovation, research and development, employment and enterprise; all critical objectives to development that are supported by the NPF. Subject to the change of zoning and prior to any development of these lands, a masterplan will be prepared by SDCC, which will outline the phased and sequential development of the relevant lands, ensuring the appropriate integration of development with the surrounding context, addressing environment considerations and ensuring development takes place in accordance with the proper planning and sustainable development of the area. The development of these lands will positively contribute to the continued economic growth of the County and the region at a wider level and contribute to the achievement of the projected job opportunities.

In accordance with the NPF, the lands in question have the ability in parts to connect to existing development services, and in the wider context are considered sufficiently serviceable in the future. At present, the Adamstown Road (R120) and Nangor Road (R134) Improvement Scheme are under construction, with an anticipated completion date of February 2019. This road scheme, which runs along the eastern boundary of the subject lands, incorporates connections for telecommunications, gas, fibre, water and sewerage networks, which will facilitate future development on the subject lands.

The significant investment in established infrastructure in the area ensures that any servicing requirements will be able to utilise and build on existing infrastructural investments, thereby creating economically advantageous conditions for future employment development. As part of the future masterplan for the area, a full and detailed budgeted infrastructural assessment will be undertaken, which will seek to maximise existing infrastructural investment, reaffirming the importance of attaining value for money in government capital expenditure.

The proposed variation is part of the review of the zoning of lands required under Policy ET3 SLO1 of the South Dublin County Development Plan 2016-2022, which seeks to conduct a review of the zoning of lands to the south of the Grand Canal with a view to preparing a long term plan for the expansion of the Grange Castle Economic and Enterprise Zone to the area.

Having regard to the evidence based analysis, it should be noted that in the Planning Report accompanying the proposed variation, a review of employment lands in the County was undertaken; this included the main business parks and industrial areas such as Greenogue Business Park, Aerodrome

Business Park and Ballymount Industrial Estate. This review identified that the current landbank of EE zoned land within the County is substantially utilised. It has been demonstrated that the subject lands represent the most logical location for expansion of EE zoned land, having regard to its ability to capitalise on the locational advantages adjacent to an established employment hub, which has been the subject of significant infrastructural investments.

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

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

## **6.2 Variation No.1 Traffic, Transport and Noise**

1. Submission queries what the plan is to reduce noise level of the proposed realignment of long term road proposal and the existing long term road proposal as per CDP 2016 - 2022. Asks what plan will be put in place when construction starts to reduce level of traffic on the L6032 between R405 and R120? Requests for minimum disruption be made to existing trees and surrounding area and also that any building work has minimum impact on existing houses both visually and environmentally. ([PV12CDP0004, Philip Deane](#) [PV12CDP0005, Cllr Francis Timmons](#))
2. Submission on behalf of TII advises that that it is critical for the Proposed Variation to take account of the transport requirements that support the area and environs as indicated in the GDA Transport Strategy 2016 - 2035. Reference is made to the N4/N7 Corridor Study (NTA, 2017) including its objectives. ([PV12CDP0011, Tara Spain, Transport Infrastructure Ireland](#))
3. Submission on behalf of National Transport Authority (NTA) states its satisfaction that the proposed variation is consistent with the GDA Transport Strategy 2016-2035. States that as further employment growth occurs in Grange castle, the management of travel demands are to be taken into consideration. ([PV12CDP0010, David Clements, National Transport Authority](#))
4. NTA notes that as development grows in the wider area (particularly in Adamstown and Clonburris SDZ's), full engagement with the Smarter Travel Workplaces programmes should be operated by all current and prospective employers in the area. Measures such as car sharing, shuttle buses to the train stations and promoting cycling should be explored. ([PV12CDP0010, David Clements, National Transport Authority](#))
5. NTA notes their support for the proposed variation and states that while Grange castle is peripheral in terms of direct accessibility to high quality public transport, it will benefit from the opening of the Kishoge Rail Station and significant improvements to the service as part of the DART Expansion Programme. ([PV12CDP0010, David Clements, National Transport Authority](#))
6. Kildare County Council note in their submission that the proposed road realignments are proximate to the Kildare county boundary. They state that due to the extent of the proposed variation and resultant traffic, it would be beneficial to commission a robust traffic assessment, which would consider implications of the proposal on both the local and regional transport networks. KCC is concerned about the implications of the proposed road exiting onto the Celbridge- Lucan Road at Weston, given that this road is a major traffic artery serving the town of Celbridge and northeast Kildare. ([PV12CDP0014, Peter Minnock, Kildare County Council](#))
7. Submission supports the proposed rezoning from objective RU to Objective EE. Requests an alternative means of access to privately owned lands to be provided. The proposed realignment of the long term road proposal relocates the access road further north away from the privately owned.

It is requested that a specific provision for access to the lands north of the junction of Peamount Lane and the R120 be added. This would be a short term proposal pending the construction of the long term road proposal and the further development of the lands surrounding the observer's lands. Alternatively the addition of a Specific Local Objective to provide vehicular access at the R120 to the Objective EE lands pending the development of the long term road proposal is requested to be considered. ([PV12CDP0016, Martin McNulty](#))

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

The Chief Executive acknowledges the submissions and the concerns and issues raised regarding traffic, transport and noise.

The proposed location of the Western Orbital Route (north) is an indicative alignment; the final route selection will be subject to detailed design and selection process, as well as a separate planning process where measures will be put in place regarding construction management as well as noise and environmental implications. Consultation with all relevant stakeholders and landowners, including prescribed bodies and adjoining local authorities will take place as part of the consultation process. Any development proposals with the potential to give rise to significant noise impacts may require a Noise Impact Assessment and mitigation plan to minimise noise disturbances and protect the amenities of the area. The consideration and assessment of these issues would be addressed as part of the development management process.

The Transport Strategy for South Dublin County seeks to ensure an integrated strategy for transport and mobility that enhances access and movement within and through the County, while promoting change, in favour of sustainable modes. The strategy addresses all types of traffic, including pedestrian, cyclist, public transport, private vehicle and economic through traffic. The settlement, employment and transport strategies are aligned with the aim of strengthening the integration between employment, population and transport services.

