



Chief Executive's Report on Proposed Amendments to Draft Plan Consultation

January 2022

Volume I

Draft County Development Plan 2022-2028

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Issues Raised and Chief Executive's Responses and Recommendations

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Part 1: Introduction

1.1 Purpose of the Chief Executive's Report

This Report is submitted to the Members of Dún Laoghaire-Rathdown County Council for their consideration as part of the process for the preparation of the County Development Plan 2022-2028.

This Chief Executive's Report forms part of the statutory procedure for the preparation of a County Development Plan, as required by Section 12(8) of the Planning and Development Act, 2000 (as amended) and sets out to:

- i) List the persons or bodies who made submissions or observations under this section i.e. during the public consultation period of the Proposed Amendments to the Draft County Development Plan 2022 - 2028 and the Draft Environmental Report and Natura Impact Report,
- ii) Summarise the recommendations, submissions and observations made by the Office of the Planning Regulator, and
- iii) The submissions and observations made by any other persons in relation to the proposed amendments
- iv) Give the response of the Chief Executive to the issues raised, taking account of any directions of the Members of the authority or the committee under Section 11.4, the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and any relevant policies or objectives in the area and any relevant policies or objectives of the Government or of any Minister of the Government

At the special Council meetings held in October 2021 as per Section 12 (6) the Elected Members amended the Draft Plan. As per Section 12 (7) it is the proposed amendments and the associated environmental reports and determinations that were on display from 11th November 2021 to 17th January 2022. Section 12 (7) invites submissions on the amendments and 12 (8) sets out that the Executive shall prepare a report on the submissions received "*in relation to the Draft Plan in accordance with this section*", which is taken to mean

submissions in relations to the proposed amendments to the Draft Plan. Therefore, the responses and recommendations set out below relate to issues raised on the proposed amendments.

Any submissions and/or part-submissions that refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the 'Mapping Changes' that were placed on public display between 11th November 2021 and 17th January 2022 are summarised in Volume II and are carried through to Volume I to the end of each relevant section.

Members have a period of 6 weeks from the date of receipt to consider the Chief Executive's Report. Following consideration of the Proposed Amendments to the Draft Development Plan and the Chief Executive's Report, the Members shall, by resolution, having considered the proposed amendments and the Chief Executive's Report, make the Plan with or without the proposed amendments, except that where they decide to accept the proposed amendment, they may do so subject to any modifications to the amendment as they consider appropriate subject to:

Section 12(10) (c) of the Planning and Development Act 2000 (as amended) states:

*"(c) A **further modification to the alteration** –*

*(i) may be made where **it is minor in nature** and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,*

*(ii) **shall not** be made where it relates to –*

*(I) an **increase in the area of land zoned** for any purpose, or*

*(II) an **addition to or deletion from the record of Protected Structures**".*

The Development Plan shall have effect 6 weeks from the day that the Plan is made.

Section 12(11) of the Planning and Development Act 2000 (as amended) states:

“In making the Development Plan under subsection (6) or (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.”

1.2 Structure of the Report

The report comprises 2 volumes as follows:

- Volume I - Introduction, Issues Raised and Chief Executive's Responses and Recommendations
- Volume II - Summary & List of Submissions Received

Volume I

Volume I is divided into four parts:

- Part 1 comprises this Introduction.
- Part 2 details the submission of the Office of the Planning Regulator and the Chief Executive's Response and Recommendations to same.
- Part 3 provides a summary of the issues raised in each of the remaining submissions received, the Chief Executive's response to the issues and a recommendation.
- Part 4 comprises Appendices to the Report

Where the report references an amendment in the body of the Chief Executive's response the proposed amendment is shown as per the amendment document that was on display i.e. addition of text to the Plan are set out in **red** type, deletions to the text are shown in **blue** print with a strikethrough.

Where the Chief Executive makes a recommendation for a further minor modification this is shown in the recommendation section with additions to text or changes to mapping are set out in **red** type. Deletions to the text are shown in **blue** print with a strikethrough. Recommendations may also include the omission of an amendment.

In order to make the document as user friendly as possible the issues raised have been grouped under a series of umbrella 'headings' which are based on the various individual Chapters and Appendices set out in the Draft Plan.

Issues raised that refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the 'Mapping Changes' are shown at the end of each relevant section. In some instances, the submitter has incorrectly linked an issue to a proposed amendment. Whilst this is covered in the relevant section with the proposed amendment number noted, the fact that it does not relate to the amendment is set out in the response.

A number of Chapters and Appendices in the Draft Plan did not attract submissions raising issues on their proposed amendments, including:

- Chapter 1 - Introduction, Vision and Context
- Chapter 11 - Heritage and Conservation
- Chapter 15 - Implementation, Monitoring and Evaluation
- Appendices 1, 3, 6, 7, 8, 9, 13, 14 and 15.

Volume II

Volume II is divided into 2 parts:

- Part 1 summarises the submissions received including a summary of submissions and/or issues raised which do not relate to proposed amendments
- Part 2 lists the persons or bodies who made submissions or observations.

Navigation

In each volume of this report there are a number of links and cross references provided to aid navigation both through the report and to documents referred to within the report. Hyperlinked text is identifiable by an underline and will be either blue or black text. Hyperlinks have been provided for:

- All submissions received.
- The Proposed Amendment Document – this is linked to the 'Amendment' number / page column header in each table in Volume I.
- The Chief Executive's Report on Draft Plan Consultation, July 2021.
- Chapters in the Draft Plan.

- Amended land use maps – these are linked to the map number within sub headings in Chapter 14 and the 'Land Use Mapping' section.
- Quick links from the contents page to each section are provided and a 'Return to Contents' link is provided at the bottom of each page in Volume I.

1.3 Public Consultation

The Proposed Amendments to the Draft County Development Plan 2022-2028, the Draft Environmental Report and Natura Impact Assessment were initially put on public display for 4 weeks between 11th November 2021 and 9th December. Written submissions and/or observations – but only with respect to the Proposed Amendments to the Draft Plan - were invited for a 4-week period ending the 9th December 2021. The public consultation period was further extended to Monday 17th January 2022.

This extended period was to facilitate members of the public to view additional mapping associated with the Strategic Flood Risk Assessment contained in 'Appendix B' as referred to in amendment no. 438 in the Proposed Amendments document. These maps were inadvertently omitted from the amendments documentation which went on display on 11th November 2021.

During the public consultation period the Council pursued a proactive approach in an attempt to raise awareness of the Draft Development Plan among the citizens of the County and other stakeholders, and by doing so encourage a greater degree of public participation in the overall process. The initiatives and measures undertaken by the Council to engage with the citizens of the County and promote more inclusive public participation included:

- A detailed public notice was placed in the Irish Times on 11th November 2021 advising of the consultation period, where the Draft Plan could be accessed and inviting submissions on the amendments to the Draft Plan up to and including the closing date of 9th December 2021. Notice of the extended public consultation period was placed on the website on the 9th December. An additional detailed public notice was placed in the Irish Times on the 10th December advising the public that the consultation period has been extended by a further 4 weeks and inviting submissions up to and including the 17th January 2022. The initial public notice also advised of 4 no.
- Public Information Days to be held throughout the County on various dates during the consultation period. The additional notice on the 10th December advised of two additional public open days.
- The proposed Material Alterations, the associated SEA Environmental Report (including SEA Screening of Proposed Material Alterations and information on the likely significant effects on the environment of implementing relevant alterations) and the AA Natura Impact Report (including AA Screening of Proposed Material Alterations), SEA and AA Determinations, were on public display for the duration of the consultation period at the following locations:
 - The Concourse, County Hall, Dún Laoghaire (9.00am-5.00pm)
 - Council Offices, Dundrum Office Park (9.30am-12.30pm and 1.30pm-4.30pm).
 - Six Public Information sessions were held on the dates and locations listed below:
 - Tuesday November 16th, County Hall, Dún Laoghaire. 10am to 1pm
 - Thursday November 25th, Council Offices, Dundrum, 2pm – 4pm
 - Thursday November 30th, Council Offices, Dundrum, 9.30am to 12.30pm
 - Wednesday December 8th, County Hall, Dún Laoghaire, 2pm – 4pm
 - Thursday 16th December, County Hall, Dún Laoghaire, 2:00 pm - 4:00 pm
 - Tuesday 11th January 2022: Dundrum Civic Office, 9:30 am – 12:30 pm
 - The Proposed Amendments to the Draft Plan the associated SEA Environmental Report and the AA Natura Impact Report (including AA Screening of Proposed Material Alterations), SEA and AA Determinations were available to view or download from the Council's website, www.DLRcoco.ie.

- Supporting documentation including the Character Appraisal and mapping for the proposed Dundrum Architectural Conservation Area (ACA) were also available on the website.
- Submissions/observations in respect of the Draft Plan/Draft Environmental Report and Natura Impact Report were accommodated via hard copy or via the citizens space public consultation portal.

1.4 Role of the Office of the Planning Regulator (OPR)

In accordance with Sections 31AM and 31AO of the Act, the OPR has responsibility for independently assessing all **Development Plans** with a view to ensuring that the plan provides for the proper planning and sustainable development of the area concerned.

Matters Assessed and Evaluated under Section 31 (AM) include:

- (a) matters generally within the scope of Section 10 and, in particular, subsection (2)(n) of that section in relation to climate change;**
- (b) consistency with the Development Plan and the National Planning Framework and regional spatial and economic strategies;**
- (c) relevant guidelines for planning authorities made under Section 28, including the consistency (of Development Plans with any specific planning policy requirements specified in those guidelines);**
- (d) policy directives issued under Section 29;**
- (e) such other legislative and policy matters as the Minister may communicate to the Office in writing, the effect of which shall be published on the website of the Office.**

Section 31 (AM) 6 sets out that the Planning Authority shall notify the Office within 5 working days of the making of a Development Plan and send a copy of the written statement and maps as duly made and where the Planning Authority

- (a) decides not to comply with any recommendations made in the relevant report of the Office, or
- (b) otherwise make the plan in such a manner as to be inconsistent with any recommendation made by the Office,

then the Chief Executive shall inform the Office accordingly in writing, which notice shall state reasons for the decision of the Planning Authority.

Section 31(AM) 7 sets out that the OPR shall consider whether or not the Development Plan as made is, in the Office's opinion, consistent with any recommendations made by the Office.

Section 31 (AM) (8) sets out that where the Office is of the opinion that —

- (a) the Development Plan has not been made in a manner consistent with the recommendations of the Office,
- (b) that the decision of the Planning Authority concerned results in the making of a Development Plan in a manner that fails to set out an overall strategy for the proper planning and sustainable development of the area concerned, and
- (c) as a consequence of paragraphs (a) and (b), the use by the Minister of his or her functions to issue a direction under Section 31 would be merited,

then the Office shall issue, no later than 4 weeks after the Development Plan or the variation to the Development Plan is made, a notice to the Minister containing —

- recommendations that the Minister exercise his or her function to take such steps as to rectify the matter in a manner that, in the opinion of the Office, will ensure that the Development Plan, or the Development Plan as varied by the Planning Authority, sets out an overall strategy for proper planning and sustainable development, and
- a proposed draft of a direction to which paragraph.

Section 31(AN) sets out the process which the Minister must follow in relation to any recommendation from the OPR to issue a direction under Section 31. Where the Minister does not agree with the Office, then the Minister shall —(i) prepare a statement in writing of his or her reasons for not agreeing, and (ii) cause that statement to be laid before each House of the Oireachtas.

Section 31 (3) and (4) sets out that before issuing direction the minister shall issue a notice informing the Planning Authority of the intention to issue a direction, a draft of which shall be contained in the notice) to the Planning Authority to take certain measures specified in the notice in order to ensure that the plan is in compliance with the requirements of this Act and, in the case of a

plan, sets out an overall strategy for the proper planning and sustainable development of the area.

Any parts of the plan that by virtue of the issuing of the notice under this subsection shall be taken not to have come into effect.

If applicable, the notice can require the Planning Authority to take measures specified in the notice to ensure that the plan is in compliance with the transport strategy of the Dublin Transport Authority.

Not later than 2 weeks after receipt of the notice issued by the Minister the Planning Authority shall publish notice of the draft direction in at least one newspaper circulating in the area of the Development Plan or Local Area Plan, as the case may be, which shall state —

(a) the reasons for the draft direction,

(b) that a copy of the draft direction may be inspected at such place or places as are specified in the notice during such period as may be so stated (being a period of not more than 2 weeks), and

(c) that written submissions or observations in respect of the draft direction may be made to the Planning Authority during such period and shall be taken into

consideration by the Office of the Planning Regulator before it makes a recommendation to the Minister on the matter.]

Following that period, the Chief Executive has 4 weeks to prepare a report on any submissions or observations received which shall be furnished to the Elected Members of the Planning Authority, the Office of the Planning Regulator and the Minister.]

The report shall make recommendations in relation to the best way to give effect to the draft direction.

The Elected Members of the Planning Authority —

(a) may make a submission to the Office of the Planning Regulator at any time up to the expiry of the display period of the draft Direction

(b) where so submitted, shall send a copy of it to the Minister.]

The OPR then consider the report of the Chief Executive, together with any submission made under and recommend to the Minister that he or she issue the direction with or without minor amendments.

Part 2: Summary of Submission by the Office of the Planning Regulator and Chief Executive's Responses and Recommendations

2.1 Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator

Observations, Submissions and Recommendations	Amendment No. Pg.	Executive’s Response & Recommendation
Office of the Planning Regulator – C0060		
2.1.1 Core Strategy and Zoning for Residential Use		
<p>i. The OPR is generally satisfied that the proposed material amendments to the Core Strategy have sufficiently addressed the concerns raised in Recommendations 1 and 2 of the Office’s submission on the Draft Plan (Core Strategy and Residential Land Supply).</p> <p>ii. The OPR is satisfied that a reasonable basis has been set out in the Draft Plan for the quantum of zoned development that appropriately reflects the housing target set out in the amended Core Strategy Table and that at plan implementation phase, will enable a focus on developing land best located in terms of infrastructure and public transport.</p> <p>iii. The OPR welcomes the proposed material amendments made to the Core Strategy in response to Recommendation 1 of the Office’s submission on the Draft Plan. This includes the re-alignment of the Core Strategy to match the plan period, with a commensurate recalibration of population and housing growth relevant to that six-year period.</p> <p>iv. The proposed material amendments to the Core Strategy Table including the insertion of the housing supply target of 15,225 are noted and accepted.</p> <p>v. The quantum of zoned land, as set out in the revised Core Strategy Table, is acceptable and</p>	<p>9 13 15 17</p>	<p>The Executive welcomes the comments of the OPR which are broadly supportive of the Core strategy as amended.</p> <p>The Executive acknowledges the comprehensive assessment and evaluation undertaken by the OPR and welcomes its stated position that the proposed material amendments would sufficiently address concerns raised in the Office’s submission on the Draft Plan pertaining to the Core Strategy and Residential Land Supply (OPR Recommendations 1 and 2 on the Draft Plan). In particular, the Executive welcomes the comments of the OPR that a reasonable basis has been set out in the Draft Plan for the quantum of zoned development land that appropriately reflects the housing target, and that the quantum of zoned land, as set out in the revised Core Strategy Table, is acceptable and reasonable.</p> <p>Notwithstanding the OPR’s overarching acceptance of the Core Strategy, as proposed to be amended, the Executive notes the comments of the OPR with respect to the Cherrywood SDZ where it states:</p> <p><i>‘For clarity and transparency, it would be helpful if the Core Strategy table included a broad assumed estimate for delivery of housing in Cherrywood over this Development Plan period, accepting that full delivery will ultimately span to future Development Plan(s).’</i></p> <p>The integration of Cherrywood as part of the Core Strategy is set out in Section 2.4.4 (pg. 34) of the Draft Plan where it states:</p> <p><i>‘The full capacity of the Cherrywood Strategic Development Zone is incorporated into the Core Strategy Table below and comprises an estimated residential yield of between 5,596 to 8,186 units. While the Cherrywood SDZ lands comprise Tier 1 and 2 zoned residential lands that may be developed within the lifetime of the Plan, it is acknowledged that the full build-out of Cherrywood may extend beyond the timeframe of the Plan.’</i></p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
<p>reasonable. The OPR have taken into account the concept of additional provision of residentially zoned lands provided for under the Draft Development Plan Guidelines (2021). The OPR is satisfied, from its assessment of the Draft Plan and its context, that a reasonable basis for incorporating such additional provision is evident.</p> <p>vi. Notes that the Core Strategy incorporates the ongoing development of Cherrywood, the completion of which will go beyond the life of the CDP. Considers that, for clarity and transparency, it would be helpful if the Core Strategy Table included a broad assumed estimate for delivery of housing in Cherrywood over the Development Plan period, accepting that full delivery will ultimately span to future Development Plans.</p> <p>vii. The Office is generally satisfied that the Core Strategy is consistent with the recommendations of the Office, as submitted by the Planning Authority in its Section 12(5) (aa) Notice.</p>		<p>While the Executive acknowledges the OPR’s comments on this matter, it is respectfully considered that the level of detail provided in the Core Strategy for Cherrywood appropriately reflects the designation of an SDZ to facilitate development considered to be of economic or social importance to the State and respects the legislative status of the Cherrywood Planning Scheme which is made and amended under a separate legislative process to the County Development Plan.</p> <p>It is highlighted that, in contrast to the Development Plan, the life of the Cherrywood SDZ Planning Scheme is not limited to a legal timeframe set down by the Planning and Development Acts. The SDZ scheme was adopted in 2014 and only now, eight years later, are the first homes nearing completion. It is considered that the inclusion of estimates for the delivery of housing at Cherrywood over the County Development Plan period, would involve a degree of speculation.</p> <p>In terms of clarity and transparency, it is considered that the Cherrywood SDZ Planning Scheme provides the requisite and comprehensive detail regarding the phasing and delivery of new development, in tandem with the provision of essential infrastructure to serve and facilitate development. Chapter 7 of the SDZ Planning Scheme ‘Implementation: Sequencing and Phasing of Development’, sets out the sequencing of development across the Scheme and identifies the internal infrastructure and services required to be provided to facilitate this sequencing.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>2.1.2 Phasing / prioritisation of residential zoned land (Rathmichael and Old Connaught) – MA Observation 1</p>		
<p>i. The OPR welcomes the proposed A1 land use zoning objective for the Rathmichael area, in response to Recommendation 3 (prioritisation of preferable locations) of the Office’s submission on the Draft Plan.</p> <p>ii. The OPR accepts, as inferred by proposed MA 19, that the revised zoning would provide for a level</p>	<p>19 18 24 20 208 67 306 81 <u>M1010</u> <u>M1019</u></p>	<p>The Executive welcomes the overarching comments of the OPR which support the amendment in relation to the A1 lands at Rathmichael.</p> <p>In particular, the Executive welcomes the comments from the OPR that the proposed ‘A1’ land use zoning objective for the Rathmichael area, as proposed in response to Recommendation 3 (prioritisation of preferable locations) of the OPR’s submission on the Draft Plan, would provide for a level of prioritisation for the development of better serviced</p>

Observations, Submissions and Recommendations	Amendment No. Pg.	Executive’s Response & Recommendation
<p>of prioritisation for the development of better serviced and located residential zoned lands in the County.</p> <p>iii. The OPR notes that the wording of Objective A1 and an associated proposed amendment (MA 24) would suggest the intention of the Planning Authority to defer any substantial development within Rathmichael and Old Connaught until the LAP is made. Considers, that greater clarity is required to ensure that development does not occur without sufficient social and physical infrastructure, consistent with the proper planning and sustainable development for this area. The Office considers that this matter could be addressed by the inclusion of a minor modification to MA 19.</p> <p>iv. The OPR also notes proposed MA 306, M1019 and 208 which relate to development on single water treatment systems in the Rathmichael area and considers that such development has the potential to undermine the coordinated future development of strategic lands within the Metropolitan area of Dublin.</p> <p>MA Observation 1 – Residential Land Supply (Rathmichael and Old Connaught) The Planning Authority is strongly advised to make a minor modification to the material amendment MA 19 of Section 2.4.6 ‘Phasing’, and / or to material amendment MA 24 of Section 2.6.1.3 Local Area Plan Making Programme, to clarify that no applications for development other than for minor modifications and extensions to existing properties will be considered by the Planning Authority until the LAP</p>		<p>and located residential zoned lands in the County. It is noted that the A1 land use zoning objective already applies to lands at Old Connaught.</p> <p>The Executive notes the OPR’s concerns in relation to development occurring at ‘A1’ zoned lands in advance of the making of Local Area Plans for these growth areas. From a strategic perspective, the Executive concurs and considers that a plan-led approach to the development of both Rathmichael and Old Connaught is of paramount importance to ensure the proper planning and sustainable development of these new residential communities. The Executive would consider, however, that the planning policy means for achieving same are appropriately provided for through the existing provisions of the Draft Plan, in addition to proposed amendments 19 and 24, and that these provisions would sufficiently safeguard the Rathmichael and Old Connaught areas and ensure their proper planning and sustainable development in accordance with approved Local Area Plans.</p> <p>It is highlighted that the overarching objective for ‘A1’ zoned lands specifically provides for new residential communities and SNI infrastructure <u>in accordance with approved Local Area Plans</u>. Zoning Objective ‘A1’ states the following:</p> <p><i>“To provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved Local Area Plans”.</i></p> <p>The ‘A1’ Land Use Zoning Objective has been utilised by the Planning Authority through successive Development Plans.</p> <p>In addition to the ‘A1’ zoning objective, Proposed Amendment 24 provides further clarity regarding development which can be considered at lands subject to the ‘A1’ zoning at Rathmichael and Old Connaught in advance of an approved Local Area Plan. Proposed Amendment 24 states the following:</p> <p><i>“On lands subject to zoning objective A1 – ‘To provide for new communities and Sustainable Neighbourhood Infrastructure in accordance with approved Local Area Plans’ - a wide range of uses are both permitted in principal and open for consideration. This acknowledges the fact that the Local Area Plan process will allow for a more granular breakdown of land uses. <u>It is noted that within the A1 zoned lands at both Old Connaught and Rathmichael there are a</u></i></p>

Observations, Submissions and Recommendations	Amendment No. Pg.	Executive’s Response & Recommendation
<p>has been made for the subject lands, consistent with the proposed land use zoning objective A1 for those lands.</p> <div style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; text-align: center;">Refer also to Section 3.22 Land Use Mapping</p> </div>		<p><u><i>number of existing properties. Minor modifications and extensions to these properties can be considered in advance of the relevant Local Area Plans.</i></u></p> <p>Having regard to the above provisions, both existing and proposed, the Executive would consider that a sufficiently robust planning policy framework is in place to ensure the proper planning and sustainable development of both Old Connaught and Rathmichael in accordance with an approved Local Area Plan.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>2.1.3 Development Management Standards</p>		
<p>i. OPR considers that proposed MA 160 which applies the proposed mix requirements for apartments which are set out in the Draft Plan to Build to Rent is in conflict with the statutory provisions under Sections 12(18) of the Act to ensure the Development Plan is consistent with SPPRs specified in Section 28 guidelines and, under Section 28(1C), to comply with the SPPRs in the carrying out of its functions.</p> <p>MA Recommendation 1 – Build to Rent In accordance with the requirements of Sections 12(18) and 28(1C) of the Planning and Development Act 2000, as amended, the Planning Authority is required to make the Plan without amendment MA 160 which is inconsistent with SPPR 8(i) of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DHLGH, 2020).</p>	<p>160 57</p>	<p>The Executive notes the issue raised in relation to mix requirements and build to rent.</p> <p>SPPR 8 of the Apartment guidelines is clear that; <i>“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;”</i></p> <p>The Apartment Guidelines 2020 clearly state: <i>“Planning authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions”.</i></p> <p>Section 12 (18) of the Planning and Development Act 2000 (as amended) sets out the <i>“obligation to ensure that the Development Plan is consistent with —(a) the national and regional development objectives specified in (i) the National Planning Framework, and (ii) the regional spatial and economic strategy, and (b) specific planning policy requirements specified in guidelines under subsection (1) of section 28”</i></p> <p>Recommendation Omit proposed amendment 160 as follows: <u><i>“That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 233.”</i></u></p>

Observations, Submissions and Recommendations	Amendment No. Pg.	Executive’s Response & Recommendation
<div style="border: 1px solid green; padding: 5px; display: inline-block;"> <p style="color: green; margin: 0;">Refer also to Section 3.10 Development Management</p> </div>		<p>In Chapter 12 amend Section 12.3.3.1 ‘Residential Mix’ by adding the following sentence to the end of the section: “For the avoidance of doubt, this section will not apply to BTR only developments.”</p>
<p>ii. OPR submissions notes that Section 12.3.6 (and Sections 12.4.5 Car Parking and 12.8 Open Space) of the Draft Plan acknowledges that derogations from certain standards for apartment development apply to ‘Build to Rent’ schemes, including from dwelling/unit mix (as referred to in MA 172), it does not refer to all of the derogations under (i) to (v) of SPPR 8. In particular, it omits reference to the derogation on the maximum number of apartments to be accessed per floor per core. OPR considers that this is likely to lead to confusion and considers that the issue could be addressed via minor modification to MA 172.</p> <p>MA Observation 2 – Build to Rent Arising from MA 172, the Office advises the Planning Authority that a minor modification be made to Section 12.3.6 Build-to-Rent to either include: reference to all the derogations provided for under SPPR 8 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DHLGH, 2020); or (ii) a general statement that all derogations under SPPR 8 of the Guidelines shall apply to ‘Build to Rent’ development.</p>	<p>172 59 184 61</p>	<p>The Executive notes the issue raised.</p> <p>The Planning Authority acknowledge that Section 12.3.6 does not specifically reference the build to rent derogation on the maximum number of apartments to be accessed per floor per core, however, proposed amendment 170 which relates to Section 12.3.5.6 which is positioned directly above Section 12.3.6 does.</p> <p>Proposed amendment 170 states as follows; Insert footnote to sentence 1, paragraph 2, Section 12.3.5.6 ‘Additional Apartment Design Requirements’ (pg. 237) as follows:</p> <p><i>“A maximum of 12 apartments per floor per core* may be provided in apartment schemes.</i></p> <p>*Not applicable to BTR development in accordance with SPPR 8.”</p> <p>It is recommended that proposed amendment 172 be further modified to provide clarity that current derogations set out in SPPR 8 shall apply to Build to Rent Schemes unless altered.</p> <p>Recommendation Minor modification to proposed amendment 172 as follows:</p> <p>Add text to Section 12.3.6 ‘Build-to-Rent Accommodation’ (pg. 238): “Current derogations under SPPR 8 of the ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2020) Section 28 guidelines shall apply to ‘Build to Rent’ development unless altered. Where any derogations in standards including standards relating to unit mix, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant.”</p>

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2.1.4 Compact Growth (zero/zero zoning objective)		
<p>i. OPR notes the decision of the members not to accept the recommendation of the Chief Executive to omit the zero/zero zoning objective in accordance with Recommendation 4 of the Office’s submission, notwithstanding the CE’s concurrent recommendation to include a rational and appropriate safeguard for this sensitive area under SLO 130 (MA 296).</p> <p>ii. OPR refers back to recommendation number 4 of their submission on the Draft Plan which advised that the 0/0 zoning objective is inconsistent with national and Regional Policy Objectives to implement compact growth within Dublin city and suburbs, including NPO 3b and RPO 3.2, and to the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009), which provide for increased residential density along public transport corridors, including in the interest of maximising the return on public transport investment</p> <p>iii. The OPR also consider that the objective is also inconsistent with the strategic approach of the Draft Plan to contribute to climate change mitigation through supporting compact growth with development focused on transportation corridors and minimisation of travel</p> <p>iv. OPR state that they concur with the Section 12(5) (aa) notice issued by the Planning Authority.</p>	<p>276 78 282 78 296 80 307 81</p>	<p>The Executive notes the issues raised in relation to the decision of the members not to accept the recommendation of the Chief Executive to omit the zero/zero zoning objective in accordance with Recommendation 4 of the Office’s submission on the Draft Plan.</p> <p>The Executive consider that sensitive infill may be appropriate on sites within the 0/0 zone and that proposals can be assessed via the Development Management process. The current title of the objective in the Draft Plan was considered contradictory as it implies that no new development can be accommodated whereas in fact sensitive infill can be considered subject to the policies of the Plan which is in line with the recommendation of the Office of the Planning Regulator.</p> <p>To comply with the recommendation of the OPR it was recommended in the <u>Chief Executive’s Report</u> on Draft Plan Consultation (July 2021) that the 0/0 zone be omitted. However, to ensure protection to this unique area it was recommended that a new SLO be included in the Draft Plan which acknowledges the unique and sensitive nature of the area in terms of architectural heritage, the local road network, and environmental sensitivities. This new SLO is proposed under proposed amendment 307. The iterative SEA process also has a bearing on this new SLO along with the alternatives considered in the SEA.</p> <p>A notice was issued to the OPR in accordance with the provisions of Section 12(5) (aa) of the Planning and Development Act 2000 (as amended) which states the following: <i>“(aa) Following consideration of the Draft Plan and the report of the Chief Executive under paragraph (a) where a Planning Authority, after considering a submission of, or observation or recommendation from the Minister made to the authority under this section or from the Office of the Planning Regulator made to that Planning Authority under section 31AM or from a regional assembly made to the authority under section 27B, decides not to comply with any recommendation made in the Draft Plan and report, it shall so inform the Office of the Planning Regulator and the Minister or regional assembly, as the case may be, as soon as practicable by notice in writing which notice shall contain reasons for the decision.”</i></p> <p>In relation to proposed recommendation number 4 of the OPR in their submission on the Draft Plan the notice set out that, at a meeting held on 12th October 2021 the Planning</p>

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		<p>Authority did not agree the recommendation of the Chief Executive in relation to Recommendation No. 4. Whilst the proposed SLO was agreed as a proposed amendment the removal of the O/Ozone was not agreed by way of proposed amendments. In accordance with the legislation the notice also set out the reasons for the decision on the members not to accept the recommendation of the Chief Executive.</p> <p>As there was no proposed amendment to omit the O/O zone its omission cannot be revisited at this stage of the Plan process.</p> <p>Recommendation No further change to proposed amendments.</p>
2.1.5 Flood Risk Management		
<p>i. OPR welcomes the proposed MA to the Draft SFRA but considers that mitigation measures proposed in the SFRA should be referenced in the written statement under Section 10.7.</p> <p>ii. In relation of the proposed amendment to the Draft SFRA the OPR expresses concerns that Draft Plan without minor modification, will not provide adequate protection for uses that are vulnerable or highly vulnerable to flood risk.</p> <p>MA Recommendation 2 – Flood Risk Management Having regard to NPO57 and Sections 4.23 and 4.27a of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009, as amended), and arising from the consideration of MA 399 to 440, the Planning Authority is required to amend Policy Objective EI23 Flood Risk Management to as follows (insert the text in red and delete the strikethrough text in blue): <i>“Implementation of the above shall be via the policies and objectives, and all measures to mitigate</i></p>	<p>399 113 - - 440 126</p>	<p>The Executive notes the issues raised in relation to the SFRA and the proposed mitigation measures set out in <u>Appendix 16</u>. A minor modification to address mitigation measures is recommended.</p> <p>The Executive would consider that all appendices including Appendix 16 form part of the Draft Plan and consider that regard has been had to the Section 28 ‘<i>The Planning System and Flood Risk Management Guidelines for Planning Authorities</i>’ (2009).</p> <p>For clarity, as a minor modification to proposed amendments 427, 428, 430, 431, 432, 433, 434, 435, 436,437, it is recommended that Policy Objective EI23 ‘Flood Risk Management’ (pg. 205) in <u>Chapter 10</u> of the written statement be amended to include reference to the mitigation measures included in proposed amendments. As this is simply a cross reference to information already contained in Appendix 16 it is not considered to be a material alteration.</p> <p>The drainage section have advised that the proposed wording in the OPR recommendation be altered slightly to include mitigation measures identified in SSFRAs submitted by applicants and additional ones required by DLR or ABP also being covered. They have also advised to use the word “part” instead of “criteria” as “criteria” refers to criteria 3 in the Flood Risk Guidelines and could cause confusion as it relates to the overall flood risk assessment whereas part 3 of the justification tests carried out in the Draft SFRA as set out in Appendix 16 relate to “Flood risk considerations” and mitigation measures.</p>

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<p><i>identified flood risk recommended under criteria 3 (flood risk considerations) of the Justification Tests, in of the Strategic Flood Risk Assessment set out in Appendix 16 of this Plan’.</i></p> <div style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p>Refer also to Section 3.19 Strategic Flood Risk Assessment</p> </div>		<p>Recommendation Minor modification to Policy Objective EI23 ‘Flood Risk Management’ as follows (pg. 205 of the Draft Plan):</p> <p>“Implementation of the above shall be via the policies and objectives, and all measures to mitigate identified flood risk, including those recommended under part 3 (flood risk considerations) of the Justification Tests, in of the Strategic Flood Risk Assessment set out in Appendix 16 of this Plan.”</p>
<p>2.1.6 Transport and Accessibility</p>		
<p>i. On modal share, the OPR considers that there is conflict between cycling mode share in MA 72 and MA 321 which should be resolved.</p> <div style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p>Refer also to Section 3.4 Transport and Mobility</p> </div>	<p>72 35 321 84</p>	<p>The Executive notes the comments from the OPR in terms of the inclusion of modal share targets as a Key Performance Indicator in proposed amendment 321 (pg. 84) for monitoring and evaluation of implementation of Policy Objective T3 ‘Development of Sustainable Travel and Transport’ as set out in <u>Table 15.5.5</u> of the Draft Plan (pg. 339). The Executive further notes the concern of the OPR that proposed amendment 72 (pg. 34) may be conflicting with the cycle mode share target stated in proposed amendment 321.</p> <p>Policy Objective T3: ‘Development of Sustainable Travel and Transport’ (pg. 103), <u>Chapter 5</u> in the Draft Plan, refers to the modal share targets of smarter travel in the Policy Objective as follows (underlined for emphasis):</p> <p><i>“It is a Policy Objective to promote facilitate and cooperate with other transport agencies in securing the implementation of the transport strategy for the County and the wider Metropolitan Area as set out in Department of Transport ‘Smarter Travel A Sustainable Transport Future 2009-2020’ including the modal share targets and the NTA’s ‘Greater Dublin Area Transport Strategy 2016-2035’, the RSES and the MASP (Consistent with NPOs 26, 64 of the NPF and RPOs 5.2, 5.3, 8.4, 8.7, 8.8 and 8.9 of the RSES)”</i></p> <p>Proposed amendment 72 amends text below Section 5.4.1 Policy Objective T3: Development of Sustainable Travel and Transport as follows:</p> <p><i>“The Department of Transport’s ‘Smarter Travel, A Sustainable Transport Future 2009-2020’ and the NTA’s Greater Dublin Area Transport Strategy 2016-2035 set out an integrated and</i></p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		<p><i>balanced sustainable transport strategy for the wider Dublin Region dealing with all sustainable travel modes (bus, rail, Luas, cycling and walking) and road transport as well as issues such as road safety, traffic management, accessibility, enforcement, social inclusion and guidance on complementary land use policies. The review of these two strategies is to begin in 2020 has begun. The Smarter Travel car mode share target is to reduce the total share of car commuting from 65% to 45% and the cycling mode share target is 10%. The Council, acting primarily as facilitator rather than the direct provider of some sustainable transport networks, will have a significant role to play both in the development of an efficient transport system and in planning for the future transport needs of the County. In pursuing the objective of encouraging modal shift the Council will co-operate closely with other relevant agencies and stakeholders, including the NTA.</i></p> <p><i>Notwithstanding this the locus of control of the Planning Authority is via the overarching policy approach of the Draft Plan which is centred on promoting the ten minute neighbourhood and compact climate resilient communities where people have the options to use public transport and the softer modes for everyday trips. The Council can also utilise demand management measures which includes car and cycle parking standards. In this regard the Plan has introduced a new carparking policy and associated standards (Policy Objective T18: Car Parking Standards and Section 12.4.5 Car parking Standards and Map T2) and also cycle parking requirements (12.4.6 Cycle Parking) to complement the existing Council Cycle Standards (‘Standards for Cycle Parking and Associated Cycle Parking Facilities for New Developments’, 2018). The cycle parking standards will be refined further during the lifetime of the Plan to align with the carparking zones.”</i></p> <p>Proposed amendment 321 adds the following to Table 15.5.5 ‘Transport and Mobility’ Policy Objective T3 under the Monitoring and Evaluation column:</p> <p><i>“Walking mode share target - 15% Cycle mode share target - 20% Other micromobility mode share target - 5% Public transport mode share target - 30%”</i></p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		<p>The Executive notes that the modal share targets as set out in the proposed amendment 321 significantly exceeds the Smarter Travel targets and therefore it is considered appropriate to delete reference to the Smarter Travel targets.</p> <p>It is also of note that the NTA have included travel mode share forecasts for the 24 hour period and for the AM Peak for the GDA as a whole and separately for the Metropolitan area in the <u>Draft Transport Strategy for the Greater Dublin Area 2022-2042</u>, as set out on pages 199-202. These forecasts are lower than the mode share targets in proposed amendment 321.</p> <p>Recommendation Minor modification to proposed amendment 72 as follows:</p> <p>Policy Objective T3: Development of Sustainable Travel and Transport</p> <p>“It is a Policy Objective to promote facilitate and cooperate with other transport agencies in securing the implementation of the transport strategy for the County and the wider Metropolitan Area as set out in Department of Transport ‘Smarter Travel A Sustainable Transport Future 2009-2020’ including the modal share targets and the NTA’s ‘Greater Dublin Area Transport Strategy 2016-2035’, the RSES and the MASP (Consistent with NPOs 26, 64 of the NPF and RPOs 5.2, 5.3,.8.4, 8.7, 8.8 and 8.9 of the RSES)”</p> <p>Amend text in the second paragraph and below Section 5.4.1 Policy Objective T3: Development of Sustainable as:</p> <p>“The Department of Transport’s ‘Smarter Travel, A Sustainable Transport Future 2009-2020’ and the NTA’s Greater Dublin Area Transport Strategy 2016-2035 set out an integrated and balanced sustainable transport strategy for the wider Dublin Region dealing with all sustainable travel modes (bus, rail, Luas, cycling and walking) and road transport as well as issues such as road safety, traffic management, accessibility, enforcement, social inclusion and guidance on complementary land use policies. The review of these two strategies is to begin in 2020 has commenced. The Smarter Travel car mode share target is to reduce the total share of car commuting from 65% to 45% and the cycling mode share target is 10%. The Council, acting primarily as facilitator rather than the direct provider of some sustainable transport networks, will have a significant role to play both in the development of an efficient</p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		transport system and in planning for the future transport needs of the County. In pursuing the objective of encouraging modal shift the Council will co-operate closely with other relevant agencies and stakeholders, including the NTA.”
<p>ii. OPR considers wording for proposed MA 191 in relation to a study for future uses of the DEBP is inconsistent with the NTA Draft Strategy and Measure ROAD4 which provides that it will be a matter for the NTA to undertake an assessment of the potential for the southern section of the corridor to be used as a transport corridor.</p> <p>iii. OPR references Section 9(6) of the Act that each Planning Authority within the GDA shall ensure that its Development Plan is consistent with the transport strategy of the NTA. They note that the Transport Strategy is currently under review and a draft strategy has been published for public consultation and advise that the Planning Authority consider making a minor modification to MA 191 of Section 12.4.15 and MA255 of SLO 4 to align with Measure ROAD4 of the NTA’s draft Transport Strategy.</p> <div data-bbox="302 1007 665 1117" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; text-align: center;">Refer also to Section 3.10 Development Management</p> </div>	<p>191 36 255 75</p>	<p>The Executive notes that this issue is raised by both the NTA and OPR. A minor modification to the SLO on the Dublin Eastern Bypass Reservation is recommended.</p> <p>The Executive notes the removal of the Dublin Eastern Bypass (DEBP) from the Draft and the recognition that the use of the reservation corridor needs to be assessed in advance of the reservation being removed as set out in the proposed amendments 191, 255 and 469 (pgs. 63,75 and 132). It is noted that at this stage (January 2022) the NTA strategy is in Draft form.</p> <p>It is the understanding of the Executive that it is not a legal requirement to be consistent with a Draft NTA Strategy and it is advised that policies and objectives contained in the Draft Strategy may change. However, as the OPR and NTA have both raised the matter the Executive have addressed the issue.</p> <p>The DEBP is referred to in three of the proposed amendments to the Draft Plan, these are proposed amendment 191 which is a new Section 12.4.15 Dublin Eastern Bypass, proposed amendment 255 which is an amendment to SLO 4 regarding the DEBP and this is repeated in proposed amendment 469 which restates SLO4 in the Sandyford Urban Framework Plan in Appendix 17.</p> <p>Proposed amendment 191 which is a new Section 12.4.15 states in part:</p> <p><i>“12.4.15 Dublin Eastern Bypass</i> <i>... In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. This should include the consideration of sustainable transport, biodiversity and recreation projects.”</i></p> <p>(Note: The same text is repeated in amendments 255 and 469 as set out above)</p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		<p>The Executive notes that the role of the NTA, includes the assessment of the potential of the DEBP reservation to provide for a transport corridor for sustainable transport, as set out in the Draft Transport Strategy 2022-2042, but notes that the NTA assessment only refers to the future use of the reservation as a transport corridor whereas the Council led study refers to biodiversity and recreation. The Executive has no objection to the NTA assessment of the potential of the DEBP reservation to provide for a transport corridor for sustainable transport but still wish to explore the recreational and biodiversity potential of the reservation. A future NTA study is likely to inform the nature of sustainable transport use in the reservation lands having regard to the wider transport network and therefore it may be important to input into the DLR Study. For example, if the NTA study were to decide that the best use would be for a light rail corridor this would inform and influence the DLR study.</p> <p>The Executive notes that the NTA intend to carry out an assessment in advance of a Council lead study to determine the most appropriate use of the land within the DEBP corridor. It is considered that this can be facilitated by a minor amendment to the text of proposed amendments 191, 255 and 469.</p> <p>The Executive notes, as set out in the NTA Submission, that <i>‘the NTA is of the view that the lands reserved [...] for this scheme from the Stillorgan Road to Sandyford should be reserved, pending the outcome of an assessment for its potential use as a transport corridor accommodating sustainable transport modes.’</i> The Draft Plan however, under proposed amendments 191, 255 and 469 refer to the full extent of the DEBP reservation. The Executive considers that any assessment/study should address the full extent of the reservation within the County.</p> <p>The Executive is mindful of Section 9(6) of the Act which requires that the County Development Plan is consistent with the NTA’s Transport Strategy for the GDA. It is noted that the current strategy is under review and a Draft Strategy has been prepared.</p> <p>Recommendation Minor modification to proposed amendment 191 which is a new Section 12.4.15 states in part:</p> <p>“12.4.15 Dublin Eastern Bypass</p>

