## **COMHAIRLE CONTAE ÁTHA CLIATH THEAS** **SOUTH DUBLIN COUNTY COUNCIL**

Minutes of South Dublin County Council Development Plan Adjourned Meeting held on Thursday 3rd March 2022, remotely via Microsoft Teams

**PRESENT**

|  |  |  |
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| **Councillors**  Bailey, C. |  | **Councillors**  Lawlor, B**.** |
| Carey, W. |  | McCrave, L. |
| Casserly, V.  Collins, Y. |  | McMahon R.  McManus, D. |
| Costello, T |  | Moynihan, S. |
| Donaghy, L.  Dunne, L. |  | Murphy, E.  O Brádaigh, D. |
| Edge, A. |  | O’Brien, E. |
| Egan, K. |  | Ó’ Broin, E. |
| Gilligan, T. |  | O’Connell, G. |
| Gogarty, P.  Hayes, A. |  | O’Connor, C  O’Hara, S. |
| Holohan, P. |  | O’Toole, L. |
| Johansson, M. |  | Pereppadan, B. |
| Kavanagh, P.  Kearns, P.  King, C.  . |  | Sinclair, L.  Timmons, F  Tuffy, J. |
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### **OFFICIALS PRESENT**

|  |  |  |
| --- | --- | --- |
| Chief Executive | D. McLoughlin | |
| Directors / Heads of Function | M. Mulhern |
| Senior Executive Officer  Senior Planner | M. Maguire  H. Craigie | |
| Senior Executive Planners  Executive Planners  Assistant Planners | S. Willoughby, A. Hyland  S. Geoghegan, L. Clarke. T. Mc Gibbon  B. Duignan, C. Bleytou | |
| T/ Graduate Planner  Chief Technician  Heritage Officer  Architectural Conservation Officer  Senior Parks Superintendent  Administrative Officer  Senior Staff Officer  Assistant Staff Officer | F. Redmond  L. Mc Evoy  R. Dwyer  I. Mc Loughlin  S. Furlong  F. Campbell  E. Colgan  M. Dunne | |

An Apology was received from Councillor M. Duff

The Mayor P. Kavanagh presided and outlined how the meeting(s) would proceed including how Members would consider Motions, submitting and making amendments to motions, consideration of **HI 2** - CE Recommendation for which no motion has been submitted, consideration of **HI 3** - CE Amendments to the Draft Plan, and **HI 5** Resolution of the Council - at appropriate stage.

The Mayor also drew attention to the Code of Conduct for Councillors and Part 15 of the Local Government Act 2001 relating to the Ethical Framework particularly pertaining to conflicts of interest and the planning process.

**Core Strategy & Settlement Strategy (Continued)**

### **DPM22/0322 Item ID:73929**

Proposed by Councillor L. O'Toole, Seconded by Councillor P. Gogarty

Motion in the names of Cllr Liona O'Toole, Guss O'Connell, Paul Gogarty Re: submission SD-C195-151 (Ash Park) That this committee does NOT accept the CE recommendations as stated against submission SD-C195-151 page 187

**REPORT:**

The motion proposes to reject the CE Recommendation to rezone the subject land at Ash Park Court from Objective OS – Open Space to Objective RES – Existing Residential.

This issue was also submitted to the Draft Plan through the public consultation period under submissions SD-C195-151 and the Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Residential and Zoning Submission, pg184-185. Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

It would appear that the subject lands in question serve as vacant and idle space adjoining residential development of Ash Park Court. The subject lands provide for a site c. 7m wide, are heavily vegetated and walled which marks a distinct separation between the Ask Park Court Development and the vacant lands. It is noted that the land is currently in private ownership and does not currently form part of the open space for Ash Park Development. The lands were originally zoned Objective RES as part of previous Development Plan in 1998. In this regard, it is considered that the subject land comprises of a narrow tract of incidental or ‘left-over’ strip of land after the residential development was designed. It should also be noted that the Draft Plan specifically states that “Inhospitable and inaccessible open space comprising narrow tracts, back lands, incidental or ‘leftover’ strips of land should be designed out of all schemes.”

Furthermore, Policy COS5 Objective 17 seeks to ensure that incidental areas of open space which do not function as useable open space and/or are not clearly visible from the public realm, are designed out of a proposed scheme.

It is also worth noting that the Draft Development Plan under section 8.7.3 Quantity of Public Open Space table 8.2 Public Open Space Standards sets a requirement for new residential lands to provide for a minimum of 15% of the site area as public open space. The subject Ash Park development was permitted under Planning Reg. Reference S98A/0200 and S99A/0019 on a site area of c. 8000sqm. The development currently provides for an open space area to the north adjoining the Ash Park Grove Development measuring c. 1239.5sqm which equates to c. 15.5% which exceeds the standards set out in under table 8.2 of the Draft Plan.

While it is noted that mature trees are located adjoining the subject lands, should an application be submitted to redevelop the lands such issues would need to be sensitively incorporated and addressed through mitigation measures to avoid damage to the adjoining lands through appropriate design and layout. In this regard the provisions of section 3.3.6 Protection and Trees and Hedgerows should also be noted in particular NCBH11 Objective 3 where it is an objective of the plan ‘*To protect and retain existing trees, hedgerows, and woodlands which are of amenity and/or biodiversity and/or carbon sequestration value and/or contribute to landscape character and ensure that proper provision is made for their protection and management taking into account Living with Trees: South Dublin County Council’s Tree Management Policy (2015-2020) or any superseding document and to ensure that where retention is not possible that a high value biodiversity provision is secured as part of the phasing of any development to protect the amenity of the area’.*

It is considered that the recommendation of the CE to change the subject lands from OS (Open Space) to Res (existing residential) for this small area of land would provide for a more efficient use of the lands which are in private ownership within the wider Ash Park development, not available to the wider public and are currently lying idle.

**CE Recommendation:**It is recommended that this motion is not adopted and that the subject lands are zoned RES (existing residential) from their current OS (Open Space) zoning.

[M22 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74242)

A discussion ensued with contributions from Councillors L. O’Toole, D. Ó Brádaigh, J. Tuffy, R. McMahon, V. Casserly, C. King, P. Gogarty, W. Carey, P. Kavanagh, T. Gilligan, Mr. M. Mulhern, Director of Services responded to queries raised.

An Amendment to the CE Recommendation was proposed by Councillor T. Gilligan and seconded by Councillor J. Tuffy as follows:

*“Re: submission SD-C195-151 (Ash Park) That this committee accepts the CE recommendations as stated in relation to submission SD-C195-151 page 187 with the provision of a specific local objective to provide low density housing at this location to a maximum of one housing unit, subject to all normal planning application requirements ENSURING PROTECTION OF NEARBY TREES”*

A Roll Call vote on the **AMENDED** wording followed, the result of which was as follows:

**FOR: 29 (Twenty-nine)**

**AGAINST: 4 (Four)**

**ABSTAIN: NIL**

[**Roll Call Vote M 22**](http://www.sdublincoco.ie/Home/ViewDocument/aea50341-0e0a-4513-9374-ae6300fdbe6f)

The Chief Executive’s recommendation as **AMENDED** wa**s AGREED**

### **DPM23/0322 Item ID:73870**

Proposed by Councillor Alan Hayes, Seconded by Councillor T. Gilligan

Chapter 2: Core Strategy and Settlement Strategy, Submission SD-C195-301. Pages 138 & 139 (as amended in Errata document) That no change in zoning take place at lands located at Riversdale House, Old Lucan Road, Palmerstown and the area remains under zoning Objective HA - High Amenity - To protect and enhance the outstanding natural character and amenity of the Liffey Valley, Dodder Valley and Dublin Mountains areas'

**REPORT:**

The motion rejects the CE recommendation to rezone lands at Riversdale House, Old Lucan Road, Palmerstown from Objective HA – High Amenity to Objective RES – Existing Residential.

It should be noted that this issue was raised through the public consultation period under submission SD-C195-301 where the landowner requested these lands forming the rear garden to the existing dwelling be rezoned from HA to existing residential in line with the zoning of the existing dwelling. The Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Core Strategy, pg138-139. It should be further noted that the CE Recommendation for this submission was subject to an erratum which was published following the CE Report correcting the relevant zoning designation to Objective HA – High Amenity zoning of the lands and not Objective OS – Open Space as indicated originally in the CE Report.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

It would appear that the lands in question serve as a private recreational area/garden spaces to the rear of Riversdale House and do not serve or form part of the adjoining residential housing development or agricultural fields. The subject lands comprise of a natural and heavily vegetated boundary that marks a distinct separation between the agricultural land and the space to the rear of Riversdale House. The further agricultural area that extends from this space to the north, functions as a buffer for the River Liffey which is under a Special Amenity Area Order, and it is noted that the boundary of the subject lands/rear garden space is c.82m from the edge of the Special Amenity Area Order area.

Furthermore, the immediate adjacent development of Riversdale Grove, zoned Objective RES – Existing Residential, extends an additional c.59m from the boundary of the subject lands and this residential development is directly adjacent to the Special Amenity Area Order area. It is therefore considered that the rezoning of the subject lands, which are contained and set back, will not unduly impact on the natural amenity or landscape of this area.

Land use zoning objectives do not necessarily follow property boundaries. However, having regard to the permitted uses immediately adjacent, the rationalisation of a small area of land to the rear of an existing dwelling and currently serving as private open space, it is considered appropriate that the subject lands should be re-zoned from ‘HA’ to Objective ‘RES’, thereby providing one single land use class pertaining to the overall existing dwelling and associated private space area.

**CE Recommendation:**It is recommended that this motion is not adopted and as per the CE Report that map 2 of the Draft Plan be amended such that the zoning of these lands would change from HA - To protect and enhance the outstanding character and amenity of the Liffey Valley to RES – existing residential - ‘To protect and/or improve residential amenity’.

[M23 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74235)

Following contributions from Councillors A. Hayes, L. Donaghy, D. Ó Brádaigh, T. Gilligan, Ms Hazel Craigie, Senior Planner responded to queries raised.

The Motion was **AGREED**

### **DPM24/0322 Item ID:73982**

Proposed by Councillor E. Murphy, Seconded by Councillor T. Gilligan

This Motion refers to Land Use Zoning Map Sheet 9, Chapter 2: Core Strategy and Settlement Strategy; CE Report Page Number 150-152; Submission Reference: SD-C195-128 Motion re Lands located between Old Bawn Road, Bohernabreena Road and the Kiltipper Road, Tallaght and adjacent to the Old Mill Development. To amend Map 9 to the subject site (1.6 hectares of lands located between Old Bawn Road, Bohernabreena Road and the Kiltipper Road, Tallaght and adjacent to the Old Mill Development), from 'Objective HA', which seeks 'To protect and enhance the outstanding natural character and amenity of the Liffey Valley, Dodder Valley and Dublin Mountains areas' to 'Objective RES-N, which seeks 'To provide for new residential communities in accordance with approved area plans'.

**REPORT:**

The motion proposes to rezone 1.6 of lands located between Old Bawn Road, Bohernabreena Road and the Kiltipper Road, Tallaght and adjacent to the Old Mill Development from Objective HA to 'Objective RES-N.