Through the development management process, Mobility Management Plans/Workforce Plans and/or Traffic and Transport Assessments are required to be submitted as part of all major traffic generating developments (Section 6.4.2 of the Development Plan refers). Such measures will assess and address potential traffic impacts from development proposals.

Notwithstanding this, South Dublin County Council is fully committed to complying with and implementing the Greater Dublin Area Transport Strategy 2016 – 2035 and Smarter Travel Policy and welcomes the support of the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII) in their submissions.

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

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

## **6.3 Variation No.1 Masterplan**

1. Submission from Kildare County Council (KCC) states that a detailed Masterplan for the area would have proved beneficial to support the proposed variation. The submission notes that the Specific Local Objective envisages a long term plan, which would seek to provide public open space along

the canal and that these issues would be better addressed in an overall Masterplan for the area. ([PV12CDP0014, Peter Minnock, Kildare County Council](#))

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

The Chief Executive acknowledges the comments regarding the provision of a Masterplan alongside the proposed variation. The proposed variation pertains only to establishing the land use for the subject lands, therefore it would be premature to prepare a detailed Masterplan for the development of the subject lands until such time as the land use zoning objective has been confirmed.

Section 11.2.2 of the South Dublin County Council Development Plan 2016-2022 states the following: *“Local Area Plans, Strategic Development Zone Planning Schemes or Framework Plans will be prepared by the Council for growth areas and urban centres that are likely to undergo significant development during the life of the County Development Plan. These plans will include a Masterplan/Urban Design Framework that will guide the future development of these areas. The Planning Authority may also prepare Masterplans, or request them for areas that are considered to require an integrated design approach. The key considerations and outcomes to be addressed by Masterplans are listed in Table 11.17.”* In that regard, a detailed Masterplan will be prepared for the subject lands as required.

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

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

## **6.4 Variation No.1 Environmental Considerations**

1. Submission states that a full archaeological dig should be carried out to ascertain any historical site of interest in the area. It is also stated that all historical and natural heritage should be fully preserved in the area. ([PV12CDP0006, Cllr Francis Timmons](#))
2. Submission on behalf of the EPA states that the development of the rezoned lands should be carried out on a phased basis and should be linked to the ability to provide the necessary supporting critical infrastructure (i.e. water and wastewater treatment capacity, transport infrastructure etc) ([PV12CDP0007, Cian O'Mahony, Environmental Protection Agency](#))
3. Submission on behalf of the EPA states that there is merit in providing a suitable buffer zone/set back distance from development, with a view to protecting existing ecological corridors/linkages and semi-natural green and blue spaces within the variation area. It is stated that this would not only support the protection of biodiversity within the plan area but would also safeguard the important amenity/recreation/health and wellbeing benefits associated with such areas. ([PV12CDP0007, Cian O'Mahony, Environmental Protection Agency](#))
4. Submission on behalf of EPA notes the proposed realignment of the Western Dublin Orbital Route (North) and states that the actions set out in the DoT's 'Smarter Travel-A Sustainable Transport Future' should be implemented in the Variation to improve air quality and reduce greenhouse gas emissions. These include actions to reduce travel demand and delivery alternatives to the private car. ([PV12CDP0007, Cian O'Mahony, Environmental Protection Agency](#))
5. Submission on behalf of EPA acknowledges the existing key policy commitments providing for the protection and management of environmental considerations within the South Dublin County Development Plan. They welcome the commitments made to prepare a biodiversity management

plan, an invasive species management and control plan, a landscape management framework and construction and environment management plan(s) to guide and inform the development of the Variation area. ([PV12CDP0007, Cian O'Mahony, Environmental Protection Agency](#))

6. Submission on behalf of the Dept. of Culture, Heritage and the Gaeltacht (DCHG) notes that this proposed variation is as a result of Policy ET3 SLO1 of the County Development Plan and that the lands to be rezoned adjoin lands already zoned for Enterprise and Employment but at present undeveloped. The submission however states that there are a number of concerns regarding the potential loss of biodiversity, and potential negative impacts on protected species. [PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#)
7. Submission on behalf of DCHG note that it has been concluded that an Appropriate Assessment is not necessary, but there are concerns about implementing safeguards and assessments at project level, without discussing how they will be implemented and enforced at project level. It is noted that a Biodiversity Management Plan will be necessary for developers, but is not clearly indicated how it will be communicated to developers. [PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#)
8. Submission on behalf of the DCHG notes concern regarding impact of proposed development on the Grand Canal pNHA and given the higher biodiversity and biological importance of the section of the Grand Canal pNHA adjacent to the proposed Variation lands as compared with the part of the pNHA within Clonburris SDZ, the Department recommends that the setback from the pNHA in the recent case should be at least 100m. [PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#)
9. Submission on behalf of DCHG recommends that it would be better to omit rezoning of a buffer area to EE and give it a more appropriate zoning for nature conservation. This Department also notes the intention to have a public open space by the canal under local objective ET3 SLO 1 and the reference to preserving public open space and a natural heritage area in the vicinity of the quarries at Gollierstown as part of this specific local objective. Zoning the buffer area adjacent to the canal for Objective OS 'To preserve and provide for open space and recreational amenities', as the Grand Canal pNHA is already zoned in the current County Development Plan, would seem the most suitable course of action. [PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#)
10. Submission states that an enlarged buffer area as proposed would allow the laying out of a route for the proposed continuation of the Greenway from the 12th Lock to Hazelhatch parallel to Grand Canal without it directly impinging on the pNHA, the high biodiversity and biological value of which along this section of the canal would preclude routing a cycleway through it. The potential for cumulative and in combination effects on the Grand Canal pNHA resulting from the proposed rezoning and the development of the Greenway along the canal, and particularly with regards to increased disturbance and lighting, is identified in Table 6.2 of the SEA Environmental Report. Diversion of the Greenway through the proposed buffer zone of the pNHA should reduce such cumulative effects. ([PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#))
11. Submission on behalf of the DCHG welcomes the decision to relocate the proposed crossing point for the Western Orbital Route away from the Grand Canal. However the Department retains its concerns regarding the overall principle of this road, as detailed in the SEA ER for the County Development Plan 2016-2022 which sets out in Table 6.2 that 'A requirement to assess the need

for this road should be undertaken prior to route selection.' ([PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#))

