



# Chief Executive's Report on Proposed Amendments to Draft Plan Consultation January 2022



## Volume II



# **Draft County Development Plan 2022-2028**

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

**January 2022**

### **Volume II Summary & List of Submissions Received**

In accordance with section 12 (8) (b) (i) and 12(8) (b) (ii)(III) of the Planning and Development Act, 2000 (as amended), Volume II, Part 1 sets out a summary of all submissions and Volume II, Part 2 includes a list of persons or bodies who made submissions or observations.



**Part 1: Summary of Submissions Received**

DLR Submission No: <a href="#">C0001</a>	Person: James Fahey	Organisation: N/A	Amendment Nos: N/A	Map Nos: 6, 7
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Deansgrange LAP has expired with little of the plan delivered.</li> <li>A new plan is required to maintain a sustainable community.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 2				

DLR Submission No: <a href="#">C0002</a>	Person: James Mulcahy Symmons	Organisation: WIND Mobility LTD	Amendment Nos: 85	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>The amendments have not considered the role that e-scooters will play as a micro-mobility option.</li> <li>Road Traffic and Roads Bill 2021 due to be passed by the end of the year.</li> <li>Demand for e-scooters will increase – the council should consider infrastructure allowing for safe travel including extended segregated cycling lanes and greenways.</li> <li>Designated go-slow areas should be considered.</li> </ul>				
<b>Summary of Attachment:</b>				
<ul style="list-style-type: none"> <li>References the forthcoming Road Traffic (Amendment) (Electric Scooter Trials) Bill and suggests it would be prudent for DLR to consider the infrastructure and amenity requirements of e-scooters in the forthcoming County Development Plan (CDP).</li> <li>The subsequent section discusses the background to e-scooters/e-mobility and provides a rationale for their inclusion in the CDP: <ul style="list-style-type: none"> <li>Zero emission mobility can transform urban areas, making them greener and quieter. Planning for and investing in e-mobility as an alternative to motorised transport will lead to a net societal benefit.</li> <li>A report from the Road Safety Authority into e-scooters suggests they have great potential as innovative transport solutions.</li> <li>The Royal Society for the Prevention of Accidents' road safety factsheet suggests e-scooters can contribute towards reducing carbon emissions. Compared to traditional motorised vehicles, where one kilowatt hour of energy enables one mile of travel, e-scooters see 1 kWh provide 80 miles. Furthermore, e-scooters are more energy efficient to produce, due to their weight.</li> <li>The Royal College of Physicians estimates air pollution-related deaths cost 20 billion per year, while 80% of roadside nitrogen oxides are caused by road transport.</li> </ul> </li> <li>Key considerations for DLR: <ul style="list-style-type: none"> <li>DLR must prepare for a significant increase in e-scooter usage in advance of legislation.</li> <li>Road Usage – DLR should consider "micro-mobility infrastructure development", such as segregated lanes, that allow users to travel safely. DLR should consider "slow-go" areas that minimise the risk of accidents.</li> <li>Parking – DLR should locate e-scooter parking near existing 'city bike' locations, or plan for the introduction of new bike and e-scooter parking bays if none exist. Policies to replace car parking bays with e-scooter parking should be considered. Defined parking regulations are required to avoid e-scooter parking on paths.</li> <li>Technology – Physical and virtual maps should be developed to indicate where and at what speed e-scooters can travel. Data-sharing between e-scooter companies and road monitoring organisations should be encouraged.</li> </ul> </li> <li>Case Studies - Nottingham <ul style="list-style-type: none"> <li>WIND Mobility provides e-scooters to Nottingham City Council. To ensure smooth adaptation of e-scooters, stakeholder engagement between the Nottinghamshire Police, Trent University, University of Nottingham, NET Trams, and the local blind community took place.</li> <li>Consideration was given to where the e-scooters would be permitted to travel. Nottingham Council funded a 12-month trial where e-scooters were permitted for use in the same locations as bicycles, namely, public roads and cycle paths but not pedestrian pavements.</li> </ul> </li> </ul>				

- E-scooters are permitted for use by anyone holding a provisional UK driving licence. The e-scooters have “geo-fencing” capabilities which means the slow and come to a stop if used outside a permitted area. As such, the Council has been able to protect areas they do not want e-scooters.
- WIND provide guidelines for all e-scooter users, showing a map of where they are permitted to travel and ensures they comply with road usage requirements.
- Following the 12-month trial, Nottingham Council recorded 240,000 uses of e-scooters, 16,000 registered users and a daily average of over 1,500 users.
- Case Studies – Milan
  - WIND Mobility worked with the Italian Government and Milan Municipality to create a regulatory framework for e-scooters.
  - The Municipality established go-slow zones and digitally mapped over 350 parking bays and prohibited areas. Users are permitted to use the vehicles on roads, but not pavements, roads with trams or through tunnels.
  - The study suggests designated go-slow areas should be established to minimise road traffic accidents. Furthermore, robust safety features for e-scooters should be provided (lights, helmets and reflective devices). Go-slow speed regulations ensure greater safety and GPS tracking allows for enhanced monitoring of e-scooters.
  - Parking space allocation is worth noting. The Municipality installed 350 mandatory parking bays. This was enabled by detailed mapping and GPS technology. An extensive communication campaign ensured users were up to speed.
- Case Studies – Tel Aviv
  - WIND Mobility has worked with Tel Aviv Municipality to create a ‘last mile’ transport option for residents. Tel Aviv is the economic and cultural capital of Israel, a 24-hour city with over 500,000 thousand people, 30% of whom are between the ages 18-35.
  - E-scooters can only be parked in one of the 700 designated bays. Users can only ride in bike lanes. Over 300 ‘no-go’ areas and parking spaces were defined, preventing e-scooters being parked close to certain buildings and institutions. Specific ‘ride-through’ areas and over 30 ‘go-slow zones’ in crowded areas were defined.
  - There has been significant media coverage of the e-scooters scheme, often praising the environmental impact, although some negative coverage surrounding parking. The parking was addressed through the requirements for providers to create dedicated parking areas and share data with the city. As of January 2021, helmets are mandatory, while WIND Mobility has worked with the National Road Safety Authority to improve restrictions and safety.
  - The lack of public transport infrastructure, high numbers of tourists and stable seasonality have led people to prefer to use alternative transportation modes for daily commuting and moving through the city.
  - Traffic congestion posed a challenge for e-scooter users. A new micro-mobility plan has been developed which will add 160km of road space for micro-mobility. This would reduce road congestion, reduce road accidents and have an environmental advantage through decreasing use of high polluting vehicles. Monitoring of e-scooters through analytics software and data sharing has contributed towards improved management of fleet numbers.
- About WIND Mobility
  - WIND Mobility was founded in 2017 to provide sustainable first and last mile mobility solutions. It offers convenient, affordable access to short distance transportation in urban areas. It aims to make cities more liveable by reducing congestion, emissions and noise levels. In October 2020 over 135,000 users travelled a distance equivalent to 30 times around the world, saving CO2 equivalent to 800 flights from Paris to New York.
  - WIND operates in 25 different cities and strives to be a reliable partner for cities, users, and the service providers. It believes getting things right in each market is more important than rapid growth.
  - WIND has gained some key insights into city infrastructure planning from its extensive network.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 5

DLR Submission No: <u>C0003</u>	Person: Olga Maguire	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to proposed amendments 130 and 387</li> <li>• Query why the protection of wildlife corridor has been dropped.</li> <li>• Draft Plan undertook to identify and map wildlife corridors for inclusion on Map B1 following completion of the Biodiversity Action Plan.</li> <li>• Ecological Network and Biodiversity Map published with the Biodiversity Action Plan clearly delineates the county's wildlife corridors that could be included on map B1.</li> <li>• Submission highlights the importance of wildlife corridors for the survival of various species including badgers, hedgehogs, bats and birds and as linkages of core wildlife habitats.</li> <li>• Submission notes that wildlife corridors include watercourses, riparian habitats, hedgerows, tree lines and other associated habitats.</li> <li>• Submission notes that no negative submissions were received at Draft stage with regard to wildlife corridors</li> <li>• Submission notes COP26 agreement on measures to limit climate change and protection of natural environment.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 8, Appendix 10				

DLR Submission No: <u>C0004</u>	Person: Gary Mackin	Organisation: Dublin Airport Authority	Amendment Nos: N/A	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• 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).</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Other Issues				

DLR Submission No: <u>C0005</u>	Person: Donncha Ó Sullivan	Organisation: Gas Networks Ireland	Amendment Nos: N/A	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission includes a map of the Gas Transmission Pipelines and Gas Distribution Network in the general area of Dun Laoghaire town.</li> <li>• Gas networks Ireland consider that the general area is well served. Gas Networks Ireland have no comment to make on the Draft County Development Plan other than to state that Gas Networks Ireland will continue to provide a Gas Service commensurate with the needs of the Borough.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Other Issues				

DLR Submission No: <u>C0006</u>	Person: David Galvin	Organisation: Environmental Protection Agency	Amendment Nos: 480, 481, 482, 483	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission refers generally to the Environmental Protection Agency (EPA) guidance document 'SEA of Local Authority Land-Use Plans - EPA Recommendations and Resources' and attaches a copy of this guidance. The submission notes that the key recommendations for integrating environmental considerations into Local Authority land-use plans, as set out in this guidance document, should be considered as appropriate and relevant to the proposed amendments.</li> <li>• With regard to sustainable development, the submission notes the need to ensure adequate and appropriate critical service infrastructure has been put in place or is required to be put in place as part</li> </ul>				

<p>of the new County Development Plan, to sufficiently service any development proposed and/or authorized during the lifetime of the new County Development Plan.</p> <ul style="list-style-type: none"> <li>Notes generally that the Material Amendments to the Draft County Development Plan will need to align with national commitments on climate change mitigation and adaptation (and to incorporate any relevant recommendations in this regard).</li> <li>Notes the need to ensure the Material Amendments remain consistent with key relevant higher level plans and programmes.</li> <li>Notes generally that clear justification needs to be provided in cases where a proposed Material Amendment may result in likely significant environmental effects or may conflict with national environmental or planning policy.</li> <li>Notes that any further proposed changes to the Draft Plan would need to be screened for likely significant environmental effects, in accordance with the relevant Strategic Environmental Assessment (SEA) regulations.</li> <li>Notes generally that, once the Plan has been adopted/made, a SEA Statement should be prepared in accordance with the relevant guidance provided on the EPA website. Notes that a copy of this Statement should be sent to each environmental authority consulted during the SEA process.</li> <li>Identifies the environmental authorities who will need to be consulted with in accordance with SEA regulations.</li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Strategic Environmental Assessment</p>

DLR Submission No: <a href="#">C0007</a>	Person: Fiona Broderick	Organisation: N/A	Amendment Nos: 306	Map Nos: 10, 14
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission supports proposed amendment 306 (deletion of SLO93).</li> <li>Considers that compliance with existing standards (e.g. EPA standards) can protect ground water.</li> <li>Considers that the existing SLO is exclusionary towards young people.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14</p>				

DLR Submission No: <a href="#">C0008</a>	Person: Michael Nolan	Organisation: Marsham Court Residents' Association	Amendment Nos: M604, M605, M606	Map Nos: 6
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>The submission, on behalf of the Marsham Court Residents' Association, wishes to state its approval for the following zonings: <ul style="list-style-type: none"> <li>Zoning of lands adjacent to No. 32 Dale Road, Kilmacud;</li> <li>Zoning of green areas in Marsham Court, Kilmacud.</li> </ul> </li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping</p>				

DLR Submission No: <a href="#">C0009</a>	Person: Robert Kenny	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission raises concerns regarding proposed Amendment No. M911, which seeks to include additional lands located at Kiltarnan within the Strategic Land Reserve, as defined in the Draft Plan.</li> <li>Notes there would be significant negative impacts on the residents of Kiltarnan and on the local environment. The causes of these impacts as cited in the submission include: <ul style="list-style-type: none"> <li>Lack of infrastructure in Kiltarnan to support development of the SLR lands in question.</li> <li>The lands are of ecological value, representing "one of a few wildlife refuges left" in the area.</li> <li>Notes lands are currently in use as an equestrian centre, and there are benefits to retaining and expanding this use.</li> </ul> </li> </ul>				

- The amount of housing planned within Dún Laoghaire-Rathdown is already superfluous to the requirements for the County. Provision in the Development Plan for more land which can accommodate housing could lead to an oversupply of such land, and inefficient use of land.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Land Use Mapping

DLR Submission No: <u>C0010</u>	Person: Karen Donovan	Organisation: Office of Public works	Amendment Nos: 399, 400, 401, 405, 421, 423, 426	Map Nos: Flood maps
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**Summary of Submission / Observation:**

- 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 and specific requirements to mitigate flood risk.
- Submission refers to CE's response on justification test and specifically quotes the CE's response 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.
- 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.
- **Dundrum MTC**  
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. 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.
- **Rathmichael**  
Submission suggests that consideration be given to rezoning lands in the Rathmichael area that have failed the Development Plan Justification test. Submission suggests that consideration be given to attachment of policy objectives
- **Old Connaught**  
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.
- **Crinken Stream**  
Submission notes that amendment 432 states that although the area zoned for Economic Development & Employment does not pass 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.
- **Deansgrange Stream**  
Submission welcomes amendment 432 which states in relation to the Deansgrange Stream that in undeveloped lands zoned Existing Residential located within Flood Zones A and 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.
- **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

<p>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 <i>“new development within Flood Zone A and B cannot be justified and floodplain land should be retained as open space”</i>.</p> <ul style="list-style-type: none"> <li>• <b>Carrickmines</b> <ul style="list-style-type: none"> <li>○ Submission notes the comments that the Cherrywood Planning Scheme is made and amended under a separate process and request that if Development Plan justification tests have been carried out under a separate Plan, consideration should be given to referencing this in the Draft Plan.</li> <li>○ 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.</li> <li>○ Submission requests consideration of an objective in relation to area zoned 20 where the SFRA states that <i>“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.”</i></li> </ul> </li> <li>• <b>Dundrum Slang</b> Suggest that policy objectives be included in 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.</li> <li>• <b>Dodder</b> Submission notes that the OPW submission 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.</li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 16</p>

DLR Submission No: <u>C0011</u>	Person: Tara Spain	Organisation: TII	Amendment Nos: 287, 288, 312	Map Nos: 5, 10
<p><b>Summary of Submission / Observation:</b>                      Transport Infrastructure Ireland (TII) welcomes the Proposed Material Amendments and makes the following observations and recommendations on the Proposed Material Alterations on display:</p> <ul style="list-style-type: none"> <li>• Observation 1 refers to Material Amendment Reference 287 – proposed SLO 137 at the Central Bank Mint site. TII notes the M50 is “the most heavily trafficked road” in Ireland and forms part of the European TEN-T network, with existing access to the subject site via Junction 13.</li> <li>• TII refers to section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities which highlights the importance of junctions to the national road infrastructure network and requires development plans to account for and carefully manage this. TII notes that particular care is required in the assessment of development plan proposals that relate to development objectives or zoning of locations close to interchanges as the generation of additional traffic could impact the national road network.</li> <li>• TII suggest that any utilisation of the existing access would impact the operation and safety of the road and junction. TII advise that access to the site should instead utilise the local road network, thereby ensuring the continued functioning of the national road network.</li> <li>• TII recommends that the SLO 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.</li> <li>• Observation 2 refers to Material Amendment Reference 288 - proposed SLO 138 which also relates to the Mint site. Submission calls for particular care in the assessment of development plan proposals that may generate additional traffic that potentially impact the national road network, particularly at interchanges.</li> <li>• TII suggest that any utilisation of the existing access (Junction 13) would impact the operation and safety of the road network and instead advise that site access utilises the local road network.</li> <li>• TII recommends that the SLO 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.</li> <li>• Observation 3 refers to Material Amendment Reference SLO 150. (Material amendment 312)</li> <li>• 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.</li> </ul>				

- TII also states that any such structure would be required to meet the requirements of TII Publications DN-STR-03001 - Technical Acceptance of Road Structures on Motorways and Other National Roads,
- TII requests the observations are taken into consideration and states the Authority is available to meet the Executive of the Council to discuss any issues arising in the foregoing or other matters related to the Development Plan and national roads.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 14

DLR Submission No: <a href="#">C0012</a>	Person: Dudley Dolan	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to proposed amendments 130 and 387.</li> <li>• Considers the omission of wildlife corridors would be contrary to the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025'. Notes the new Development Plan would be in effect concurrently with the Biodiversity Action Plan.</li> <li>• Considers that Fitzsimons Wood in Sandyford is an example of an important biodiverse area, which requires a dedicated wildlife corridor to connect with Ticknock. Notes Fitzsimons Wood has been a designated pNHA for over 20 years.</li> <li>• Considers that the on-going road improvement works to Blackglen Road will sever an existing wildlife corridor which traverses this road.</li> <li>• Points to evidence of deer crossing Blackglen Road. Suggests that aforementioned road improvements could lead to increased risk of vehicular collision with deer and other animals.</li> <li>• Considers that infrastructure to effectively mitigate this risk (including green over bridges and underpasses) could feasibly be installed by Local Authority. Requests that commitments to this infrastructure are provided.</li> <li>• Requests that wildlife corridors are illustrated on Draft Plan maps.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 8 and Appendix 10				

DLR Submission No: <a href="#">C0013</a>	Person: Kevin Cullen	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to proposed amendments 130 and 387.</li> <li>• Expresses disappointment that the 11 wildlife corridors shown in the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025' are not illustrated on Supplementary Map B1 of the Draft Plan, as a result of the proposed amendments in question.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 8 and Appendix 10				

DLR Submission No: <a href="#">C0014</a>	Person: Elaine McGrath	Organisation: N/A	Amendment Nos: 266, M211	Map Nos: 2
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission refers to rezoning at the Sophie Barat site (Mount Annville, Lower Kilmacud Rd) noting that: <ul style="list-style-type: none"> <li>○ This is an entrance to Mount Annville School, attracts heavy traffic and is unmarked.</li> <li>○ There is an old garden, orchard and artisan greenhouse on site.</li> </ul> </li> <li>• The existing units on site fit nicely into the area - similar development would be supported.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14				

DLR Submission No: <u>C0015</u>	Person: Aidan Keogh	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Raises concerns with the re-designation of lands at Kiltiernan as part of the SLR, as per amendment M911.</li> <li>• Notes that this re-designation of lands would not accord with the Core Strategy of the Draft County Development Plan, or with the 'Kiltiernan / Glenamuck Local Area Plan, 2013' (as extended).</li> <li>• The observer notes the executive are also not in favour of this proposed re-designation, as expressed by the Planning Authority during a Council Meeting on the Proposed Amendments to the Draft Plan. Re-states the executive's position that there is no requirement for additional land identified for residential development in the Kiltiernan/Glenamuck area.</li> <li>• Queries whether the re-designation of the lands is being sought for the personal gain of the landowner(s).</li> <li>• Notes that the proposed amendments would conflict with the key objectives for SLR lands, as stated in Section 2.4.5 of the Draft Plan.</li> <li>• Notes that the re-designation of the Kiltiernan lands would diminish the green belt between Kiltiernan and Stepside, noting that this has been protected under the County's planning policies for many years.</li> <li>• Notes that the existing use of these lands as an equestrian centre provides a variety of benefits to the local community.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping				
DLR Submission No: <u>C0016</u>	Person: Clare Morgan	Organisation: N/A	Amendment Nos: 155, 197, 423	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission is stated to relate to amendments 155, 197 and 423.</li> <li>• Submission considers that the SuDS element still allows developers to utilize underground tanks to slow down run off.</li> <li>• 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</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12				
DLR Submission No: <u>C0017</u>	Person: Gabriela Iancu	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltiernan as part of the SLR, subject of amendment no. M911.</li> <li>• Considers the development of the lands in question would have negative traffic, ecological and landscape impacts and would lead to unsustainable demand for local primary and post-primary schools.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping.				
DLR Submission No: <u>C0018</u>	Person: Alan Whelan, O'Connor Whelan, Planning Consultants	Organisation: HSE	Amendment Nos: 353	Map Nos: 3
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to amendment no. 353 – the inclusion of a 'Gothic Red Brick and Granite Chapel' onto the Record of Protected Structures (RPS no. 2135) for the following reasons: <ul style="list-style-type: none"> <li>○ The structure was not included in the Draft Plan as a building worthy of inclusion on the RPS.</li> <li>○ The Executive's response to submission no. B1248 in the CE Report did not recommend including the structure to the RPS.</li> </ul> </li> </ul>				

<ul style="list-style-type: none"> <li>○ The response of the Executive in the CE report is stated in the submission, noting that there is a conflict between statutory timeframes under Section 12(3) of the Act – requiring 10 weeks' notice for the addition or deletion of a structure to the RPS and 12(7) of the Act - setting out the timeframes for the amendments stage of a Draft Plan.</li> <li>○ The submission refers to the legal opinion of the Council's Law Agent that an owner/occupier of a property should be afforded a 10 week notice period.</li> <li>○ The property owner in this instance was notified of the proposed inclusion to the RPS on 11<sup>th</sup> November, 2021 and only afforded 4 weeks to prepare a professional response to its inclusion which is contrary to the Law Agents opinion and advice of the Council's Executive.</li> <li>○ The owner of the property must receive a 10 week statutory notice – this has not occurred.</li> <li>○ The purpose of legislation regarding the preparation of the Development Plan is to allow all to be properly informed and consulted and enabled to make submissions if impacted by any element of the Plan – this has not occurred in this instance.</li> <li>○ The submitter would concur with the legal opinion and state that the addition of the structure onto the RPS is contrary to the legislative requirements of the Planning and Development Act, 2001, as amended.</li> <li>○ A full examination of the building was not carried out and no evidence has been presented to the owner / occupier as to why the building should be included on the RPS.</li> <li>○ Photos have been included in the submission illustrating that the structure is a relatively ordinary building both externally and internally.</li> <li>○ The proposed amendments describe the building incorrectly – the building is neither a 'church' nor a 'chapel', rather it is a primary health care centre. The description is misleading.</li> <li>○ The building is used throughout the day for medical reasons and has undergone many internal modifications to accommodate this use.</li> </ul> <ul style="list-style-type: none"> <li>● Submission concludes that the building cannot be included on the RPS as the owner has not been afforded the statutory time period to respond to its inclusion, it was not fully inspected, its description is misleading and it has been modified internally resulting in the loss of many original features.</li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 4</p>

DLR Submission No: <a href="#">C0019</a>	Person: Lisa Maguire	Organisation: Environmental Health Service (HSE)	Amendment Nos: N/A	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>● Submission states that the Environmental Health Service (EHS) of the HSE supports and agrees with the amendments and with the objectives outlined within the plan.</li> <li>● The EHS consider that the Plan will have the effect of improving health and wellbeing for the population of the County.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Other Issues</p>				

DLR Submission No: <a href="#">C0020</a>	Person: Frank Moran	Organisation: N/A	Amendment Nos: 199, 201,202, 203	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>● 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.</li> <li>● Objects to amendment 201 on same grounds as 199 – use of word “premises”.</li> <li>● In relation to amendment 202, submission considers that this section should also include dust.</li> <li>● Objects to amendment 203 as it fails to take account of an issue raised in an earlier submission on the Draft Plan received from the Mount Merrion Residents Association relating to Construction Management Plans.</li> <li>● New Development Plan should include standards for the content of CMPs.</li> </ul>				

- Considers that if the proposed Amendments to the Draft Development Plan are adopted, local residents' associations will have to request local elected Councillors to explain to local residents that there is no point in complaining to DLR about construction nuisances.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

DLR Submission No: <u>C0021</u>	Person: Graeme Morris	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
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**Summary of Submission / Observation:**

- Submission objects to proposed amendments 130 and 387.
- Notes that the inclusion of wildlife corridors on the Ecological Network Map is vitally important to the County from an ecological standpoint.
- Highlights that no objections to the inclusion of the wildlife corridors on the map were made during public consultation on the Draft Plan.
- Queries the rationale and motives for the removal of the wildlife corridors from the map.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 8 and Appendix 10

DLR Submission No: <u>C0022</u>	Person: Frank Moran	Organisation: Mount Merrion Residents Association	Amendment Nos: 199, 201, 202, 203	Map Nos: N/A
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**Summary of Submission / Observation:** (Content is same as 20 above)

- 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 an earlier submission on the Draft Plan received from the Mount Merrion Residents Association relating to Construction Management Plans.
- New Development Plan should include standards for the content of CMPs
- Considers that if the proposed Amendments to the Draft Development Plan are adopted, local residents' associations will have to request local elected Councillors to explain to local residents that there is no point in complaining to DLR about construction nuisances.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

DLR Submission No: <u>C0023</u>	Person: Ann O'Sullivan	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
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**Summary of Submission / Observation:**

- Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.
- Queries rationale for re-designation of lands in question.
- The observer notes the Planning Authority are also not in favour of this proposed re-designation, as expressed by the Planning Authority during a Council Meeting on the Proposed Amendments to the Draft Plan. Re-states the Planning Authority's position that there is no requirement for additional land identified for residential development in the Kiltarnan/Glenamuck area.
- Notes that this re-designation of lands would not accord with the 'Kiltarnan / Glenamuck Local Area Plan, 2013' (as extended), in particular as it would contribute to the northward growth of Kiltarnan.
- Notes that the re-designation of the Kiltarnan lands would diminish the green belt between Kiltarnan and Stepside, noting that this has been protected under the County's planning policies for many years.
- Notes that the existing use of these lands as an equestrian centre provides a variety of benefits to the local community.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Land Use Mapping

DLR Submission No: <u>C0024</u>	Person: Paddy O'Rourke	Organisation: Carragh Properties	Amendment Nos: 737, M119	Map Nos: 1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to No. 6 Main Street, Dundrum being included in the Dundrum Architectural Conservation Area (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 under reg. ref: 85A/1679.</li> <li>• Despite the changes over the years Dundrum has managed to retain much of its late-nineteenth century character and is deserving ACA designation, but the boundaries should be carefully selected.</li> <li>• The ACA boundary should include those properties that exhibit the character that gives the sense of place, while excluding those that are not in accordance with that character.</li> <li>• Nineteenth century buildings are included in the ACA area, with only one exception, whereas modern buildings are excluded, with the exception of No. 6. If No. 6 were to be included, then consideration should also be given to the other 20<sup>th</sup> century buildings in the area.</li> <li>• It appears that No. 6 was included within the boundary in error, based on the assumption that it dated from the late 19<sup>th</sup> century, because it fits in with the character of the street in a kind of pastiche.</li> <li>• No. 6 was constructed in the late 1980s and nothing survives of the former mid-nineteenth century building on the site.</li> <li>• The submitter provides a range of supporting documentation to support their position, including photographs, architectural drawings, and extracts from Thom's Directory.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 4				