It should be noted that this issue was also submitted to the Draft Plan through the public consultation period under submissions SD-C195-128 and the Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Core Strategy, pg150-151.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

The Core Strategy and Settlement Strategy in Chapter 2 sets out population and housing figures which must be consistent with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) as required under the Planning and Development Act 2000 (As Amended). South Dublin County is anticipated to grow by 46,518 persons with the housing target for the County, as set by Ministerial Guidelines and the NPF Road Map, being 17,817 homes between 2021 and 2028. Chapter 2 of the Draft Plan also confirms that the County has enough land for a further 10,470 units (79%) above the net household need and therefore there is no need to re-zone additional lands or zone new additional lands over and above those currently set out under the current 2016 County Development Plan. Having regard to above figures set out in the Core Strategy and the current excess of zoned land, without the need for further zoning, it is considered that there is sufficient flexibility to meet the household requirements for 2031 and potentially up to 2040.

It should be noted that the revised target figures of 15,576 for the 6 year Plan period in response to the Office of the Planning Regulator (OPR) recommendations, set out separately under the response to the OPR in the CE Report, do not impact on the excess land capacity available to meet the revised targets. Therefore, to re-zone or zone new additional lands over and above those currently set out in the Draft Plan would be contrary to National and Regional planning policy.

The subject lands comprise of a visually and environmentally sensitive site along the Dodder River that is zoned ‘HA’ (High Amenity - Liffey Valley, Dodder Valley and Dublin Mountains). The lands are also located in a Site of Geological Interest described as ‘Dodder Terraces’ Site of Geological Interest identified on Map 9 of the Draft Plan. Policy NCB12: Geological Sites and in particular, NCBH12 Objective 1 provides for the protection of the same and seeks ‘To protect identified County Geological Sites from inappropriate development and to promote the importance and potential of such sites through the County’s Heritage Plan.’

Furthermore, NCBH8 Objective 5 specifically seeks to ‘protect the upper Dodder Valley from Old Bawn Bridge to Fort Bridge as an ecological network free from intrusive lighting, facilitating the protection of light-sensitive species availing of the river corridor, and providing an appropriate urban/rural transition experience for all.’ Therefore, it is considered that the provision of housing or related development in the HA-DV zoning would be at variance with overarching policies and objectives relating to the protection of the Dodder Valley.

Having regard to the context set out above and the over capacity of existing zoned lands and impact to natural amenity of the area, it is not appropriate or justified to rezone the subjects to RES-N.

**CE Recommendation:** It is recommended that the motion is not adopted and that the HA-DV zoning is retained on the lands.

[M24 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74258)

A discussion ensued with contributions from Councillors E. Murphy, A. Edge, C. King, L. Dunne, C. O’Connor, P. Holohan, R. McMahon, P. Kavanagh, Mr M. Mulhern, Director of Services and Ms H. Craigie, Senior Planner responded to queries raised.

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM25/0322 Item ID:73865**

Proposed by Councillor R. McMahon, Seconded by Councillor Y. Collins

Ref - SD-C195-204 Page 326 To increase the area of land from 3.27ha to 3.94ha to LC - Local Centre, as per the original submission on behalf of the Dublin GAA County Board - while leaving the restrictions as per the Chief Executive recommendations in EDE 14 SLO 1.

**REPORT:**

The motion proposes to increase the area of land from 3.27ha to 3.94ha to Objective LC – Local Centre.

This issue was submitted to the Draft Plan through the public consultation period under submission SD-C195-204 and the Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Centre Type Rezoning Submission, pg328-329.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

Local Centres are areas which are designated to serve a local catchment within a hierarchy of centre types. The average size of a Local Centre within the entire County is 1.06ha and the largest Local Centre within the Templeogue / Walkinstown / Rathfarnham / Firhouse Neighbourhood in which the Spawell is located, is 1.47ha.

As it stands, the recommended zoning size of 3.27ha far exceeds the average size of Local Centres within the County but reflects the existing built up area within the Spawell lands encompassing a leisure centre and associated recreational uses as well as existing small scale retail and public house.

To extend the lands outside 3.27ha would start to incorporate lands outside the existing built up area and facilitate encroachment onto the existing green areas within these lands. Having regard to the local centre zoning and the need to ensure that existing local centres in the locality are not undermined this would not be appropriate.

It is noted that motion 73869 also relates to the Spawell local centre recommendation and the SLO.

**CE Recommendation:**It is recommended that the motion is not adopted and that the local centre lands encompass an area of 3.27 hectares as set out in the CE Report.

[M25 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74233)

Following contributions from Councillors R. McMahon, P. Kearns, L. Donaghy, Ms H. Craigie, Senior Planner responded to queries raised.

A Roll Call vote on the Motion followed, the result of which was as follows:

**FOR: 9 (Nine)**

**AGAINST: 22 (Twenty-two)**

**ABSTAIN: NIL**

[**Roll Call Vote M 25**](http://www.sdublincoco.ie/Home/ViewDocument/3f5977a8-4439-4237-8d84-ae6e00b03c98)

The Motion **FELL**

### **DPM26/0322 Item ID:73873**

Proposed by Councillor P. Gogarty, Seconded by Councillor G. O’Connell

In names of Cllrs Paul Gogarty, Guss O'Connell, Liona O'Toole (in that order) Ref: Submission SD-C195-161 Hines Real Estate Ireland Limited, page 329 CE Report That Liffey Valley Shopping Centre to be changed from 'MRC - Major Retail Centre' to 'TC Town Centre', a Level 2 Town Centre.

**REPORT:**

The motion proposes that Liffey Valley Shopping Centre be changed from 'MRC - Major Retail Centre' to 'TC Town Centre', a Level 2 Town Centre.

This issue was submitted to the Draft Plan through the public consultation period under submission SD-C195-161 and the Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Centre Type Rezoning Submission, pg329-322. Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

The core principle of the National Planning Framework (NPF) is compact urban growth which will be delivered through the consolidation of the exiting-built footprint of settlements. The Draft Plan prioritises the development of existing zoned lands particularly within MASP Strategic Development Areas namely Adamstown, Clonburris, Tallaght, Naas Road and Fortunestown. It is noted that Liffey Valley has not been identified as a Strategic Development Area within the Metropolitan Area Strategic Plan.

The Core Strategy and Settlement Strategy in Chapter 2 sets out population and housing figures which must be consistent with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) as required under the Planning and Development Act 2000 (As Amended). South Dublin County is anticipated to grow by 46,518 persons with the housing target for the County, as set by Ministerial Guidelines and the NPF Road Map, being 17,817 homes between 2021 and 2028. Chapter 2 of the Draft Plan also confirms that the County has enough land for a further 10,470 units (79%) above the net household need and therefore there is no need to re-zone additional lands or zone new additional lands over and above those currently set out under the current 2016 County Development Plan. Having regard to above figures set out in the Core Strategy and the current excess of zoned land, without the need for further zoning, it is considered that there is sufficient flexibility to meet the household requirements for 2031 and potentially up to 2040.  The revised target figures of 15,576 for the Plan 6-year period in response to the Office of the Planning Regulator (OPR) recommendations, set out separately under the response to the OPR in the CE Report, do not impact on the excess land capacity available to meet the revised targets. Therefore, to re-zone or zone new additional lands over and above those currently set out in the Draft Plan would be contrary to National and Regional planning policy.

In the context of an excess of zoned lands in the County to meet housing targets, the rezoning of Liffey Valley to a ‘TC zoning’ which allows for residential would be contrary to National and Regional Planning Policy.

The Retail Strategy for the Greater Dublin Area 2008 was prepared by the Dublin and the Mid-East Regional Authorities and carried over into the Regional Spatial and Economic Strategy until such time as it may be reviewed. The retail hierarchy as expressed in the GDA strategy identifies Liffey Valley as a Level 2 Retail Centre. The significance of retailing as an employment sector and its role in placemaking is recognised in the NPF and the Regional Spatial and Economic Strategy (RSES). The Retail Planning Guidelines for Planning Authorities, DECLG (2012) and the retail hierarchy set out in the RSES, form the basis for retail planning in South Dublin County.

It is noted that Liffey Valley alongside the Square in Tallaght form the only Level 2 retail centres within the County serving a significant catchment and providing significant employment opportunities. Policy EDE8: Retail of the Draft Plan seeks to “protect the vitality and viability of existing centres in accordance with the retail framework provided by the Retail Planning Guidelines for Planning Authorities (2012, or any superseding guidelines) and EMRA RSES Retail Hierarchy”. Liffey Valley Shopping Centre is designated as a Major Retail Centre (MRC), to reflect the Level 2 Retail designation under the regional retail hierarchy set out in the RSES.

EDE8 Objective 8 of the Draft Plan seeks “To direct new major retail floorspace in the County to designated centres at the appropriate level within the retail hierarchy, and to further direct major retail development in designated centres into the Core Retail Areas”. This objective is further supported by Policy EDE10, specifically through EDE10 Objective 2: “To support and facilitate consolidation of the quantum and quality of the retail offering at the Liffey Valley Major Retail Centre”.

Having regard to Liffey Valley’s position as a Level 2 retail designation under the regional retail hierarchy and to the fact that South Dublin has an excess of zoned lands to facilitate the housing targets for the County, the current Major Retail Centre designation is considered to be appropriate to its function and status.

**CE Recommendation:** It is recommended that this motion is not adopted and that the MRC zoning in the Draft Plan is retained.

[M26 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74236)

A discussion ensued with contributions from Councillors P. Gogarty, M. Johansson, L. Donaghy, J. Tuffy, G. O’Connell, E. Ó Broin, B. Lawlor, W. Carey, Mr M. Mulhern, Director of Services responded to queries raised.

A Roll Call vote on the Motion followed, the result of which was as follows:

**FOR: 10 (Ten)**

**AGAINST: 20 (Twenty)**

**ABSTAIN: NIL**

[**Roll Call Vote M 26**](http://www.sdublincoco.ie/Home/ViewDocument/261b2f6c-c23d-4d10-9ef2-ae6300ff74eb)

The Motion **FELL**

### **DPM27/0322 Item ID:73877**

Submitted by Councillor T. Costello,

Chapter 2 Core Strategy CE Report pages: 308-312 Submission SD-C195-257 To rezone the lands on attached map marked in red from OS and RU to EE and to include a SLO as follows: 'To facilitate warehousing and ancillary uses at the former Hazel Grove Golf Club, Kiltalown, Saggart, off the N81 National Secondary Road subject to proper planning and sustainable development including protection of the operating capacity and safety of the N81 and its junction with Mount Seskin Road.' REASON: National and regional policy is rightly to increase density in urban areas, such as Tallaght. This has a negative impact on necessary, if less valuable, lower order warehouse / distribution land uses, which may be forced to relocate to areas remote from the urban centres. In order to ensure a margin of flexibility in the Development Plan for the facilitation of such lower order warehouse/distribution related uses, including the need to retain such necessary uses within the County, but which are planned to be displaced by higher density residential and mixed use developments from more centrally located lands in the Tallaght area (e.g. Cookstown) and noting the impediments to agricultural use of portion of the lands subject of the submission, it is proposed to rezone lands at Kiltalown, Saggart, as recommended by the CEO, from OS to RU with the addition that the northernmost section in the land holding (bounded to the south by the Irish Water main) be rezoned to EE with an SLO

Councillor T. Costello **AGREED** to **WITHDRAW** the Motion

### **DPM28/0322 Item ID:73862**

Proposed by Councillor K. Egan, Seconded by Councillor B. Lawlor

This motion refers to Chapter 9 Economic Development and Employment, page 308 of the CE's report, submission SD-C195-257 Motion: To rezone this site from RU to EE.

Submitted by Cllr Kenneth Egan and Cllr Brian Lawlor

**REPORT:**

This motion seeks to rezone lands from RU to EE, on lands north of Greenogue Industrial estate.