12. Submission on behalf of the Department of Culture, Heritage and the Gaeltacht states that every effort should be made to incorporate existing hedgerows and treelines into any proposed new development and any loss of such habitats will need to be mitigated in advance of development to ensure no net loss of biodiversity and to ensure the continued presence of the eight species of bats. In addition, where the hedgerows are used by bats for the purposes of navigation it will be important that such hedgerows are not light at night as well as the canal also not being light at night. It is stated in the SEA ER that the hedgerows and treelines are of low value. The opportunity should be taken to improve their ecological value as part of any proposed development. ([PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#))
13. The Department of Culture, Heritage and the Gaeltacht submission states that an effective approach to minimising the impact of the development of the Variation lands on flora and fauna would be for South Dublin County Council to prepare a Biodiversity Management Plan (BMP) for the entire area of the Variation lands and incorporate it into the planning framework for this area before any proposals to develop these lands on a piecemeal basis are brought forward. As owner as well as planning authority for the Variation lands, South Dublin County Council has the unusual opportunity to plan and manage the development of these lands, so as to preserve as much as possible of their biodiversity, while at the same time facilitating the establishment of new employment providing industrial enterprises. The Council should take up the opportunity available to draw up a single coherent BMP for the Variation lands, which in particular should allow the preservation (or establishment) of viable wildlife corridors, as well as conserving the most biologically valuable features of this area and especially the adjacent Grand Canal pNHA. ([PV12CDP0003, Manager Dau, Dept. of Culture, Heritage and the Gaeltacht](#))
14. Submission on behalf of the Eastern and Midlands Regional Assembly notes the proximity of the lands to the Grand Canal pNHA and in the vicinity of the historic canal quarries of Gollierstown and welcomes the inclusion of the Strategic Environmental Objectives for the protection of the natural habitats and heritage features as part of the SEA Environmental Report. ([PV12CDP0015, Jim Conway, Eastern and Midland Regional Assembly](#))
15. Submission raises concerns regarding any proposals by SDCC to continue the Green Route westwards along the south side of the canal would cause immense damage to the wildlife habitats of the existing undisturbed bank. ([PV12CDP0012, John Power](#))

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

The Chief Executive has carefully considered the issues raised in relation to potential environmental impacts of Proposed Variation No.1 and provides responses and recommendations under the following subheadings:

- Biodiversity
- Western Orbital Route
- Buffer Zone along watercourse network
- Archaeology
- Phasing

## Biodiversity

There are a number of existing policies and objectives within the County Development Plan 2016-2022 relating to the protection and enhancement of biodiversity within the County, as well as protecting water bodies and watercourses (Table 4 below). All development proposals must comply with the existing policies and objectives within the Development Plan, including the preparation of an ecological assessment on sites that have the potential to impact on environmentally sensitive sites. This includes sites that are protected under EU and National Legislation; sites that may be in use by, or contain protected species or habitats; or sites that are in proximity to significant watercourses. Given the proximate relationship of the subject lands to the Grand Canal pNHA, an ecological assessment would be considered necessary for development proposals to comply with the requirements of the County Development Plan.

Notwithstanding the existing policies and objectives in the Development Plan, it is recommended in the SEA Environmental Report (Table 8.1 Mitigation Measures) for a Biodiversity Management Plan to be prepared for the subject lands. The support for the preparation of a Biodiversity Management Plan has been noted in a number of submissions received. The Chief Executive agrees with this recommendation and while it has been noted in the Planning Report that a Masterplan will be prepared for the subject lands to ensure development occurs in a phased and sustainable manner, it is recommended that additional wording can be added to Chapter 11- Implementation (Section 11.5.5 Landscape (i) Ecological Protection) to further support existing policies and objectives in the Plan and to reinforce the mitigation measures as detailed in the SEA Environmental Report.

**Table 4: Existing Policies and Objectives in South Dublin County Council Development Plan 2016-2022**

<b>Chapter 4 Economic Development and Tourism</b>	
ET3 Objective 5	To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.
<b>Chapter 7 Infrastructure and Environmental Quality (IE)</b>	
IE2 Objective 9	To protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, within the County from inappropriate development. This will include protection buffers in riverine and wetland areas as appropriate (see also Objective G3 Objective 2 – Biodiversity Protection Zone).
IE7 Objective 5	To ensure external lighting schemes minimise light spillage or pollution in the immediate surrounding environment and do not adversely impact on residential or visual amenity and biodiversity in the surrounding areas.
<b>Chapter 8 Green Infrastructure (G)</b>	
G2 Objective 6	To protect and enhance the County's hedgerow network, in particular hedgerows that form townland, parish and barony



	boundaries, and increase hedgerow coverage using locally native species.
G3 Objective 2	To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic Green Routes and Trails identified in the South Dublin Tourism Strategy, 2015; the Greater Dublin Area Strategic Cycle Network; and other government plans or programmes will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments, as these routes increase the accessibility of the Green Infrastructure network.
G3 Objective 5	To restrict the encroachment of development on watercourses, and provide for protection measures to watercourses and their banks, including but not limited to: the prevention of pollution of the watercourse, the protection of the river bank from erosion, the retention and/or provision of wildlife corridors and the protection from light spill in sensitive locations, including during construction of permitted development.
<b>Chapter 9 Heritage, Conservation and Landscapes (HCL)</b>	
HCL Policy 11 Grand Canal	It is the policy of the Council to promote the Grand Canal as a key component of the County's Green Infrastructure network and to protect and enhance the visual, recreational, environmental, ecological, industrial heritage and amenity value of the Grand Canal (pNHA) and its towpaths, adjacent wetlands and associated habitats.
HCL11 Objective 1	To protect and enhance the important biodiversity resource offered by the Grand Canal.
HCL11 Objective 2	To facilitate the development of the Grand Canal as a recreational route for walking, cycling, nature study and water based activities including fishing, canal boating, rowing and canoeing/kayaking, subject to appropriate environmental safeguards and assessments.
HCL11 Objective 3	To ensure that development along or adjacent to the Grand Canal contributes to the creation of an open and integrated network of walking and cycling routes that integrate with the Grand Canal Way Green Route.
HCL11 Objective 4	To ensure that development along or adjacent to the Grand Canal protects, incorporates and enhances built and industrial heritage features, particularly historic canal and mill buildings, and also sets out to protect the setting of such built heritage features.
HCL11 Objective 5	To ensure that development along and adjacent to the Grand Canal protects and incorporates high value natural heritage features including watercourses, wetlands, grasslands, woodlands, mature