DLR Submission No: <u>C0025</u>	Person: Ulric Kenny	Organisation: N/A	Amendment Nos: 373, M317, M703	Map Nos: 3, 7
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission offers strong support for the extension of the Marlborough Road Architectural Conservation Area to incorporate properties within Adelaide Road and Station Road.</li> <li>• Submission states that Adelaide Road, comprising of Victorian villas, is of significant historic and architectural interest that is deserving of protection.</li> <li>• Submission refers to the character of the area including granite stone boundaries and Monterey Cypress trees along the road.</li> <li>• Submission suggests that the proposed ACA boundary be extended to include 2 additional properties.</li> <li>• Submission includes a historical aerial view of the area to illustrate the character of the area.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 4				

DLR Submission No: <u>C0026</u>	Person: Sadhbh O'Connor	Organisation: Colbeam Limited	Amendment Nos: M113	Map Nos: 1
<b>Summary of Submission / Observation:</b>				
<b>Proposed Material Amendments:</b>				
<ul style="list-style-type: none"> <li>• Submission refers to lands at Our Lady's Grove, Goatstown and the proposed material amendment of the inclusion of an objective '<i>to protect and preserve Trees and Woodlands</i>' within the site.</li> <li>• Submission states that there is no difficulty with this proposed amendment, however, requests that the plan clarifies the implication of such an objective in order that they don't curtail development in Section 12.8.11 of the Draft Plan. As such, the removal of selected trees where such an objective is located should not be considered a material contravention of the Plan.</li> </ul>				
<b>Other Issues for Consideration:</b>				
<ul style="list-style-type: none"> <li>• Submission notes that the proposed amendments do not respond to the previously requested change to the Draft Plan in a submission of the 16<sup>th</sup> April 2021 – legal advice sought requires the submitter to repeat this submission to give the Council every reasonable opportunity to make a lawful plan.</li> <li>• Submission states that Section 12(10) of the Planning Act permits the Council to make further modifications in specific circumstances and must be free to make such amendments to ensure that a lawful plan is made to comply with Section 12(11) of the Act.</li> </ul>				

- Submission states that the rezoning of lands from objective 'A' to objective 'F' and objective 'SNI' is not lawful for the following reasons:
  - The Council did not restrict itself to considering matters listed in Section 12(11) of the Act – the proposed zoning change was made by motions passed on 15<sup>th</sup> December 2020, where Elected Members wrongly considered matters such as a *“dysfunctional planning legislation”* and their perception of An Bord Pleanála.
  - These assertions were not corrected when the matter was again considered during the Council meeting on 22<sup>nd</sup> October 2021 when the submission made on 16<sup>th</sup> April 2021 was considered.
  - Submission states that the assertions made are wrong in fact and not relevant considerations in law.
  - Submission states that the function of the plan making process is not to manipulate zoning decisions in order to fetter the discretion of planning authorities and the Board (i.e. restrain the outcome of applications for development).
  - It would appear that there is intent to convey a prejudgment on the part of the elected members in respect of any future material contravention application. The submission refers to the High Court judgment found in *Christian v. Dublin City Council [2012] IEHC 163* in this regard noting that part of the Dublin City Development Plan was quashed due to *“unlawful fettering of the elected members”*.
  - Submission states that the Council must be aware of planning history to lands when considering the matters of Section 12(11) in the Act and notes that there has been a material change in the planning history of the site since the submission of the 16<sup>th</sup> April, 2021.
  - The submission lists permission granted for the lands in question including for 132 residential units in 2020 (noting that this was quashed) and permission granted for 698 student bed spaces in June 2021. It is noted that an application for judicial review is pending for the latter planning application, however the Council cannot presume that this challenge would succeed.
  - The submission states that none of the motions nor the discussions at the Council meetings in December 2020 or October 2021 explain the basis for forming a different view to that of An Bord Pleanála on *“proper planning and sustainable development, statutory obligations and relevant policies or objectives”*.
  - Submission notes that the Chief Executive's Report did not support the zoning change and recommended a return of the zoning from open space (F) to residential (A), a reduction in the SNI and the omission of the 'INST' objective.
  - Submission states that *“the elected members of the Council are burdened with a special obligation to explain their decision”*, however, the fundamental departure of the Draft Plan from the recommendations of the Chief Executive's report and previous planning assessments have not been lawfully explained with regard to the proper planning and sustainable development, statutory obligations and relevant policies or objectives.
  - Submission includes a detailed analysis of public open space and amenity provision to inform the reasons why residential use should be retained and that the open space zoning is not necessary at this location (see summary of this report 'Appendix A' below).
  - The submission states that there appears to be a mistaken expectation that the open space zoning would retain the lands for that purpose.
  - Submission states that these lands currently do not provide public open space or amenity space for the local community – the permitted development would provide public open space for future residents and the local community, this will not be achieved if the lands are not developed.
  - Submission states that there would be no reason to change the land from being inaccessible to the public with the open space zoning.
  - The Council is invited to correct the Draft Plan to reinstate zoning Object A to the lands in question.

**Summary of 'Appendix A' to the submission:**

- Appendix A consists of a report – 'Public Open Space & Amenity Provision Assessment, To inform the case for 'Residential' land use zoning on lands at: Our Lady's Grove, Goatstown Road, Dublin 14.'
- This report:
  - sets out the purpose of the report, noting that assertions have been made that there is inadequate open space provision in the area,
  - establishes a study area consisting of a 2km radius of the subject lands,
  - summarises public open space and amenity within the study area,
  - gives an overview of the site location, context and history,

<ul style="list-style-type: none"> <li>○ reviews relevant planning policy and guidance,</li> <li>○ provides a population analysis of the study area,</li> <li>○ gives an overview of proposed development focusing on open space provision.</li> <li>● This report sets out usable public open space requirements having regard to national policy standards ('Sustainable Residential Developments in Urban Areas-Guidelines for Planning Authorities' (2009)) relative to the existing and projected population (to 2030) within the catchment area. The scenarios used result in a 95 – 118.8 hectares of required open space to 2030.</li> <li>● The analysis of open space and amenity space within the study area identifies 245.1 hectares of existing space serving the area – this has been illustrated on maps in the report.</li> <li>● It is noted that the analysis did not include all lands zoned as open space as not all lands are 'accessible'.</li> <li>● The report analyses accessibility to the open space identified in terms of walkability based upon a 10, 5 and 20 minute walk time and notes that the area is served by public transport offering access to public open space further afield.</li> <li>● The report refers to a 'Tree Canopy Cover in Dublin' study undertaken by UCD noting that there is a high level of green space provision in the Clonskeagh area.</li> <li>● Section 3 of the report sets out the site context noting that the subject site consists of 'privately owned scrubland with no public access'. Planning history is also detailed under section 3 of the report.</li> <li>● Section 4 of the report sets out policy context and refer to the recommendation in the CE report on the Draft Plan to rezone the lands from objective 'F' to objective 'A'.</li> <li>● Section 5 of the report provides a population profile analysis, including projections, of the study area noting that the <i>"study area has a large young population and also an ageing population"</i>.</li> <li>● Section 6 of the report sets out the most recent proposed development for the subject site consisting of student accommodation, noting that 7,956sqm or 37.5% of the site is provided as publicly accessible open space in this proposal. It is further noted that at present there is no public open space for the local community at this location.</li> <li>● The report concludes that: <ul style="list-style-type: none"> <li>○ there is a significant level of public open space and amenity space in the study area,</li> <li>○ there is no publicly accessible or amenity space on site,</li> <li>○ the proposed development provides for additional publicly accessible open space to serve the local community,</li> <li>○ there is sufficient open space and amenity space to serve both the current and projected population of the area.</li> </ul> </li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping</p>

DLR Submission No: <u>C0027</u>	Person: Kathleen Foy Newman	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>● Submission objects to proposed amendments 130 and 387.</li> <li>● Queries why the 11 wildlife corridors shown in the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025' are not illustrated on Supplementary Map B1 of the Draft Plan, as a result of the proposed amendments in question.</li> <li>● Highlights the importance of wildlife corridors from an ecological standpoint, including the significant negative ecological impacts within the local area which may result if corridors are not preserved.</li> <li>● Highlights that no objections to the inclusion of the wildlife corridors on the map were made during public consultation on the Draft Plan.</li> <li>● Queries the rationale and motives for the removal of the wildlife corridors from the map.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 8 and Appendix 10</p>				

DLR Submission No: <u>C0028</u>	Person: Pascal Cesari	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.</li> <li>• States that a largescale development has been proposed by the landowners at the lands in question. Considers this development would have profound negative impact on the amenity of local residents.</li> <li>• States that negative impacts would include: <ul style="list-style-type: none"> <li>○ Overburdening of transport/services infrastructure, which would in turn result in noise and climate impacts.</li> <li>○ Impacts on landscape and ecology (which the observer considers to be particularly valuable assets for Kiltarnan) through increased scale and intensity of development at these lands.</li> </ul> </li> <li>• Considers the residential development of the lands in question would be superfluous, given the volume of residential developments already planned for in the County.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Land Use Mapping				

DLR Submission No: <u>C0029</u>	Person: Mr. Conor Healy	Organisation: Glenveagh PLC C/o McCutcheon Halley Chartered Planning Consultants	Amendment Nos: 160, 161, 168	Map Nos: NA
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission states that Glenveagh Properties PLC is one of the largest residential developers in Ireland with a significant land holding in Dún Laoghaire-Rathdown, with an excellent track record of delivering residential schemes.</li> <li>• Submission requests that proposed amendment 160, (amendment to Section 12.3.3 'Quantitative Standards for All Residential Development' requiring build-to-rent (BTR) schemes being subject to percentage mix in units) is omitted as it is not consistent with national policy of guidelines.</li> <li>• Submission states that proposed amendment 160 is contrary to SPPR 8 in the 'Sustainable Urban Housing: Design Standards for New Apartments' Guidelines (2020), which states: <i>"(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise."</i></li> <li>• Submission requests that the text added under proposed amendment 161 (amendment to Section 12.3.3.1 'Residential Size and Mix' stating <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>) is amended to allow for more flexibility rather than have a blanket approach. A suggested revision is provided that removes the 10% and reference to 2-bed 3-person units.</li> <li>• Submission further states that the required 40% 3-bed units in Section 12.3.3.1 is not commercially viable.</li> <li>• Submission states that mix should be assessed on a case-by-case basis.</li> <li>• Submission requests that proposed amendment 168, (amendment of Section 12.3.5.3 'Internal Storage and External Storage' to include minimum <i>"external storage"</i>) is omitted as it goes beyond the storage requirements set out in the Apartment Guidelines.</li> <li>• The submission supports the principle of external storage, however, states that the proposed amendment would place an undue burden on proposed development.</li> <li>• Submission states that the proposed external storage requirements would result in ground floor space, that would be better suited to active uses, being developed as storage space.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 12				

DLR Submission No: <u>C0030</u>	Person: Colm Cummins	Organisation: Electricity Supply Board	Amendment Nos: 28, 32, 33, 34, 35, 37, 76, 193, 250, 388, M609	Map Nos: 6
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• ESB welcomes proposed amendments which aim to reinforce climate action policies and wish to highlight opportunities to further strengthen the Plan.</li> </ul>				

- The Climate Action Plan 2021 has set a target of 80% renewables by 2030 including 5GW of offshore wind energy. The ESB is committed to doing its part to realise the Government's Energy Policy and therefore supports proposed amendment 28.
- Welcomes the text change in PO CA11 (proposed amendment 32) that now includes support for onshore grid connections and reinforcements to facilitate offshore renewable energy development.
- Notes that the proposed amendment (33) sets out the Council's support for the National Marine Planning Framework.
- Proposed amendment 34 regarding Policy Objective CA14: 'Energy Storage Systems' will facilitate the delivery of technologies and systems for the control and storage of renewable energy.
- Proposed Amendment 388 (Appendix 11) which inserts additional text on offshore wind into the Wind Energy Strategy is welcomed. The Strategy 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.
- The ESB welcomes proposed amendments (35), (37), (193) & (250) aim to strengthen the existing DLR policy of promoting electric vehicle charge points.
- There has been a change in standards required for EV charging infrastructure. The EU 'Energy Performance of Buildings Directive' calls for an increase to 20% for the number of parking spaces which should have provision for electric vehicle charging infrastructure.
- Request that the standards as set out in Statutory Instrument No. 393/2021 – 'European Union (Energy Performance of Buildings) Regulations, 2021' are fully implemented and recommend that Table 1 outlining these standards should be considered for inclusion under section 12.4.11 Electrically Operated Vehicles.
- ESB supports the provision of Bus Corridors and sustainable transport initiatives.
- ESB notes the removal of the Bus Priority Route from the Proposed ESB Link Road on Map no 6 (M609) and acknowledge the objective to assess the potential for bus priority measures at appropriate locations under the BusConnects network. Welcomes the retention of Policy Objective TAM3 in the Sandyford Urban Framework Plan (Appendix 17), which encourages the expansion of bus services within Sandyford Business District.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapters 3, 12, 13, Appendix 11, Appendix 17.

DLR Submission No: <u>C0031</u>	Person: Tom Daly	Organisation: Redesdale Residents' Association	Amendment Nos: M601-M605	Map Nos: 6
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• The submission, on behalf of the Redesdale Residents' Association, makes the following observations on the proposed material observations, with reference to Map 6: <ul style="list-style-type: none"> <li>○ Requests M601, M602 and M603 are rezoned from 'A' to 'F'.</li> <li>○ Requests M604 is zoned 'F'.</li> <li>○ Requests M605 is rezoned from 'NC' to 'F'.</li> </ul> </li> <li>• As the referred to areas were open space when Redesdale Garden Estate was built in the 1950s, it is important they are retained as such.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping				

DLR Submission No: <u>C0032</u>	Person: Hughes Planning and Development Consultants	Organisation: The Marianists of Ireland	Amendment Nos: 311	Map Nos: 10
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Object to the inclusion of SLO149 at St. Laurence College, Loughlinstown.</li> <li>• The site is a privately owned school and the provision of a pedestrian walkway through the lands may have a negative impact on the operation and management of the school.</li> <li>• The proposed specific local objective has been made without discussions with the landowner.</li> <li>• The submission sets out a range of information about the school, its formation and history and enrolment status.</li> </ul>				

- The submission sets out the location of the lands as well as the submitters view that the site is in an ideal location for future residential development.
- The eastern portion of the site was previously the subject of an SHD application, which was refused by An Bord Pleanála for overdevelopment. The sale of this portion of the land would have provided the school with an endowment for its future operation and the proposed alteration could impede the provision of residential units and future sale. Consequently, the school would no longer have the means to continue to support the school's missions statement, which would be a contravention of the proposed 'SNI' zoning objective.
- A Masterplan was prepared for the landholding to accompany the SHD application which demonstrates that there would be sufficient land for the future extension or redevelopment of the school in the event that the eastern portion of the site was developed for residential use.
- The submission notes that the draft plan contained a public right of way (ROW) across the lands which was subsequently removed by way of alteration. The submitter notes the commentary in the CE report in this regard.
- Following the CE Report's recommendation to remove the ROW, SLO 149 was proposed in lieu of the ROW.
- The submission requests that SLO 149 be removed on the basis that no rationale 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, as well as loss of privacy.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 12

<b>DLR Submission No:</b> <u>C0033</u>	<b>Person:</b> Neil & Elish Tohill	<b>Organisation:</b> N/A	<b>Amendment Nos:</b> M911	<b>Map Nos:</b> 9
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**Summary of Submission / Observation:**

- Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.
- Raises concerns that allowing further development in Kiltarnan would be excessive and would overburden Kiltarnan, given the significant volume of development which has already taken place there.
- Considers that providing development access to the lands in question from the Enniskerry road would create traffic hazards and exacerbate existing traffic congestion.
- Notes potential negative ecological impacts which may arise, and which would compound previous significant impacts in the area.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Land Use Mapping

<b>DLR Submission No:</b> <u>C0034</u>	<b>Person:</b> Roger Garland	<b>Organisation:</b> Keep Ireland Open	<b>Amendment Nos:</b> 32, 33, 34, 40, 82, 83, 119, 120, 122, 123, 124, 125, 126, 129, 133, 135, 137, 138, 139, 150, 156, 157, 205	<b>Map Nos:</b> N/A
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**Summary of Submission / Observation:**

- Submission confirms support for a number of amendments, all of which broadly seek to introduce new or strengthen existing environmental protection measures. The amendments in question relate to (inter alia) commitments to renewable energy development, preservation and enhancement of natural heritage (including woodlands, hedgerows and marine habitats), preservation and enhancement of historic walking routes, commitments to sustainable transport infrastructure and facilitating public access to open spaces.
- Submission alleges generally that the Draft Development Plan fails to comply with, have regard to or take into account various legislation and planning policy documents at national, regional and local level.
- Observer generally considers that their previous submission made at Draft Plan consultation stage had not been adequately considered and responded to by the Planning Authority.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 3, Chapter 5, Chapter 8, Chapter 9, Chapter 10, Chapter 12, Other Issues

DLR Submission No: <u>C0035</u>	Person: Niamh McDonald	Organisation: Irish Water	Amendment Nos: 132, 155, 197	Map Nos: 6
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Irish Water has no objection to the proposed material amendments and welcomes the inclusion of SuDS policies and ongoing liaison with Irish Water.</li> <li>Irish Water are dissatisfied their submission to the Draft Plan relating to SLO 85 was not considered. They stress the importance of maintaining a secure site at the Stillorgan Reservoir and suggest the provision of publicly accessible open space is not compatible with this.</li> <li>Irish Water attach the original submission to the Draft Plan and state their availability to discuss this, or any other issue, with the Council.</li> </ul>				
<b>Summary of Attachment:</b>				
<ul style="list-style-type: none"> <li>The attachment is a submission made by Irish Water to the Draft Development Plan and relates to SLO 85.</li> <li>Stillorgan Reservoir has been used for public water services since the 1860s. Irish Water has a statutory obligation to provide water services for current and future populations, with additional growth in demand forecasted. As such, additional treated water storage capacity will be required at the site.</li> <li>As a site containing active water supply infrastructure, there are high pressure pipes and valves throughout. Therefore, the security of the site is vital to the protection of the existing and future public drinking water supply.</li> <li>Irish Water believe the provision of publicly accessible open space is not compatible with maintaining a secure site and requests the removal of SLO 85.</li> <li>Furthermore, 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.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 14, Land Use Mapping				

DLR Submission No: <u>C0036</u>	Person: Andrew O'Kane	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Submission objects to proposed amendments 130 and 387.</li> <li>Considers that the removal of the relevant wildlife corridor illustrations from the Draft Plan maps would lead to increased neglect of rural character.</li> <li>Requests that the Development Plan includes a commitment to wildlife corridors (as was the case with the Draft Plan), as identified in the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025'.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 8, Appendix 10				

DLR Submission No: <u>C0037</u>	Person: Naomi O'Kane	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Submission objects to proposed amendments 130 and 387.</li> <li>Considers that the removal of the relevant wildlife corridor illustrations from the Draft Plan maps would lead to increased neglect of rural character.</li> <li>Requests that the Development Plan includes a commitment to wildlife corridors (as was the case with the Draft Plan), as identified in the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025'.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 8, Appendix 10				

DLR Submission No: <u>C0038</u>	Person: John Spain	Organisation: The Corrig Partnership	Amendment Nos: 461	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Submission references a site in the SUFP area (no map has been submitted) and expresses disappointment that there is no Material Amendment relating to the site.</li> <li>Submission queries figure of 1,500 units included in MA 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></li> <li>Assumes that the 1,500 does not include existing or permitted units.</li> <li>Request omission of SLO as consider it will constrain development in the SUFP area.</li> <li>Consider that the Park will not be realised.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Appendix 17				

DLR Submission No: <u>C0039</u>	Person: Bruce & Cathriona Fitzsimons	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Objects to the re-designation of lands at Kiltiernan as part of the SLR, subject of amendment M911.</li> <li>Considers that the proposed amendment generally presents issues with regard to strategic and sustainable development.</li> <li>Queries whether sufficient and appropriate process was afforded to pass 'Motion from the floor' (MFF) 6, which resulted in the amendment in question. Notes that the lateness with which MFF 6 was proposed did not allow for a comprehensive response from the Planning Executive and appears to have resulted in confusion amongst Councillors regarding the nature of MFF 6 during the debate on the motion.</li> <li>Notes that the amendment would conflict with the stated positions of the Office of the Planning Regulator and Dun Laoghaire-Rathdown Planning Executive, and with the policy provisions of the 'Kiltiernan / Glenamuck Local Area Plan, 2013' (as extended), all of which state that volume of zoned land in Kiltiernan and the County more generally is sufficient and/or excessive in light of projected population growth. The objector considers therefore that there is no basis for this proposed amendment.</li> <li>Considers that the land in question is particularly to sensitive to landscape and ecological impacts, stating that it contains a long-established protected view of the Dublin Mountains and a wildlife corridor.</li> <li>Objector states they have observed negative impacts on wildlife in the Kiltiernan area as a result of a recent development at the Glenamuck Road.</li> <li>Considers that the lands in question should continue to be zoned and designated for Rural Amenity and Agriculture uses, noting that the existing uses are consistent with these designations.</li> <li>Emphasises the benefits of maintaining the green belt between Kiltiernan and Stepside for both the local community and the wider Dublin population.</li> <li>Notes the lands are not accessible by Luas.</li> <li>Notes the stated position of the Planning Executive that the inclusion of the lands in question within the SLR is wholly inconsistent with Policy Objective CS5 of the Draft Plan, which clarifies that the SLR is specific to the Old Connaught area.</li> <li>Highlights that the amendment in question has significant implications for the Kiltiernan LAP and the Kiltiernan area, and yet was voted in favour by the Council without adequate information having been provided and against the advice of the Executive.</li> <li>Highlights that a majority of the land in question is owned by a developer who has sought for a considerable period of time to re-zone the land.</li> <li>Queries who would benefit from the proposed amendment, noting that this is unclear in light of the foregoing points.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Land Use Mapping				

DLR Submission No: <u>C0040</u>	Person: John Spain Associates	Organisation: IPUT Plc	Amendment Nos: 160, 161, 185, 238, 300, 341, 342, 343	Map Nos: 9
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission received in relation to Quadrant 3 at Carrickmines Park refers to permission for neighbourhood centre, commercial, residential, retail warehouse, and leisure uses already granted on the site. Appendix 1 of the submission details this development along with an aerial view of the site.</li> <li>• With regard to proposed amendment 300, the submission: <ul style="list-style-type: none"> <li>○ Generally welcomes the change to SLO82, however requests that SLO82 is further amended to provide for residential development including Build to Rent (BTR) – a suggested amended wording is provided.</li> <li>○ Requests that SLO82 recognises the suitability of the location for BTR development as part of a new neighbourhood centre.</li> <li>○ Considers that the site and surrounding areas have potential to accommodate significant residential development in a compact urban form.</li> <li>○ States that higher buildings and additional residential development has been recognized within the Ballyogan and Environs LAP referring specifically to Policy BELAP RES 8 in the LAP.</li> </ul> </li> <li>• Submission notes that the inclusion of BTR within SLO82 would give rise to an amendment to the land use zoning table for Objective 'E' to add BTR as open for consideration with a footnote and that this could be incorporated as a further change to proposed amendment 238.</li> <li>• With regard to proposed amendment 160, the submission: <ul style="list-style-type: none"> <li>○ Requests that it is omitted in order to remove the mix requirement on BTR schemes.</li> <li>○ States that this amendment is inconsistent with SPPR 8 of the apartment guidelines noting that SPPR 8 clearly states that there is 'no restrictions to dwelling mix' for BTR developments.</li> <li>○ States that SPPR1 (in relation to a HNDA) does not apply to BTR – there is therefore a direct breach of SPPR8 and Section 28 of the Act by applying a restriction to mix. The Planning Authority is therefore acting ultra vires.</li> <li>○ States that the housing mix contained in Section 12.3.3.1 will reduce the supply of apartments and make such scheme less viable. It considers that the interim HNDA does not provide evidence to place such an onerous requirement and is inconsistent with the apartment guidelines, specifically SPPR1.</li> <li>○ Refers to household size as set out in the NPF and details the provisions of the apartment guidelines with regard to housing mix noting that there is a deficit of units for 1-2 person households and that household size is decreasing.</li> <li>○ Notes that the CE report recommended that Section 12.3.3.1 was amended to remove BTR from the mix requirements and notes that the Executive as failing to add this would not accord with SPPR8.</li> <li>○ Notes that further recommendations in the CE report with regard to minimum floor areas and design requirements for BTR development have not been included in the proposed amendments therefore the Draft Plan does not accord with SPPR8.</li> <li>○ Requests that amendment 160 is amended to states that this section does not apply to BTR schemes.</li> </ul> </li> <li>• With regard to unit mix and the interim HNDA in Appendix 2, the submission: <ul style="list-style-type: none"> <li>○ States that the draft HNDA fails to address the provisions of the 2020 apartment guidelines and the significant need for 1 and 2 bed apartments in the County.</li> <li>○ States that the HNDA clearly demonstrates the population profile of the County with regard to an increase in older age groups, noting a trend for "retired" households.</li> <li>○ States that the falling household size as highlighted in the interim HNDA vs the requirements of 40% 3-bed unit requirement in housing mix, would inhibit the ability of older people to "right size at the right time".</li> <li>○ States that the minimum 3-bed requirement is not supported by the HNDA for the County.</li> <li>○ States that the HNDA fails to recognize that there is a greater than average proportion of larger (than 3/4 bed) residential units in the County.</li> <li>○ Questions the assumption of the HNDA with regard to present apartment development being skewed towards the provision of 1 and 2 bed units vs the percentage of larger units in the County and an under supply for these units in the county.</li> </ul> </li> </ul>				