Observations, Submissions and Recommendations	Amendment No. Pg.	Executive’s Response & Recommendation
		<p>... In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. <i>This study may be informed by a future NTA study.</i> This should include the consideration of sustainable transport, biodiversity and recreation projects.”</p> <p>SLO 4 is modified accordingly with the same text to proposed amendments to proposed amendments 255 and 469.</p>
<p>iv. OPR notes that MA 287, inserting SLO 137, and MA 288, inserting SLO 138, provide for the development of lands at the Central Bank Mint, which have direct access to the M50 slip at Junction 13.</p> <p>v. OPR considers that the utilisation of the existing access for future development of these lands has the potential to impact on the operation and safety of the national road and junction, which is considered to be inconsistent with the requirements of Section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012).</p> <p>vi. The Office advises that the Planning Authority make a minor modification to MA 287 and MA 288 to provide that any future development that is subject to SLO 137 and SLO 138 must only be access via the local road network, and not by the national road network.</p>	<p>287 79 288 79 M508 M509</p>	<p>The Executive notes the issue is raised both by the OPR and the TII in their respective submissions regarding proposed amendments 287 and 288 (pg. 79 and Map 5) to the Central Bank Mint. The Executive considers that these issues can be addressed at planning application stage.</p> <p>Proposed amendment 287/ M508 inserts a new SLO 137 at the Central Bank Mint site as follows:</p> <p><i>“To encourage and promote the use of these state-owned lands for the delivery of social and affordable homes, with an emphasis on affordable rental and affordable purchases. The Urban form for this site shall be informed by a masterplan for the overall site included with any application.”</i></p> <p>Proposed amendment 288/ M509 inserts a new SLO 138 at the Central Bank Mint site as follows:</p> <p><i>“To support and encourage a new sports complex with indoor and outdoor facilities allowing a mix of recreational sporting activities.”</i></p> <p>The current access to the Central Bank Mint is via Sandford Road (Regional Road R117). There is also an access to the south onto the Green Route (Regional road R113) adjoining the M50 although it is noted that this access would not appear to be connected to the internal road network of the site. There is a two way cycle way and footpath which runs along the green route which is a slip road to the M50 providing access at Junction 13.</p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		<p>The concern in relation to using the existing access from the site onto the slip road (R113) held by both the TII and OPR, who both consider that it may have the potential to impact on the operation and safety of the national road and junction, which is considered to be inconsistent with the requirements of Section 2.7 of the ‘Spatial Planning and National Roads Guidelines for Planning Authorities (2012)’.</p> <p>TII advise that any utilisation of this existing access would seriously impact the operation and safety of the national road and junction.</p> <p>The TII have stated in their submission: <i>“that junctions are especially important elements of national roads infrastructure that Development Plans and Local Area Plans must take account of and carefully manage. Particular care is required in the assessment of development/Local Area Plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. “TII advise that any utilisation of the existing access would seriously impact the operation and safety of the national road and junction.”</i></p> <p>Policy Objective T23: ‘Motorway and National Roads’ (pg. 112), <u>Chapter 5</u> in the Draft Plan and proposed amendment 90 to same protects national routes and associated junctions.</p> <p>Policy Objective T23: Motorway and National Routes It is a Policy Objective to promote, facilitate and cooperate with relevant transport bodies, authorities and agencies to secure improvements to the County’s Motorway and National road network to provide, protect and maintain for the safe and efficient movement of people and goods both within and through Dún Laoghaire-Rathdown.</p> <p>Proposed amendment 90 states in part: <i>“The Council will facilitate the protection of all National routes and associated junctions from frontage access and to minimise the number of junctions in accordance with TII’s Policy and the Department of Environment, Community and Local Government’s ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (2012).”</i></p>

Observations, Submissions and Recommendations	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
		<p>The detail of individual applications is considered on a case by case basis through the development management process. The impact on the national road and its junctions would be considered for any significant application on the subject site. The TII would be a consultee on such applications.</p> <p>It is noted that the submission by the TII refers to “any utilisation” of the slip road and recommend that “the means of access to the lands should utilise the local road network only to ensure that the safety and the strategic function of the national road network and associated junctions is safeguarded in accordance with Government policy.”</p> <p>The wording suggested by the OPR and TII would appear to preclude any use of the existing access. The Executive would have a concern that this could extend to cycle and pedestrian connections to the existing cycle lane and footpath. This would have significant implications for the permeability of the Central Bank Mint site and would result in unnecessarily long journeys for active modes, contrary to national and regional policy and the Draft County Development Plan. It is also unclear if emergency access would be permitted under such a wording. It is respectfully considered that a blanket addition to the SLOs as suggested would not be appropriate. It is considered that that this issue will be considered through the development management process. Policy objective T23 will allow for the concerns of the OPR and the TII to be addressed if such an issue arises at application stage.</p> <p>Recommendation No further change to proposed amendments.</p>

Part 3: Summary of Submissions by Other Persons and Chief Executive's Responses and Recommendations

3.1 Chapter 2 – Core Strategy

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.1.1 Section 2.4.4 DLR Core Strategy			
i. Submission from the Department of Education: <ul style="list-style-type: none"> • Notes that the proposed reduction in populations projections and housing targets to Q1 2028 do not amend population growth to 2031. This includes Old Connaught. • States that school place requirements are assessed on the basis that maximum population targets to 2031 could be reached. • Acknowledges the proposed changes but reiterates that the requirements outlined in its submission to the Draft Plan remain the same. 	C0064	2 12 3 12 17 18 18 18	The Executive notes the comments of the Department of Education and welcome their stated position that, having considered the proposed amendments, school place requirements remain the same. Recommendation No further change to proposed amendments.
ii. Submission raises a range of concerns in relation to the Core Strategy and the quantum of land zoned for residential development: <ul style="list-style-type: none"> • The Planning Authority’s approach to land use zoning is restrictive. • Need to zone additional land in recognition of the significant time and resources required to bring forward residential development. The six year plan period is not sufficient. • There should be greater use of the Strategic Land Reserve mechanism. 	C0083	15 17	The Executive notes the issues raised, most of which were comprehensively addressed in Section 3.2 (pg. 128) of the <u>Chief Executive’s Report on Draft Plan Consultation</u> (July 2021). The Core Strategy of the County Development Plan is prepared to sit firmly within the broader parameters for growth set out at a national and regional level. Under Section 10(2A) of the Planning and Development Act, 2000, (as amended) there is a statutory requirement for the Core Strategy to demonstrate consistency with these higher level plans. One of the key functions of the Office of the Planning Regulator (OPR) is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. In this regard, the OPR has evaluated and assessed the Draft Plan, including the proposed amendments, under the provisions of

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> • Questions the logic of reducing the quantum of residential zoned lands from the County Development Plan 2016-2022. • Account needs to be taken of the latest CSO population growth figures and reducing household size. • Recommends a review of the Core Strategy within one year of the Plan being adopted. 			<p>Sections 31AM (1) and (2) of the Planning and Development Act 2000 (as amended). As set out in Section 2.1.1 above, the OPR has concluded that a reasonable basis has been set out in the Draft Plan for the quantum of zoned development land that appropriately reflects the housing target, and that the quantum of zoned land, as set out in the revised Core Strategy Table, is acceptable and reasonable.</p> <p>With respect to evaluation of the Core Strategy, It is considered that the implementation and monitoring framework set out in <u>Chapter 15</u> of the Draft Plan provides the appropriate mechanism for measuring the Policy Objectives of the Plan.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>iii. Raises a number of concerns with regards to phasing and the tiered approach to zoning at Old Connaught:</p> <ul style="list-style-type: none"> • Requests that proposed Section 2.4.6 ‘Phasing’ be revised to confirm that lands at Old Connaught are sequentially adjacent to the geographic area of Dublin City and Suburbs and that references to it being ‘unserved’ are omitted. • Appendix 1 of the Draft Plan is flawed. It incorrectly assesses Old Connaught and Rathmichael as a combined area. • The suggestion that all lands at Old Connaught are not currently serviced and are undevelopable is incorrect. • Based on infrastructure provision, parts of Old Connaught are capable of short term development and Tier 1 designation (with the balance Tier 2). • The final paragraph of Proposed Amendment 19, which references the 	<p>C0091</p>	<p>19 18</p>	<p>The Executive notes the issues raised, many of which were addressed in Section 3.16.4 (pg. 599) of the <u>Chief Executive’s Report on Draft Plan Consultation</u> (July 2021).</p> <p>The issue of the ‘A1’ zoning proposed at Rathmichael has already been addressed in the OPR section above (see Section 2.1.2).</p> <p>The Executive does not support the request to amend the first paragraph <u>Section 2.4.6 ‘Phasing’</u> (pg. 36) in the Draft Plan to state that lands identified for development at Old Connaught are sequentially adjacent to the geographic area of Dublin City and Suburbs. The relevant part of Section 2.4.6 ‘Phasing’ – which is not proposed to be amended - states the following:</p> <p><i>“The NPF, RSES and the Dublin MASP all place particular emphasis, including a specific compact growth target, on the physical consolidation of Dublin City and Suburbs, in line with its status as the first tier in the settlement hierarchy for the Region. The vast majority of lands identified for development in DLR fall within or contiguous to this geographic area while lands identified for development at Old Connaught comprise a component part of the future growth of the Key Town of Bray, an area specifically identified for growth under the Dublin MASP.”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>zoning and need for LAPs at Rathmichael and Old Connaught, should be deleted.</p> <div data-bbox="257 395 701 552" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>			<p>The above text reflects and is consistent with the settlement hierarchy for the County which is set out in <u>Section 2.4.1</u> of the Draft Plan (pg. 32) where it states:</p> <p><i>“The vast majority of the built-up footprint of DLR falls within the geographic area known as ‘Dublin City and Suburbs’, which comprises the first tier in the settlement hierarchy recommended in the RSES. Old Connaught comprises a component part of the future growth of the ‘Key Town’ of Bray (tier 3), while Glencullen comprises a rural village (tier 6).”</i></p> <p>The settlement hierarchy for the County was assessed by the OPR at Draft Plan stage and the following conclusion was reached:</p> <p><i>“The Office is satisfied that the settlement hierarchy is generally appropriate and consistent with national and regional policy and with relevant legislative provisions...”</i></p> <p>With respect to the Infrastructure Assessment set out in <u>Appendix 1</u> (pg. 2) of the Draft Plan it is noted that there are no proposed amendments with respect to same. Notwithstanding, it is important to highlight that the assessment which was undertaken - which followed an area-based approach - identified infrastructure projects that were considered to be of strategic importance. The status of zoning tiers identified in the assessment were a point in time and included to accord with the requirements of Appendix 3 of the NPF. It is acknowledged that infrastructure requirements may change and furthermore that zoning tiers will change during the plan period as enabling infrastructure is delivered.</p> <p>Having regard to the strategic infrastructural constraints at Old Connaught – as identified in Appendix 1 - it is considered that the requisite analysis of detailed infrastructure requirements and phasing of development will be appropriately undertaken as part of the Local Area Plan process. It is considered that a plan-led approach to the development of a new community at Old Connaught is of paramount importance. As set out in Section 4.7 (pg. 16) of Appendix 1, an implementation plan incorporating a phasing programme will be prepared as part of the Local Area Plan plan-making process, linking development with the commensurate delivery of supporting infrastructure.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>The Executive does not agree with the request to delete the paragraph in Proposed Amendment 19 relating to the ‘A1’ zoning status of both Old Connaught and Rathmichael and the intention to prepare Local Area Plans for these new communities. The ‘A1’ zoning status is a key mechanism with respect to phasing. This was acknowledged in the submission received from the OPR (see Section 2.1.2 above) where, in the context of Rathmichael and its proposed re-zoning to Objective ‘A1’, it was considered that:</p> <p><i>“...the revised zoning would provide for a level of prioritisation for the development of better serviced and located residential zoned lands, not least due to the time it will take to prepare the statutory Local Area Plan (LAP) and to plan for the required infrastructure.”</i></p> <p>Recommendation No further change to proposed amendment.</p>
3.1.2 Section 2.6.1 Plan-Making			
<p>i. Seeks an amendment to Section 2.6.1.3 which provides that the preparation of the LAP for Old Connaught is a priority given its strategic importance and that an initial phase of development could be accommodated in the short term once a LAP is in place.</p>	<p>C0091</p>	<p>24 20</p>	<p>The Executive does not agree with this request.</p> <p>Policy Objective CS10: ‘Local Area Plans’ (pg.44) in the Draft Plan is the overarching strategic objective relating to the implementation of the Local Area Plan plan-making programme as a whole. The Policy Objective specifically states that plan areas will be prioritised in accordance with the overarching strategic objectives of the Core Strategy including those areas which are experiencing and/or likely to experience large scale development or regeneration. It is considered that the prioritisation of Local Area Plans is appropriately reflected under Policy Objective CS10.</p> <p>The Executive does not support the inclusion of text pertaining to initial phases of development at Old Connaught. As stated in the Draft Plan, the LAP for Old Connaught will incorporate phasing. The requisite analysis of detailed infrastructure requirements and phasing of development will be undertaken as part of the LAP process, and the Executive does not support the inclusion of text relating to phasing in advance of this process.</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. A new plan is required for Deansgrange to maintain a sustainable community.	C0001	<p>The Executive notes the issue raised, however, there is no amendment relating to this issue.</p> <p>It is noted that Table 2.15 'Local Area Plan-Making Programme' (pg. 44) of the Draft Plan states in relation to Deansgrange "New Plan to be prepared".</p>

3.2 Chapter 3 – Climate Action

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.2.1 Section 3.4.2 Renewable Energy			
i. Amendments 27, 28, 34 - References to the Climate Action Plan 2019 need to be updated to reflect the Publication of the Climate Action Plan 2021 and goals for the 2021 Plan should be stated.	C0047	27 21 28 21 34 22	<p>The Executive notes the issues raised. Minor modifications are recommended to address updates.</p> <p>Proposed amendments 27, 28 and 34 all refer to the 2019 Climate Action Plan. An updated plan was prepared in 2021.</p> <p>Proposed amendment 27 states: <i>“The all of Government Climate Action Plan 2019 commits to delivering a ‘just transition’, recognising the significant level of change required and that burdens borne must be seen to be fair across society and the most vulnerable of our citizens. Relevant Council policy will evolve to reflect this emerging policy area. The Council will endeavour to ensure that low income families are protected from fuel poverty as Climate Change actions are rolled out across Dún Laoghaire-Rathdown.”</i></p> <p>Proposed amendment 28 states with relation to the Climate Action Plan: <i>“The Government’s national ‘Climate Action Plan 2019 To Tackle Climate Breakdown’ is a statement of Government policies relevant to decarbonisation and adapting to a changing climate, with 183 specific actions assigned across all parts of the Government. The Plan identifies how Ireland will achieve its 2030 targets for carbon emissions and puts Ireland on a trajectory to achieve net zero carbon emissions by 2050 and also reiterates Ireland’s commitment to the UN Sustainable Development Goals. This plan is being updated to reflect the new targets and the Climate Action and Low Carbon Development (Amendment) Act 2021. “</i></p> <p><i>The Government’s national ‘Climate Action Plan 2019 To Tackle Climate Breakdown’ notes that “Ensuring increased levels of renewable generation will require very substantial new infrastructure, including wind and solar farms, grid reinforcement, storage developments, and interconnection.” (page 53).”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Proposed amendment 34 states: <i>“Section 3.4.2.4 ‘Policy Objective CA13: Solar Energy Infrastructure’ (page 61):</i></p> <p><i>‘Policy Objective CA14: Energy Storage Systems</i> <i>It is Policy Objective to support the use of efficient energy storage systems and infrastructure that supports energy efficiency and reusable energy system optimization, in accordance with proper planning and sustainable development when these are undertaken in an environmentally acceptable manner.</i></p> <p><i>The Government’s national ‘Climate Action Plan 2019 To Tackle Climate Breakdown’ notes that “Ensuring increased levels of renewable generation will require very substantial new infrastructure, including wind and solar farms, grid reinforcement, storage developments, and interconnection.” (page 53).”</i></p> <p>The Executive agrees that the references to the Climate Action Plan 2019 in proposed amendments 27, 28, 34 need to be updated to reflect the Publication of the Climate Action Plan 2021 and goals for the 2021 Plan should be stated. These are considered to be minor modifications.</p> <p>Recommendation Minor modification to proposed amendments 27, 28 and 34 update all references to the “Climate Action Plan 2019” with “Climate Action Plan 2021”.</p> <p>Minor modification to proposed amendment 28 as follows:</p> <p>“Policy Objective CA1: National Climate Action It is a Policy Objective to support the implementation of International and National objectives on climate change including the ‘Climate Action Plan 2019 2021 to Tackle Climate Breakdown Securing Our Future’, the ‘National Adaptation Framework’ 2018, the ‘National Energy and Climate Plan 2021-2030’, and take account of the ‘Climate Action and Low Carbon Development (Amendment) Act 2021’, and subsequent updates, other relevant policy, Guidelines and legislation, that support the climate action policies included in the County Development Plan</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>“The Government’s national “Climate Action Plan 2019 2021 to Tackle Climate Breakdown Securing Our Future” is a statement of Government policies relevant to decarbonisation and adapting to a changing climate, with 183 specific actions assigned across all parts of the Government. The Plan identifies how Ireland will achieve its 2030 targets for carbon emissions and puts Ireland on a trajectory to achieve net zero carbon emissions by 2050 and also reiterates Ireland’s commitment to the UN Sustainable Development Goals. is a detailed national plan, which will be updated annually, for taking action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and to set a path to reach net-zero emissions by 2050. The Plan lists 475 actions needed to deliver on our climate targets and sets indicative ranges of emissions reductions for each sector of the economy. It also reiterates Ireland’s commitment to the UN Sustainable Development Goals.”</p> <p>Minor modification to Proposed amendment 34 as follows:</p> <p>“Policy Objective CA14: Energy Storage Systems It is Policy Objective to support the use of efficient energy storage systems and infrastructure that supports energy efficiency and reusable energy system optimization, in accordance with proper planning and sustainable development when these are undertaken in an environmentally acceptable manner.</p> <p>The Government’s national ‘Climate Action Plan 2019 2021 to Tackle Climate Breakdown Securing Our Future’ notes that “Ensuring increased levels of renewable generation will require very substantial new infrastructure, including wind and solar farms, grid reinforcement, storage developments, and interconnection.” (page 53). “A range of supporting measures will also be needed to enable this transformation of the electricity generation sector. These will include providing the conventional capacity that will be essential to ensure the security of the system, grid investments, interconnectors, and storage facilities” (page 97).</p>
<p>ii. Support proposed amendment 28, which seeks to add text to ‘Policy Objective CA1: National Climate Action Policy’ as it is consistent with the ESB’s commitment to doing its part to realise the Government’s</p>	<p>C0030</p>	<p>28 21</p>	<p>The Executive welcomes the support for proposed amendment 28 which seeks to add text which updates the Draft Plan in relation to the Climate Action and Low Carbon (Amendment) Act 2021 in Policy Objective CA1: National Climate Action Policy’ (pg. 52).</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
Energy Policy as set out in the Climate Action Plan 2021 which has set a target of 80% renewables by 2030 including 5GW of offshore wind energy.			No further change to proposed amendment.
iii. Supports proposed amendment 32, which seeks to add text to 'Policy Objective CA11: Onshore and Offshore Wind Energy and Wave Energy'.	C0030 C0034 C0094	32 22	<p>The Executive welcomes the support for proposed amendment 32 amending Policy Objective CA11: 'Onshore and Offshore Wind Energy and Wave Energy' (pg. 60) which states:</p> <p><i>"It is a Policy Objective to support in conjunction with other relevant agencies, wind energy initiatives, both on-shore and offshore, and wave energy, and onshore grid connections and reinforcements to facilitate offshore renewable energy development when these are undertaken in an environmentally acceptable manner. (Consistent with NSO 8 and NPO 42 of the NPF and RPO 7.36 and 10.24 of the RSES)."</i></p> <p>Recommendation No further change to proposed amendment.</p>
iv. Supports proposed amendment 33, which seeks to add text to the end of the last paragraph of Section 3.4.2.2 'Policy Objective CA11: Onshore and Offshore Wind Energy and Wave Energy'.	C0034 C0094	33 22	<p>The Executive welcomes the support for proposed amendment 33, which states:</p> <p><i>"The Council supports the "National Marine Planning Framework" (2021, DHLGH). See also Section 8.5.1 Policy Objective GIB7: National Marine Planning Framework."</i></p> <p>Recommendation No further change to proposed amendment.</p>
v. Welcomes proposed amendment to Policy Objective CA11. However, seeks a stronger statement in support of the economic and carbon reduction potential of offshore wind developments throughout the Development Plan, and the role that DLR will play in providing onshore grid connections and reinforcements to facilitate offshore energy development.	C0094	32 22 33 22	<p>The Executive welcomes the support for proposed amendment 32 and 33 on Policy Objective CA11 'Onshore and Offshore Wind Energy and Wave Energy' (pg. 60) as set out above, this sets out the role of the local authority.</p> <p>The recommendation that a stronger statement of support of the economic and carbon reduction of offshore wind potential is noted.</p> <p>The Draft Plan recognises the role of the Council in supporting industries that employ green technologies and advance the transition to a low carbon society in Policy Objective</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>E19: 'Low Carbon Economy' (pg. 134), <u>Chapter 6</u> in the Draft Plan. This would include offshore wind.</p> <p>It is considered appropriate in view of the publication of the national Climate Action Plan 2021 in November 2021 to update the text in Section 3.4.2.2 to reflect the changing policy environment in terms of the significant role of offshore wind in the reduction in carbon emissions and also economic opportunities arising.</p> <p>In addition to this proposed amendment 388 amends text in Appendix 11 Wind Energy Strategy with regard to the importance of offshore Wind Energy as follows:</p> <p><i>"11.3.10 Offshore Wind Energy</i> <i>In the last decade there has been significant growth in Ireland's renewable energy capacity, driven largely by the development of onshore wind generation infrastructure. However, Ireland possesses a significant offshore wind resource which has not been developed to the same extent and it is expected that the initial phases of offshore generation are likely to be focused on the east coast of the country in order to help to meet growing demands for energy in the region. In locations such as Dún Laoghaire-Rathdown where opportunities for the development of large onshore facilities are negligible, there is potential to develop the offshore wind resource where such facilities can be developed in an environmentally acceptable manner. Given the lack of suitable onshore locations and the strong wind resource off Ireland's east coast, the greatest contribution that the County is likely to make in terms of large scale renewable energy development is likely to be in the form of offshore wind farm development and/or associated hybrid technologies. Indeed, offshore wind generation has the potential to play a key part in meeting Ireland's 2030 climate change targets.</i></p> <p><i>It should be noted that the jurisdiction of planning authorities for determining applications for off-shore wind farms is limited and relates only to the landside infrastructure. The County Development Plan only relates to the jurisdiction of the County and does not cover infrastructure that falls outside that area which will be covered by the maritime Plan.</i></p> <p><i>A critical component of the development of offshore wind generation capacity is the ability to connect the offshore power generation infrastructure into the onshore electricity</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p><i>generation network. This generally consists of all of the components of a given project between the Mean High Water Mark (where water meets land) and the final point of connection into the existing transmission grid network. In the context of Dún Laoghaire-Rathdown, the final point of connection for offshore wind farms is likely to be at the 220 kilovolt (kV), where capacity exists to connect new offshore wind generation infrastructure.”</i></p> <p>It is considered appropriate to update the paragraph in Section 3.4.2.2 which refers to Appendix 11 Wind Energy Strategy which includes a Section on offshore Wind.</p> <p>Recommendation Minor amendment to Section 3.4.2.2 ‘Policy Objective CA11: Onshore and Offshore Wind Energy and Wave Energy’ (pg. 60) add to the text as follows:</p> <p><i>“The national Climate Action Plan 2021 states that one of the most important measures to bring about a reduction in carbon emissions is to increase the proportion of renewable electricity to 80% by 2030, including an increased target of up to 5 Gigawatts of offshore wind energy. The Plan also highlights the economic opportunities which will arise from offshore wind.”</i></p> <p>Appendix 11 of this Plan includes an analysis of wind speeds and the sensitive landscapes of the County at a broad level. It is concluded that there is no realistic or practical potential for economic on-shore wind farm development in the County without significant and overriding adverse visual and environmental impacts. <i>Appendix 11 highlights the strong wind resource located off Ireland’s east coast and notes that this offers the greatest contribution that the County is likely to make in terms of large scale renewable energy development in the form of offshore wind farm development and/or associated hybrid technologies. “</i></p>
vi. Supports proposed amendment 33, which seeks to add text to the end of the last paragraph of Section 3.4.2.2 ‘Policy Objective CA11: Onshore and Offshore Wind Energy and Wave Energy’.	C0034 C0094	33 22	<p>The Executive welcomes the support for proposed amendment 33, which states:</p> <p><i>“The Council supports the “National Marine Planning Framework” (2021, DHLGH). See also Section 8.5.1 Policy Objective GIB7: National Marine Planning Framework.”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>Recommendation No further change to proposed amendment.</p>
vii. Supports proposed amendment 34, which seeks to add <i>Policy Objective CA14: Energy Storage Systems</i>	C0030 C0034 C0094	34 22	<p>The Executive welcomes the support for proposed amendment 34, which states:</p> <p><i>“Policy Objective CA14: Energy Storage Systems It is Policy Objective to support the use of efficient energy storage systems and infrastructure that supports energy efficiency and reusable energy system optimization, in accordance with proper planning and sustainable development when these are undertaken in an environmentally acceptable manner. The Government’s national ‘Climate Action Plan 2019 To Tackle Climate Breakdown’ notes that “Ensuring increased levels of renewable generation will require very substantial new infrastructure, including wind and solar farms, grid reinforcement, storage developments, and interconnection.”</i></p> <p>Recommendation No further change to proposed amendment.</p>
3.2.2 Section 3.4.3 Decarbonising Motorised Transport			
i. Supports proposed amendment 35 which seeks to add in text to Section 3.4.3 Decarbonising motorised transport.	C0030	35 23	<p>The Executive welcomes the support for proposed amendment 35, which seeks to add in text referring to the ‘avoid-shift-improve’ policy approach to Section 3.4.3 Decarbonising motorised transport.</p> <p>Recommendation No further change to proposed amendment.</p>
ii. Requests further amendments to proposed amendment 35 which relates to Section 3.4.3 ‘Decarbonising Motorised Transport’ by adding text promoting local tourism within the County as a means of discouraging car use.	C0103	35 23	<p>The Executive notes the issues raised.</p> <p>Amendment 35 seeks to add in text referring to the ‘avoid-shift-improve’ policy approach to Section 3.4.3 ‘Decarbonising Motorised Transport’ as follows;</p> <p><i>“Whilst it is acknowledged that Low Emission Vehicles (LEVs) and Electric Vehicles (EVs) are not the modes of transportation with the lowest emission levels, the Planning Authority are supportive of the transition away from the dependence on fossil fuel propelled vehicles to LEVs and EVs. Policy with regard to the other transport modes is set out in Chapter 5. The ‘avoid-shift-improve’ policy approach is adopted in Chapter 5, which has the aim to</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p><i>reduce congestion, create more liveable cities and reduce greenhouse gas (GHG) emissions."</i></p> <p>The submission requests the addition of the following text:</p> <p><i>"Encourage local tourism and staycations in the DLR area and shift from driving around Ireland. Improve walking tours in DLR area for residents and visitors to DLR. Look to walking trails across DLR: Neolithic heritage walks, multi-era history tours, peak to peak walking and cycling tours with LEV charge points for drivers."</i></p> <p>Policy in relation tourism is set out in <u>Chapter 6</u> under Policy Objective E16 'Tourism and Recreation' (pg. 132). There is no proposed amendment to same.</p> <p>Recommendation No further change to proposed amendment.</p>
iii. Supports proposed amendment 37 which seeks to add in text to 'CA16: Electric Vehicles.'	C0030	37 23	<p>The Executive welcome the support for proposed amendment 37, which seeks to add in text referring to the important role of e-bikes to sustainable transport in 'CA16: Electric Vehicles.'</p> <p>Recommendation No further change to proposed amendment.</p>
3.2.3 Section 3.4.4 Urban Greening			
i. Submission supports proposed amendment 40, which seeks to add 'Policy Objective CA18: Community Woodlands'.	C0034	40 24	<p>The Executive welcomes the support provided for proposed amendment 40, which states as follows:</p> <p><i>"Section 3.4.4.2 Policy Objective CA18: Community Woodlands It is a Policy Objective to promote and support Community Woodland Schemes in line with Government policy."</i></p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>ii. Submission requests further amendments to proposed amendment 40 by including a reference to Glendruid Woodlands.</p>	<p>C0103</p>	<p>40 24</p>	<p>The Executive notes the issue raised.</p> <p>Proposed amendment 40 relates to insertion of a new Policy Objective as follows;</p> <p><i>“Policy Objective CA18: Community Woodlands It is a Policy Objective to promote and support Community Woodland Schemes in line with Government policy.”</i></p> <p>The Executive does not consider that the inclusion of reference to a specific proposed community woodlands scheme over and above any other location in the County, within this general policy would be appropriate in the context of strategic County policy.</p> <p>Glendruid Wood is presumed to be one and the same as the forested area at Druids Glen of which the majority falls within the SDZ planning scheme boundary. Only a small portion falls outside and is zoned <i>Objective F – To preserve and provide for open space with ancillary active recreational uses.</i></p> <p>The Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Insert a new SLO at Glendruoid Valley	C0103	<p>The Executive notes the issue raised, however, there is no amendment relating to this issue.</p> <p>The Executive understands from the context that the submitter is seeking the inclusion of a SLO to promote and support a Community Woodland Scheme at Druids Glen Valley, as the submission makes reference here to Policy Objective CA18: <i>'Community Woodlands'</i>. Policy Objective CA18 was introduced by proposed amendment 40 (pg. 24). The contents of the submission are noted on this basis.</p> <p>As the amendment relates to the insertion of a new SLO and not to the Policy Objective CA18, the Executive does not consider that the subject matter raised refers to the material amendment cited. There is therefore no amendment relating to this issue.</p> <p>Glendruoid Wood is presumed to be one and the same as the forested area at Druids Glen of which the majority falls within the SDZ planning scheme boundary. Only a small portion falls outside and is zoned <i>Objective F – To preserve and provide for open space with ancillary active recreational uses</i>.</p> <p>The Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p>

3.3 Chapter 4 – Neighbourhood - People, Homes and Place

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.3.1 Section 4.1 Introduction and National and Regional Context			
i. Submission seeks to further amend proposed amendment 41 to include access to heritage sites, monuments and spiritual areas within definition, and to natural settings with native trees and plants.	C0103	41 25	<p>The Executive notes the issue raised.</p> <p>Proposed amendment 41 amends bullet point 3 in Section 4.1.1 'Overarching policy Objective PHP1' (pg. 67) as follows:</p> <p><i>"Embed the concept of neighbourhood and community into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities."</i></p> <p>This Policy Objective does not relate to access to sites and monuments, rather this is dealt with in Chapter 11: 'Heritage and Conservation' in the Draft Plan. Policy Objective HER1: 'Protection of Archaeological Heritage' in Chapter 11 (pg. 211) promotes access to and signposting of such sites and monuments. In addition, Section 8.6 'Access and the Mountains' (pg. 163) in Chapter 8 of the Draft Plan deals comprehensively with access to natural heritage.</p> <p>Recommendation No further change to proposed amendment.</p>
3.3.2 Section 4.2 People			
i. Submission seeks to further amend proposed amendment 42 to add reference to heritage sites and spiritual areas.	C0103	42 25	<p>The Executive notes the issue raised.</p> <p>Proposed amendment 42 amends bullet point 10 in Section 4.2.1 'Sustainable Communities and Neighbourhood Infrastructure' (pg. 69) as follows:</p> <p><i>"Creating spaces that are easy to access and navigate and that promote sustainable community and cultural activities."</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>The Executive does not consider that the additional text suggested is necessary within this section of the Plan as access to heritage sites is already covered in <u>Chapter 11</u>: ‘Heritage and Conservation’ as set out above.</p> <p>Recommendation No further change to proposed amendments.</p>
3.3.3 Section 4.3 Homes			
<p>i. Submissions:</p> <ul style="list-style-type: none"> broadly supportive of proposed amendments 50, 51 and 162 but requests further amendments to PHP Policy Objective 18 Residential Density in order to align with Section 28 Guidelines. supports amendment 50 which seeks to change Policy Objective PHP18 in Section 4.3.1.1 ‘Policy Objective PHP18: Residential Density. Support in in the context of a site in Ballyogan which is proximate to a Luas stop. Policy Objective PHP18 (as proposed to be amended) should apply to Rathmichael. Does not support higher density at Rathmichael which has a unique rural amenity and no direct link to a main transport corridor. 	<p>C0058 C0083 C0090 C0100 C0102</p>	<p>50 26 51 27 162 57</p>	<p>The Executive welcomes the support for proposed amendments 50, 51, and 162.</p> <p>Proposed amendments 50 and 51 relate to proposed changes to Policy Objective PHP18: ‘Residential Density’ (pg. 80) to address accessibility considerations and also providing details of Bus Connects. Proposed amendment 162 relates to the inclusion of a reference to the Apartment Guidelines in <u>Chapter 12</u> ‘Development Management’.</p> <p>The amendments sought to Policy Objective PHP18 include requesting a reference to both the ‘Design Standards for New Apartments’ Guidelines 2020 and the ‘Urban Development & Building Height Guidelines’ 2018 so as to align with national policy and make optimum use of lands which are well served and located in respect of public transport links. This additional reference is not considered necessary as the overall Plan has had regard to both sets of guidelines.</p> <p>Policy Objective PHP18, as proposed to be amended, provides the overarching strategic Policy Objective with respect to residential density in the County, inclusive of Rathmichael. As provided under the LAP programme, contained in Table 2.15 (pg.44) of the Draft Plan, it is the intention of the Council to prepare a Local Area Plan for Rathmichael which will ensure a plan-led approach to the development of the area.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. Submission:</p> <ul style="list-style-type: none"> seeks to further amend proposed amendment 51 to confirm here that the 	<p>C0103</p>	<p>51 27</p>	<p>The Executive notes the issue raised.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<p>Glendruid House area is precluded from the relevant locational density threshold.</p> <ul style="list-style-type: none"> Seeks to include additional text to proposed amendment 51 to encourage access to national monuments from LUAS. 			<p>Whilst the proposed further amendment is stated to be an amendment to proposed amendment 51 the Executive does not consider that it relates to the proposed amendment but is in fact raising a separate issue.</p> <p>Proposed amendment 51 amends Policy Objective PHP18: 'Residential Density' (pg.80) in the Draft Plan which sets out the Planning Authority's general policy with regard to residential density. It is not considered to be the appropriate location for amendments relating to access to national monuments.</p> <p>The text subject of proposed amendment 51 relates to permissible densities along Core Bus Corridors (CBC). Glendruid House is not located along a CBC (or former bus priority route) and the inclusion of a reference to the House in the amended text would therefore not be appropriate.</p> <p>Glendruid House falls within the SDZ planning scheme boundary. The Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p> <p>Recommendation No further change to proposed amendment.</p>
3.3.4 Section 4.4 Place			
<p>i. Submission welcomes proposed Policy Objective PHP38: Community-led Village Design Statements which proposes to include community involvement in drawing up Village Design Statements. Recommends Village Design Statements be drawn up for The Goat crossroads site and the Central Mental Hospital site.</p>	C0046	66 31	<p>The Executive notes the support provided, however, does not support the inclusion of proposed Policy Objective PHP38: 'Community-Led Village Design Statements'.</p> <p>As indicated by their title, 'Community led - Village Design Statements' are carried out by the local community in partnership with the Local Authority and the Heritage Council.</p> <p>As it is not part of the statutory plan hierarchy, a village design statement cannot be considered by the Planning Authority when making a decision on a planning application. To include a policy on same in the Plan is considered to be misleading.</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive's Response & Recommendation
			<p>As set out in the toolkit, the Local Authority Heritage Officer can assist a community in getting started with any Village Design Statement. The lead on initiating any such statement needs to be the local community as opposed to the Local Authority. The Heritage Council toolkit sets out a useful step by step guide which any community can follow and also addresses the fact that funding is required by the local community and should be sourced prior to embarking on the process.</p> <p>Recommendation Omit Proposed Amendment 66 as follows: “Policy Objective PHP38: Community-led Village Design Statements It is a Policy Objective to support proposals from local communities and community organisations who wish to contribute to the preparation of Village Design Statements for their villages. Village Design Statements are to be drawn up through a process involving community participation, the Heritage Council and the Council's Heritage Officer and Planning Department subject to availability of funds and staff resources. Such Village Design Statements would ideally include sample illustrations of preferred architectural vernaculars to guide design of new proposed buildings within a village area.”</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission welcomes the clarification of open space for Institutional sites as 'accessible public open space'.	<u>C0046</u>	The Executive notes the comments with regards to the provision of accessible public open space at Institutional sites which comprises part of the Draft Plan. However, there is no amendment relating to this issue.

3.4 Chapter 5 – Transport and Mobility

Issues	Sub. No.	Amendment No. pg.	Executive's Response & Recommendation
3.4.1 Section 5.3 Integrated Land Use and Transport			
i. Supports new Policy Objective T2: Local Transport Plans (Area Based Transport Assessments) related to the use of Area Based Transport Assessment for Local Transport Plans.	C0051	69 33	<p>The Executive welcomes the support of the NTA to proposed amendment 69, which is for a new Policy Objective T2: Local Transport Plans (Area Based Transport Assessments) related to the use of Area Based Transport Assessment for Local Transport Plans.</p> <p>Recommendation No further change to proposed amendment.</p>
ii. Supports the additional detail on the assessment of road schemes proposed in the Bray & Environs Study (Amendments 70 & 89);	C0051	70 33 89 39	<p>The Executive welcomes the support of the NTA to proposed amendments 70 to Policy Objective T2: 'Delivery of Enabling Transport Infrastructure' (pg. 101 in Draft Plan) and proposed amendment 89 to Table 5.3 '6 Year Road objectives/Traffic Management/Active travel Upgrades' (pg. 111 in Draft Plan) which include additional detail on the assessment of road schemes proposed in the Bray & Environs Study.</p> <p>Recommendation No further change to proposed amendments.</p>
iii. Submission considers the upgrade of Ferndale Road and development of a new link road from Ferndale Road to Dublin Road to be contrary to Government policy, premature and not in compliance with statutory bodies.	C0102	70 33	<p>The Executive does not agree with the issue raised.</p> <p>The Bray and Environs Transport Study (2019) was prepared by the National Transport Authority in collaboration with Transport Infrastructure Ireland, DLR County Council and Wicklow County Council. Proposed Amendment 70 which amends Policy Objective T2: 'Delivery of Enabling Transport Infrastructure' (pg. 101) specifically provides that the subject road proposals would be dependent on further assessment:</p> <p><i>"The inclusion of the preceding three proposals is dependent on further assessment as set out in; the 'Spatial Planning and National Roads Guidelines for Planning Authorities' in particular Section 2.7 and Section 5.8.3 Principles of Road Development, feasibility and environmental assessment of the NTA Transport Strategy for the GDA; and demonstration of their compatibility of with the strategic function of the national road network as set out in Sections 2.2 in the Bray and Environs Transport Study (2019)."</i></p>

Issues	Sub. No.	Amendment No. pg.	Executive’s Response & Recommendation
			<p>The submission received from the National Transport Authority supports the Proposed Amendment which provides additional detail on the assessment of road schemes proposed in the Bray and Environs Transport Study.</p> <p>Recommendation No further change to proposed amendments.</p>
3.4.2 Section 5.4 Promoting Modal Change			
<p>i. Proposed Amendments 71 to 75 - References to the Greater Dublin Transport Strategy 2016-2035 need to be updated to reflect that a plan will be issued for the period 2022-2042.</p> <div data-bbox="262 719 701 888" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>	<p>C0047</p>	<p>71 34 72 34 73 34 74 34 75 34</p>	<p>The Executive notes the issue raised. Minor modifications are recommended to address future updates to policy.</p> <p>The current Transport Strategy for the Greater Dublin Area is the 2016-2022 Strategy. However, this strategy is being reviewed at present and a Draft 2022-2042 has been published.</p> <p>Proposed amendment 71 to amend Policy Objective T3 ‘Development of Sustainable Travel and Transport’ in Section 5.4.1 (pg. 103) is as follows:</p> <p><i>“It is a Policy Objective to promote, facilitate and cooperate with other transport agencies in securing the implementation of the transport strategy for the County and the wider Metropolitan Area as set out in Department of Transport’s ‘Smarter Travel A Sustainable Transport Future 2009 –2020’ including the modal share targets, and subsequent updates and the NTA’s ‘Transport Strategy for the Greater Dublin Area Transport Strategy 2016-2035’ and subsequent updates, the RSES and the MASP.”</i></p> <p>Therefore, it is considered that the “and subsequent updates” text makes suitable provision for the forthcoming updated transport strategy (and also the forthcoming update to Smarter Travel) in this amendment.</p> <p>Proposed amendment 72 amends text in Section 5.4.1 ‘Policy Objective T3: Development of Sustainable Travel and Transport’ (pg. 103) but does not refer to “and subsequent updates” in the context of the NTA’s ‘Transport Strategy for the Greater Dublin Area (and also the forthcoming update to Smarter Travel).</p>

Issues	Sub. No.	Amendment No. pg.	Executive’s Response & Recommendation
			<p>Proposed amendments 73 and 74 to amend Section 5.4.2 Policy Objective T4: ‘Public Transport Improvements’ (pg. 103) make similar reference to “and subsequent updates”. Proposed amendment 75 which also refers to Section 5.4.2 Policy Objective T4: ‘Public Transport Improvements’ is an amendment which refers to the DART+ Programme and does not refer to the Transport Strategy.</p> <p>Recommendation Minor modification to proposed amendment 72 as follows:</p> <p>Insert text in Section 5.4.1 ‘Policy Objective T3: Development of Sustainable Travel and Transport’ (pg. 103) as follows:</p> <p>“The Department of Transport’s ‘Smarter Travel, A Sustainable Transport Future 2009-2020’ (and subsequent updates) and the NTA’s Greater Dublin Area Transport Strategy 2016-2035 (and subsequent updates) set out an integrated and balanced sustainable transport strategy for the wider Dublin Region dealing with all sustainable travel modes (bus, rail, Luas, cycling and walking) and road transport as well as issues such as road safety, traffic management, accessibility, enforcement, social inclusion and guidance on complementary land use policies.</p>
<p>ii. Submission supports and seeks to further amend proposed amendment 72. Encourages consideration of access to Glendruoid Dolmen. Suggests reference to park and ride at Brennanstown LUAS stop should be included here.</p>	<p>C0103</p>	<p>72 34</p>	<p>The Executive welcomes the support received for the proposed amendment but does not consider that additional text in accordance with that suggested by the observer would be appropriate. Whilst the proposed further amendment is stated to be a modification to proposed amendment 72 the Executive does not consider that it relates to the proposed amendment but is in fact raising a separate issue.</p> <p>Proposed amendment 72 which relates to Section 5.4.1 of the Draft Plan sets out the Council’s general strategic overarching policy with regard to the development of sustainable travel and transport. The Executive does not consider that it would be appropriate to include specific locational references to access to Glendruoid Dolmen or provision of a park and ride at a future Brennanstown LUAS stop in this section.</p>