	trees, hedgerows and ditches and includes for an appropriate set-back distance or buffer area from the pNHA boundary to facilitate protected species, biodiversity, and a fully functioning Green Infrastructure network.
HCL11 Objective 6	To enhance the industrial heritage and the recreational and amenity potential of the 12th Lock and pursue the protection and conservation of the rich natural, built and cultural heritage of the area including natural habitats and ecological resources along the Grand Canal and Griffeen River.
HCL11 Objective 7	To seek the extension of the Grand Canal Way Green Route from the 12th Lock to Hazelhatch in partnership with Waterways Ireland and Kildare County Council.
HCL Policy 13 Natural Heritage Areas	It is the policy of the Council to protect the ecological, visual, recreational, environmental and amenity value of the County's proposed Natural Heritage Areas and associated habitats.
HCL13 Objective 1	To ensure that any proposal for development within or adjacent to a proposed Natural Heritage Area (pNHA) is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the pNHA particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats. HCL13 Objective 2: To restrict development within a proposed Natural Heritage Area to development that is directly related to the area's amenity potential subject to the protection and enhancement of natural heritage and visual amenities including biodiversity and landscapes.
<b>Chapter 11 Implementation</b>	
11.5.5 Landscape (i)Ecological Protection	<p>In order to comply with European and National legislation on nature conservation, and to ensure that areas of biodiversity value are adequately protected, an Ecological Assessment will be required for development proposals that have the potential to impact on environmentally sensitive sites. This includes sites that are protected under EU and National Legislation; sites that may be in use by, or contain protected species or habitats; or sites that are in proximity to significant watercourses.</p> <p>All development proposals should seek to enhance biodiversity and avoid or minimise loss of existing local habitats and wildlife corridors.</p> <p>All development proposals shall maintain a biodiversity protection zone of not less than 10 meters from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities (see</p>

	also Section 8.2 Public Open Space Hierarchy and Landscape Setting).
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### Western Orbital Route

It is proposed to realign the route of the proposed Western Orbital Route (north) as part of Proposed Variation No. 1. The realignment is indicative and the exact route location would be subject to detailed design and a separate planning process, including environmental assessments.

It is noted that Policy TM4 Objective 4 in the County Development Plan states “...all road and street networks proposals have regard to pertaining environmental conditions and sensitivities and incorporate appropriate avoidance and mitigation measures as part of any environmental assessments”. Furthermore, it is noted in Table 6.6, Medium to Long Term Road Objectives of the County Development Plan that the Western Orbital Route (north) is a “major regional link between the N7 to N4. Any further connections, and a possible alternative route to the west of Leixlip and/or Celbridge, will be determined in consultation with Kildare and Fingal County Councils, the National Roads Authority and the National Transport Authority. The primary objective of South Dublin County Council in this regard shall be to protect the scenic Liffey Valley parklands and amenities at Lucan Demesne and St Catherine’s Park, and to examine all possible engineering options for a future route so as to minimise the impact on the environment, landscape and amenities.”

There are a number of existing policies and objectives in the County Development Plan with regards to environmental protection and road schemes. While the strategic importance of the Western Orbital Route has long been supported as part of the overall sustainable development of the County, it is recognised that the detailed design and planning procedures will be guided by a statutory environmental assessment process where avoidance and mitigation measures will be considered as part of the assessments.

### Buffer Zone along watercourse network

The submission of Department of Culture, Heritage and the Gaeltacht recommends a setback of up to 100 metres from the Grand Canal pNHA for all buildings on the proposed lands at Grangecastle. It notes that Clonburris SDZ Planning Scheme has proposed a setback of 50 metres from the boundary of the pNHA for all buildings, with a 30 metres setback for development, with the exception of bridges and footpaths.

It is considered that the proposal to zone a 100 metre set back from the pNHA to Objective OS (Open Space) would be unduly restrictive on potential land use activities. The lands within the Clonburris SDZ are zoned for mixed use development; however a suitable setback from pNHA was determined following the completion of a number of ecological surveys, which identified the areas of greatest ecological sensitivity. It is recommended that the Biodiversity Management Plan (BMP), being based on more detailed surveys of the buffer area adjacent to the Grand Canal pNHA, identify areas of greatest ecological sensitivity that will allow for a wider buffer in certain areas, up to 100 metres.

### Archaeology

HCL Policy 2 Archaeological Heritage of the South Dublin County Council Development Plan 2016-2022 states “It is the policy of the Council to manage development in a manner that protects and conserves

*the Archaeological Heritage of the County and avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest.” All development proposals on the subject lands must fully comply with this policy and associated objectives.*

### Phasing

Section 11.2.2 of the South Dublin County Council Development Plan 2016-2022 states the following: *“Local Area Plans, Strategic Development Zone Planning Schemes or Framework Plans will be prepared by the Council for growth areas and urban centres that are likely to undergo significant development during the life of the County Development Plan. These plans will include a Masterplan/Urban Design Framework that will guide the future development of these areas. The Planning Authority may also prepare Masterplans, or request them for areas that are considered to require an integrated design approach. The key considerations and outcomes to be addressed by Masterplans are listed in Table 11.17.”*

Table 11.17 outlines the key considerations to be addressed in a masterplan. Phasing is one of the key considerations detailed with the following outcomes to be contained:

- Division of the site/development into manageable sections for detailed design and assessment.
- A logical programme for development that ensures the coordinated and incremental development of the lands.
- Identification of critical infrastructure (such as streets, parks, schools and community facilities) with delivery linked to the completion of individual phases.