- States that there is a significant overprovision of units with 3 or more beds in the County.
- Notes that a CSO pilot study quoted in the HNDA did not include Dún Laoghaire-Rathdown, therefore these figures should not be relied upon.
- States that there is an absence of a clearly reasoned rationale for the inclusion of 40% 3 bedroom + units at most locations and states that targeting new development towards 3 and 4 bed units ignores the assumed average household size of 2.5 persons.
- States that the HNDA would significantly impact viability and delivery of new apartment development thereby carrying forward the ongoing housing crises to the next County Development Plan.
- States that the adopted plan should refer to the standards set out in SPPR1 of the apartment guidelines with regard to mix.
- With regard to proposed amendments 341, 342 and 343 in Appendix 2, the submission:
  - Requests that amendment 341 is omitted to ensure that the plan aligns with SPPR1 in relation to apartment mix.
  - Considers that the use of the term 'mono-typology' is incorrectly applied as studio, 1-bed and 2-bed units comprising c. 60% of the range of units expected to come forward in residential development.
  - Notes the importance of 2016 Census and CSO data with regard to 22% of the total housing stock being apartments/flats/bedsits.
  - Analyses the figures set out within the justification under amendment 341 with regard to permissions granted, completion rates and census data.
  - Notes that the implementation of the requirements of Table 12.1 would restrict and fail to meet the requirements of the evolving housing market.
  - States that it is unclear as to why older people wishing to downsize would seek 3- or 4-bed apartment units – it is considered that a 73sq.m 2-bed unit would be appropriate to accommodate downsizing.
  - Notes "crowding" identified in existing households in CSO data arising from the shortfall in new housing, specifically 1- and 2-bed dwellings.
  - States that a restriction in 1- and 2-bed units would be contrary to the NPF and Apartment Guidelines (2020).
  - Provides a comparison between household size (and type) between Ireland, the UK and EU.
  - Refers to the closure of sites due to Covid-19 and its impact on housing delivery in the short-term with potential further restrictions.
  - States that with the excellent public transport in the County, DLR is well positioned to support the delivery of units in accessible and serviced locations.
- With regard to proposed amendment 185, the submission:
  - Welcomes the update to parking requirements for supermarkets, however, requests that this amendment is altered to revise parking standards for office, café/restaurant and cinema uses in Zone 2.
  - States that a standard of 1 space per 20sq.m. would be more appropriate for these uses in Zone 2.
  - States that the strategy of reducing parking levels does not take cognizance of the reality of many shopping / leisure habits.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Chapter 14, Appendix 2

DLR Submission No: <a href="#">C0041</a>	Person: Mark Munro	Organisation: Green Property	Amendment Nos: 189-202	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>● Submission is stated to be in respect of Section 12.9 of the Draft Plan – 'Noise and Odours'.</li> <li>● Green property have over the last number of years been asked by residents, elected members and TDs to provide views and assistance in relation to control and management of noise and odours from commercial development and in particular have been asked to clarify information in relation to a property at 13 – 17 Dawson Street which was developed by Green Property.</li> <li>● Green Property wish to clarify inaccurate and incomplete information discussed at a Council meeting on 18<sup>th</sup> October 2021.</li> </ul>				

- Submission sets out details in relation to the design and planning approval process for development at 13 – 17 Dawson Street with specific emphasis on the noise and odour mitigation measures which ensured residents were not impacted by noise or odour as any noise would be inaudible outside of premises.
- Dublin City Council permitted the development with conditions attached including one relating to noise and also a condition which required the developers to carry out the development in accordance with the plans and particulars lodged which included the acoustic report.
- The submission sets out that the grant was appealed and sets out the commitment in the planning application in relation to noise mitigation which the ABP inspector noted.
- The submission considers that the resultant decision captured all of the commitments above via condition.
- Submission understands that information presented to elected members on 18<sup>th</sup> October gave the impression that ABP struck out the condition on noise and led members to understand that it was the ABP opinion that DCC had gone too far in issuing the specific condition.
- Green Property consider that ABP captured the commitment given in the application to render noise inaudible to local residents.
- Submission states that Green Property have been asked for their view of a planning condition to render a fan's noise and odour inaudible and imperceptible at the nearest sensitive location. Green property understands that some elected members have informed the opinion that such condition would be illegal as a view has been expressed that developers may take legal action against the Council if a permission was refused on the grounds that noise and odour impact on adjoining properties could not be prevented. Green property do not agree with this.
- Green property consider that it is not always necessary to have a separate condition on noise as detail may be included in the application plans and particulars.
- Submission provides detail of UK powers and guidelines in relation to noise and includes a copy planning policy on kitchen extraction and ventilation from Croydon Council.
- Submission sets out detail in relation to the UK GOV publication 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.
- Submission acknowledges that there are no equivalent Irish guidelines but considers DLR could lead and issue same.
- Submission sets out details of Green Property development relating to restaurants and takeaways and mitigation measures to deal with noise and odour issues.
- Submission states that a number of people asked Green Property to explain the difference between a noise being inaudible and imperceptible at the nearest sensitive premises and a noise being prevented. To render a fan inaudible at the nearest sensitive location does not mean that noise has to be prevented at source.

#### **Conclusion**

- Submission considers that by sharing their knowledge, all will realise that section 12.9 should be redrafted. A suggested policy is put forward: *"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."*
- Consider that the Council's environmental Health Office should also follow the UK approach.

#### **Summary of Enclosed Attachment:**

- The submission provides an enclosed attachment which is a technical document produced by Croydon Council entitled 'Planning Applications: Food and Drink Premises (A3/A4/A5) Requirements for Extraction/Ventilation Systems'.
- The guidance document begins by establishing the context for its development, which is to enable an environmental assessment of planning applications relating to food or drink premises. It then sets out how the guidance document should be used and offers an explanation as to whether all the requirements of the document are necessary for inclusion in an individual's application.
- The document continues by then outlining the best practice performance requirements for design and operation of commercial kitchen ventilation systems, providing detailed requirements and specifications for each element of such systems.
- The first element is extraction/ventilation systems and it is noted that *"natural ventilation"* is insufficient in most cases. The document advises that specialist contractors should be consulted in

order to assess specific requirements. Details on the minimum ventilation rates are provided as are details on the minimum requirements for canopy.

- The second element discussed is “ducting”, of which it is stated “*care should be taken when designing the route of ducting to avoid proximity to residential or office windows on neighboring properties*”. Furthermore, ducting should extend one meter higher than the eaves of a property and be fitted with “*anti-vibration mountings*”. Detailed minimum requirements for ductwork are provided. Detailed minimum requirements for odour control are provided.
- Filters are the third element discussed, with five sub-sections offering further detail on specific type of filtering systems/requirements. Details on grease filters are provided. Details on carbon and pre-filters, which are considered essential when preparing food with strong odours, are provided. Details on electrostatic precipitation, which are used to separate solid or liquid particles from ventilation air, are provided. Details on in-line oxidation systems, also used to treat odour emissions, are provided. Details on odour neutralizing and counteracting agents are provided and it is stated that as such systems do not remove the odour, the perceptible level of odour removal is likely to be negligible. Finally, details on the minimum requirements for odour control are provided.
- The next element discussed are fans, for which it is stated ventilation contractors will be required to determine the size of fan needed. It is also stated that fans should be located inside the building whenever possible, to minimize noise and vibration. If a fan must be located externally, the Council will require details of the noise level. Specific details on the minimum requirements for fans are outlined. Details on the minimum requirements for noise control are outlined.
- The final element discussed is maintenance of ventilation systems. It is considered that good maintenance is a prerequisite for ensuring systems comply with statutory provisions and best practice. Recommendations for cleaning intervals and the maintenance of odour control systems are outlined.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

<b>DLR Submission No:</b> <a href="#">C0042</a>	<b>Person:</b> Geological Survey Ireland	<b>Organisation:</b> Department of Environment, Climate and Communications	<b>Amendment Nos:</b> 124, 208, 410	<b>Map Nos:</b> N/A
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**Summary of Submission / Observation:**

Geological Survey Ireland (GSI) make the following comments:

- GSI commend the inclusion of geological sites in Section 8.6, Policy Objective GIB14.
- GSI welcome Section 12.10.3 ‘Waste Water Treatment Systems’ and the recommendation of new guidelines and hydrological assessments for new developments in areas of high to extreme groundwater vulnerability in 12.10.3.1. GSI also welcome the inclusion of ‘Single dwelling domestic’ and ‘Non-domestic’ wastewater treatment systems in 12.10.2.2.
- GSI commends the use of their Groundwater Map Viewer in Section 3.3.6 ‘Groundwater Flooding’ of Appendix 16.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 8, Chapter 12, Appendix 16

<b>DLR Submission No:</b> <a href="#">C0043</a>	<b>Person:</b> Ciara Slattery	<b>Organisation:</b> Land Development Agency	<b>Amendment Nos:</b> 212, 261 & 262 M106, M107, M108, M109, M110, M111	<b>Map No:</b> 1
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**Summary of Submission / Observation:**

- Submission generally welcomes the Proposed Amendments to the Draft Plan and particularly the commitment to further implement the objectives of national and regional policy and guidance and support the optimal redevelopment of the Central Mental Hospital (CMH) lands at Dundrum.
- Specific Local Objective 113:
  - Notes there is no proposed amendment to SLO 113 - located at the southern part of the CMH lands and the northern part of Rosemount Green.

- Continues to welcome the SLO and considers that the redevelopment of the CMH lands provides a significant opportunity to deliver new community facilities and infrastructure for both existing and future residents.
- Specific Local Objective 122 (Proposed Amendments 212, 261 and M109):
  - Welcomes the inclusion of SLO 122 and the amendment to the quantum of office floorspace ‘open for consideration’ at the CMH lands. Considers the SLO provides sufficient flexibility to ensure both the optimal redevelopment of the lands and the sensitive adaptive re-use of the main existing buildings which are proposed Protected Structures.
- Specific Local Objective 123 (Proposed Amendments 262 and M110):
  - Welcomes the designation of the CMH lands as a Strategic Regeneration Site and recognises the importance of providing a balance in terms of housing tenure and unit mix.
  - Considers 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.
  - Notes that the Masterplan proposal for the CMH lands responds to the undersupply of other housing types in the area, including units suited to smaller households, and provides the housing needed to deliver mix and balance both within the site and the surrounding area.
- Trees and Woodlands (Proposed Amendments M106, M108 and M111):
  - Notes the proposal to include three new tree symbols at the CMH lands.
  - Welcomes the objective to protect and preserve trees at the CMH lands and acknowledges the important contribution the trees make to the unique character of the landscape.
- Built Heritage and Proposed Protected Structures (Proposed Amendment M107):
  - Welcomes the proposed amendments to Map No. 1 and the changes to the extent of proposed Protected Structure at the CMH lands.
- Dual Aspect Apartments:
  - Recommends the Draft Plan be amended in order 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 for within the national apartment guidelines in relation to design standards, such as dual aspect ratios, can facilitate the achievement of wider placemaking aspirations, resulting in a higher overall standard of development.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Chapter 13, Chapter 14, Land Use Mapping

<b>DLR Submission No: C0044</b>	<b>Person: John Spain Associates on behalf of Anthony and Mary Collins</b>	<b>Organisation: N/A</b>	<b>Amendment Nos: 255</b>	<b>Map Nos: 1</b>
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**Summary of Submission / Observation:**

- Sets out that previous submission was made in relation to Drommartin Lodge and SLO4, with regard to the Dublin Eastern Bypass requesting its omission.
- Notes proposed amendment 255 and notes that the NTA’s Draft ‘Transportation Strategy for the Greater Dublin Area, 2022-2042’ proposes to omit the strategy entirely.
- Requests that Proposed Material Amendment 255 is modified to firstly acknowledge the omission of the Eastern By-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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

DLR Submission No: <u>C0045</u>	Person: Brendan Buck	Organisation: Ardilea Residents Association	Amendment Nos: 191, 255, 469	Map Nos: 1
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission notes that the Draft 'Greater Dublin Area Transport Strategy, 2022-2042' identified that the Dublin Eastern Bypass scheme is no longer required to be developed. Accordingly, it is not intended to progress this project as part of the 2022-2042 Transport Strategy. The NTA is to 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 is being retained. Hence, the Strategic Road reservation remains in the DLR Draft Plan. The concern is that this will lead to further years of uncertainty as to the future use of reservation.</li> <li>The submission supports the removal of the 'Strategic Road Reservation' from all DLR Development Plans when and if this can be achieved. It requests that greater clarity be given in the plan, that no road will ever be built within the 'Strategic Road Reservation'. Requests that the plan clarify the potential use of the 'Strategic Road Reservation' be clearer as to what specific "public transport provision" means, The NTA refers to how the corridor should be retained in case it is needed for "sustainable transport modes", but it does not define these modes. It is acknowledged how Ardilea is not well serviced for public transport and a future extension of the Luas / tram lines to the area would likely receive community support subject to a review of detailed proposals. Regarding the short term uses of this designated land, the Residents Association would welcome any proposal for these lands to be used for amateur playing pitches, recreational facilities, 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.</li> <li>The submission is generally understanding and supportive of the Draft Plan regarding the DEBP proposed amendment nos. 191, 255, and 469.</li> <li>Regarding proposed amendment no. 191, 255 and 469, greater clarity should be provided around the future of the Eastern Bypass 'Strategic Road Reservation'. Support any application for the temporary use of these lands for, inter alia, amateur playing pitches, recreational facilities, cycle lanes/pathways, etc. recommends adding a specific section setting out what land uses will be welcomed and how applicants should go about proposing such temporary land uses. These lands, if not required for the DEBP offer substantial opportunities for improving the amenities available in this area for members of the Residents' Association and they request that they are formally consulted on any future permanent land uses that are to be permitted therein.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapters 12</p>				

DLR Submission No: <u>C0046</u>	Person: Una O'Shea	Organisation: Roebuck Residents' Association	Amendment Nos: 52, 66, 114, 153, 157, 174, 259, 262 & 338, M104, M106, M108, M111, M112, M113, M114, M117, M121	Map Nos: 1
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Public Open Space – INST (Proposed Amendments 52 and 174): <ul style="list-style-type: none"> <li>Supports the retention of 25% public open space for Institutional sites and welcomes the clarification of the open space as "accessible public open space".</li> </ul> </li> <li>Policy Objective PHP38: 'Community-led Village Design Statements' (Proposed Amendment 66) <ul style="list-style-type: none"> <li>Welcomes this new Policy Objective that 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.</li> </ul> </li> <li>Proposed Amendment 114: <ul style="list-style-type: none"> <li>Welcomes the text change set out in Proposed Amendment 114 from "will likely" to "may".</li> <li>Submission favours cycling/walking permeability through the Central Mental Hospital lands at Dundrum and strongly opposes the addition of vehicle entry/exit points at the playing fields at Rosemount.</li> </ul> </li> <li>Proposed Amendment 153:</li> </ul>				

<ul style="list-style-type: none"> <li>○ Welcomes the proposed addition of new text relating to Passive or Net Zero Carbon design standards in Section 12.2.1 'Built Environment'.</li> <li>○ Requests the wording is strengthened above to <i>"support and encourage"</i> and that focus should be applied in particular to high rise buildings.</li> <li>● Development within Sustainable Neighbourhood Infrastructure Lands (Proposed Amendment 157): <ul style="list-style-type: none"> <li>○ Submission welcomes the updated definition of SNI lands.</li> </ul> </li> <li>● Specific Local Objective 120 (Proposed Amendment 259 and M121): <ul style="list-style-type: none"> <li>○ Submission welcomes the inclusion of SLO 120 at the Goat site, Goatstown.</li> </ul> </li> <li>● Specific Local Objective 123 (Proposed Amendment 262 and M117): <ul style="list-style-type: none"> <li>○ Submission welcomes the inclusion of SLO 123 for the Central Mental Hospital site and the Dundrum old shopping centre site.</li> </ul> </li> <li>● Part V (Proposed Amendment 338): <ul style="list-style-type: none"> <li>○ Highlights concerns that Part V for student accommodation is further restricted by including, in addition to campus accommodation, PBSA under Section 50 of the Finance Act 1999.</li> <li>○ Notes that, in the context of the increase in Part V from 10% to 20% in the Draft Plan, it means that developers of student accommodation are exempt from Part V, at enormous loss to Local Authorities and a revenue contribution to Social Housing.</li> </ul> </li> <li>● Land Use Map No. 1 – Our Lady's Grove Campus Site: <ul style="list-style-type: none"> <li>○ Supports the 'F' zoning on the south western side of the site.</li> <li>○ Supports the 'SNI' zoning on the northern half of the site.</li> <li>○ Welcomes the continuing presence of the INST Objective.</li> </ul> </li> <li>● Land Use Map No. 1 (Proposed Amendment M113): <ul style="list-style-type: none"> <li>○ Supports the re-insertion of the tree symbol at the Our Lady's Grove site.</li> </ul> </li> <li>● Land Use Map No. 1 (Proposed Amendments M106, M108 and M111): <ul style="list-style-type: none"> <li>○ Welcomes the addition of three tree symbols at the Central Mental Hospital site.</li> </ul> </li> <li>● Land Use Map No. 1 (Proposed Amendments M112 and M114): <ul style="list-style-type: none"> <li>○ Welcomes the change of zoning for the sites at the end of Friarsland Road, and in Belfield Downs, to 'F' zoning.</li> </ul> </li> <li>● Land Use Map No. 1 - Bus Priority Route – Goatstown Road (Proposed Amendment M104): <ul style="list-style-type: none"> <li>○ Welcomes the removal of the 'Bus Priority Route' status from Goatstown Road.</li> </ul> </li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapters 4, 7, 12, 14, Appendix 2 and Land Use Mapping</p>

DLR Submission No: <u>C0047</u>	Person: Proinsias Mac Fhlannchadha	Organisation: N/A	Amendment Nos: 27, 28, 34, 71-76	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>● 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.</li> <li>● 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.</li> <li>● Amendment 75 - 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.</li> <li>● Amendment 76 - There is no reference to an "S5" orbital bus route along the R112 (Walkinstown Avenue-Dundrum) to be added to the New Dublin Bus Area Network as part of the BusConnects Network Redesign. This new "S5" route has the potential to unlock modes of transport not available to the majority of South Dublin residents at present. Requests that there is an SLO to investigate the feasibility of developing such a bus route.</li> <li>● Appended is the Government of Ireland 'Climate Action Plan, 2021'.</li> <li>● Appended are route maps of the "S5" bus route proposed in this submission.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 3, Chapter 5, Chapter 12</p>				

DLR Submission No: <u>C0048</u>	Person: David O'Brien	Organisation: N/A	Amendment Nos: 373, M317, M703	Map Nos: 3, 7
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Submission offers strong support for the extension of the Marlborough Road Architectural Conservation Area to incorporate properties within Adelaide Road and Station Road.</li> <li>Submission states that Adelaide Road, is a fine Victorian road with significant historic and architectural interest deserving of protection.</li> <li>An extension of the ACA boundary would be supported to incorporate both sides of Adelaide Road.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Appendix 4				

DLR Submission No: <u>C0049</u>	Person: John Spain Associates	Organisation: The Congregation of Christian Brothers	Amendment Nos: 157, 195	Map Nos: 7
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Submission relates to proposed amendment 157 which amends the wording of Section 12.3.2.1 'Development within Sustainable Neighbourhood Infrastructure Lands', specifically in relation to lands at Clonkeen College.</li> <li>Submission details the amended wording in Section 12.3.2.1 which alters the criteria for development on lands zoned objective 'SNI' or that contains SLOs 10 or 22.</li> <li>The submission details the land holding at Clonkeen College noting that the lands have been subdivided and are under two separate ownerships - Edmund Rice Schools Trust and the Congregation of Christian Brothers that is contracted to sell to Clonkeen Investments DAC.</li> <li>It is noted that an application for a Strategic Housing Development has been lodged on the portion for the 3.3 hectares of land that is owned by the contracted to sell (An Bord Pleanála Ref: 311329-21).</li> <li>It is noted that an area of land has been donated to the school to serve as outdoor playing space.</li> <li>Submission notes that funding for the new pitches to serve the school will be provided by the Christian Brothers upon the sale of the lands.</li> <li>Submission notes that the lands are currently zoned objective 'A' in the 2016 Plan.</li> <li>Submission requests that amendment 157 is further amended to: <ul style="list-style-type: none"> <li>Include the following text at the end of paragraph 1: <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></li> <li>Include 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></li> </ul> </li> <li>Submission considers that the requested further amendments are considered appropriate as they allow the new plan to have regard to differing circumstances such as landholding / ownership. It is noted that the Draft Plan does not acknowledge that not all lands at Clonkeen College are associated with the school and are not required to serve their existing or future needs.</li> <li>Submission notes that lands at Clonkeen are infill in nature and appropriate for residential development.</li> <li>Submission notes an associated amendment to Table 12.8 that alters the open space requirement for SNI zoned lands to 20% (proposed amendment 195).</li> <li>Appendix 1 of the submission details the lands at Clonkeen further with regard to the SHD application, ownership, improvements of playing pitches for the school, location and context of the site relative to Deansgrange, existing facilities and public transport. A map identifying the site is provided in Appendix 1.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 12				

DLR Submission No: <u>C0050</u>	Person: Stephen Little & Associates	Organisation: Quintain Developments Ireland Ltd	Amendment Nos: 160, 341	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission refers to the submission made by Quintain on 16/4/2021 to the Draft Plan and regrets that the Council did not heed the concerns raised within said submission.</li> <li>• Submission provides a history of Quintain Ltd and provides details of its existing portfolio in London and Dublin, noting that they are the third largest residential mixed-use developer in the country. It is noted that schemes delivered, commenced and planned provide for both residential and a range of facilities such as retail, schools, civic buildings and amenity space.</li> <li>• Submission notes the investment of Quintain in Cherrywood in relation to increased demand for housing noting the 9-12 month design timeframe prior to lodging applications.</li> <li>• Submission sets out details of schemes commenced and planned within Cherrywood citing that between 2,700-3,700 new homes would be delivered by Quintain within Cherrywood.</li> <li>• Submission notes that Quintain are seeking to expand their portfolio in Dún Laoghaire, however uncertainty caused by changing standards area of serious concern in this regard.</li> <li>• Submission requests the Council to consider an objective for a moratorium for schemes that are well advanced and/ or will be registered in the planning system prior to the adoption of the new Plan, to exempt such schemes from the new requirements of the plan.</li> <li>• Submission notes the significant cost and time implications for advanced schemes and a delay in the delivery of housing should such an exemption not apply.</li> <li>• Submission strongly opposes the introduction of Table 12.1 (Chapter 12) and raises serious concerns with regard to the proposal for 40% 3-bed units in new large scale developments, including within BTR schemes for the following reasons: <ul style="list-style-type: none"> <li>○ It is noted that there is limited demand for 3-bed units - evidence points towards demand in 1 and 2-bed units.</li> <li>○ This requirement is at odds with national planning policy to increase residential density and provide 1 and 2 bed apartments as per SPPR1 of the apartment guidelines.</li> <li>○ Reference is made to the NPF and a number of NPOs (particularly NPO 35) that refers to falling household sizes and apartments becoming a more prevalent form of housing in cities. It is noted that mandatory requirements would lead to greater pressure on the challenges around economics of apartment development that is acknowledged in the NPF.</li> <li>○ The amended HNDA in appendix 2 does not provide a basis that supports this requirement.</li> <li>○ A mandatory 40% 3-bed unit requirement does not take account of the location of an apartment development which may be within an area that has or is intended to have a wider range of dwelling types and unit mix.</li> <li>○ A blanket approach across the county introduces risks of units not being sold / remaining empty after completion, poses viability issues for developers and affordability issues for prospective buyers.</li> <li>○ Will impact upon the delivery of a more compact urban development in Dún Laoghaire-Rathdown and could lead to sprawl.</li> </ul> </li> <li>• Submission is opposed to the amendment to Section 12.3.3 – <i>“That the requirement for certain percentages of 3-bed units in apartments shall apply to Build to Rent developments to accord with the mix on page 233”</i> – The submission: <ul style="list-style-type: none"> <li>○ Requests that this amendment is deleted as this is contrary to the SPPR in relation to Build to Rent (BTR) of the apartment guidelines.</li> <li>○ Refers to the statutory obligations of the Planning Authority under S.10(1A) of the Planning Act that being to ensure that a development plan is consistent with Specific Planning Policy Requirements (SPPRs).</li> <li>○ Sets out SPPR 7 of the apartment guidelines highlighting that part <i>“(i)”</i> states that there shall be <i>“no restriction on dwelling mix”</i> in relation to build to rent developments.</li> <li>○ The requirement to provide 40% 3-bed units in BTR schemes is contrary to both SPPR 8 and the obligations of the Act.</li> </ul> </li> <li>• Submission sets out the provisions of S.34(2)(ba) of the Act which states: <i>“Where specific planning policy requirements of guidelines referred to in subsection (2)(aa) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply</i></li> </ul>				

*instead of the provisions of the development plan.”* In this regard the amendment is considered futile as the provisions of national policy would prevail through the Development Management Process.

- Submission refers to the ‘Urban Development & Building Heights Guidelines for Planning Authorities’ (2018) with regard to sustainable development in built up urban areas and in close proximity to public transport vs minimum density parameters. It is stated that apartments would be required at such locations to provide the minimum density.
- Submission notes population growth in cities vs housing supply to meet demands. It is noted that a significant quantum of housing units are yet to be commenced.
- Submission refers to investment in public transport and the provision of higher densities in proximity to same. As a result, the housing typology would be expected to be apartments.
- Apartments would counter balance the significant proportion of semi-detached housing in the area which accounts for c.35% of the housing stock and predominantly consists of 3-4 bed units.
- The requirement of 40% 3-bed apartment units would significantly reduce the capacity of a site to deliver units that meet the requirements of national planning policy and the demand for affordable housing.
- Submission requests that the Council confirm in the final Plan that where an assessment of dwelling mix was undertaken in the immediate vicinity and it was demonstrated through empirical evidence that there would be high levels of three (or more) bedroom units, that a more flexible approach could be taken to unit mix. It is requested that the examination of existing mix within a 10min walk of a site is expanded to confirm that this can be taken into account in considering apartment mix.
- Submission details the shift in household occupancy and composition in that occupancy is falling. Occupancy stood at an average of 2.73 persons for Dublin in 2016.
- Submission requests that the Council identify which cohort of the population that would require 3-bedroom apartments.
- Submission refers to examples provided in the HNDA in Appendix 2 with regard to London noting that these are of no relevance to Dún Laoghaire-Rathdown where household size is declining.
- Submission states that the concerns expressed in the HNDA in relation to 1- and 2-bed apartment units fails to acknowledge that this form of development is what is being sought through national policy.
- Submission notes the shift in housing trends through the growth in the private rental sector.
- Submission notes the impact of Covid-19 on the challenges facing housing supply.
- Submission refers to market-driven data from commercial agents with regard to there being limited demand for 3-bed units (see summary of attachments below).