While the submission referenced is SD-C195-257, the motion clearly relates to submission no. SD-C195-169, see accompanying maps to motions.

**Enterprise and Employment**

The Draft Plan under EDE1 Objective 3 seeks to ensure that there is sufficient supply of zoned and serviced lands at suitable locations in the County to accommodate a range of enterprise and employment development types and to promote growth by strengthening the integration between employment, housing and transportation.

Under Section 2.6.8 Employment Lands, an analysis of available lands which have potential to generate jobs was undertaken as part of the preparation of the Draft Plan. The purpose of this analysis was to ascertain whether sufficient employment lands are zoned to provide for the projected additional workforce for the Plan period up to 2028. Based on the analysis, there is a total capacity, excluding REGEN lands, to develop 624 hectares to facilitate further employment. This would more than meet the projected employment growth of 18,336 jobs over the Plan period set out in Section 2.6.8 of the Core Strategy in the Draft Plan.

Submissions received from the OPR and the EMRA welcomed the evidence-based approach that has informed the strategy in the Draft Plan and considered the lands zoned for employment uses to be compliant with the RSES Guiding Principles for the Dublin Metropolitan Area and employment land and consistent with RPO 4.3.

Objective CS5 Objective 4 sets out the commitment to monitor employment lands within the County. However, the Council does recognise that trends in the wider economy can quickly impact on employment lands, and as such the Council considers it will be important to monitor this situation. For this reason, an objective has been recommended for insertion into the Draft Plan to read:

To ensure, that as part of the two-year statutory review of the

Development Plan, an evidence-based analysis of employment lands will be undertaken and should there be evidence for the need for further employment zoning within the lifetime of the Plan, a Variation to the Plan will be immediately initiated informed by:

* Analysis of the type of employment need
* Analysis of the appropriate location/s to serve such need
* Relevant National and Regional policy and proper planning and sustainable development.

**Flooding**

From the perspective of flooding, the subject lands comprise parcels of land which have been identified as being Flood Zone A (1 in 100-year flood) and Flood Zone B (1 in 1000-year flood) within the Strategic Flood Risk Assessment carried out as part of the review process of the County Development Plan. In this regard the Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009 (FRM Guidelines) set out the following:

The planning implications for each of the flood zones are:

Zone A - *High probability of flooding. Most types of development would be considered inappropriate in this zone. Development in this zone should be avoided and/or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere, and where the Justification Test has been applied. Only water-compatible development, such as docks and marinas, dockside activities that require a waterside location, amenity open space, outdoor sports and recreation, would be considered appropriate in this zone.*

Zone B - *Moderate probability of flooding. Highly vulnerable development, such as hospitals, residential care homes, Garda, fire and ambulance stations, dwelling houses and primary strategic transport and utilities infrastructure, would generally be considered inappropriate in this zone, unless the requirements of the Justification Test can be met. Less vulnerable development, such as retail, commercial and industrial uses, sites used for short-let for caravans and camping and secondary strategic transport and utilities infrastructure, and water-compatible development might be considered appropriate in this zone. In general, however, less vulnerable development should only be considered in this zone if adequate lands or sites are not available in Zone C and subject to a flood risk assessment to the appropriate level of detail to demonstrate that flood risk to and from the development can or will adequately be managed.*

The provisions of the Flood Risk Management (FRM) Guidelines are clear in regard to zoning proposals for such lands with section 4.23 setting out the following: “Having prepared a Strategic Flood Risk Assessment and mapped flood zones as part of its development plan review process and any more detailed flood risk assessments as necessary, situations can arise where a planning authority will need to consider the future development of areas at a high or moderate risk of flooding, for uses or development vulnerable to flooding that would generally be inappropriate as set out in Table 3.2. In such cases, the planning authority must be satisfied that it can clearly demonstrate on a solid evidence base that the zoning or designation for development will satisfy the Justification Test”.

As set out above, the Planning Authority is satisfied that there is no need for further employment lands in the County at this time. Therefore, the need for the zoning of these lands to EE has not been justified and hence the zoning of the lands fails the Justification Test as described in Section 4.23 of the OPW Guidelines, as it relates to Development Plans. It is also noted that the Camac River is the subject of a Flood Alleviation Study underway since 2019 by South Dublin County Council, Dublin City Council and the OPW and solutions to the existing catchment-wide flooding problems are not yet identified. Any further development in this area would be premature pending the outcome of this assessment.

Having regard to the above issues relating to the quantum of existing zoned lands, the extent of the flood zones within this area, potential for a cumulative flood impact on adjoining lands and downstream it is considered that the proposal put forward to zone the subject lands for new enterprise and employment development would be premature and contrary to section 48 Guidelines and therefore it is recommended that the proposed motion is not adopted.

**CE Recommendation:** It is recommended that this motion is not adopted.

[M28 Flood Information](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74232)  
[M28 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74231)  
[Map EE](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73643)

A discussion ensued with contributions from Councillors K. Egan, B. Lawlor, C. King, F. Timmons, L. Dunne, P. Holohan, G. O’Connell, A. Edge, M. Johansson, D. Ó Brádaigh, L. Donaghy, E. Ó Broin, J. Tuffy, P. Kearns, R. McMahon, P. Gogarty. Mr M. Mulhern, Director of Services and Ms H. Craigie, Senior Planner responded to queries raised.

An Amendment to the Motion was proposed by Councillor L. Dunne and seconded by Councillor G. O’Connell as follows:

“This motion refers to Chapter 9 Economic Development and Employment, page 308 of the CE's report, submission SD-C195-257 **(-169)** Motion: To rezone this site from RU to EE. **subject to site specific flood alleviation measures forming part of any future planning application for these lands”**

A Roll Call vote on the **AMENDED** Motion followed, the result of which was as follows:

**FOR: 22 (Twenty-two)**

**AGAINST: 8 (Eight)**

**ABSTAIN: 2 (Two)**

[**Roll Call Vote M 28**](http://www.sdublincoco.ie/Home/ViewDocument/18186e8e-6d53-48fd-bef3-ae630100fef1)

The Motion **AS AMENDED** was **AGREED**

### **DPM29/0322 Item ID:73944**

Submitted by Councillor R. McMahon,

Ref SD-C195-180 Page 289 To Change the Zoning on the Small site (.56ha) identified on submission SD-C195-180, from RU to EE to tie in with EE zoning on neighbouring property

Councillor R. McMahon **AGREED** to **WITHDRAW** the Motion

In advance of consideration of **Motion 30**, both Councillors C. King and D. Richardson disclosed an interest in this item and accordingly excluded themselves from any consideration of this item.

### **DPM30/0322 Item ID:73851**

Proposed by Councillor C. O'Connor, Seconded by Councillor B. Lawlor

SD-C195-143 Pages 259- 260.That the land at Whitestown Business Park fronting on to Whitestown Way outlined in blue on the attached extract map from the current Development Plan and circled in blue on the extract map from the Tallaght Local Area Plan be zoned REGEN and in adopting this Motion the Council notes:

That the land is strategically located within the Tallaght Centre Area as identified in the adopted Tallaght Local Area Plan in close proximity to all services and infrastructure.

The land is in walking distance of The Square, Sean Walsh Park, Tallaght Stadium, Tallaght Hospital etc. is designated as suitable for 4-6 storeys residential and/or 3-4 storeys commercial in the Tallaght Local Area Plan.

The land has remained underdeveloped for decades under its current zoning and would be a ready to go site for much needed housing provision when appropriately zoned

**REPORT:**

The motion proposes to rezone the subject lands at Whitestown Business Park fronting on to Whitestown Way from Objective EE – Employment and Enterprise be Objective REGEN.

This issue was submitted to the Draft Plan through the public consultation period under submission SD-C195-143 and the Chief Executive responded under Chapter 2 Core Strategy and Settlement Strategy – Regeneration Zoning Submission, pg259.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

The Draft Plan sets out a potential for 31,824 jobs assuming an average of 51 jobs per hectare. In addition to this, there are 425ha of Regeneration (REGEN) zoned brownfield land forming part of the Tallaght Town Centre Local Area Plan (LAP) and the Naas Road area. The subject lands are located in Tallaght Town Centre LAP, and both are located in close proximity to the Naas Road lands.

There remains a need within the County for lands to facilitate general employment type uses in order to facilitate a range of continued economic development and employment growth in the County over the Plan period. It is considered inappropriate to rezone the lands s requested given the existing quantum of REGEN land in the area, the on-going need for general employment lands and the surplus capacity of zoned residential land in the County.

Furthermore, the subject site is located within an established industrial setting with general employment uses. As such, having regard to the context and characteristics of the subject lands, it is considered that the lands would be incompatible with the primary objective of REGEN zoning ‘to facilitate enterprise and/or residential-led regeneration’. It is also noted that the REGEN land use zoning is strategic in nature, and the application of the REGEN zoning in a piecemeal fashion is not recommended as it would undermine the Core Strategy of the Draft Plan and intention of the REGEN zoning.

The County Development Plan seeks to guide enterprise and employment development to appropriate locations by identifying economic clusters. The current zoning of the subject lands as EE to support enterprise and employment is therefore considered appropriate in this instance.

Furthermore, as noted above the subject lands are located within Tallaght Town Centre LAP and it is considered that the provisions of the LAP and the policies and objectives of the Draft Plan are aligned and appropriately support the development and growth of Tallaght LAP lands in a sustainable manner.

**CE Recommendation:** It is recommended that the motion is not adopted and the EE zoning is retained on the site.

[M30 - Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74226)  
[Map 1](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73618)  
[Map 2](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73619)  
[Map 3](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73620)

Following contributions from Councillors C. O’Connor, B. Lawlor, L. Dunne, Mr M. Mulhern, Director of Services responded to queries raised.

A Roll Call vote on the Motion followed, the result of which was as follows:

**FOR: 15 (Fifteen)**

**AGAINST: 10 (Ten)**

**ABSTAIN: 1 (One)**

[**Roll Call Vote M 30**](http://www.sdublincoco.ie/Home/ViewDocument/6395d580-9929-41cd-aca3-ae6e00b0a2a2)

The Motion was **PASSED**

### **DPM31/0322 Item ID:73930**

Proposed by Councillor L. O'Toole, Seconded by Councillor P. Gogarty

Motion in the names of Cllr Liona O'Toole, Guss O'Connell, Paul Gogarty

RE: submission SD-C195-74 Page 272 (Kilsaran Lands, Lucan from RU to EE) This committee agrees with the submission made SD-C195-74 Page 272 to change the zone from RU to EE and does NOT agree with the CE recommendation as stated in the report.

**REPORT:**

This motion seeks to rezone c 2.55ha of land from ‘RU’ (to protect and improve rural amenity and to provide for agriculture), to Objective EE (to provide for enterprise and employment related uses) at Kilsaran lands, Lucan.

It is noted from the outset that the 2.55ha of land outlined in the submission relate to Lucretia Tiles site and a small parcel of land to the south of Lucretia Tiles in the same ownership. While Lucretia Tiles is accessed off the shared entrance with Kilsaran the Kilsaran site is not included in the lands outlined in the submission.

It is acknowledged that the northern parcel of lands subject to the submission have been in use as Lucretia Tiles since 1996 and that the lands are zoned RU. It is noted that various planning applications have been granted over the years for amendments and modifications to the buildings, part of Lucretia Tiles. Section 13.1.1, (vi) Non-Conforming Uses of the Draft Plan states there are instances throughout the County where land uses do not conform with the zoning objective of a site. Developments which were in existence on 1st October 1964 or have a valid permission, particularly those that would intensify non-conforming uses, will be permitted where the proposed development would not be detrimental to the amenities of the surrounding area and would accord with the principles of proper planning and sustainable development. This includes the integration of land use and transport planning.