In that regard, a detailed Masterplan for the subject lands will be prepared as required in accordance with Table 11.17 of the County Development Plan 2016-2022.

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

It is recommended that additional wording be added to the South Dublin County Council Development Plan 2016-2022, as detailed below:

Insert the following paragraph into Page 222, Section 11.5.5 ‘Landscape’ of Chapter 11 Implementation, below as part of (i) Ecological Protection:

A Biodiversity Management Plan (BMP) shall be prepared for lands at Grangecastle West (subject of ET3 SLO1) by a qualified ecologist and be guided by relevant best practice guidelines and established techniques for habitats and species present on the lands.

The BMP shall incorporate the following measures:

- The preservation of existing hedgerows, treelines, woodland, scrub and other semi-natural habitats where possible;
- High value historical boundary hedgerows shall be retained and management details included;
- Where hedgerows, treelines, woodland and other semi-natural habitats are to be retained within the lands, details of their management and protection should be provided in a Habitat Management Plan (HMP); and
- Opportunities to enhance the biodiversity value of SUDS measures where relevant should be included in habitat management plans.
- Protection measures for species, including species of conservation interest protected under the EU Habitats and Birds Directives

## 6.5 Variation No.1 Proposed Rezoning

1. Submission on behalf of Solidarity-People Before Profit (Sol-PBP) seek that SDCC use 57 Ha (141 acres) of the 193 Ha (477 acres) owned by the Council at Peamount to build a new town comprising of 2,000 housing units along with retail, school provision, and open spaces. This would be a moderate density development of 35 housing units to the Ha which is similar in density to Adamstown, the Fortunestown LAP or the proposed Grange/Kilcarbery development. ([PV12CDP0013, Madeleine Johansson, People Before Profit](#))

### Chief Executive's Response

The Chief Executive acknowledges the submission outlining a proposal for a new town in the County. The proposal to rezone lands at Peamount is outside the remit of Variation No. 1 as currently proposed and would require a further variation to the Development Plan 2016 – 2022.

Notwithstanding the above, it is considered that the proposal for additional residentially zoned lands outside of established towns and villages would be at variance with the overarching policies and objectives of The National Planning Framework (NPF) (2018). The NPF targets a significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas. This means encouraging consolidation within existing zoned urban areas rather than 'greenfield' housing development. The proposed lands at Peamount constitute greenfield development and its development as a 'new town' would be contrary to national policy.

It should be noted that the Core Strategy of the County Development Plan 2016-2022, including its settlement strategy was prepared in accordance with the Regional Planning Guidelines and ensures that there are sufficient zoned lands in the County to provide for housing need and ensures that such lands are located appropriately within a defined settlement hierarchy. As indicated in Tables 1.8, 1.9 and 1.10 of the County Development Plan, provision has been made for 1,195 Hectares of lands that are zoned for residential development within the County. These include significant land banks at Adamstown and Clonburriss Strategic Development Zones (SDZ's) and Kilcarbery, which are all within 4 kilometres of the subject lands.

These lands zoned for residential development in the County are sufficient to provide for the housing needs of the County up to circa 2025 (41,143 dwellings), with any additional housing to be provided on urban brownfield lands and lands proximate to major public transport nodes.

### Chief Executive's Recommendation

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

## 6.6 Variation No.1 Strategic Flood Risk Assessment

1. Submission states that the SFRA does not identify the River Catchments on the maps. It is also noted in the submission that there is no mention in the SFRA of the off river attenuation above Greenogue Industrial Estate. Further notes that the flow split of the Griffeen/Commons River immediately north of Alymer Road is not identified on the maps. ([PV12CDP0012, John Power](#))

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

The Chief Executive acknowledges the submission and the concerns raised in relation to the Strategic Flood Risk Assessment as part of Proposed Variation No. 1.

A number of specific technical comments raised relate to areas outside of the remit of the Proposed Variation or the County Development Plan process. All mapping displayed within the Strategic Flood Risk Assessment (SFRA) report for Proposed Variation No.1 was harvested from the following sources/websites, which were deemed to be the most up-to-date information available at the time of writing the SFRA report;

- RPS - Strategic Flood Risk Assessment for SDCC Development Plan 2016 - 2022
- Eastern CFRAM Study - [www.maps.opw.ie](http://www.maps.opw.ie)
- National Flood Hazard Mapping Web Site - [www.floodmaps.ie](http://www.floodmaps.ie)
- National CFRAM Programme - Interactive Mapping - [www.cfram.ie](http://www.cfram.ie)

Regarding specific comments in relation to the Grand Canal and its overflow water discharge and the culvert of the Tobermaclugg Stream, further investigative works will be carried out prior to development proceeding on these lands, as part of the Development Management process. SDCC will fully engage with Waterways Ireland where appropriate.

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

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

## **6.7 Variation No.1 Public Amenity**

1. Submission acknowledges the need for the health and recreation wellbeing of its population to be maintained. States that a regional park was proposed in the area around Peamount Hospital for social care and recreation facilities, which were to be linked in with the natural biodiversity of the canal and its surroundings. Submission states that a more creative approach should be taken to the rezoning proposal taking into consideration the uniqueness of this area of the County. ([PV12CDP0008, Patrick McCormack](#))

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

The Chief Executive acknowledges the contents of the submission. It is the policy of the Council to support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces (Policy G4 Objective 1 of County Development Plan 2016-2022).

Table 3.2 of the County Development Plan details the County's open space hierarchy, comprising Regional, Neighbourhood, Local and Small Parks, in addition to Squares and Plazas. Regional Parks (e.g. Dodder Valley Park) are typically between 100-200 hectares in area and have a district wide catchment. The provision of a regional park in the west of the County must be considered in a broader context, where its location can be supported by adjoining uses. The provision of a regional park is therefore considered premature, pending a review of the County Development Plan to ascertain its requirement in the context of the County's settlement hierarchy.