**Summary of Attachment 1 – Letter from Savills:**

- A letter from Savills in support of this submission sets out their views in relation to the 40% 3-bed requirement for apartment schemes.
- This letter:
  - Details market demand – that being for 1- and 2-bed apartments as there is a shortage of this unit type.
  - Notes that demand for larger units to suit families is focused on houses rather than apartments.
  - Details demographic data based upon the 2016 census with regard to household composition.
  - Sets out changing demographics with regard to average household size vs a lack of 1- and 2-bed apartment units for single professionals and couples.
  - Details market rental levels vs affordability of 3-bed units.
  - States that apartments are better suited to individuals and couples rather than families.

**Summary of Attachment 2 – Letter from Knight Frank:**

- A letter from Knight Frank in support of this submission sets out additional information in relation to the 40% 3-bed requirement for apartment schemes and why this should not be adopted.
- This letter:
  - Details demographic trends for Dún Laoghaire-Rathdown noting a population increase and a decrease in the average number of persons per household.
  - Notes the non-Irish national make-up of the County reflecting the influx of large international corporations to Dublin.
  - Details proportion of rental properties, age profile of households and child-free households noting that as families form and the population ages that the proportion of owner-occupiers increase.
  - Notes that there is a shortage of 1- and 2-bed units.

- Notes that market demand for larger units is focused on houses rather than apartments with families seeking to buy property with gardens.
- Details recent survey of renters asking which type of accommodation they were seeking – following on from this, it is considered that increasing 3-bed apartment units would be counterproductive and detrimental to the market.
- One and 2-bed units will serve single professionals, couples, and sharers who are more “price-conscious”.
- 1- and 2-bed units have been previously underprovided, and this is where there is strongest demand.
- These unit type would ensure housing stock for all age groups and would support our ageing population.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Appendix 2, Other Issues

DLR Submission No: <u>C0051</u>	Person: National Transport Authority (NTA)	Organisation: NTA	Amendment Nos: 69, 70, 89,	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <p><b>Submission to the Draft Plan</b></p> <p>The NTA made a number of recommendations in relation to the Draft Plan and acknowledges that these have been included in the amendments and wishes to support the following amendments:</p> <ul style="list-style-type: none"> <li>● A new Policy Objective related to the use of Area Based Transport Assessment for Local Transport Plans (Amendment 69);</li> <li>● Additional detail on the assessment of road schemes proposed in the Bray &amp; Environs Study (Amendments 70 &amp; 89);</li> <li>● 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 (Amendment 78);</li> <li>● 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 &amp; 82);</li> <li>● A commitment to liaise with the NTA Park &amp; Ride Development Office regarding the development of Park &amp; Ride sites in the county (Amendments 86 &amp; 87).</li> </ul> <p><b>Eastern Bypass:</b></p> <ul style="list-style-type: none"> <li>● As set out in Section 13.3.3 of the Draft Transport Strategy, the Eastern Bypass Scheme is no longer required to be developed and hence it is not part of the Draft Strategy. However, 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.</li> <li>● Regarding amendment 191, in the first instance 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 accommodating sustainable transport modes. 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. The text of Section 12.4.15 should be revised to reflect this sequential approach to the consideration of alternative uses of the former Eastern Bypass reservation.</li> <li>● The NTA have recommended a rewording for same</li> </ul> <p><b>BusConnects</b></p> <ul style="list-style-type: none"> <li>● The 2016-2035 Transport Strategy identified indicative radial and orbital Core Bus Corridors (CBCs) for the Dublin region, and these have been brought forward into the wider BusConnects programme. The NTA has been working on the key radial corridors through an iterative process, with public input through non-statutory public consultation and has endeavoured to design a new bus system that is both efficient and effective, while being cognisant of the needs of local communities. The Draft Strategy now incorporates the BusConnects programme, including the full suite of CBC schemes (Measure BUS1 – Core Bus Corridor Programme), which states: “<i>Subject to receipt of statutory consents, it is the intention of the NTA to implement the 12 Core Bus Corridors as set out in the BusConnects Dublin programme.</i>” Core Bus Corridor 13 is proposed to connect Bray to Dublin City Centre via Shankill, the N11, Stillorgan and UCD and the route through Shankill village has been revised on foot of public consultation to minimise its impact on properties adjacent to the routes this includes replacing two roundabouts, at St. Anne's Church and at the junction of Dublin Road (R119) and Quinn's Road, with fully signalised junctions.</li> </ul>				

- Notes Amendment 310 to the Draft Plan which proposes a new SLO 148 which protect these two roundabouts and considers that no rationale for this proposed amendment is presented.
- 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. 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 the delivery of the Bray to City Centre CBC and would not therefore be inconsistent with the Strategy"*.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 5, Chapter 12, Chapter 14

DLR Submission No: <a href="#">C0052</a>	Person: Dara Tighe	Organisation: N/A	Amendment Nos: 130, 387	Map Nos: B1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to proposed amendments 130 and 387.</li> <li>• Notes that wildlife corridors are vitally important in the preservation and enhancement of rural heritage.</li> <li>• Expresses disappointment that the 11 wildlife corridors shown in the 'Draft Summary Consultation Document' published as part of the preparation of the 'Dún Laoghaire-Rathdown Biodiversity Action Plan, 2021-2025' are not illustrated on Supplementary Map B1 of the Draft Plan, as a result of the proposed amendments in question.</li> <li>• Notes that the inclusion of wildlife corridors on the Ecological Network Map is vitally important to the County from an ecological standpoint.</li> <li>• Highlights that no objections to the inclusion of the wildlife corridors on the map were made during public consultation on the Draft Plan.</li> <li>• Requests that wildlife corridors are illustrated on Draft Plan maps.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 8, Appendix 10				

DLR Submission No: <a href="#">C0053</a>	Person: Rosa Roe	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.</li> <li>• Notes the amendment in question was proposed under a motion from the floor, without prior notice to move the motion having been given to the Planning Executive by the proposer.</li> <li>• Notes the stated position of the Executive that the re-designation of the lands in question is not required, and that the lands haven't been subject to the usual environmental assessment which would precede any re-designation.</li> <li>• Considers the volume of zoned land in Kiltarnan is more than sufficient to meet the needs of future development.</li> <li>• Notes the lands in question are a valuable natural heritage asset locally.</li> <li>• Observer notes they own part of the lands in question.</li> <li>• Considers they have been afforded insufficient time to respond to the proposed amendment, given ownership interest.</li> <li>• Considers that there are inaccuracies and misrepresentations in a submission made on the Draft Plan (dated 16 April 2021) by Droimsi Developments, in which the re-designation of the lands in question as SLR lands was originally proposed.</li> <li>• Observer considers that their business, Stepside Golf Centre, which adjoins the lands in question, is of considerable value to the local community. Considers that this business will be adversely impacted if the lands in question are developed.</li> <li>• Observer considers their business by its nature poses certain hazards to adjoining properties, and that residential development would be particularly sensitive to such hazards. Requests that this is considered by the Planning Authority in any designation of the lands in question for development.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping				

DLR Submission No: <u>C0054</u>	Person: Laura Crowe	Organisation: Tom Phillips & Associates on behalf of Clonkeen Investments DAC	Amendment Nos: 157	Map Nos: 7
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission relates to proposed amendment 157 which amends the wording of Section 12.3.2.1 'Development within Sustainable Neighbourhood Infrastructure Lands', specifically in relation to lands at Clonkeen College.</li> <li>Submission details the land holding at Clonkeen College noting that the lands have been subdivided and are under two separate ownerships - Edmund Rice Schools Trust and the Congregation of Christian Brothers that is contracted to sell to Clonkeen Investments DAC.</li> <li>It is noted that an application for a Strategic Housing Development has been lodged on the portion for the 3.3 hectares of land that is owned by the contracted to sell (An Bord Pleanála Ref: 311329-21). It is noted that an area of land has been donated to the school to serve as outdoor playing space.</li> <li>Submission notes that funding for the new pitches to serve the school will be provided by the Christian Brother upon the sale of the lands.</li> <li>Submission notes that the current zoning objective in the 2016 plan is 'A'.</li> <li>Submission requests that amendment 157 is further amended to: <ul style="list-style-type: none"> <li>include the following text at the end of paragraph 1: <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></li> <li>Include 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></li> </ul> </li> <li>Appendix 1 of the submission details the lands at Clonkeen further with regard to the SHD application, ownership, improvements of playing pitches for the school, location and context of the site relative to Deansgrange, existing facilities and public transport. A map identifying the site is provided in Appendix 1.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12</p>				

DLR Submission No: <u>C0055</u>	Person: Paul Byrne	Organisation: N/A	Amendment Nos: 160, 162	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission refers to proposed amendment 160 (note – this is stated within the submission text as '260') which places a percentage mix on build to rent development.</li> <li>Submission notes the merits of balanced communities, however, states that proposed amendment 160 treats housing mix in isolation rather than viewing them in context at a community level.</li> <li>Submission notes that different areas of the county have different housing mix requirements, therefore amendment 160 is not appropriate at a county wide level.</li> <li>Submission uses Cherrywood and the Central Mental Hospital sites as contrasting examples of areas where different housing mixes would apply – Cherrywood, a <i>"blank slate"</i> requiring a specified mix from the start vs CMH within an existing built up community of predominantly low density 3-bed houses where a prescriptive percentage of 3-bed apartments does not make sense.</li> <li>Submission states that a better approach would be to assess developments in the context of their environment to determine the appropriate housing mix. This would allow for more compact, sustainable growth in suburban areas.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12</p>				

DLR Submission No: <u>C0056</u>	Person: Mark Munro	Organisation: Monkstown Village residents Association and Longford Terrace residents Association	Amendment Nos: 198 - 202	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission relates to proposed amendments to section 12.9 'Noise and Odours'</li> <li>• A summary is set out as follows: <ul style="list-style-type: none"> <li>○ Considers that the Executive's draft fails to meet minimum engineering, operational and planning standards for air handling plant called "<i>Guidance on the control of odour and noise from commercial kitchen exhaust systems</i>".</li> <li>○ Dlr should subscribe to the above publication. Notes that the publisher offers training.</li> <li>○ Since the publication of the first edition manufacturers and professional all agree that there are no excuses as to why restaurants and takeaways can't be configured to prevent noise and odour impacts on residents.</li> <li>○ 230 Planning Authorities in the UK refer to this guidance paper and require that air handling units are designed to ensure residents are protected.</li> <li>○ Examples from 3 UK Councils are attached.</li> <li>○ Recommends that Section 12.9 be replaced with Appendix 3, which is an amended version of Guidelines from Croydon Council.</li> <li>○ Considers that section 12.9 of the Draft Plan does not compare favourably to UK guidelines.</li> <li>○ Does not agree with executive that preventing all family homes form being impacted by noise and odours is unachievable etc.</li> <li>○ Considers that reducing noise as opposed to preventing is unacceptable.</li> <li>○ Executive's claim at a meeting on 18<sup>th</sup> October that wording proposed in a motion was illegal is legally incorrect, unsustainable. Public record should be corrected.</li> <li>○ Considers that the executive withheld information and failed to advice elected members that noise be inaudible to residents was part of wider set of conditions.</li> <li>○ Dlr have a statutory duty to prevent impact of noise and odour.</li> <li>○ Failures of the executive admitted to on the 19<sup>th</sup> September 2019 must be investigated.</li> <li>○ Requests an independent expert report on the failures of section 12.9 and suggest that the publisher of the aforementioned guidelines should do this report.</li> <li>○ Request an independent investigation as to why it has taken council 4 years to address this issue.</li> <li>○ Submitter raises concerns in relation to accountability and the culture in the Council and references criticism of minutes of the deputations meeting held in 2019.</li> <li>○ Does not agree with view that wording of motion proposed to amend the Plan was unachievable.</li> <li>○ Considers that mitigation measures contained in 'Guidance on the Control of Odour and Noise form Commercial Kitchen Exhaust Systems' illustrates that the executive are operating below professional standards.</li> </ul> </li> </ul> <p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Objects to deletion of an acknowledgement to "<i>prevent</i>" noise nuisance and its replacement with the wording from section 34(4)(C) of the Act which uses the word reduce.</li> <li>• Considers it is legally unacceptable and unjust to consider grant planning permission for a commercial premises which operates to reduce noise rather than prevent.</li> <li>• The 'Guidance on the Control of Odour and Noise form Commercial Kitchen Exhaust Systems' do not accept the executive's approach to reduce as opposed to prevent noise and odour impact.</li> <li>• Considers that proposed amendment 201, which states "<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 <u>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.</u></i>" is contradictory as it allows applicant to minimise or prevent.</li> <li>• Dlr standards are below those in a number of Countries which are named and also some that are not named.</li> </ul>				

- Consider that the executive have issued erroneous advice to elected members including advising that motion proposed by Cllr Quinn was illegal.
- Submission provides commentary on purported failures of the Planning Authority to carry out its statutory duties from 2017 through to 2021 and also failure to operate the Planning and Development Act for the last 21 years.
- Submission considers that executive withheld facts and that the executive stated in relation to a planning application in Dublin City, that ABP removed a condition attached by Dublin City Council and replaced it with the developer's proposal to deal with noise.
- Submissions considers that ABP did not have any issue with DCC condition.
- Considers that a response issued to members dated 12<sup>th</sup> October 2021 is incorrect.
- Request that the executive explain advice issued or withdraw the advice, correct the public record and redraft section 12.9.

#### **UK Government expert group on noise and odour and their guidance paper**

- Submission sets out background to the publication, 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' and attach the 2018 edition.
- Submission states that the UK planning law permits as is the case of Irish Planning law for a PA to require an applicant to prevent noise and odour nuisance
- Submission includes standards for 3 planning authorities in the UK and sets out examples of minimum requirements in relation to noise control for food and drink. The examples use the word "prevent"
- Submission states that all UK PA deal with noise complaints by requiring the operator to bring in an engineer or the manufacturer and adjust it until problem is eliminated.
- Submission provides detail of UK legislation and also references the Irish EPA Act 1992
- Submission refers to a commercial premises in the County which the submission considers causes a noise nuisance and sets out what they consider would happen under UK legislation in terms of addressing a noise complaint.

#### **UK Health and Safety Executive "Top ten noise control techniques"**

- Submission sets out that the document above states that suggestions will produce substantial noise reduction
- Examples are set out including use of silencers and lining.

#### **An Bord Pleanála decision on 13 – 17 Dawson Street**

- Submission references motion submitted by Cllr Quinn in relation to section 12.9 of the Draft Plan.
- States that the motion correct the plan to ensure that noise and vibration and odours must be inaudible and imperceptible at nearest sensitive locations.
- Submission quotes content of council meeting held on 18<sup>th</sup> October and comments made by a member of the executive in relation to a planning application in DCC and a condition attached by DCC which was removed by ABP. It is stated that the submitter believes the comment relates to a development at 13 – 17 Dawson Street.
- Submission states that executive did not explain how the issue of noise had been dealt with by the developer in the application in question. Submission then provides the insight of a committee member of the resident's association who is also a director of the property who developed the site at 13 – 17 Dawson Street. Detailed commentary is provided on the ABP inspector's report and decision on planning application relating to 13 – 17 Dawson Street.
- Submission states that the actual reason why ABP did not retain condition was because the acoustic report which was included in the application contained the requirement that noise be inaudible. Submission states that ABP went even further than DCC condition and added extra items listed in the submission on top of the DCC condition.
- Submission provides detail of developer meeting local residents in relation to noise impacts and details in relation to noise mitigation including a kitchen extraction solution.

#### **Meeting of 18<sup>th</sup> October 2021**

- Submission provides commentary on council meeting held on 18<sup>th</sup> October 2021 and states that the wording of a motion from the floor had been agreed with a member of the executive. Excerpts of advice provided by the executive is quoted including advice from the law agent. Further comments by both the executive, the Cathaoirleach and by the elected members are quoted.
- Submission also provides excerpts from response to motions which were circulated by the executive to the members on 12<sup>th</sup> October 2021.

- The submission states that the various statements (which relates to both a motion submitted and a motions from the floor) can be distilled into 4 core objections as follows:
  1. That ensuring noise from extraction fans is rendered inaudible is illegal. The Residents' Association have asked a senior property partner in a UK law firm, Clifford Chance, whether there have been any cases in the UK where the equivalent of Section 34 of the PDA was used to prevent residents being impacted by fan noises. The senior partner in the UK law firm have confirmed that there are no such cases and that in his opinion no such cases would succeed.
  2. Ensuring extraction fans are inaudible goes beyond the wording of the Act and would be unenforceable. Residents' Association consider the opposite is true.
  3. Ensuring noise extraction is inaudible would result in end of the 10-minute neighborhood. Residents association consider that this is illogical.
  4. Planning applications would have to be refused. Residents' Association does not agree with this argument and references a recent grant to a commercial premises.

**Response to advice that motion from the floor was illegal.**

- Section 34 allows executive to either prevent or reduce a noise nuisance
- Submission then provides commentary in relation to a house which was impacted by odours and noise from an extraction fan and discussion in relation to same at a deputations meeting held in 2019.
- Submission details a meeting with the former CE of DLR and also provides detail of a planning audit carried out by the Residents' Committee which examined 131 restaurants and takeaways in the County and concluded that all planning files examined had failed to apply the law.
- Submission request that the executive focus on using the EPA Act to repair damage done to homes.
- Submission considers that a class action may be taken against the council

**Irish Constitution**

- Submission consider that the executive does not understand their obligations under the constitution which protects the family home and has failed to use section 34 of the PDA to prevent noise damage to a home.

**Meaning of the words inaudible and imperceptible versus prevent.**

- Submission considers that preventing noise is a higher standard than rendering a noise inaudible and imperceptible. To render a noise inaudible and imperceptible at a noise location a distance away from the source does not mean the noise is prevented at the source.
- Submission provides detail of a recent planning application associated with a commercial restaurant (Reg. Ref. D21A/0935) where noise has not been prevented at source but has been rendered imperceptible and inaudible.

**Enforcement versus unenforceable**

- Detail is set out in relation to how Planning Authorities in the UK successfully enforce conditions relating to noise and odour prevention and that all use BS4142 'Methods for rating and assessing industrial and commercial sounds' which are recommended for use by the IEI, the RIAI, the IPI and others.
- Detail is set out in relation to an environmental enforcement case in Monkstown.
- Submission disagrees with the legal advice given to the executive that requiring restaurant fans to be inaudible and imperceptible the council will be left open to challenge. The submission reiterates the point set out above that the authors of the submission believe that the Council will be open to a class action case by residents in the County.
- Submission considers that the executive's view that the Council's obligation is to reduce rather than prevent is incorrect.
- Submission sets out the wording of Section 34 of the Act and states that the executive have suggested that it is only the executive who can decide if they will reduce or prevent noise from impacting homes and that this view would allow the executive if they did not like a family living next to a proposed takeaway a chance to create noise nuisance and damage the value of the home.
- Submission states that the real reason for the words "*reduce and prevent*" is to recognize that in some cases it will be impossible to attach planning conditions to "*prevent*" noise from causing a nuisance and in those instances the best that can be done is to reduce noise impact. However, submission considered that this would apply to rail lines, traffic on a new road, children playing on the street etc. but should not apply to extraction and air handling units.

**The meanings of the words "A reasonable cause for annoyance"**

- Submission sets out detail of WHO guidelines on environmental noise.

- Submission considers that the courts would accept that a home exposed to an audible daily drone from a fan is a considerable cause for annoyance.
- Submission does not agree with the CE's response as set out in the CE's report of July 2021 which referenced that fact that Section 34 states that that fact that the word "may" is used gives discretion as to when conditions are attached.
- Submission sets out detail of a deputations meeting held on 11<sup>th</sup> September 2021 and provides commentary on a condition attached to a permission.
- Submission sets out detail in relation to a meeting held in December 2017 and a series of further meetings held, conversations with members of the executive and details of enforcement cases and developments that the author considers are unauthorised.
- Submission states that they will be requesting the new CE to investigate their concerns and handling of planning matters and will be seeking a meeting with the new CE.
- Submission sets out a critique in relation to the running and recording of minutes at deputation meetings.
- In relation to the meeting on the 18<sup>th</sup> October submission consider that statements made are incorrect and that all statements should be investigated by the new CE and backed up or withdrawn. Submission queries why the law agent considered the motion was illegal and why wording was unenforceable.

**Summary of Attachment (Appendix 1):**

- Appendix 1 of the submission is a technical guidance document entitled 'Control of odour and noise from commercial kitchen exhaust systems', as produced by EMAQ+. This technical guidance document acts as an update to a UK Government document published in 2004. The foreword to the document explains the rationale for preparing an updated guidance document, stating that it aims to be the "authoritative voice" for the provision of technical guidance on this matter.
- Following the foreword, the subsequent section establishes the key performance requirements and best practice for design and operation of commercial kitchen ventilation systems. It provides high-level details on the minimum requirements for the following elements of ventilation systems: Ventilation rates; Canopies (velocity, sizing, materials and grease separation); duct work; fans; odour control; noise control; fire suppression; wood burning appliances; and maintenance.
- Following this the abbreviations used, a glossary of terms and the table of contents are outlined, before the main body of the report commences.
- **Section 1** of the document offers an introduction and outlines the context within which the subsequent guidance is provided. It is noted that amendments to the 2004 report are highlighted in italics. Details on the report's structure are then provided, outlining an overview for each section.
- **Section 2** offers an overview of odour and noise, establishing certain thresholds for each, outlining the composition of emissions, indicating the sources and providing a survey of Local Authorities.
  - This section begins by discussing odour and nuisance, providing statistics on the rates of complaints and premises that were subject to complaints over such issues. It then offers a definition of odour, describing what it is and the range of responses that can occur among the population. Following this the "attributes of odour" are discussed, outlining four interlinked characteristics (Hedonic tone; quality/characteristic; concentration; and, intensity). The varied effects of odours are then described, followed by the physical properties, and perception, of odour. The factors that influence the magnitude of odour problems are outlined and include: the size of a cooking facility, type of food being prepared, and type of cooking appliances used. Finally, tables 1 and 2 summarise the characteristics of different food types and cooking appliances.
  - Section 2.2 discusses the issues of noise and nuisance, beginning by offering some statistics around the rates and numbers of complaints received about such issues. The properties of noise are detailed, including the scientific properties detailing its generation, the frequency content, decibels, levels, weighting curves and noise indicators. The properties and characteristics of noise are important to understand when undertaking a process of trying to prevent, reduce and avoid noise. Following this, the factors influencing noise in commercial kitchens are outlined and include the following: Unabated air intake; size and format of the exhaust; heat release from kitchen; type of cooking appliances used; position of exhaust fan in the system; final discharge direction; fitting and dimensions of the exhaust flow ducts; and, fan type and speed. The sources of noise in commercial kitchens are then summarised in Table 3.

- Section 2 concludes by outlining the typical problems encountered with commercial kitchen ventilation systems. Table 4 provides a summary of the problems associated with such systems, including the area perceived/generated and the effect.
- **Section 3** provides an overview of the role of Local Authorities and summarizes some of the key legislation in this area.
  - This section begins by outlining the ways in which Local Authorities encounter issues involving the regulation of commercial kitchen exhaust systems. Table 5 then provides a summary of the roles of specific Local Authority staff when an application is submitted that relates to a commercial kitchen, outlining the requirements at each stage.
  - In section 3.1.2 the regulation in response to a noise or odour complaint is discussed. Table 6 summarises the actions to be taken by Planning Officers and Environmental Health Officers in response to noise and odour complaints that relate to commercial kitchens.
  - The following section describes an assessment of whether noise or odours are causing statutory nuisance, as per planning conditions.
  - Section 3.1.4 outlines the regulations and appropriate responses/actions of Local Authority staff to a change of use that does not require planning permission. Table 7 summarises the roles and actions to be taken at each stage in the process.
  - Section 3.2 provides an overview of the regulations governing the design and performance of ventilation systems. It is noted that although there is no legislation directly governing the design and performance of ventilation systems, there are other regulations governing other related areas. A summary of the relevant points from the following legislation is then provided: The Building regulations 2000 (in response to the Building Act 1984); the Environmental Protection Act 1990; the Town and Country Planning Act 1990; National Planning Policy Framework (NPPF) (England) 2018; the Workplace (Health, Safety and Welfare) Regulations 1992; the Control of Noise at Work Regulations 2005; the Supply of Machinery (Safety) Regulations 2008; the Food Safety and Hygiene (England) Regulations 2013; EU Regulation 852/2004; and, the Fire Precaution (Workplace) Regulations 1997.
  - Following this, reference is made to the Building Engineering Services Association who publish standards and publications relating to kitchen ventilation systems. Following this, the regulations and guidance relating to fire safety are discussed.
  - The section ends by providing three case studies of best practice examples for the following: Use of planning condition to control odours from an extract system; Ventilation/Extraction statement; and, Odours from a hot food takeaway.
- **Section 4** identifies and reviews the equipment available for extraction systems, including a cost-benefit appraisal.
  - The section begins by discussing the need for ventilation systems and describing the principle function of kitchen canopies and ventilation systems. Ventilation is required as considerable heat is given off by cooking; air becomes laden with odours, grease and fumes; to manage humidity and dilute the air; and, it is required under certain regulations. The main emissions that require removal are briefly outlined, followed by the necessary requirements for the satisfactory operation of odour control. Finally, Figure 1 provides an example of a kitchen ventilation system, with each element numbered and described.
  - The extraction canopy is discussed in detail within Section 4.2, beginning with a definition of the objective of this element. It is also stated that it is a mandatory requirement of all extraction systems to comply with the Control of Noise at Work Regulations 2005. It is noted there are two main types of ventilation systems: kitchen canopies and ventilated ceilings. Figure 2 shows the air flow patterns across an appliance. The range of methods possible for determining ventilation rates are outlined: Thermal convection; face velocity; appliance power input; air changes; linear extract; meals per hour; and, area. It is stated that design must provide for make-up or replacement air and can be made up either from natural infiltration or a mechanical supply. Whichever system is used, due regard should be given to potential noise issues. For natural infiltration, systems should not solely rely on open doors and windows, particularly as it can give rise to odour and noise issues. Figure 3 shows a range of extraction hoods, with the choice of hood dictated by the application. Following this a discussion on canopies, their dimensions and the subsequent system requirements are then discussed in detail, with Figure 4 illustrating canopy dimensions.