The Draft Plan under EDE1 Objective 3 seeks to ensure that there is sufficient supply of zoned and serviced lands at suitable locations in the County to accommodate a range of enterprise and employment development types and to promote growth by strengthening the integration between employment, housing and transportation.

Under Section 2.6.8 Employment Lands, the Draft Plan carried out an analysis of available lands which have potential to generate jobs. The purpose of this analysis was to ascertain whether sufficient employment lands are zoned to provide for the projected additional workforce for the Plan period up to 2028. Based on the analysis, there is a total capacity, excluding REGEN lands, to develop 624 hectares to facilitate further employment. This would more than meet the projected employment growth for the County of 18,336 jobs over the Plan period set out in Section 2.6.8 of the Core Strategy in the Draft Plan.

The employment evidence base prepared to support the Draft County Development Plan demonstrates that there is sufficient land available to support the future identified employment needs. However, it is recognised that trends in the wider economy can quickly impact on employment lands, and as such it will be important to monitor this situation. To provide for this, the CE Report has recommended an objective to undertake a further evidence-based analysis of employment lands in the County within two years of the Plan coming into effect. Should a need be identified for further employment zoning within the lifetime of the Plan a Variation to the Plan will be initiated informed by:

* Analysis of the type of employment need
* Analysis of the appropriate location/s to serve such need
* Relevant National and Regional policy and proper planning and sustainable development.

In respect of this site the following is noted;

-An evidence based analysis of the need or otherwise for further employment zoned land having regard to trends which may impact on the rate of uptake of existing zoned lands across the County will be carried out within the next 2 years.

-The rapidly changing urban context of the area due to the proximity of Grangecastle, Adamstown and Clonburris where new development will stretch from the R120 at its western edge, creating a new urban context to the road immediately opposite the site of the proposed EE zoning.

- The site is located adjacent to the 12th Lock, forming part of the Grand Canal Greenway to Hazelhatch. EDE4 SLO1 of the Draft Plan provides for an investigation of the full potential of the 12th Lock lands given their location within growing employment and residential areas having regard also to ecological, tourism and sustainable travel opportunities given their location along the Grand Canal.

These factors taken together indicate that it would be premature to rezone these lands EE until they can be considered alongside the emerging urban context and likely future uses of the surrounding lands.

Given the history of the site as set out above it is noted that any intensification to the uses on site would continue to be considered on their merits having regard to the land use zoning provisions of the Plan set out in Section 13.1.1 (vi) in the Draft Plan.

Therefore, it is recommended that the zoning of this site should remain RU at this time

**CE Recommendation:**It is recommended that this motion is not adopted and that the RU zoning remain in place at this time.

[M31 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74243)

A discussion ensued with contributions from Councillors L. O’Toole, P. Gogarty, M. Johansson, L. Donaghy, G. O’Connell, D. Ó Brádaigh, J. Tuffy, P. Kearns, R. McMahon, W. Carey, Mr M. Mulhern, Director of Services and Ms H. Craigie, Senior Planner responded to queries raised.

A Roll Call Vote on the motion followed, the result of which was as follows:

**FOR: 11 (Eleven)**

**AGAINST: 17 (Seventeen)**

**ABSTAIN: 3 (Three)**

[**Roll Call Vote M 31**](http://www.sdublincoco.ie/Home/ViewDocument/287fa827-e937-4fe5-9bcc-ae6e00b12f60)

The Motion **FELL**

## **Natural Heritage & Built Heritage**

### **DPM32/0322 Item ID:73890**

Proposed by Councillor R. McMahon, Seconded by Councillor P. Kavanagh

Red SD-C195-279 Page 412 To include the property Palmyra on Whitechurch Road as a protected structure, due to its' archaeological and historic significance.

**REPORT:**

It is recognised that Palmyra House has merit to be considered for the Record of Protected Structures (RPS). This would be subject to further investigation to inform a recommendation. Having regard to a number of other buildings which have been put forward for possible inclusion on the RPS it is recommended that a single objective, to include those buildings already put forward in the Draft Plan and others which were put forward as part of submissions and motions, be included in any amendments to the Draft Plan.

Subject to a full understanding of their merit, the buildings listed in the objective would then be included in a public consultation process for their inclusion in the RPS under sections 54 and 55 of the Planning and Development Acts following the adoption of the County Development Plan.

**CE Recommendation:** It is recommended that this motion is adopted with amendment through the insertion of a new objective under Policy NCBH19 to read:

To investigate the merit of including the following on the Record of Protected Structures and where such merit is identified to undertake the necessary public consultation process under the Planning and Development Acts:

* Palmyra House, Whitechurch Road, Rathfarnham, Dublin 16.
* Friarstown House, Bohernabreena, Co. Dublin, D24 F890.
* SIAC Bridge, Monastery Road, Clondalkin, Dublin 22.
* Old Milestone on north-west side of Templeogue Road Set in front of the modern boundary wall of No. 211 Templeogue Road, Dublin 6W.
* Fort (or Callaghan’s) Bridge, Kiltipper/Friarstown Upper/Ballinascorney Lower, Dublin 24.
* Granite Boundary Stone outside Nos. 50/52, Whitehall Road, Dublin 12.
* Road sign Bothair An Racadair, Whitehall Road

[M32 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74241)  
The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

**DPM33/0322 Item ID:73888**

Proposed by Councillor R. McMahon, Seconded by Councillor P. Kavanagh

Ref SD-C195-109 Page 411 To include Friarstown House and its outbuildings (Council Owned) as a protected structure

**REPORT:**

Friarstown House has not been identified or recorded by the National Inventory of Architectural Heritage. The purpose of the NIAH is to identify, record, and evaluate the post-1700 architectural heritage of Ireland, uniformly and consistently as an aid in the protection and conservation of the built heritage. NIAH surveys provide the basis for the recommendations of the Minister to the planning authorities for the inclusion of particular structures in their Record of Protected Structures (RPS).

It is also noted that the building has not been highlighted/featured/noted as being of significance in any architectural studies/publications or datasets.

However, it is recognised that the house and outbuildings may have sufficient merit to be considered for the Record of Protected Structures (RPS). This would be subject to further investigation to inform a recommendation. Having regard to a number of other buildings which have been put forward for possible inclusion on the RPS it is recommended that a single objective, to include those buildings already put forward in the Draft Plan and others which were put forward as part of submissions and motions, be included in any amendments to the Draft Plan.

Subject to a full understanding of their merit, the buildings listed in the objective would then be included in a public consultation process for their inclusion in the RPS under sections 54 and 55 of the Planning and Development Acts following the adoption of the County Development Plan.

**CE Recommendation:** It is recommended that this motion is adopted with amendment through the insertion of a new objective under Policy NCBH19 to read:

To investigate the merit of including the following on the Record of Protected Structures and where such merit is identified to undertake the necessary public consultation process under the Planning and Development Acts:

* Palmyra House, Whitechurch Road, Rathfarnham, Dublin 16.
* Friarstown House, Bohernabreena, Co. Dublin, D24 F890.
* SIAC Bridge, Monastery Road, Clondalkin, Dublin 22.
* Old Milestone on north-west side of Templeogue Road Set in front of the modern boundary wall of No. 211 Templeogue Road, Dublin 6W.
* Fort (or Callaghan’s) Bridge, Kiltipper/Friarstown Upper/Ballinascorney Lower, Dublin 24.
* Granite Boundary Stone outside Nos. 50/52, Whitehall Road, Dublin 12.
* Road sign Bothair An Racadair, Whitehall Road

[M33 Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74239)

Following a contribution from Councillor R. McMahon, Mr M. Mulhern, Director of Services responded to queries raised.

An Amendment to the Chief Executive’s Report was proposed by Councillor L. Donaghy and seconded by Councillor T. Gilligan as follows:

It is recommended that this motion is adopted with amendment through the insertion of a new objective under Policy NCBH19 to read:

To investigate the merit of including the following on the Record of Protected Structures and where such merit is identified to undertake the necessary public consultation process under the Planning and Development Acts:

•             Palmyra House, Whitechurch Road, Rathfarnham, Dublin 16.

•             Friarstown House **and outbuildings,** Bohernabreena, Co. Dublin, D24 F890.

•             SIAC Bridge, Monastery Road, Clondalkin, Dublin 22.

•             Old Milestone on north-west side of Templeogue Road Set in front of the modern boundary wall of No. 211 Templeogue Road, Dublin 6w

•             Fort (or Callaghan’s) Bridge, Kiltipper/Friarstown Upper/Ballinascorney Lower, Dublin 24.

•             Granite Boundary Stone outside Nos. 50/52, Whitehall Road, Dublin 12.

•             Road sign Bothair An Racadair, Whitehall Road

The Chief Executive’s recommendation as **AMENDED** wa**s AGREED**

### **DPM34/0322 Item ID:73768**

Proposed by Councillor F. Timmons, Seconded by Councillor T. Gilligan

Chapter 3 Ref SD-C195-265 (CE Report p419) That this council inserts an SLO to protect Glebe House in Rathcoole that is in an Architectural Conservation Area.

**REPORT:**

Glebe House is on the Record of Protected Structures and is within Rathcoole Architectural Conservation Area (ACA) and is the subject of an on-going endangerment/enforcement case.

Permission was granted for development within the curtilage of the Protected Structure and for the structures use within the new development.  No development has taken place to date and the Council is waiting on an update with regard to legal issues.

The Council supports the protection of Glebe House. All action necessary and possible is currently being undertaken on foot of its RPS designation. The insertion of an SLO would yield no additional benefit to its protection.

**CE Recommendation:**

It is recommended that the motion is not adopted.

[M34 - Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74222)

Following contributions from Councillors F. Timmons, T. Gilligan, E. Ó Broin, P. Kearns, L. Donaghy, P. Kavanagh, W. Carey. Ms H. Craigie, Senior Planner responded to queries raised.

The Motion was **AGREED**

## **Green Infrastructure**

### **DPM35/0322 Item ID:73785**

Proposed by Councillor E. Murphy, Seconded by Councillor P. Kavanagh

GI Strategic Theme-Recreation and Amenity (Human Health and Wellbeing); CE Report p.445; SD-C195-154 To reject the proposal to amend text relating to allotments (page 150 of Draft Plan) from 'Friarstown in Bohernabreena' to 'Friarstown in Tallaght'. To read: 'Friarstown in Bohernabreena' as per the original draft. Reason: The area is in the postal area of Bohernabreena and is physically located in Bohernabreena, off Bohernabreena Hill and adjacent to Bohernabreena Parish Church (St Anne's). The proposed change is unnecessary and confusing.

Submitted by Cllr Alan Edge and Cllr Emma Murphy

**REPORT:**

The motion seeks a rejection of the CE Report amendment relating to the correct address of allotments referred to on page 150 of the Draft Plan from ‘Friarstown in Bohernabreena’ to ‘Friarstown in Tallaght’.

A review of the Eircode website, indicates that the allotments are located in Bohernabreena, County Dublin. A review of the County’s Electoral Areas, that the allotments are located in the Firhouse Bohernabreena Electoral Area. The relevant ACM area for this site is Rathfarnham, Templeogue, Firhouse and Bohernabreena.