Notwithstanding the above, the proposed variation for change of land use zoning from Objective RU to Objective EE pertains only to establishing the principle of certain land uses. As recommended in Section 6.4 above, subject to the zoning of the lands, a Biodiversity Management Plan will be prepared, with key considerations to be addressed including retention of significant natural features and Green Infrastructure links, such as trees, hedgerows and watercourses and their integration as part of the overall development of the subject lands. Furthermore, a masterplan will be prepared by SDCC, which will set out the guiding principles to optimise the use of zoned lands, including appropriate integration of open space and landscaping.

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

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

### **6.8 Variation No.1 General**

1. Submission states that local youth access to a musical education should be enabled through the provision of musical instruments to young students. It should encourage the art of music performance, music education to Royal Irish Academy of Music Examination standards and should maintain the high standards of the community band Clondalkin Youth Band. Each student would receive an instrument on loan for a period of two years. An initial requirement of 20 instruments would suffice at cost of €20,000. The purchase of training equipment to undertake the two year project at a cost of €10,000 Total expenditure over two years €30,000. ([PV12CDP0002, Vincent Dolan, Clondalkin Youth Band](#))
2. Irish Aviation Authority (IAA) note the Proposed Variation No.1 (Zoning Amendment to Lands at Grangecastle West) and have no observations to make regarding same. ([PV12CDP0017, Deirdre Forrest, Irish Aviation Authority](#))

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

The Chief Executive acknowledges the contents of the submission and supports the development of the arts and is committed to providing opportunities for all who live in, work in and visit the County. The South Dublin County Council Arts Development Strategy (2011) provides for the development of an arts service that is inclusive, accessible and sustainable for the County's communities.

Specific considerations regarding musical education and grant awards is beyond the strategic land use and planning remit of a County Development Plan and cannot be achieved or actioned through same.

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

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

### **Variation No.1 Errors and Discrepancies**

1. Submission from Kildare County Council (KCC) notes that there are discrepancies in the extent of land outlined in the proposed variation and the lands outlined in the accompanying SEA report. The lands outlined in the SEA report appear to extend beyond the line of the realigned proposed road and adjoin the County Kildare Boundary. ([PV12CDP0014, Peter Minnock, Kildare County Council](#))

2. Submission from Department of Culture, Heritage and the Gaeltacht note some errors in the reports:
  - a. Page numbering starts at Page 0 after Page 40;
  - b. The stream noted as flowing through the site has been given a number of different names;
  - c. Section 4.9 material assets of the SEA ER states that there are two towpaths along the Grand Canal. Along the section of the grand canal adjacent to the variation lands there is only one towpath on the northern bank and no towpath on the southern bank;
  - d. Biodiversity Flora and Fauna SEO's are referred to as BFF1, BFF2 and BFF3 and also as BF1, BF2 and BF3. ([PV12CDP0003, Manager Dau, Dept. of Arts, Heritage and the Gaeltacht](#))

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

The content of the submissions in relation to naming and numbering errors have been noted and amendment to the supporting documents for the Proposed Variation is recommended to correct these minor errors.

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

It is recommended that the SEA report accompanying Proposed Variation No. 1 be amended to reflect the following:

- Correct page numbering;
- The Strategic Environmental Objectives (SEO) for Biodiversity Flora and Fauna to be universally referred to as BFF within the SEA report;
- The map of the proposed lands subject of the proposed variation, will be amended accordingly in the SEA report to reflect the lands as detailed in the public display material;
- Discrepancies in the name of the stream will be amended accordingly;
- Section 4.9 of the SEA ER will be amended to reflect the presence of one towpath along the Grand Canal.

## **7.0 Issues Directly Relating to Proposed Variation No. 2 – Vacant Site Levy**

### **7.1 Variation No.2 Strategic Policy**

1. Submission on behalf of the DHPLG supports the proposed variation and considers that it has a strong basis within the Development Plan for the Council undertaking measures to implement the Vacant Site levy and other actions to assist in the development of underutilised and vacant sites within South Dublin County Council area. ([PV12CDP0009, Minister for Housing, Planning and Local Government, Department of Housing, Planning and Local Government](#))
2. Submission on behalf of the Eastern and Midland Regional Assembly notes that the Proposed Variation relating to the Vacant Site Levy is consistent with the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. ([PV12CDP0015, Jim Conway, Eastern and Midland Regional Assembly](#))

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

The Chief Executive acknowledges the support of the Minister for Housing, Planning and Local Government and of the Eastern and Midland Regional Assembly for the proposed variation to the County Development Plan, implementing 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.

## **7.2 Variation No.2 Environmental Considerations**

1. EPA state in their submission that where any brownfield lands are proposed for reuse / regeneration, these should be appropriately remediated to avoid or minimise any potential significant environmental impacts or human health impacts that may arise. ([PV12CDP0001, Cian O'Mahony, Environmental Protection Agenc](#))
2. EPA states that the SEA/AA assessments should consider and provide information on aspects such as contaminated soil removal / remediation, noise and air quality, waste management, possible service infrastructure provision issues, possible presence of invasive species and ensuring appropriate management / control, implications for biodiversity etc. Where these have been provided for in the County Development Plan, a table showing the key policies/objectives would be useful to clearly show how environmental sensitivities would be taken into account ([PV12CDP0001, Cian O'Mahony, Environmental Protection Agenc](#))
3. The EPA note in their submission the position of SDCC with regards to the need for Strategic Environmental Assessment (SEA) of the Proposed Variation No.2 of the County Development Plan 2016-2022, i.e. it has been determined that a SEA was not required. ([PV12CDP0001, Cian O'Mahony, Environmental Protection Agenc](#))

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

The Chief Executive acknowledges the submission of the Environmental Protection Agency (EPA).

A number of the points of information raised by the EPA are adequately addressed by existing policies and objectives in the Development Plan that every development must adhere to; for example, Policy IE2 Objective 10 states the following: *"To require adequate and appropriate investigations to be carried out into the nature and extent of any soil and groundwater contamination and the risks associated with site development work, in particular for brownfield development."*

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

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



### 7.3 Variation No.2 General

1. Transport Infrastructure Ireland (TII) note the Proposed Variation No.2 (Vacant Site Levy) and have no observations to make regarding same. ([PV12CDP0011, Tara Spain, Transport Infrastructure Ireland](#))

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

The Chief Executive notes the submission of Transport Infrastructure Ireland regarding Proposed Variation No.2.