- In circumstances where it is not possible to install extract canopies, ventilated ceilings are an alternative, although they have higher capital and installation costs. Figures 5 and 6 offer diagrams of two types of such systems (Modular cassette ceiling and Plenum ceiling).
- In Section 4.2.6, the specific requirements for solid fuel catering equipment.
- The following section discusses the materials of construction of canopies, with stainless steel considered best practice. Galvanized steel, untreated aluminium and wired glass are not deemed appropriate, while electrolytic zinc coated steel can be used if treated correctly. Further best practice guidelines are outlined.
- The next section details the forms and considerations for duct work. Thermal insulation and protective mesh are recommended, as are designs that avoid mechanical air flow from contaminated areas. Other design considerations for duct work are outlined, followed by the range of duct velocities. The section ends by describing ways to minimize noise emissions from ducts.
- Dampers are discussed in section 4.5, with a suggestion that the inclusion of volume control dampers is kept to a minimum and incorporates certain stated features. Fire dampers must not be used in a kitchen extract system in accordance with standard BS9999. Suggestions are given for fire dampers that are required on the supply side.
- In the next section fans for ventilation systems are discussed, with a recognition that such systems must deal with relatively high resistance and this must be factored in when designing the fans to be used. A range of fan impeller designs are described. It is acknowledged fans may need to operate in hot and damp conditions, therefore temperature detectors and audio/visual indicators to warn of failure should be included. Various other recommendations and scenarios within which fans may operate are outlined. In Table 8 the advantages and disadvantages of different fan types are detailed. The fan types include the following: Centrifugal fans; bifurcated fans; belt driven axial fans; axial fans (metal impellers); in-line centrifugal and mixed; and, roof extract fans. The section ends with Table 9 outlining the noise characteristics of different fan types: centrifugal (lower frequencies); axial (mid-range frequencies); mixed flow (lower frequencies); cross flow (varied); and, propeller (tonal peaks).
- Access panels for cleaning are discussed next, with the requirements for such panels outlined. Guidance on the location for such panels is detailed in Table 10.
- Section 4.7 provides details on odour abatement tools. The type of odour control required is dictated by the size of the facility, type of food, cooking methods and the location of the premises.
- The pre-conditioning of extracted air is then discussed. If the air passing through a ventilation system is too hot it can have a negative effect on such systems, therefore pre-conditioning is necessary. There are various options given for the pre-conditioning of extracted air which can reduce the heat content. Figure 7 provides an example of one such method, which is a cooling coil.
- It is also important to remove particulate matter from extracted air as it can prolong the operational life of odour control equipment. The minimum standards for the design of grease separators are listed. Figure 8 shows the typical airflow through a grease filter housing. Table 11 then provides a summary of characteristics of common coarse filters, which include: Mesh; Baffle; Cartridge; Water Wash; and, Cold Water Mist. The recommended face velocity, typical efficiency, advantages and disadvantages of each are listed also. Each of the filter types listed are then discussed in greater detail.
- In the next section fine filtration systems are discussed. It is stated that filtration usually acts as a protective pre-treatment before an activated carbon step. Figure 12 showcases and details the various types of filters used within extraction systems, including: bag filters; panel filters; and HEPA filters. Table 12 details the classification of filter types.
- Electrostatic separators (ESP), which are used to separate solid or liquid particles from air, are then discussed. The five stages of electrostatic separation and the main components of these systems are outlined. It is then stated that the use of ESP in kitchen ventilation systems have specific design requirements that are operationally important, and examples of these are provided. Further discussion on ESP occurs, with the various uses and requirements of the system discussed. Figure 13 provides a schematic drawing of an electrostatic precipitator. Figure 14 showcases an electrostatic precipitator operating within a ventilation system.
- The process of adsorption is detailed in Section 4.7.5. A technical definition of this process and the materials used within it is then detailed. The design considerations for an adsorption system are then provided. Table 13 outlines the required residence times for various cooking processes.

- A brief section on wet scrubbing (absorption) systems is provided.
- In-line oxidation systems are then discussed in section 4.7.7. It is noted that the application of these systems should be restricted in areas housing multiple commercial kitchens. Figure 15 illustrates a UV/Ozone unit that forms part of an extract system.
- Odour neutralizing systems and counteracting agents are discussed in the following section. It is stated that the exact mechanisms of some of these systems are not fully understood, therefore providing performance characteristics is not possible. Counteracting agents are added to air streams and reduce the perceived intensity of odours. The correct chemical dosing for such systems is important. Figure 16 shows an example of an odour neutralizing unit.
- Stack design is considered paramount to achieving good dispersion and it requires an effective stack height and appropriate discharge velocity. A calculation to determine effective stack height is detailed. Further details on the requirements for stack design and positioning are provided. A summary of the varied guidance from Local Authorities on stack requirements is given, with minimum heights and prohibited designs outlined. Figure 17 showcases examples of best stack design, while Figure 18 offers case studies on examples of poorly designed discharges from commercial kitchens.
- In Section 4.7.10 a discussion on package abatement plant with treated air recirculation is had. There are now products that place all elements of a complete emissions control system into a single unit, however these systems are only suited to kitchens with severe restrictions. The application of these systems and the elements contained within them are outlined. A case study (Number 4) on the design of a kitchen with a package abatement plant is detailed, with its practical considerations listed.
- Section 4.7.11 and Table 14 provide a summary of the odour mitigation measures, discussed throughout section 4.7, that can be applied to treat kitchen ventilation air, including their respective advantages and disadvantages.
- Noise attenuation is discussed in Section 4.8, where it is noted that extract systems often operate early in the morning or late at night and it is, therefore, important that noise generation is kept to a minimum. Table 15 provides a summary of noise reduction methods for various noise sources and transmission paths, with a total of ten pathways outlined. Table 16 identifies the typical noise transmission pathways in commercial kitchens, with each noise source paired with relevant paths. A series of points to consider when designing a ventilation system to minimize noise are outlined. Table 17 shows the maximum velocity for supply and return air openings. Where additional attenuation is required, silencers may be used and this is discussed in detail, as are acoustic louvres and air splitters. Figure 19 offers diagrams of dissipative duct attenuators. Table 18 identifies the advantages and disadvantages of two types of duct work.
- The subsequent section discusses fire suppression, which is an important consideration in kitchen extract systems where there is a hazard above that normally encountered in other ventilation systems. It is stated that the design of such systems must provide an acceptable level of protection to people and that maintenance is important. Fire suppression is the most commonly used form of fire protection, with three types outlined, namely: chemical systems; water systems; and, carbon dioxide.
- The cost of odour abatement equipment is discussed in Section 4.10.1 and is considered of paramount importance. Factors dictating the cost include the size of facility, type of food, type of appliances and compliance with best practicable means. Best practicable means must account for local conditions and circumstances, the current state of technical knowledge, the financial implications, and operation of the site. The remainder of the section provides the typical costings of three ventilation systems under a range of different scenarios. Table 19 outlines the anticipated cost of abatement treating odour emissions from a general kitchen operation situation including maintenance and running costs. Table 20 shows the anticipated cost of abatement treating odour emissions from a high grease/smoke situation. Table 21 details the anticipated cost of abatement treating odour emissions from a very high grease/smoke situation.
- The next section describes the relative cost effectiveness of odour abatement systems, with Table 22 showing the anticipated relative cost effectiveness based on a well-maintained system.
- The cost of noise abatement equipment is identified in section 4.10.3, with Table 23 showing the anticipated cost of abatement treating noise.

- Section 4.10.4 outlines the relative cost effectiveness of odour abatement systems, with Table 24 offering a comparison of the range of abatement types.
  - Section 4 ends with a short discussion on the installation, specifically the qualification criteria that should be considered when choosing a contractor to install a system. The criteria include: experience; affiliation; quality assurance; health and safety; and, insurance.
  - **Section 5** relates to the maintenance of commercial kitchen ventilation systems and offers a practical guide to undertake maintenance of equipment.
    - The section begins by noting that proprietors of commercial kitchens are under a duty to ensure regular maintenance. Good maintenance is a prerequisite for compliance with best practice and required by food hygiene regulations.
    - Following this, the consequences of poor maintenance are discussed. Two examples are given, with example 1 highlighting the performance of a filtration system over several time periods. Example 2 provides the same for an ESP. It is noted that these examples often occur and are regularly deemed to be caused by inappropriate equipment or design, however they are mainly caused by poor maintenance. A key consideration should be the buildup of debris within the duct work itself. Furthermore, it is stated that poor maintenance can lead to noise complaints.
    - In section 5.1.2 the recommendations for maintenance are outlined. Technical details on the minimum performance requirements of general maintenance of a kitchen ventilation system are provided, with surface containment limits listed. Recommendations for achieving these limits are given, with ideal cleaning intervals outlined. The section ends by offering recommendations for maintenance of odour control systems.
    - The next section summarises a range of cleaning techniques. Table 25 provides examples of wet cleaning techniques, while Table 26 outlines examples of dry-cleaning techniques.
    - Monitoring methods are discussed in section 5.1.4, with Table 27 giving examples of monitoring methods that can be used for assessing the level of debris accumulation. Section 5 concludes with case study material (Figure 20) showcasing various elements of a kitchen system before and after cleaning and maintenance takes place.
  - The **Appendices** follows a section on acknowledgements and there are four appendices contained within this.
    - Appendix 1 is titled "*Summary of odour and noise problems encountered by local authority environmental officers*". However, it is noted that the results of the survey have not been reproduced.
    - Appendix 2 provides information required to support planning applications for commercial kitchens. It is considered that the following information should be provided in order to enable a Local Authority to assess a systems suitability: Information on premises; plans and drawings; pre-filters; electrostatic precipitators (where proposed); carbon filters (where proposed); odour counteractant or neutralizing system (where proposed); UV-C system (where proposed); cooker hood; system operation; flue design; noise; maintenance; and, additional notes for guidance.
    - Appendix 3 provides a scoring methodology that enable a risk assessment of odour. A table outlining the criteria for assessment (dispersion, proximity of receptors, size of kitchen, and cooking type), the scoring and details is provided. Four different examples are then discussed where the scoring system is utilized.
    - Appendix 4 discusses the factors to take into account in noise assessment. It is considered that there are two fundamental categories of noise source that are relevant: the noise produced by the fan; and, the noise generated by turbulence as air passes through the ducts or system. However, it is noted there may be instances where a third source should be considered, namely where noise is generated within the building breaks into the ductwork. Detailed discussion on the factors of noise assessment is then had. Figure A4.1 showcases a flowchart that identifies the process that should be followed in full or in part when planning for a noise-optimised ventilation system.
- Summary of Attachment (Appendix 2):**
- Appendix 2 contains two technical guidance documents aimed at the food and drink industry. The submission provides an enclosed attachment which is a technical document produced by Croydon Council entitled '*Planning applications: Food and drink premises (A3/A4/A5) Requirements for extraction/ventilation systems*'.
    - The guidance document begins by establishing the context for its development, which is to enable an environmental assessment of planning applications relating to food or drink premises. It then

- sets out how the guidance document should be used and offers an explanation as to whether all the requirements of the document are necessary for inclusion in an individual's application.
- The document continues by then outlining the best practice performance requirements for design and operation of commercial kitchen ventilation systems, providing detailed requirements and specifications for each element of such systems.
  - The first element is extraction/ventilation systems and it is noted that "natural ventilation" is insufficient in most cases. The document advises that specialist contractors should be consulted in order to assess specific requirements. Details on the minimum ventilation rates are provided as are details on the minimum requirements for canopy.
  - The second element discussed is 'ducting', of which it is stated "*care should be taken when designing the route of ducting to avoid proximity to residential or office windows on neighboring properties*". Furthermore, ducting should extend one meter higher than the eaves of a property and be fitted with "*anti-vibration mountings*". Detailed minimum requirements for ductwork are provided. Detailed minimum requirements for odour control are provided.
  - Filters are the third element discussed, with five sub-sections offering further detail on specific type of filtering systems/requirements. Details on grease filters are provided. Details on carbon and pre-filters, which are considered essential when preparing food with strong odours, are provided. Details on electrostatic precipitation, which are used to separate solid or liquid particles from ventilation air, are provided. Details on in-line oxidation systems, also used to treat odour emissions, are provided. Details on odour neutralizing and counteracting agents are provided and it is stated that as such systems do not remove the odour, the perceptible level of odour removal is likely to be negligible. Finally, details on the minimum requirements for odour control are provided.
  - The next element discussed are fans, for which it is stated ventilation contractors will be required to determine the size of fan needed. It is also stated that fans should be located inside the building whenever possible, to minimize noise and vibration. If a fan must be located externally, the Council will require details of the noise level. Specific details on the minimum requirements for fans are outlined. Details on the minimum requirements for noise control are outlined.
  - The final element discussed is maintenance of ventilation systems. It is considered that good maintenance is a prerequisite for ensuring systems comply with statutory provisions and best practice. Recommendations for cleaning intervals and the maintenance of odour control systems are outlined.
- The second document is entitled 'Planning Guidance for Food and Drink Establishments' produced by CK Direct for the London Borough of Richmond Upon Thames.
    - The first section is the introduction which outlines who the guidance document is aimed at and discusses what is contained within the document itself. A short description of the role of Councils in assessing applications is given, with this document offering assistance in building an application.
    - The second section discusses noise control, with the various factors for consideration outlined. These include: background noise levels; likely noise levels of equipment proposed for use; the intended hours of operation, for noise from customers; information on delivery/collection vehicles; proposed car parking areas; a recommendation that windows and doors are kept closed; and, details of how a premises will be insulated from transmission of sound.
    - Section three discusses ventilation and odour control. Again, the various factors for consideration within an application are outlined. These include: the type of food and methods of cooking; consideration of the outlet/discharge points and their proximity to nearby residences; consideration of additional odour control for particularly malodorous cooking styles; whether the site has the capacity to install the required equipment; the control of fumes from infrequently used equipment; and, the factoring in of maintenance and cleaning of all equipment in the design.
    - In the following section the minimum requirements for odour control are outlined. The objectives of odour control are first stated, followed by the minimum requirements for the discharge stack. Low to medium level control of odour arrestment plant is discussed, followed by high level control elements and finally the elements of very high level odour control.
    - The minimum requirements for noise control are discussed next. The requirements for new premises are first outlined, followed by existing premises. It is noted that noise control systems should meet the requirements of BS 4142. Good maintenance of equipment is deemed to be a requirement to ensure a system complies with BPM under statutory nuisance provision.

Recommendations for the cleaning periods of ductwork are given, followed by recommendations for maintenance of odour control systems.

- A scoring matrix to enable the risk assessment for odour is then detailed, with four criteria (dispersion; proximity of receptors; size of kitchen; cooking type) assessed. Four examples showcasing the application of the scoring matrix are then given.
- The penultimate section discusses other considerations which primarily relate to various legislation and regulations, including the following: The building regulations Approved Document H; the workplace (Health, safety and welfare) Regulations 1992; the local government (Miscellaneous Provisions) Act 1976; the food safety (England) regulations 2006; and, the licensing act 2003.
- The final section offers a short summary and conclusion.

**Summary of Attachment (Appendix 3):**

- Appendix 3 is proposed as a 'redrafted' section 12.9 of the County Development Plan 2022-2028. It reproduces two other documents found in Appendix 2 and Appendix 4, respectively, inserting additional text where it is deemed necessary and relevant to DLR. The two documents reproduced are *"Planning applications: Food and drink premises (A3/A4/A5) Requirements for extraction/ventilation systems"* which has been summarized in Appendix 2, and the document on the UK Health Service Executive's top ten noise control techniques, which is summarized in Appendix 4. The following summary relates solely to the additional text added.
  - Section 34 of the Planning and Development Act 2000 is noted, where Councils are permitted to issue planning conditions to prevent noise disturbing residents. The following paragraph states it is a requirement of the Council to protect family homes and lives under Article 40.3.2 of the Irish Constitution, specifically from *"unjust attack"*. It continues by stating residents have been failed by historic failings and that these *"new"* guidelines are being enacted to make amends. The full standards within them will be enforced. It is stated that formal investigations of staff *"found to have failed to deal with these issues"* will occur.
  - Additional text within the introduction calls for external engineers to carry out environmental assessments of food and drink premises applications. It is stated that the selected *"firm"* of engineers has been approved by the Elected Members. This is stated to be due to an alleged lack of expertise within the Council staff and failures over a number of years. The subsequent additional paragraph states that *"noise and odours must be inaudible and imperceptible at the nearest sensitive and residential boundary line"*, which includes apartments above or below premises. An insert from the City of London Planning Guidelines is provided, which notes that before any works begin on a permitted scheme, the specifications of the flue extract arrangements, materials and construction methods used to avoid noise and odour penetration must be received and approved in writing. Following this, two inserts are taken directly from the London Borough of Richmond Upon Thames' *"Planning Guidance for Food and Drink Establishments"* document. The majority of page three, Noise Control, and paragraphs one and five of page 4, ventilation and odour control, are reproduced.
  - Under the section entitled 'are all of the requirements necessary', it is stated the guidance relates to extraction/ventilation systems for developments adjacent to family homes.
  - Under the section on best practice for design and operation a new section is introduced. It states that in Architectural Conservation Areas (ACAs) or Candidate ACAs, chapters 8 and 9 of the Architectural Heritage Protection Planning Guidelines must be strictly adhered to, with applications that do not being refused. Section 8.5.10 of the guidelines are quoted and require the location of all proposed external plumbing, flues, vents and cabling to be identified in planning applications. A quote from section 8.5.11 calls for the avoidance of new pipework or cabling, particularly on primary elevations. Section 8.5.12 is also quoted and states that external flues should be avoided and not interrupt important elevations, similarly vent pipes should not be permitted on roofs of principal elevations.
  - The next insert of additional text comes after the final section on maintenance. It begins by providing links to a UK Government website and the EMAQ+ website, where two guidance documents can be found. The links relate to the guidance document summarized in Appendix 1, and the document it replaced as an updated version. It is stated that the UK Government chose not to update their original 2005 (and 2011 update) document as they believed Local Authorities *"now understood the engineering solutions offered by air handling manufacturers and others to prevent noise and odours"*. However, it is stated there was an outcry from Local Authorities, leading to an

update as produced by EMAQ+. Details on EMAQ+ are then provided. A final paragraph states that DLR will “retain” EMAQ+ to provide training to staff in order to prevent noise and odour impacts on family homes.

- It is then suggested that the document on the UK Health Service Executive's top ten noise control techniques be inserted as an appendix to section 12.9 of the Development Plan. The document, which is summarized in Appendix 4, identifies simple, cheap and widely used techniques that can prevent noise and odour nuisances. A link to the document is noted with the full text of the document then provided.

**Summary of Attachment (Appendix 4):**

- Appendix 4 provides details of the UK Health Service Executive's top ten noise control techniques. These techniques are deemed to have wide application and offer substantial noise reduction quickly and cheaply.
  - The first technique is damping, with the typical applications it is employed in listed and the two basic techniques of it discussed, namely: unconstrained layer damping; and, constrained layer damping. Constrained damping is considered more effective. The limitations of this technique are also discussed.
  - Fan installations offer the second technique, with their typical application discussed, followed by a description of the technique itself with an accompanying diagram.
  - The third technique relates to ductwork. Again the typical applications for this are outlined along with the suggested technique description.
  - Fan speed offers the next technique, with its typical applications listed and the technique described. A table showcases the relation between fan speed reduction and noise reduction is provided.
  - Pneumatic exhausts are discussed next. It is noted that the fitting of effective silencers will reduce exhaust noise permanently. Further suggestions are made in relation to exhausts.
  - The typical applications for pneumatic nozzles are identified, along with a discussion on the technique. A schematic diagram of the suggested nozzle is provided.
  - Vibration isolation pads are the seventh technique discussed, with the typical applications listed. A discussion on anti-vibration mounts and pads takes place, with a diagram showing an effective isolation technique.
  - There are two techniques for improving machine guards, namely, minimizing gaps and using acoustic absorbent.
  - Chain and timing belt drives are discussed next with it noted that noisy chain drives can be replaced directly with timing belts.
  - The final technique for discussion relates to electric motors. It is suggested that many motors can be replaced with general duty motors than can be up to 10db quieter than the units they typically replace.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

<b>DLR Submission No:</b> <a href="#">C0057</a>	<b>Person:</b> Savills Planning	<b>Organisation:</b> New Ireland Assurance Company Plc c/o State Street Global Advisors	<b>Amendment Nos:</b> 451	<b>Map Nos:</b> 6
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**Summary of Submission / Observation:**

- Requests flexibility on plot ratios in the SUIP area similar to flexibility on heights.
- Considers that there is a contradiction in policy as the lack of flexibility plot ratio will prevent cases being put forward for additional height.
- Requests that Policy Objective SUIP 3 Building Height in Sandyford Business District be amended
- 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.
- 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 are presented in summary below:

**Site Context:**

- Notes a substantial outdoor amenity space is planned adjacent to the site (in place of the Stillorgan reservoir), which would yield complementary benefits for future development.
- Notes close proximity of LUAS green line, with a stop located directly opposite the site. Presence of easily accessible high frequency urban public transport provides basis for increased scale of development, in accordance with national planning policy.
- Note the current relationship between buildings and streetscape on much of Blackthorn Avenue and Blackthorn Road is poor. More intense re-development of subject site could improve this, in accordance with urban design best practice.
- Notes mismatch in terms of scale between buildings on east and west sides of Blackthorn Road. Also contributes to poor urban design and can be improved through increased scale of development at subject site.
- Points to strategic importance (as defined in regional and national planning policy) of continued compact growth of Sandyford, and how the subject site can contribute to same.
- Notes that urban design issues within Sandyford Business District and compact growth as a solution has been identified in the Draft 'Sandyford Urban Framework Plan 2022 – 2028' (Draft SUPP).

**Site Accessibility:**

- Notes the site benefits from ready access to a range of sustainable transport options, including Luas, walking and cycling routes. Notes that such sites need to accommodate compact growth and a higher concentration of uses.
- Notes also the site is readily accessible from the national road network, being within 1km of the M50.
- Notes the site adjoins a higher order street within the street hierarchy in Sandyford (being the primary loop road which circuits the business district). Considers the current site arrangement does not respond well to this street hierarchy, and there are improvements which can be made in respect of legibility and walkability, both of which can be achieved through compact growth.

**Building Height:**

- Considers that current building height in Sandyford is not efficiently distributed in accordance with relative accessibility. Notes that many of the district's tallest buildings are located at the furthest removes from identified sustainable movement hubs.
- Considers that Map 3 'Building Heights' of the Draft SUPP should be reviewed to address the issues of height distribution.
- Considers Map 3 is overly restrictive in terms of permissible heights at more accessible locations, including the subject site.
- Requests that the subject site is afforded a higher height threshold, similar to what is currently permissible at the Beacon South Quarter and Central Park areas (i.e. 11 or more storeys in height).

**Intensity of Development:**

- Re-iterates that greater height and more enclosure of the adjoining streets are appropriate for the subject site given the width of Blackthorn Road.
- Notes by way of example that nearby Arkle Road achieves a more consistent and enclosed street design through the presence of larger scale development.
- Considers that the approach to plot ratio applied to Sandyford Business District in the Draft Plan does not go far enough in facilitating sustainable growth.
- As with height, considers that plot ratio should correlate more strongly with proximity to multi-modal transport nodes.
- Argues in this vein that the subject site should qualify for a much higher plot ratio threshold.
- Considers there is a lack of uniformity of plot ratio within the District, which results in a less cohesive and consistent urban environment.

**Site Analysis:**

- Notes the site is currently well-served in terms of utilities and access.
- Notes there are a number of potential site access options, which would successfully integrate any development at the site with the surrounding area.
- Considers the re-development of the site would not obscure any key views, and that the site would be suitable for a landmark building.

- Considers the re-development of the site would not give rise to significant sunlight or daylight impacts, as there is no vulnerable (i.e. residential) development adjacent or near to the site.
- Observer identifies several options for higher intensity development on site with increased height and plot ratio. Considers these options represent a range of workable scenarios for more efficient use of the site.