It is considered that the proposal to amend text relating to the address of the allotments removing the reference to Tallaght and reverting to the wording in the Draft Plan is considered appropriate.

**CE Recommendation:**It is recommended that this motion is adopted rejecting the CE amendment to Draft Plan and reverting to the wording set out on page 150 of the Draft Plan to read as follows

**From** wording set out in the CE Report (p445)

*The Council manages allotments at Tymon Park in Tallaght, Corkagh Park in Clondalkin, Friarstown in Tallaght and Mill Lane in Palmerstown. Residents can pay to rent these allotments to grow their own fruits and vegetables, providing access to healthy affordable food. Allotment growing also provides an opportunity for healthy physical recreation and social engagement, and also can play an important role in improving local biodiversity. The Council will continue to protect and promote these existing and provide for new allotments in accordance with a review of the provision and management of allotments across the County.*

**To:** As set out in the Draft Plan:

*The Council manages allotments at Tymon Park in Tallaght, Corkagh Park in Clondalkin,* ***Friarstown in Bohernabreena*** *and Mill Lane in Palmerstown. Residents can pay to rent these allotments to grow their own fruits and vegetables, providing access to healthy affordable food. Allotment growing also provides an opportunity for healthy physical recreation and social engagement, and also can play an important role in improving local biodiversity. The Council will continue to protect and promote these existing and provide for new allotments in accordance with a review of the provision and management of allotments across the County.*

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM36/0322 Item ID:73951**

Proposed by Councillor Yvonne Collins, Seconded by Councillor P. Kavanagh

This motion relates to Chapter 4: Green Infrastructure, Submission SD-C195-19, page 771 (or 768) of the report. Amend GI 5 Objective 6: To add at the end of this objective 'with an emphasis on planting native Irish trees as appropriate'

**REPORT:**

The motion seeks an amendment to GI 5 Objective 6 providing for additional wording.

**GI5 Objective 6: (Existing)**

*To provide more tree cover across the county, in particular to areas that are lacking trees*.

**GI5 Objective 6: (Proposed by Motion)**

*To provide more tree cover across the county, in particular to areas that are lacking trees with an emphasis on planting native Irish trees as appropriate.*

Attention is drawn to other relevant objectives of the Draft Plan.

**GI5 Objective 3:**

*To ensure compliance with the South Dublin Climate Change Action Plan and*

*the provisions of the Council’s Tree Management Strategy.*

*Increase the County’s tree canopy cover by promoting annual planting,*

*maintenance preservation and enhancement of trees, woodlands and*

*hedgerows within the County using locally native species and supporting*

*their integration into new development.*

**GI3 Objective 3:**

*To promote and protect native riparian vegetation along all watercourses and*

*ensure that a minimum 10m vegetated riparian buffer from the top of the*

*riverbank is maintained/reinstated along all watercourses within any*

*development site.*

**GI2 Objective 5:**

*To protect and enhance the County’s hedgerow network, in particular*

*hedgerows that form townland, parish and barony boundaries recognising their*

*historic and cultural importance in addition to their ecological importance and*

*increase hedgerow coverage using locally native species including a*

*commitment for no net loss of hedgerows on any development site and to take*

*a proactive approach to protection and enforcement*.

It is considered that the proposed wording would be appropriate in light of the other provisions of the Draft Plan noted above. It is recommended that the motion is adopted.

**CE Recommendation:**

It is recommended that the motion is adopted.

**GI5 Objective 6:  to be amended from;**

*To provide more tree cover across the county, in particular to areas that are lacking trees*.

**To**

**GI5 Objective 6:**

*To provide more tree cover across the county, in particular to areas that are lacking trees* ***with an emphasis on planting native Irish trees as appropriate.***

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM37/0322 Item ID:73954**

Proposed by Councillor Yvonne Collins, Seconded by Councillor P. Kavanagh

7.This motion relates to Chapter 4: Green infrastructure, Submission SDCC-C195-279 on page 392 (or page 389) of the plan. Amend GI2 Objective 9: To "examine and" exploit "where appropriate" the full potential of "dumps and quarries as well as" existing underutilised perimeter and border park spaces through the augmentation of wild grasses and other naturally occurring vegetation that enhance local area biodiversity and habitats in support of the National Pollinator Plan and to consider wildflower meadows where beneficial to biodiversity.'

**REPORT:**

The motion seeks the amendment of GI2 Objective 9.

GI2 Objective 9 states as follows:

‘*To exploit the full potential of existing underutilised perimeter and border park*

*spaces through the augmentation of wild grasses and other naturally occurring*

*vegetation that enhance local area biodiversity and habitats in support of the*

*National Pollinator Plan and to consider wildflower meadows where beneficial*

*to biodiversity.’*

The motion seeks to amend the wording as follows;

**GI2 Objective 9:**

To **examine and** exploit **where appropriate** the full potential of **dumps and quarries** **as well as** existing underutilised perimeter and border parkspaces through the augmentation of wild grasses and other naturally occurring vegetation that enhance local area biodiversity and habitats in support of the National Pollinator Plan and to consider wildflower meadows where beneficial to biodiversity.

It is noted that ‘dumps’ are sites, often unauthorised, for depositing unwanted material. The use of the word dump in the context of this objective is not appropriate and also does not provide clarification as to the circumstances in which rewilding might be appropriate. The only situation where re-wilding might be appropriate is where the use of an authorized landfill site has ceased and where the waste remains on site. This typically requires installing an engineered cap, a leachate containment or drainage system, and landfill gas extraction structures (gas burned off at a flare, collected for energy generation or released through passive gas vents), with aftercare management of the site extending over many years. The latter includes ongoing management and monitoring for leachate and gas, until the site stabilises and no longer poses a threat to public health or the environment. The process of reinstatement of the site is a matter for the EPA and the planning application process. Potential for re-wilding/planting may be one option for the future use of the site. However, this is a matter for the Development Management Process. It is considered that the objective may be amended to allow for the examination of re-wilding as an option for the future use of the site as part of the development management process.

The Quarries Act of 1955 defines quarry as follows;

 “an excavation or system of excavations made for the purpose of, or in connection with, the getting of minerals (whether in their natural state or in solution or suspension) or products of minerals, being neither a mine nor merely a well or bore-hole or a well and bore-hole combined.

**The planning requirements relating to ‘quarry’ developments are set out in Section 261 of the Planning and Development Act 2000 which requires quarries to be registered.** The registration process generally involved the attachment of conditions of which one would relate to reinstatement or restoration in some form. Similarly, quarries are subject to the Development Management process where reinstatement or restoration conditions are attached. The aim of any natural restoration plan is to restore ecological balance and to produce self-sustaining plant and wildlife communities and habitats. Old quarry sites can create both terrestrial and wetland habitats for wildlife, significantly contributing to Ireland’s biodiversity. However, each site is assessed for reinstatement/restoration based on its unique conditions which are assessed as part of the development management process.

It is considered appropriate to amend the wording to provide for the examination of these alternatives as part of the Development Management Process.

**CE Recommendation:**It is recommended that the motion be amended so that GI2 Objective 9 reads:

To **examine where appropriate** the full potential of **landfill sites and quarries** **as well as** existing underutilised perimeter and border parkspaces through the augmentation of wild grasses and other naturally occurring vegetation that enhance local area biodiversity and habitats in support of the National Pollinator Plan and to consider wildflower meadows where beneficial to biodiversity.

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM38/0322 Item ID:73891**

Proposed by Councillor Peter Kavanagh, Seconded by Councillor T. Gilligan

This motion refers to Chapter 4: Green Infrastructure, pg. 447-450 Submission SD-C195-248 To amend Strategic Corridor 5: Camac River Corridor Under Core Areas and Stepping Stones from Core Areas: Corkagh Park to Core Areas: Corkagh Park Rathcoole Woodlands Rationale: To include the Rathcoole Woodlands as a core green area in the GI. The CE Response considers the woodlands too small, but the Alluvial Woodland component of woodlands at Rathcoole is still considerable given that the National Survey of Native Woodlands found: 'The majority of surveyed woodlands were small or very small in extent, with 50% of sites being 6 ha or less…, over two thirds (67.8%) of sites were 10 ha or less and only 3.3% of sites surveyed were 50 ha or more, with just ten sites over 100 ha…This reflects the highly fragmented nature of the Irish woodland resource..' I believe this significance merits inclusion as a core area.

**REPORT:**

The issue addressed in this motion was raised in a submission to the Draft Plan public consultation process in a range of submissions relating to Rathcoole Woodlands. As noted in the wording of the motion the Chief Executive responded under Chapter 4: GI Strategic Theme-Recreation and Amenity (Human Health and Wellbeing).

Having examined and considered the content of the motion and acknowledging the arguments made in support of the motion and proposed amendment the view of the CE remains that the woodlands are not appropriate as a Core Area but should be clearly identified as a Stepping Stone for the following reasons:

Any proposed amendments to the Corridors must take into account the hierarchy of Core Areas and Stepping Stones within each corridor. The scale of the core areas throughout the County is reflected in their identification within the different Corridors in the GI Strategy as the Dublin/Wicklow Mountains, the Liffey Valley, the Grand Canal, the Dodder Valley and Tymon Park. For the Camac corridor the hierarchy reflects the ecological, heritage and cultural value of the 120 hectare Corkagh Park. Rathcoole Park has been identified within the hierarchy along with Slievethoul/Slade Valley, Lugg forest and additional areas at Kilcarbery and Citywest as Stepping Stones. Given the size and characteristics of the woodlands, it is considered in this context that a more explicit designation as a stepping stone would be appropriate. The inclusion of the woodlands as a stepping stone rather than as a core area does not in any way diminish their habitat or amenity value and that the objectives associated with both apply.

Wildlife habitats that are not nationally designated may still be important at a County level by acting as Green Infrastructure stepping-stones within the wider ecological network. This is encapsulated by Article 10 of the Habitats Directive which encourages the management of features of the landscape which are of major importance for wild plant (flora) and animals (fauna), and which are essential for the migration and dispersal of species. Under NCBH2 Objective 3 of the Draft Plan, the objective seeks to ‘*protect and conserve the natural heritage of the County, and to conserve and manage EU and nationally designated sites and non-designated locally important areas which act as ‘stepping stones’ for the purposes of green infrastructure and Article 10 of the Habitats Directive’*.

In addition, it is noted that the CE Report included a number of recommendations to amend Corridor 5 Camac River and the description of Local Corridor 7 (Appendix 7). These amendments were as follows;

Amend objective (bullet) 2 on Strategic Corridor 5: Camac River

Corridor, Objectives associated with the Core Areas/Stepping

Stones as follows

**From:**

Objective (bullet) 2

-To support the development of a masterplan for the

zoned lands at Rathcoole and implement the

CE Recommendations.

**to**

Investigate the potential opportunities to link woodlands at

Rathcoole to existing and proposed recreational trails at Lugg

Woods and Slade Valley.

Insert a new objective into Strategic Corridor 5: Camac River

Corridor, Objectives associated with the Core Areas/Stepping

Stones as follows:

*To include woodlands at Rathcoole as part of a wider*

*nature/walking trail from Saggart to Lugg Woods subject to the*

*protection of its biodiversity, wildlife and ecological value which is*

*of primary importance*

and to insert ‘Rathcoole Woodlands’ into the description of the

local corridor L7 so that it reads from:

***L7 – Citywest-Saggart Link***

Rathcoole Park – Citywest Golf Club – Green space at Cooldown

Commons –Coldwater Commons – Green space for development

adjacent Fortunestown Luas Stop – Citywest Village Green –

Citywest Ave green space – Roadstone Quarry

**To**

***L7 – Citywest-Saggart Link***

**Rathcoole Woodlands** - Rathcoole Park – Citywest Golf Club –

Green space at Cooldown Commons –Coldwater Commons –

Green space for development adjacent Fortunestown Luas Stop –

Citywest Village Green – Citywest Ave green space – Roadstone

Quarry

Add a new objective to the L7 Corridor:

‘To provide connections between Rathcoole Woodlands and Rathcoole Park as part of a wider walking trail in the area.