Issues	Sub. No.	Amendment No. pg.	Executive's Response & Recommendation
			<p>Details of the park and ride policy are provided in Section 5.6.6 'Policy Objective T20: Park and Ride' of the Draft Plan (pg. 110). This section identifies specific park and ride programmes supported by the Council.</p> <p>It is further noted that any future Brennanstown Luas stop and the Dolmen are both located within the Cherrywood Planning scheme. The Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>iii. Proposed Amendment 76 – Submission states that there is no reference to an orbital bus route along the R112 (Walkinstown Avenue-Dundrum), referred to as "S5" as part of the Bus Connects Network Redesign and requests that there is an SLO to investigate the feasibility of developing such a bus route.</p>	<p>C0047</p>	<p>76 35</p>	<p>The Executive notes the issues raised.</p> <p>Proposed amendment 76 updated the text of the Draft in Section 5.4.3: 'Policy Objective T5: Quality Bus Network/Bus Connects' (pg. 104) to include information on the BusConnects programme and lists the main bus routes.</p> <p>The submission wishes to add a further bus route into the Bus Connects Network Redesign, which was a design process, which was subject to a public consultation process by the NTA. The Development Plan does not have a role in adding additional routes.</p> <p>The proposed route (Walkinstown Avenue-Dundrum), which the submission is referring to is not one of the proposed routes in the network redesign. The submission also requests an SLO to investigate the feasibility of developing such a bus route. This is not considered appropriate as it is the role of the NTA to decide on bus routes.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>iv. Submission seeks to further amend proposed amendment 77 by including details on the planned opening of the Brennanstown LUAS stop.</p>	<p>C0103</p>	<p>77 36</p>	<p>The Executive notes the issue raised in relation to proposed amendment 77.</p>

Issues	Sub. No.	Amendment No. pg.	Executive's Response & Recommendation
			<p>Whilst the proposed further amendment is stated to be a modification to proposed amendment 77 the Executive does not consider that it relates to the proposed amendment but is in fact raising a separate issue.</p> <p>The Council is committed to supporting the development of future LUAS stops as identified by the NTA (in conjunction with TII) on the basis of assessed passenger demand for same. Further details of this policy are set out in Section 5.4.7 'Policy Objective T9: Rail Stations/LUAS Stops' (Pg. 105) in the Draft Plan. There is currently no detail agreed on the future opening of the Brennanstown Luas stop.</p> <p>It is further noted that the future Brennanstown Luas stop and the Dolmen are both located within the Cherrywood Planning scheme. The Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p> <p>Recommendation No further change to proposed amendment.</p>
v. Supports clarifying the status of the Luas extension alignment from Old Conna to Fassaroe, acknowledging the primacy of the Draft Strategy in consideration of this scheme (Amendment 78);	C0051	78 36	<p>The Executive welcomes the support of the NTA to proposed amendment 78 which amends Section 5.4.6 'Policy Objective T8: Luas Extension and Metro Link' (pg. 105) with additional text clarifying the status of the Luas extension alignment from Old Conna to Fassaroe, acknowledging the primacy of the Draft Strategy in considerations of this scheme.</p> <p>Recommendation No further change to proposed amendment.</p>
3.4.3 Section 5.5 Promoting Active Travel: Cycling and Walking			
i. Supports revisions to all references to the GDA Cycle Network Plan and the National Cycle Manual, acknowledging that these documents will be/have been revised (Amendments 81 & 82);	C0051	81 37 82 37	<p>The Executive welcomes the support of the NTA to the proposed amendments 81 & 82 which amends Section 5.5.3 'Policy Objective T12: County Cycle Network' (pg. 107) with revisions to all references to the GDA Cycle Network Plan and the National Cycle Manual, acknowledging that these documents will be/have been revised.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. pg.	Executive's Response & Recommendation
ii. Submission supports proposed amendment 82, which seeks to add text to paragraph 5 under 'Policy Objective T12: County Cycle Network'.	C0034	82 37	<p>No further change to proposed amendments.</p> <p>The Executive welcomes the support for proposed amendment 82 (pg. 37), amendment to Section 5.5.3 'Policy Objective T12: County Cycle Network' (pg. 107) which states:</p> <p><i>"All new development, and changes of use, must demonstrate how they can provide improved linkages to-and-from the County Cycle Network. New cycle tracks or cycle lanes, or upgrades to cycle routes, shall be designed in accordance with the 'National Cycle Manual' (2011) and subsequent revisions. Recreational car-free cycle routes, cycle routes to schools and Greenways will also be developed - in accordance with the Green Infrastructure Strategy (refer to Appendix 15) - to promote cycling within the County and such routes will be encouraged as part of larger developments."</i></p> <p>Recommendation No further change to proposed amendment.</p>
iii. Submission supports proposed amendment 83, which seeks to amend 'Policy Objective T13: Coastal Cycling Infrastructure'.	C0034	83 38	<p>The Executive welcomes the support for proposed amendment 83, amendment to Section 5.5.3 'Policy Objective T13: Coastal Cycling Infrastructure (pg. 107), which states:</p> <p><i>"It is a Policy Objective of the Council to promote the development of the Dublin Bay Trail from the boundary with Dublin City to Wicklow County the development of the Sutton to Sandycove Promenade and Cycleway, as a component part of the National East Coast Trail Cycle Route and also the Dublin Bay trail from the boundary with Dublin City to Wicklow County."</i></p> <p>Having regard to proposed amendment 83 a syntax error has been noted in proposed amendments 265 and 316 (SLO 18) which states:</p> <p><i>"To promote the development of the Dublin Bay Trail Sutton to Sandycove Promenade and Cycleway, as a component part of the National East Coast Trail Cycle Route and also the Dublin Bay trail from the boundary with Dublin City up to the boundary with Co. Wicklow. Any development proposal will protect and enhance public access to the coast where feasible. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection</i></p>

Issues	Sub. No.	Amendment No. pg.	Executive’s Response & Recommendation
			<p><i>and preservation of all designated SACs, SPAs, and pNHA(s) in Dublin Bay and the surrounding area.”</i> This needs to be addressed.</p> <p>Recommendation Minor modification to correct syntax to proposed amendments 265 and 316 (SLO 18) as follows:</p> <p>“To promote the development of the Dublin Bay Trail and the Sutton to Sandycove Promenade and Cycleway, as a component part of the National East Coast Trail Cycle Route and also the Dublin Bay Trail from the boundary with Dublin City up to the boundary with Co. Wicklow. Any development proposal will protect and enhance public access to the coast where feasible. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SACs, SPAs, and pNHA(s) in Dublin Bay and the surrounding area.”</p>
<p>iv. Submission considers that the amendments have not considered the role that e-scooters will play as a micro-mobility option.</p>	<p>C0002</p>	<p>85 38 321 84</p>	<p>The Executive notes that at the time of the drafting the amendments to the plan there was no legislation in place to legalise powered personal vehicles which include e-scooters. Notwithstanding proposed amendment 85 and 321 referred to these type of micro-mobility modes.</p> <p>Proposed amendment 85 amends Policy Objective T14 ‘Bike Rental Scheme’ in Section 5.5.5 (pg. 108) as follows:</p> <p><i>“It is a Policy Objective to support the provision of bike rental (pedal, e-bike, and other powered personal vehicles) across the County.”</i></p> <p>Powered personal vehicles include e-scooters and therefore amendments 85 amends the bike rental Policy Objective T14 to include the support of other personal powered vehicles.</p>

Issues	Sub. No.	Amendment No. pg.	Executive’s Response & Recommendation
			<p>In addition to this amendment 321 provides for “<i>other micromobility mode share target share - 5 %</i>” for the Plan in Table 15.5.5 (pg. 339) for Policy Objective T3: ‘Development of Sustainable Travel and Transport’.</p> <p>Recommendation No further change to proposed amendments.</p>
3.4.4 Section 5.6 Demand Management and Travel Planning			
<p>i. Supports proposed amendments 86 & 87 including the commitment to liaise with the NTA Park & Ride Development Office regarding the development of Park & Ride sites in the County.</p>	<p><u>C0051</u></p>	<p>86 38 87 38</p>	<p>The Executive welcomes the support of the NTA to the proposed amendments 86 and 87 which amends Section 5.6.6 ‘Policy Objective T20 Park and Ride’ (pg. 110) by adding text to liaise with the NTA Park & Ride Development Office regarding the development of Park & Ride sites in the County and also provides more detail on the development Woodbrook Shanganagh Park and Ride.</p> <p>Recommendation No further change to proposed amendments.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
<p>i. Submission considers that DLR must prepare for a significant increase in e-scooter usage in advance of legislation. Submission requests that DLR consider:</p> <ul style="list-style-type: none"> • “micro-mobility infrastructure development”, such as segregated lanes, • “slow-go” areas that minimise the risk of accidents. • Policies to replace car parking bays with e-scooter parking • Locating e-scooter parking near existing ‘city bike’ locations, or plan for the introduction of new bike and e-scooter parking bays if none exist. • Defined parking regulations to avoid e-scooter parking on paths. • Developing physical and virtual maps to indicate where and at what speed e-scooters can travel. • Encouraging data-sharing between e-scooter companies and road monitoring organisations. 	C0002	<p>The Executive notes the issues raised, however, there is no related amendment. It is noted that some of the issues raised are operational issues and not County Development Plan issues.</p> <p>It should be noted that the issue of the rental schemes of powered personal vehicles and other micro-mobility modal share which includes e-scooters has been dealt with in Section 3.5 above.</p>
<p>ii. Submission refers to the inaccessibility of Dalkey, particularly by bus, recent upgrades that have resulted in narrower roads and calls for a revisit of the road layout in the area to improve access by bus and other forms of sustainable transport modes.</p>	C0075	There is no amendment relating to the issue raised.
<p>iii. Submission considers that a bus service from Sandyford to Rathmichael (as identified in Section 5.3.2 (pg. 102) of the Draft Plan), would be a danger to vulnerable road users.</p>	C0102	There is no amendment relating to the issue raised.
<p>iv. Seeks inclusion of an objective promoting tourist and visitors to use the LUAS to visit Glendruid Valley and Dolmen.</p>	C0103	There is no amendment relating to the issue raised.

3.5 Chapter 6 – Enterprise and Employment

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.5.1 Section 6.4 Enterprise and Employment – Strategy and Policy Objectives			
i. Submission seeks to further amend Proposed Amendment 98 to include some specific examples of Smart Tourism measures.	C0103	98 42	<p>The Executive does not agree with the change requested.</p> <p>'Policy Objective E9: Smart Dublin' (pg. 129) of the Draft Plan, to which Proposed Amendment 98 refers, establishes the Local Authority's commitment to supporting Smart Dublin and sets out some of the general principles of this initiative. The purpose of this Section of the Draft Plan is to provide a high level strategic Policy Objective, and whilst detail is set out in relation to the Smart Sandymount partnership with DLR, it is not considered that there is any need to itemise specific measures which may constitute examples of Smart Tourism.</p> <p>Recommendation No further change to proposed amendment.</p>
ii. Submission seeks to further amend proposed amendment 99 to include examples of measures for the development of accessible and inclusive tourism.	C0103	99 42	<p>The Executive notes the issue raised.</p> <p>Detailed objectives, actions and projects which seek to enhance accessible and inclusive tourism in the County are provided in the Council's current strategy entitled 'Tourism Strategy & Marketing Plan, 2017-2022'. The strategic objectives of this strategy are set out in the paragraphs immediately following proposed amendment 99 in Section 6.4.2.15.</p> <p>The Executive considers that the inclusion of an additional reference to the Tourism Strategy & Marketing Plan could be helpful in highlighting to the reader where appropriate examples of measures for the development of accessible and inclusive tourism may be found.</p> <p>Recommendation Apply a minor modification to proposed amendment 99 as follows:</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive's Response & Recommendation
			"Furthermore, the Council will support the development of accessible and inclusive tourism. Some key objectives and actions for achieving this are set out in the Council's 'Tourism Strategy & Marketing Plan, 2017-2022'. "

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission seeks to include specific references to specific heritage plans and issues in Section 6.4.2.15 <i>'Policy Objective E16 'Tourism and Recreation'</i> .	C0103	The issue raised does not relate to the amendments proposed in Section 6.4.2.15 of the Draft Plan. The Executive would in any case consider that the inclusion of the specific details and measures suggested by the observer would be inappropriate for this section, which seeks to provide details of the general principles of the Council's policy on tourism and recreation. This level of detail is more suited to the objectives of the Council's County Heritage Plan, the current iteration of which runs to 2025.

3.6 Chapter 7 – Towns, Villages and Retail Development

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.6.1 Section 7.5.2 Major Town Centres			
i. Welcomes the text change set out in Proposed Amendment 114 from 'will likely' to 'may'. Favours cycling/walking permeability through the CMH lands at Dundrum and strongly opposes the addition of vehicle entry/exit points at the playing fields at Rosemount.	C0046	114 45	<p>The Executive notes the support for Proposed Amendment 114.</p> <p>While the Draft Plan refers to the 'likely' necessity of additional vehicular links at the Central Mental Hospital site, it is acknowledged that the actual requirement for additional vehicular links will be appropriately assessed through the detailed development management process. It is also noted that an Area Based Transport Assessment is currently being prepared for Dundrum, which will provide an additional source of information in this regard. It is considered that the proposed amendment reflects the fact that this work is yet to be undertaken / completed and ensures the aforementioned processes are not pre-empted by the Draft Plan.</p> <p>Recommendation No further change to proposed amendment.</p>
3.6.2 Section 7.5.3 District Centres			
i. Submission opposes Amendment 117 which seeks to reduce the retail floorspace cap at Stillorgan from 25,000 sqm to 20,000 sqm	C0068	117 46	<p>The Executive notes and agrees with the issue raised.</p> <p>The Stillorgan LAP, which was adopted in April 2018, included a figure for gross retail floorspace in Stillorgan of 20,000 sqm, based on the ratings information that was available at the time. Assuming a net/gross 2/3 split (as per the LAP), this would have resulted in a net retail area of approximately 13,200 sqm. Since the LAP has been adopted, there has been an additional c. 1,300 sqm gross retail floorspace permitted (c. 850 sqm net), between the Leisureplex site (under construction), the former Blakes site (unconstructed) and the single storey kiosks that were added to the Stillorgan Village Centre (constructed). This would suggest a current existing and permitted net retail floorspace of c. 14,000 sqm in Stillorgan. The Retail Impact Assessment prepared to accompany the Leisureplex application broadly tallies with these figures.</p> <p>The 25,000 sqm retail limit for Stillorgan was introduced as a variation to the 1998 County Development Plan (Variation no. 5 – June 2002). The variation was prepared following the</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<p>publication of ‘Retail Planning – Guidelines for Planning Authorities, December 2000 as well as the GDA Retail Planning Strategy’, November 2001.</p> <p>It is noted that the Retail strategy for the GDA 2008-2016 states in relation to District Centres that; ‘Such centres/towns would generally range in size from 10-25,000 sq.m. of lettable retail space catering for a population of 10,000- 40,000’.</p> <p>The Stillorgan LAP sets out a vision and objectives for the area. It is noted that the Stillorgan Shopping Centre is included as a ‘Key Development Site’ and that the LAP sets out objectives for the long-term redevelopment of the site, including, for example, the creation of a new building line with an attractive streetscape along the Lower Kilmacud Road/Old Dublin Road. The LAP envisages a mix of uses on site, but predominantly retail. While it is acknowledged that this is a long term strategy and may not eventuate during the lifetime of the plan, it is considered that a reduction of the floorspace limit of 25,000 sqm net retail area could stymy the longer term vision for Stillorgan as set out in the LAP.</p> <p>While it is noted that the broader situation regarding the provision of retail floorspace is fluid due to uncertainty in the sector, any future substantial redevelopment proposals would be required to be accompanied by a Retail Impact Assessment, at which point an assessment of the appropriateness of the quantum of retail floorspace proposed could be made through the development management process. This assessment could be undertaken in the context of the wider vision and objectives for Stillorgan and potentially in the context of an updated Retail Strategy for the Greater Dublin Area, depending on the timing of same.</p> <p>The point raised by the submitter, that no such floorspace limit applies to any of the other District Centres in the County, is also noted. Other district centres in the County (e.g. Cornelscourt, Blackrock, Nutgrove) generally retain the 25,000 sqm limit.</p> <p>A reduction in the retail floorspace limit for Stillorgan is, therefore, not considered to be justified in the context of the above.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			Omit Proposed Amendment 117, and retain the cap of 25,000sq.m: "Net retail sales area in Stillorgan District Centre zoned lands to be capped at 20,000 25,000 sq. m."

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission refer to the role of Dalkey as a town citing the Tramyard site as an example for development that could provide a new heart for the town. Notes that the heritage of the area and noise should not limit the function of Dalkey as a town.	C0075	There is no amendment relating to the issues raised.

3.7 Chapter 8 – Green Infrastructure and Biodiversity

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.7.1 Section 8.5 The Coast			
i. Submissions: <ul style="list-style-type: none"> Supports proposed amendment 119, which seeks to add a new sentence to Section 8.5.2 'Policy Objective GIB8: Coastline, Parks and Harbours'. Submission opposes proposed amendment on the grounds that it affects property owned by the submitter in terms of its use and value. 	C0034 C0069	119 47	Submissions both which support and oppose proposed amendment 119. The Executive welcomes the support provided for proposed amendment 119 in C0034 and notes the opposition to the amendment in C0069. Amendment 119 states: <p><i>"Any public realm projects at both Sandycove and Bulloch Harbours shall have regard to the concept proposals that are contained in the 2020 Masterplan for Sandycove and Bulloch Harbours."</i></p> As the SLO refers to public realm projects at Bulloch Harbour it is not considered that the proposed SLO will negatively affect the area but rather any benefit would be positive in terms of proper planning and sustainable development. <p>Recommendation No further change to proposed amendment.</p>
ii. Submission supports proposed amendment 120, which seeks to amend 'Policy Objective GIB9: Beaches and Bathing Areas'.	C0034	120 47	The Executive welcomes the support provided for proposed amendment 120, which states: <p><i>"8.5.3 Policy Objective GIB9: Beaches and Bathing Areas."</i></p> <p>Recommendation No further change to proposed amendment.</p>
iii. Submission supports proposed amendment 122, which seeks to amend Section 8.5.4 'Policy Objective GIB10: Dublin Bay Biosphere'.	C0034	122 47	The Executive welcomes the support provided for proposed amendment 122, which states: <p><i>"The biosphere reserve is managed by the Dublin Bay Biosphere Partnership which includes Fingal County Council, Dublin City Council, DLR County Council, Dublin Port Company and the National Parks and Wildlife Service of the Department of the Arts Housing, Local Government and Heritage and the Gaelteacht."</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Recommendation No further change to proposed amendment.</p>
3.7.2 Section 8.6 Access and the Mountains			
<p>i. Submission supports proposed amendment 123, which seeks to insert text to Section 8.6 ‘Access and the Mountains’.</p>	<p>C0034</p>	<p>123 47</p>	<p>The Executive welcomes the support for proposed amendment 123, which states: <i>“... Today there is a much wider range of recreational pursuits taking place in the mountains including mountain biking, orienteering, mountain running. The Dublin mountains also play an important role as a natural and scenic amenity (see also sections 8.4 Landscape and 8.7 Biodiversity).”</i></p> <p>Recommendation No further change to proposed amendment.</p>
<p>ii. Submission seeks to further amend proposed amendment 123 by including additional reference to Dublin Mountains as heritage amenity.</p>	<p>C0103</p>	<p>123 47</p>	<p>The Executive notes the issue raised.</p> <p>The Dublin Mountains are a valuable heritage amenity within the County, as set out in the County Heritage Plan (2021-2025), referred to in Section 11.5 ‘Countywide Heritage’ (pg. 220), Chapter 11 of the Draft Plan. Notable features include the Dublin Mountains Archaeological Trail, historic paths, ancient sites and a variety of other buildings and monuments of historic significance. It is an objective of the Heritage Plan to Improve protection for and access to the ancient history of the uplands and Dublin Mountains.</p> <p>On this basis, the Executive considers that a reference to the heritage value could be included in Section 8.6 ‘Access and the Mountains’ (pg. 163), in the Draft Plan, as per the observer’s proposal.</p> <p>Recommendation Apply a minor modification to amendment 123 as follows:</p> <p><i>“The Dublin mountains also play an important role as a natural, and scenic and heritage amenity (see also Sections 8.4 Landscape, and 8.7 Biodiversity and 11.5 Countywide Heritage).”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
iii. Submissions support proposed amendment 124, which seeks to add text to the second bullet point of Section 8.6.3 'Policy Objective GIB14: Public Rights-of-Way'.	C0034 C0042	124 48	<p>The Executive welcomes the support for proposed amendment 124, which states:</p> <p><i>"Extend or enhance existing rights-of-way either by agreement with landowners or using compulsory powers in the interest of ensuring access to amenities, including the coast, upland areas, riverbanks, heritage sites, geological sites and National Monuments."</i></p> <p>Recommendation No further change to proposed amendment.</p>
iv. Submission seeks to further amend proposed amendment 124 by extending the use of compulsory powers to create new rights-of-way.	C0103	124 48	<p>The Executive notes the issue raised and considers that Policy Objective GIB14: 'Public Rights-of-Way' (pg. 163) in the Draft Plan, already addresses the use of compulsory powers to extend or enhance rights-of-way. Policy Objective GIB14 states as follows:</p> <p><i>"It is a Policy Objective to:</i></p> <ul style="list-style-type: none"> i. <i>Preserve, protect, promote, and improve for the common good all existing public rights of-way which contribute to general amenity.</i> ii. <i>Extend or enhance existing rights-of-way either by agreement with landowners or using compulsory powers in the interest of ensuring access...."</i> <p>Recommendation No further change to proposed amendment.</p>
v. Submission supports proposed amendment 125, which seeks to amend text in Section 8.6.6 'Policy Objective GIB17: Trails, Hiking and Walking Routes'.	C0034	125 48	<p>The Executive welcomes the support for proposed amendment 125, which states:</p> <p><i>"The forthcoming Heritage Plan 2021 – 2025 (completion 2021) will inform the Council's policies regarding the protection, and management of and access to heritage in the County."</i></p> <p>Recommendation No further change to proposed amendment.</p>
vi. Submission supports proposed amendment 126, which seeks to add text to Section 8.6.6 'Policy Objective GIB17: Trails, Hiking and Walking Routes'.	C0034	126 48	<p>The Executive welcomes the support provided for proposed amendment 126, which states:</p> <p><i>"Steps to encourage such routes may include public transport connectivity, safe cycling routes, secure parking, publication of maps, and the provision of other appropriate</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p><i>facilities for users of such routes. Where possible and appropriate established hiking and walking routes will be signposted. (Refer also to Section 2.2.7.5, Policy ST8). That all in use public rights of way including those over private lands be suitably signposted. Other trails in the County include routes such as mass paths, which were historic routes used to access mass in penal times. The Draft Dún Laoghaire-Rathdown Heritage Plan 2021-2025 contains an action to map historic paths including mass paths and it is an objective of the Council to preserve mass paths throughout the County where possible."</i></p> <p>Recommendation No further change to proposed amendment.</p>
3.7.3 Section 8.7 Biodiversity			
<p>i. Submission seeks to further amend proposed amendment 128 to include Glendruoid Valley in list of Designated Sites.</p>	C0103	128 48	<p>The Executive notes the issue raised.</p> <p>The Council has no role in the designation of SACs, SPAs and NHAs. The National Parks and Wildlife Service are statutorily charged with responsibility in relation to identifying and designating Natural Heritage Areas, European sites. The legal basis on which SACs and SPAs are selected and designated is the EU Habitats Directive.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>ii. Submission supports proposed amendment 129, which seeks to insert text to 'Policy Objective GIB22: Non-Designated Areas of Biodiversity Importance'.</p>	C0034	129 49	<p>The Executive welcomes the support provided for proposed amendment 129, which states:</p> <p><i>"It is a Policy Objective to protect and promote the conservation of biodiversity in areas of natural heritage importance outside Designated Areas and to ensure that notable sites, habitats and features of biodiversity importance - including species protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979, the Habitats Directive 1992, Birds and Habitats Regulations 2011, Flora (Protection) Order, 2015, Annex I habitats, local important areas, ..."</i></p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>iii. Submissions object to proposed amendment 130, which seeks to remove text from the second paragraph of Section 8.7.1.5 ‘Policy Objective GIB22: Non-Designated Areas of Biodiversity Importance’. Submissions highlight the importance of wildlife corridors and request that the wildlife corridors contained in the Draft Biodiversity Plan are included in the Draft Plan. Specific reference is made to the example of Fitzsimons Wood connecting with Ticknock as a Wildlife Corridor and refers to issues with the Blackglan Road and deer crossings.</p> <div style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p>Refer also to Section 3.16 Appendix 10 Ecological Network</p> </div>	<p>C0003 C0012 C0013 C0021 C0027 C0036 C0037 C0052</p>	<p>130 49 387 108 (Map B1)</p>	<p>The Executive notes the issue raised.</p> <p>The wildlife corridors were not included as an amendment as they were not finalised. To include at this stage would be more than a minor amendment.</p> <p>Policy Objective GIB22: Non-Designated Areas of Biodiversity Importance (pg. 171), in the Draft Plan stated as follows in relation to non-designated sites of ecological importance;</p> <p><i>“Sites which have been assessed and identified as making an important contribution to the biodiversity resource of DLR at the National, County, and local level have been incorporated in the DLR Ecological Network and are detailed in Supplementary Map B1. It is envisaged that the forthcoming wildlife corridors will also be depicted in Supplementary Map B1”</i></p> <p><i>The Draft County Development Plan includes supplementary map B1 Ecological Network Map which stated that “Note: The map will be updated at amendment stage with data from the forthcoming wildlife corridor plan”.</i></p> <p>A number of submissions raised the issue that supplementary map B1 was not updated at material amendments stage to include the wildlife corridors set out in the Draft Biodiversity Action Plan.</p> <p>The Draft DLR County Biodiversity Action Plan 2021-2025 went on public display on 20th July 2021. The Draft Action Plan contained a draft County-wide Ecological Network Map which included wildlife corridors. The Action Plan stated that this map “is currently under review as more recent surveys are added” and the map was annotated similarly as “currently undergoing survey updates and review”. The survey updates and review were therefore pending when the Biodiversity Action Plan went on public display in July. The delay to the mapping (including the wildlife corridors) had occurred due to the Covid 19 Pandemic.</p> <p>The <u>Chief Executive’s Report</u> on Draft Plan issued to the members in July 2021, prior to the issuing of the Draft Biodiversity Action Plan, and as the mapping of the wildlife corridors was still not finalised at this stage it was not possible to update Supplementary Map B1 by way of a proposed material amendment as originally envisaged in the Draft Plan.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>The Chief Executive's report on Draft Plan Consultation (pg. 396) stated "<i>Whilst it had been anticipated that the wildlife corridors could be included in the Draft Plan work is not yet completed. The completed work will, however, feed into the forthcoming Biodiversity Action Plan, the review of the GI Strategy and forthcoming Local Area Plans. It is recommended that the Draft Plan be updated in this regard. In addition, it is also noted that the Cherrywood Planning Scheme areas is subject to some separate objectives contained in the approved scheme. The supplementary map should show the Cherrywood area greyed out similar to other County Plan maps.</i>"</p> <p>Whilst the work on the wildlife corridors has now completed to include them in the Draft Plan it would be more than a minor alteration to a proposed amendment.</p> <p>Recommendation No further change to proposed amendments.</p>
iv. Submission supports proposed amendment 133, which seeks to insert text to 'Policy Objective GIB25: Hedgerows'.	C0034	133 49	<p>The Executive welcomes the support provided for proposed amendment 133, which states:</p> <p><i>"It is a Policy Objective to retain and protect hedgerows in the County from development, which would impact adversely upon them. In addition, the Council will promote the protection of existing site boundary hedgerows and where feasible require the retention of these when considering a grant of planning permission for all developments. The Council will promote the County's hedgerows by increasing coverage, where possible, using locally native species and to develop an appropriate code of practice for road hedgerow maintenance."</i></p> <p>Recommendation No further change to proposed amendment.</p>
v. Submission supports proposed amendment 135, which seeks to insert text to 'Policy Objective GIB25: Hedgerows'.	C0034	135 49	<p>The Executive welcomes the support for proposed amendment 135, which states:</p> <p><i>"It is a Policy Objective to retain and protect hedgerows in the County from development, which would impact adversely upon them. The Council will promote the County's hedgerows by increasing coverage, where possible, using locally native species and to</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p><i>develop an appropriate code of practice for road hedgerow maintenance. The Council will promote the protection of existing hedgerows when considering a grant of planning permission for all developments."</i></p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Activities of walkers and mountain bikers needs to be moderated around ancient tombs	C0103	The Executive notes the issue raised, however, there is no amendment relating to this issue. It is in any case not a County Development Plan issue.
ii. Submission seeks commitments to creation of paths along Neolithic routes to develop walking trails connecting dolmens and cairns in Section 8.6.6 'Policy Objective GIB17: Trails, Hiking and Walking Routes'.	C0103	The Executive notes the issues raised. While it is noted the observer has referred to proposed amendment 125 in relation to this issue, the Executive would note that the issue is not linked to the amendment cited. It is noted that proposed amendment 126 relates to inclusion of text on historic routes. There is no amendment relating to this issue.

3.8 Chapter 9 – Open Space, Parks and Recreation

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.8.1 Section 9.1 Introduction			
i. Submission seeks to further amend proposed amendment 136 by adding a reference to the mental health, spiritual and natural environment appreciation role of open spaces.	C0103	136 50	<p>The Executive notes the issues raised, however feels the additional text proposed is already adequately addressed in Section 9.1 'Introduction' (pg. 179) to Chapter 9 in the Draft Plan, to which this amendment relates.</p> <p>The benefits of open space for "health and wellbeing" is already referenced in Section 9.1 and the cultural role of open space are referenced in Section 9.1, as amended. The Executive consider that these terms sufficiently cover the additional terms requested by the observer for the purposes of the summary description provided in Section 9.1.</p> <p>Recommendation No further change to proposed amendment.</p>
3.8.2 Section 9.2 Open Space and Parks			
i. Submission supports proposed amendment 137, which seeks to amend the title of 'Policy Objective OSR2: Hierarchy of Parks and Open Space'.	C0034	137 50	<p>The Executive welcomes the support for proposed amendment 137, which amends the title of the following policy:</p> <p><i>"Policy Objective OSR2: Hierarchy of Parks and Public Open Space."</i></p> <p>Recommendation No further change to proposed amendment.</p>
ii. Submission supports proposed amendment 138, which seeks to add text to Section 9.2.1.3 'Policy Objective OSR3: Future Improvements'.	C0034	138 50	<p>The Executive welcomes the support for proposed amendment 138, which states:</p> <p><i>"It is a Policy Objective to continue to improve, plant and develop more intensive recreational and leisure facilities within parks and public open spaces insofar, as resources will permit, while ensuring that the development of appropriate complementary facilities does not detract from the overall amenity of the spaces."</i></p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
iii. Submission supports proposed amendment 139, which seeks to add text to the first paragraph of Section 9.2.1.3 'Policy Objective OSR3: Future Improvements'.	C0034	139 50	<p>The Executive welcomes the support for proposed amendment 139, which states:</p> <p><i>"There are over 800 hectares of parks and public open spaces of varying landscape types throughout the County". A Parks Master Plan Programme, aimed at upgrading and developing the parks and open spaces throughout DLR, is being implemented on a phased basis as resources permit"</i></p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission seeks inclusion of Glendruid Wood as parkland, noting it is partly located within the Cherrywood SDZ	C0103	The Executive notes the issue raised, however, there is no amendment relating to this issue.

3.9 Chapter 10 – Environmental Infrastructure and Flood Risk

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.9.1 Section 10.5.1 Energy Policies			
i. Welcomes the proposed amendment to EI19 to include expansion of the services and infrastructure of electricity service infrastructure developers.	C0094	148 53	<p>The Executive welcomes the support for amendment 148 to 'Policy Objective EI19: Energy Facilities' (pg. 202) in the Draft Plan, which states:</p> <p><i>"It is a Policy Objective to encourage the provision of energy facilities in association with the appropriate service providers and in accordance with 'Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure' (2012). In addition, the Council will facilitate, subject to the proper planning and sustainable development of the area, the expansion of the services and infrastructure of existing service providers, notably Bord Gáis, Eirgrid, the Electricity Supply Board (ESB), other strategic electricity infrastructure developers and statutory undertakers, in order to ensure satisfactory levels of supply and to minimise constraints for development."</i></p> <p>Recommendation No further change to proposed amendment.</p>
3.9.2 Section 10.8 Coastal Protection			
i. Submission supports proposed amendment 150, which seeks to add text after the second paragraph in Section 10.8.	C0034	150 53	<p>The Executive welcomes the support for proposed amendment 150, which states:</p> <p><i>"It is considered appropriate that any coastal protection works should examine the feasibility of incorporating pedestrian and cycle routes. Policy Objective T13 Coastal Cycling Infrastructure Objective and SLO 17 should be referred to in the preparation of coastal protection works."</i></p> <p>Recommendation No further change to proposed amendment.</p>

3.10 Chapter 12 – Development Management

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.10.1. Section 12.2 Climate Action			
<p>i. Welcomes the proposed addition of new text relating to Passive or Net Zero Carbon design standards. Requests the wording is strengthened above 'support and encourage' and that focus should be applied, in particular, to high rise buildings.</p>	C0046	<p>153 55</p>	<p>The Executive notes the support for Proposed Amendment 153 which amends Section 12.2.1 'Built Environment' (pg. 225) which states:</p> <p><i>"The Planning Authority will support and encourage buildings of innovative design which seek to achieve Passive or Net Zero Carbon design standards."</i></p> <p>With regard to the request to amend the wording of the proposed amendment, it is highlighted that building standards are set by the Building Regulations and are governed by a different code to the Planning Code. Currently all new buildings must be designed to nZEB standard in accordance with Building Control legislation and this is supported by Regional Policy Objective 7.40 of the RSES.</p> <p>The DoHLGH Section 28 Guidelines 'Sustainable Residential Development in Urban Areas' (2009) state in paragraph 4.11 that "...the construction sector should not have to contend with different standards set by individual planning authorities for the environmental performance of buildings."</p> <p>The advice of the DoHLGH, as set out in the Section 28 'Development Management Guidelines for Planning Authorities' (2007), is to avoid attaching conditions relating to other codes in order to avoid duplication and confusion.</p> <p>The Executive does not recommend any further amendment having regard to the separate function and role of the Building Regulations.</p> <p>Recommendation No further change to the proposed amendment.</p>
<p>ii. Submission considers that the SuDS element still allows developers to utilize underground tanks to slow down run off.</p>	C0016	<p>155 55 197 66 423 118</p>	<p>The Executive notes the issue raised.</p> <p>Proposed amendment number 155 which amends text in Section 12.2.6 'Urban Greening' (pg. 226), amendment 197 to Section 12.8.6.2 'SuDS (Sustainable Drainage Systems)</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
<p>Requests that this aspect of Plan be reworded to ensure all other measures such as swales, infiltration trenches, tree pits etc are considered first and that tanks are only used as a last resort and only then with agreement with Planning Authority</p>			<p>relate to the inclusion of a green factor/biotope method and in the case of 197 there is also a small addition of text in relation to consultation with Iarnród Eireann in areas where infiltration proposals will be in proximity to a railway cutting or tunnel. The biotope method is seen as a positive extension to SuDS. Amendment 423 relates to inclusion of a new Section 5.8.5 in the Appendix 16 Strategic Flood Risk Assessment 2022-2028 (pg. 23) on Nature Based solutions/green Infrastructure which is also considered to be a positive addition. All 3 amendments would support developers exploring more sustainable options when considering run-off, but they are not the explicit sections of the Draft Plan that deal with SuDS. There is, in the opinion of the Executive, no amendment relating to the issues raised.</p> <p>Council policy and standards in relation to SuDS are set out in <u>Chapter 10</u> Section 10.2.2.6 Policy Objective EI16 (pg. 201), Chapter 12, Section 12.8.6 (pg.285) and <u>Appendix 7: Sustainable Drainage System Measures</u>. Appendix 7 sets out the detail required in any stormwater audit including <i>“whether the applicant has carefully considered all suitable SuDS techniques and applied the most appropriate type(s) for the site that will ensure improved water quality, biodiversity, a reduction of run-off rates, volume storage and volume control.”</i> Underground attenuation solutions can form part of the drainage solution on a site. Appendix 7 sets out <i>“If an attenuation system is proposed it should, where possible, not be located under the internal roads but in/under open space or parking areas. Attenuation systems must be inline. The preference is for attenuation systems that allow for infiltration and/or treatment within the site.”</i></p> <p>The Drainage section have advised that while DLR do not prohibit the use of attenuation systems, the Council do insist that the use of SuDS measures is maximised in all developments. Of note is also amendment 382 (pg. 105) to Appendix 7.1. (pg. 250) includes a table in the Stormwater Audit procedure which requires applicants to provide a detailed breakdown by area of all the measures they are proposing to clearly demonstrate that SuDS measures have been maximised.</p> <p>It is also required by the Greater Dublin Strategic Drainage Study that all surface water run-off undergoes interception/treatment, which is usually provided through SuDS measures, prior to discharge to any attenuation system.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>If the use of storage tank forms part of their SuDS proposals the use would always have to be agreed with the Planning Authority as part of a planning application or compliance.</p> <p>Recommendation No further change to proposed amendments.</p>
3.10.2 Section 12.3 Neighbourhood – People, Homes and Place			
<p>i. Submission supports the additional text to the ninth bullet point in Section 12.3.1.1 'Design Criteria'.</p>	C0034	156 55	<p>The Executive welcomes the support provided with regard to proposed amendment 156 which states:</p> <p><i>"Quality of linkage and walking and cycling permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces. Walking and cycling permeability shall be maximised at every opportunity."</i></p> <p>Recommendation No further change to proposed amendment.</p>
<p>ii. Submissions received both in support of and that seek further amendments to proposed amendments to Section 12.3.2.1 'Development within Sustainable Neighbourhood Infrastructure Lands'. Submissions have suggested amended wording to the criteria set out in Section 12.3.2.1 with regard to development on 'surplus' lands identified for development under the previous Development Plan.</p>	C0034 C0046 C0049 C0054	157 55	<p>The Executive welcomes the support provided with regard to proposed amendment 157 but does not support the amended wording proposed.</p> <p>This proposed amendment refined the criteria with regard to development on lands zoned objective 'SNI – To protect, improve and encourage the provision of sustainable neighbourhood infrastructure' as set out under Section 12.3.2.1 'Development within Sustainable Neighbourhood Infrastructure Lands' (pg. 228) in order to ensure that the objective achieves its purpose.</p> <p>Submissions C0049 and C0054 suggest additional wording for inclusion in Section 12.3.2.1, as follows:</p> <ul style="list-style-type: none"> At the end of the first paragraph - <i>"In certain instances, SNI zoned lands include surplus land which has been identified for development during the previous Development Plan period, with associated improvements to the existing SNI facilities planned as a result of such development, and the Planning Authority will consider such developments on their merits."</i>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<ul style="list-style-type: none"> A new bullet: <i>“Where a landowner can demonstrate that part of the SNI zoned lands are surplus to the needs of the SNI facilities and residential development is proposed, the Planning Authority will consider such developments on their merits and with regard to the other criteria listed above”</i> <p>The Executive does not consider that the suggested amendments to Section 12.3.2.1 are appropriate or warranted.</p> <p>As set out in Table 13.1.7 (pg. 306), <u>Chapter 13</u> of the Draft Plan, a number of uses are both permitted in principle and open for consideration under the land use zoning Objective SNI. Uses include, for example, ‘Education, Health Centre / Healthcare Facility, Hospital’ as being permitted in principle and ‘Residential’ being open for consideration.</p> <p>Any proposed development will be assessed having regard to its merits and the provisions of the Development Plan in force at the time of making a decision in accordance with Section 34(2)(a) of the Planning and Development Act (as amended), which states:</p> <p><i>“(2) (a) When making its decision in relation to an application under this section, the Planning Authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to—</i> <i>(i) the provisions of the Development Plan, ...”</i></p> <p>Recommendation No further change to proposed amendment.</p>
iii. Submissions: <ul style="list-style-type: none"> Oppose amended language around early delivery of childcare provision and considers original language in Draft Plan would be preferable as the Proposed Amendment suggesting the opening of childcare facilities preferably prior to the occupation of the residential units is 	C0083 C0090 C0091 C0096 C0100	158 56	The Executive notes and acknowledges the issues raised in terms of provision of childcare. Proposed amendment 158 is as follows amends the second and third paragraphs in Section 12.3.2.4 ‘Childcare Facilities’ (pg. 229) as follows: <i>“Where it is proposed or required to provide a new childcare facility as part of a new residential or commercial development, the facility shall be constructed in tandem with the overall scheme. To address the need for childcare and make childcare more accessible to everybody in the County, the developer shall seek to secure an operator and open the</i>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>beyond the control of the developer and the Planning Authority.</p> <ul style="list-style-type: none"> • Considers that it can prove difficult to secure an operator and could take a number of years before an operator takes on a creche space. If securing a creche operator was required on all scheme prior to occupation of dwellings on site, this could significantly further delay delivery of homes in the County • Request that amendment 158 be modified so that the Planning Authority will seek to work with the developer to ensure an operator for the facility and that childcare will be provided subject to an operator being secured. This is considered necessary to ensure that provision of childcare does not impact on delivery of housing. • Amendment places an unreasonable obligation on the developer. • Amended wording proposed that a developer shall endeavour to construct childcare facilities in tandem with the overall scheme. 			<p><i>facility at an early stage preferably prior to the occupation of the residential units. In this regard, the developer shall and submit phasing details for the development and include details of the intended operation of the facility relative to the completion and occupation of dwellings / commercial buildings.</i></p> <p><i>To combat the ongoing childcare crisis and make childcare more accessible to everybody in the County, childcare facilities in a new development must be completed prior to residents moving in.</i></p> <p>It is considered that the wording in the Draft Plan which would have been very difficult to achieve particularly where a childcare facility is in the later phases of development of a scheme. Proposed amendment 158 which looks for a developer to seek to secure an operator and open the facility at an early stage preferably prior to the occupation of the residential units is more appropriate.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>iv. Submissions:</p> <ul style="list-style-type: none"> • request that proposed amendment 160 that amends Section 12.3.3 ‘Quantitative Standards for All Residential Development’ - to include a percentage mix for units in build to rent (BTR) schemes - is omitted as: <ul style="list-style-type: none"> ○ It is not consistent with national policy or guidelines. 	<p>C0029 C0040 C0050 C0055 C0058 C0068 C0072 C0074</p>	<p>160 57</p>	<p>The Executive notes the issue raised in the submissions in relation to mix requirements and built to rent.</p> <p>SPPR 8 of the Apartments guidelines is clear that; “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;”</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> ○ It is contrary to SPPR 8 in the ‘Sustainable Urban Housing: Design Standards for New Apartments’. ○ It would be a direct breach of Section 28 of the Planning and Development Act. ○ Different areas of the County have different housing mix requirements, therefore amendment 160 is not appropriate at a County wide level. ○ Considers that a better approach would be to assess developments in the context of their environment to determine the appropriate housing mix. ○ Requests that the previous CE recommendation to remove Build to Rent from the mix is applied. ○ Refers to Section 5.8 of the Guidelines ○ Highlights the lack of reference to BTR in the amendments to the HNDA, stating that the conclusions do not recommend altering unit mix for BTR. ○ Proposed amendment 160 may be ultra vires as the SPPR is in place in relation to mix and Built to Rent. ● Asks that proposed deviations from the apartment guidelines are considered carefully prior to final adoption. ● Supports the mix requirement being applied for BTR development. 	<p>C0076 C0078 C0083 C0084 C0089 C0090 C0091 C0096 C0100 C0101</p>		<p>The Apartment Guidelines 2020 clearly state: <i>"Planning authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions"</i>.</p> <p>Section 12 (18) of the Planning and Development Act 2000 (as amended) sets out the <i>"obligation to ensure that the Development Plan is consistent with —(a) the national and regional development objectives specified in (i) the National Planning Framework, and (ii) the regional spatial and economic strategy, and (b) specific planning policy requirements specified in guidelines under subsection (1) of section 28"</i></p> <p>The Policy Objectives and standards as set out in the Draft Plan already acknowledge that different areas of the County have different housing mix requirements – hence the various standards in relation to mix as set out in table 12.1.</p> <p>This issue has already been addressed under <i>Part 2 Summary of Submissions by the Office of the Planning Regulator and Chief Executive’s Responses and Recommendations</i> on page 18 of this report.</p> <p>Recommendation Omit proposed amendment 160, which states as follows: <i>"That the requirement for certain percentages of 3 bed units in apartments shall apply to Build To Rent developments to accord with mix on page 233."</i></p> <p>In Chapter 12 amend Section 12.3.3.1 ‘Residential Mix’ by adding the following sentence to the end of the section: <i>"For the avoidance of doubt, this section will not apply to BTR only developments."</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p style="border: 1px solid green; padding: 5px; color: green; text-align: center;">Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator</p>			
<p>v. Submission:</p> <ul style="list-style-type: none"> • requests that the text added under proposed amendment 161 that amends Section 12.3.3.1 ‘Residential Size and Mix’- requiring no more than 10% 2-bed, 3-person units be amended to allow for more flexibility rather than have a blanket approach. • Queries how the amendment is appropriate or necessary and suggests it points to an inflexibility on the Council’s part in dealing with the private sector. • Considers the derogation from standards that is provided for Council projects is applied to market rental and private residential properties. • Request that amendment 161 be further amended as follows: <ul style="list-style-type: none"> ○ No more than 10% of The total number of units in any private residential development may comprise of two bedroom three person shall have a mix of apartment types and sizes within each development to be assessed on its own merits. 	<p>C0029 C0089</p>	<p>161 57</p>	<p>The Executive notes the issue raised.</p> <p>As proposed amendment 161 is a direct quote from the aforementioned Section 28 guidelines which specifically mention private residential development, it is not recommended that it be altered.</p> <p>Proposed amendment number 161 adds an additional bullet point as follows <i>“No more than 10% of the total number of units in any private residential development may comprise of two-bedroom three-person apartment types.”</i></p> <p>Section 3.7 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, which references the 2 bed, 3 person unit, states, <i>“While providing necessary variation in dwelling size, it would not be desirable that, if more generally permissible, this type of two-bedroom unit would displace the current two-bedroom four-person apartment. Therefore, no more than 10% of the total number of units in any private residential development may comprise this category of two-bedroom three-person apartment. This is to allow for potential social housing provision further to Part V of the Planning and Development Act, 2000, (as amended), or, if this type of unit is not required to meet social housing requirements, that it would allow for an acceptable level of variation in housing type”.</i></p> <p>It is noted that one proposed alteration sought in the submissions to the proposed amendment appears to relate less to the 2 bed 3 person unit type which is what proposed amendment 161 relates and more to the overall mix requirements set out in table 12.1. The amendment sought in the opinion of the Executive does not relate to proposed amendment 161 as it in fact deletes almost the entire text of proposed amendment 161 and replaces it with something else.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>This would not only omit the important text relating to the 2 person 3 bed units but would introduce a caveat that would mean that development would not have to accord with the mix requirements set out in table 12.1. The proposed replacement text put forward in is as follows;</p> <p><i>“The total number of units in any private residential development shall have a mix of apartment types and sizes within each development to be assessed on its own merits”</i></p> <p>The Executive would not support this amendment which would render table 12.1 null and void and would weaken the proposed mix requirements in the Draft Plan which are supported by the HNDA (with proposed amendments).</p> <p>Recommendation No further change to proposed amendment.</p>
<p>vi. Considers that in order to achieve the objectives of amended Section 12.3.3.2 of the Draft Plan which states that ‘the number of dwellings to be provided on a site should be determined with reference to’ the Apartment Guidelines 2020 and the Sustainable Residential Development in Urban Areas Guidelines 2009, the categorisation of the entire County as an intermediate urban location is required to be omitted.</p>	<p>C0058 C0090</p>	<p>162 57</p>	<p>The Executive does not agree with the issue raised.</p> <p>The categorization of the entire County as an intermediate urban location is set out in Section 12.3.5.1 ‘Dual Aspect in Apartments’ (pg. 236). There is no proposed amendment relating to same. Proposed amendment 162 does not relate to this section. The categorization of the County as an intermediate urban location has had regard to the relevant Section 28 Guidelines.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>vii. Submission:</p> <ul style="list-style-type: none"> is opposed to the amendment relating to external storage for apartments and considers that discretion during the Development Management process would be more appropriate whereby some external storage in lieu of internal storage might be desirable and feasible. 	<p>C0029 C0073 C0074 C0078 C0083 C0084 C0090 C0091</p>	<p>168 58</p>	<p>The Executive notes the issues raised and considers that the minimum external storage areas as set out in proposed amendment 168 has the potential to impact upon the design, layout and interaction of ground floor uses with the adjoining public realm within new developments.</p> <p>There is no requirement within Section 28 Government Guidelines, that being the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> • States that the Draft Plan provides contradictory standards in relation to the location of the external storage space. Section 12.3.5.3 states that ‘external storage’ may be provided at ‘ground or basement level’ and later in the same paragraph that it should be ‘at ground floor level’. • Requests that proposed amendment of Section 12.3.5.3 ‘Internal Storage and External Storage’ to include minimum ‘external storage’ is omitted as this: <ul style="list-style-type: none"> ○ goes beyond the storage requirements set out in the Apartment Guidelines. ○ would place an undue burden on developers. ○ would result in ground floor space being used for storage rather than providing for active uses. ○ Would add costs to construction, rent and purchase price. ○ Is unnecessary for any renters. ○ Additional area would be better within the unit for homeowners. ○ Many be required for Part V units. ○ There is a lack of evidence provided to substantiate the demand for this quantum of external storage. 	<p>C0096 C0100 C0101</p>		<p>Authorities, (2020), to set a minimum area of external storage, rather, there is a minimum requirement for internal storage which is included in the Draft Plan.</p> <p>The Apartment Guidelines do however state that ‘<i>apartment schemes should provide storage for bulky items outside individual units</i>’. This is already included in Section 12.3.5.3 ‘Internal Storage and External Storage’ (pg. 236) in the Draft Plan, which states:</p> <p><i>“Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit”.</i></p> <p>It is considered reasonable to remove the floor areas specified in proposed amendment 168, however, it is considered that this proposed amendment should be amended to request that details of external storage is provided within planning applications for apartment developments.</p> <p>In addition to the above, the Executive notes the discrepancy with respect to the location of external storage and acknowledges the necessity to amend the discrepancy to ensure consistency in the development management process.</p> <p>Recommendation Omit proposed amendment 168 and apply a minor modification to Section 12.3.5.3 as follows:</p> <p><i>“Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit. Applications for new apartment schemes shall clearly identify areas for external storage and state the floor area of this storage on floor plans submitted. standards shall accord with or exceed the levels outlined in Table 12.3b”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation										
			<table border="1"> <thead> <tr> <th data-bbox="1070 288 1420 320">Number of Bedrooms</th> <th data-bbox="1420 288 1774 320">Storage area (cubic metres)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1070 320 1420 352">Studio/1 bedroom</td> <td data-bbox="1420 320 1774 352">4m cubed</td> </tr> <tr> <td data-bbox="1070 352 1420 384">2 bedroom (3 person)</td> <td data-bbox="1420 352 1774 384">6m cubed</td> </tr> <tr> <td data-bbox="1070 384 1420 416">2 bedroom (4 person)</td> <td data-bbox="1420 384 1774 416">8m cubed</td> </tr> <tr> <td data-bbox="1070 416 1420 448">3 bedroom</td> <td data-bbox="1420 416 1774 448">10m cubed”</td> </tr> </tbody> </table>	Number of Bedrooms	Storage area (cubic metres)	Studio/1 bedroom	4m cubed	2 bedroom (3 person)	6m cubed	2 bedroom (4 person)	8m cubed	3 bedroom	10m cubed”
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viii. Submission supports the retention of 25% public open space for Institutional sites.	C0046	174 59	<p>The Executive notes the support for Proposed Amendment 174 which amends the public open space provision requirement at Institutional lands from 20% to 25% of the total site area.</p> <p>While the Executive considers that 20% is the appropriate standard for the provision of public open space at Institutional lands - as supported by the provisions of the Section 28 Guidelines ‘Sustainable Residential Development in Urban Areas’ (2009) - it is acknowledged that 25% was the standard agreed by the Elected Members in December 2020. Proposed Amendment 174 addresses a discrepancy in the Draft Plan whereby two differing standards were set out - one at 20% and one at 25%. The Executive acknowledges the necessity to amend the discrepancy to ensure consistency in the development management process.</p> <p>Recommendation No further change to the proposed amendment.</p>										
3.10.3 Section 12.4.5 Car Parking Standards													
i. Submission: <ul style="list-style-type: none"> welcomes the update to parking standards to provide for a separate standard for supermarkets. Requests that the proposed amendment is altered to provide for 1 space for 20 sq. for zone 2, aligning it with the current Development Plan standard. Requests that the standards are further altered to provide for the following in zone 2: 	C0040	185 61	<p>The Executive welcomes the support for the separate supermarket car parking standard as set out in proposed amendment 185 which amends Table 12.6 ‘Car Parking Zones and Standards’.</p> <p>The submission is requesting that the car parking standards be amended for supermarkets in Zone 2 to align it with the standard in the current County Development Plan. Zone 2 are locations which are within a 10-minute walk catchment of a core bus corridor, DART or Luas Stop which generally have a good level of existing planned public transport service, accessible services and a capacity to accommodate high density development and the Executive would not be in favour of amending the proposed standards.</p>										