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

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

## 8.0 Chief Executive's Summary of Recommended Amendments

The table below provides a summary of the recommended amendments to the Proposed Variations to the South Dublin County Council Development Plan 2016-2022, as detailed in this report above.

Section	Category Issue	Recommended Amendments
SEA Environmental Report for Proposed Variation No.1	Variation No.1 Error and Discrepancies	<ul style="list-style-type: none"> <li>• Correct page numbering;</li> <li>• The Strategic Environmental Objectives (SEO) for Biodiversity Flora and Fauna to be universally referred to as BFF within the SEA report;</li> <li>• The map of the proposed lands subject of the proposed variation, will be amended accordingly in the SEA report to reflect the lands as detailed in the public display material;</li> <li>• Discrepancies in the name of the stream will be amended accordingly;</li> <li>• Section 4.9 of the SEA ER will be amended to reflect the presence of one towpath along the Grand Canal.</li> </ul>
Chapter 11 Implementation, South Dublin County Council Development Plan 2016-2022	Variation No.1 Environmental Considerations	<p>Insert the following paragraph into Page 222, Section 11.5.5 'Landscape' of Chapter 11 Implementation</p> <p>(i) Ecological Protection</p> <p>A Biodiversity Management Plan (BMP) shall be prepared for lands at Grangecastle West (subject of ET3 SLO1) by a qualified ecologist and be guided by relevant best practice guidelines and established techniques for habitats and species present on the lands. The BMP shall incorporate the following measures:</p> <ul style="list-style-type: none"> <li>– The preservation of existing hedgerows, treelines, woodland, scrub and other semi-natural habitats where possible;</li> <li>– High value historical boundary hedgerows shall be retained and management details included;</li> <li>– Where hedgerows, treelines, woodland and other semi-natural habitats are to be retained within the lands, details of their management and protection should be provided in a Habitat Management Plan (HMP); and</li> <li>– Opportunities to enhance the biodiversity value of SUDS measures where relevant should be included in habitat management plans.</li> <li>– Protection measures for species, including species of conservation interest protected under the EU Habitats and Birds Directives</li> </ul>

## 9.0 Conclusion

Following a meeting on the 12<sup>th</sup> February 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 two proposed variations. The proposed variations relates to the following:

### Proposed Variation No.1 - Zoning Amendment to Lands at Grangecastle West

It is proposed to change the zoning objective of 193 hectares of land from zoning objective RU (Rural and Agriculture) to objective EE (Enterprise and Employment). These lands are located in the townlands of Loughtown Upper and Milltown, which are south of the Grand Canal and west and north of the R120, adjoining the existing Grange Castle Business Park. It is also proposed to realign the indicative route for the Western Dublin Orbital Route (North).

### Proposed Variation No.2 - Vacant Site Levy

The proposed variation provides for the incorporation of new requirements introduced by the Urban Regeneration and Housing Act 2015 in respect of the implementation of the Vacant Site Levy in the written statement.

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, the proposed variation provides for the inclusion of mandatory objectives for the development and renewal of areas that are in need of residential development and/or regeneration and the identification of areas in need of residential development and/or regeneration which may be subject to the application of the vacant site levy in the future.

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 4.0, the most prominent issues emerged in relation to Proposed Variation No.1 (Zoning Amendment to Lands at Grangecastle West) under the categories of Environmental Considerations, Traffic, Transport and Noise and Strategic Policy. These issues and associated categories are addressed below.

Under the category 'Environmental Considerations', the primary matters raised related to the potential impact of the proposed variation on the Grand Canal pNHA and on existing natural biodiversity in the area. It is considered that the development of a Biodiversity Management Plan, as recommended, would provide greater detail regarding the management and maintenance of biodiversity in the area. It is also noted that there are a significant number of existing policies and objectives within the County Development Plan 2016-2022 relating to the protection and enhancement of biodiversity within the County, as well as protecting water bodies and watercourses.

Under the category 'Traffic, Transport and Noise', issues were raised with regards to the proposed location of the Western Orbital Route (north). The final route selection and detailed design of this strategic road is yet to be confirmed, and will be subject to a separate process, complete with an

associated public consultation period. The requirement for Mobility Management Plans/Workforce Plans and/or Traffic and Transport Assessments are recognised and would be addressed as part of the Development Management Process. Any development proposals with the potential to give rise to significant noise impacts may require a Noise Impact Assessment and mitigation plan to minimise noise disturbances and protect the amenities of the area. The consideration and assessment of these issues would be addressed as part of the development management process.

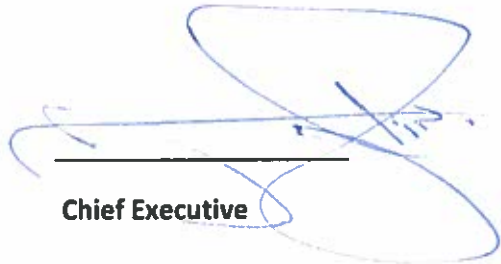
Under the 'Strategic Policy' category, the Department of Housing, Planning and Local Government confirmed in their submission that Proposed Variation No.1 and Proposed Variation No.2 are fully in compliance with national, regional and local policy. The employment lands at Grangecastle, as outlined in Proposed Variation No.1, are strategically located adjacent to an established cluster of enterprise and employment uses, which will serve to optimise existing infrastructural investment, to develop complimentary employment uses, whilst creating opportunities for synergistic benefits in terms of innovation, research and development, employment and enterprise; all critical objectives to development that are supported by the National Planning Framework (NPF). As part of the development of this land, a masterplan will be prepared by SDCC, which will outline the phased and sequential development of the relevant lands, ensuring the appropriate integration of development with the surrounding context, addressing environment considerations and ensuring development takes place in accordance with the proper planning and sustainable development of the area.