The CE Report also recommends an SLO on the woodlands within the area proposed to be zoned ‘RU’, which states:

*To ensure the protection and augmentation of the identified alluvial woodlands within the zoning RU, and in recognising their value as green infrastructure and the potential linkages to Lugg Woods and Slade Valley and other amenity areas, provide for sensitive passive amenity uses which have regard to their Annex 1 status.*

The above SLO is subject to motion 73889 (Core Strategy).

It is considered that Rathcoole Woodlands are clearly identified in the Green Infrastructure Strategy of the Draft Plan. To change their designation from stepping stone to core area would not reflect the hierarchy which is part of any green infrastructure strategy. However, their designation as a stepping stone should be made explicit in the Plan which will align with NCBH2 Objective 3 of the Draft Plan, the objective of which is to ‘*protect and conserve the natural heritage of the County, and to conserve and manage EU and nationally designated sites and non-designated locally important areas which act as ‘stepping stones’ for the purposes of green infrastructure and Article 10 of the Habitats Directive’.*

**CE Recommendation:**It is recommended that the motion is amended to explicitly include ‘Rathcoole Alluvial Woodlands within RU zoning’ as a Stepping Stone within  Strategic Corridor 5: Camac River Corridor  with the following objective ‘To preserve and protect the Alluvial Woodlands at Rathcoole within the zoning RU as an environmentally sensitive area for biodiversity and ecosystems services of importance having full regard to their Annex 1 status.’

Following a contribution from Councillor P. Kavanagh, Ms H. Craigie, Senior Planner responded to queries raised.

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM39/0322 Item ID:73764**

Proposed by Councillor F. Timmons, Seconded by Councillor T. Gilligan

CE Report Chapter 4, page 440-441, Ref SD-C195-64 from Saggart Village Residents' Association, Insert an SLO to complete a flood risk assessment for Saggart and to fund the recommendations of this assessment towards restoring and protecting existing biodiversity, ecosystems and drain systems

[Location Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74217)

**REPORT:**

This motion seeks to insert an SLO to complete a Flood risk Assessment for Saggart and to fund the recommendations of this assessment towards restoring and protecting existing biodiversity, ecosystems and drain systems.

The Water Services section of the Council have appointed a consultant for a surface water drainage study for Newcastle, Saggart and Rathcoole. The project is currently in the data gathering stage.

The aim of the study is to assess the existing surface water drainage network in these areas and to explore design options where improvements in the existing network are required to facilitate additional development planned for these areas.

This study will help plan optimum surface water routes and infrastructure for current and future development and will address all aspects of surface water management in these areas.

The Draft County Development contains sufficient policies and objectives to support this study and ensure appropriate SuDS measures to deliver their multi-functional role in protecting water quality and enhancing biodiversity.

Having regard to the fact that consultants have been appointed to examine surface water drainage for Saggart, Newcastle and Rathcoole, and to the extensive policy and objectives on flooding and surface water in the Draft Plan, it is considered that the insertion of the proposed objective into the County Development Plan is entirely unnecessary.

It is noted that the allocation of funding is not a matter for the County Development Plan.

**CE Recommendation:**

It is recommended that this motion is not adopted.

A discussion ensued with contributions from Councillors F. Timmons, T. Gilligan, E. Ó Broin, P. Kavanagh. Mr M. Mulhern, Director of Services and Ms H. Craigie, Senior Planner responded to queries raised

An amendment was proposed by Councillor P. Kavanagh and seconded by Councillor L. Donaghy as follows:

CE Report Chapter 4, page 440-441, Ref SD-C195-64 from Saggart Village Residents' Association, Insert an SLO to complete a flood risk assessment for Saggart with a view to restoring and protecting existing biodiversity, ecosystems and drain systems.

The motion **AS AMENDED** was **AGREED**

**DPM40/0322 Item ID:73952**

Proposed by Councillor Yvonne Collins, Seconded by Councillor R. McMahon

This motion relates to Chapter 4: Green Infrastructure, Submission SD-C195-279, page 462 (or 459). Amend GI2 Objective 5 to add at the end of this objective the following words "such proactive approach to include provision to inspect development sites post construction to ensure hedgerow coverage has been protected as per the plan'

**REPORT:**

*GI 2 Objective 5* states:

*To protect and enhance the County’s hedgerow network, in particular*

*hedgerows that form townland, parish and barony boundaries recognising their historic and cultural importance in addition to their ecological importance and increase hedgerow coverage using locally native species including a commitment for no net loss of hedgerows on any development site and to take a proactive approach to protection and enforcement.*

The motion seeks to add the following wording to the end of the objective:

‘….*such proactive approach to include provision to inspect development sites post construction to ensure hedgerow coverage has been protected as per the plan'*

It is practice for the Public Realm Department to request a bond on hedgerows to be retained on development sites. These bonds are typically released 3 years post completion of the development and require an arborist’s report to confirm that the hedgerow has been protected and is in good condition.  It is generally also requested that the arborist is retained for the period of the development and requested that they confirm that protection measures are in place and conditions are being adhered to. This approach is actively managed by the Public Realm Department of the Council. In respect of monitoring and implementation of the objectives of the Plan the recent release of the Draft Development Plan Guidelines for Local Authorities sets out a framework for the implementation and monitoring of CDP policies and objectives. Local Authorities are required to put in place practices which support the monitoring and review of policies and objectives in their County Development Plans. The Planning Department will start the process of putting in place a monitoring system following adoption of the Plan.

Given that there is a well-established pro-active system for the protection of hedgerows through the development and delivery phases of development in the County carried out as part of Public Realm’s operations it is not considered necessary to amend the objective of the Plan.

**CE Recommendation:**

It is recommended that the motion is not adopted.

Following contributions from Councillors Y. Collins, R. McMahon, L. McCrave, Ms H. Craigie, Senior Planner and Ms S. Furlong, Senior Parks Superintendent responded to queries raised.

The Motion was **AGREED**

**Housing**

### **DPM41/0322 Item ID:73996**

Proposed by Councillor Joanna Tuffy, Seconded by Councillor T. Gilligan

H3 Objective 13 'or' Chapter 6 Housing SD-C-227 OPR CE Report pages 47-48 Amend H1 Objective 13 to add word "or" before third bullet point

**REPORT:**

The motion proposes that to amend H1 Objective 13 – as set out in the CE Response in relation to submission SD-C195-227 pages 47-48 of the CE Report – to add the word ‘or’ before the third bullet point.

It is recommended in the CE Report pages 47-48 in response to the OPR submission SD-C-227 to amend H1 Objective 13 to read as follows:

*Proposals for residential shall provide a minimum of 30% 3-bedroom units,* ***a lesser provision may be acceptable where it can be demonstrated that****:*

* *there are unique site constraints that would prevent such provision or*
* *that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA;*
* ***the scheme is a social and/or affordable housing scheme***

In respect to a separate issue raised in submissions SD-C195-229, SD-C195-207 SD-C195-140, SD-C195-133, the CE Response recommended that H1 Objective 13 be further amended as follows:

*H1 Objective 13*

*Proposals for residential (excluding Build-to-Rent developments) shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:*

* *there are unique site constraints that would prevent such provision or*
* *that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
* *the scheme is a social and/or affordable housing scheme*

This further amendment includes an ‘or’ after the second bullet point which addresses the issue raised in this motion.

**NOTE: See Motion ID: 73880 and recommended amendment to H1 Objective 13.**

**CE Recommendation:**Amend H1 Objective 13 as follows:

From:

*Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:*

* *there are unique site constraints that would prevent such provision or*
* *that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA;*
* *the scheme is a social and/or affordable housing scheme*

To:

*Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:*

→ *there are unique site constraints that would prevent such provision or*

→ *that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA****; or***

→ *the scheme is a social and/or affordable housing scheme*

The following Amendment was proposed by Councillor P. Gogarty, Seconded by Councillor P. Kavanagh as follows:

H3 Objective 13 'or' Chapter 6 Housing SD-C-227 OPR CE Report pages 47-48 Amend H1 Objective 13 **to add "; " (semicolon and a space) before 'or' in the first bullet point, and** toadd word "or" before third bullet point.

The Chief Executive’s recommendation **AS AMENDED** was unanimously **AGREED**

### **DPM42/0322 Item ID:73880**

Proposed by Councillor M. Johansson, Seconded by Councillor W. Carey

This motion relates to chapter 6 Housing, submission SD-C195-229 on page 523 of the CE report. To remove the following sentence from the CE recommendation to Amend H1 Objective 13: (excluding Build-to-Rent developments) The amended Objective to read: Proposals for residential shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that: ? there are unique site constraints that would prevent such provision or ? that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or ? the scheme is a social and/or affordable housing scheme Reason: With the large number of Build-To-Rent developments this amendment would effectively render the Objective useless and would even encourage more unaffordable Build-to-Rent developments.

**REPORT:**

The motion proposes to amend H1 Objective 13 – as set out in the CE Response in relation to submission SD-C195-229 pages 523-527 of the CE Report – to remove ‘(excluding Build-to-Rent developments)’ from H1 Objective 13 to read as follows:

From:

Proposals for residential (excluding Build-to-Rent developments) shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

there are unique site constraints that would prevent such provision or

that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA;

the scheme is a social and/or affordable housing scheme

To:

H1 Objective 13

Proposals for residential shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

there are unique site constraints that would prevent such provision or

that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or

the scheme is a social and/or affordable housing scheme

NOTE: CE Response to the OPR submission SD-195-227 in the CE Report and recommended amendments outlined therein with regard to H1 Objective 13.

It should be noted that Build-to-Rent (BTR) units are covered by SPPR 7 and SPPR 8 in the Design Standards for New Apartments’ Guidelines (2020) which states:

For proposals that qualify as specific BTR development in accordance with SPPR 7: (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;

In respect to Specific Planning Policy Requirements (SPPRs) generally, such as SPPR 7 and SPPR 8, the Design Standards for New Apartments’ Guidelines (2020) state that "Accordingly, where SPPRs are stated in this document, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes. Where such conflicts arise, such plans should be amended by the relevant planning authority to reflect the content of these guidelines and properly inform the public of the relevant SPPR requirements".

The CE Response/Recommendation in relation to SD-C195-229 and other submissions that raised similar issues on pages 523-527 as set out in the CE Report, recommends that Build-To-Rent (BTR) units be specifically excluded under H1 Objective 13 in the interest of clarity, given that the provisions of H1 Objective 13 would not be applicable to BTR developments under the Ministerial Guidance and SPPRs set out thereunder.

The Planning and Development (Amendment) Act, 2018, introduced a requirement for Planning Authorities to implement Specific Planning Policy Requirements (SPPRs), where they are set out in Guidelines, in the performance of their functions. A statement of compliance with the various Section 28 Ministerial Guidelines and associated SPPRs is contained within Appendix 1 of the Draft Plan.  The CE Response/Recommendation in relation to SD-C195-229 is consistent with the requirements of the Planning Authority to implement SPPRs.