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> ○ Cafes and Restaurants: parking standards should revert to the current provision, 1 space per 15sqm gross floor area. Bars should have a provision of 1 space per 20sqm gross floor area ○ Offices: Office provision should be retained at 1 space per 100sqm gross floor area. ○ Cinemas: 1 space per 5 seats per the current Development Plan. 			<p>It should be noted that the submission is also requesting that car parking standard for cafes, restaurants, office and cinemas are altered in a similar vein to what was previously requested as a change to the Draft Plan. While proposed amendment 185 relates to Table 12.6 ‘Car Parking Zones and Standards’ (pg. 258) it only includes the correction of a typographical errors replacing the word ‘standard’ with ‘maximum’ for ‘other uses’ and the inclusion of a new land use category in relation to supermarkets. There were no proposed amendments in relation to the other uses referenced in the submission. It is considered that the standards proposed in the Draft Plan for destination car parking are appropriate and will aid in encouraging more sustainable modes.</p> <p>Recommendation No further change to the proposed amendment.</p>
<p>ii. Submissions raise the following:</p> <ul style="list-style-type: none"> ● Considers that the amendments proposed to Table 12.6 do not adequately address or reflect NPO13 or relevant Section 28 guidelines in the context of car parking. Submission considers that they are contrary to SPPR 8 of the Apartment Guidelines and requests that the Parking zones are reviewed and that the parking standards are indicated as maximum for residential development. ● Standards within car parking Zone 2 and 3 should be changed to maximum figures in order to encourage reduced parking provision and reliance on the private car. ● Recommend a ‘standard’ rather than a ‘maximum’ car parking requirement of 2 no. car parking spaces per 3-Bed house and 3-Bed apartment as provided in the Proposed Amendments is excessive, 	<p>C0058 C0089 C0096</p>	<p>185 61</p>	<p>The Executives notes the issue raised.</p> <p>While proposed amendment 185 relates to Table 12.6 ‘Car Parking Zones and Standards’ (pg. 258) it only includes the correction of a typographical errors replacing the word ‘standard’ with ‘maximum’ for ‘other uses’ and the inclusion of a new land use category in relation to supermarkets. There were no changes made to the residential car parking standards.</p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation										
<p>particularly at locations well served by high frequency and high-capacity public transport such as DART, Luas or QBC. It is submitted that those residential car parking requirements should be ‘Maximum’ requirements rather than ‘Standard’ requirements in Zone 2 & 3, as they are in Zone 1.</p> <ul style="list-style-type: none"> • Suggests the maximum standards for car parking spaces in Table 12.6 (i.e. one space per unit) would result in an over-supply of parking, particularly in locations near high-capacity public transport 													
<p>iii. Welcomes a lower maximum for carparking in Sandyford for residential units as set out in Table 12.7, however considers that ‘New Residential Parking Thresholds’ is somewhat confusing and could be interpreted to mean the opposite of ‘Maximum’ and should be omitted.</p>	<p>C0089</p>	<p>186 62 457 130</p>	<p>The Executive notes the submission which welcomes the lower maximum for carparking for residential unit and also the concern that the phrase at ‘New Residential Parking Thresholds’ is somewhat confusing and could be interpreted to mean the opposite of ‘Maximum’.</p> <p>Proposed amendment 186 added the following: <i>“Table 12.7 Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments</i> <i>New Residential parking thresholds in SUFP:</i></p> <table border="1" data-bbox="1072 1013 1581 1251"> <thead> <tr> <th><i>Unit size</i></th> <th><i>Car parking spaces per unit</i></th> </tr> </thead> <tbody> <tr> <td><i>1 bed</i></td> <td><i>0.6</i></td> </tr> <tr> <td><i>2 bed</i></td> <td><i>0.8</i></td> </tr> <tr> <td><i>3 or more bed</i></td> <td><i>1</i></td> </tr> <tr> <td><i>All units</i></td> <td><i>Minimum of 0.02 car share spaces”</i></td> </tr> </tbody> </table> <p>This amendment was added on foot of Motion 54 from the floor at the Special County Development Plan Council meetings in October 2021. The Executive agrees that the reference to parking thresholds could be confusing and this should be omitted if the table</p>	<i>Unit size</i>	<i>Car parking spaces per unit</i>	<i>1 bed</i>	<i>0.6</i>	<i>2 bed</i>	<i>0.8</i>	<i>3 or more bed</i>	<i>1</i>	<i>All units</i>	<i>Minimum of 0.02 car share spaces”</i>
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Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation										
			<p>is being retained. However, the Executive do not support proposed amendment 186. The SUFP area falls principally within zone 2 but has some areas fall within zone 3, yet the standards proposed in this amendment are lower than those proposed for zone 1, which have a higher level of existing and planned public transport service (rail and bus) with good interchange potential and better access to services existing and planned by cycling and walking. The carparking standards set out in the Draft Plan as amended by proposed amendment 185 are appropriate as they balance the need for car storage with the locational attributes of the various parking zones.</p> <p>The Draft Plan brings in a level of flexibility in that it also allows for deviations from the residential parking standards in both Zone 1 and Zone 2 (See Section 12.4.5.2, pg. 255). These deviations to a lower standard of car parking are allowable on a case by case basis in accordance with 13 criteria. It should be noted that a number of these criteria include proposals which can be provided by the developer of a site which would be likely to positively encourage the use of sustainable modes.</p> <p>Recommendation Omit proposed amendment 186 and 457, which state as follows: Table 12.7 Sandyford Urban Framework Plan Area—Parking Maximums For All Future Residential Developments New Residential parking thresholds in SUFP:</p> <table border="1" data-bbox="1070 970 1579 1209"> <thead> <tr> <th data-bbox="1070 970 1346 1038">Unit size</th> <th data-bbox="1346 970 1579 1038">Car parking spaces per unit</th> </tr> </thead> <tbody> <tr> <td data-bbox="1070 1038 1346 1074">1-bed</td> <td data-bbox="1346 1038 1579 1074">0.6</td> </tr> <tr> <td data-bbox="1070 1074 1346 1109">2-bed</td> <td data-bbox="1346 1074 1579 1109">0.8</td> </tr> <tr> <td data-bbox="1070 1109 1346 1144">3 or more bed</td> <td data-bbox="1346 1109 1579 1144">1</td> </tr> <tr> <td data-bbox="1070 1144 1346 1209">All units</td> <td data-bbox="1346 1144 1579 1209">Minimum of 0.02 car share spaces”</td> </tr> </tbody> </table> <p>In the event that the Members decide to retain Table 12.7 it is recommended that consideration be given to omitting the phrase “New Residential parking thresholds in SUFP:”</p>	Unit size	Car parking spaces per unit	1-bed	0.6	2-bed	0.8	3 or more bed	1	All units	Minimum of 0.02 car share spaces”
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<p>iv. Submission from the NTA sets out that the Dublin Eastern Bypass Scheme is no longer required to be developed and hence it is not part of the Draft NTA Strategy. The Draft Strategy states <i>'the NTA is of the view that the lands reserved [...] for this scheme from the Stillorgan Road to Sandyford should be reserved, pending the outcome of an assessment for its potential use as a transport corridor accommodating sustainable transport modes.'</i> The NTA policy regarding this is set out in Measure ROAD4 of the NTA Draft Strategy – Lands Reserved for the Eastern Bypass as follows: <i>'The NTA will undertake an assessment of the potential for the southern section of the former Eastern Bypass corridor reservation – as provided for in the Dún Laoghaire-Rathdown County Development Plan – to be used as a transport corridor accommodating sustainable transport modes. Pending completion of this assessment the existing reservation should be retained.'</i> The NTA therefore recommends that amendment 191 which relates to Section 12.4.15 and amendments 255 and 269 which relates to the SLO should be revised to state that:</p> <ul style="list-style-type: none"> It will be a matter for the NTA to undertake an assessment of the potential for the corridor to be used as a transport corridor 	C0051	<p>191 63 255 75 469 132</p>	<p>The Executive notes the removal of the Dublin Eastern Bypass (DEBP) from the Draft Transport Strategy for the Greater Dublin Area 2022-2042 and the recognition that the use of the reservation corridor needs to be studied in advance of the reservation being removed as set out in the proposed amendments 191, 255 and 469. It is noted that at this stage (January 2022) the NTA strategy is in Draft form.</p> <p>It is the understanding of the Executive that it is not a legal requirement to be consistent with a Draft NTA Strategy and it is advised that policies and objectives contained in the Draft Strategy may change.</p> <p>The DEBP is referred to in three of the proposed amendments to the Draft Plan, these are proposed amendment 191 which is a new Section 12.4.15 Dublin Eastern Bypass, proposed amendment 255 which is an amendment to SLO 4 regarding the DEBP and this is repeated in proposed amendment 469 which restates SLO4 in the Sandyford Urban Framework Plan in Appendix 17.</p> <p>Proposed amendment 191 which is a new Section 12.4.15 states in part:</p> <p><i>"12.4.15 Dublin Eastern Bypass In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. This should include the consideration of sustainable transport, biodiversity and recreation projects."</i></p> <p>(Note: The same text is repeated in amendments 255 and 469 as set out above)</p> <p>The Executive notes that the role of the NTA in any assessment of the potential of the DEBP reservation to provide for a transport corridor for sustainable transport, as set out in the Draft Transport Strategy 2022-2042, but notes that the NTA assessment only refers to the future use of the reservation as a transport corridor whereas the Council led study refers to biodiversity and recreation. The Executive has no objective to the NTA assessment of the potential of the DEBP reservation to provide for a transport corridor for sustainable transport but still wish to explore the recreational and biodiversity potential of the reservation. A future NTA study is likely to inform the nature of sustainable</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>accommodating sustainable transport modes; and</p> <ul style="list-style-type: none"> Should this assessment determine that the corridor is not required for such a use, the decision on the use of this corridor would then revert to the Council <div data-bbox="266 518 694 711" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; font-weight: bold;">Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>			<p>transport use in the reservation lands having regard to the wider transport network and therefore it may be important to input into the DLR Study. For example, if the NTA study were to decide that the best use would be for a light rail corridor this would inform and influence the DLR study.</p> <p>The Executive notes that the NTA intend to carry out an assessment in advance of a Council led study to determine the most appropriate use of the land within the DEBP corridor. It is considered that this can be facilitated by a minor amendment to the text of proposed amendments 191, 255 and 469.</p> <p>The Executive notes that ‘the NTA is of the view that the lands reserved [...] for this scheme from the Stillorgan Road to Sandyford should be reserved, pending the outcome of an assessment for its potential use as a transport corridor accommodating sustainable transport modes.’ The Draft Plan however, under proposed amendments 191, 255 and 469 refer to the full extent of the DEBP reservation. The Executive consider that any assessment/study should address the full extent of the reservation within the County.</p> <p>Recommendation It is recommended that the following Proposed amendment 191 which is a new Section 12.4.15 states in part:</p> <p>“12.4.15 Dublin Eastern Bypass ...In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. This study may be informed by a future NTA study This should include the consideration of sustainable transport, biodiversity and recreation projects.”</p> <p>SLO 4 in proposed amendments 255 and 469 is modified accordingly with a repeat of the same text as above.</p>
<p>v. Submission requests that proposed material amendment 255 is modified to firstly acknowledge the omission of the Eastern By-</p>	<p>C0044</p>	<p>191 63 255 75 469 132</p>	<p>The Executive notes that the Draft Transport Strategy for the GDA 2022-2042 no longer requires the development of the Eastern Bypass Scheme. The Executive also notes that the Draft Transport Strategy states:</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation						
<p>Pass project from the new Draft GDA Transportation Strategy by the NTA, and as a consequence SLO 4 and the Eastern By-Pass objective in the Development Plan map should now be omitted.</p>			<p><i>“Measure ROAD4 – Lands Reserved for the Eastern Bypass as follows: ‘The NTA will undertake an assessment of the potential for the southern section of the former Eastern Bypass corridor reservation – as provided for in the Dún Laoghaire-Rathdown County Development Plan – to be used as a transport corridor accommodating sustainable transport modes. Pending completion of this assessment the existing reservation should be retained.”</i></p> <p>It is further noted that the NTA strategy is at this time (January 2022) a Draft Strategy. To remove the DEBP reservation or SLO4 from the Plan and the associated maps pending the outcome of any future assessments would be premature.</p> <p>It is the understanding of the Executive that it is not a legal requirement to be consistent with a Draft NTA Strategy and it is advised that policies and objectives contained in the Draft Strategy may change.</p> <p>Recommendation No further change to proposed amendments.</p>						
<p>vi. The submission:</p> <ul style="list-style-type: none"> • is generally understanding and supportive of the Draft Plan regarding the DEBP proposed amendment nos. 191, 255, and 469. • Requests that greater clarity be given in the plan, that no road will ever be built within the ‘Strategic Road Reservation’ and that the plan clarify the potential use of the ‘Strategic Road Reservation’. • Requests that the Ardilea Residents association are consulted on the future use of the reservation. • Welcome short term proposals for these lands to be used for recreational facilities, 	<p>C0045</p>	<table border="0"> <tr> <td>191</td> <td>63</td> </tr> <tr> <td>255</td> <td>75</td> </tr> <tr> <td>469</td> <td>132</td> </tr> </table>	191	63	255	75	469	132	<p>The Executive welcomes the general support for proposed amendments 191, 255, 469 which all relate to the DEBP as set out previously.</p> <p>The submission requests that the Plan clarify that “no road” will ever be built within the DEBP reservation. It is not considered feasible to rule out the construction of a road within the corridor as while the NTA have indicated the intention in their Draft Strategy not to construct the DEBP the Strategy is still in Draft: a road could be required to facilitate sustainable travel (e.g. a busway) and there may be other instances where it may be necessary to build roads in the corridor e.g. for access to recreational uses.</p> <p>The submission has requested that the Council led study on the future use of the DEBP corridor be subject to consultation with the resident’s association. It is considered reasonable that a study on the future land use would engage with the public as part of the study.</p>
191	63								
255	75								
469	132								

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
<p>cycle lanes/pathways, etc. A specific section needs to be added to the Draft Plan setting out what land uses will be welcomed and how applicants should go about proposing such temporary land uses.</p> <div data-bbox="271 485 698 676" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>			<p>With regard to short term uses of the DEBP corridor this is already provided for in the Draft Plan in the text of proposed amendment 255 which has a very minor amendment to the clarify additional future uses are “temporary” pending a decision on the future status of the bypass to SL04 (page 319) as follows:</p> <p><i>“To implement the requirements of the Dublin Eastern Bypass Corridor Protection Study Booterstown to Sandyford, 2011 and any subsequent updates to same and to promote potential additional future temporary uses of the Dublin Eastern Bypass reservation corridor, including a greenway/cycleway, a pedestrian walkway, biodiversity projects, recreational opportunities - inclusive of playing pitches - public transport provision and other suitable temporary uses, pending a decision from Transport Infrastructure Ireland/Central Government in relation to the future status of the Bypass. Any potential additional future short-term uses of the reservation corridor will be subject to a joint feasibility study to be undertaken by TII and the NTA. In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. This should include the consideration of sustainable transport, biodiversity and recreation projects.”</i></p> <p>It is the understanding of the Executive that it is not a legal requirement to be consistent with a Draft NTA Strategy and it is advised that policies and objectives contained in the Draft Strategy may change.</p> <p>Recommendation It is recommended that the following Proposed amendment 191, 255 and 469 be amended as follows:</p> <p>Further amend Section 12.4.15 Dublin Eastern Bypass SLO as follows;</p> <p><i>“This should include the consideration of sustainable transport, biodiversity and recreation projects, and engagement with the public.”</i></p> <p>SLO 4 in proposed amendments 255 and 469 is modified accordingly with a repeat of the same text as above.</p>

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<p>vii. A specific SLO should be included to explore the repurposing of the "Dublin Eastern Bypass Corridor" for public transport links. i.e. Luas spur and cycling provisions to explore the feasibility of same.</p>	<p>C0047</p>	<p>191 63 255 75 469 132</p>	<p>The Executive welcomes the issue raised. Proposed amendments 191, 255 and 469 provide for a study lead by the Council to consider the best use of the corridor in the event that it is not required for the provision of the DEBP.</p> <p>Recommendation No further change to the proposed amendments.</p>
<p>viii. Issues raised with regard to the amendments:</p> <ul style="list-style-type: none"> • DEBP reservation corridor and SLO4 should be omitted to accord with the NDP 2021-2030 and the 2022 -2042 Transport Strategy for the GDA. • The spatial requirements arising from a sustainable transport corridor are much less than those required for an orbital motorway. As the DEBP reservation has been omitted from the NDP 2021-2030 and the NTA’s Transport Strategy, the Council should considers omitting the Strategic Road Reservation SLO from the Plan and, if required, consider providing a reserved corridor which is narrower and more in accordance with requirements of a bus priority road or cycle lane. <div data-bbox="259 1082 687 1273" style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>	<p>C0067</p>	<p>191 63 255 75 469 132</p>	<p>The Executive notes that the Draft Transport Strategy for the GDA 2022-2042 no longer requires the development of the Eastern Bypass Scheme. The Executive also notes that the Draft Transport Strategy states:</p> <p><i>“Measure ROAD4 – Lands Reserved for the Eastern Bypass as follows: ‘The NTA will undertake an assessment of the potential for the southern section of the former Eastern Bypass corridor reservation – as provided for in the Dún Laoghaire-Rathdown County Development Plan – to be used as a transport corridor accommodating sustainable transport modes. Pending completion of this assessment the existing reservation should be retained.”</i></p> <p>It is further noted that the NTA strategy is at this time (January 2022) a Draft Strategy. To remove the DEBP reservation or SLO4 from the Plan and the associated maps pending the outcome of any future assessments would be premature.</p> <p>It is the understanding of the Executive that it is not a legal requirement to be consistent with a Draft NTA Strategy and it is advised that policies and objectives contained in the Draft Strategy may change.</p> <p>With regard to the suggestion that the Council should consider a smaller reservation for a sustainable transport corridor this is not considered appropriate at this stage as the Council does not know what the requirements (if any) are yet for sustainable transport as required by the NTA. In addition, the Council wants to lead a study on the best use of the land in advance of removing the reservation and prior to development being permitted on the land.</p> <p>Recommendation</p>

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No further change to proposed amendments.			
3.10.4 Section 12.6.7 Service Stations			
i. Supports increasing EV charging facilities text as set out in proposed amendment 193 to Section 12.6.7 Petrol Stations.	C0030	193 63	<p>The Executive welcomes the support of proposed amendment 193 which amends Section 12.6.7 Petrol Stations.</p> <p>Recommendation No further change to proposed amendment.</p>
3.10.5 Section 12.9.2 Noise Pollution and Noise Nuisance			
<p>i. Submission provides detail and commentary on noise and odour nuisance and objects to the proposed amendments to Section 12.9.2 and 12.9.3 and to the overall content of Section 12.9.2 and 12.9.3</p> <p>Detailed commentary is provided on the special Council meeting held on 18th October and:</p> <ul style="list-style-type: none"> two submitted motions to amend the Plan statements and comments made by both the Executive, and Elected Members and advice given to the Executive by the Law Agent. responses to motions circulated to members on the 12th October 2021 <p>Submission does not agree with comments made at the meeting and advice given. Considers that the Executive withheld key facts. Requests that the public record is corrected.</p> <p>In relation to the proposed wording of the amendments in relation to noise and odour the submission:</p>	C0056	<p>198 66</p> <p>199 66</p> <p>200 66</p> <p>201 66</p> <p>202 66</p>	<p>The Executive notes the issues raised but does not recommend any minor modifications to the amendments proposed. The Executive stands over advice given at the meetings in October. The Executive consider that no relevant facts were withheld. All advice was given to the members in good faith.</p> <p>The submission refers to Section 12.9 Noise and Odours. It is noted that Section 12.9 is entitled "Environmental Infrastructure" which is an umbrella term for a section which deals with noise but also deals with other topics such as construction management plans and waste management. Section 12.9.2 is entitled Noise and Pollution and Noise Nuisance and Section 12.9.3 is entitled Noise, Odour and Vibration generating uses.</p> <p>The proposed amendments set out three amendments to Section 12.9.2 "Noise pollution and noise nuisance" (proposed amendments 198, 199 & 200) and two amendments to Section 12.9.3 "Noise, odour and Vibration generating uses" (proposed amendment 201 & 202).</p> <p>Proposed amendment 198 Proposed amendment 198 amends the second paragraph of Section 12.9 'Environmental Infrastructure' (pg. 289) as follows:</p> <p><i>"Residential development should be set back from roads/rail lines such that amenities of residents are not unduly impacted upon by reason of noise. To address potential noise issues at post development stage, Mitigation measures should be undertaken, where appropriate, between the residential development and road/rail line. At design stage</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<ul style="list-style-type: none"> objects specifically to amendment 201. Considers that proposed amendment 201 which states "In considering applications for development where the proposed use may cause noise, vibrations and air emissions (for example, gyms, public houses, leisure facilities, restaurants and retail) applicants will be required to demonstrate that consideration has been given to the ventilation strategy for buildings at the design stage, to prevent noise, to minimise the causing of any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act, and air emissions that may cause nuisance from equipment and ducting." is contradictory as it allows applicant to minimise or prevent. Considers that Section 12.9 of the Draft Plan does not compare favourably to UK guidelines Considers that reducing noise as opposed to preventing is unacceptable Submission objects to amendments to Section 12.9 and consider that the Executive do not understand their legal duty to prevent families from being impacted by noise and odours. Objects to deletion of an acknowledgement to "prevent" noise nuisance and replacement with the 			<p><i>consideration should be given to the location of bedrooms so as to ensure the least possible impact from noise sources. Similar mitigation measures may also be required when dealing with commercial development in close proximity to residential areas where there may be noise generated from the completed development – such developments will be assessed on a case by cases basis."</i></p> <p>While the submission objects to amendments to Section 12.9 2 no specific objection is raised in the submission to the proposed wording of amendment 198. It is acknowledged, however, that the entire submission objects to the totality of Section 12.9 and that an overall new wording is suggested for insertion into Section 12.9. This is responded to below.</p> <p>Proposed amendment 199 Proposed amendment 199 deletes the first bullet point of Section 12.9.2 Noise Pollution and Noise Nuisance (page 289) and replace with new text as follows:</p> <p><i>"To require the Planning Authority to acknowledge its legal responsibility to attach planning conditions on permissions granted to prevent the development from causing a noise nuisance for adjacent occupiers.</i></p> <p><i>To attach planning conditions on relevant permissions granted to reduce or prevent the development from causing any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act."</i></p> <p>Submission objects to this proposed amendment on the grounds that it is a weaker requirement and is legally unacceptable. The Executive would not concur with this opinion as the proposed amendment is a direct quote from Section 34 (4) (C) of the Planning and Development Act and sets out the legal requirements from the Act in relation to the attachment of conditions. Whilst the submission provides details of UK legislation and guidelines along with detail of Irish legislation the Irish legislation and guidelines are relevant for the purposes of the making of the Plan.</p> <p>Proposed amendment 200</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<p>wording from Section 34(4) (C) of the Act which uses the word “reduce” as it is a weaker requirement and is legally unacceptable.</p>			<p>Amend sixth bullet point of Section 12.9.2 'Noise Pollution and Noise Nuisance' (page 289) as follows “Locating family homes and gardens bedrooms as far away from noise sources as possible without compromising passive design principles.”</p> <p>While the submission objects to overall amendments to Section 12.9 2 no specific objection is raised to the proposed wording of amendment 200. It is acknowledged, however, that the entire submission objects to the totality of Section 12.9 and that an overall new wording is suggested for insertion into Section 12.9. This is responded to below.</p> <p>Proposed amendment 201 Proposed amendment 201 amends the first paragraph of Section 12.9.3 'Noise, Odour and Vibration Generating Uses' (pg. 289) as follows:</p> <p><i>“In considering applications for development where the proposed use may cause noise, vibrations and air emissions (for example, gyms, public houses, leisure facilities, restaurants and retail) applicants will be required to demonstrate that consideration has been given to the ventilation strategy for buildings at the design stage, to prevent noise, to minimise the causing of any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act, and air emissions that may cause nuisance from equipment and ducting. The design of buildings and services should consider and incorporate acoustic attenuation and mitigation as required, to ensure that the operational phase of the development does not generate unacceptable noise levels or odour nuisance within the receiving environment.”</i></p> <p>Submission objects to the proposed wording. Submission considers wording is contradictory as it allows an applicant to minimise or prevent. The Executive consider that the wording is appropriate as it is requesting applicants at design stage to consider how best to prevent noise so as to minimise any noise that might give rise to noise that give reasonable cause for annoyance to persons in any premises in the neighbourhood.</p> <p>Proposed amendment 202 Amend second paragraph of Section 12.9.3 'Noise, Odour and Vibration Generating Uses' (pages 289- 290) as follows: <i>“Evidence of same by way of a noise assessment and/or any</i></p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<p><i>mitigation measures should be provided in any planning application. Assessments and mitigation measures should meet the requirements of the Environmental Health Officer and will be designed to prevent a Noise Nuisance. All sound measurement should be carried out in accordance with ISO Recommendation 1996:2008: Acoustics - Description and Measurement of Environmental Noise, or any subsequent superseding standards.”</i></p> <p>While the submission objects to overall amendments to Section 12.9 2 no specific objection is raised to the proposed wording of amendment 202 although overall commentary is provided in relation to the use of the word “prevent”. -It is acknowledged however that the entire submission objects to the totality of Section 12.9 and that an overall new wording is suggested for insertion into Section 12.9. This is responded to in the row below.</p> <p>The Act clearly uses the words “<i>reduce or prevent the development from causing any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood</i>”. It is noted that whilst the submission considers that reducing noise as opposed to preventing is unacceptable the submission also recognises that in some instances it may be impossible to attach conditions to prevent noise from causing a nuisance. Submission considers however that this should not apply to extraction fans and would apply to other noise sources such as rail lines, children playing and new roads.</p> <p>The Draft Plan contains new sections not contained in the current 2016 Plan, Section 12.9.2 Noise Pollution and Noise Nuisance and Section 12.9.3 Noise, Odour and Vibration Generating Uses. These 2 sections were drafted on foot of a strategic Direction at pre-draft stage. These new sections were drafted in consultation with the EHO, the development Management teams and the noise pollution sections of the Council. The Executive advises that Sections 12.9.2 and 12.9.3 with the proposed amendments 199 – 202 provides appropriate and implementable requirements in respect to Noise and Odour.</p> <p>Recommendation No further change to proposed amendments.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
ii. Submission recommends replacing Section 12.9 with new wording contained in an Appendix which is based on a version of guidance entitled " <i>Planning Applications: Food and Drink Premises – Requirements for extraction/ventilation systems</i> " from Croydon Council. Additional text has been added.	C0056	198 66 199 66 200 66 201 66 202 66	<p>The Executive notes the new wording proposed but does not recommend any minor modifications to the amendments proposed.</p> <p>Whilst the proposed new wording relates to subject matter that is subject to proposed material amendments the proposed new wording is not a minor modification to proposed amendments but is a lengthy and detailed set of Guidelines which proposes entirely new text to be inserted into Section 12.9 of the Draft Plan.</p> <p>It is noted that Appendix 3 is stated to be "redrafted Section 12.9". The redrafted text only deals with extraction and ventilation systems whereas Section 12.9 of the Draft Plan deals with Environmental Infrastructure" which is an umbrella term for a section which deals with noise pollution and noise nuisance, noise, odour and vibration generating uses but also deals with other topics such as construction management plans and waste management.</p> <p>The Executive would in any event have concerns in relation to the proposed wording which while addressing noise and odour issues also addresses other non-Development Plan issues. The proposed guidelines would not accord with the legislation as the proposed wording would bestow functions to Elected Members (Elected Members would be responsible for approving external engineers to assess planning applications) and would in the view of the Executive inappropriately address non Development Plan issues in the written statement.</p> <p>It is noted that the new proposed wording for insertion into Section 12.9 also includes various contact details for sections of Croydon Council and suggests contacting the Council as opposed to DLR.</p> <p>Recommendation No further change to proposed amendments.</p>
iii. Submission: <ul style="list-style-type: none"> States that it wishes to clarify what it considers was inaccurate/incomplete 	C0041	201 66	<p>The Executive notes the issues raised. The information given at the meetings is a matter of the public record and the Executive consider that the information given was accurate.</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive's Response & Recommendation
<p>information given at the Council Meeting held on 18th October 2021.</p> <ul style="list-style-type: none"> Disagrees with the view that a planning condition to render a fan's noise and odour inaudible and imperceptible at the nearest sensitive location would be unenforceable. Considers that it is not always necessary to have a separate condition on noise as detail may be included in an application's plans and particulars. Considers that Section 12.9 should be redrafted. A suggested policy is put forward <i>"to ensure that the proposed development has an adequate ventilation system that will not lead to complaints from neighbouring properties about cooking smells or noise from equipment such as fan motors."</i> 			<p>Submission sets out that a condition relating to noise is not always necessary as detail may be included in the plans and particulars submitted with an application which would then be covered by the standard condition which requires a development to be carried out in accordance with plans and particulars submitted.</p> <p>It is considered by the Executive that the new section of the Plan Section 12.9.3 which deals specifically with noise, odour and ventilation generating uses and which requires (as per proposed amendments) that applicants demonstrate that <i>"consideration has been given to the ventilation strategy for buildings at the design stage, to prevent noise, to minimise the causing of any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act"</i> and also requires submission of a noise assessment and/or any mitigation measures will ensure that applications lodged under the plan for such uses will address noise and odour issues and provide suitable mitigation.</p> <p>Specific conditions relating to noise may be attached subject to advice from the environmental enforcement section of the Council and the EHO. Conditions in addition to the standard condition 1 which states that permission will be carried out in accordance with plans and particulars submitted are usually considered appropriate, but this is dealt with on a case by case basis. They can also aid in resolving any enforcement issues.</p> <p>The proposed alternative wording for Section 12.9 is noted. The Executive would not recommend the proposed wording as it is considered that a development could have an adequate ventilation system, but any third party is still, entitled to complain. In any event, at this stage in the plan making process only minor alterations can be made to the proposed amendments. As set out above it is further considered that the proposed wording of Section 12.9.3 as amended will adequately address the issues raised in the wording suggested in the submission in that odour and ventilation generating uses will be required to demonstrate that <i>"consideration has been given to the ventilation strategy for buildings at the design stage"</i> and will incorporate mitigation measures as required <i>"to ensure that the operational phase of the development does not generate unacceptable noise levels or odour nuisance within the receiving environment"</i>.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			No further change to proposed amendment.
<p>iv. Submission:</p> <ul style="list-style-type: none"> • Objects to amendment 199 as objects to the line “...annoyance to persons in any premises...” as considers that the use of the word “premises” would exclude protection for local residents. • Objects to amendment 201 on same grounds as 199 – use of word “premises” • In relation to amendment 202. Submission considers that this section should also include dust. • Objects to amendment 203 as it fails to take account of an issue raised in and earlier submission on the Draft Plan received from the Mount Merrion Residents Association relating to Construction Management Plans. 	<p>C0020 C0022</p>	<p>199 66 201 66 202 66 203 67</p>	<p>The Executive notes the issues raised.</p> <p>It is noted that the current 2 submissions link proposed amendment 203 to an issue raised in an earlier submission made by the same submitter on the Draft Plan in relation to overall construction management plans. This issue was previously dealt with on pages 522 and 523 of the Chief Executive’s Report on Draft Plan Consultation, July 2021 and there is no proposed amendment relating to same.</p> <p>Proposed amendment 199 Proposed amendment 199 deletes the first bullet point of Section 12.9.2 Noise Pollution and Noise Nuisance (page 289) and replace with new text as follows:</p> <p><i>“To require the Planning Authority to acknowledge its legal responsibility to attach planning conditions on permissions granted to prevent the development from causing a noise nuisance for adjacent occupiers.</i></p> <p><i>To attach planning conditions on relevant permissions granted to reduce or prevent the development from causing any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act.”</i></p> <p>Submission objects to amendment 199 as objects to the line “...annoyance to persons in any premises...” as considers that the use of the word “premises” would exclude protection for local residents.</p> <p>The wording is taken directly from the Planning and Development Act (as amended). The Act does not provide a definition of the word premises, however, in instances where the Act refers to commercial premises as opposed to overall premises this is specified – example – business premises or office premise.</p> <p>In other instances where the word premises is used, it is clear from the Act that this means both residential and/or commercial (see for example Section 250 of the Act which</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive's Response & Recommendation
			<p>relates to the serving of notices and states “<i>where the address at which he or she ordinarily resides cannot be ascertained by reasonable inquiry and the notice or copy is so required or authorised to be given or served in respect of any land or premises, by delivering it to some person over the age of 16 years <u>resident</u> or employed on the land or premises or by affixing it in a conspicuous place on or near the land or <u>premises</u>;</i>” (underlining added for emphasis).</p> <p>This would indicate that unless specified in the Act the word “premises” covers both commercial and residential. As it is not specified in Section 34(4) (C) this is taken to cover both residential and commercial. No amendment is therefore required.</p> <p>It is not the intention to exclude domestic premises.</p> <p>Proposed amendment 201 A similar objection to that raised in relation to amendment 199 is raised.</p> <p>Proposed Amendment 202 The submission considers that the title of Section 12.9.3 should be amended to include dust. This section is specifically dealing with uses that generate noise, odour and vibration including gyms, public houses, leisure facilities, restaurants and retail. The focus on dust in the submission relates more to the construction phases of a development and construction management plans. This is covered in Section 12.9.4. It is not considered that amendment 202 should be further altered to include dust.</p> <p>Proposed Amendment 203 Amendment 203 amends the second paragraph of Section 12.9.4 ‘Construction Management Plans’ (pg. 290) to include the following text:</p> <p><i>“Construction in the vicinity of the Luas needs to appropriately take the light rail infrastructure into consideration. In this regard construction management should be guided by the TII’s ‘Light Rail Environment – Technical Guidelines for Development PE-PDV-00001’, December 2020 and any subsequent updates of same.”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>This proposed amendment to the Draft Plan was made on foot of a submission from Transport Infrastructure Ireland (TII) which was made at Draft Plan stage and which requested the amendment so as to address construction in the vicinity of Luas lines (see page 501 of Chief Executive's report on submissions received on Draft Plan, July 2021).</p> <p>Recommendation No further change to proposed amendments.</p>
3.10.6 Section 12.9.8 Telecommunications			
<p>i. Submission supports proposed amendment 205, which seeks to add text to Section 12.9.8 'Telecommunications'.</p>	C0034	205 67	<p>The Executive welcomes the support for proposed amendment 205, which adds text to the fourth bullet point of Section 12.9.8 as follows:</p> <p><i>"Any impacts on rights-of-way and walking routes"</i></p> <p>Recommendation No further change to proposed amendment.</p>
3.10.7 Section 12.10.3 Wastewater Treatment Systems			
<p>i. Submission welcomes proposed amendment 208, which seeks to insert a new Section 12.10.3 'Wastewater Treatment Systems'. The submission also welcomes the recommendations for new guidelines and assessments identified in Sections 12.10.3.1 and 12.10.3.2.</p>	C0042	208 67	<p>The Executive welcome the support for proposed amendment 208, which seeks to insert a new Section 12.10.3 'Wastewater Treatment Systems'. This new section contains guidelines to enable the assessment of single dwelling domestic wastewater treatment systems (Section 12.10.3.1) and non-domestic wastewater treatment systems (Section 12.10.3.2).</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission requests changes to Section 12.4.11 Electrically Operated Vehicles to bring Plan in line with the standards as set out in Statutory Instrument No. 393/2021 – European Union (Energy Performance of Buildings) Regulations 2021.	C0030	The Executive notes the issue raised, however, there is no amendment relating to this issue.
ii. Submission: <ul style="list-style-type: none"> Provides detailed views in relation to control of noise and odour that the submissions states they have been asked to provide by residents, Elected Members and TDs. Provides detailed commentary on a planning application in Dublin City Council which it states that they have been asked to clarify. 	C0041	While the issues raised relate to noise and odour impact and proposed Section 12.9 of the Draft Plan deals with this issue, some of the commentary does not comment specifically on the proposed amendments. Issues raised in the submission that relate to the amendments are dealt with above.
iii. Submission: <ul style="list-style-type: none"> Recommends the Draft Plan be amended to ensure consistency with national policy in respect of flexibility for dual aspect requirements for schemes which meet the 'central and/or accessible urban location' criteria of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020). Considers that the flexibility provided could facilitate the achievement of wider placemaking aspirations, resulting in a higher overall standard of development. 	C0043	The Executive notes the issue raised, however, there is no amendment relating to this issue.
iv. Submissions received both in support of and against the housing mix set out in of table 12.1 in Chapter 12: Those in support:	C0029 C0040 C0050 C0062	The Executive notes the issues raised and welcomes the support provided with regard to the provision of 3-bed apartment units.