**Conclusion:**

- Observer requests the following in summary:
  - Increased plot ratio standard at the subject site.
  - Policy provision for the development of a landmark building at the site.
  - Higher plot ratio thresholds generally at appropriate locations within the Sandyford Business District.
  - More extensive zoning for residential development within Sandyford, in particular at the most accessible locations.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 17

DLR Submission No: <u>C0058</u>	Person: Rory Kunz	Organisation: Cairn PLC	Amendment Nos: 50-52, 72, 160, 162, 183, 185, 211, 215, 240, 341, 377	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <p>Raises issues which are stated to be in relation to proposed material amendment 211, 215 and 240.</p> <ul style="list-style-type: none"> <li>• Raises concerns in relation to Build to Rent being “<i>open for consideration</i>” in land use zoning objectives A, A1 and A2 as considers this will impact on the long term institutional investor market and is inappropriate given the current housing crisis. Request that Built to rent be a permitted in principle use in land use zoning objective A, A1 and A2.</li> <li>• Considers that the definition of Build to Rent development as a separate use class at Development Plan level is not appropriate. Considers that to differentiate on tenure is ultra vires.</li> <li>• Submissions supports amendment 252</li> <li>• Submission provides commentary on a Daft.ie rental report, the National Planning Framework and the Section 28 Apartment Guidelines.</li> <li>• Request that the proposed alteration no. 160 is omitted and that the Chief Executive's recommendation in relation to Section 12.3.3.1 – Residential Mix be included in proposed alteration no. 160 in the adopted Plan which states: “<i>For the avoidance of doubt, in accordance with legislation this section will not apply to BTR only developments.</i>”. Inclusion of amendment 160 would be contrary to legislation set out under SPPR8 of the Apartment Guidelines.</li> <li>• Submission considers 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 analysis.</li> <li>• Request omission of proposed amendment 341 which relates to a comprehensive material amendment to Appendix 2 which sets out a robust evidence base for the proposed mix requirements. Submission considers that the HNDA fails to recognise the significant need for one and two bedroom apartments in the county.</li> <li>• In relation to amendment 341 submission considers that the term monotypology has been incorrectly applied. Submission questions the analysis of the SHD applications granted in dlr.</li> <li>• Submission provides commentary form a central bank study “Population change and housing demand in Ireland” and sets out detail in relation to under supply of housing.</li> <li>• Submission considers that Covid 19 and closure of sites also curtailed development.</li> <li>• Submission considers that order to achieve the objectives of Amendment 162 at 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.</li> <li>• 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</li> </ul>				

<p>requirement for additional performance base criteria. 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> <ul style="list-style-type: none"> <li>Submission supports proposes amendment 72 which relates to sustainable travel and transport. However submitter 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 to SPPR 8 of the Apartment Guidelines</li> <li>Submission requests that the Parking zones are reviewed and that the parking standards are indicated as maximum for residential development.</li> <li>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.</li> <li>Submission considers that proposed amendment 185 should be altered to include maximum car parking standards for housing and apartment developments in Table 12.6</li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 4, Chapter 12, Chapter 13, Appendix 2, Appendix 5</p>

DLR Submission No: <a href="#">C0059</a>	Person: James Cahill	Organisation: N/A	Amendment Nos: 461	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>Request that proposed MA 461 <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> be omitted. Instead development should be tied to the development to reservoir site for open space.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 17</p>				

DLR Submission No: <a href="#">C0060</a>	Person: Jean Crampton	Organisation: Office of the Planning Regulator	Amendment Nos: (see Volume I)	Map Nos: N/A
<ul style="list-style-type: none"> <li>In accordance with Section 12 (8) (b) of the Planning and Development Act, 2000 (as amended) this submission is summarised in Volume 1</li> </ul>				
<p><b>Submission and Observations are located in Volume I, Part 2 Summary of Submissions by the Office of the Planning Regulator and Chief Executive's Responses and Recommendations</b></p>				

DLR Submission No: <a href="#">C0061</a>	Person: Karen Donovan	Organisation: OPW	Amendment Nos: 400, 438	Map Nos: Flood Maps
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>The Office of Public Works (OPW) acknowledges and welcomes the addition of: <ul style="list-style-type: none"> <li>Flood Zone images/maps appended to a larger scale and higher resolution, as per Amendment 400</li> <li>The inclusion of the Coastal Flood Risk mapping in section 6.3 of the SFRA as per Amendment 438</li> <li>The inclusion of the consolidated amended SFRA incorporating the proposed Material Amendments</li> </ul> </li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 16</p>				

DLR Submission No: <a href="#">C0062</a>	Person: Yanny Petters	Organisation: N/A	Amendment Nos: 342	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Applauds DLR in their efforts to provide housing development that accommodates families in apartments.</li> </ul>				

- Suggest that 3 bedroom units could be renamed as 2 bed with office/workroom – residents can then choose to furnish room as required.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Appendix 2

DLR Submission No: <u>C0063</u>	Person: Michael Brennan	Organisation: N/A	Amendment Nos: 318, M1404	Map Nos: 14
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to proposed amendment 318, which seeks to remove SLO 118 from Table 14 and Map 14 of the Draft Development Plan.</li> <li>• SLO 118 sought to identify <i>'The lands to facilitate and form part of any future extension of Shanganagh Park'</i>.</li> <li>• Considers SLO 118 should be retained with the wording as per the Draft Plan, but that the SLO should refer to a considerably smaller area. Observer considers this would sufficiently address issues that had been raised by the Planning Executive in relation to this SLO.</li> <li>• Proposes that SLO 118 should cover a c. 4.6 acre area on the western side of Dublin Road.</li> <li>• Notes the lands in question are zoned Objective GB, which limits development. Considers this zoning is appropriate.</li> <li>• States that expansion of Shanganagh Park is imperative as the existing park is heavily used.</li> <li>• Notes there was support from local residents' associations for SLO 118, as expressed in various submissions made during public consultation on the Draft Plan (submission nos. <u>B0669</u>, <u>B0702</u> and <u>B1155</u> refer).</li> <li>• Suggests that the inclusion of SLO 118 could be the impetus for a strategic approach for future expansions of the park.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14				

DLR Submission No: <u>C0064</u>	Person: Alan Hanlon	Organisation: Department of Education	Amendment Nos: 17, 18, 25	Map Nos: 1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Notes the proposed reductions in populations projections and housing targets in the Core Strategy to 2028.</li> <li>• Notes that there are no proposals to amend Tables 2.3 and 2.4 of the Core Strategy for population growth to 2031.</li> <li>• States that school place requirements are assessed on the basis that maximum population targets to 2031 could be reached, but these are not reducing.</li> <li>• Notes that the increase in population for Old Connaught has not changed.</li> <li>• The Department acknowledges the proposed changes but reiterates that the requirements outlined in its submission to the draft plan remain the same. In this regard: <ul style="list-style-type: none"> <li>○ The Department requested a rezoning of the former Irish Glass Bottles site in Goatstown from open space to SNI.</li> <li>○ The Department welcomes the new SNI objective and education designation on the Goatstown site.</li> <li>○ The SNI objective on this site would enable optimal development for growing education needs and facilities for outside school hours, for the community.</li> <li>○ Department considers that this site failed to meet the criteria for the SNI objective on a technicality.</li> <li>○ Welcomes the statement that the SNI zoning may be expanded upon in future reviews of the County Development Plan as new SNI facilities are delivered and/or permitted.</li> </ul> </li> <li>• The Department and the Council will need to collaborate to address challenges in delivering school accommodation for this community.</li> <li>• The Department acknowledges the Clonskeagh/UCD LAP and will engage with the Council in its preparation.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				

## Chapter 2, Land Use Mapping

DLR Submission No: <a href="#">C0065</a>	Person: Patrick O'Kane	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltiernan as part of the SLR, subject of amendment M911.</li> <li>• Notes the stated position of the Planning Executive that there is already sufficient zoned land in Kiltiernan to accommodate projected residential growth.</li> <li>• Considers the designation of the lands in question as SLR lands would be contrary to the Core Strategy of the Draft Plan, the NPF, RSES for the EMRA and Section 28 Ministerial Guidelines.</li> <li>• Considers the development of the lands in question would result in an unsustainable increase in traffic pressure and an overburdening of local services and public transport. Notes there are already traffic hazards present in the local area as a result of previous development.</li> <li>• Considers the proposal would have significant negative environmental impacts in the local area, in particular impacts to views/vistas and ecology. Notes in this regard the rich biodiversity in the local area.</li> <li>• Considers there are no apparent beneficiaries of this proposal aside from the owners of the lands in question.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Land Use Mapping				

DLR Submission No: <a href="#">C0066</a>	Person: Auveen Byrne	Organisation: N/A	Amendment Nos: M605	Map Nos: 6
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission relates to lands adjoining 32 Dale Road, Kilmacud, and proposed amendment M605 which seeks to change land use zoning of the subject site from 'NC – Neighbourhood Centre Facilities' to 'F – Open Space'.</li> <li>• In relation to proposed amendment M605, the submission: <ul style="list-style-type: none"> <li>○ Refers to the council motion that proposed the re-zoning, providing a direct quote which outlines the rationale. The subject site was deemed to be an undeveloped green area, similar to a site adjacent to 28 Dale Road, until a fence was erected. The motion suggested the land registry indicates different owners of the subject site and the adjacent property, and stated that the ownership of the green space may be in dispute.</li> <li>○ Refers to the CE Report where a response to the motion was made. Notes the executive did not agree with the motion, highlighting the NC zoning and the policy of the Draft Plan to support the development of neighbourhood centres. The CE Report did not recommend any change; however the motion was passed.</li> <li>○ Suggests the amendment is <i>"based on an erroneous understanding of the use, zoning and ownership of the site"</i> and that it is not based on any principles of proper planning. Considers the amendment unlawful and recommends the NC zoning is retained.</li> </ul> </li> <li>• The submission provides a 'background' to 32 Dale Road: <ul style="list-style-type: none"> <li>○ The property is one of five neighbourhood centre units and were formerly residential shops serving the estate when it was developed in the late 1940s/early 50s. As such, they are a planned neighbourhood centre.</li> <li>○ With the development of other retail facilities in the wider area, the units lost their initial function and were converted to alternative uses. Notes that No.28 is an office with planning permission for a mixed-use development, No.30 is used as a workshop for people with special needs, No.32 has been used as offices since 1989 and 19/21 is a creche.</li> <li>○ No.32 was purchased in 1989 and has been used as offices for a planning practice, as well as a serviced office. Notes that many occupants of the building have tended to be nearby residents. The owner of the property grew up and has lived in the Mount Merrion area, therefore possesses long-standing and strong connections with Dale Road.</li> </ul> </li> <li>• With regard to the subject site adjoining 32 Dale Road, the submission: <ul style="list-style-type: none"> <li>○ Notes that when No.32 was purchased in 1989 the subject site was fenced and overgrown. To the owner's knowledge it has never been public open space.</li> </ul> </li> </ul>				

- Notes ownership of the property is established, having occupied it for over 20-years, and considers that there is no dispute regarding this.
- Highlights the NC zoning for the subject site has been in place since at least the 2004 Development Plan. This zoning has been confirmed in three successive development plans since then.
- Suggests there were no submissions made by local residents to the Draft Development Plan 2022 that requested the site be zoned from 'NC' to 'F'. Acknowledges a number of submissions were made requesting an adjacent open space, known as Mullen's Field, retain its 'F' zoning. States it was only the Council motion that was concerned with the subject site's zoning.
- States the site has been enclosed for over 30-years, is not open to the public and will not have the fence removed. Considers the site as having been secured and under occupation for over 20 years. It has been zoned for neighbourhood centre uses for at least 18 years and was zoned for development in prior plans. Suggests neither the site ownership or zoning status has attracted any interest during the 30 years since the purchase of No.32. The amendment should be based on accurate information about the site status and on principles of proper planning and sustainable development.
- With regard to the rationale grounding the proposed amendment, the submission:
  - Disputes the site is a 'green area', instead suggesting it has been fenced off since 1989 and overgrown for many years. Suggests the site was never a public area and has been zoned NC for at least 18 years. The site at No. 28 Dale Road was zoned 'F' from at least 2004 and does not share a use or zoning history with the subject site.
  - 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.
  - Considers the amendment rationale erroneous, but also suggests zoning history, use and ownership are not matters that pertain to the proper planning and development of the area, or justify the proposed zoning change.
  - Considers the amendment unlawful and requests it is not debated, or if so, that it is voted against.
- With regard to the zoning of the subject site, the submission:
  - Considers there to be sufficient, purposely-laid-out open space in the vicinity of No.32 Dale Road, that can serve the local area. Redesdale Garden Estate was developed under garden city principles. A large, formal green area exists to the front of the neighbourhood centre units and constitutes a "village green". Furthermore, a large park exists east of No. 28 and serves the recreational needs of the local population.
  - Suggests zoning the subject site as 'F' will not release it as open space as it will need to be acquired by the Council. The site would also need to be maintained in perpetuity by the Council.
  - The re-zoning of this small site is not required to serve the local population and would place an undue burden on the Council in terms of its acquisition and maintenance. There is no justification for the proposed zoning.
  - Agrees with the CE Report that retaining the NC zoning will support the development of the Dale Road neighbourhood centre and would accord with the policy of the Draft Plan found in section 7.5.4.
- Concludes by reiterating the statement that the amendment is erroneous and contrary to the principles of proper planning and sustainable development. Considers the amendment unlawful. Agrees with the Executive that the NC zoning is appropriate and suggests rejecting the amendment will result in the appropriate zoning of the subject site.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Land Use Mapping

DLR Submission No: C0067	Person: Hughes Planning and Development Consultants	Organisation: Peter Meagher	Amendment Nos: 191	Map Nos: 1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>● Subject site is Hollywood House located on Mount Anville Road c. 105 metres from the junction with Goatstown Road. It contains a protected structure, RPS 829. Site is well served by transport, community services and amenities. Site is partially located within the DEBP transport corridor.</li> </ul>				

- Previous refusal of planning permission referred reason given was the undermining of the DEBP Reservation Corridor.
- Submission refers to excerpts of planning policy relating to the subject site in the Draft Plan, current County Development Plan and the Goatstown LAP including reference in the Goatstown LAP to the negative impact of the DEBP and effect on the development potential on the Goatstown area.
- With regard to SLO4 - submission recommends that the 'Strategic Road Reservation' for the Eastern Bypass and 'SLO 4' be omitted from maps 1, 2, 5, 6 of the Plan as it is contrary to the commitments and vision of Chapters 3 and 5 of the Draft Development Plan and retains requirements of the 'Strategic Road Reservation' area for the Eastern Bypass which is not contained on the 'National Development Plan, 2021-2030' and has been removed from the Transport Strategy for the Greater Dublin Area under the 2022-2042 plan.
- Notes DEBP has been in place for a long time with a questionable timeframe and now 'Transport Strategy for the Greater Dublin Area, 2022-2042', which removes the intention of completion of the Eastern Bypass. It would be consistent with the Goatstown LAP to remove the reservation to free up development lands.
- NRA 'Dublin Eastern Bypass Corridor Protection Study' (January 2011) – submission refers to various details including development control measures from this document and reference to the uncertainty of the timeframe for its delivery. It refers to the current NTA Transport Strategy for the GDA and reference the absence of a timeframe for the DEBP through DLR.
- 'National Development Plan, 2018 – 2027' – the submission summarised some of the points of this plan regarding capital investment and notes that the south-eastern access route from Dublin Port is designed to open up the Poolbeg Strategic Development Zone and link southwards towards the N11 and route through to the M50. The new regional road was envisaged as a light version of the earlier Eastern Bypass.
- The updated NDP 2021-2030, which omits the DEBP, is also referred to.
- Material Alterations to Draft Development Plan - submission sets out that despite the DEBP being omitted from NDP 2021-2030 and the Transport Strategy for the GDA, the land is still reserved in the amendments to the Draft Plan.
- Submission notes that the NTA and the Executive have raised the issue of severance caused by the M50 and N11/M11 and refers to the ABTA for the Racecourse South Land and the issue of severance.
- Refers to previous submissions as set out in Chief Executive's Report to the Draft Plan which refers to the DEBP being contrary to other policy in the plan set out in Chapters 3 and 5.
- Refers to the wording of proposed amendment 191 and new SLO4 regarding the DEBP and the addition which required that a study be carried out to determine the best use of the corridor (*sic* wording quoted in the submission seems to refer to the wording recommended in the CE's Report rather than the wording used in the material amendments).
- The Draft Transport Strategy also states that the lands which are reserved under the Eastern Bypass scheme from the Stillorgan Road to Sandyford should remain reserved, pending the outcome of an assessment for its potential use as a transport corridor accommodating sustainable transport modes. 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 consider 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12

DLR Submission No: <u>C0068</u>	Person: Blaine Cregan	Organisation: John Spain Associates on behalf of Kennedy Wilson	Amendment Nos: 117, 160, 252	Map Nos: 2
<b>Summary of Submission / Observation:</b>				
The submission relates to Stillorgan District Centre and to Build-To-Rent provisions. Stillorgan Retail Cap				
<ul style="list-style-type: none"> <li>• The submitter has invested substantially in Stillorgan in recent years including the enhancement of the Stillorgan Village Centre and the redevelopment of the Leisureplex site.</li> </ul>				

- Amendment 117 proposes to reduce the retail cap at the Stillorgan District Centre from 25,000 sqm to 20,000 sqm.
- No rationale or explanation has been provided for the reduction of the retail cap. The submitter requests that the amendment doesn't proceed and that the existing cap remains in place.
- The reduction to 20,000 sqm would be contrary to the overall Retail Strategy set out in the CDP, which seeks *"to promote the future redevelopment of Stillorgan as a multi-faceted, mixed-use sustainable district centre, having regard to the adopted Stillorgan Local Area Plan"*.
- The submitter supports the preceding objective and notes that additional retail space will be an important element underpinning investment. The proposed retail cap will go against achieving this objective.
- Consistency should be maintained with the recently adopted Stillorgan LAP (2018), which includes a cap of 25,000 sqm. The submission quotes objectives from the LAP and asserts that the reduction on the retail cap will militate against achieving the LAP's objectives.
- An immediate and direct result of the cap would be to concentrate further retail development in Dundrum, which would require residents of Stillorgan to travel for their shopping needs.
- The cap would put Stillorgan at a significant disadvantage not only to Dundrum, but to the other four district centres in the County at Blackrock, Nutgrove, Cornelscourt, as well as Cherrywood and Dún Laoghaire Town Centres.

#### Build-to-Rent

- The submitter (Kennedy Wilson) are one of the largest Private Rental Sector (PRS) operators in the country. A number of the submitter's schemes would fall under the definition of 'Build-to-Rent' in planning terms.
- Kennedy Wilson's award-winning developments have been recognised as exemplar projects, with examples including Clancy Quay, Capital Dock and Vantage Sandyford.
- The submitter therefore has a thorough understanding of market demand in relation to unit types and bedroom requirements for apartments, which is predominantly 1 and 2-bed units. Such demand is linked to the reduced household size of 1-2 persons and the general provision of 3+ bed units as part of the existing housing stock, particularly in Dún Laoghaire-Rathdown.
- This experience is reflective of the statements in the 2020 Apartment Guidelines in relation to housing mix, which the submitter quotes.
- Research work undertaken by the Department of Housing, Local Government and Heritage with input from industry and construction professionals analysing the cost of housing delivery, confirms that in a given apartment scheme that includes a proportion of three bedroom units, replacing these units to allow a larger number of one-and two-bedroom units would contribute to greater scheme viability.
- The provision of a significant element of 3-bed units within an apartment scheme, as is sought under the proposed material alterations is contrary to SPPR8 of the Apartment Guidelines for Build-to-Rent development and is also contrary to national objectives.
- The provision of a significant quantum of 3-bed units, which the submitter states are not in demand, may result in such units not being occupied whereas additional 1 and 2-bed units may be delivered in the same floor space addressing the demand and deficiency of supply of such units. It is likely apartment schemes with a significant quantum of 3-bed units would not be brought forward or be delivered due to viability concerns as there is potential for significant numbers of apartments to remain vacant.
- Proposed Amendment 160 – Unit Mix and BTR: This proposed amendment seeks the insertion of additional text that would have the effect of applying the residential mix provisions, which would require a minimum of 20% 3 bedroom units in apartments in existing built up areas and 40% in the key new housing development areas.
- There has been no clear rationale or justification given for this requirement in respect of BTR schemes and it is a significant departure from government policy including SPPR1 which states that there shall be no minimum requirement for apartments with three or more bedrooms.
- The submitter quotes SPPR 8 - 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...."* Therefore SPPR8 does not allow for any deviation from national policy based on a Housing Need and Demand Assessment in the manner provided for under SPPR1 or otherwise in respect of the requirement for the specific unit mix requirement for 'Build to Rent' development.

<ul style="list-style-type: none"> <li>• Even if the Housing Needs Demand Assessment did justify a departure from national policy on non-BTR apartments in accordance with SPPR 1, this could not be used as a basis for requiring the unit mix provisions to be applied to ‘Build to Rent’ developments as such a policy is directly contrary to SPPR8.</li> <li>• The CE Report states: <i>“The Draft Plan does not apply any mix requirement to BTR development, however, for the avoidance of doubt a note to this affect will be applied to Section 12.3.3.1 ‘Residential Size and Mix’ in the Draft Plan”</i>. The proposed material amendment which applies the apartment unit mix requirements to all ‘BTR’ developments is directly contrary to SPPR8 and it is respectfully requested that the Chief Executives recommendation is instead adopted.</li> </ul> <p>Proposed Amendments 252 - Build to Rent as a Land Use:</p> <ul style="list-style-type: none"> <li>• This proposed amendment seeks to amend (i) ‘Build to Rent Accommodation’ in Section 13.2 ‘Definition of Use Classes’ (page 315). In accordance with the commentary in the NPF, the BTR model has the potential to create mixed tenure communities in established areas. Dún Laoghaire Rathdown is characterised by large areas of low-density residential suburbs within which suitable infill and redevelopment sites can accommodate Build-to-Rent development which will invigorate existing neighbourhoods and ensure sufficient population is provided to maintain viability of existing services and amenities. The differentiation of BTR as a land use has the potential to undermine the NPF objectives of increasing the density of existing cities.</li> <li>• 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.</li> <li>• 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.</li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 7, Chapter 12, Chapter 13</p>

DLR Submission No: <u>C0069</u>	Person: Doyle Kent Planning Partnership Ltd	Organisation: Bartra Property (Dublin) Ltd	Amendment Nos: 119, 239, 271, 438	Map Nos: 3, 4
<p><b>Summary of Submission / Observation:</b></p> <p>Main Submission:</p> <ul style="list-style-type: none"> <li>• Submission objects to proposed amendments.</li> <li>• Submission sets out detail in relation to lands at Bulloch Harbour and the site which is owned by Bartra.</li> <li>• Submission sets out detail of national policy as contained in both the NPF and EMRA’s RSES, which supports infill/brownfield development.</li> <li>• Submission sets out policy as contained in the current 2016 – 2022 DLR Development Plan including land use zoning objective and SLO 22 and concludes that there is little difference between policies in the current Plan and the Draft Plan (pre proposed amendments).</li> <li>• Submission sets out detail of the Draft Plan published in January 2021 including PHP18 Residential Density.</li> <li>• Submission sets out detail of the Bartra submission made on the draft Plan which emphasised the statutory constraints on the Council, when making the plan, that limit the lawful authority of the elected members.</li> <li>• Submission notes that the CE’s report of July 2021 responded to the issue raised and did not recommend that residential as a use be removed from the zoning matrix for the ‘W’ land use zoning objective.</li> <li>• Submission sets out that motions in relation to the site were tabled and considered at a Council meeting held on 18<sup>th</sup> October 2021. Submission states that it appears that the motions were the only materials considered.</li> <li>• Submission sets out the following amendments which they oppose in terms of use, value and in particular proposed amendments which prevent residential development:</li> </ul> <p>Amendment 271 to SLO 28 is as follows:</p> <ul style="list-style-type: none"> <li>• <i>“Bulloch Harbour: That any <del>residential</del> development shall form part of a mixed-use scheme which will include commercial marine-based activity and public water-based recreational uses and shall have regard to the special nature of the area in terms of the height, scale, architecture and density of built form.”</i></li> </ul> <p>Amendment 119 is as follows:</p>				

- Insert a new sentence at the end of Section 8.5.2 'Policy Objective GIB8: Coastline, Parks and Harbours' (page 162) as follows: *"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."*
  - Proposed amendment 239 which removes residential as a use open for consideration in the 'W' zone at Bulloch Harbour.
  - Submission sets out a number of amendments relating to flooding as follows:
  - Amendment number 438 which relates to the new section on wave overtopping and the coastal risk maps.
  - Submission notes that the Bartra property is within the area now suggested as one that is at risk of wave overtopping, as shown on Map 4 published as part of the amendments to the Draft Development Plan 2022-2028. Submission notes the extended display period and the new maps which went on display.
  - Submission notes that the same considerations regarding overtopping apply at a number of locations along the coast, including parts of Dún Laoghaire Harbour. But the residential development potential of Dún Laoghaire Harbour has not been limited in the same way as now proposed at the Bartra site.
  - Submission states that they have no objection to the changes in relation to wave overtopping as it does not prohibit development but requires more detailed assessment of wave overtopping.
  - Submission 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.
  - In consideration, members are restricted to considering the proper planning and sustainable development of the area.
  - Submission 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. Submission considers that insufficient and superficial attention only was given to the fundamental statutory requirements of section 12(11).
  - 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.
  - Submission notes that the members were advised at the meeting that the planning application process was the proper place for the consideration of whether uses were appropriate and the consideration of flood issues under the relevant Flood Risk Assessment.
  - Submission 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"*. Submission refers back to previous planning applications on the site where residential as a use was accepted.
  - Submission references a current application (Ref. Ref. D22A/0006) and considers that the amendment would interfere with the process.
  - Submission references a decision in DCC which it is stated pertains to similar circumstances.
  - Submission considers that it is not reasonable that one individual property has been singled out for removal of residential.
  - Request that proposed amendments 271 and 239 be omitted
- KHSK Report: Assessment of the Potential for Commercial Marine-Based Activity at Bulloch Harbour**
- Report assesses the potential for sustainable commercial operations to be developed at Bulloch Harbour.
  - Submission sets out the planning history of a site at Bulloch Harbour.
  - 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. Submission provides various commentary relating to the wording and also the planning history and provides quotes from planning reports.
  - Submission sets out commentary in relation to the masterplan for the Sandycove and Bulloch Harbour
  - Submissions references the proposed changes in the 'W' zone including the requirement that leisure facilities must be marine related, consideration of public houses is to be restricted to Dún Laoghaire only, cafés are identified 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.