Having regard to the motion as proposed and on further consideration of this issue, it is considered reasonable in the interest of clarity that H1 Objective 13 could be amended to read as follows:

H1 Objective 13

Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

 → there are unique site constraints that would prevent such provision or

 → that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or

→ the scheme is a social and/or affordable housing scheme

**Note: Built-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).**

**CE Recommendation:** It is recommended that this motion be adopted with following amendment. Amend H1 Objective 13 as follows:

From:

Proposals for residential (excluding Build-to-Rent developments) shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

there are unique site constraints that would prevent such provision or

that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA;

the scheme is a social and/or affordable housing scheme

To:

Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

→ there are unique site constraints that would prevent such provision or

→ that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or

→ the scheme is a social and/or affordable housing scheme

**Note: Built-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).**

Following a contribution from Councillor M. Johansson,

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM43/0322 Item ID:73977**

Proposed by Councillor Derren Ó Brádaigh, Seconded by Councillor William Joseph Carey

Page 87 SD-C195-245 National Transport Authority CE Recommendation: Amend H7 Objective 3 to read: from 'To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking account of anti-social behaviour.' and only progressing vehicle permeability schemes where necessary to 'To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking into account the need to ensure that anti-social behaviour is not increased or facilitated by such schemes. proposed by Cllr William Carey and Cllr Derren Ó Brádaigh

**REPORT:**

The motion proposes to amend that H7 Objective 3 to read as follows:

*To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking into account the need to ensure that anti-social behaviour is not increased or facilitated by such schemes.*

It should be noted that a previous motion was put forward under Motion ID: 71322 requesting to amend Chapter 6 Policy H7 Objective 3 as follows:

From: *To promote a permeable, connected County and discourage gated residential development as they exclude, and divide established communities.*

To: *To promote a permeable, connected County and discourage gated residential development and the termination of cul-de-sacs in developments as they exclude, and divide established communities.*

 The CE recommended that it be adopted. An amendment to the Motion was proposed and agreed as follows:

*H7 Objective 3*

*To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking account of anti-social behaviour, and only progressing vehicle permeability schemes where necessary.*

It should be further noted that the National Transport Authority in their submission to the Draft Plan through the public consultation period under submission SD-C195-245 recommended that the references to anti-social behaviour and vehicle permeability schemes are removed from H7 Objective 3. The CE Response was set out as follows:

*‘It is not considered that the reference to anti-social behaviour in anyway dilutes or results in a weakened commitment from the Council to the provision of permeability schemes but merely ensures that consideration is given to any potential for anti-social behaviour at an early stage and where such circumstances are found to exist or have the potential to exist, design measures can be developed and incorporated in order to mitigate against the potential for such antisocial behaviour.*

*It is considered that the inclusion of ‘only progressing vehicle permeability schemes where necessary’ could dilute the purpose of the objective for cycle and pedestrian permeability and should be omitted. Furthermore, the point made by the NTA that it is not clear in what scenario these measures would be necessary is noted.’*

The CE Recommendation in relation to SD-C195-245 as per the CE Report is to amend H7 Objective 3 to read:

‘To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking account of anti-social behaviour.’ and only progressing vehicle permeability schemes where necessary.’

In this regard, it is noted that the Permeability Best Practice Guide (2015) published by the National Transport Authority discusses issues relating to permeability schemes and anti-social behaviour and includes relevant case studies and best practice guidance.

Having regard to the concerns raised in the motion, it is considered that the motion could be adopted with the following amendment to H7 Objective 3:

H7 Objective 3

To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling, whilst taking account of anti-social behaviour having regard to the National Transport Authority’s Permeability Best Practice Guide (2015) or any subsequent guidelines, including the provisions relating to permeability schemes and anti-social behaviour.

**CE Recommendation:**It is recommended that this motion be adopted with amendment such that H7 Objective 3 would read as follows:

From:

*H7 Objective 3*

*To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling whilst taking account of anti-social behaviour, and only progressing vehicle permeability schemes where necessary.*

To:

H7 Objective 3

To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling, having regard to the National Transport Authority’s Permeability Best Practice Guide (2015) or any subsequent guidelines, including the provisions relating to permeability schemes and anti-social behaviour.

The Members unanimously **AGREED** to accept the Chief Executive’s recommendation

### **DPM44/0322 Item ID:73932**

### Proposed by Councillor P. Gogarty, Seconded by Councillor L. O'Toole,

Motion: In the names of Cllrs Paul Gogarty, Guss O'Connell, Liona O'Toole Reference: SD-C195-222 Tallaght Community Council, page 569 Amend H10 Objective 3 to read: To ensure that new housing units, including apartments, provide enough space to allow residents to work from home.

**REPORT:**

The motion proposes to amend H10 Objective 3 to read: To ensure that new housing units, including apartments, provide enough space to allow residents to work from home.

A previous motion requesting such provisions was put forward at pre-Draft Plan stage under Motion ID: 71419 and it was recommended by the CE that the motion be adopted with amendment to insert a new objective under Policy H10 to read:

To consider the need for housing units to provide enough space to allow for individuals to work from home.

A submission was received to the Draft Plan through the public consultation period under submissions SD-C195-22 and the Chief Executive responded under Chapter 6: Housing – Quality of Residential Development, pg569-570.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

The Draft Plan includes Policy H10 Objective 3 where it is an objective of the plan

‘To consider the need for housing units to provide enough space to allow for individuals to work from home’.

In addition to the above, the Draft Plan also refers to the Government’s Making Remote Work National Remote Work Strategy under EDE4 Objective 12 as follows:

EDE4 Objective 12:

To support the Government’s Making Remote Work National Remote Work Strategy and the provision of appropriate IT infrastructure and facilities (including hubs at neighbourhood level) that enable a better life-work balance enabling people to live near their place of work.

The Remote Work Strategy is built on three fundamental pillars, bolstered by underpinning conditions. As per the foreword in the Strategy, while some people will work full-time from the office or from home, it is considered that most of us will be blended workers, working sometimes from the office and other times from home, a hub or on the go.

This is further supported in policies and objectives in the Economic Development and Employment Chapter 9 of the Draft Plan in particular EDE12 Objective 14.

The motions seeks the words ‘To ensure’ instead of the current wording of ‘To consider’.  The Planning Department can encourage and support an increase in the size of units or innovative design to provide for home working. However, government guidelines set out standard room sizes for different unit types. As a result, it would not always be possible to ‘ensure’. Discussion with different developers has indicated that they are responding to market needs in terms of home-working and the design of residential units.

It is considered that the current wording of objective H10 Objective 3 could be amended to replace ‘consider’ with ‘strongly encourage’ and to include the words ‘including apartments’ to reflect the clarity put forward in the motion.

**CE Recommendation:** It is recommended that this motion is adopted with amendment to read:

‘To strongly encourage the provision of enough space to allow for individuals to work from home in housing units, including apartments.

An amendment to the Chief Executive’s recommendation was proposed by Councillor C. King, seconded by Councillor P. Kavanagh as follows:

to remove the word **"enough**" and replace with the word **"adequate"** as follows:

*“To ensure that new housing units, including apartments, provide adequate space to allow residents to work from home.”*

The Chief Executive’s recommendation **AS AMENDED** was **AGREED**

### **DPM45/0322 Item ID:73953**

Proposed by Councillor R. McMahon, Seconded by Councillor B. Lawlor

Ref SD-C195-233, Chapter 6, page 546 - To amend the wording to H3 SLO1 Take out "older persons and supported living" and insert "suitable housing to meet local needs" to read "To facilitate the provision of suitable housing to meet local needs as part of a de-congregation plan for Cheeverstown House in consultation with the Planning Authority. Any redevelopment must positively address the highly sensitive environmental characteristics of the site in relation to Flood Risk, the Riparian Corridor and Green Infrastructure principles. The scale of any residential development must not exceed the existing gross floor space of the existing use of the site, discounting the floor space of the protected structure on site"

**REPORT:**

The motion proposes to amend the wording to H3 SLO1 to replace ‘older persons and supported living’ with ‘suitable housing to meet local need.

It should be noted that a previous motion was put forward at pre-Draft Plan stage under Motion ID: 71340 requesting that an SLO be inserted in relation to lands south of the Templeogue Road between Hillcrest and Corrybeg Estates, owned by the Cheeverstown Charity, to support a volume of residential development that equates to the existing floor space of the site for the purpose of Elderly and Supported living.

It was recommended by the CE to insert the following SLO:

*H3 SLO1*

*To facilitate the provision of older persons and supported living which positively addresses the highly sensitive environmental characteristics of the site in relation to Flood Risk, the Riparian Corridor and Green Infrastructure principles. The scale of any replacement redevelopment must not exceed the existing gross floor space of the existing use on site, discounting the floorspace of the protected structure on site.*

It should be further noted that the issue as raised in the subject motion was submitted to the Draft Plan through the public consultation period under submissions SD-C195-233 and the Chief Executive responded under Chapter 6: Housing for All, pages 546-549.

Having examined and considered the content of the motion, the view of the CE remains unchanged for the following reasons:

The subject site, Cheeverstown House, a protected structure and attendant grounds are zoned HA-DV (To protect and enhance the outstanding character and amenity of the Dodder Valley) in the Draft Development Plan.  H3 SLO 1, by its nature, places a specific local objective on this site to facilitate the provision of older persons and supported living accommodation together with restrictions in relation to the quantum of the development. However, this is considered appropriate given the High Amenity zoning and the complex environmental and conservation issues at this site, while also recognising the opportunity to utilise this unique setting to address the housing needs of older people and provide for supported living. It is considered that the term ‘supported living’ includes for people with disabilities, with the aim of providing a range of attractive accommodation choices for people wishing to right size and/or seeking assisted living or supported housing options.

The overall Vision under the Draft Plan in respect to Housing is ensuring the delivery of high quality and well-designed homes in sustainable communities to meet a diversity of housing needs within the County. It is considered that H3 SLO 1 is consistent with the overarching objectives of the Draft Plan. However, it is noted that there are constraints on the site. Cheeverstown House, a Three Storey House, Templeogue (RPS No. 242/Map 06) is a protected structure. In addition, part of the subject site is located within the Riparian Corridor and Flood Zone B on the Draft Development Plan’s Green Infrastructure and Flood Risk Map. The land is also zoned High Amenity and the SLO seeks to balance the wider environmental requirements of the Dodder Valley corridor with the flexibility to provide for new types of accommodation on the site where building already exists.

Both the submission and the motion by way of the rewording are proposing to provide for what is in effect ‘Residential’ without any restrictions. The submission to which the motion relates discusses compact urban growth indicating that ‘a residential redevelopment of the Cheeverstown House site would be consistent with the RSES promotion of compact urban regeneration which has the potential to deliver appropriate residential density of high quality design and architecture.’

The Core Strategy of the Draft Development Plan has clearly indicated an excess of zoned lands in the County to meet the 2028 housing targets. As such, there is no requirement for these lands to provide for housing. The lands are also not zoned for housing, but are zoned HA, a purposefully restrictive zoning in areas which require protection because of their environmental importance and sensitivity. The Dodder Valley is a strategic Green Infrastructure Corridor in the Draft Plan and while it is recognised that there is existing built form on the lands in question, any redevelopment must be able to be considered as replacement and be capable of being assessed as a ‘non-conforming use’.

Having regard to the above it remains the opinion of the CE that H3 SLO1 is consistent with the overarching objectives of the Draft Plan and therefore it is considered that this motion should not be adopted.