Issues	Sub. No.	Executive’s Response
<ul style="list-style-type: none"> • Supports the effort to provide family apartments and suggests that 3 bedroom units could be renamed as 2 bed with office/workroom. • Queries if there is enough supply of 3-bed apartments with adequate storage etc. suitable for families or young professionals wishing to share. • States that we don’t have enough 3-bed apartments compared with other cities within the EU. <p>Those opposed:</p> <ul style="list-style-type: none"> • Raise serious concerns with regard to a blanket approach to the requirement of 20-40% 3-bed apartment units in the County. Submission seeks a more flexible approach for new development. • The required 40% of 3-bed units is not commercially viable. • Note increased costs of construction, rents and purchase price. • Will reduce supply of apartments. • State that families living in apartments is a symptom of the housing crisis – the majority would prefer to be in a house. • Suggests that the text should be amended to provide more flexibility for developers with work in tandem with the Council on a case-by-case basis to deliver schemes that meet demand and are sustainably located having regard to the 10-minute walk study requirement. It is noted that the 3-bedroom mix is an absolute and does not allow for regard to be had to such a study. • Requests that tables 12.1 and 12.2 within the Draft Plan be deleted (this proposed deletion is based on an amendment related to proposed 341). • Request omission of Section 12.3.3.1. • Notes that those who wish to live in 3-bed units would purchase duplex units or houses. 	<p>C0072 C0073 C0074 C0091 C0096 C0101</p>	<p>No specific amendment has been proposed with regard to unit Mix as set out in Section 12.3.2.1 ‘Residential Size and Mix’ in the Draft Plan, however, it is important to note that the Draft Plan does not apply a ‘blanket’ approach to the provision 3-bed apartment units, rather, Table 12.1 ‘Apartment Mix Requirements’ requires 40% 3-bed units in new residential areas / lands within the SUFP, whereas proposed development within the existing built up area has a minimum requirement of 20% 3-bed units. There is an amendment in relation to the evidence base supporting the mix requirements (proposed amendment 341) and also in relation to mix requirements and Build to Rent (proposed amendment 160).</p> <p>See above for response to request to omit proposed amendment 160 and see Section 3.13 below for response on proposed amendment 341.</p>

Issues	Sub. No.	Executive's Response
<p>v. Submission raises issues in relation to among other items:</p> <ul style="list-style-type: none"> • alleged failure of the Council in carrying out its statutory functions as a Planning Authority which was brought to the Council's attention in 2017, 2018, 2019 and 2020, • conversations had with the Executive, • a planning audit of restaurants and takeaways in the County, • a Freedom of Information (FOI) request, • residents' deputation meetings held in 2019 and 2021, • a number of planning application in DLR relating to assessment of two restaurants, • a current Planning application in DLR • one planning application in Dublin City Council, • enforcement cases in the County, • views in relation to how the courts would judge the Council, • views on setting decibel level conditions, • the view of a senior partner in a UK law firm on whether legal challenges in relation to Section 34 would succeed, • the Council's obligations under the constitution, • request for an independent investigation into Council dealings with noise and odour complaints <p>all relating to noise and odour nuisance.</p>	<p>C0056</p>	<p>The Executive notes the issues raised. Some of these issues relate to previous meetings held which predate the Draft Plan review process deputation meetings, FOI requests, enforcement cases and to individual planning applications historical and live both in the County and in other planning jurisdictions. While they all relate to noise and odour impact and proposed Section 12.9 of the Draft Plan deals with this issue, some of the commentary does not comment specifically on the proposed amendments. Issues raised in the submission that relate to the amendments are dealt with above.</p>

3.11 Chapter 13 – Land Use Zoning

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.11.1 Section 13.1 Land Use Zoning Objectives			
i. Submission seeks to further amend proposed amendment 209 by adding protection of heritage and environmental amenities to Zoning Objective A wording.	C0103	209 69	<p>The Executive does not agree with the issue raised.</p> <p>The function of the definition of Zoning Objective A in the Draft Plan is to reflect the fact that the land use zoning objective covers areas where residential development exists and also where future residential development will take place; and therefore also to emphasise the importance of protecting existing and future residential amenity as part of any future residential development.</p> <p>The protection of heritage and environmental amenities within the County from future development is enshrined throughout the Draft Plan in a variety of Policy Objectives and designations.</p> <p>Recommendation No further change to proposed amendment.</p>
ii. Submissions: <ul style="list-style-type: none"> • Requests alterations to proposed amendments 211, 215 and 240 so as to allow Built to rent be permitted in principle in land use zoning objective A, A1 and A2. • Considers rationale for built to rent to be open for consideration rather than permitted in principle in land use zonings A, A1 and A2 is unclear. • The land use 'Residential - Build to Rent' is unsuitable for Rathmichael (Zoning Objective 'A1') and should be removed. • BTR should be permitted to encourage a mix of tenures and residential types. 	C0058 C0076 C0084 C0090 C0096 C0102	211 69 215 69 240 72	<p>The Executive notes the issues raised. Whilst the proposed further amendments are stated to be an amendment to proposed amendment 211, 215 and 240, the Executive does not consider that they relates to the proposed amendments, but are in fact, in a number of instances, raising a separate issue that was already dealt with in the Chief Executive’s Report on submissions received on the Draft Plan, July 2021</p> <p>Chapter 13 of the Draft Plan sets out locations deemed to be appropriate for BTR development in terms of land use zoning objectives, which include Build to Rent being permitted in principle under the following land use zoning – DC, MTC and open for consideration under the following land use zonings – A, A1, A2 and NC (subject to retaining an appropriate mix of uses).</p> <p>As set out in the “Chief Executive’s Report on submissions received on the Draft Plan” (July 2021), and having regard to Policy Objective PHP27 ‘Build-to-Rent Accommodation’ of the Draft Plan which was drafted having regard to the strategic direction received from the members at pre-draft stage “<i>That the Draft Plan include a policy for identifying</i></p>

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<ul style="list-style-type: none"> Being “Open for Consideration” will create uncertainty for investors, impacting the market and the delivery of inward investment for BTR. 			<p><i>appropriate locations for private build to rent schemes”,</i> the Executive would not support the argument that Build to Rent should be ‘permitted in principle’ on lands subject to the ‘NC’, ‘A’, ‘A1’, and ‘A2’ land use zoning objectives, as allowing the use to be ‘open for consideration’ ensures that the Planning Authority can assess how the proposed Build to rent scheme would be compatible with the overall policies and objectives for the zone.</p> <p>In relation to the Rathmichael area, the A1 zoning allows for a variety of uses to be either permitted in principle or open for consideration as any lands subject to this zoning objective require a more detailed Local Area Plan to be considered and made by the Elected Members. For this reason, the Executive considers that the A1 land use zoning objective is a suitable area for Built to Rent to be open for consideration.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>iii. Submissions</p> <ul style="list-style-type: none"> Request amendments 251, 252 and the associated amendments in Chapter 13 and Appendix 1 of the SUIP are omitted and that references to ‘Residential – Build to Rent Accommodation’ as a separate land use is also omitted. Some welcome proposed amendment 252 which encompasses Build to Rent (BTR) accommodation under the categorisation of ‘Residential’ development but consider that the definition of Build to Rent development as a separate use class at Development Plan level is not appropriate. Suggests the approach will limit the provision of BTR in zonings such as SNI where ‘residential’ is ‘open for consideration’. This would restrict BTR schemes on lands that are suitable for BTR, 	<p>C0058 C0068 C0076 C0083</p>	<p>211 69 215 69 224 70 230 71 233 71 240 72 250 73 251 73 252 73</p>	<p>The Executive notes the issues raised.</p> <p>A number of submissions on the Draft Plan already raised the issue that Build to Rent should be omitted as a separate use class and reference the fact that the Apartment Guidelines state that the Department may give consideration to “establishing build-to-rent projects as a specific use class under the Planning and Development Regulations, 2001 (as amended)”, thus indicating that at present they are not a separate use class.</p> <p>To address the issues raised on the Draft Plan, a number of proposed amendments including 211, 215, 224, 230, 233, and 240 recommend that Build to Rent be subsumed back into residential as a use class, and that the tables be amended to indicate the areas where specific ‘Residential - Build to Rent’ as a residential use class, is considered suitable. Amendments 251 and 252 amend the definition.</p> <p>This approach whereby the Planning Authority gives clear guidance on where Build to Rent is appropriate is consistent with the Guidelines which state that, “<i>The promotion of BTR development by planning authorities is therefore strongly merited through specific BTR planning and design policies and standards</i>”. ...It also has regard to the strategic direction received from the members at pre-draft stage.</p>

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<p>including the client’s lands, which adjoin a Luas stop.</p> <ul style="list-style-type: none"> The differentiation of BTR in land use zoning objectives would be ultra vires, as in principle the zoning objectives and use classed within the Development Plan should not differentiate on the basis of tenure. The submitter does not consider that a ‘build to rent’ use is a distinct land use from residential and it is therefore requested that ‘Residential – Build-to-Rent’ is listed as permitted in principle or open for consideration in the same manner as residential is listed under the relevant zoning objective. 			<p>It is noted that the Act does not make specific reference to use classes when referring to the zoning of land.</p> <p>Section 10 (2) (a) of the Planning and Development Act (as amended) states that a Development Plan shall include objectives for “<i>a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise, or a mixture of those uses), where and to such extent as the proper planning and sustainable development of the area, in the opinion of the Planning Authority, requires the uses to be indicated</i>”;</p> <p>Recommendation No further change to proposed amendments.</p>
<p>iv. Welcomes proposed amendment 212 and the amendment to the quantum of office floorspace ‘open for consideration’ at lands subject to proposed SLO 122 (relevant to the Central Mental Hospital lands at Dundrum). Considers the proposed amendment provides sufficient flexibility to ensure both the optimal redevelopment of the CMH lands and the sensitive adaptive re-use of the main existing buildings which are proposed Protected Structures.</p>	<p>C0043</p>	<p>212 69</p>	<p>The Executive notes the support for Proposed Amendment 212 - which is proposed in conjunction with Proposed Amendment 261.</p> <p>The proposed amendments, which relate specifically to the Central Mental Hospital lands at Dundrum, respond to the need for sensitive reuse of the hospital buildings which have been added to the Record of Protected Structures. It is the view of the DLR Conservation Officer that the layout and design of the proposed Protected Structures at the Central Mental Hospital lend themselves more easily and with less intervention, to conversion to office rather than residential. As such, it is considered that SLO 122 (Proposed Amendment 261), and associated amendments to the land use zoning matrix to allow office development in excess of 200 sq. metres (Proposed Amendment 212), could be applied to the former institutional buildings on this site without undermining the zoning objective on the overall site. However, as per proposed SLO 122, it is considered that the suitability of the building for other uses that are ‘permitted in principle’ and/or ‘open for consideration’ in the zoning objective should also be explored and discounted prior to proposing offices in excess of 200 sq. metres.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>Recommendation No further change to proposed amendment.</p>
<p>v. The land use 'Service Station' – 'Permitted in Principle' at Objective 'A1' zoned land – is unsuitable for Rathmichael and should be removed.</p>	<p>C0102</p>	<p>216 69</p>	<p>The Executive notes the issue raised. Proposed amendment 216 relates to the replacement of petrol station with service station. There is no proposed amendment to change it from permitted in principle.</p> <p>Land use zoning objective A1 is <i>"To provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved Local Area Plans"</i>. A variety of uses are either permitted in principle or open for consideration in this land use zoning objective. It is considered that service stations as a use are appropriate to be permitted in principle in this land use zoning objective. If the Plan is made with the proposed amendments the lands at Rathmichael will be subject to a Local Area Plan which will provide localised guidance on future development in the area.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>vi. Submission:</p> <ul style="list-style-type: none"> • Requests omission of proposed amendment 239 which removes residential as a use open for consideration in the W zone at Bulloch Harbour. • Sets out that motions in relation to the site at Bulloch Harbour were tabled and considered at a Council meeting held on 18th October 2021. Submission states that it appears that the motions were the only materials considered. • States that Bartra property is within the area now suggested as one that is at risk of wave overtopping. Same considerations regarding overtopping apply at a number of locations along the coast, including parts of Dún Laoghaire Harbour, but the residential 	<p>C0069</p>	<p>239 72</p>	<p>The Executive notes the issues raised. The Executive would concur that residential should not be excluded from the 'W' zoning at Bullock Harbour.</p> <p>A range of uses are both 'permitted in principle' and 'open for consideration' in the waterfront zoning objective. Uses that are 'open for consideration' in the Draft Plan include residential and may be permitted, <i>"where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area."</i></p> <p>It is, therefore, through the development management process that the suitability of residential or other uses for the site would be assessed. It is also through the development management process that a site specific SFRA would address whether any uses proposed are compatible with any flooding on the site.</p> <p>It is noted that the issues raised includes a belief that the Motions tabled were the only matter considered by members. It should be noted that prior to submission of Motions to</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>development potential of Dún Laoghaire Harbour has not been limited in the same way as now proposed at the Bartra site.</p> <ul style="list-style-type: none"> • Considers that the removal of residential as a use open for consideration at Bulloch Harbour is not appropriate in terms of the proper planning and sustainable development of the area • Contends that during the course of consideration of the various motions relating to the Bartra property, no ‘proper planning and sustainable development’ rationale for change was included in any motion except as an afterthought when prompted by the Executive. • Considers that insufficient and superficial attention only was given to the fundamental statutory requirements of Section 12(11). • Considers that the rationale for the removal of ‘residential’ from ‘open for consideration’ has not been set out and Bartra have been advised that the proposed amendment is unlawful • Considers that the proposed amendment to exclude residential as a use “appear intended to convey a prejudgment on the part of the Elected Members in respect of any future application and as, perhaps, a warning that no such applications will be entertained • References a current application – D22A/0006 and considers that the 			<p>amend the Plan, the Draft Plan and the ‘Chief Executive’s Report on Draft Plan Consultation’ (July 2021) were considered by members, in accordance with Section 12 (5) (b) of the Planning and Development Act 2000 (as amended), at two Council meetings held on Wednesday 1st and Thursday 2nd September 2021.</p> <p>At the meetings of the 18th October Motion 61 from the floor was agreed as follows:</p> <p><i>“To amend page 309, in table 13.1.14 Include a “b” symbol beside Residential and Residential Institution Where “b” denotes not permitted in principle or open for consideration in Bulloch Harbour”</i></p> <p>The Elected Members set out commentary in relation to the Motion to remove residential use as open for consideration. Issues raised included the following:</p> <ul style="list-style-type: none"> • Protection from unreasonable development, • Current SLO considered not strong enough, • Safest way to protect Bulloch Harbour is by not allowing residential development in the “W” zoning in Bulloch Harbour, • Concern around coastal erosion, • Ensuring continuation of public accessibility, • Dangerous flooding and overtopping, • Promotion of maritime and historical context of the harbour, • Not an appropriate location for residential development, • Rising sea levels and climate change concerns rendering it unsuitable for development, • Preservation of Bulloch Harbour for future generations. <p>Specific reasons given was that the waterfront site was not suitable for residential development and also to protect the heritage and recreation amenity.</p> <p>These reasons relate to Motion 61 from the floor which proposed removing residential as a use open for consideration in the W zone.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>amendment would interfere with the process.</p> <ul style="list-style-type: none"> References a legal case in Dublin City Council which it is stated pertains to similar circumstances. Considers that it is not reasonable that one individual property has been singled out for removal of residential. Motion 61 from the floor was never read out at any stage and is not in the public domain. Therefore, it is not clear what this motion refers to. <div style="border: 1px solid green; padding: 5px; margin-top: 10px; color: green;"> <p>Refer also to Section 3.12 Specific Local Objectives</p> </div>			<p>Recommendation Omit proposed amendment 239 as follows:</p> <p><i>Amend text in ‘Open for Consideration, Table 13.1.14 (page 309) as follows:</i></p> <p>“Advertisements and Advertising Structures, Aparthotel^a, Assisted Living Accommodation, Craft Centre/ Craft Shop, Childcare Service, Civic Use, Doctor/Dentist, Education, Enterprise Centrea, Hotel/Motel^a, Office Based Industry, Offices^a, Off-License^a, Place of Public Worship, Public House^a, Sports Facility, Residential^b, Residential Institution^b, Science and Technology Based Industry^a, Shop-Specialist, Shop Neighbourhood, Tea Room/Café, Travellers Accommodation”.</p> <p>a: Uses Open for Consideration in Dún Laoghaire Harbour area only. b: Not permitted in principle or open for consideration in Bulloch Harbour.”</p>
3.11.2 Section 13.2 Definition of Use Classes			
<p>i. Welcomes amendment to text in Section 13.2 ‘Petrol Stations’ to support EV charging.</p>	<p>C0030</p>	<p>250 71</p>	<p>The Executive welcomes the support provided.</p> <p>Proposed amendment 250 amends the definition of ‘petrol stations’ to take account of their evolving nature as ‘service stations’ and allow for the provision of alternative energy sources for vehicles including ‘low emission fuel’ and the provision of ‘electric vehicle charging points’.</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submissions references the proposed changes in the W zone including the requirement that leisure facilities must be marine related, restriction of public houses to Dún Laoghaire only, cafés as open for consideration and that the specific requirement in the current Plan for commercial developments – such as offices, industries and enterprise centres – to be related to marine activities before being considered has been dropped. Submission considers that this widens the potential commercial uses.	C0069	There are no proposed amendments to the Draft Plan in relation to these specific changes.

3.12 Chapter 14 – Specific Local Objectives

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.12.1 Map 1			
<p>i. Submission:</p> <ul style="list-style-type: none"> • Welcomes the inclusion of SLO 122 - and the amendment to the quantum of office floorspace 'open for consideration' at the Central Mental Hospital lands at Dundrum. • Considers the proposed amendment provides sufficient flexibility to ensure both the optimal redevelopment of the CMH lands and the sensitive adaptive reuse of the main existing buildings which are proposed Protected Structures. 	C0043	261 76 M109	<p>The Executive notes the support for Proposed Amendment 261 - which is proposed in conjunction with Proposed Amendment 212.</p> <p>The proposed amendments, which relate specifically to the Central Mental Hospital lands at Dundrum, respond to the need for sensitive reuse of the hospital buildings which have been added to the Record of Protected Structures. It is the view of the DLR Conservation Officer that the layout and design of the proposed Protected Structures at the Central Mental Hospital lend themselves more easily and with less intervention, to conversion to office rather than residential.</p> <p>As such, it is considered that SLO 122 (Proposed Amendment 261), and associated amendments to the land use zoning matrix to allow office development in excess of 200 sq. metres (Proposed Amendment 212), could be applied to the former institutional buildings on this site without undermining the zoning objective on the overall site. However, as per proposed SLO 122, it is considered that the suitability of the building for other uses that are 'permitted in principle' and/or 'open for consideration' in the zoning objective should also be explored and discounted prior to proposing offices in excess of 200 sq. metres.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. Submission refers to Proposed Amendment 262 which proposes amendments to SLO 123. Submission welcomes the designation of the Central Mental Hospital lands as a Strategic Regeneration Site and recognises the importance of providing a balance in terms of housing tenure and unit mix.</p>	C0043	262 76 M110	<p>The Executive notes the contents of the submission which highlights the importance of providing a balance in terms of housing tenure and unit mix at an area level.</p> <p>Section 2.9.2 (pg. 94) of the Housing Strategy and HNDA (Appendix 2 of the Draft Plan) provides a robust and detailed analysis to inform policy on housing mix and ensure provision of sustainable, liveable, mixed neighbourhoods in line with policies set out in Chapter 4 Neighbourhood - People, Homes and Places.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>Submits that housing mix should be considered in the context of housing mix in the wider area, rather than in isolation. Highlights the prevalence of lower density dwelling houses (3 bedroom +) in the area surrounding the CMH lands and notes the Masterplan proposal for the lands responds to the undersupply of other housing types in the area.</p>			<p>The analysis undertaken – which informs policy in the Draft Plan – differentiates residential mix requirements, for planning applications for residential schemes over a certain threshold, between new growth areas and within more mature suburban locations.</p> <p>The quantitative standards for residential mix included in the Draft Plan – see Section 12.3.3 (pg.232) – responds to the existing housing stock characteristics within the more mature suburban areas of the County which is predominantly semi-detached and detached dwellings and acknowledges that the provision of apartments to aid in the mix and allow for downsizing is appropriate. Furthermore, it is considered that to allow for choice and to aid in downsizing a greater mix is needed in the apartments offer with a move away from the predominance of schemes with one and two beds to schemes that ensure that there is a more varied mix with a percentage of 3 and 4 bed apartment units.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>iii. Submission welcomes the inclusion of SLO 120 at the Goat site, Goatstown.</p>	<p>C0046</p>	<p>259 75 M121</p>	<p>The Executive notes the support for Proposed Amendment 259 which proposes the inclusion of a new SLO at the Goat site, Goatstown, which reads as follows:</p> <p><i>“Any redevelopment of the Goat site should include the creation of a village square/civic space and a new pedestrian friendly street and should improve the appearance, quality and overall function of the public realm within the area.”</i></p> <p>Recommendation No further change to proposed amendments.</p>
<p>iv. Submission welcomes the inclusion of SLO 123 for the Central Mental Hospital site and the Dundrum old shopping centre site.</p>	<p>C0046</p>	<p>262 76 M117</p>	<p>The Executive notes the support for the inclusion of SLO 123 which reads as follows:</p> <p><i>“To ensure that, as Strategic Regeneration Sites, residential provision on the Central Mental Hospital Site and the Old Shopping Centre site will provide for a balanced mix of housing tenure, including affordable homes, and an acceptable mix of larger flexible units, and lifetime adaptable homes to ensure balanced, sustainable communities in Dundrum”.</i></p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			No further change to proposed amendments.
<p>v. Amendment 258 which proposes to introduce a site specific requirement to <i>‘ensure any future redevelopment of the Old Shopping Centre site addresses the need for the provision of a future Dundrum Community, Cultural and Civic Centre facility, which also integrates into a civic square/plaza area’</i> is rejected in the strongest possible terms. The Proposed Material Amendment 258 (SLO114) also raises questions over the intent behind what has been understood as the main contender for the Dundrum Community, Cultural and Civic Centre facility – i.e. Waldemar Terrace – where a “northern gateway” and “new focal point” as referred to in Material Alteration 113 were seen as a reference to a possible CCCAP project promoted by DLR.</p>	C0078	258 75	<p>The Executive notes the issue raised.</p> <p>The Old Dundrum Shopping Centre site, when combined with adjoining sites, represents a significant proportion of the ‘MTC’ zoned land in Dundrum and the majority of such land between the Dundrum Crossroads and Taney Junction. Given that the lands represent such a substantial proportion of ‘MTC’ zoned lands in Dundrum, it is considered reasonable that the lands accommodate community, cultural and civic uses. The precise location of the proposed Community, Cultural and Civic Hub in Dundrum (for which URDF funding has been obtained) is as yet not settled, but it is considered reasonable that the Old Shopping Centre site address the need for such as facility.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>vi. Submissions:</p> <ul style="list-style-type: none"> • considers that the Dundrum CCCAP study should not be referred to in a specific objective in circumstances where, neither DRLP nor any members of the public, have seen the document referred to. • Question legality of the SLO. • DRLP does not support the provision of building(s) as envisaged in the CCCAP on the northern part of the “Phase 2” lands’, however, DRLP continues to be willing to explore options with DLR to consider the most suitable scale, design and location(s) 	C0078	258 75	<p>The Executive notes the issue raised.</p> <p>The Dundrum Community, Cultural and Civic Action Plan (CCCAP) has been prepared as a background document to inform the preparation of the Dundrum Local Area Plan, as well as to assist the Council with decision making around the provision of community, cultural and civic facilities in the area. It is envisaged that the Dundrum LAP will be placed on public display during 2022 subject to resources.</p> <p>It is considered appropriate that background studies be prepared and utilised to inform the preparation of statutory documents, such as the County Development Plan and Local Area Plans, which themselves must undergo rigorous statutory public consultation procedures.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
for such facilities in order to progress this initiative within the Dundrum CCCAP study.			No further change to proposed amendment.
vii. The submitter fully supports the amended SLOs set out at 256, 257, 285 and 286.	C0093	256 75 257 75 285 79 286 79 M118	The Executive notes the support expressed for Amendments 256, 257, 285, and 286. Amendments 256, 257 and 286 relates to future development of Dundrum and amendment 285 relates to the mix of housing on the Central Mental Hospital site. Recommendation No further change to proposed amendments.
viii. SLO9 (257) should be further amended to omit 'Candidate' when referring to the ACA on Main Street.	C0093	257 75	The Executive agrees with the issue raised. Given that the Amendment 373 seeks to designate the Dundrum Candidate Architectural Conservation Areas as an Architectural Conservation Area, it is appropriate to delete the reference to ‘candidate’ in SLO9, in the interests of clarity. Recommendation Apply a minor modification to proposed amendment 257 (SLO9) as follows: “To ensure that any future redevelopment of the old shopping centre lands, and adjoining /nearby properties on Main Street , takes cognisance of the character and streetscape of the Old Main Street, and maintain where appropriate, and possible existing buildings and/or facades. Building Heights alongside Main Street must be sensitive to the original streetscape, in keeping with its character, scale and Candidate Architectural Conservation Area status”.
ix. Submission supports the amendments in red to SLO114 (258) but request that the reference to a location on the northern end of the site should be retained as the developer should not be permitted to escape their duty to ensure the proper planning and development of the area by facilitating Civic Facilities in an appropriate location that is open, visible and accessible.	C0093	258 75	The Executive notes the issue raised. Proposed amendment 258 amends SLO 114 (pg. 319) as follows: “ To ensure any future redevelopment of the Old Shopping Centre site addresses the need for support the provision of a future Dundrum Community, Cultural and Civic Centre facility, which also integrates into a civic square/plaza area, to be located at the northern end of Dundrum town. ” The reference to the retention of the proposed text in red is welcomed, however, it is considered that the text referencing ‘the northern end of Main Street’, which it is

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>proposed to delete, is unnecessary given the combination of the text of the SLO referring to the Old Shopping Centre site, as well as the placement of the SLO icon on the Development Plan mapping.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>x. Material Amendment 263 proposes a new SLO124. On the basis that the SLO is placed on the old shopping centre site, the reference to the "east side of Main Street" should presumably refer to the west. The current SHD proposals provide for a considerable improvement in permeability including improved linkages to Sweetmount Park and the residential areas beyond. If the SLO is to be retained, the text could be amended to refer to 'links between Main Street, the Dundrum Bypass and Sweetmount Park'.</p>	<p>C0078</p>	<p>263 76 M118</p>	<p>The Executive notes the issue raised.</p> <p>The issue raised by the submitter as regards the reference to the 'east side of Main Street' is acknowledged and it is considered that this should be corrected to reference the 'west side of Main Street' for clarity.</p> <p>It is, however, not considered appropriate to amend the SLO to make reference to Sweetmount Park as suggested.</p> <p>Recommendation Apply a minor modification to proposed amendment 263 (SLO 124) as follows: "Permeability through all developments on the east-west side of Main Street should ensure pedestrian/cycle links between Main Street and the Dundrum Bypass".</p>
3.12.2 Map 2			
<p>i. Submission refers to rezoning at Mount Anville noting that the site contains an existing heavily trafficked access to the school, an old garden and greenhouse and that similar development to that already on site would be supported.</p>	<p>C0014</p>	<p>266 76 M211</p>	<p>The Executive notes the issues raised.</p> <p>Whilst the submission refers to rezoning, it would appear to relate to amendment 266 in Chapter 14 and M211 on Map 2 which is the inclusion of a new SLO 125 which states:</p> <p><i>"To promote the lands located at the southern end of the Mount Anville Estate, accessed from the Lower Kilmacud Road, as a location for a mixed-tenure age-friendly housing development with associated supports, creating the opportunity to foster intergenerational links with the Schools, and sensitive to the amenity of the upper walled garden centred on the protected glasshouse."</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>The lands located at the southern end of Mount Anville Estate, adjacent to the existing walled garden and glasshouse, are zoned Objective ‘SNI’ – “To protect, improve and encourage the provision of sustainable neighbourhood infrastructure”. These lands are also located within the boundary of the Goatstown Local Area Plan.</p> <p>As per Table 13.1.7 in <u>Section 13.1</u> ‘Land Use Zoning Objectives’ of the Draft Plan (pg. 306), ‘residential’ development is ‘open for consideration’ within this land use zoning.</p> <p>The SNI land use zoning objectives seek to protect or improve existing SNI facilities / uses and identifies existing facilities. An aim of the SNI zoning objectives are to ensure that both existing and emerging residential areas are provided with and can continue to be served by an adequate level and an appropriate range of supporting social and community infrastructure.</p> <p>It is acknowledged that there will be sites in the County subject to the SNI zoning objective that may be capable of accommodating other forms of development whilst still protecting existing SNI facilities and the recreational value of such sites, including housing for older people. All proposed development on lands zoned SNI will be subject to compliance with the requirements of:</p> <ul style="list-style-type: none"> • Policy Objective PHP2: ‘Sustainable Neighbourhood Development’ (pg. 70). • Policy Objective PHP3: ‘Planning for Sustainable Communities’ (pg. 70). • Section 12.3.2.1 ‘Development within Sustainable Neighbourhood Infrastructure Lands’ (pg. 228). <p>It is not considered appropriate to identify specific sites for certain types of development within the County Development Plan, rather, the suitability of a site, including that identified SLO 125, would be assessed through the development management process.</p> <p>Recommendation Omit amendment 266 in Chapter 14 and M211 on Map 2 to remove proposed SLO 125 as follows:</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p style="text-align: center;">“To promote the lands located at the southern end of the Mount Anville Estate, accessed from the Lower Kilmacud Road, as a location for a mixed tenure age friendly housing development with associated supports, creating the opportunity to foster intergenerational links with the Schools, and sensitive to the amenity of the upper walled garden centred on the protected glasshouse.”</p>			
<p>3.12.3 Map 3</p>			
<p>i. Submission objects to proposed amendment 271 which amends SLO 28 and removes the word residential.</p> <div style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; text-align: center;">Refer also to Section 3.11 Land Use Zoning</p> </div>	<p>C0069</p>	<p>271 77</p>	<p>The Executive notes the issue raised.</p> <p>Removal of the word residential does not necessarily preclude residential development.</p> <p>The SLO as amended refers to a mixed use scheme and such a scheme could include residential if such a use is open for consideration or permitted in principle within the overall land use zoning objective.</p> <p>It is appreciated that if proposed amendment 239 (see Section 3.13 Land Use Zoning above) is agreed this is moot point as residential as a use will be excluded.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>ii. Submission considers that the concept of commercial marine based activity as required in the SLO for Bulloch Harbour is not defined in the Draft Plan.</p>	<p>C0069</p>	<p>271 77</p>	<p>The Executive notes the issue raised.</p> <p>It is not considered necessary to define every term used in the Plan. What is meant by commercial marine based activity can be teased out via the Development Management pre planning process. The land use zoning objective for the lands in question which is “W - To provide for waterfront development and or harbour/related uses” sets out the uses that are either permitted in principle or open for consideration. Section 13.2 in the Draft Plan provides a definition of these uses.</p> <p>Recommendation No further change to proposed amendment.</p>

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<p>iii. Submission requests that SLO 113 is removed from the former sports fields at Tivoli Terrace South as if included this would be:</p> <ul style="list-style-type: none"> • ultra vires to the powers of the Council within the Planning Act • breach the owners constitutional property rights and property rights under the European Convention on Human Rights • be capable of grounding an application for judicial review • cause serious loss and damage to our client for which he will be entitled to a claim in damages. • Refers to the implication of the use of the term ‘social benefit’ in the wording meaning that the lands would essentially be restricted to use for public rather than private purposes. It is noted that the Planning Act does not contemplate such a restriction on private ownership other than in the context of compulsory acquisition. • States that the SLO constitutes a significant encroachment on constitutional property rights and notes that any interference on same requires express statutory authorisation <p>Submission notes that the SLO was applied against the advice of the Chief Executive.</p>	<p>C0081</p>	<p>279 78 M310</p>	<p>The Executive notes the issues raised.</p> <p>Proposed amendment 279 added a Specific Local Objective (SLO) 113 to the former sports fields at Tivoli Terrace South. SLO 113 states: <i>“To protect and promote the development of the green space for recreational/sport facilities and projects to increase the biodiversity in this urban area, providing a social benefit for residents, local schools, community and sports groups.”</i></p> <p>The Executive maintains the position set out in the report submitted in response to Motion 172 that was carried at the Council Meeting held 19th October 2021.</p> <p>The lands in question are already zoned Objective ‘F’ - <i>“To preserve and provide for open space with ancillary active recreational amenities”</i> where ‘green space for recreational/sport facilities and projects’ would be permitted in principle as per uses listed in Table 13.1.9 in Section 13.1 ‘Land Use Zoning Objectives’ (pg. 307) of the Draft Plan.</p> <p>Recommendation Omit proposed amendment 279 from Chapter 14 and M310 (SLO 113) from Map 3:</p> <p><i>“To protect and promote the development of the green space for recreational/sport facilities and projects to increase the biodiversity in this urban area, providing a social benefit for residents, local schools, community and sports groups.”</i></p>
<p>3.12.4 Map 4</p>			
<p>i. Submission requests that the provisions of SLO 130 don’t apply to the improvement of arterial routes to/from Dalkey with regard to</p>	<p>C0075</p>	<p>276 78 282 78 296 80</p>	<p>The Executive notes the issue raised.</p>

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<p>its role as a town and that there is a need to improve access to/from the area, particularly by bus.</p>		<p>307 81 M401</p>	<p>Proposed amendments 276, 282, 296 and 307 refer to the inclusion of Specific Local Objective (SLO) 130 on maps 3, 4, and 10. SLO 130 states:</p> <p><i>“To ensure that development in this area does not (i) have a significant negative impact on the environmental sensitivities in the area including those identified in the SEA Environmental Report, and/or (ii) does not significantly detract from the character of the area either visually or by generating traffic volumes which would necessitate road widening or other significant improvements.”</i></p> <p>SLO 130 only refers to those areas contained within the objective boundaries identified with the 0/0 objective as set out on maps 3, 4, 7 and 10 between Sandycove and Killiney.</p> <p>The Chief Executive's report on the Draft Plan recommended that the 0/0 objective be removed and replaced by SLO 130 in response to proposed recommendation number 4 of the Office of the Planning Regulator in their submission on the Draft Plan. At a meeting held on 12th October 2021 the Planning Authority, however, did not agree the recommendation of the Chief Executive in relation to Recommendation No. 4. Whilst the proposed SLO was agreed as a proposed amendment the removal of the 0/0 zone was not agreed by way of proposed amendments.</p> <p>The objective areas subject of SLO 130 as depicted by a dashed red outline on maps 3, 4, and 10, primarily relate to existing residential areas and do not extend to cover arterial routes serving Dalkey. Based upon the concern raised within this submission, it would appear that the objective boundary for SLO 130 is not apparent. It is therefore recommended that the wording of SLO 130 is amended to ensure that an objective boundary is referenced to avoid any ambiguity in its application.</p> <p>Recommendation Minor modification to proposed amendments 276, 282, 296, 307 to update the wording of SLO 130 as follows:</p> <p>“To ensure that development <u>within</u> this <u>objective</u> area does not (i) have a significant negative impact on the environmental sensitivities in the area including those identified in the SEA Environmental Report, and/or (ii) does not significantly detract from the character</p>

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			of the area either visually or by generating traffic volumes which would necessitate road widening or other significant improvements.”
3.12.5 Map 5			
<p>i. TII request that proposed amendment 287 which relates to proposed SLO 137 at the Mint site be altered to ensure that the means of access to the lands should utilise the local road network to safeguard the safety and functioning of the national road network.</p> <p>Proposed SLO states as follows <i>“To encourage and promote the use of these state-owned lands for the delivery of social and affordable homes, with an emphasis on affordable rental and affordable purchases. The Urban form for this site shall be informed by a masterplan for the overall site included with any application.”</i></p> <div data-bbox="255 911 692 1078" style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>	C0011	287 79 M508	<p>The Executive notes the issue raised.</p> <p>This issue was also raised by the Office of the Planning Regulator and responded to above in Section 2.1.6 Transport and Accessibility. This response is repeated below:</p> <p>Proposed amendment 287/ M508 inserts a new SLO 137 at the Central Bank Mint site (page 323) as follows:</p> <p><i>“To encourage and promote the use of these state-owned lands for the delivery of social and affordable homes, with an emphasis on affordable rental and affordable purchases. The Urban form for this site shall be informed by a masterplan for the overall site included with any application.”</i></p> <p>The current access to the Central Bank Mint is via Sandyford Road (Regional Road R117). There is also an access to the south onto the Green Route (Regional Road R113) adjoining the M50 although it is noted that this access would not appear to be connected to the internal road network of the site. There is a two-way cycle way and footpath which runs along the green route which is a slip road to the M50 providing access at Junction 13.</p> <p>The concern in relation to using the existing access from the site onto the slip road (R113) held by both the TII and OPR, who both consider that it may have the potential to impact on the operation and safety of the national road and junction, which is considered to be inconsistent with the requirements of Section 2.7 of the “Spatial Planning and National Roads Guidelines for Planning Authorities (2012)”.</p> <p>TII advise that any utilisation of this existing access would seriously impact the operation and safety of the national road and junction.</p> <p>The TII have stated in their submission:</p>

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			<p><i>“that junctions are especially important elements of national roads infrastructure that Development Plans and Local Area Plans must take account of and carefully manage. Particular care is required in the assessment of development/Local Area Plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. “TII advise that any utilisation of the existing access would seriously impact the operation and safety of the national road and junction.”</i></p> <p>The Draft Plan Policy Objective T23: ‘Motorway and National Roads’ (pg. 112 in Chapter 5) and proposed amendment 90 to same protects national routes and associated junctions.</p> <p>Policy Objective T23: Motorway and National Routes It is a Policy Objective to promote, facilitate and cooperate with relevant transport bodies, authorities and agencies to secure improvements to the County’s Motorway and National road network to provide, protect and maintain for the safe and efficient movement of people and goods both within and through Dún Laoghaire-Rathdown.</p> <p>Proposed amendment 90 states in part:</p> <p><i>“The Council will facilitate the protection of all National routes and associated junctions from frontage access and to minimise the number of junctions in accordance with TII’s Policy and the Department of Environment, Community and Local Government’s ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (2012).”</i></p> <p>The detail of individual applications is considered on a case by case basis through the development management process. The impact on the national road and its junctions would be considered for any significant application on the subject site. The TII would be a consultee on such applications.</p> <p>It is noted that the submission by the TII refers to “any utilisation” of the slip road and recommend that <i>“the means of access to the lands should utilise the local road network only to ensure that the safety and the strategic function of the national road network and associated junctions is safeguarded in accordance with Government policy.”</i></p>

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			<p>The wording suggested by the OPR and TII would appear to preclude any use of the existing access. The Executive would have a concern that this could extend to cycle and pedestrian connections to the existing cycle lane and footpath. This would have significant implications for the permeability of the Central Bank Mint site and would result in unnecessarily long journeys for active modes, contrary to national, regional policy and the Draft County Development Plan. It is also unclear if emergency access would be permitted under such a wording. It is respectfully considered that a blanket addition to the SLOs as suggested would not be appropriate. It is considered that that this issue will be considered through the development management process. Policy objective T23 will allow for the concerns of the OPR and the TII to be addressed if such an issue arises at application stage.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. TII recommends that proposed amendment 288 which relates to proposed SLO 138 be altered to ensure that the means of access to the lands should utilise the local road network to safeguard the safety and functioning of the national road network.</p> <p>Proposed SLO states as follows <i>“To support and encourage a new sports complex with indoor and outdoor facilities allowing a mix of recreational sporting activities.”</i></p> <div data-bbox="250 1136 710 1294" style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator’</p> </div>	<p>C0011</p>	<p>288 79 M509</p>	<p>The Executive notes the issue raised.</p> <p>This issue was also raised by the Office of the Planning Regulator and responded to above in Section 2.1.6 Transport and Accessibility. This response is repeated below:</p> <p>Proposed amendment 288/ M09 inserts a new SLO 138 at the Central Bank Mint site (page 323) as follows:</p> <p><i>“To support and encourage a new sports complex with indoor and outdoor facilities allowing a mix of recreational sporting activities.”</i></p> <p>The current access to the Central Bank Mint is via Sandyford Road (Regional Road R117). There is also an access to the south onto the Green Route (Regional Road R113) adjoining the M50 although it is noted that this access would not appear to be connected to the internal road network of the site. There is a two-way cycle way and footpath which runs along the green route which is a slip road to the M50 providing access at Junction 13.</p> <p>The concern in relation to using the existing access from the site onto the slip road (R113) held by both the TII and OPR, who both consider that it may have the potential to impact</p>