- Submission states that the report notes that one of the amendments would exclude residential development being open for consideration under Zoning 'W' in the Draft Plan but as the Plan has not yet been made the report continues on the basis that the *"Zone W will be defined in the future development plan in line with the published draft and will not be redefined as suggested by this amendment"*.
- Submission set 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.
- Submission 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.
- Submission then provides considerable detail of site visits undertaken from 2017 to 2021 and states that the consultants were unable to hire a boat on their visits and that the fishing business is quite limited.
- Submission 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."*
- Submission then goes onto provide detail of activity in various small harbours in and around Dublin and concludes that they observed no examples of successful investment in marine related commercial development in any of the small harbours around Dublin bar Balbriggan where a local authority led plan developed for Balbriggan harbour which links the harbour and the town and have also acquired sites.
- Submission provides detail of footfall which is considered low.
- Submission then provides detail of financial consideration including turnover required for a coffee shop to be viable and concludes that it would not.
- Submission sets out a SWOT analysis for Bulloch Harbour.
- Submission considers that opportunities to develop viable commercial activity in Bulloch Harbour of any kind, much less 'marine based commercial activity' are rather limited based on the attributes of the location and considers that any activity needs to be either high end or voluntary.
- 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.
- Submission 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 13, Chapter 14, Appendix 16

DLR Submission No: C0070	Person: Fergal O'Brien	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.</li> <li>• Considers there is no capacity for further high-density development in the Kiltarnan Stepside area.</li> <li>• Considers that further such developments in this area would not be sustainable and would have significant environmental impacts, in particular in respect of ecology. Notes in this regard the areas close proximity to ecologically rich habitats in the Dublin Mountains and the area's function as a wildlife corridor.</li> <li>• Considers development at the lands in question is unsustainable due to the site's relative inaccessibility via public transport modes. States that the Luas is c. 45 minutes walking distance from the site and is already operating above capacity.</li> </ul>				

<ul style="list-style-type: none"> <li>• Considers additional development at the lands would place an undue burden local services already facing capacity issues, including schools and healthcare facilities.</li> </ul>
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>
Land Use Mapping

DLR Submission No: <u>C0071</u>	Person: Gay Wright	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.</li> <li>• Notes the position of the Planning Executive that there is already sufficient zoned land in Kiltarnan to accommodate projected future development in the area.</li> <li>• Considers the lands offer valuable visual amenity and would be more usefully be retained as green belt lands, ensuring an undeveloped buffer area remains between Stepside and Kiltarnan.</li> <li>• Considers the re-designation of the lands would negatively impact on local business within and adjoining the lands, including in particular Stepside Golf Centre to the north. Notes that some of these businesses are of critical value to the local community.</li> <li>• Considers there would also be permanent negative impacts on the village character of the local area, which serves as a significant local tourist attraction.</li> <li>• Raises concerns with the way in which the motion proposing Amendment M911 was voted on by the Council. Considers sufficient time and information had not been available to Councilors by the time of the vote.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Land Use Mapping				

DLR Submission No: <u>C0072</u>	Person: Rachel McNicholl	Organisation: N/A	Amendment Nos: 160	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Supports 40% 3-bed units including this requirement for BTR developments.</li> <li>• Urge Dún Laoghaire-Rathdown to stick to evidence.</li> <li>• Queries the current supply of 3-bed apartments with adequate storage, open space, access to public transport etc and if there are enough of these units for sale or to rent that suit families or sharers.</li> <li>• States that we don't have enough 3-bed apartments compared with other cities within the EU.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				
Chapter 12				

DLR Submission No: <u>C0073</u>	Person: Jonthan Walsh	Organisation: N/A	Amendment Nos: 168	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• States that the required external storage would add an additional €7,000 - €10,000 cost per unit.</li> <li>• Notes that many units are let fully furnished therefore this storage would be superfluous for the majority of residents.</li> <li>• Part V units may require the storage due to their prolonged tenure.</li> <li>• The increased area would be better suited within the apartment for owner-occupiers rather than being remote.</li> <li>• Would reduce affordability for homeowners.</li> <li>• UK examples cited for housing mix do not bear any relationship with the Irish market.</li> <li>• There is no demand for 3-bed apartments – if seeking a larger unit, one would rent/purchase a house.</li> <li>• Families living in apartments is a symptom of the housing crisis – the vast majority would prefer a back gardens, safer play areas, better sense of community.</li> <li>• A 20-40% mix of 3-bed units would increase construction costs by 30-40% across the entirety of the project resulting in a price increase for all units.</li> <li>• Result in unaffordable rent / purchase costs.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b>				

## Chapter 12, Appendix 2

DLR Submission No: C0074	Person: BMA Planning	Organisation: Hines Ireland Ltd	Amendment Nos: 160, 168 & 341	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission provides an overview and comment on the landowner's submission made at the Draft Plan stage which included: <ul style="list-style-type: none"> <li>○ The Cherrywood Planning Scheme 2014 should be reviewed to give Cherrywood full access to new national and regional planning policies.</li> <li>○ The trend towards multi-functional centres and the changing dynamic in relation to retail should be applied to the Cherrywood Town Centre through an Amendment to the current Planning Scheme.</li> <li>○ Concern was raised that the CDP would depart from national policy and guidance on apartment standards.</li> <li>○ If Cherrywood was to be represented in the CDP Parking Zones (Map T2), it should be designated as Parking Zone 1.</li> <li>○ Regrets that the Planning Authority didn't take the opportunity to address the potential for additional public open space on lands outside the M50 adjacent to Ticknick Park.</li> </ul> </li> <li>• Proposed Amendment 341: <ul style="list-style-type: none"> <li>○ Submits that Proposed Amendment No. 341 should not be made. Section 12.3.3.1 and Table 12.1 of the Draft Plan should be amended to remove the prescriptive requirement for apartments with three or more bedrooms and allow applicants to make the case for a unit mix based on factors including market demand, geographical considerations and tenure.</li> <li>○ The CDP and Table 12.1 are at variance with the Section 28 Guidelines 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020) and the NPF, in relation to the requirement for a minimum of 40% 3+ bedroom units in certain large-scale apartment developments. Highlights SPPR1 of the Guidelines which states there should be no minimum requirement for apartments with three or more bedrooms.</li> <li>○ Highlights the requirement under Section 12(18) of the Planning and Development Act 2000 (as amended) to ensure that the Development Plan is consistent with SPPRs specified in Section 28 Guidelines.</li> <li>○ The justification underpinning the policy on mix, provided in Proposed Material Amendment No. 341, is flawed. There is a failure to recognise the existing predominant typology within DLR and that the SHD permissions provide a much-needed mix of housing types to redress this balance. References from London Boroughs are not directly relevant.</li> </ul> </li> <li>• Proposed Amendment 160: <ul style="list-style-type: none"> <li>○ Requests DLR to make the CDP without Proposed Amendment 160 which is contrary to and inconsistent with SPPR 8 of the Apartment Guidelines.</li> <li>○ Submits that Proposed Amendment No. 160 – which stipulates that the requirement for certain percentages of 3 bed units shall apply to Build to Rent developments - cannot apply to Build to Rent due to Clause (i) of SPPR 8 which states that 'No restrictions on dwelling mix' shall apply to Build to Rent developments.</li> <li>○ Highlights the requirement under Section 12(18) of the Planning and Development Act 2000 (as amended) to ensure that the Development Plan is consistent with SPPRs specified in Section 28 Ministerial Guidelines.</li> <li>○ Notes that this conflict with statutory provisions has been identified in the submission by the OPR and the submitter supports the position of the OPR in this respect.</li> </ul> </li> <li>• Proposed Amendment 168: <ul style="list-style-type: none"> <li>○ Submits that Proposed Amendment 168 should not be adopted. The Proposed Amendment introduces Table 12.b which seeks to provide a minimum requirement for external storage for apartments.</li> <li>○ Submits that the Proposed Amendment is a departure from Sections 3.30 to 3.34 of the Apartment Guidelines which provide clear guidance on the internal and external storage requirements for new apartments. Notes that no evidence or rationale for this standard is provided and it will add to the cost of delivery and prove difficult in many instances to achieve.</li> <li>○ Notes that Section 12.3.5.3 of the Draft CDP provides contradictory standards in relation to the location of the external storage space. Section 12.3.5.3 states that 'external storage' may be</li> </ul> </li> </ul>				

provided at 'ground or basement level' and later in the same paragraph that it should be 'at ground floor level'.
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12 and Appendix 2.

DLR Submission No: <u>C0075</u>	Person: Patrick Brophy	Organisation: N/A	Amendment Nos: 276, 282, 296, 307, M401	Map Nos: 4, 7, 10
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Hopes that SLO130 does not apply to arterial routes operating around Dalkey / Sandycove as these should be future-proofed for future generations.</li> <li>Submission sets out the role of Dalkey as a town and its poor accessibility as follows:</li> </ul> <p><b>Role as a Town:</b></p> <ul style="list-style-type: none"> <li>The heritage designations of Dalkey should not limit its function.</li> <li>Provided that development isn't unsightly and doesn't harm protected structures, there is no reason why they shouldn't fulfil the potential of their site – example cited includes the Tramyard where there is potential to provide a new heart for Dalkey.</li> <li>Notes that many objections to development refer to heritage or noise – submission states that those who wish to live / operate a business in a village <i>"should know that hustle and bustle and traffic come with the territory"</i>.</li> </ul> <p><b>Accessibility to the Town:</b></p> <ul style="list-style-type: none"> <li>Note how inaccessible Dalkey is unless you live along the DART, have a car or are an avid bike user.</li> <li>Don't agree with the recent work carried out in Dalkey making streets narrower – no consideration for buses or trucks (goods / deliveries) have been provided.</li> <li>Many roads to/from Dalkey are barely wide enough to accommodate cars – notes that some side roads are better than the arterial routes to/from the town.</li> <li>Recently permitted developments will put a further strain on already sub-standard roads.</li> <li>There should be a major revisit of road layout in the area – it is suggested that a one-way loop be provided. A map demonstrating such a proposal is provided.</li> <li>Suggest that the railway line between Dalkey Avenue and Ardeevin Road could be covered to provide a new road option. This along with one-way options may extend bus routes – a map has been provided to illustrate same. Difficulties with terrain are noted.</li> <li>References the National East Coast Trail Cycle Route running parallel to the railway line – notes that this could be streamlined for better access for buses and other sustainable modes of transport.</li> <li>Refers to Bray as an example of how a suburban town should operate with a throughflow of buses and one-way systems allowing for connections while maintaining architectural 'richness'.</li> <li>The 'exclusiveness' of Dalkey will encourage future residents to become car dependent.</li> <li>Objects to those who seek to deprive an area like Dalkey of alternative modes such as buses.</li> <li>There have been no plans to date to improve bus accessibility for Dalkey or area within a 2mile radius.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 5, Chapter 7, Chapter 14</p>				

DLR Submission No: <u>C0076</u>	Person: John Spain Associates	Organisation: Leopardstown Park Hospital Trust	Amendment Nos: 160, 211, 215, 224, 230, 233, 240, 251, 252, 461, 468	Map Nos: 6
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>Submission made on behalf of Leopardstown Park Hospital Trust, the owners of lands at Leopardstown Park Hospital, and relates to the Sandycove Urban Framework Plan (SUFPP) and several proposed amendments to the Draft Plan.</li> <li>With regard to proposed amendment 461, the submission: <ul style="list-style-type: none"> <li>Raises concern with the proposed material amendment and questions the figure of 1,500 apartments and the basis under which it is calculated. Suggests the figure does not include existing or permitted apartments.</li> </ul> </li> </ul>				

- 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.
- States that there is “no realistic” prospect of the Civic Park being delivered during the plan period as the land is primarily in private ownership and is already developed for commercial uses. The objective for the park has been in place for ten years with no progress towards implementation. It is suggested the objective will result in preventing development sites becoming available for housing, which would be contrary to the overall objectives of national and local planning policy that seek to deliver housing.
- Requests proposed material amendment 461 is omitted from the CDP.
- With regard to proposed amendments 211, 215, 224, 230, 233, 240, 251, 252 and 468, the submission:
  - Raises concerns over the consequences of proposed amendments 251 and 252 which amends the use classes, and its associated amendments in chapter 13 and Appendix 1, to specify Build-to-rent (BTR) as ‘Residential – Built to Rent’. Suggests this will not encourage a mix of tenures and development types, restricting BTR schemes. Believes the zoning objectives and use classes should not differentiate between tenure type.
  - 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, including the client’s lands, which adjoin a Luas stop.
  - States that national policy, including the 2020 Apartment Guidelines and NPF, support BTR developments. Introducing a separate definition based on tenure type would undermine national policy and result in a reduction in the provision of professionally managed apartments in the County. This would also reduce overall housing supply, particularly in the SUFP where there are already constraints on zoned residential land. Considers BTR as critical in addressing the shortfall in housing. The lack of supply will have a detrimental impact on society.
  - Requests amendments 251, 252 and the associated amendments in Chapter 13 and Appendix 1 of the SUFP are omitted and that references to ‘Residential – Built to Rent Accommodation’ as a separate land use is also omitted.
- With regard to proposed amendment 160, the submission:
  - Is concerned by the impact amendment 160 will have on housing supply. Suggests the amendment is inconsistent with SPPR 8 of the Design Standards for New Apartments and threatens the viability of BTR developments to meet the need for one- and two-bedroom apartments in the County.
  - Notes SPPR 8 allows for “no restrictions on dwelling mix” with respect to BTR. Argues there is no provision in SPPR 8 for Planning Authorities to modify or vary this based on a HNDA. The absence of a unit mix requirement is a mandatory requirement of SPPR 8.
  - Quotes from the 2020 Apartment Guidelines which require planning authorities to have regard to the guidelines and apply the SPPRs within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended). Provides further quote from Section 28 which reaffirms the requirement for Planning Authorities to comply with SPPRs.
  - Suggests SPPR 1 does not apply to BTR and that the proposed amendment is in breach of the legislative provision, with the Planning Authority acting ultra vires by applying restrictions to mix.
  - Suggests the proposals in Section 12.3.3.1 will reduce the supply of apartments by impacting the viability of schemes and resulting in reduced investment in such schemes.
  - Notes a recent Daft.ie rental report that highlights weak supply and strong demand. Highlights the lack of available rental properties in Dublin, with a total of 820 properties available, as identified in the report. Claims there is a requirement for “four to five thousand” units in Dublin and that long-term institutional investors are key to delivering apartments.
  - States that the HNDA fails to meet the necessary level or basis of evidence to justify a requirement for larger apartments. Instead, there is a requirement for one- and two-bedroom units.
  - Suggests there is no justification in DLR’s own analysis for a minimum percentage of three-bedroom units in schemes.
  - Reiterates the failure to comply with SPPR 8, where there is no restriction on dwelling mix.
  - Notes the CE Report which acknowledges restrictions will not apply to BTR developments, in accordance with legislation.
  - Requests amendment 160 is omitted and replaced with the recommendation from the CE Report that states “for the avoidance of doubt, in accordance with legislation this section will not apply to

<p><i>BTR only developments</i>”. Concludes by restating the claim that the current amendment 160 is contrary to legislation and national policy.</p> <ul style="list-style-type: none"> <li>• With regard to proposed amendment 341, the submission:             <ul style="list-style-type: none"> <li>○ Submits the amendment would impact upon the viability of residential development by placing unit mix requirements. Argues that DLR is well placed to deliver units in locations accessible by high quality public transport.</li> <li>○ Claims that a requirement for a specific proportion of three-bedroom units will disincentivize apartment delivery, impacting housing availability.</li> <li>○ Requests the omission of the proposed amendment and the alignment of the plan with the requirements of SPPR 1 and SPPR 8.</li> </ul> </li> <li>• With regard to proposed amendment 377, the submission:             <ul style="list-style-type: none"> <li>○ Suggests there are no requirements for additional performance-based criteria in Appendix 5 and requests the omission of a quoted section of text.</li> <li>○ Suggests the performance-based criteria is amended to reflect the development management criteria set out in section 3.2 of the ‘Urban Development and Building Height Guidelines, 2018’. This would align with Section 28 Guidelines that encourage increased height and density, thereby aligning with national policy objectives. Considers the energy performance of buildings as already addressed in Building Regulations and suggests the avoidance of duplication.</li> </ul> </li> </ul>
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12, Chapter 13, Appendix 2, Appendix 5, Appendix 17.</p>

DLR Submission No: <u>C0077</u>	Person: Savills Planning	Organisation: Horse Racing Ireland and Leopardstown Club Limited	Amendment Nos: 302	Map Nos: 9
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission relates to Leopardstown Racecourse.</li> <li>• HRI welcomes policy Policy Objective E20 and shares the desire for the County to be a centre of excellence for the bloodstock industry.</li> <li>• Notes proposed amendment on SLO 143, to prepare an ABTA on Racecourse South Lands has reviewed this and the related submissions of the NTA, TII and the Planning Regulator.</li> <li>• 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.</li> <li>• The Racecourse South lands, as previously set out in their submission to the Ballyogan LAP provide an essential parking resource during race days and have already been reduced through the development of Stepside Educate Together any further loss of carparking would create operational difficulties for HRI.</li> <li>• Request that the SLO 143 be amended as follows: <i>“To carry out in consultation with TII, <del>and</del> the NTA, and Horse Racing Ireland 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). In addition, the ABTA will consider how the operational requirements of Leopardstown Racecourse during events will be maintained should the full build out of the lands occur (i.e. race event parking and vehicular movements). The outcome and recommendations of the ABTA shall be taken into account in the assessment of future planning applications.”</i></li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14</p>				

DLR Submission No: <u>C0078</u>	Person: BMA Planning	Organisation: Dundrum Retail Limited Partnership	Amendment Nos: M119, 160, 168, 256, 257, 258, 263, 341	Map Nos: 1, 5
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>The submitter notes that most of the “<i>Material Amendments</i>” proposed in DRLP’s previous submission of April 2021 have not been recommended.</li> <li>DRLP clients are currently progressing a Strategic Housing Development application on the old shopping centre lands with the intent being to formally submit an application in Q1 2022.</li> </ul> <p><b>Material Amendment 256 -258</b></p> <ul style="list-style-type: none"> <li>The previous DRLP submission sought changes to SLOs to reflect the predominantly residential nature of the proposals for the Old shopping centre site and to seek clarity regarding non-specific wording relating to “<i>cultural</i>” and “<i>civic</i>” uses. 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. Such an objective must be legally questionable.</li> <li>DRLP does not support the provision of building(s) as envisaged in the CCCAP on the northern part of the “<i>Phase 2</i>” lands’, however, DRLP continues to be willing to explore options with DLR to consider the most suitable scale, design and location(s) for such facilities in order to progress this initiative within the Dundrum CCCAP study.</li> <li>During the SHD process, DRLP proposed a new library/ civic building to the rear of Holy Cross Church but DLR indicated that this site would not be the preferred location and that the Waldemar Terrace site was being explored as the preferred option. Material Amendment 258 is therefore completely at odds with recent engagement with DLR.</li> <li>The proposal 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.</li> <li>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 “<i>northern gateway</i>” and “<i>new focal point</i>” as referred to in Material Alteration 113 were seen as a reference to a possible CCCAP project promoted by DLR. The Waldemar Terrace lands are part of the DRLP ownership may be considered in this context separate to the main Phase 2 site.</li> </ul> <p><b>Material Amendment 263</b></p> <ul style="list-style-type: none"> <li>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 “<i>east side of Main Street</i>” 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 “<i>links between Main Street, the Dundrum Bypass and Sweetmount Park</i>”.</li> </ul> <p><b>Material Amendment M119</b></p> <ul style="list-style-type: none"> <li>The previous DRLP submission noted that the SHD proposals for the old shopping centre site were consistent with the permissions previously granted for the demolition of properties on the western side of Main Street with the exception of 1-3 Glenville Terrace.</li> <li>Accordingly, the submission requested that the properties at No’s 8, 13 and 15 Main Street be removed from the Proposed ACA. In this context, the Material Amendment 119 which now seeks to include an additional property (former Joe Daly Cycles) should not be supported.</li> <li>DRLP and its predecessors have a strong track record in acquisition and restoration of buildings of character that contribute to the sense of place in the comprehensive regeneration of Dundrum Village. That effort is, and should be, directed to high quality restoration and reuse of buildings that are worthy of retention.</li> <li>It has been established through the planning process that No 4 Glenville Terrace, Nos 8 and 13 Main Street and the former Joe Daly’s will not contribute to a coherent streetscape and the focus should be placed on refurbishment of the best of that streetscape (i.e. 1-3 Glenville Terrace).</li> <li>No issue has been raised during the SHD process in relation to the demolition of existing properties based on a detailed condition survey and assessment of their conservation merits and it is therefore</li> </ul>				

inconsistent for DLR to now include them within a Proposed ACA designation when evidence is to the contrary.

#### **Material Amendment 341**

- The 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020) includes a series of Specific Planning Policy Requirements (SPPRs) that take precedence over local Development Plans. The DLR Development Plan is at variance with the Apartment Guidelines in relation to the requirement for a minimum of 3+ bedroom units in large scale apartment developments.
- The Housing Needs Demand Assessment (HNDA) contained within Appendix 2 of the Draft Development Plan has been amended (Proposed Material Amendment No. 341) to attempt to justify Table 12.1 and the minimum 3+ bed provision. This justification is based on assessment of Strategic Housing Development permissions within DLR and with reference to "evidence" from London Boroughs. DRLP submit that the logic underpinning the policy is flawed and is not a basis for imposing prescriptive unit mix ratios on a countywide basis.
- The Proposed Amendment No. 341 should not be made and Section 12.3.3.1 and Table 12.1 of the Draft Development Plan needs to be amended to remove the very prescriptive requirement for apartments with three or more bedrooms and to allow applicants to make the case for a particular unit mix based on local circumstances.

#### **Material Amendment 160**

- This amendment relates to an alteration to Section 12.3.3 of the Draft Development Plan and stipulates that the requirement for certain percentages of 3 bed units shall apply to Build to Rent developments. The provision contained within Proposed Amendment No. 160 cannot apply to Build to Rent developments as they are inconsistent with SPPR8 which states that 'No restrictions on dwelling mix' shall apply to Build to Rent developments.

#### **Material Amendment 168**

- Section 12.3.5.3 of the Draft Development Plan relates to internal and external storage within apartment developments. This Proposed Material Amendment is a further departure from the Apartment Guidelines 2020 and specifically Sections 3.30 to 3.34 which provide clear and concise guidance on the internal and external storage requirements for new apartments. No evidence or rationale for this standard is provided and the Proposed Material Amendment (#168) now introduces very prescriptive external storage area requirements of 4m<sup>3</sup> to 10m<sup>3</sup> in addition to the Apartment Guidelines storage requirements. The Proposed Material Amendment should not be adopted.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Chapter 14, Appendix 2, Appendix 4

DLR Submission No: <u>C0079</u>	Person: Eugene Mallee	Organisation: N/A	Amendment Nos: N/A	Map Nos: 2
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• The submitter states that they are concerned about the proposed designation of Brooklawn Wood as a flood risk area.</li> <li>• The submitter questions what effect this will have on properties in Brooklawn – will they be flooded? Will insurance premiums rise?</li> <li>• The submitter notes that they contacted DLR over 10 years ago in this regard.</li> <li>• The submitter contends that the pluvial flooding is as result of neighbours in Rockville Crescent/Drive annexing an extinguished right of way on to their gardens and the blocking of a natural flood run-off that existed in the right of way.</li> <li>• 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 &amp; 20 Brooklawn Wood and can potentially flood those houses.</li> <li>• It is remiss of the Council to have ignored the cause of this flooding for so long and the submitter notes that they have correspondence from DLR from 2010 relating to the matter.</li> <li>• The least the council could have done was to survey the area in order to confirm the submitter's beliefs as to the cause of the flooding.</li> <li>• The submitter has lived in Brooklawn Wood since 1987 and had seen no flooding in the area prior to October 2010.</li> </ul>				

- The submitter suggests that a drain in the right of way allowing excess rainwater to soak into Rockville Crescent green area.
- The owners of Rockville Crescent /Drive should be informed of this matter and made aware of the flooding risks to Brooklawn their actions have caused.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 16

DLR Submission No: <u>C0080</u>	Person: Brian McBryan	Organisation: N/A	Amendment Nos: N/A	Map Nos: 2
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**Summary of Submission / Observation:**

- The amendments to the Draft Development Plan for Dún Laoghaire-Rathdown identify a new flood risk in the area of Brooklawn Wood, off Stradbrook Road, Blackrock (3 Pluvial Flooding risk triangles on the map).
- The submitter moved to Brooklawn Wood in 1988 and did not experience any flooding for many years. In recent years there has been flooding of the common areas in Brooklawn. The submitter also understands that the basement floor of Brooklawn House has also experienced flooding a number of times in recent years.
- The submitter believes that the flood risks at Brooklawn Wood (the 2 right-most pluvial triangles on the mapping) may be the result of the blocking of the drainage channel on the Rockville Crescent side of the boundary with Brooklawn Wood, which formerly facilitated run-off from Rockville to the park between Rockville and Stradbrook Road.
- The drainage channel probably dated from the time that Brooklawn House was built in 1847, if not earlier and was also formerly a right-of-way between Stradbrook to Newtownpark Ave. The right-of-way was still in use late into the 20th century, and older locals remember it in use.
- 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 submitter has attached an Urban District place-map showing same).
- 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.
- It is understandable that the residents in Rockville Crescent intervened as the route was not being maintained by the Council or any other party.
- The loss of the drainage channel is unacceptable and is likely giving rise to the recent flooding in the area.
- 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 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.
- It should also be noted that the current owners of these properties may not have been the owners at the time the annexation occurred.
- The submitter 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 16

DLR Submission No: <u>C0081</u>	Person: Hughes Planning and Development Consultants	Organisation: Kivoli Ltd	Amendment Nos: 279, M310	Map Nos: 3
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**Summary of Submission / Observation:**

- Submission relates to the site known as the Sports Ground, Tivoli Terrace South and requests that proposed specific local objective (SLO) 133 is rejected.
- Considers SLO 133 to be 'ultra vires' as the lands are privately owned.

- Submission sets out the details of the site including its area (stated as 1.25 hectares), location, context, proximity to transportation links and services. Aerial views and street views of the site are provided.
- Submission notes the zoning objective of the site - Objective 'F' – as set out in the Draft County Development Plan 2022-2028 and lists the uses that would be 'permitted in principle' and 'open for consideration' within this land use objective. An extract of the land use mapping is included.
- Submission notes proposed amendments within and surrounding the subject lands.
- Reference is made to a submission made at Draft stage with regard to the site that sought to rezone the lands from 'F' to objective 'SNI' and sets out the response to same as set out within the CE report on the Draft Plan. The CE report recommended that the lands remain objective 'F'.
- It is noted that the submission states: *"the Chief Executive report which recommended the addition of the 'SNI' land use objective to the subject site..."*
- Submission notes that SLO 133 - *"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"* - was included on the site despite the advice of the Executive.
- Submission refers to a legal opinion provided by OBH Solicitors that is contained in a letter in 'Appendix A' of the submission. The summary of the legal advice within the submission states that if the SLO is included:
  - it would be ultra vires to the powers of the Council within the Planning Act
  - would breach the owners constitutional property rights and property rights under the European Convention on Human Rights
  - would be capable of grounding an application for judicial review
  - would cause serious loss and damage to our client for which he will be entitled to a claim in damages.

**Summary of Appendix A – this appendix:**

- Provides background detail in relation to the former sports grounds including ownership and acquisition.
- Refers to the Council meeting held 19<sup>th</sup> October 2021 during which a motion was put forward for the inclusion of a new SLO on the lands and refers to the Executive's report and recommendation on same that did not agree with the motion.
- Notes that the Executive's report which stated that it is beyond the remit of the Plan to provide the lands for the benefit of the community – this is also the position of the owner.
- States that the council members passed the motion knowing that it was ultra vires.
- 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.
- Notes that the Planning Authority has no power to restrict the land in a manner that limits it for public use – legal precedence is referenced in this regard – *'State (O'Hara and McGuinness Limited) v. An Bord Pleanála'*.
- Notes that if reference to 'social benefit' does not refer to public benefit, then it would be vague and uncertain as to what the objective means. An example of refusing a proposed development for contravening the objective in this regard and states that *"such uncertainty in terminology renders the development management process much more problematic and fraught with the potential for legal challenges based on different interpretations of the SLO."*
- Notes that the SLO is not a zoning objective and that refusal of permission based upon the SLO would expose the planning authority to compensation. Reference to *'Redmond v. An Bord Pleanála (2020)'* is made in this regard.
- States that the SLO is incompatible with the 'F' zoning objective in that it limits the land from development that would be permissible as listed in the use matrix or uses that would be open for consideration. The validity of the SLO is queried in this regard.
- Notes that the Council was free to bid upon the land to purchase at the time of its acquisition, however, this did not occur. It is therefore considered that if the land was necessary for the social benefit of residents, schools, etc., then it should have acquired same. Reference to text within 'Environmental and

Planning Law in Ireland' (Y. Scannell) is set out with regard to benefits associated with planning conditions, noting that it would be equally applicable in this instance in that an unjustifiable and ultra vires restriction has been targeted on this property.