**CE Recommendation:** It is recommended that this motion is not adopted.

Following contributions from Councillors R. McMahon, B. Lawlor, A. Edge, L. Donaghy, C. Bailey, Y. Collins, Mr M. Mulhern, Director of Services responded to queries raised.

A Roll Call Vote on the motion followed, the result of which was as follows:

**FOR: 9 (Nine)**

**AGAINST: 21 (Twenty-one)**

**ABSTAIN: NIL**

[**Roll Call Vote M 45**](http://www.sdublincoco.ie/Home/ViewDocument/add9190a-5071-4838-a8da-ae630103b640)

The Motion **FELL**

### **DPM46/0322 Item ID:73959**

Submitted by Councillor Derren Ó Brádaigh, & Councillor William Joseph Carey

SD-C-227 OPR H1 Objective 2 Pg 46-47 To retain the original wording in the draft CDP; 'To require that 25% of lands zoned for residential use, or for a mixture of residential and other uses for development of 9 or more units or development of units on land greater than 0.1 hectares (or relevant figures as may be revised by legislation) be reserved for social and affordable housing in accordance with the Urban Regeneration and Housing Act 2015 and the Planning and Development Act 2000 (as amended). Submitted By: Cllr Derren Ó Brádaigh & Cllr William Carey

Councillor D. Ó Brádaigh **AGREED** to **WITHDRAW** the Motion

### **DPM47/0322 Item ID:73849**

Proposed by Councillor C. O'Connor, Seconded by Councillor C. King

OPR Observation 8 Housing Objective H3+,

Chapter 2 Pages 49-50

That in the support of the Government's Housing for all policy, in particular Section 6.3.1 Housing for Older People and SDCC's objective H3+ (Copies enclosed) relating to OS Open Space the Council Agrees to include community led housing for older people, Council affordable housing and nursing homes/retirement villages in established areas in the 'Permitted in Principle' column of the land use zoing matrix to give better effect to this far seeing and timely policy.

[Document 1](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73616)  
[Document 2](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=73615)

**REPORT:**

The motion proposes the inclusion of community led housing for older people, council affordable housing and nursing homes/retirement villages in established areas in the ‘Permitted in Principle’ column of the land use zoning matrix for lands zoned ‘OS’ ‘To preserve and provide for open space and recreational amenities’.

As per Table 13.15 of the Draft Plan, the zoning objective for ‘OS’ zoned lands is to ‘To preserve and provide for open space and recreational amenities’. The following uses are ‘Permitted in Principle’ as per the ‘OS’ Land-Use Zoning Table (Matrix) – Allotments, Community Centre, Cultural Use, Open Space, Recreational Facility, Sports Club/Facility.

The Draft Plan states that land uses that are listed as ‘Permitted in Principle’ are considered to be generally acceptable, subject to further assessment against the relevant policies, objectives and standards set out under the Plan.

As per Table 13.15 ‘OS’ Land-Use Zoning Table, the following uses are ‘Open for Consideration’– Agriculture, Bed & Breakfast (In existing premises), Camp Site, Car Park (For small-scale amenity or recreational purposes only), Cemetery (If provided in the form of a lawn cemetery), Childcare Facilities, Crematorium, Education, Garden Centre, Guest House (In existing premises), Home Based Economic Activities (In existing premises), Hotel/Hostel, Housing for Older People, Outdoor Entertainment Park, Place of Worship (In existing premises), Public Services, Recycling Facility, Residential, Restaurant/Café, Shop- Local, Stadium, Traveller Accommodation.

In respect to land uses that are listed as ‘Open for Consideration’, the Draft Plan states the following: Land uses that are listed as ‘open for consideration’ in the land use zoning tables may be acceptable to the Planning Authority subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in this Plan.

Proposed uses in this category will be subject to full assessment on their own merits and particularly in relation to their impact on the development of the County at a strategic and a local level. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan.

In addition and as set out in the CE Response to the OPR’s submission (SD-C195-227) which put forward an observation to omit housing for older people and residential from the ‘open for consideration’ category, it was recommended that the  ‘OS’ Land-Use Zoning Table be amended to include a footnote after ‘Housing for Older People’ and ‘Residential’ where these are open for consideration to state: ‘Only where this accords with H3 Objective 4’

H3 Objective 4 in the Draft Plan states:

To support community led housing developments for older people and social and Council affordable housing in established areas on lands designated with Zoning Objective “OS” (To preserve and provide for open space and recreational amenities), only where the quality and quantum of remaining public open spaces is deemed to be adequate and the amenities of the area are preserved.

It is noted that in South Dublin there has been a legacy of older Council estates in particular, where large areas of public open space were provided. However, in some instances these open spaces are not functioning as they should and would not meet standards of multi-functionality and security, including passive surveillance, that would be best practice today. In light of this, and in the interests of compact growth and better layout and design, there are times when open space is more efficiently used to meet the demand for housing developments for older people and social and Council affordable housing.

H3 Objective 4 stipulates that ‘only where the quality and quantum of remaining public open spaces is deemed to be adequate, and the amenities of the area are preserved’ will housing developments for older people and social and Council affordable housing in established areas on lands designated with Zoning Objective ‘OS’ be supported.

It is considered Table 13.15 and the proposed footnote after ‘Housing for Older People’ and ‘Residential’ stipulating that such development would be open for consideration ‘Only where this accords with H3 Objective 4’ as per the CE Response/Recommendation in relation to the OPR submission, satisfactorily supports and facilitates the implementation of H3 Objective 4 whilst still maintaining the overarching land use objective which is ‘To preserve and provide for open space and recreational amenities’.

The motion seeks the inclusion specifically of ‘community led housing for older people’, ‘Council affordable housing’ and ‘nursing home/retirement home’ in the ‘OS’ Land-Use Zoning Table under ‘Permitted in Principle’. The footnote linking ‘Housing for Older People’ and ‘Residential’ use classes with H3 Objective 4 addresses the issue raised in the motion in respect to providing for ‘community led housing for older people’ and ‘Council affordable housing’ whilst also providing for the required caveats relating to the quantum and quality of remaining open space.

It is noted that ‘Housing for Older People’ is an existing use class defined in Appendix 6 of the Draft Plan as ‘Housing schemes that are specifically designed to meet the needs of older people that comprise independent housing’. In addition ‘Residential’ is defined in Appendix 6 as ‘The use of a building or part thereof including houses, duplexes and apartments designed for year-round human habitation’.

The motion also seeks the inclusion of ‘nursing home/retirement home’ in the ‘OS’ Land-Use Zoning Table under ‘Permitted in Principle’.

It should be noted that ‘Nursing Home’ and ‘Retirement Home’ uses are ‘Not Permitted’ on lands zoned ‘OS’ as per Table 13.15 of the Draft Plan.

‘Nursing Home’ is defined in Appendix 6 as ‘A building or part thereof used for the care of older and/or convalescing people’. ‘Retirement Home/Assisted Living’ is defined separately in the Draft Plan as it is in the current County Development Plan as ‘Semi-independent housing accommodation specially designed for older people in which dining, recreation, hygiene and health care facilities are shared on a communal basis’.

The land area (site) size and configuration requirements for Residential and Housing for Older People schemes, particularly smaller, infill Part 8 developments supported by H3 Objective 4, are significantly less than the land area (site) size and configuration requirements for Nursing Home/Retirement Home developments.  For example, infill Residential and Housing for Older People schemes are achievable on different size and shaped sites and can work well in smaller clusters in established communities, optimising the cost benefit of underutilised Council owned lands and providing passive surveillance and improved functionality to larger open spaces. However, Nursing Homes and Retirement Homes are subject to the National Standards for Residential Care Settings for Older People in Ireland (2016) and require a significantly greater land area (site) with a more regular shape to provide the accommodation, facilities and amenities required to meet these standards.

An examination of Housing for Older People Schemes within the County shows that such schemes usually range in size from 4 units to 12 units and require site areas of between 0.1 (1000 sqm) and 0.3ha (3,820 sqm) approximately. These types of schemes work well on infill, corner and end-of row sites in existing residential areas where a good standard of passive surveillance onto existing streets and green spaces can be achieved as well as a good standard of site permeability with on-site pathways linking directly to public footpaths and loop walks in open spaces thus providing safe and direct linkages to local amenities and services. On-site parking and access roads in such schemes are generally limited reducing the space requirement in this regard.

An examination of Nursing and Retirement Home sites within the County over the last ten years shows a requirement for site areas ranging in size from approximately 0.4ha (4,000 sqm) to 2.0 ha (20,000 sqm). All such sites were large enough to accommodate between 60 to 100 plus bedroom units on average as well as extensive ancillary accommodation and appropriate levels of outdoor amenity space and on-site parking.  This type of development is generally not suited to corner/end-of-row sites in existing residential areas due to their overall space requirement, the extent and massing of the buildings required, and the volume of traffic movement generated by staff and visitors to such a facility.  These types of facilities usually require a direct access arrangement from the main road network. In addition, these types of facilities are generally enclosed for health and safety reasons and would not be conducive to through access or integration with the existing layout in the way that small housing schemes can be.

It should be noted that from a broad based analysis in the wider Dublin Region new purpose-built Nursing Home/Retirement Homes generally appear to provide for c. 100 bedrooms or greater resulting in a significant land area requirement.  The number of residents also equates to a maximum level of parking.  The Draft Plan stipulates a maximum of 1 space per 4 residents in Zone 1 (general rate within the County) and 1 space per 8 residents in Zone 2 (within town and village centres, within 800 metres of a train or Luas station and within 400 metres of a high quality bus service).

Therefore, having regard to the above, it is considered that ‘Nursing Home’ and ‘Retirement Home’ land uses, by reason of their space requirement for larger-sized sites, usually located directly off the main road network, that can accommodate the necessary level of bedroom and ancillary accommodation, on-site services, amenities and car parking required to meet the standards in place, would be contrary to the overarching objective on ‘OS’ zoned lands which is to  ‘To preserve and provide for open space and recreational amenities’ and the aim of H3 Objective 4.

In conclusion, it is recommended that this motion is not adopted and that the ‘OS’ zoning matrix retains ‘Housing for Older People’ and ‘Residential’ as use classes within the Open for Consideration category with the associated footnote ‘Only where this accords with H3 Objective 4’.  Furthermore, it is recommended that ‘Nursing Home’ and ‘Retirement Home’ remain as ‘Not Permitted’ in the ‘OS’ zoning matrix.

**CE Recommendation:**It is recommended that this motion is not adopted and that the ‘OS’ zoning matrix retains ‘Housing for Older People’ and ‘Residential’ as use classes within the Open for Consideration category with the associated footnote ‘Only where this accords with H3 Objective 4’.  Furthermore, it is recommended that ‘Nursing Home’ and ‘Retirement Home’ remain as ‘Not Permitted’ in the ‘OS’ zoning matrix.

Following contributions from Councillors C. O’Connor, P, Kavanagh, C. King, M. Johansson, L. Donaghy, J. Tuffy, W. Carey, Mr M. Mulhern, Director of Services and Ms H. Craigie, Senior Planner responded to queries raised.

A Roll Call Vote on the motion followed, the result of which was as follows:

**FOR: 1 (One)**

**AGAINST: 30 (Thirty)**

**ABSTAIN: NIL**

[**Roll Call Vote M 47**](http://www.sdublincoco.ie/Home/ViewDocument/8137d6d5-0e6f-4e7e-b5c1-ae6301044901)

The Motion **FELL**

The meeting concluded at 20.40

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_