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			<p>on the operation and safety of the national road and junction, which is considered to be inconsistent with the requirements of Section 2.7 of the “Spatial Planning and National Roads Guidelines for Planning Authorities (2012)”.</p> <p>TII advise that any utilisation of this existing access would seriously impact the operation and safety of the national road and junction.</p> <p>The TII have stated in their submission:</p> <p><i>“that junctions are especially important elements of national roads infrastructure that Development Plans and Local Area Plans must take account of and carefully manage. Particular care is required in the assessment of development/Local Area Plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. “TII advise that any utilisation of the existing access would seriously impact the operation and safety of the national road and junction.”</i></p> <p>The Draft Plan Policy Objective T23: ‘Motorway and National Roads’ (pg. 112 in Chapter 5) and proposed amendment 90 to same protects national routes and associated junctions.</p> <p>Policy Objective T23: Motorway and National Routes</p> <p>It is a Policy Objective to promote, facilitate and cooperate with relevant transport bodies, authorities and agencies to secure improvements to the County’s Motorway and National road network to provide, protect and maintain for the safe and efficient movement of people and goods both within and through Dún Laoghaire-Rathdown.</p> <p>Proposed amendment 90 states in part:</p> <p><i>“The Council will facilitate the protection of all National routes and associated junctions from frontage access and to minimise the number of junctions in accordance with TII’s Policy and the Department of Environment, Community and Local Government’s ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (2012).”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>The detail of individual applications is considered on a case by case basis through the development management process. The impact on the national road and its junctions would be considered for any significant application on the subject site. The TII would be a consultee on such applications.</p> <p>It is noted that the submission by the TII refers to “any utilisation” of the slip road and recommend that <i>“the means of access to the lands should utilise the local road network only to ensure that the safety and the strategic function of the national road network and associated junctions is safeguarded in accordance with Government policy.”</i></p> <p>The wording suggested by the OPR and TII would appear to preclude any use of the existing access. The Executive would have a concern that this could extend to cycle and pedestrian connections to the existing cycle lane and footpath. This would have significant implications for the permeability of the Central Bank Mint site and would result in unnecessary long journeys for active modes, contrary to national, regional policy and the Draft County Development Plan. It is also unclear if emergency access would be permitted under such a wording. It is respectfully considered that a blanket addition to the SLOs as suggested would not be appropriate. It is considered that that this issue will be considered through the development management process. Policy objective T23 will allow for the concerns of the OPR and the TII to be addressed if such an issue arises at application stage.</p> <p>Recommendation. No further change to proposed amendments.</p>
3.12.6 Map 9			
<p>i. Submission seeks to further amend proposed amendment 298 in order to support co-ordination between County Development Plan and Cherrywood SDZ on strategy for the Glendruid area in SLO 69.</p>	<p>C0103</p>	<p>298 80</p>	<p>The Executive notes the issue raised.</p> <p>Amendment 298 amends SLO 69 as follows;</p> <p><i>“To implement and develop the lands at Cherrywood in accordance with the adopted Strategic Development Zone Planning Scheme (SDZ) (as amended)”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>It is not considered appropriate to further amend to address one specific area in Cherrywood.</p> <p>The Executive would highlight that protections are afforded to built heritage and natural environmental features within the Glendruid area in both the Draft Plan and the Cherrywood SDZ. Glendruid Dolmen and the surrounding area is identified on Map 10 as a national monument. The woodland in the valley is mostly designated as open space within the SDZ with the remaining portion (which falls outside of the SDZ boundary) being zoned for open space (Objective 'F') under the Draft Plan. Additionally, Glendruid House, gates, gate lodge and an identified burial mound within the valley are all identified as Protected Structures (RPS nos. 1730, 2028 and 2066 respectively).</p> <p>Regarding a co-ordinated planning approach to the Glendruid area, the Executive would highlight that Section 3.3.3 of the Cherrywood SDZ provides specific objectives for the preservation of built heritage features and landscape features at Glendruid House and the surrounding Glendruid Valley area.</p> <p>In any event, the Cherrywood Planning Scheme is made and amended under a separate legislative process to the County Development Plan. Development of any site that falls or partly falls with the Planning Scheme boundary is required to align with the provisions of the SDZ Planning Scheme.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. Submission generally welcomes the amendment to SLO82 at Carrickmines Park, however, requests that it be further amended to recognize the suitability of the site for Build to Rent accommodation. Submission notes that such an amendment would result in an amendment to the land use zoning table for Objective 'E' to add BTR as open for consideration with a footnote.</p>	<p>C0040 C0100</p>	<p>300 81</p>	<p>The Executive notes the issue raised.</p> <p>Proposed amendment 300 adds the following sentence to the SLO relating to the north-east 'quadrant' of the Park, Carrickmines,</p> <p><i>"Any future development of the north east quadrant should ensure that the Ballyogan link road, parkland area and greenway (as pertaining to the lands) are completed and available for use by the general public before occupation of development"</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<p>Submission requests that additional text is added to amendment 300 (SLO 82) as follows; <i>Development of lands at Mountwood to the west of the Ballyogan Link Road, should provide a strong urban edge to Ballyogan Road/Ballyogan Link Road.</i></p>			<p>One submission is requesting that this be further amended to allow build to rent to be open for consideration in the "E" land use zoning objective on this individual site. It is not considered that this would be a minor modification to the proposed amendment which relates to a separate matter around phasing of development.</p> <p>Accommodating Build to Rent at The Park, Carrickmines was previously addressed on pages 544 - 456 of the Chief Executive Report on submissions received on Draft Plan publication (July 2021) which stated:</p> <p><i>"Having regard to the extent of the overall employment land bank, the Planning Authority considers that a restrictive approach needs to be taken to provision of any residential accommodation and that includes Residential – Built to Rent in the E zoned lands. This is in line with Policy Objective E14 of the Draft Plan, as the primary objective of the land use zoning is to provide for economic development and employment".</i></p> <p>There was no proposed amendment allowing Build to Rent be open for consideration in the E zone at Carrickmines.</p> <p>Another submission is requesting that the SLO be amended to include wording that development at Mountwood to the west of the Ballyogan Link Road, should provide a strong urban edge to Ballyogan Road/Ballyogan Link Road. This appears to relate to one individual site. It is not considered necessary to provide such detail in the SLO for one individual portion of land, rather this issue would be teased out via the development management process. Good urban design would encourage strong urban edge and would be supported by policies in the Draft Plan.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>iii. Submission welcomes amendment 303 which introduces a new SLO 144 <i>"To promote the use of the former Baling station in Ballyogan as a multi use indoor sport facility"</i>.</p>	<p>C0100</p>	<p>303 81 M905</p>	<p>The Executive notes the issue raised but does not agree with the proposed amendment in question.</p> <p>The lands referred to under SLO 144 are zoned Objective 'E' – <i>'To provide for economic development and employment'</i>. The south of the Ballyogan Road is characterised by a</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>Considers that that there is an opportunity to encourage linkage between the facility and Jamestown Park, the greenway and the new neighbourhood quarter.</p>			<p>clustering of employment types with a number of municipal and utilities employers and also a range of small businesses in former residential plots/properties as well as the Ballyogan Business Park. The employment uses within this area are considered to be broadly compatible in terms of use and impacts. It is considered that the existing uses perform an important employment function and the Executive supports their on-going role in this regard. It is considered that the nature of the use proposed may not be compatible with the adjoining land uses due to the movement of heavy vehicles in this area and could pose a safety hazard.</p> <p>In spatial terms, the employment strategy for the County seeks to align strategic employment locations with existing and identified residential growth areas through high frequency transport and active travel thereby minimising the divergence between the places people live and work, increasing the efficiency of land-use, reducing sprawl and minimising carbon footprint. It is considered that the subject Objective ‘E’ zoned lands support the overarching principles of the Employment Strategy for the County and represent a spatially preferable location for employment use.</p> <p>Section 2.4.8.4 of the Draft Plan provides an evidence-based analysis to estimate the requirement for employment zoned lands in the County. The analysis found that while there was a sufficient quantum of employment zoned lands available to facilitate continued economic development and employment growth in the County over the Plan period, that the extent of the employment landbank in DLR was quite low in comparison to adjoining Counties in the MASP area and as such, there is an enhanced need to retain and protect these lands for employment purposes. The Executive supports the retention and protection of the subject lands for continued employment use.</p> <p>In relation to the proposed use of the lands for a multi-use indoor sport facility, it is highlighted that the Samuel Beckett Civic Centre is located at a distance of only 200-300m from the subject site. The future development of Phase 2 of the Samuel Beckett Civic Centre is provided for and supported under SLO 77. In this context it is considered that the proposed SLO to promote the use of the former Baling station in Ballyogan as a multi-use indoor sport facility would represent an inefficient use of limited and spatially preferable employment zoned lands.</p>

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			<p>The Community and Cultural department have advised that the use of the former baling station as a multi-use sports facility was considered but it was concluded that the multi-sports facility should be connected to Samuel Beckett on the one campus as the separation caused by Ballyogan Road could deter people from using the facility and also create operational issues in terms of facilities management.</p> <p>Recommendation Omit proposed amendment 303 and M905 as follows:</p> <p>Delete SLO 144: “To promote the use of the former Baling station in Ballyogan as a multi-use indoor sport facility”</p>
<p>iv. Submission is regarding the ABTA to be carried out on Racecourse South Lands. The outcome of the ABTA may have significant implications for HRI, and they request that they are one of the stakeholders who inform the preparation of the ABTA. Have particular concerns with access and egress and car parking at key race events and suggest a wording of the ABTA to address this.</p>	<p>C0077</p>	<p>302 81 M906</p>	<p>The Executive notes the issues raised in the submission. Proposed amendment 302 is a new SLO 143 for Racecourse South which states:</p> <p><i>“To carry out in consultation with TII and the NTA a collaborative Area Based Transport Assessment (ABTA) prior to the development of lands at Racecourse South. The ABTA will address how development will avoid undermining the safe and efficient operation of the National Road and light rail network and ensure that the strategic function of the M50 will be maintained with full build out of the lands. The ABTA will include assessment of impact on Junction 15 and LUAS operation and will be carried out in accordance with the TII/NTA Area Based Transport Assessment (ABTA) Advice/Guidance Notes (2018). The outcome and recommendations of the ABTA shall be taken into account in the assessment of future planning applications.”</i></p> <p>This ABTA is slightly different to the more typical ABTAs in that it is for a specific land parcel rather than a wider Local Area Plan area. In the case of Racecourse South, as it will not be prepared in tandem with any LAP process, it would be appropriate that the land owner(s) be consulted. It is therefore considered appropriate to amend the wording of the SLO accordingly. However, it is not considered appropriate to include the specific requirements of HRI for these lands in the wording of the SLO as requirements of any particular land owner is beyond the scope of the County Development Plan.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Recommendation Minor change to amendment 302 as follows:</p> <p>“To carry out in consultation with TII and the NTA a collaborative Area Based Transport Assessment (ABTA) prior to the development of lands at Racecourse South. The local authority will engage with the landowner on the preparation of the ABTA. The ABTA will address how development will avoid undermining the safe and efficient operation of the National Road and light rail network and ensure that the strategic function of the M50 will be maintained with full build out of the lands. The ABTA will include an assessment of the impact on Junction 15 and LUAS operation and CA11 will be carried out in accordance with the TII/NTA Area Based Transport Assessment (ABTA) Advice/Guidance Notes (2018). The outcome and recommendations of the ABTA shall be taken into account in the assessment of future planning applications.”</p>
3.12.7 Map 10			
<p>i. Submission supports the removal of SLO 93 contained in the Draft Plan.</p>	<p>C0007</p>	<p>306 81 M1019</p>	<p>The Executive welcomes the support received for the removal of SLO 93 from the Draft Plan.</p> <p>The restriction on development in the Rathmichael area was introduced arising from water quality issues first identified in 2009/2010. Monitoring was carried out on a regular basis and the SLO was carried forward into the 2016 Plan as there were still concerns arising. Since 2016, much work has been carried out by the Council to address domestic misconnections. In preparation for the County Development Plan 2022-2028 and following from investigations undertaken by Council and resolution of the problems identified in those investigations, sampling of watercourses in the catchment recommenced in the summer of 2019 with a view to obtaining a full year’s sampling for analysis and subsequent reporting. Unfortunately, from March 2020 onwards the ability to carry out further monitoring and investigations was severely hampered by Covid 19 restrictions. A decision was made to retain the existing SLO126 (renamed as SLO 93) in the Draft County Development Plan as the Council was not, at that stage, in a position to bring forward policy proposals that would have met with the required level of certainty. An updated report by the Council's consultants was received in June 2021 by the Council and following from conclusions contained in that report the Council now proposes to remove proposed SLO 93. There has also been a recent release of a new Code of Practice for Domestic</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Wastewater Treatment Systems by the EPA, which now provides solutions for clay-rich areas that would have previously been deemed unsuitable for discharge to groundwater.</p> <p>As a result, the overall policy on single wastewater treatment systems requires strengthening in response to updated guidance documents and to ensure no adverse environmental effects in unsewered areas that include Rathmichael, Kilternan and Glencullen. Particular requirements for development proposals in all unsewered areas, including the Rathmichael area formerly covered by SLO 93, are also proposed by way of amendment 145 and 208, under Policy Objective EI3: ‘Wastewater Treatment Systems’ (pg. 194) in Chapter 10 and a new Section in Chapter 12 Development Management in the Draft Plan.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. Submission refers to Material Amendment Reference SLO 150 (proposed I amendment 312). TII advises that it will not be responsible for funding associated with proposed SLO 150 which relates to provision of a new pedestrian and cycle link from Rathmichael Road to Cherrywood passing under the M50. TII also states that any such structure would be required to meet the requirements of TII Publications <i>DN-STR-03001 - Technical Acceptance of Road Structures on Motorways and Other National Roads</i>,</p>	<p>C0011</p>	<p>312 82 M1020</p>	<p>The Executive notes the issues raised by the TII with regard to the proposed amendment 312 which inserts a new SLO 150 at Rathmichael Road which states:</p> <p><i>“To allow for the provision of a new pedestrian and cycle link via a new combined foot and cycleway bridge from Rathmichael Road towards the Luas station at Cherrywood Business Park passing under the existing M50 motorway bridge and crossing the R116 Brides Glen road and valley”</i></p> <p>As previously set out by the Executive in the CEs Report on the Draft Plan (July 2021):</p> <p><i>“Rathmichael area is earmarked for a Local Area Plan which will guide future development and it is respectfully considered that the is premature, as it through the future Local Area Plan that more detailed site frameworks for future development and movement patterns associated with same will be put in place, and unwarranted as a temporary link is already in place and there are plans for two permanent links to Cherrywood The future extension of the Luas line may mean that it makes more sense to provide additional permeability link to a location along the extended line. Any structure of this nature passing under the M50 would require consultation and agreement with both the TII and the NTA.</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p><i>Based on prematurity, the fact that a link already exists from the Luas to the Glencarrig Estate and that two permanent links are planned it is not recommended that this proposal be included in the Draft Plan."</i></p> <p>Recommendation Omit proposed amendment 312 as follows:</p> <p><i>To allow for the provision of a new pedestrian and cycle link via a new combined foot and cycleway bridge from Rathmichael Road towards the Luas station at Cherrywood Business Park passing under the existing M50 motorway bridge and crossing the R116 Brides Glen road and valley"</i></p>
<p>iii. NTA requests removal of Amendment 310 (SLO 148) which relates to protection of two roundabouts, at St. Anne's Church and at the junction of Dublin Road (R119) and Quinn's Road as their removal is part of Bus Connects. Submission states that no rationale has been given for their retention. Bus connects route for CBC 13 through Shankill village has been revised on foot of public consultation and further local engagement to minimise its impact on properties adjacent to the routes and this includes replacing both roundabouts with fully signalised junctions. Pursuant to Section 9(6A)1 of the Planning and Development Act 2000 (as amended) all Development Plans in the Greater Dublin Area shall be consistent with the GDA Transport Strategy as BusConnects and the CBC programme are included in the Draft Strategy, in Measure BUS1, therefore the Council must ensure that SLO 148 "would not compromise</p>	<p>C0051</p>	<p>310 M1016 M1018</p>	<p>The Executive notes the issues raised by the NTA with regard to proposed amendment 310 as shown on Map 10 as M1016 and M1018, which protects the two roundabouts at St Anne's Church and at the junction between the Dublin Road and Quinns Road in Shankill.</p> <p>Proposed amendment 310 (SLO 148) states:</p> <p><i>"To protect and safeguard the roundabouts on the approaches into Shankill village at St. Anne's Church and at the junction of Dublin Road (R119) and Quinn's Road"</i></p> <p>It is noted that the NTA submission refers to the fact that no rationale has been given for the proposed amendment 310. The rationale that was given by the Elected Members for this proposed amendment, at the <u>Special County Council Meeting on the County Development Plan held on Wednesday 20th October at 5pm</u> was to "value the smooth running of Shankill Village and access for all residents".</p> <p>Current BusConnects proposals for the Bray to city centre Core Bus Corridor include changes to roundabouts along the Dublin Road Shankill to provide for bus priority along the route as well as providing for improved pedestrian and cycle facilities in accordance with DMURS. The most recent proposals published by the NTA provide for the provision of signalised junctions at these locations to achieve the above. It is noted that the primary cycle route 12A of the NTA's Greater Dublin Cycle Network passes through these two roundabouts.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p><i>the delivery of the Bray to City Centre CBC and would not therefore be inconsistent with the Strategy”.</i></p>			<p>Using signalised junctions also allows for traffic flows to be managed to the benefit of local traffic flows, which may otherwise be delayed by the mainline flows.</p> <p>The Executive has concerns that proposed amendment 310 is contrary to the general policy provisions contained within Policy Objectives in the Draft Plan including:</p> <ul style="list-style-type: none"> • T1: Integration of Land-Use and Transportation Policies. • T10: Walking and Cycling. • T11: Footways and Pedestrian Routes. • T12: County Cycle Network. • T22: Roads and Streets. • T27: Road Safety • T28: Traffic Management • T30: Accessibility. <p>The NTA in their submission have drawn attention to the fact that pursuant to Section 9(6A)1 of the Planning and Development Act 2000 (as amended) all Development Plans in the Greater Dublin Area shall be consistent with the GDA Transport Strategy. The NTA submission refers to the Draft Transport Strategy for the Greater Dublin Area 2022-2042. BusConnects and the CBC programme are included in the Draft Strategy, in Measure BUS1.</p> <p>The legislation does not refer to the requirement to be consistent with a Transport Strategy which is in Draft form. Notwithstanding this the current NTA Transport Strategy refers in Section 5.5.1 to the core radial bus corridors as shown on Figure 5.5 which includes Bray/N11 -UCD-Donnybrook. Bus connects is also contained in Section 5.4 of the NTAs “Integrated Implementation Plan 2019 – 2024”, which is the implementation Plan for the current strategy and is a requirement under Section 13(1) of the Dublin Transport Authority Act 2008.</p> <p>Given that the proposed SLO would compromise delivery of Bus Connects and the core radial bus network which is part of the existing NTA strategy and the Draft NTA strategy, the Executive does not support proposed amendment 310 (SLO 148).</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Recommendation Omit proposed amendment 310, M1016 and M1018 as follows:</p> <p>“To protect and safeguard the roundabouts on the approaches into Shankill village at St. Anne’s Church and at the junction of Dublin Road (R119) and Quinn’s Road”</p>
3.12.8 Map 12			
<p>i. Submission supports the addition of SLO 151 to the Draft Plan.</p>	<p>C0099</p>	<p>314 82 M1202</p>	<p>Note: the objectives subject of this submission appear on both maps 12 and 13 of the Draft Plan.</p> <p>The Executive welcomes the support received for the proposed addition of SLO 151 to the Draft Plan.</p> <p>Proposed SLO 151 reads as follows;</p> <p><i>“To provide for a number of holiday caravan/camping facilities within a 1km radius of the cross roads at Glencullen subject to the following: ensuring that there is not an over proliferation of such facilities, ensuring any proposals do not undermine the overall zoning objective, ensuring proposals do not have a negative impact on the source protection area or sensitive watercourses as identified in the Glencullen Local Area Plan and/or in section 10.2.2.5 of this Plan and ensuring that the development (including any resultant increases in visitor numbers and/or behaviour) does not affect the integrity of the Knocksink Wood Special Area of Conservation. Each facility shall be limited to a total of 10 pitches (combination of pods, glamping, tents, camper vans) and any glamping pods shall be commensurate in size and scale to a tent/camper van so as to avoid any negative visual impact on the landscape.”</i></p> <p>The Executive would consider that in accordance with ‘Policy Objective E18: Rural Development’ (pg. 133) in <u>Chapter 6</u> of the Draft Plan, the provision of rural enterprises in rural villages (on lands zoned objective ‘G’ – “To Protect and improve high amenity areas”) should be supported, provided that this can be balanced with the requirement to ensure protection of the rural area. The Executive considers that Glencullen functions as a rural</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>village and is therefore a suitable location for the limited provision of holiday caravan/camping facilities.</p> <p>There is potential for the limited provision of a number of small-scale camping facilities to be located, without undermining the overall zoning objective, within the envelope of the Glencullen Local Area Plan boundary and within 1 km walking distance to the village crossroads.</p> <p>Locating such facilities close to the village would provide for a tourism offer, which can be accessed by public transport and also allows tourists to avail of services within the village. To avoid any adverse impact on the rural character and the sensitive environment of the area it is considered that provision should be limited to avoid proliferation of such accommodation. The scale of any such facility should also be limited to avoid a negative impact on the landscape.</p> <p>Development in the area is reliant on domestic wastewater treatment systems and there are constraints associated with watercourses and source protection areas, which may impact on potential development (see Policy Objective E15: River Basin Management Plans’ (pg.195) in <u>Chapter 10</u> of the Draft Plan).</p> <p>Recommendation No further change to proposed amendments.</p>
3.12.9 Map 14			
<p>i. Submission supports the removal of SLO 93 which is contained in the Draft Plan.</p> <div data-bbox="271 1145 660 1193" style="border: 1px solid green; padding: 2px; display: inline-block; color: green; font-weight: bold;">Refer also to Map 10 above</div>	C0007	315 82 M1403	<p>The Executive welcomes the support received for the removal of SLO 93 from the Draft Plan.</p> <p>The restriction on development in the Rathmichael area was introduced arising from water quality issues first identified in 2009/2010. Monitoring was carried out on a regular basis and the SLO was carried forward into the 2016 Plan as there were still concerns arising. Since 2016, much work has been carried out by the Council to address domestic misconnections. In preparation for the County Development Plan 2022-2028 and following from investigations undertaken by Council and resolution of the problems identified in those investigations, sampling of watercourses in the catchment recommenced in the</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>summer of 2019 with a view to obtaining a full year's sampling for analysis and subsequent reporting. Unfortunately, from March 2020 onwards the ability to carry out further monitoring and investigations was severely hampered by Covid 19 restrictions. A decision was made to retain the existing SLO126 (renamed as SLO 93) in the Draft County Development Plan as the Council was not, at that stage, in a position to bring forward policy proposals that would have met with the required level of certainty. An updated report by the Council's consultants was received in June 2021 by the Council and following from conclusions contained in that report the Council now proposes to remove proposed SLO 93. There has also been a recent release of a new Code of Practice for Domestic Wastewater Treatment Systems by the EPA, which now provides solutions for clay-rich areas that would have previously been deemed unsuitable for discharge to groundwater.</p> <p>As a result, the overall policy on single wastewater treatment systems requires strengthening in response to updated guidance documents and to ensure no adverse environmental effects in unsewered areas that include Rathmichael, Kiltarnan and Glencullen. Particular requirements for development proposals in all unsewered areas, including the Rathmichael area formerly covered by SLO 93, are also proposed by way of amendment 145 and 208, under Policy Objective EI3: 'Wastewater Treatment Systems' in <u>Chapter 10</u> and a new section in Chapter 12 Development Management.</p> <p>Recommendation No further change to proposed amendments.</p>
<p>ii. Submissions both in favour of and against the removal of SLO 118 from Draft Plan. Proposal that SLO 118 should be re-instated to cover a c. 4.6 acre area on the western side of Dublin Road.</p> <p>Proposal against the re-instatement of SLO 118 on privately owned lands.</p>	<p>C0063 C0106</p>	<p>318 83 M1404</p>	<p>The Executive acknowledges the preferences of submission no. C0063 and of other local residents with regard to the provision of future public open space as part of the strategic development of the Woodbrook-Shanganagh area. However, the Executive does not agree with the re-instatement of SLO 118.</p> <p>SLO 118 was contained in the Draft Plan and is proposed for removal under proposed amendments 318 and M1404. This SLO refers to the reservation of lands to facilitate and form part of the future expansion of Shanganagh Park. The lands in question are zoned Objective 'GB' "To protect and enhance the open nature of lands between urban areas". They include a mix of uses on a number of plots, all of which are in private ownership.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>At the outset, the Executive would highlight that there are no current Plans to extend Shanganagh Park into this large area of privately owned land. In circumstances where this land was under ownership of the Council, the zoning objective would not preclude any future extension of the park. Open Space is 'permitted in principle' in zoning objective 'GB' (see Table 13.1.6, pg. 306 in the Draft Plan).</p> <p>Recommendation No further change to proposed amendments.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
<p>i. Submission generally welcomes the proposed amendments and has no objection to them. However, there is dissatisfaction that SLO 85 has been retained.</p> <p>Submission considers that the provision of publicly accessible open space, at Stillorgan Reservoir, is not compatible with maintaining a secure site and, therefore, requests the removal of SLO 85.</p>	<p>C0035</p>	<p>The Executive welcomes the support for proposed amendments.</p> <p>SLO 85 states that it is a Council objective, <i>"To secure the use of lands at Stillorgan Reservoir for Public Amenity Purposes"</i>. Objective F2 of the Draft SUFP states that <i>"It is an objective of the Council to pursue the use of the evolving reservoir site as active public open space"</i>. There is no proposed amendment relating to SLO85.</p> <p>As part of the planning application for a new covered reservoir at Stillorgan, the old reservoirs are to be decommissioned and landscaped (D16A/0855). Work is currently ongoing on site. A detailed landscape Plan was submitted as part of the application. The Planning Authority had explored the use of the reservoir site for open space with Irish Water. Whilst Irish Water were and continue to be opposed to such use, the Council</p>

Issues	Sub. No.	Executive's Response
		<p>consider that there is potential to use a portion of the site for publicly accessible amenity purposes.</p> <p>The exact layout of any open space would be dealt with at detailed design stage and any concerns with regard to security could be overcome. The Executive considers that as long as potential remains to utilise these lands for open space the SLO should not be removed.</p>
<p>ii. Welcomes SLO 113 and considers that the redevelopment of the Central Mental Hospital lands at Dundrum provides a significant opportunity to deliver new community facilities and infrastructure for both existing and future residents.</p>	<p>C0043</p>	<p>The Executive notes the support for SLO 113 which comprises part of the Draft Plan. There is no proposed amendment relating to SLO 113.</p>
<p>iii. Submission includes report entitled '<i>KHSK report : Assessment of the Potential for Commercial Marine-Based Activity at Bullock Harbour</i>' which:</p> <ul style="list-style-type: none"> • states that the proposed development at Bulloch Harbor will provide improved premises for the existing operations (Fish and boats) and that "the development of residential and commercial infrastructure on the old Western Marine site along the lines set out in the planning permission application would not inhibit the continuation of the existing limited commercial activities at their present scale." • Report sets out detail with regard to Irelands commercial marine sector and then provides detail in relation to Bulloch harbour and such activity which is limited to boat hire and fish sales. Submission considers that the harbour is not a competitive location for even small scale commercial activity. • Report provides details of a business which operated in the area and concludes that the site is not suitable for a large scale marine related commercial operation. • Report then provides considerable detail of site visits undertaken from 2017 to 2021 and states that the 	<p>C0069</p>	<p>This Executive notes the issues raised.</p> <p>This submitted report appears to be very similar if not identical to one submitted with a recently lodged planning application (D22A/0006) and appears to be referring throughout to the proposal currently lodged with the Planning Authority. It is not considered appropriate to comment on a report submitted to support a current application which is before the Planning Authority for decision.</p> <p>Issues raised in the report relating to proposed amendments are addressed in the relevant sections.</p>

Issues	Sub. No.	Executive’s Response
<p>consultants were unable to hire a boat on their visits and that the fishing business is quite limited.</p> <ul style="list-style-type: none"> • Report considers that solutions include subsidized marine based businesses, or high spend per customer business such as a unique offering that is a destination in itself although it is considered that the second option involves high risk. A third option is a use that is high value for the occupier but not relevant to customer – such as high end offices. The proposed change to the definition of the W zone which drops the requirement for commercial activities to be marine related is considered meaningful in this respect. • Report concludes that existing activities would continue under the planned development, non-residential spaces would not provide a return for developer, lack of commercial viability is an issue, ownership of facilities should be clarified, greatest prospect for success may be with subsidised spaces for small scale activities. Local Authority need to be involved in management. 		

3.13 Appendix 2 – Draft Housing Strategy and Interim HNDA

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.13.1 Implementation of the Housing Strategy and Interim HNDA			
i. Submission expresses concerns, in the context of the increase in Part V from 10% to 20%, that developers of student accommodation are exempt from Part V, at enormous loss to Local Authorities and a revenue contribution to Social Housing.	C0046	338 91	<p>The Executive notes the issue raised.</p> <p>The commencement of Part 6 of the 'Affordable Housing Act 2021' brought about the replacement of the legislative requirement for 10% of land for social housing with 20% of land for social and affordable housing (as defined by the legislation), of which at least 10% is to be social. Proposed Amendment 338 reflects the proposal to update all references to Part V in the Draft County Development Plan Written Statement and Appendix 2 in the Housing Strategy to accord with the Affordable Housing Act 2021, having regard to the analysis included in the Draft Housing Strategy. It specifically replaces the 10% of land for social housing with the provision of 20% of land for social and affordable housing.</p> <p>With respect to the circumstances where a reduced requirement for the provision of social housing may be considered – as applicable to student accommodation - these are detailed in Section 2.9.1.1 (pg. 93) of the Draft Housing Strategy and Interim HNDA and are not subject to a proposed amendment.</p> <p>Recommendation No further change to proposed amendments.</p>
ii. Submissions: <ul style="list-style-type: none"> Request omission of proposed amendment 341 which relates to a comprehensive material amendment to Appendix 2 and sets out a further evidence base for the proposed mix requirements. Consider that the justification for applying the mix requirements set out in table 12.1 are not supported by the key characteristic set out in the Draft Plan HNDA analysis. 	C0040 C0050 C0058 C0062 C0073 C0074 C0076 C0078 C0083 C0084 C0089 C0090	341 92	<p>The Executive notes the issues raised, which are both in favour of, and opposed to proposed mix requirements.</p> <p>The majority are opposed to the mix requirements. Where submissions have raised an issue with the mix requirements applied to Build to Rent this is dealt with in Section 3.10 'Development Management' above.</p> <p>Whilst there was no actual amendment proposed to Table 12.1 which relates to proposed mix of apartments (pg. 233, Chapter 12), most submissions which oppose the mix requirements contained in the Draft Plan raise concern around proposed amendment 341.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> Refer to a number of issues in relation to the interim HNDA relative to evidence base vs the housing mix provided for in Chapter 12 specifically with regard to the reducing household size trend in the County. The submissions specifically requests that proposed amendment 341 is omitted in order to ensure that the Plan is consistent with SPPR1 of the Apartment Guidelines. Request that the Council identify which cohort of the population would require 3-bed apartment units. Applauds DLR in their efforts to provide housing development that accommodates families in apartments. States that there is no demand for 3-bed apartment units – those requiring larger units would rent / buy a house. Requests omission of amendment 341 as consider it is arbitrary in nature without due consideration for the significant negative impact it would have on housing delivery UK examples cited for housing mix does not bear any relationship with the Irish market. Express concern in relation to apartment mix and the 40% 3 bed requirement. Acknowledge that it was introduced at Draft Plan stage but consider it will militate against provision of apartments in the County due to cost of providing 3 bed units Considers that the demand is not there nor is the evidence base. 	<p>C0091 C0096 C0100 C0101</p>		<p>Proposed amendment 341 relates to a comprehensive material amendment to Appendix 2 which further strengthens the evidence base for the proposed mix requirements set out in the Draft Plan. Proposed amendment 341 does this by including data on SHD applications granted in DLR since 2016 and also looks at qualitative studies on apartment living and high density. It also examines policy in another jurisdiction (London). The Executive considers that proposed amendment 341 is important so as to provide further support for the mix requirements set out in the Draft Housing Strategy and HNDA and Chapter 12 of the Written Statement.</p> <p>While the various submissions raise issues with proposed amendment 341 the majority do not provide any reasonable critique of the factual evidence base pertaining to permitted SHD applications and the significant number of 1 and 2 bed apartment permitted in the County. One submission does raise the issue of completed apartment schemes under the non SHD process and consider that this comprises a large proportion of residential completions for which no evidence in presented. It is respectfully put forward that the SHD data relates to permitted schemes not completions. Whilst it is acknowledged that the SHD only covers schemes over 100 units, given that the mix requirement will only pertain to schemes of 50 plus units, it is considered that the examination of schemes permitted under the SHD process gives a very comprehensive view of apartment schemes permitted in the County.</p> <p>It is noted that some submissions take issue with the inclusion of the data on mix requirements from London Boroughs as they relate to both houses and apartments and consider that they have no bearing on the Irish context. The proposed amendment is clear that they are included by way of “<i>review of standards in other jurisdictions</i>” and notes that they are all in agreement that providing a mix of unit sizes is important. The contention as set out in one submission that the Planning Authority have, in relation to the London Borough data, simply taken the highest end of that range and applied it to Dún Laoghaire – Rathdown is incorrect.</p> <p>The Executive does not agree with the opinion that the justification for applying the mix requirements set out in table 12.1 are not supported by the key characteristics set out in the Draft Plan analysis (with proposed amendments). The submissions received in relation to mix fail to mention that table 12.1 allows for up to 60% studio one and two</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<ul style="list-style-type: none"> Permitted Woodbrook Phase 1 scheme provides a sustainable mix with 207 house, 48 duplexes and 427 apartments, which equates to 35% in the form of 3 bed plus units and 65% in the form of one and 2 bed apartments. Application of the 40% requirement in Woodbrook would result in a mix of 58% in the form of 3 beds and 42% one bed and 2 bed apartments. Considers such a mix would be skewed. Regard must also be had to the mix in the surrounding area. Questions evidence base in Appendix 2. Notes that the mix requirements in London refer to both apartments and houses in some instances. Considers that the HNDA with amendments does not meet the necessary level or evidence base to justify such a significant requirement. The evidence in fact demonstrates a need to prioritise the provision of 1 and 2 bed units. In relation to the mix requirement it is considered that it is unclear why a down sizer would require a 3 or 4 bed apartment unit. IHBA considers that having regard to the shortfall in one and two bed units there is a need to address this in the first instance by way of “catch up” (in particular 1 and 2 bedroom units) to meet requirements. Submissions provides states that 2020 apartment guidelines state that two thirds 			<p>beds in what are deemed to be new residential communities and lands within SUFP and up to 80% in the existing built up area. This allows for a significant number of units to be studio, one or two bed with the smaller percentage being 3 bed plus thus more than adequately reflecting the analysis set out in the Housing Strategy and HNDA and the various numbers, statistics and studies put forward in the submissions received. The percentage of three bed plus units is not a “significant portion” as stated in the submissions but is the lesser portion. This also has regard to the apartment guidelines which state that two thirds of households added since 1996 comprise 1 and 2 bed yet only 21% of dwellings completed since then comprise apartments of any type</p> <p>The worked example relating to the approved Woodbrook phase 1 scheme is noted particularly the fact that the permitted scheme provided for 35% three bed units across the entire scheme (both houses and apartments including duplexes).</p> <p>The assertion that application of the requirement to Woodbrook phase 1 would result in 58% 3 bed units (both houses and apartments) has been carried out without providing any adjustment to the bedroom numbers in the housing offering. The Draft Plan is about encouraging variety of unit type so that in addition to aiming to provide family size apartments so as to address compact growth and climate action, the provision of smaller own door houses with 3 bed or less are also encouraged (see page 234 of the Draft Plan which states that <i>“In schemes of 50+ units, where a mixture of housing and apartments or a scheme comprising solely of houses is being provided on a site the housing offering must ensure a mixture that includes a proportion of housing units that are 3 beds or less”</i>). The mix requirements set out in table 12.1 only applies to the apartment offering.</p> <p>The provisions of the Draft Plan in relation to apartment mix will require developers to look at overall mix in any scheme that includes houses and apartments, and this is intentional.</p> <p>In response to the belief that having regard to the shortfall in one and two bed units, that there is a need to address this in the first instance by way of catch up (in particular 1 and 2 bedroom units), the Executive wish to draw attention to the DLR SHD analysis contained in amendment 341 which clearly shows that in July 2021 permission was in place for circa 8,000 one and two bed apartments in the County. By January 2022 this figure has risen to</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
<p>of households added since 1996 comprise 1 and 2 bed yet only 21% of dwelling completed since then comprise apartments of any type. Considers that the Draft HNDA fails to fully address the apartment guidelines.</p> <ul style="list-style-type: none"> • Considers the analysis in Appendix 2 as not distinguishing between model of delivery and claims it ignores how different typologies are delivered for different markets • Refers to the London Plan by the Greater London Authority and highlights the negotiation and bespoke feasibility studies that inform Section 106 agreements as part of permissions in London. Notes that the UK does not apply policies that cannot be adapted, in the interest of delivery. • A requirement of 20-40% 3-bed apartments is not meeting the household formation need and this is not an apartment size being sought by the market. Those seeking a 3-bed unit will purchase a duplex or house. • The requirements for increased unit size in London should be viewed with caution. It is noted that the UK planning system has a process for an applicant to engage with the Local Authority to agree the specifics of a development in detail under a separate binding agreement where flexibility can be negotiated to ensure the viability of a project. 			<p>circa 8,800 one and two bed apartments out of a total apartment number of circa 11,000. (It is noted that some of these applications are subject to legal challenge). The provisions of the Draft Plan will alter this mix going forward and help to counterbalance what has become the predominant unit type proposed which in itself was limiting choice and not creating sustainable neighbourhoods.</p> <p>In relation to the issues raised in the supporting documentation included (Letters from Knight Frank and Savills), it is disappointing to note the conservative and undynamic approach which in one instance considers that the mix requirements of the Draft Plan are counterproductive and that the family segment will be better accommodated in traditional houses which seems to completely miss the point with regard to the need for apartments to be suitable for larger family households and/or people requiring additional space. This is supported by the underlying strategic County outcomes of the plan and indeed national policy on compact growth and climate change.</p> <p>One submission states that the requirement for 20-40% 3-bed apartments is not meeting the household formation need and this is not an apartment size being sought by the market. It goes on to state that those seeking a 3-bed unit will purchase a duplex or house. It should be noted that duplexes are categorized as apartments in the Draft Plan, therefore they can contribute towards the 20 – 40%.</p> <p>The majority of submissions which oppose amendment 341 focus on the impact of the overall mix requirements in table 12.1 on viability. While it is acknowledged that the 2020 Apartment Guidelines reference the importance of viability and in particular research which , “confirms that in a given apartment scheme that includes a proportion of three bedroom units, replacing these units to allow larger number of one- and two-bedroom units would, contribute to greater scheme viability”, viability is but one consideration set out in those guidelines which are clear that “Greater availability and choice of well-located apartment development, together with enhanced affordability, will assist in encouraging a move towards apartment living.” ensuring “that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures”.</p> <p>To omit proposed amendment 341 as requested by some submissions would be to omit an important qualitative evidence base, review of the approach in other jurisdictions and</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
<ul style="list-style-type: none"> Notes that household sizes are declining – this is confirmed in the HNDA. There is no evidence presented of the bedroom numbers of apartment developments permitted in recent years which were not SHD applications. This comprises a large proportion of residential completions for which no evidence in presented. There is no data presented of mixed schemes (apartments and houses) where an overall dwelling size mix may be delivered through a mix of houses and apartments Submission seeks a modification to proposed amendment 341 (it is noted that the submission states proposed amendment 168 but text relates to proposed amendment 341) to state that it is not appropriate to include a housing mix requirement within the Development Plan. R Requests that the final paragraph of Section 2.8.1 of Appendix 2: Housing Strategy and HNDA be deleted. <div data-bbox="286 1129 651 1230" style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p style="color: green; text-align: center;">Refer also to Section 3.10 Development Management</p> </div>			<p>analysis of SHD permissions granted in DLR, which was introduced by way of a recommendation, to address issues raised by the same submitters in submissions made on the Draft Plan which questioned the evidence base in the HNDA. The Executive considers that amendment 341 aligns with achieving the strategic County outcomes relating to;</p> <ul style="list-style-type: none"> Creation of a Climate Resilient County Creation of a Compact and Connected County Creation of a Network of Liveable Towns and Villages Creation of an Inclusive and Healthy County Creation of a Vibrant Economic County <p>and therefore should be retained.</p> <p>In drafting this response, in accordance with Section 12 (8) (b) (iii) the Executive have taken into account the statutory obligations of the local authority and any relevant policies and objectives of the Government or minister.</p> <p>It is considered that the Draft Plan is fully consistent with SPPR 1 of the Apartment Guidelines. Which states that “<i>Statutory Development Plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, County, city or Metropolitan area basis and incorporated into the relevant Development Plan(s)</i>”.</p> <p>There was no proposed amendment relating to Section 2.8.1. of Appendix 2 in the Draft Plan.</p> <p>Recommendation No further change to proposed amendment.</p>

3.14 Appendix 4 – Heritage Lists

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.14.1 Record of Protected Structures			
<p>i. Submission objects to the inclusion of a 'Gothic Red Brick and Granite Chapel' onto the Record of Protected Structures (RPS No. 2135) for the following reasons:</p> <ul style="list-style-type: none"> the owner has not been afforded the statutory time period of 10 weeks to respond to its inclusion in the RPS. The inclusion of the structure to the RPS is contrary to the Council's Executive and legal opinion of the Law Agent. The building was not fully inspected. The structure is a relatively ordinary building both externally and internally and has undergone internal modifications to facilitate its medical use resulting in the loss of original features. The description of the building is misleading as it is neither a 'church' nor a 'chapel'. 	<p><u>C0018</u></p>	<p>353 99 M311</p>	<p>The Executive agrees with this submission although it is noted that the extended public consultation period up to 17th January 2022 afforded the owner additional notice. This is still short of the ten week requirement.</p> <p>The Executive maintains its position as set out in the <u>Chief Executive's Report</u> on Draft Plan Consultation (July 2021) and its response to Motions 199 and 200 which were carried during the special County Development Plan Meetings of Dún Laoghaire-Rathdown County Council on 20th October 2021.</p> <p>Statutory Requirements: Due to a conflict between two interrelated sections of the Planning and Development Act, 2000 (as amended), that being Section 12(3) which sets out, statutory timeframes for additions and/or deletions to the Record of Protected Structures (RPS), and Section 12(7) which sets out the statutory timeframes associated with the material alterations stage, that being the next stage of the County Development Plan-making process, it is not possible to add new structures onto the RPS at the material alterations (amendments) stage.</p> <p>Section 12(3) of the Act states:</p> <p><i>"(a) Where the draft includes any provision relating to any addition to or deletion from the record of Protected Structures, the Planning Authority shall serve on each person who is the owner or occupier of the proposed Protected Structure or the Protected Structure, as the case may be, a notice of the proposed addition or deletion, including the particulars.</i></p> <p><i>(b) A notice under paragraph (a) shall state—</i></p> <p><i>(i) that a copy of the proposed addition or deletion may be inspected at a stated place or places and at stated times during a stated period of not less than 10 weeks (and the copy shall be kept available for inspection accordingly) ..."</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>Section 12(7) of the Act in relation to the statutory timeframes for the material alterations stage states:</p> <p><i>“(ad) The notice referred to in paragraph (ac) shall state —(i) that a copy of the proposed material alteration and of any determination by the authority that an assessment referred to in paragraph (aa) is required may be inspected at a stated place or places and at stated times, and on the authority’s website during a stated period of not less than 4 weeks (and that copies shall be kept available for inspection accordingly) ...”</i></p> <p>A notice under the provisions of Section 12(3) of the Act was issued to the property owner 8th November 2021. As per the submission received from the property owner, this notice was received 11th November 2021.</p> <p>In line with Section 12(7) of the Act, the material alterations (proposed amendments) were initially placed on public display for a 4 week period from 11th November 2021 to 9th December 2021. This consultation period was then extended for a further 4 weeks (plus 9 days that 9 days over the Christmas period that are ‘disregarded’ in accordance with Section 251 of the Planning and Development Act, 2000 as amended) to the 17th January 2022. The property owner was notified of this extension on 14th December 2021.</p> <p>Having regard to the above, the owner of the property proposed structure to be added to the RPS was afforded a total of 8 weeks (plus 9 ‘disregarded’ days) within which to respond to the notice and not the full 10 week period required under Section 12(3) of the Act.</p> <p>Having sought a legal opinion on this matter, the Law Agent is of the opinion that owners/occupiers of properties proposed for inclusion in the RPS must receive the 10 week statutory notice as prescribed in Section 12(3). As this timeframe was not provided, it is considered that the structure in question cannot be added to the RPS at this stage of the plan making process and should therefore be removed.</p> <p>Merit of the Structure for Inclusion on the RPS:</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>The structure in question is a late nineteenth century gothic chapel of red brick with granite dressing to the hood mouldings over the arched windows, granite quoins and cross-shaped granite finials to the roof. The building is considered to be of architectural and artistic interest and makes a positive contribution to the streetscape.</p> <p>An internal inspection of the property was carried out 20th January 2022. While the exterior is of merit, the interior of the structure has been heavily modified and original features have been lost. The original function of the structure as a chapel no longer exists, therefore the description of the building as set out in proposed amendment 99 is incorrect.</p> <p>Based upon the inspection of the structure, only the exterior of the former chapel would merit inclusion onto the RPS post adoption of the Draft County Development Plan 2022-2028. The appropriate legal mechanism to address this would be to vary the newly adopted Plan to include this structure under the provisions of Section 55 of the Planning and Development Act, 2000 (as amended) which sets out the procedure for adding or deleting a structure “<i>at any time other than in the course of making its Development Plan.</i>”</p> <p>The description of the structure set out under amendment no. 353 aligns with that set out within Motions 199 and 200 which were carried during the special County Development Plan Meetings of Dún Laoghaire-Rathdown County Council on 20th October 2021.</p> <p>Recommendation Omit amendment 353 in Appendix 4 and M312 on Map 3:</p> <p>Gothic Red Brick and Granite Chapel Rear of Centenary House, York Road, Dún Laoghaire/Tivoli Terrace South Late nineteenth century gothic chapel of red brick with granite dressing 2135 3</p>
3.14.2 Architectural Conservation Areas			
i. Submission objects to amendment M119, under which No. 6 Main Street is included in the Dundrum Architectural Conservation Area	C0024	<p>373 101</p> <p>374 101</p> <p>375 101</p>	The Executive notes the issue raised.