A number of other issues were raised during the consultation process regarding residential development, flood risk management and masterplanning. A proposal to rezone a portion of lands at Peamount for residential use (instead of the proposed enterprise and employment use) was submitted. While this proposal is outside of the remit of the variation as currently proposed, the National Planning Framework (NPF) does not support the development of a new town on greenfield lands, and encourages the consolidation of urban development on brownfield/infill sites. Furthermore, the Core Strategy of the County Development Plan 2016-2022 including its settlement strategy was prepared in accordance with the Regional Planning Guidelines and ensures that there are sufficient zoned lands in the County to provide for housing need and ensures that such lands are located appropriately within a defined settlement hierarchy. Provision has been made for 1,195 hectares of lands that are zoned for residential development within the County. These include significant land banks at Adamstown and Clonburris Strategic Development Zones (SDZ's) and Kilcarbery which are all within 4 kilometres of the subject lands. The lands zoned for residential development are sufficient to provide for the housing needs of the County up to circa 2025 (41,143 dwellings), with any additional housing to be provided on urban brownfield lands and lands proximate to major public transport nodes.

Issues raised regarding clarification of information contained within the Strategic Flood Risk Assessment (SFRA) pertained to lands outside of the proposed variation and would not prejudice the basis of the report. Notwithstanding this, the overall SFRA for the County Development Plan and the flood risk assessment report carried out for the proposed variation place the subject lands in Flood Zone C i.e. where the probability of flooding is low, less than 0.1%.

In relation to Proposed Variation No.2 (Vacant Site Levy), there were no main issues or concerns raised with regards to the variation as proposed. The Department of Housing Planning and Local Government supported the inclusion of policies and objectives implementing the Vacant Site Levy.

Taking account of the proper planning and sustainable development of the County, it is recommended that Proposed Variation No.1 and Proposed Variation No.2 to the South Dublin County Council Development Plan 2016 – 2022 be made in accordance with the recommendations of this report.



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**Chief Executive**

10/4/18

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**Date**

### PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004-2011 NOTICE OF PROPOSED VARIATIONS NO.1 AND NO. 2 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 at its meeting on 12th February 2018, South Dublin County Council initiated variations 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. 1 - Zoning Amendment to Lands at Grangecastle West

It is proposed to change the zoning objective of 193 hectares of land from zoning objective RU (Rural and Agriculture) to objective EE (Enterprise and Employment). These lands are located in the townlands of Loughtown Upper and Milltown, which are south of the Grand Canal and west and north of the R120, adjoining the existing Grange Castle Business Park. It is also proposed to realign the indicative route for the Western Dublin Orbital Route (North). The reason for the proposed variation is to ensure the availability of sufficiently zoned land for enterprise and employment in an established economic cluster that has been subject to significant investment in high quality infrastructure and services, thereby facilitating the future growth and development of employment and enterprise opportunities in South Dublin County in a sustainable and orderly planning manner.

#### Accompanying Proposed Variation No. 1 is:

- A Planning Report.
- Amended Development Plan Maps No. 3 and 4.
- A Strategic Flood Risk Assessment, in accordance with the requirements of 'The Planning System and Flood Risk Guidelines for Planning Authorities' (2009).
- 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.
- An Appropriate Assessment (AA) Screening Report and determination in accordance with the requirements of Article 6(3) of the EU Habitats Directive (DIR 92/43/EEC).

An Environmental Report, in accordance with the Planning and Development (SEA) Regulations 2004-2011 has been carried out. South Dublin County Council has determined, following Appropriate Assessment Screening under Article 6(3) of the Habitats Directive, that further Appropriate Assessment (AA) of Proposed Variation No. 1 is not necessary, as implementation of the variation would not be likely to have significant effects on the Natura 2000 network of sites. A copy of the SEA Screening and Scoping Reports, the Environmental Report and AA Screening Statement and Determination are available for public inspection with the proposed variation.

#### Proposed Variation No. 2 - Vacant Site Levy

The proposed variation provides for the incorporation of new requirements introduced by the Urban Regeneration and Housing Act 2015 in respect of the implementation of the Vacant Site Levy in the written statement. In accordance with the provisions of the Urban Regeneration and Housing Act 2015, the proposed variation provides for the inclusion of mandatory objectives for the development and renewal of areas that are in need of residential development and/or regeneration and the identification of areas in need of residential development and/or regeneration which may be subject to the application of the vacant site levy in the future.

#### Accompanying the proposed variation is:

- A Planning Report.
- A Strategic Environmental Assessment (SEA) Screening Report and determination in accordance with the SEA Directive (DIR 2001/42/EC) and pursuant to the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011.

- An Appropriate Assessment (AA) Screening Report and determination in accordance with the requirements of Article 6(3) of the EU Habitats Directive (DIR 92/43/EEC).

South Dublin County Council has determined, following screening for Strategic Environmental Assessment in accordance with the Planning and Development (SEA) Regulations 2004-2011 and Appropriate Assessment Screening under Article 6(3) of the Habitats Directive, that further Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) of Proposed Variation No. 2 is not necessary, as implementation of the variation would not be likely to have significant effects on the environment including the Natura 2000 network of sites. A copy of the SEA Screening Report and AA Screening Statement and Determinations are available for public inspection with the proposed variation.

#### Public Display:

The Proposed Variations No. 1 and No. 2 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 **Friday 16th February 2018 to Friday 16th March 2018** (both dates inclusive) during normal opening hours at County Hall Tallaght, the Civic Offices Clondalkin 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 these proposed variations can be made in writing to the address below no later than **4.00pm 16th March 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. 1 South Dublin County Council Development Plan 2016-2022 -Grangecastle West or Proposed Variation No. 2 South Dublin County Council Development Plan 2016-2022- Vacant Site Levy. 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.sdblincoco.ie/> up to **12.00 midnight on 16th March 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 variations received within the timeframe will be taken into consideration before the making of the proposed variations.

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





South Dublin County Council

# Development Plan 2016 – 2022

April 2018  
Land Use Planning and  
Transportation Department  
South Dublin County Council