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
(ACA), on the basis that the building is modern in construction and not part of the traditional building stock of Dundrum. The building was demolished and rebuilt in 1987.		<u>M119</u>	<p>The submitter has provided a range of supporting documentation that clearly establishes that No. 6 Main Street was demolished and rebuilt in the late 1980's. As such, it does not form a part of the historic late-nineteenth century built fabric of the town. While it is considered that it's scale and proportions make a positive contribution to the streetscape and are in keeping with the historic pattern of development, the conservation office has advised that it is not considered appropriate that No. 6 be included within the ACA boundary, given its modern construction.</p> <p>As the addition formed part of a proposed mapping amendment it is considered that the inclusion of number 6 should not be agreed.</p> <p>Recommendation Amend Map 1 to exclude No. 6 Main Street from the Dundrum ACA boundary.</p> <p>Update supporting Character Appraisal and Mapping for Proposed Dundrum Architectural Conservation Area.</p>
ii. Submission fully supports the adoption of the ACA for Main Street Dundrum as a full ACA (373). Submission opposes any changes to this amendment.	<u>C0093</u> <u>C0097</u>	373 101 <u>M119</u>	<p>The Executive notes the issue raised. See recommendation above for alteration to ACA boundary.</p> <p>Recommendation No further change to proposed amendments.</p>
i. Submission objects to Material Amendment M119, which seeks to add the former Joe Daly Cycles/post office building on Main Street to the Dundrum ACA.	<u>C0078</u>	373 101 <u>M119</u>	<p>The Executive notes the issue raised.</p> <p>The Dundrum ACA boundary encompasses the majority of the older building stock within Dundrum Village. The Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 includes the existing ACAs at Pembroke cottages as well as the candidate ACA around Dundrum cross, but also includes a new 'Proposed Candidate ACA' at the northern end of Main Street, covering inter alia Glenville Terrace, Pembroke Terrace and a part of Claremont Terrace. Combined, the areas will be known simply as the 'Dundrum ACA' and will bestow full ACA status on the 'candidate' and 'proposed candidate' areas shown in the Draft County Development Plan 2022-2028.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>An ACA appraisal report has been prepared which assesses all of the areas shown as existing/candidate/proposed ACAs in the Draft Plan and has determined that those areas meet the requirements and criteria for designation as a full ACA (refer to supplementary appraisal document). The appraisal report also proposed to extend the boundary slightly, in this case to include the former Joe Daly Cycles/post office building. The building is a pleasantly proportioned 2-storey (3-storey to rear), three-bay symmetrical building with hipped roof finished in natural slate with red brick chimney stack to left gable.</p> <p>While it is acknowledged, as the submitter has stated, that planning permission was previously granted for the demolition of this building under a previous application for the redevelopment of the Old Dundrum Shopping Centre, that application was assessed under the County Development Plan 2004-2010. At that time, there were no proposals for the provision of an ACA to the northern end of Main Street, with only the Pembroke Cottages ACA in place. The Candidate ACA around Dundrum Crossroads was only introduced in the County Development Plan 2016-2022 and the introduction of the proposed ACA to the northern end of Main Street has changed the situation further, by placing increased emphasis on the value of Dundrum's heritage and in particular on the value of the traditional character of Main Street as an important placemaking asset. As such, the approach to Dundrum's heritage (and to Main Street more broadly) has moved on significantly over successive Development Plans. The argument that the building should be removed from the proposed candidate ACA because of a previous permission granted is not accepted as an adequate rationale for its removal.</p> <p>In the context of the introduction of an ACA at the northern end of Main Street, it is considered appropriate to also include the former Joe Daly Cycles/post office building as it is considered that it contributes to the overall character of Main Street and to the setting of the other buildings in the ACA area.</p> <p>Recommendation No further change to proposed amendments.</p>
ii. Submissions received both in support and that object to the extension of the Marlborough Road Architectural Road Architectural	C0025 C0048 C0104	373 101 M317 M703	The Executive notes the support provided, however, would agree that Adelaide Road and Station Road should not be included as part of the Plan as an extension to the Marlborough Road ACA.

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
<p>Conservation Area to incorporate properties within Adelaide Road and Station Road.</p> <p>Submissions:</p> <ul style="list-style-type: none"> • suggest the extension of the ACA boundary to include additional properties. • considers the addition to be inappropriate and not in accordance with the requirements of the Planning and Development Act, 2000 (as amended) or the Architectural Heritage Protection Guidelines, 2011. • Have not provided a justification for including the extended area. • No character appraisal of this area has been carried out to determine if the extended area meets the requirements for designating is as an ACA as per Policy Objective HER17. • Believe the extended ACA boundary to be illegal and a misuse of the Development Plan review process as the relevant steps to designating the ACA have not been taken. • States that the mapping in the Draft Plan was misleading and confusing. • States that there was no meaningful consultation with the affected properties in the area. 	<p>C0105</p>		<p>It is considered that the Adelaide Road / Station Road has historical and architectural character worthy of protection, however, it should have its own standalone ACA subsequent to a full assessment of the area, in accordance with Section 81 of the Planning and Development Act, 2000 (as amended) and the Architectural Heritage Protection Guidelines, 2011.</p> <p>The Character Appraisal completed for the Marlborough Road ACA does not include an appraisal of the Adelaide Road / Station Road area. As such the special character and features of this extended area are not accounted for within the existing ACA appraisal.</p> <p>In order to ensure that the character of the extended area is properly assessed and all important features of the area - including for example, houses and their plots, boundaries, streetscape character – a full character appraisal for the Adelaide Road / Station Road area is required prior to adopting a full ACA for this area.</p> <p>It is considered that the Adelaide Road / Station Road area has a very different character from that within the proposed Marlborough Road ACA and warrants its own standalone ACA rather than forming part of the proposed Marlborough Road ACA. Furthermore, a standalone ACA with its own character appraisal document would set out planning implications for the area and guide future development. The character appraisal document for the proposed Marlborough Road ACA does not provide guidance for Adelaide Road / Station Road.</p> <p>Subsequent to the County Development Plan Council meetings held in October 2021, consultants have been appointed to carry out the character appraisal for the Adelaide Road / Station Road area. It is anticipated that this appraisal would be completed by mid-2022 with a view to varying the adopted County Development Plan 2022-2028 to incorporate a standalone ACA for Adelaide Road / Station Road.</p> <p>It is acknowledged that mapping in the Draft Plan with regard to the proposed Marlborough Road ACA appeared cluttered due to overlaying of boundaries. Until such time that the Draft Plan is adopted, it is necessary to show the boundary for the existing candidate ACA – illustrated by a dashed red line boundary incorporating areas on</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>Marlborough Road, Adelaide Road and Station Road – and show the boundary of the proposed ACA for Marlborough Road – illustrated by a dashed purple line. This was in no way intended to mislead the reader.</p> <p>Subject to the recommendations of the character appraisal, the boundary of a proposed ACA for Adelaide Road and Station Road may be altered as required to incorporate all properties / features that contribute to the special character of the area.</p> <p>Recommendation Omit proposed amendments 373, in Appendix 4, M317 on map 3 and, M703 on map 7:</p> <ul style="list-style-type: none"> • Marlborough Road and Adelaide Road <p>Amend maps 3 and 7 to revert to the provision of a boundary for a Candidate Architectural Conservation Area and amend Table 4.3: Candidate Architectural Conservation Areas (cACA) in Appendix 4 to include:</p> <p>Adelaide Road / Station Road</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission proposes inclusion of Glendruid Valley as an ACA.	C0103	There is no proposed amendment relating to the inclusion of Glendruid Valley as an ACA. The inclusion of additional ACAs not subject of proposed amendments cannot be considered at this stage of the Draft Plan process.

3.15 Appendix 5 – Building Height Strategy

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.15.1 Section 5 – Performance Based Criteria			
<p>i. Submission request omission of proposed material amendment 377 – Building Heights which proposes additional text to be added to the Performance Based Criteria’ in draft Height Strategy at Appendix 5 as follows <i>“Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development.”</i> Considers that there is no requirement for additional performance base criteria</p> <p>Submission considers that amendment 377 is effectively seeking a carbon budget for buildings which has no place in the assessment of heights and is above and beyond legislative requirements of NZEB and Part L.</p> <p>It is submitted that NZeb is the current standards that building regulations apply with respect to energy performance based criteria and any further requirements for additional “Performance Based Criteria” are not considered appropriate to be included in the Development Plan.</p>	<p>C0058 C0076 C0083 C0090 C0100</p>	<p>377 104</p>	<p>The Executive notes the issues raised.</p> <p>The Executive would not be in favour of adding the additional criteria proposed to table 5.1 as it is considered that it will be difficult to implement and assess. To date the Planning Authority do not yet have the national guidance required to assess maximum energy efficiency to align with climate policy. It is considered appropriate to await Government guidance on the issue.</p> <p>The area may also fall under a code separate to Planning (Building regulations) and as such may not be appropriate to include within a Development Plan.</p> <p>Recommendation Omit proposed amendment 377 as follows: <i>“Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development.”</i></p>

3.16 Appendix 10 – Ecological Network

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.16.1 Dún Laoghaire-Rathdown County Ecological Network Map			
<p>i. Submissions object to proposed amendment 387, highlights the importance of wildlife corridors and query why wildlife corridors are not included in the Draft Plan by way of an amendment.</p> <div data-bbox="295 595 636 740" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; font-weight: bold;">Refer also to Section 3.7 Chapter 8 Green Infrastructure and Biodiversity</p> </div>	<p>C0003 C0012 C0013 C0021 C0027 C0036 C0037 C0052</p>	<p>130 49 387 108</p>	<p>The Executive notes the issue raised. The wildlife corridors were not included as an amendment as they were not finalised. To include at this stage would be more than a minor amendment.</p> <p>The Draft County Development Plan includes supplementary map B1 Ecological Network Map which stated that <i>“Note: The map will be updated at amendment stage with data from the forthcoming wildlife corridor plan”</i>.</p> <p>A number of submissions raised the issue that supplementary map B1 was not updated at material amendments stage to include the wildlife corridors set out in the Draft Biodiversity Action Plan.</p> <p>The Draft DLR County Biodiversity Action Plan 2021-2025 went on public display on 20th July 2021. The Draft Action Plan contained a draft County-wide Ecological Network Map which included wildlife corridors. The Action Plan stated that this map <i>“is currently under review as more recent surveys are added”</i> and the map was annotated similarly as <i>“currently undergoing survey updates and review”</i>. The survey updates and review were therefore pending when the Biodiversity Action Plan went on public display in July. The delay to the mapping (including the wildlife corridors) had occurred due to the Covid 19 Pandemic.</p> <p>The Chief Executive's Report on the Submissions to the Draft Plan issued to the members in July 2021, prior to the issuing of the Draft Biodiversity Action Plan and as the mapping of the wildlife corridors was still not finalised at this stage it was not possible to update Supplementary Map B1 by way of a proposed material amendment as originally envisaged in the Draft Plan.</p> <p>The <u>Chief Executive's</u> Report on Draft Consultation (July 2021) stated <i>“Whilst it had been anticipated that the wildlife corridors could be included in the Draft Plan work is not yet completed. The completed work will, however, feed into the forthcoming Biodiversity</i></p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<p><i>Action Plan, the review of the GI Strategy and forthcoming Local Area Plans. It is recommended that the Draft Plan be updated in this regard. In addition, it is also noted that the Cherrywood Planning Scheme areas is subject to some separate objectives contained in the approved scheme. The supplementary map should show the Cherrywood area greyed out similar to other County Plan maps.”</i></p> <p>Whilst the work on the wildlife corridors has now been completed to include them in the Draft would be more than a minor alteration to a proposed amendment.</p> <p>Recommendation No further change to proposed amendments.</p>

3.17 Appendix 11 – Wind Energy Strategy

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive's Response & Recommendation
3.17.1 Section 11.3. Analysis of Suitable Areas for Wind Energy			
i. Proposed Amendment 388 which inserts additional text on offshore wind which recognises that in coastal locations such as Dún Laoghaire-Rathdown the provision of landside infrastructure, in the form of grid connections for new offshore wind generation, is critical to the overall delivery of national targets.	C0030 C0094	388 109	<p>The Executive welcomes the support for proposed amendment 388 which inserts additional text on offshore wind which recognises that in coastal locations such as Dún Laoghaire-Rathdown the provision of landside infrastructure, in the form of grid connections for new offshore wind generation, is critical to the overall delivery of national targets.</p> <p>Recommendation No further change to proposed amendment.</p>

3.18 Appendix 12 – Public Rights of Way/Recreational Access Routes

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.18.1 Rights of Way			
<p>i. Submission relates to amendment 311, which proposes new SLO 149 to replace the right of way at St. Laurence College, Loughlinstown by way of an alteration to the Draft Plan. Request that SLO 149 be deleted on the basis that no rational has been provided for proposing a public walkway through privately owned lands, that the land use (school) is sensitive and the walkway may give rise to difficulties operating the school, loss of privacy, as well as a reduction of future land sale potential.</p>	<p>C0032</p>	<p>311 82 <u>M1003</u></p>	<p>As noted in the submission, the Draft Plan originally contained a right of way over the lands of St. Laurence College, which was removed from the Plan following a recommendation in the CE Report on submissions. A material alteration was subsequently put forward in lieu of the ROW, resulting in SLO 149 being placed on display.</p> <p>While the achievement of a pedestrian/cyclist connection at this location may have merit and would be in keeping with Section 12.3.2.1 of the Draft Plan, <i>Development within Sustainable Neighbourhood Infrastructure Lands</i>, which seeks, <i>inter alia</i>, that SNI zoned lands:</p> <ul style="list-style-type: none"> • <i>Should incorporate measures to improve public use of the site and/or facilities as appropriate and seek to improve permeability through and linkages to adjoining lands;</i> <p>It is not considered that SLO 149 is the appropriate tool to achieve such a connection. The Council has no right to propose a walkway over private land and it is understood that from a legal perspective, a new public walkway would need to be a right of way and that the Council would need to acquire the land, potentially by way of compulsory purchase. As such, it is recommended that SLO 149 is deleted from the Draft Plan.</p> <p>It should be noted, however, that should the SLO be deleted, the option to work with the landowners to achieve a connection by other means would remain outside of the Development Plan process.</p> <p>It is noted in this regard that a connection from the Wyattville Estate through the school lands to the N11 was proposed as part of the recent SHD application for a build to rent scheme (TA06D.310882) as shown on drawing 1501-300-Rev 6 associated with that application. While that application was refused permission by An Bord Pleanála, it demonstrates how such a connection might be achieved through the development management process (or other means) in the future.</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<p>Recommendation Omit Proposed Amendment 311 regarding the introduction of SLO 149 affecting lands at St. Laurence College, Loughlinstown as follows:</p> <p>“To establish a new pedestrian walkway that retains the established permeability from the N11 through the lands at St Laurence to the Wyattville Park estate in Loughlinstown. The current established walkway shall be retained until this specific new SLO is achieved.”</p>

3.19 Appendix 16 – Strategic Flood Risk Assessment

[Link to Appendix 16 in Draft Plan](#)

[Link to Appendix 16 incorporating proposed amendments.](#)

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.19.1 General Commentary on SFRA			
<p>i. OPW welcomes proposed amendments 399, 400, 401 405, 421, 423, 426, 438, Submission refers back to the OPW submission on the Draft Plan which was made in the Spring of 2021 and the response in the Chief Executive’s report of July 2021 and requests that the Draft Plan be further amended to include additional text which refers to the SFRA requirements for SSFRAs and specific requirements to mitigate flood risk as set out in the Justification Tests in Appendix 16.</p> <div data-bbox="248 930 678 1090" style="border: 1px solid green; padding: 5px; margin-top: 10px;"> <p>Refer also to Section 2.1 ‘Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator</p> </div>	<p>C0010</p>	<p>399 113 400 113 401 113 405 113 421 118 423 118 426 119 438 124</p>	<p>The Executive welcomes the support from the OPW for proposed amendments number 399, 400, 401, 405, 421, 423, 426 and 438 which relate to various changes to Appendix 16 SFRA including the new section on nature based solutions and the new section on coastal flooding.</p> <p>In relation to the request that the Draft Plan be further amended to include additional text which refers to the requirements for site specific FRA and specific requirements to mitigate flood risk as set out in the zoning justifications be incorporated into the County Development Plan, Appendix 16 SFRA is already part of the County Development Plan. Policy Objective EI23 ‘Flood Risk Management’ (pg. 205, Chapter 10) already states that “<i>It is a Policy Objective to support, in cooperation with the OPW, the implementation of the EU Flood Risk Directive (20010/60/EC) on the assessment and management of flood risks, the Flood Risk Regulations (SI No 122 of 2010) and the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on ‘The Planning System and Flood Risk Management’ (2009) and relevant outputs of the Eastern District Catchment and Flood Risk Assessment and Management Study (ECFRAMS Study). Implementation of the above shall be via the policies and objectives of the Strategic Flood Risk Assessment set out in Appendix 16 of this Plan.</i>” (Bold added for emphasis).</p> <p>The Chief Executive’s Report on Draft Plan Consultation (July 2021) set out requirements for detailed SSFRAs are set out in Appendix 16 and have to be read in the context of the document in its entirety. It was considered that a specific objective in the written statement without inclusion of other relevant information may thus be misleading. Therefore, the Draft Plan includes Policy Objective EI23 which provides a very direct link to Appendix 16.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
			<p>It is however considered that Policy Objective EI23 in Chapter 10 of the written statement could be strengthened to include the references to the requirement for SSFRAs and references to the more detailed sections in Appendix 16 which relate to mitigation. This would not be a material amendment as it would be simply reiterating the content of Appendix 16. It is not considered necessary to repeat the full text contained in the relevant section of Appendix 16 in relation to the specific requirements to mitigate flood risk as set out in individual justification tests in Appendix 16 as it would represent both duplication and unnecessary detail for the higher level strategic Policy Objectives contained in the written statement. A recommendation is however set out further on in this section in relation to a proposed new specific bullet point on mitigation measures. A recommendation is also set out in Part 2 above which addresses recommendation 2 of the OPR and which references the detailed mitigation measures set out in the SFRA.</p> <p>In deciding not to duplicate content of Appendix 16 in the written statement regard has also been had to Section 2.7.1 of the Draft Section 28 "Development Plan Guidelines" which advise local authorities to streamline the content of the written statement "<i>with a view to improving legibility and providing clarity. The use of appendices documents to contain ancillary material such as environmental reports or lists of Protected Structures should provide the opportunity to keep the focus in the written statement on setting out high-level, strategic policy guidance.</i>"</p> <p>Recommendation Amend first bullet of Policy Objective EI23 (pg. 205) as follows:</p> <p>"Through the policies and objectives set out in Appendix 16 (Strategic Flood Risk Assessment) in accordance with the over-arching sequential approach of Avoid, Substitute, Justify, and Mitigate. As set out in Section 5.1 of Appendix 16 all applications for development must be accompanied by an appropriately detailed SSFRA".</p>
3.19.2 Section 3 - Strategic Flood Risk Assessment of Dún Laoghaire-Rathdown			
i. Submission welcomes proposed amendment 410, which seeks to add text to Section 3.3.6 'Groundwater Flooding' of Appendix 16.	C0042	410 115	<p>The Executive welcomes support for proposed amendment 410, which seeks to amend Section 3.3.6 'Groundwater Flooding' of Appendix 16 to include additional text.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
No further change to proposed amendment.			
3.19.3 Section 4 – Policy Response			
<p>i. Old Connaught Submission refers to CE’s response on justification text and specifically quotes the CE’s response for the July report in relation to Old Connaught. The OPW consider that the response is not consistent with the Section 28 guidelines. Submission considers that if a zoning which allows for usage of a vulnerability class inappropriate to its Flood Zone (as set out in the Guidelines) cannot be justified by means of the Plan Making Justification Test, a zoning should be substituted appropriate to the level of flood risk In relation to old Connaught amendment 430 is noted along with the fact that the lands have passed the Development Plan justification test. Submission request that consideration be given to rezoning the undeveloped lands in flood zone A and B from “new residential” to a water compatible zoning. In relation to old Connaught amendment 430 is noted along with the fact that the lands have passed the Development Plan justification test. Submission request that consideration be given to rezoning the undeveloped lands in flood zone A and B from “new residential” to a water compatible zoning.</p>	<p>C0010</p>	<p>430 120</p>	<p>The Executive notes the issue raised which is in part seeking a change to zoning. The Planning and Development Act sets out that, at this stage in the plan making process a further modification to an amendment shall not be made where it relates to an increase in the area of land zoned for any purpose.</p> <p>In their submission the OPW states that;</p> <p><i>“The Chief Executive’s Report response to recommendations in the OPW commentary on the Draft Plan that consideration be given to rezoning lands which have failed the Plan Making Justification Test is as follows:</i></p> <p><i>“It is considered that lands should not be zoned based solely on current flood extents as this will exclude these lands from anything other than water compatible development for the lifetime of the Plan. The Flood Policies within the Written Statement and Appendix 16 SFRA allow for applications to be assessed based on the most up to date flood data available, including the results of detailed modelling in Site Specific Flood Risk assessments. It allows for applications to be assessed in light of Flood Alleviation Schemes that are completed during the lifetime of the plan. It also allows applications adjacent to watercourses, in areas that have not been previously mapped via CFRAMS or National Indicative Fluvial Mapping (NIFM), to be appropriately assessed following detailed local catchment modelling. The future Lap will also include a Flood Risk Assessment.”</i></p> <p>The OPW state in their submission that: <i>“This is not consistent with the Guidelines. If a zoning which allows for usage of a vulnerability class inappropriate to its Flood Zone (as set out in the Guidelines) cannot be justified by means of the Plan Making Justification Test, a zoning should be substituted appropriate to the level of flood risk.”</i></p> <p>The Planning Authority do not concur with the comments above that the zoning in Old Connaught is inconsistent with the guidelines. The quote above from page 786 of the Chief Executive’s Report on Draft Plan Consultation (July 2021), which is included by the OPW in</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p>their submission relates to land in Old Connaught. These lands have passed the justification test for plan making. This is clearly set out in Appendix 16 and has been carried out as required having regard to the Section 28 Guidelines. This is in accordance with the relevant legislation. The OPW submission at Draft Plan stage raised issues in relation to potential future scenarios flood extent maps for the Old Connaught area prepared under the National CFRAM Programme, which take account of climate change impacts. Proposed amendment 430 proposes inclusion of additional text to address this matter.</p> <p>It is noted that the Chief Executive’s report contained a similar response for other lands that had not passed the justification test, however, in those instances regard was had to the Section 28 guidelines in providing responses to issues raised and, in some instances, amendments have been proposed.</p> <p>In relation to Old Connaught the request to consider rezoning of the undeveloped lands in flood zone A and B from “new residential” to a water compatible zoning. The lands in question are not zoned “new residential” as stated in the submission but are zoned A1 “<i>To provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved Local Area Plans.</i>” which is very different from being zoned for “new residential”. A Local Area Plan has to be prepared for the lands and as set out in the plan making justification test for the lands contained in Appendix 16 the Local Area Plan will include an SFRA. In addition, a Local Area Plan may contain more nuanced objectives in relation to proposed land uses.</p> <p>This response has had regard to the Section 28 Guideline on flood risk, and the OPW submission.</p> <p>Recommendation. No further change to proposed amendment.</p>
<p>ii. Crinken Stream Submission notes that amendment 432 states that although the area zoned for Economic Development & Employment does not pass</p>	<p>C0010</p>	<p>432 121</p>	<p>The Executive notes the issue raised which is in part seeking a change to zoning. The Planning and Development Act sets out that, at this stage in the plan making process a further modification to an amendment shall not be made where it relates to an increase in the area of land zoned for any purpose.</p>

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<p>the Plan Making Justification test, it has retained its zoning however only water compatible uses will be permitted within Flood Zones A and B. The submission recommends substituting a zoning appropriate to the level of flood risk, or alternatively attaching a Policy Objective to the zoning to support this mitigation measure.</p>			<p>This issue was already raised in the previous submission from the OPW which was received in relation to the Draft Plan. At that time having regard to the Section 28 guidelines and also having regard to recommendation 9 in the OPR submission rezoning was considered and as set out in the Chief Executive Report it was considered that lands should not be zoned based solely on current flood extents as this will exclude these lands from anything other than water compatible development for the lifetime of the Plan. The Flood Policies within the Written Statement and Appendix 16 SFRA allow for applications to be assessed based on the most up to date flood data available, including the results of detailed modelling in Site Specific Flood Risk assessments. It allows for applications to be assessed in light of Flood Alleviation Schemes that are completed during the lifetime of the plan. It also allows applications adjacent to watercourses, in areas that have not been previously mapped via CFRAMS or National Indicative Fluvial Mapping (NIFM), to be appropriately assessed following detailed local catchment modelling.</p> <p>It was also not considered that other land use zoning objectives were appropriate in that the site in question functions as a car park associated with existing employment uses (see site marked with an x below).</p> <p>It is also noted that Section 12 (9) (c) of the Planning and Development Act (as amended) states that <i>“a further modification to the alteration…… Shall not be made where it relates to (i) an increase in the area of land zoned for any purpose”</i></p>  <p><i>Fig 1: Extract from Map 14 Flood Zone Maps</i></p>

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			<p>In response to the earlier submission of the OPW and the OPR at Draft Plan stage and having regard to the Section 28 guidelines, the OPW submissions and the OPR submission and recommendation number 9 contained therein, the following amendment number 432 was proposed</p> <p><i>“At the downstream end of the Crinken Stream there is flooding to an area zoned for Economic Development and Employment (1b) which is currently carparking. Although the zoning has been retained, redevelopment of this land for less or highly vulnerable development does not pass the Plan Making Justification Test and only water compatible uses will be permitted with Flood Zone A and B. There is also flooding to the open space area associated with Woodbrook Glen residential development (1) Figure 6-1 5-1.”</i></p> <p>Add the following text to the end of Section 6.2.8 Crinken Stream, Appendix 16: <i>“Although some minor development associated with the existing uses, including the school, may be permitted under Section 5.28 of the Planning Guidelines, it is important to ensure that there will be no significant additional number of people into flood risk areas, amongst the other requirements of Section 5.28.”</i></p> <p>It is noted that the OPW submission also puts forward an alternative to rezoning by suggesting attaching a Policy Objective to the zoning to support this mitigation measure. Whilst it is not recommended that a Policy Objective be attached to the specific zoning it is considered that the minor modifications to Policy Objective EI23 ‘Flood Risk Management’ (pg. 205, Chapter 10) as set out above which add an additional bullet point relating to overall mitigation measures contained in the SFRA and which also add a reference to the mitigation measures has addressed this request.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>iii. Deansgrange Stream Submission welcomes amendment 433 which states in relation to the Deansgrange Stream that in undeveloped lands zoned Existing Residential located within Flood Zones A and</p>	<p>C0010</p>	<p>433 122</p>	<p>The Executive notes the issue raised which is in part seeking a change to zoning. The Planning and Development Act sets out that, at this stage in the plan making process a further modification to an amendment shall not be made where it relates to an increase in the area of land zoned for any purpose</p>

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<p>B, “new highly or less vulnerable development has not passed the Plan Making Justification Test and will not be permitted”. Submission suggests consideration of rezoning or a Policy Objective attached to the zoning to support this mitigation measure. Request that the Planning Authority consider an objective to support this requirement.</p>			<p>This issue was already raised in the previous submission from the OPW which was received in relation to the Draft Plan. At that time having regard to the Section 28 guidelines, the OPW submission and the OPR submission and recommendation number 9 contained therein, rezoning was considered and as set out in the Chief Executive’s Report it was considered that lands should not be zoned based solely on current flood extents as this will exclude these lands from anything other than water compatible development for the lifetime of the Plan. The Flood Policies within the Written Statement and Appendix 16 SFRA allow for applications to be assessed based on the most up to date flood data available, including the results of detailed modelling in Site Specific Flood Risk assessments. It allows for applications to be assessed in light of Flood Alleviation Schemes that are completed during the lifetime of the plan. It also allows applications adjacent to watercourses, in areas that have not been previously mapped via CFRAMS or National Indicative Fluvial Mapping (NIFM), to be appropriately assessed following detailed local catchment modelling.</p> <p>It is also noted that Section 12 (9) (c) of the Planning and Development Act (as amended) states that “a further modification to the alteration……. Shall not be made where it relates to (i) an increase in the area of land zoned for any purpose”</p> <p>In response to the earlier submission of the OPW at Draft Plan stage and having regard to the Section 28 guidelines, the OPW submission and OPR submission and recommendation number 9 contained therein, the following amendment number 433 was proposed.</p> <p><i>“The CFRAM Study extends along the Deansgrange River and included flood relief options within the POR. The Deansgrange FRS commenced in January 2020 and construction of any cost beneficial flood alleviation works is not envisaged prior to 2024. The majority of the Flood Zones associated with the Deansgrange River (Figure 56-2) cover land zoned for water compatible open space uses (7). Areas at risk include, but are not limited to, residential areas of Little Meadow and Cabinteely Court, the rear of properties along Pottery Road near its junction with Johnstown Road, the rear of houses in Coolevin estate, the Glenavon Park residential estate, Clonkeen Park, particularly to rear of Kill of Grange School and Kilbogget Park. Within the areas of existing residential there are some undeveloped areas, including public open space which is within Flood Zones A and/or B. Although the residential zoning has been retained in this area, new highly or less</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
			<p><i>vulnerable development within Flood Zone A / B has not passed the Plan Making Justification Test and will not be permitted.</i></p> <p>It is noted that the OPW submission also puts forward an alternative to rezoning by suggesting attaching a Policy Objective to the zoning to support this mitigation measure.</p> <p>The Executive considers that there is merit in strengthening Policy Objective EI23 ‘Flood Risk Management’ (pg. 205, Chapter 10) to reference support for the mitigation measures set out in Appendix 16. This is not considered to be a material amendment as the mitigation measures are already set out in Appendix 16.</p> <p>Whilst it is not recommended that a Policy Objective be attached to the specific zoning it is considered that the minor modifications to Policy Objective EI23 which adds an additional bullet point relating to overall mitigation measures contained in the SFRA and which also adds a reference to the mitigation measures will address this request.</p> <p>Recommendation Add an additional bullet point to Policy Objective EI23 page 205 of Written Statement as follows:</p> <ul style="list-style-type: none"> • Support for mitigation measures as set out in Appendix 16 SFRA.
<p>iv. Shanganagh River Submission welcomes the clarification in amendment 435 that the area referred to as not passing criteria three of the Plan Making Justification Test is the flood relief scheme study area. Submission considers that it would be beneficial if objectives were attached to lands zoned Existing Residential located in Flood Zones A and B, to support the SFRA note that “new development within Flood Zone A and B cannot be justified and floodplain land should be retained as open space”.</p>	<p>C0010</p>	<p>435 123</p>	<p>The Executive welcomes the support for proposed amendment 435. It is not considered that there is a need to further repeat the statement that “<i>New development within Flood Zone A and B cannot be justified and floodplain land should be retained as open space</i>” by attaching it to areas zoned “existing residential”. The sentence is already set out in the section on the Shanganagh River and figure 6.3 Shanganagh River, of the SFRA clearly shows any areas where there is existing residential development. It is clear as to which areas the text applies. No further modification is considered necessary.</p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<p>v. Carrickmines Submission notes the comments that the Cherrywood Planning Scheme is made and amended under a separate process and request that if development Plan justification test have been carried out under a separate Plan consideration should be given to referencing this in the Draft Plan. Submission welcomes amendment 436 in relation to both Carrickmines Shopping Centre and Ballyogan Business Park and ask for consideration of objectives as part of the zoning for the area. Submission requests consideration of an objective in relation to area zoned 20 where the SFRA states that "Future development in this area shall be limited to Minor development, as defined in Section 4.3.1. Infill or other new development will be considered premature until the FRS is constructed. When the FRS has been completed, development may be considered subject to analysis of residual risk."</p>	C0010	436 123	<p>The Executive notes the issues raised.</p> <p>The Development Agency Project Team (DAPT) for Cherrywood have confirmed that justification was undertaken as part of the preparation of the Cherrywood Planning Scheme, and that there was consultation with the OPW. The OPW considered the mitigation measures as proposed in the Planning Scheme (flood containment zone at Priorsland) as satisfactory and overall acceptable. Given that this is a separate process it is not considered necessary to state same in the Draft County Development Plan.</p> <p>The Executive welcome the support for proposed amendment 436. In a similar vein to responses set out above, having regard to the Section 28 guidelines, it is not considered necessary to attach objectives to the zoning for the area. The proposed amendments in relation to EI 23 which is set out above is considered to cover overall mitigation measures which are set out for specific areas in Appendix 16.</p> <p>Recommendation No further change to proposed amendment.</p>
<p>vi. Rathmichael Submission suggests that consideration be given to rezoning lands in the Rathmichael area that have failed the Development Plan Justification test. Alternatively, submission suggests that consideration be given to attachment of Policy Objectives to ensure usage appropriate to the level of flood risk.</p>	C0010	428 120	<p>The Executive notes the issue raised which is in part seeking a change to zoning. The Planning and Development Act sets out that, at this stage in the plan making process a further modification to an amendment shall not be made where it relates to an increase in the area of land zoned for any purpose.</p> <p>Section 4.27 of the Section 28 Guidelines "The Planning System and Flood Risk Management" which relates to "Existing undeveloped, zoned areas at risk of flooding" suggests that planning authorities should reconsider zoning objectives on lands where flood risk is assessed to be potentially significant and following that reconsideration may decide to;</p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<ul style="list-style-type: none"> • remove existing zoning • reduce the zoned area and/or • replace the existing zoning with a zoning or a specific objective for a less vulnerable uses • prepare a Local Area Plan informed by a detailed flood risk assessment to address zoning and development issues in more detail. <p>Having regard to the Section 28 guidelines and as set out in the Plan Making Justification Test for Rathmichael contained in the SFRA (including proposed amendment no. 428).</p> <p><i>“Further development within Flood Zones A and B will be limited to Minor Development as defined in Section 4.3.1; major new development does not pass the Justification Test for Plan Making. At the upstream end of the Crinken Stream there is a plot which is currently undeveloped (5) but zoned as existing residential development. This plot is shown through the PFRA mapping to be at flood risk and ground conditions also indicate high water table / poor infiltration of surface water at this site. Risks to these lands can be further defined through site specific risk assessment as part of the LAP preparation, following the guidance within this SFRA, which should also consider the potential impact of climate change and how this may impact on land use in the future. In this area, the sequential approach should then be applied, with highly or less vulnerable development in Flood Zone A and B to be avoided”.</i></p> <p>It is considered that this text which was crafted having regard to the content of the Section 28 guidelines along with the future LAP addresses future usage of the lands and flood risk and therefore rezoning or an additional Policy Objective is not necessary. It is also noted that Section 12 (9) (c) of the Planning and Development Act (as amended) states that <i>“a further modification to the alteration……. Shall not be made where it relates to (i) an increase in the area of land zoned for any purpose”</i></p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
vii. Submission raises concerns with what are considered to be inappropriate residential zoning along Carrickmines River	C0103	436 123	<p>The Executive notes the issues raised.</p> <p>A comprehensive Strategic Flood Risk Assessment of the County has been undertaken as part of the preparation of the forthcoming Development Plan (Section 3 of Appendix 16 refers). This assessment has resulted in the appropriate designation of certain areas of the County as Flood Zone A or Flood Zone B. Amended Flood Maps 7, 9 and 10 of the Draft Plan illustrate that much of the area adjacent to Carrickmines River has been designated in Flood Zones A or B as a result of this assessment.</p> <p>A Flood Relief Scheme (FRS) was commenced in 2020 for the Carrickmines and Shanganagh Rivers. As part of the FRS, a climate change adaptation plan will be produced which will outline the process for managing flood risk into the future. Development within the Flood Scheme Study area which is also in Flood Zone A shall be limited to Minor Development, as defined in Section 4.3.1 of Appendix 16 of the Draft Plan.</p> <p>Therefore, in the absence of any evidence-based assessment to the contrary, the Executive considers that the Draft Plan contains sufficient measures to allow assessment of any proposals put forward for development.</p> <p>Recommendation No further change to proposed amendment.</p>
3.19.4 Section 5.2.1: Coastal Flooding			
i. OPW welcome the analysis of coastal risk under amendment 438 including the preparation of traffic light colour coded maps to define at risk areas. Submission considers that it would be beneficial if these maps were included for review in the consultation. Consideration might be given to incorporating at risk areas into flood zone mapping. A Policy Objective supporting the Flood Risk Assessment requirements set out in amendment 438 would also be beneficial.	C0010 C0061	438 124	<p>The Executive welcome the support for amendment 438 which deals with coastal flooding and notes the issues raised in relation to the proposed amendments in relation to coastal risk. The 14 revised Flood maps which were on display for 8 weeks as part of the amendments included the new wave overtopping layer. The traffic light colour coded maps which were inadvertently omitted from the public display were on display from the 9th December 2021 until the 17th January 2022.</p> <p>A subsequent submission was received from the OPW on the 11th January which welcomed the subsequent display of the proposed traffic light system maps. Having regard to the Section 28 guidelines and the OPW submission it is not considered that an additional Policy Objective which only relates to amendment 438 is required as the Policy</p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
Subsequent submission from the OPW on 11th January welcomed the addition of: Flood Zone images/maps appended to a larger scale and higher resolution, as per Amendment 400, the inclusion of the Coastal Flood Risk mapping in Section 6.3 of the SFRA as per Amendment 438 and the inclusion of the consolidated amended SFRA incorporating the proposed Material Amendments 0062			<p>Objectives in Chapter 10 are at the strategic level and Policy Objective EI23 'Flood Risk Management' (pg. 205, Chapter 10) already refers to the policies and objectives of Appendix 16. The section on coastal flooding in Appendix 16 already states that <i>"any flood risk assessment should take into account wave overtopping and the potential impact of climate change on sea levels. Despite a site being in Flood Zone C currently, analysis of either of these two factors may show it is not possible to provide a sustainable and long-term development as it is not possible to manage future risks from overtopping and / or climate change. In other cases, depending on the nature and design life of the development, appropriate mitigation may include additional allowances in finished floor levels, emergency planning and business continuity and recovery."</i></p> <p>Recommendation No further change to proposed amendment.</p>
ii. Submission states that they have no objection to the changes in relation to wave overtopping as it is considered by the submissions that it does not prohibit development at Bulloch Harbour but requires more detailed assessment of wave overtopping	C0069	438 124	<p>The Executive welcomes the support for proposed amendment 438.</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Dundrum MTC	C0010	The Executive notes the contents of these submissions. There is no amendment relating to these issues.

Issues	Sub. No.	Executive's Response
<p>Submission considers that the Draft Plan should include objectives to support mitigation measures as set out in the SFRA for the two sites in Dundrum that fail the Development Plan justification test.</p> <p>Submission notes the CE's response in relation to the gym sites that provision of an emergency plan is outside the remit of the Local Authority but also notes that the SFRA states that a full emergency plan should be implemented.</p>		<p>In relation to the comment on the provision of an emergency Plan for the gym site in Dundrum, whilst the SFRA states that <i>"A full emergency plan with access and egress to higher ground within the adjacent site should be implemented as a priority for the existing development, if possible"</i> the implementation of same is not the responsibility of the Local Authority and falls outside the remit of a statutory Development Plan process.</p>
<p>ii. Dundrum Slang Suggest that Policy Objectives be included into the plan to support mitigation measures for the two residential zoned areas that have retained their zonings and also for mixed town Centre zoned areas.</p>	<p>C0010</p>	<p>There is no proposed amendment relating to this issue.</p> <p>Policy Objective EI23 'Flood Risk Management' (pg. 205, Chapter 10) states as follows <i>"It is a Policy Objective to support, in cooperation with the OPW, the implementation of the EU Flood Risk Directive (2001/60/EC) on the assessment and management of flood risks, the Flood Risk Regulations (SI No 122 of 2010) and the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on 'The Planning System and Flood Risk Management' (2009) and relevant outputs of the Eastern District Catchment and Flood Risk Assessment and Management Study (ECFRAMS Study). Implementation of the above shall be via the policies and objectives of the Strategic Flood Risk Assessment set out in Appendix 16 of this Plan."</i> (Bold added for emphasis).</p> <p>The SFRA sets out the mitigation measures for the two residential zoned areas that have retained their zonings and also for mixed town Centre zoned areas. Future development in this area shall be limited to Minor Development. This is stated in Appendix 16 which forms part of the Draft Plan.</p>
<p>iii. Dodder Submission notes that the OPW submissions on the Draft Plan commented on the difference in Flood Extents between those shown in the Justification Test and those on Flood Map 1. The Chief Executive's Report has outlined the reasons for this, but there has been no alteration to correct the discrepancy.</p>	<p>C0010</p>	<p>There is no proposed amendment relating to this issue.</p> <p>These flood extents are taken from the Whitechurch study undertaken by South Dublin County Council and at the time of placing the amendments on display the information was still not available on floodinfo.ie and therefore it was not possible to update the overall flood zone maps. It is considered that at this stage to update the flood maps would be a material alteration. However, it should be noted that the Draft Plan states that <i>"Implementation of the Guidelines will include the following</i></p>

Issues	Sub. No.	Executive’s Response
		<ul style="list-style-type: none"> Any other flood risk areas that may be identified during the period of the Plan or in relation to a planning application (refer to Section 6 of Appendix 16 Strategic Flood Risk Assessment). Regard shall be had to any future flood hazard maps, flood risk maps and flood risk management plans prepared as part of the Eastern District Catchment Flood Risk Assessment and Management Study and future iterations of other similar studies of impacts of climate change.” <p>which means that the study can be taken into account when dealing with planning applications.</p> <p>It is shown in the SFRA Appendix 16 figure 6.8.</p>
<p>iv. Brooklawn Wood/Brooklawn House</p> <ul style="list-style-type: none"> The amendments to the Draft Development Plan for Dún Laoghaire-Rathdown identify a new flood risk in the area of Brooklawn Wood and Brooklawn House, off Stradbrook Rd, Blackrock (3 Pluvial Flooding risk triangles on Flood Map 2). The submitter(s) state that they are concerned about the proposed designation of Brooklawn Wood as a flood risk area and the effect on properties in the area, including insurance and sale price, as well as the flooding itself. There are growing concerns about the rising instances of flooding around both houses and in the common areas in Brooklawn Wood/Brooklawn House. The submitter(s) believe that the flood risks may be the result of the blocking of the drainage channel on the Rockville Crescent side of the boundary with Brooklawn Wood, where a former right of way previously facilitated runoff from Rockville to the park between Rockville and Stradbrook Road. The excess water would previously have drained into the green area in Rockville Crescent but now drains into the back gardens of nos. 15,16,17,18,19 & 20 Brooklawn Wood and Brooklawn house and can potentially flood those homes. 	<p>C0079 C0080 C0082 C0086 C0088</p>	<p>The Executive notes the contents of these submissions. There is no amendment relating to this issue.</p> <p>In the first instance, it should be acknowledged that there is no amendment that relates to the placement of the flood risk indicators in the Brooklawn Wood area and it is noted that these indicators were present on Flood Map 2 at Draft Plan Stage. No change has been made to the indicators on Flood Zone Map 2 at Amendment Stage. Nor is the flood risk in this area newly identified. It is noted that the flood mapping associated with the current Development Plan (2016-2022) also shows indicators in this area, which are identified as “Hotspots” on the mapping.</p> <p>Council has previously advised in response to correspondence received from a resident (2011) that it would seem that the issue of the infill works at the old laneway/right of way has had an effect on the local land drainage. However, this issue is considered to be a private matter and it is noted that the Council has no responsibility for land drainage.</p> <p>Water Services are also aware of capacity and constraint issues on these sections of the Monkstown Stream and it is considered that Brooklawn’s issues are more to do with these matters than the drainage channel referenced by submitters. The Monkstown Stream in this area is now the subject of a project for Flood Risk analysis (as part of the larger Monkstown FRMP).</p>

Issues	Sub. No.	Executive's Response
<p>There is also concern regarding the potential for flooding to damage paths, walls, drains and common areas.</p> <ul style="list-style-type: none"> • The right-of-way has been extinguished due to its gradual annexation into the rear gardens of houses in Rockville Crescent, although parts of the route still exist. The route was not being maintained by any party. • Some of the houses have filled the drainage channel with topsoil and built walls at right angles to the drainage channel. Some houses have also removed mature trees and shrubs, which formerly helped to drain the route. • The annexation of the drainage channel was not included in any of the recent planning permissions for extensions to houses in Rockville. This annexation was therefore not subjected to the rigour of SUDS sustainable drainage reports. • This issue will likely result in potential future flood-damage for residents, increased insurance costs or loss of flood insurance, and may also impact on the valuation of properties being sold. • The submitter(s) requests that the issue is investigated by Dún Laoghaire County Council in consultation with the residents in Rockville Crescent, and the drainage channel re-instated, perhaps by means of a drainage pipe or culvert following the route of the former right-of-way. 		<p>Great care is taken when placing these <i>Areas of Flood Risk Concern</i> indicators on the Flood Maps. Until the Council has the model predictions and proposed mitigation measures from the new project, this indicator cannot be removed.</p>
<p>v. Submission seeks addition of northside of Carrickmines River as a Green Corridor</p>	<p>C0103</p>	<p>The contents of this submission are noted. There is no amendment relating to the designation of a green corridor along Carrickmines River.</p> <p>It is recommended in Section 4.10 of Appendix 16 of the Draft Plan that a green corridor is maintained along all rivers and streams, where possible.</p>

3.20 Appendix 17 – Sandyford Urban Framework Plan

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
3.20.1 Section 3 Urban Form, Public Realm and Building Height			
<p>i. Requests flexibility on plot ratios in the SUFP area similar to flexibility on heights. Considers that there is a contradiction in policy as the lack of flexibility in relation to plot ratio will prevent cases being put forward for additional height. Requests that SUFP 3 Building Height in Sandyford Business District be amended</p>	C0057	451 128	<p>The Executive notes the issue raised, which is a new issue regarding plot ratio in the SUFP area.</p> <p>Proposed amendment 451 which does relate to Policy Objective SUFP 3 'Building Height in Sandyford Business District' (pg. 21) only relates to a minor typographical error. The submission states that it relates to proposed amendment 451 and is requesting a more extensive alteration to this amendment. It is noted that the report which accompanies the submission relates to a specific site at the junction located at the junction of Blackthorn Road and Blackthorn Avenue.</p> <p>The Executive would not support the proposed further alteration to proposed amendment 451 on the following grounds;</p> <ul style="list-style-type: none"> • It is not as per the legislation "minor in nature". • The flexibility in Policy Objective SUFP 3 relating to Building Height is due to SPPR 3 in the Section 28 Building Height Guidelines. There is no comparable SPPR relating to Plot Ratio. • The Executive do not agree with the argument put forward that plot ratio will prevent cases coming forward for additional height as with good design the plot ratio requirement can still be respected whilst also providing height. The overall footprint alters, but street frontage can still be provided. <p>Recommendation No further change to proposed amendment.</p>
3.20.2 Section 4 Infrastructure			
<p>i. Welcomes the retention of TAM3 in the Sandyford Urban Framework Plan (Appendix 17) which encourages the expansion of bus services within Sandyford Business District</p>	C0030	454 129	<p>The Executive welcomes the support of the retention of TAM3 which encourages the expansion of bus services within Sandyford Business.</p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment No. Pg.	Executive’s Response & Recommendation
3.20.3 Section 5 Phasing and Funding			
<p>i. Submissions:</p> <ul style="list-style-type: none"> Request omission of SLO proposed under proposed amendment 461 as consider it will constrain development in the SUFP area. Queries figure of 1500 units included in proposed amendment 461 which relates to a proposed SLO which reads as follows; <i>“No additional apartment development will be permitted that exceeds 1,500 units (cumulate total) until the planning approval process for the Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road shall be complete and planning permission granted.”</i> Assumes that the 1500 does not include existing or permitted units. Requests that development be tied to the reservoir site for amenity purposes rather than the civic park site. Suggests the amendment will add an additional burden to housing delivery in the SUFP area. Considers the policy as ambiguous and suggests it will impact the development potential of the subject lands. States that a developer should not be liable for works or a process that is not within their power to affect. Considers the 1,500 units figure as arbitrary and points to the client’s lack of 	<p>C0038 C0059 C0076 C0084 C0089 C0090</p>	<p>461 131</p>	<p>The Executive notes the issues raised in relation to proposed amendment 461.</p> <p>Proposed amendment 461 states as follows;</p> <p><i>“No additional apartment development will be permitted that exceeds 1,500 units (cumulate total) until the planning approval process for the Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road shall be complete and planning permission granted.”</i></p> <p>The remaining sites that are zoned A2 – ‘To provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity’, in the SUFP area could if developed in accordance with the policies and objectives set out in the Draft SUFP Appendix 17 (including proposed amendments) accommodate circa 1,500 units. The 1,500 figure relates only to future applications. It is recommended that a minor modification is made to the proposed SLO to clarify this matter.</p> <p>The comments in relation to progress on delivery of the Civic park are noted. The Executive would not support removal of the proposed SLO as it is considered that it would support and aid in delivery of the Park.</p> <p>Recommendation Minor modification to proposed amendment 461 as follows;</p> <p><i>“No additional apartment development will be permitted that exceeds 1,500 units (cumulate total) until the planning approval process for the Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road shall be complete and planning permission granted. The 1,500 figure relates only to future applications”</i></p>

Issues	Sub. No.	Amendment No. Pg.	Executive's Response & Recommendation
<p>influence on the planning process for the Civic Park.</p> <ul style="list-style-type: none"> Is concerned that such a policy was introduced without consideration of the consequences Considers the objective will significantly constrain future apartment development in Sandyford and may have the effect of "sterilising" suitable development lands in the SUFP area 			
3.20.4 Mapping			
<p>i. Welcomes amendment no 478 which provides for additional height on a site in Sandyford and considers that this will bring cohesion to this part of Sandyford as the height will be similar to Central Park on the opposite side of the Leopardstown Road. Gateway site will now have the potential to attract a landmark HQ development.</p>	<p>C0092</p>	<p>478 133 S306 139</p>	<p>The Executive notes the support for amendment 478 which is an amendment to allow for additional height on the Leopardstown West site (former FAAC site) on Map 3 (Building Height) of Appendix 17. The Executive did not support this proposed amendment.</p> <p>The subject site is located at one of the entry points to the SUFP area and adjacent to low density residential development. There are two different building height limits, one for 5 storeys closer to the existing residential development and one on the remainder of the site for 6 storeys. Given the site's prominent location it also has an objective for a building of notable design. The location of amendment 478 (proposed black star symbol) on map 3 to allow additional height is on the 6 storey portion of the site.</p> <p>BH5 of the Draft SUFP states as follows;</p> <p><i>"BH5 SUFP Additional height may be permitted where it can be demonstrated that additional height over the height limits identified on Map 3 accords with Policy Objective BHS1 and BHS2, of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, Appendix 5 subject to complying with the safeguards outlined in these policies as set out in Table 5.1 of the BH Strategy and any other development limits/phasing set out in the SUFP. Any application for increased height or taller buildings over and above the parameters set out in Map 3 shall be subject to assessment under Policy Objective BHS1 and BHS2 of the County Development Plan".</i></p>

Issues	Sub. No.	<u>Amendment No. Pg.</u>	Executive’s Response & Recommendation
			<p>This allows an applicant to put forward a case for increased height which can be assessed in accordance with the performance-based criteria set out in table 5.1 of Appendix 5. Proposals are, however, required to accord with the Plot Ratios set out in map 2.</p> <p>The Executive maintain their position as that set out in response to Motion 225 to the Draft Plan:</p> <p><i>“While the site may be suitable for increased height above what is stipulated in Map 3, the Executive would have a serious concern with an amendment that simply allowed additional height when there have been no criteria for the assessment of same. In contrast the detailed criteria set out in table 5.1 of the Draft BH strategy will allow a thorough and comprehensive assessment at the development management stage.”</i></p> <p>Recommendation Omit proposed amendment 478 (S306) as follows:</p> <p>Map 3 (Building Height) of Appendix 17 Sandyford Urban Framework Plan 2022-2028 to include a Black Star symbol on the Leopardstown West (former FAAC site), Burton Hall Road, to provide for “Additional heights over building limit”</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
<p>i. Observer presents a case for increased height and scale at a specific site in Sandyford Business District, namely the AIB office building at the junction of Blackthorn Road and Blackthorn Avenue.</p> <p>Broadly, submission proposes that the site in question represents an opportunity to deliver sustainable development informed by best practice urban design approaches in line with key national planning policies. Submission proposed this opportunity can be achieved through providing for increased height and scale at the site. The key arguments put forward by the observer in favour of re-designating the site for increased intensity and scale of development include:</p> <ul style="list-style-type: none"> • Site context – its strategic location, urban design of adjacent streets/sites, proximity to high frequency, high capacity public transport. • Site accessibility – with reference to public transport proximity, opportunities to provide active travel connections and enhanced permeability. • Building height – greater height should be permissible at the site, given its strategic location, urban design context and heights permissible at other comparable sites within Sandyford. • Intensity of development – a greater intensity of development should be allowed at the site, to facilitate good design response to adjoining streetscape, and 	<p>C0059 C0057</p>	<p>The Executive notes the issues raised which do not relate to the proposed amendments which were on display. Issues raised in the submission that relate to the amendments are dealt with under the heading for Appendix 17 above.</p>

Issues	Sub. No.	Executive’s Response
<p>site’s suitability for compact development form as outlined above.</p> <ul style="list-style-type: none"> • Considers that a plot ratio of 1:3 should apply to the sites bounding the LUAS line immediately south of Blackthorn Drive/Blackthorn Avenue as proposed plot ratios are too low and are contrary to the aims for compact growth and development of brownfield sites. • Site analysis – site is serviced, easily accessible, suitable for a landmark building, and would not give rise to undue environmental impacts in respect of sunlight/daylight and landscape if re-developed. 		

3.21 Strategic Environmental Assessment – Environmental Report

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. EPA seeks assurance that adequate and appropriate critical service infrastructure to sufficiently service any development proposed and/or authorized during the lifetime of the new Development Plan has either been put in place or is required to be put in place as part of the new Development Plan.	C0006	The Executive notes the issue raised, however, this submission does not relate to any specific material amendment. The Plan already includes measures that will contribute towards the adequate and appropriate critical service infrastructure to sufficiently service any development proposed and/or authorised during the lifetime of the new Development Plan.
ii. EPA seeks assurance generally that national policy guidance and legislation regarding the carrying out of SEA will be considered as appropriate and relevant to the proposed material amendments, to any future material amendments, and to the Draft Plan overall.	C0006	The Executive notes the issue raised by the EPA. The SEA will comply with the national guidelines and SEA legislation including the guidance document "SEA of Local Authority Land-Use Plans - EPA Recommendations and Resources 2021". An SEA Statement will be prepared on adoption of the Plan.
iii. EPA seeks assurance generally that the proposed material amendments will align with (and incorporate where appropriate) national and local commitments on climate change mitigation and adaptation and be consistent with higher level plans and programmes	C0006	The contents of this submission are noted. Chapter 3 of the Draft Plan sets out policy with regard to climate action including local and nation policy. The SEA ER covers climate mitigation and adaptation in Section 8.6 Interactions with Climate Mitigation and Adaptation.
iv. Submission seeks commitment to review of development pressure at Glendruid Valley.	C0103	The Executive notes the issue raised. As set out in Section 10 of the SEA Report for the Draft Plan, impacts on sites of archaeological or architectural heritage significance as a result of development pressure will be identified during monitoring of the environmental effects of the forthcoming Development Plan.

3.22 Land Use Mapping

Note: Save for those already referenced in the previous sections of this report, there were no submissions received raising issues in relation to proposed amendments listed solely on [Map 3](#), [Map 4](#), [Map 5](#), [Map 7](#), [Map 8](#), [Map 11](#), [Map 12](#) and [Map 13](#).

Were an issue below relates to a proposed amendment on more than one map, the issues will be listed and responded to under the first map and all other relevant maps will be noted.

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
3.22.1 Map 1			
i. Submission: <ul style="list-style-type: none"> • Supports the re-insertion of the tree symbol at the Our Lady's Grove site. • Raises no concerns subject to further amendments to Section 12.8.11 of the Plan. • Requests that the plan clarifies the implication of the trees and woodlands objective and that the removal of trees where this objective applies would not be considered a material contravention of the plan. 	C0026 C0046	M113	<p>The Executive notes that no objections are raised to the inclusion of objectives to protect and preserve trees at the Our Lady's Grove subject to further requested amendments.</p> <p><u>Section 12.8.11</u> 'Existing Trees and Hedgerows' (pg. 287) in the Draft Plan already states that "New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan."</p> <p>Incorporating existing trees into a proposed scheme will impact on proposed layouts. It is not considered that any further amendment is required. Decisions on whether a proposed development constitutes a material contravention of the Development Plan is a matter that is not settled by a Development Plan.</p> <p>Recommendation No further change to proposed amendment.</p>
ii. Submissions relate to the proposal to include new tree symbols at the CMH lands in Dundrum. Welcome the objective to protect and preserve trees at the CMH lands and	C0043 C0046	M106 M108 M111	<p>The Executive notes the support received for the inclusion of objectives to protect and preserve trees at the CMH lands in Dundrum.</p> <p>Recommendation</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
acknowledge the important contribution the trees make to the unique character of the landscape.			No further change to proposed amendments.
iii. Submission welcomes the proposed amendments to the extent of proposed Protected Structure at the CMH lands.	C0043	M107	<p>The Executive notes the support for the proposed amendment to the extent of proposed Protected Structure at the CMH lands.</p> <p>The Central Mental Hospital site has evolved and developed over time with a series of later additions. The original detached seventeen-bay three-storey over basement structure, was built on an elongated H-plan with single-bay (five-bay deep) three-storey gabled projecting end bays centred on three-bay, three-storey, double-pile projecting block with single-bay full height gabled breakfront. The proposed amendment depicts the footprint of the original asylum building built on an elongated H-Plan and the first period of extension ascribed to J.H. Owens (1860-3).</p> <p>Recommendation No further change to proposed amendment.</p>
iv. Submission welcomes the removal of the 'Bus Priority Route' status from Goatstown Road.	C0046	M104	<p>The Executive notes the support received for the removal of the 'Bus Priority Route' status from Goatstown Road.</p> <p>The Traffic Section re-evaluated the proposed bus priority routes following the Bus Connects Services Network Redesign and considered that bus priority routes should be omitted and instead replaced with an objective to assess the potential for bus priority measures at appropriate locations (as set out under Proposed Amendment 76).</p> <p>Recommendation No further change to proposed amendment.</p>
v. Submission welcomes the change of zoning for the site at the end of Friarsland Road from Objective 'A' to Objective 'F'.	C0046	M112	<p>The Executive notes the support for the proposed change of zoning at the subject lands which comprises a green open space serving as a recreational area for local residents.</p> <p>Recommendation No further change to proposed amendment.</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
vi. Submission welcomes the change of zoning of a site at Belfield Downs from Objective 'A' to Objective 'F'.	C0046	M114	<p>The Executive notes the support for the proposed change of zoning at Belfield Downs which comprises an incidental green open space serving as a recreational area for local residents.</p> <p>Recommendation No further change to proposed amendment.</p>
3.22.2 Map 2			
<p>i. Submission welcomes the rezoning of 'Tower Green' on Cross Avenue to objective 'A', however, it is requested that 'Clareville' be also zoned objective 'A' as:</p> <ul style="list-style-type: none"> • permission has now been granted across both site for a residential development. • the lands are under one ownership. • there is no longer any link between these lands and Blackrock College. • Consistency and clarity should be provided in relation to zoning to reflect the established permission and intended use. 	C0087	M210	<p>The Executive notes the support for the rezoning of 'Tower Green' and the request to rezone "Clareville", however, any further rezoning at this stage of the Development Plan process is precluded under the provisions of Section 12(10)(c)(i) of the Planning and Development Act, 2000 (as amended) which states:</p> <p><i>"(c) A further modification to the alteration ... (ii) shall not be made where it relates to— (i) an increase in the area of land zoned for any purpose, ..."</i></p> <p>The permission referred to in the submission, Reg. Ref. ABP-311190-21 was permitted on the 8th December 2021, which was after the preparation and issuing of the Chief Executive's Report on the Draft Plan in July 2021 and the special County Development Plan Meetings of Dún Laoghaire-Rathdown County Council held in October 2021.</p> <p>The ownership of the lands is not a consideration in the application of land use zoning objectives.</p> <p>It should be noted that 'residential' is open for consideration on lands zoned Objective 'SNI' as set out in Table 13.1.7 (pg. 306), Chapter 13 of the Draft Plan. Any future proposed development on the lands in question would be assessed through the development management process and would be subject to compliance with the requirements of Section 12.3.2.1 'Development within Sustainable Neighbourhood Infrastructure Lands.'</p> <p>Recommendation No further change to proposed amendments.</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
3.22.3 Map 6			
<p>i. Submissions:</p> <ul style="list-style-type: none"> welcome the zoning of lands to Objective 'F' – "To preserve and provide for open space with ancillary active recreational amenities" including at Marsham Court, and Dale Road. Requests M601, M602 and M603 are rezoned from 'A' to 'F', M604 is zoned 'F' and Requests M605 is rezoned from 'NC' to 'F'. Submission objects to proposed amendment M605 which seeks to change land use zoning of the subject site from 'NC – Neighbourhood Centre Facilities' to 'F – Open Space'. Suggests the amendment is <i>"based on an erroneous understanding of the use, zoning and ownership of the site"</i> and does not adhere to principles of proper planning and sustainable development. Considers the amendment unlawful. States the site has never been used as a <i>"green area"</i>, has been fenced off since at least 1989 and has been zoned for neighbourhood uses in several successive County Development Plans. Regarding separate ownership and potential ownership dispute, it is suggested the former owner of the subject site is a dissolved company which has no legal interest in the site. States the 'undersigned' is the owner of the site and is registering their ownership. 	<p>C0008 C0031 C0066</p>	<p>M601 M602 M603 M604 M605 M606</p>	<p>The Executive welcomes the support received for the inclusion of the zoning objectives for proposed amendments M601, M602, M603, M604, and M606.</p> <p>The Executive notes that submissions have been received both opposing and supporting material amendment 605, which relates to the rezoning of lands from 'NC' to 'F' at Dale Road and maintains its position as set out in response to Motion 245 during the Council meeting held on 21st October 2021.</p> <p>The lands in question are currently zoned Objective 'NC' - 'To protect, provide for and/or improve mixed-use neighbourhood centre facilities'. Policy as set out in Section 7.5.4 of the Draft Plan supports the development of neighbourhood centres with an appropriate mix of uses to serve the local population. The Executive considers that the NC zoning is appropriate and recommends not accepting the amendment to zone the area open space. The lands do not operate as open space and adjoin a neighbourhood centre.</p> <p>Ownership is not a County Development Plan issue.</p> <p>Recommendation Omit proposed amendment M605 on map 6 to retain the 'NC' zoning objective at Dale Road.</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
<ul style="list-style-type: none"> • Considers there to be sufficient, purposely laid-out open space to serve the local area in the vicinity of the subject site and suggests the re-zoning would place an undue burden on the Council in terms of the site's acquisition and maintenance. • Notes the Executive did not support the motion and requests the 'NC' zoning is retained. 			
3.22.4 Map 9			
<p>i. Submissions object to the inclusion of additional Strategic Land Reserve lands in Kiltarnan (subject of proposed amendment M911) due to a variety of reasons, including (principally) the following:</p> <ul style="list-style-type: none"> • The development of the lands in question would significantly injure the amenity of the residents of Kiltarnan, as well as the wider Dublin area. Issues in this regard include the threat posed to the continued use of the existing equestrian centre on the lands, and the commercial impact on and potential hazards to adjoining properties. • The development of these lands would lead to a multitude of significant negative impacts on the local environment, in particular in respect of biodiversity, landscape, rural heritage and transport. • The proposed amendment is inconsistent with relevant policy guidance, including 'Kiltarnan-Glenamuck Local Area Plan, 2013' (as extended), Policy Objective CS5 of the Draft Dún Laoghaire-Rathdown County 	<p>C0009 C0015 C0017 C0023 C0028 C0033 C0039 C0053 C0065 C0070 C0071 C0085 C0098</p>	<p>M911</p>	<p>The Executive notes the issues raised and considers that the lands in question should not be designated a Strategic Land Reserve.</p> <p>As set out in Section 2.3.2 'Population Projections for the Core Strategy' (pg. 23) of the Draft Plan, the population allocation and housing target for the Core Strategy already incorporates a range of modifiers including population 'headroom' which serves as a means of zoning residential land beyond the six year period of the County Development Plan. It is highlighted that the Strategic Land Reserve identified in the Draft Plan at Old Connaught North pertains to the specific circumstances relating to the allocation of additional population by the EMRA to the Key Town of Bray under NPO 68 of the NPF (see Section 2.4.5 of the Draft Plan). Any additional lands identified as a Strategic Land Reserve, outside of those at Old Connaught North, are not required.</p> <p>NPO 68 specifically requires that any phased population growth to be accommodated in the wider Metropolitan area must be in compact form, be served by high capacity public transport and/or related to significant employment provision or must be in an identified and agreed growth town in accordance with the provisions of NPO 9. The lands the subject of amendment M911 are mostly greenfield in nature. The LUAS being some 2.2km walking distance from the lands at the least. There are no significant employment nodes in the vicinity of the lands. The lands therefore could not be considered to constitute a 'Central and/or Accessible' or 'Intermediate' urban location in the context of the 'Apartment Guidelines (2020)', for example. The Planning Executive therefore</p>

Issues	Sub. No.	Amendment Nos.	Executive’s Response & Recommendation
<p>Development Plan, as well as the stated position of the Planning Executive in response to ‘Motion from the floor’ (MFF) 6, by which this amendment was proposed.</p> <ul style="list-style-type: none"> • The existing use of these lands as an equestrian centre provides a variety of benefits to the local community. • There is no requirement for additional land to be identified for residential development in the Kiltiernan/Glenamuck area. • Would lead to an unsustainable demand for school places. • Increased traffic. • Area cannot take more high density development. • “Green belt” between Kiltiernan and Stepside should be retained. • The location of the SLR lands would not accord with the core vision for SLR lands (which are intended to be located solely at a singular location on lands north of Old Connaught) as defined in the Draft Plan. • A rationale for the proposed amendment has not been provided. • The re-designation of the lands is not required, given the presence of appropriately zoned and otherwise designated lands in the local area for housing development. • The lands are not conveniently accessible by high frequency public transport, and therefore not suitable for development. 			<p>considers that the allocation of these lands within the SLR is inappropriate in the context of NPO 68.</p> <p>It is also worth highlighting that the SLR lands at Old Connaught have been subject to environmental assessment as part of the Strategic Environmental Assessment (SEA) prepared in respect of the Draft Development Plan. Reasonable and available alternative locations for the SLR were assessed in accordance with the SEA Directive. The lands in question at Kiltiernan were not included in any of the alternative locations considered as part of this assessment of alternatives. The final location of the SLR lands at Old Connaught was determined by the assessment to be most preferable on a number of fronts, and in particular those criteria identified in the NPF and RSES.</p> <p>The lands in question at Kiltiernan, if designated as a Strategic Land Reserve, would effectively amount to an accretion to already zoned residential lands which form part of the Kiltiernan-Glenamuck Local Area Plan (LAP). A Residential Development Capacity Audit was undertaken in order to inform the preparation of the Core Strategy of the Draft Plan and, as indicated in Table 2.8 of Chapter 2, there are approximately 60 hectares of zoned land in the Kiltiernan-Glenamuck Local Area Plan area, which are, or may become available, for residential development. The LAP establishes that there is capacity for the development of some 2,600 – 3,000 homes on zoned lands within the LAP. The majority of the Kiltiernan-Glenamuck LAP lands are currently undeveloped.</p> <p>Recommendation Omit proposed amendment M911 from Map 9 and remove the proposed Strategic Land Reserve at lands in Kiltiernan.</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
<ul style="list-style-type: none"> • Queries why the motion was allowed to be brought to a vote when it was opposed by the Executive. • Would require the removal of part of a wildlife corridor 			
3.22.5 <u>Map 10</u>			
<p>i. Submission does not support the re-zoning of Rathmichael from Objective 'A' to Objective 'A1'. The proposed re-zoning is not justified and premature based on an overestimation of housing need. The quantity of land re-zoned is excessive and should be reviewed.</p> <div data-bbox="255 740 685 900" style="border: 1px solid green; padding: 5px; margin: 10px 0;"> <p style="color: green; font-weight: bold;">Refer also to Section 2.1 'Overview of the Main Issues Raised and Recommendations Made by the Office of the Planning Regulator'</p> </div>	C0102	M1010	<p>The Executive does not agree with the issues raised. This issue has been already addressed in the OPR section above.</p> <p>It is recommended that lands currently zoned Objective 'A' at Rathmichael are re-zoned to Objective 'A1' – <i>'To provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved Local Area Plans'</i>. As provided under the LAP programme contained in Table 2.15 (pg. 44) of the Draft Plan, it is the intention of the Council to prepare a Local Area Plan for Rathmichael during the lifetime of the Plan. The future development of Rathmichael is contingent upon the timely delivery of supporting infrastructure and it is considered that a plan-led approach to the development of the area is of paramount importance to ensure the proper planning and sustainable development of the area.</p> <p>Furthermore, the proposed Objective 'A1' zoning comprises a key mechanism with respect to phasing of development and is recommended in response to Recommendation 3 of the Office of the Planning Regulator's submission on the Draft Plan, which pertained to the prioritisation of preferable locations. The Office of the Planning Regulator has assessed the proposal to re-zone Objective 'A' lands at Rathmichael to Objective A1' and considers it would provide for a level of prioritisation for the development of better serviced and located residential zoned lands in the County.</p> <p>With regard to the quantity of zoned land, the proposed re-zoning of lands at Rathmichael from Objective 'A' to Objective 'A1' does not comprise an increase in the quantity of land proposed to be zoned for residential use under the Core Strategy. The Core Strategy of the County Development Plan is prepared to sit firmly within the broader parameters for growth set out at a national and regional level. Under Section 10(2A) of the Planning and Development Act, 2000, (as amended) there is a statutory</p>

Issues	Sub. No.	Amendment Nos.	Executive's Response & Recommendation
			<p>requirement for the Core Strategy to demonstrate consistency with these higher level plans.</p> <p>As set out in Section 2.1.1 above, the Office of the Planning Regulator has assessed the Core Strategy, as proposed to be amended, and concluded that a reasonable basis has been set out for the quantum of zoned development land that appropriately reflects the housing target, and that the quantum of zoned land, as set out in the revised Core Strategy Table, is acceptable and reasonable.</p> <p>Recommendation No further change to proposed amendment.</p>
3.22.6 <u>Map 14</u>			
<p>i. Submissions requests that the symbol to the south of the park at Woodbrook Glen/Corke Abbey be moved to the north and west, to reflect the actual location of the trees and woodlands that will be preserved (and reinforced with additional planting) as a SHD planning permission has recently been granted by at this location (Planning Ref ABP 31181-21).</p>	C0095	M1414	<p>The Executive notes the issue raised. Notwithstanding the current grant of permission which allows for removal of some of the trees, the symbol identifying the location of the trees and woodlands is used to show where there are trees on site.</p> <p>Section 12.8.11 Existing Trees and Hedgerows of the Draft Plan states that <i>“The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.”</i> This acknowledges that such a symbol does allow for further assessment to inform decision on removal or preservation.</p> <p>For this reason and also having regard to the fact that the SHD granted may or may not be delivered the Executive would not support the further amendments sought.</p> <p>Recommendation No further change to proposed amendment.</p>

Non Amendment Issues

The following issues refer to material or subject matter that was not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022. Consequently, and in accordance with Sections 12(7) and 12(8) of the Planning and Development Act 2000 (as amended), the submissions raising these issues were summarised in full in Volume II of this Chief Executive's Report, however, they have not resulted in recommending any amendments to the Draft Plan.

Issues	Sub. No.	Executive's Response
i. Submission in relation to Our Lady's Grove reiterates the previously requested changes to zoning at this location in order to give the Council every reasonable opportunity to make a lawful plan. Submission states that, in rezoning the lands to objective 'F', that the Council did not restrict itself to considering matters listed in Section 12(11) of the Planning and Development Act with regard to the reasons cited for this change in zoning. The submission includes an analysis of open and amenity space within 2km of the site. It is noted that the subject lands do not currently offer publicly accessible open / recreational lands and that the zoning of these lands would not result in the lands being made available for use as public open space.	C0026	<p>The Executive notes the issues raised which do not relate to the proposed amendments which were on display.</p> <p>Issues raised in the submissions that relate to the amendments are dealt with in under the headings for Chapter 3, Chapter 5, Chapter 8, Chapter 9, Chapter 10, Chapter 12 and Land Use Mapping above.</p>
ii. Submission relates to the land use zoning at the Our Lady's Grove Campus Site: <ul style="list-style-type: none"> • Supports the 'F' zoning on the south western side of the site. • Supports the 'SNI' zoning on the northern half of the site. • Welcomes the continuing presence of the INST Objective. 	C0046	<p>The Executive notes the contents of the submission. There is no amendment relating to this issue.</p>
iii. Irish Water requests the zoning objective for Stillorgan Reservoir be amended from 'F' to the current use of 'Public Infrastructure and Utilities' and requests the Council establish a zoning matrix that specifically describes water supply infrastructure as being permitted in principle	C0035	<p>The Executive notes the contents of the submission. There is no amendment relating to this issue.</p>

Issues	Sub. No.	Executive's Response
iv. Submission from the Department of Education refers to a request made at Draft stage to rezone the former Irish Glass Bottle site in Goatstown from open space to SNI. The submission: <ul style="list-style-type: none"> • considers that this site failed to meet the criteria for the SNI objective on a technicality. • Welcomes that the SNI zoning may be expanded upon in future upon the delivery and/or permission granted for new facilities. • States that collaboration between the Department and the Council will be required to deliver a new school for this community. 	C0064	The Executive notes the content of the submission. There is no amendment relating to this issue, however, the Executive will continue to work with the Department of Education in the delivery of schools across the County.
v. The Green Belt at Old Connaught – identified as a Strategic Land Reserve - should be protected for the future. It materially contravenes the Development Plan with regards to biodiversity, habitats and climate change.	C0102	The Executive notes the contents of the submission. There is no amendment relating to this issue.

3.23 Other Issues

The following issues refer to other material or subject matter that was either not included in either the 'Proposed Amendments' document or the proposed mapping amendments that were placed on public display between 11th November 2021 and 17th January 2022, nor did they easily slot into any of the forgoing sections.

Issues	Sub. No.	Executive's Response
i. Dublin Airport has no comment to make in respect of the proposed material amendments to the Dún Laoghaire-Rathdown Draft County Development Plan 2022-2028, other than to recommend consultation with the IAA (Irish Aviation Authority) and the IAA-ANSP (The Irish Aviation Authority Air Navigation Services Provider).	C0004	The Executive notes the issue raised. However, there are no amendments relating to same.
ii. Submission from Gas networks Ireland have no comment to make on the Draft County Development Plan other to state that Gas Networks Ireland will continue to provide a Gas Service commensurate with the needs of the Borough.	C0005	The Executive notes the issue raised. However, there are no amendments relating to same.
iii. Submission from the Environmental Health Service (HSE) supports and agrees with amendments and considers that that the Plan will have the effect of improving health and wellbeing for the population of the County.	C0019	The Executive notes and welcomes the support provided. The submission does not refer to any specific proposed amendment.
iv. Draft Development Plan fails to comply with, have regard to or take into account the following legislation and planning policy documents: <ul style="list-style-type: none"> • Planning & Development Acts • Plans in adjoining counties (including Drafts) • DoHLGH Guidelines • Heritage Act 1995 • National Heritage Plan • RSES for Eastern & Midland Region • Development Plan Guidelines 	C0034	<p>The Executive notes the issues raised and notes that this issue was raised by the same submitter when making a submission on the Draft Plan. It was addressed comprehensively in a response set out in page 123 and 124 of the Chief Executive's Report on Draft Plan (July 2021).</p> <p>The contention that the Draft Plan does not have regard to or take into account the various listed legislation and planning policy is not accepted. In relation to the amendments, it is set out in this Chief Executive's Report any instances where the Executive consider that a proposed amendment does not comply, have regard to or take account of relevant legislative provisions and/or guidelines.</p>
v. Considers that the observer's submission made at Draft Plan consultation stage had not been adequately considered and responded to by the Planning Authority.	C0034	It is considered by the Executive that the submission made at Draft Plans stage was adequately considered and responded to by the Planning Authority as set out in the Chief Executive's Report on Draft Plan Consultation (July 2021).

Issues	Sub. No.	Executive's Response
vi. Submission seeks moratorium for schemes that are well advanced and/or registered with the planning system prior to the adoption of the new Plan, that would exempt such schemes from the new requirements of the plan.	C0050 C0101	<p>The Executive notes the issue raised.</p> <p>There are no provisions within the legislation that would allow for 'exemptions' from the requirements of the new Plan. Any proposed development will be assessed having regard to its merits and the provisions of the Development Plan in force at the time of making a decision in accordance with Section 34(2)(a) of the Planning and Development Act (as amended), which states:</p> <p><i>"(2) (a) When making its decision in relation to an application under this section, the Planning Authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to—</i></p> <p><i>(i) the provisions of the Development Plan, ..."</i></p>

Part 4: Appendices to Chief Executive's Report

Appendix 1 – Chief Executive's Errata to the Proposed Amendments / Draft Plan

Chapter / Section	Pg. No.	Errata
Chapter 1		
1.4.2	8	Add an additional line to Section 1.4.2 Appendices as follows: "The Appendices form an integral part of the overall Development Plan"
Appendix 16		
5.1.6	36	Omit additional text in proposed amendment 429: "The lands within Flood Zone A and B (even after more detailed assessment under the LAP) in Rathmichael do not pass the Justification Test and should be used for open space/amenity/water compatible uses."

Appendix 2 – Acronyms

AA:	Appropriate Assessment	EHS:	Environmental Health Service
ABP:	An Bord Pleanála	EMAQ:	Emission Monitoring and Air Quality
ABTA:	Area Based Transport Assessment	EMRA:	Eastern and Midlands Regional Assembly
ACA:	Architectural Conservation Area	EPA:	Environmental Protection Agency
ANSP:	Air Navigation Services Provider	ER:	Environmental Report
BH:	Building Height	ESB:	Electricity Supply Board
BS:	British Standard	ESP:	Electrostatic Separators
BTR:	Build-to-rent	EU:	European Union
cACA:	Candidate Architectural Conservation Area	EV:	Electric Vehicle
CAP:	Climate Action Plan	FDI:	Foreign Direct Investment
CBC:	Core Bus Corridor	FOI:	Freedom of Information
CCCAP:	Community, Cultural and Civic Action Plan	FRA:	Flood Risk Assessment
CDP:	County Development Plan	FRMP:	Flood Risk Management Plan
CE:	Chief Executive	FRS:	Flood Relief Scheme
CFRAM:	Catchment Flood Risk Assessment and Management	GB:	Greenbelt
CMH:	Central Mental Hospital	GDA:	Greater Dublin Area
CMP:	Construction Management Plan	GHG:	Greenhouse Gas
CSO:	Central Statistics Office	GI:	Green Infrastructure
DAC:	Designated Activity Company	GPS:	Global Positioning System
DAPT:	Development Agency Project Team	GSI:	Geological Survey of Ireland
DART:	Dublin Area Rapid Transit	GW:	Gigawatt
Db:	Decibel	HEPA:	High-efficiency Particulate Air
DC:	District Centre	HNDA:	Housing Need and Demand Assessment
DCC:	Dublin City Council	HQ:	Headquarters
DEBP:	Dublin Eastern Bypass	HRI:	Horse Racing Ireland
DLR:	Dún Laoghaire-Rathdown County Council	HSE:	Health Service Executive
DMURS:	Design Manual for Urban Roads and Streets	IAA:	Irish Aviation Authority
DoHLGH:	Department of Housing, Local Government and Heritage	IEHC:	High Court of Ireland Decision
DRLP:	Dundrum Retail Limited Partnership	IEI:	Institute of Engineers of Ireland
ECFRAM:	Eastern Catchment Flood Risk Assessment and Management Plan	IHBA:	Irish Home Builders' Association
EHO:	Environmental Health Officer	IPI:	Irish Planning Institute
		ISO:	International Organization for Standardization

LAP:	Local Area Plan	RPS:	Record of Protected Structures
LEV:	Low Emission Vehicle	SAC:	Special Area of Conservation
MA:	Material Amendment	SDZ:	Strategic Development Zone
MASP:	Metropolitan Area Strategic Plan	SEA:	Strategic Environmental Assessment
MFF:	Motion from the Floor	SFRA:	Strategic Flood Risk Assessment
MTC:	Major Town Centre	SHD:	Strategic Housing Development
NC:	Neighbourhood Centre	SI:	Statutory Instrument
NDP:	National Development Plan	SLO:	Specific Local Objective
NET:	Nottingham Express Transit	SLR:	Strategic Land Reserve
(p)NHA:	(proposed) Natural Heritage Area	SNI:	Sustainable Neighbourhood Infrastructure
NIFM:	National Indicative Fluvial Mapping	SPA:	Special Protection Area
NPF:	National Planning Framework	SPPR:	Specific Planning Policy Requirement
NPO:	National Policy Objective	SSFRA:	Site Specific Flood Risk Assessment
NPPF:	National Planning Policy Framework (England)	S2S:	Sutton to Sandycove Cycleway
NRA:	National Roads Authority	SuDS:	Sustainable Drainage Systems
NSO:	National Strategic Outcome	SUFP:	Sandyford Urban Framework Plan
NTA:	National Transport Authority	SWOT:	Strengths, Weaknesses, Opportunities and Threats
NZEB:	Nearly Zero Energy Building	TEN-T:	Trans-European Transport Network
OCLNRP:	Old Connaught Local Network Reinforcement Project	TII:	Transport Infrastructure Ireland
OMC:	Owners Management Company	UCD:	University College Dublin
OPR:	Office of the Planning Regulator	UK:	United Kingdom
OPW:	Office of Public Works	UN:	United Nations
PA:	Planning Authority	URDF:	Urban Regeneration and Development Fund
PBSA:	Purpose-built Student Accommodation	UV:	Ultraviolet
PDA:	Planning and Development Act	WEI:	Wind Energy Ireland
PFRA:	Preliminary Flood Risk Assessment	WHO:	World Health Organisation
PLC:	Private Limited Company		
PRS:	Private Rental Sector		
QBC:	Quality Bus Corridor		
RIAI:	Royal Institute of the Architects of Ireland		
ROW:	Right of Way		
RPO:	Regional Policy Objective		
RSES:	Regional Spatial and Economic Strategy		
RSO:	Regional Strategic Outcome		