- Notes that the SLO only refers to this property and no others.
- No objection to the land use zoning is raised. It is noted that with this zoning objective, the Council has already taken measures to ensure that the property will be used in a manner that would broadly operate to the benefit of the local community. If adopted, the SLO would unfairly impose an additional express condition which no other property owners subject to object 'F' would have applied.
- The 'social benefit' criterion appears to condition the owners use of their property. Reference is made to 'Ashbourne Holdings Limited v. An Bord Pleanála (2003)' in this regard where a condition re: public access, was deemed ultra vires.
- If the SLO is accepted it would:
  - be ultra vires to the powers of the Council within the Planning Act,
  - breach the owner's 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.
- It is stated that *"any decision by the elected members to flagrantly ignore the advice given by the Chief Executive has the potential to give rise to significant legal consequences, not only for the Council, as a body, but for any individual members of the Council who have deliberately chosen to flout the advice of the Chief Executive, who, it is reasonable to assume, has had the benefit of the advice of the Council's law agent on this issue"*.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 14

DLR Submission No: <a href="#">C0082</a>	Person: Maureen O'Driscoll, Operations Manager, Brooklawn OMC	Organisation: Brooklawn Residents Owners Management Company, Limited by Guarantee	Amendment Nos: N/A	Map Nos: 2
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**Summary of Submission / Observation:**

- Brooklawn Resident's Owners Management Company limited by Guarantee is responsible for managing the Multi-Unit Developments at Brooklawn Wood & Brooklawn Avenue off Stradbroom Road Blackrock. There are 91 home-owners represented in the Brooklawn OMC (excluding Brooklawn House, which is managed by a separate OMC). The OMC specifically manages those private common-areas in Brooklawn that are not handed over to the Council (eg pedestrian paths, private drains and walls).
- Dun Laoghaire Rathdown County Council have recently completed a flood-risk assessment in this area and have included Pluvial flood risks in the amendments to the Development Plan 2022, which identify a new flood risk in the area of Brooklawn Wood, off Stradbroom Road, Blackrock. There are 3 Pluvial Flooding risk triangles on the map.
- The Brooklawn Wood and Avenue developments were built in the mid-1980s in the grounds of Brooklawn House, in recent years there has been some flooding of the common areas in Brooklawn.
- The submitter is particularly concerned that any flood risk might have the potential to damage the assets that are managed by the OMC – specifically paths, walls, drains and common-areas.
- The owners may also be concerned about the potential for future damage to their properties.
- The submitter wishes to bring to the attention of the Council that the newly identified flood risk in Brooklawn Wood may be the result of the drainage channel on the Rockville Crescent side of the boundary with Brooklawn Wood being blocked.
- This drainage channel formerly facilitated runoff from Rockville to the park between Rockville and Stradbroom Rd, which likely provided soakage, before the runoff reached the drains on Stradbroom Road.
- The drainage channel probably dated from the time that Brooklawn House was built in 1847, if not earlier and was also formerly a right-of-way between Stradbroom to Newtownpark Avenue. The right-of-way was still in use late into the 20th century, and older locals remember it in use.
- 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.

- 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.
- It is understandable that the residents in Rockville Crescent intervened as the route was not being maintained by the Council or any other party.
- The loss of the drainage channel is unacceptable and is likely giving rise to the recent flooding in the area.
- This issue will likely result in potential future flood-damage for the Brooklawn OMC, increased management costs for residents, increased insurance costs or loss of flood insurance.
- 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.
- It should also be noted that the current owners of these properties may not have been the owners at the time the annexation occurred.
- The submitter 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 16

DLR Submission No: <u>C0083</u>	Person: John Spain Associates	Organisation: Park Developments	Amendment Nos: 15, 50, 51, 158, 160, 162 168, 211, 215, 240, 341, 377	Map Nos: N/A
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**Summary of Submission / Observation:**

- Highlights concerns with respect to onerous development management standards, in both the Draft Plan and Proposed Amendments, which it considers will have a detrimental impact on the supply of new homes and negatively impact those seeking to purchase a home by increasing the cost of delivery.
- Outlines the track record of the developer in Dún Laoghaire-Rathdown including; schemes delivered; schemes currently under construction; and, schemes in the planning process.
- Residential Zoned Land:
  - Considers the Planning Authority's restrictive approach to land use zoning will have long term implications for the delivery of housing. Further consideration by the Executive is required and engagement with key stakeholders including home builders and landowners.
  - Highlights a number of zoning requests made by the developer/landowner at Draft Plan stage.
  - Submits that Planning Authorities, the DHLGH and the OPR, need to take a more realistic view in relation to the need to zone additional lands and understand the time and resources required to bring forward large landholdings for residential development. A six-year Development Plan period is not sufficient and greater certainty is required for home builders / landowners. Examples of long term development are provided.
  - Recommends greater use of the Strategic Land Reserve mechanism.
  - Questions the logic of reducing the quantum of residential zoned lands from the 2016-2022 CDP. This goes against the established need for residential housing and does not acknowledge existing latent demand.
  - The Proposed Amendments to the Draft Plan do not take account of the latest population growth figures published by the CSO which indicate a higher level of inward migration and higher overall population growth. Reducing household size also needs to be considered.
  - Suggests a review of the Core Strategy should be undertaken within 1 year of the CDP being adopted to ensure consistency with the HNDA Guidelines and Development Plan Guidelines.
- Proposed Amendment 160 – Unit Mix and Build to Rent:
  - The Proposed Amendment would threaten the viability and efficacy of Build to Rent to meet an identified need for 1- and 2-bedroom apartments across DLR, which is dominated by 3/4/5-bedroom family homes.
  - The Proposed Amendment is contrary to SPPR 8 of the Section 28 Apartment Guidelines which states that there are 'No restrictions on dwelling mix' in respect of Build to Rent developments.

- There is no provision in SPPR 8 for this to be varied by the Planning Authority and there is an obligation under Section 12(18) of the Planning and Development Act 2000 (as amended) to ensure the Development Plan is consistent with SPPRs, and, under Section 28(1C), to comply with the SPPRs in the carrying out of its functions.
- Requests Proposed Amendment 160 be omitted and that the following text be included, *“For the avoidance of doubt, in accordance with legislation this section will not apply to BTR only developments.”*
- The proposals in respect of housing mix contained in 12.3.3.1 of the Draft Plan will reduce the supply of apartments by making schemes less viable, resulting in reduced investment and higher rents. A review of a recent Daft.ie Rental Report is provided emphasising existing weak supply and strong demand.
- Contends the HNDA of the Draft Plan (including additional justification) does not provide the evidence to justify the proposed requirement for apartments of 3+ bedrooms. Suggests the evidence demonstrates a need to prioritise the provision of 1 and 2-bedroom units (reducing household size).
- Proposed Amendments 211, 215, 240 - Build to Rent:
  - Raises concerns in relation to Build to Rent remaining ‘Open for Consideration’ at land use Zoning Objectives ‘A’, ‘A1’ and ‘A2’ and considers the use should be ‘Permitted in Principle’. Build to Rent being ‘Open for Consideration’ is counter intuitive in the context of a housing crisis and may constrain housing supply over the lifetime of the Plan.
  - Suggests the ‘Open for Consideration’ use will discourage the long-term institutional investor, which is critical in the build to rent sector, from investing in Ireland.
  - Urges the Council to positively support the Build to Rent model as a permitted in principle use to signal to communities that the Build to Rent sector is an integral element in the delivery of new dwellings.
- Proposed Amendment 341 – Housing Type and Mix:
  - Requests the omission of Proposed Amendment 341 and the alignment of the Plan with the requirements set out in SPPR 1 of the Apartment Guidelines in relation to apartment unit mix.
  - Considers the unit mix requirements would have significant implications in terms of viability of residential development, disincentivise apartment development and affect the range of housing available.
- Proposed Amendment 50, 51 and 162 – Density:
  - Requests the Plan take greater cognisance of Section 28 Guidelines in terms of increased density at appropriate locations and incorporate this into Policy Objective PHP18. Reference should be made to both the ‘Design Standards for New Apartments’ Guidelines 2020 and the ‘Urban Development & Building Height Guidelines’ 2018 to align with national policy and make optimum use of lands which are well served and located in respect of public transport.
  - Contends that lands in the County meet the criteria as a ‘central and/ or accessible urban location’ – per the Section 28 Apartment Guidelines - and therefore can accommodate higher density apartment development. Requests the categorisation of the entire County as an ‘intermediate urban location’ is omitted.
- Proposed Amendment 377 – Building Height:
  - Requests Proposed Amendment 377 be omitted from the Plan.
  - Contends there is no requirement for any additional ‘Performance Based Criteria’ - which should reflect the Development Management Criteria set out at Section 3.2 of the ‘Urban Development & Building Height Guidelines, 2018’.
  - The Building Regulations require all buildings to be built to a NZEB standard. The proposed amendment goes beyond the remit of planning.
- Proposed Amendment 158 – Childcare Facilities:
  - The proposed amendment to Section 12.3.2.4 ‘Childcare Facilities’ is overly onerous and does not acknowledge the challenges faced by residential home builders.
  - Requests that Section 12.3.2.4 is amended to read as follows:  
*“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 Planning Authority will seek to work with the developer to secure*

*an operator for the facility and if secured, seek the developer to deliver the childcare facility at an early stage of the project. In this regard, the developer shall submit phasing details for the development and include details of the intended stage at which the childcare facility will be provided, subject to an operator being secured, relative to the completion and occupation of dwellings / commercial buildings.”*

- Submits the suggested amendments are appropriate to ensure the construction of childcare facilities does not adversely impact on the delivery of housing and places the onus on the Planning Authority to proactively assist in the delivery of childcare facilities in the County.
- The revised text would also not require childcare facilities to be delivered in advance of any dwellings on site.
- Proposed Amendment 168 – External Storage:
  - Proposed Amendment 168 – which provides additional external storage standards for apartments – should be omitted. The proposals would have an adverse impact on the viability, deliverability and price of new apartments in the County.
  - The external storage requirements are in excess of the recommendations of the Section 28 Apartment Guidelines (2020).
  - Suggests the introduction of additional standards for apartment developments goes against recent initiatives to remove planning obstacles to the delivery of compact growth.
  - Examples are included demonstrating the potential impact and additional cost the proposed amendment would result in for new apartment developments.
- Notes that the purpose of the 2015 / 2018 / 2020 Apartment Guidelines was to reiterate Ministerial Guidance, setting out standards for apartment development, mainly in response to circumstances that had arisen whereby some local authority standards were at odds with national guidance. Requests the Planning Authority to carefully consider the proposed deviations from the Apartment Guidelines 2020 before adopting the new Plan.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 2, Chapter 4, Chapter 12, Chapter 13, Appendix 2, Appendix 5.

DLR Submission No: C0084	Person: Ravensbrook Ltd	Organisation: Ravensbrook Ltd	Amendment Nos: 160, 168, 341, 240, 461	Map Nos: 6
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>● Submission received in relation to lands at 31 and 31a Ravensbrook Road, Sandyford, which is within the Sandyford Urban Framework Plan (SUIFP) area. Refers to their previous submission to the Draft Development Plan which related to the plan's approach to Build to Rent (BTR) developments and unit mix in the SUIFP area.</li> <li>● With regard to proposed amendment 240, the submission:           <ul style="list-style-type: none"> <li>○ Expresses concern that BTR remains as 'Open for Consideration' instead of 'Permitted in Principle' with respect to zoning objective 'A2'. BTR should be permitted to encourage a mix of tenures and residential types.</li> <li>○ Suggests the subject site is strategically located near two Luas stops and is well-positioned to accommodate BTR development.</li> <li>○ States the 'Open for Consideration' use will create uncertainty for investors, impacting the market and the delivery of inward investment for BTR.</li> <li>○ Considers the uncertainty created by this land use zoning as further impacting the housing crisis and the delivery of housing in the area. This is particularly relevant in an area, such as the SUIFP, with high frequency and capacity public transport and multiple shops and services.</li> <li>○ Requests the proposed amendment is modified to allow 'Residential – Build to Rent' as 'Permitted in Principle'.</li> </ul> </li> <li>● With regard to proposed amendments 160 and 341, the submission:           <ul style="list-style-type: none"> <li>○ Considers amendment 160 inconsistent with SPPR 8 and believes it will negatively impact the implementation of BTR developments, which will meet the need for one and two bedroom apartments.</li> <li>○ States that the removal of unit mix restrictions is a mandatory requirement of SPPR 8, which states no such restrictions will apply to BTR developments. There is no provision for Planning Authorities to modify SPPR 8 and, as such, the amendment conflicts with national policy.</li> </ul> </li> </ul>				

- Quotes from the 2020 Apartment Guidelines where it is stated that Planning Authorities are required to have due regard to, and apply, the SPPRs.
- Suggests that SPPR 1 does not apply to BTR developments and that in applying unit mix restrictions the Planning Authority is acting ultra vires.
- Highlights a Daft.ie report which suggests weak rental accommodation supply and high demand.
- Provides a quote from the report which emphasizes the need to deliver thousands of new homes in order to 'catch up' on the unmet housing need and argues that more rental homes make rental housing more affordable.
- Refers to statistics in the report that indicate a total of 820 available rental properties in Dublin, which is a 51% decrease from the same date last year. Estimates four to five thousand rental units as more appropriate for Dublin.
- Submits that the current HNDA does not reach a sufficient level and does not justify a requirement for larger apartments. Instead, suggests the evidence demonstrates a need for one and two bed units.
- Considers the justification for a minimum percentage of three-bed units as not supported by DLR's own analysis of the housing market.
- Highlights the CE Report which states the following: *"For the avoidance of doubt, in accordance with legislation this section will not apply to BTR only developments"*.
- Questions why, based on the CE Report recommendation, this change has been omitted.
- Requests that proposed amendment 160 is omitted and the aforementioned CE recommendation is included.
- Requests all parts of SPPR 8 should be incorporated into the adopted version of the plan.
- With regard to proposed amendment 168, the submission:
  - Considers the provision of external storage space as in excess of the requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments' (2020). Suggests external storage is typically used for bikes, which are already provided for. Requests the amendment is omitted and the storage requirements outlined in national guidelines are instead implemented.
- With regard to proposed amendment 461, the submission:
  - Is concerned that developments of over 1,500 units will not be permitted until planning permission for the Civic Park has been granted.
  - Suggests it is unclear on what basis the 1,500 figure is calculated and to what it relates. Assumes this figure does not include existing or permitted schemes.
  - Points to the objective to develop a park as being in place for over ten years, yet no progress has been made on its delivery.
  - Considers the amendment as placing significant restraints on future development and suggests the objective has the effect of sterilizing the development lands in the SUFP.
  - States that pre-application consultations have taken place and that an SHD application will be lodged imminently for the subject site. This scheme will include delivery of part of the public park and, as such, it would be unreasonable to apply a *"blanket restriction"* on development.
  - Requests the amendment is omitted.
- In conclusion, the submission:
  - Is broadly supportive of the draft Development Plan and states a commitment to work with the Council in delivering new homes.
  - Considers the plan as containing a number of inconsistencies with national guidelines in respect of BTR developments and requests the Council considers the implications of the policies.
  - Deems the requirement for 3-bedroom units as in conflict with SPPR 1 and is a deviation from national guidelines. The requirement for such units is not justified in the HNDA.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Chapter 13, Appendix 2, Appendix 17.

DLR Submission No: <u>C0085</u>	Person: Aileen Eglington	Organisation: Kiltiernan Glenamuck Residents' Association	Amendment Nos: M911	Map Nos: 9
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission objects to the re-designation of lands at Kiltiernan as part of the SLR, subject of amendment M911, which it considers would have a significant detrimental impact on the local area.</li> <li>• Generally welcomes the Planning Executive's clear vision for the county as set out in the Draft Plan.</li> <li>• Raises concerns with the reduction in green space that has occurred in the Kiltiernan Glenamuck area.</li> <li>• Notes the position of the Planning Executive that there is already sufficient zoned land in Kiltiernan to accommodate projected future development in the area. Notes this is exemplified by the Draft Plan policies and by the Council's previous refusals for requests to re-zone lands in the area.</li> <li>• Notes that SHD developments have had a negative impact on the area's potential to provide affordable, well-designed housing of suitable tenure.</li> <li>• The observer notes it has been reported to them by local landowners in a number of instances that their land had been re-zoned or re-designated without prior notice having been given to the landowner. Considers this has not afforded the landowners sufficient opportunity to make a submission in respect of the re-zoning or re-designation.</li> <li>• Raises concerns with the way in which the motion proposing Amendment M911 was voted on by the Council. <ul style="list-style-type: none"> <li>○ Notes some councillors were not clear on the location of the lands or the purpose of the SLR designation by the time the vote took place.</li> <li>○ Notes these issues are compounded by the motion having been proposed very shortly before it was voted on, which meant there was not sufficient time for the Planning Executive or councillors to adequately review the motion.</li> <li>○ Queries why the motion was allowed to be brought to a vote when it was opposed by the executive.</li> </ul> </li> <li>• Considers the definition for SLR provided in the Draft Plan does not fully clarify the intended purpose of SLR lands.</li> <li>• Notes that residents and business owners within the lands in question have raised serious concerns regarding the potential impacts on their homes and businesses.</li> <li>• Notes the re-designation of the lands may negatively impact the visual amenity and biodiversity of the foothills of the Dublin Mountains, the protection of which is identified as a key objective in the current Kiltiernan-Glenamuck Local Area Plan.</li> <li>• Proposes that the re-designation and re-zoning of lands should be undertaken with input from the local community and should not be determined by developers without consideration of this input.</li> <li>• Notes generally that an appropriate balance between providing housing and protecting natural amenity must be found.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping</p>				

DLR Submission No: <u>C0086</u>	Person: Claudine Murray	Organisation: Brooklawn House Management Company	Amendment Nos: N/A	Map Nos: 2
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• The amendments to the Draft Development Plan for Dún Laoghaire-Rathdown identify a new flood risk in the area of Brooklawn Wood, off Stradbrook Road, Blackrock. There are 3 Pluvial Flooding triangles on the map.</li> <li>• The submitter lives in Brooklawn House which is adjacent to Brooklawn Wood. Brooklawn House has experienced flooding over the past 15 years. It is the belief of the management company that some of the flood risks at Brooklawn Wood (The 2 right-most Pluvial triangles) are the result of the drainage channel on the Rockville Crescent side of the boundary with Brooklawn Wood being blocked.</li> <li>• This drainage channel formerly facilitated runoff from Rockville to the park between Rockville and Stradbrook Road, which likely provided soakage before the runoff reached the drains on Stradbrook Road.</li> </ul>				

- The drainage channel probably dated from the time that Brooklawn House was built in 1847, if not earlier and was also formerly a right-of-way between Stradbroke to Newtownpark Ave. The right-of-way was still in use late into the 20th century, and older locals remember it in use.
- 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 submitter has attached an Urban District place-map showing same).
- 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 loss of the drainage channel is unacceptable and is likely giving rise to the recent flooding in the area.
- This issue will likely result in increased insurance costs or loss of flood insurance for residents and may also impact on the valuation of properties being sold.
- 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.
- The submitter 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 16

DLR Submission No: <a href="#">C0087</a>	Person: McGill Planning Ltd	Organisation: 1 Players Land Limited	Amendment Nos: M210	Map Nos: 2
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission relates to lands known as 'Tower Green' and 'Clareville' on Cross Avenue, Blackrock.</li> <li>• The submission made at Draft Plan stage (B0944) that sought the rezoning of these lands to objective 'A' is noted and the response set out within the CE report on the Draft Plan is included.</li> <li>• Submission highlights particular sections of the response set out in the CE report on the draft plan with regard to submission B0944, namely the function and history associated with that lands at 'Clareville' and its historical link with Blackrock College.</li> <li>• The recommendation set out within the CE report on the Draft Plan retained the zoning objective 'SNI' at 'Clareville' and rezoned 'Tower Green' to objective 'A' – this rezoning is included under proposed amendment M210.</li> <li>• The rezoning of 'Tower Green' is welcomed.</li> <li>• Submission notes that the land owners property comprises of both 'Tower Green' and 'Clareville' and that the decision not to rezone both sites is unreasonable and contrary to good planning practice.</li> <li>• It is noted that planning permission has now been granted for residential development across the entire lands under Reg. Ref. ABP-311190-21. This was granted 8/12/2021 comprising of 241 apartments, a creche, resident support facilities, car parking, cycle parking and motorcycle parking.</li> <li>• Submission states that a copy of this decision is included in 'Appendix A', however no appendices to the submission appear to have been submitted.</li> <li>• A site layout plan and photomontages of the permitted scheme are included in the submission.</li> <li>• Notes the acceptability of the scheme as set out within the Boards conclusions.</li> <li>• Submission states that the relationship between 'Clareville' and Blackrock College no longer exists and no longer forms part of the campus. This property along with 'Tower Green' are under separate ownership – that being a private developer who has established planning permission on the site.</li> <li>• Submission states that the <i>"new residential development will have its own access to Cross Avenue. Neither the existing lands nor the new development will retain any intrinsic link, physical or functional relationship with Blackrock College Campus lands to the north going forward. The previous recreational amenity of this area for the college no longer exists."</i></li> <li>• Submission states that the grant of permission has now rendered the land as a 'residential site'.</li> <li>• Submission considers that the retention of the 'SNI' zoning at 'Clareville' is impractical, inconsistent and contrary to the proper planning and sustainable development of the area.</li> </ul>				

- Submission states that it is critical that the zoning for the lands is logical and provides clarity for the community, land owner and adjoining land owners for the life of the next Development Plan in terms of the intended use of the lands.
- Submission states that the zoning of 'Clareville' and 'Tower Green', must reflect the established permission and not be 'SNI'. It is requested that the 'A' zoning objective is applied across both sites.
- Reference is made to the Draft Development Plan Guidelines which emphasizes the importance of extant permissions in Development Plans and Core Strategies.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Land Use Mapping

DLR Submission No: <u>C0088</u>	Person: James Reilly	Organisation: N/A	Amendment Nos: N/A	Map Nos: 2
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• The submitter notes growing concerns about the rising instances of flooding around their house and in the common areas in Brooklawn Wood.</li> <li>• The view is that these escalating floods may be the result of a drainage channel blocked on the Rockville Crescent side of the boundary with Brooklawn Wood.</li> <li>• The submitter is also of the view that some of the houses on the Rockville side have filled these drainage channels with topsoil or other construction without realising it would impact drainage channels.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 16				

DLR Submission No: <u>C0089</u>	Person: Richard Hamilton	Organisation: Atlas GP Ltd.	Amendment Nos: 160, 161, 186, 341, 461	Map Nos: 6
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission on behalf of Atlas GP Ltd who, it is stated, have a particular interest in sites at Carmanhall Road/Blackthorn Road in Sandyford. The submission refers to several amendments which it considers depart significantly from the Draft Plan. Suggests that the policy for unit-mix is overly prescriptive and undermines SPPR 8. Build to Rent (BTR) was introduced to encourage new residential supply as provided by institutional investors, but the amendments will undermine investor confidence. Argues the justification for unit size as presented in the HNDA is based on London Borough data and without sufficient analysis.</li> <li>• A section providing an overview of the subject site is provided, including Figure 1 which shows the location of the site outlined in red. The site is located within the Sandyford Urban Framework Plan (SUFPP) area. <ul style="list-style-type: none"> <li>○ The owner of the site is currently at pre-application stage for a BTR development of approximately 300 units.</li> <li>○ A report by Jim Power Economics (2021) is referred to, in which it is suggested the subject site <i>"forms a vital role in supporting the economic, social and demographic transformation"</i> of the area.</li> <li>○ It is highlighted how the four constituent parts of the Sandyford Business District have been transformed from low-density industrial to high-density mixed use and is now a unique 'sustainable mixed-use district'.</li> <li>○ Highlights the economic importance of the district, which has 1,000 companies, 26,000 employees, 5,000 residents and generates €21.6 million in commercial rates. Continues to highlight the business clusters that exist in this area.</li> <li>○ Suggests the district is going from <i>"strength to strength"</i> and is making a significant contribution to the economy. It is increasingly becoming a location of choice for inward investment as it possesses excellent transport connectivity, is located 10km from the city centre, is located in an affluent and high-density area, and is an attractive location to live and work.</li> <li>○ Highlights the educational attainment level of the County and compares this to the national average.</li> <li>○ Highlights the average household median gross income of residents in the County.</li> </ul> </li> </ul>				

- Reiterates the transformation of the district and its attractiveness to FDI. Suggests the area will continue to play a key role in Ireland's FDI offering as it has become a high-tech, knowledge driven cluster.
- With regard to proposed amendment 160, the submission:
  - Provides text from the amendment and a copy of Table 12.1 (pg.233) which outlines the apartment mix requirements for specific areas, including the thresholds proposed.
  - Outlines SPPR 8 which states that *"no restrictions on dwelling mix"* will apply to BTR developments and, as a result, the proposed amendment cannot apply to BTR.
  - Highlights that the Design Standards for New Apartments (2020) stress the exemption afforded to BTR and refers to section 3.8 of the Ministerial Guidelines which suggest the delivery of apartments are not *"built down to a minimum standard"* but reflect a good mix of sizes and exempts BTR developments from this requirement.
  - Deems the amendment as placing an onerous burden on BTR by requiring higher level facilities and dictating a unit mix that cannot be supported.
  - Emphasizes the vital role that BTR will play in delivering housing for the County by referring to the Apartment Guidelines. Quotes Section 5.7 of the guidelines where the ability of BTR to accelerate the delivery of housing due to the shorter timeframes for delivery and the ability of investors to deliver higher volumes is outlined.
  - Refers to section 5.8 of the Guidelines where the *"potential for accelerated housing construction through BTR"* can significantly contribute to the requirements of Rebuilding Ireland and the NPF. Attracting new investment into the housing sector is seen as important.
  - 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.
  - Considers the amendment as *"completely arbitrary"* and requests its omission.
- With regard to proposed amendment 161, the submission:
  - Suggests this amendment is seeking consistency with the floor area parameters set out in SPPR 3.
  - 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 and suggests similar is applied to market rental and private residential properties.
- With regard to proposed amendment 186, the submission:
  - Suggests the maximum standards for car parking spaces in Table 12.6 would result in an over-supply of parking, particularly in locations near high-capacity public transport.
  - Welcomes the lower 'maximum' figure for the SUFP, however suggests the phrase *"new residential parking thresholds"* is confusing and requests its removal. Considers this point as also applicable to proposed amendment 457.
- With regard to proposed amendment 341, the submission:
  - Refers to the London Plan by the Greater London Authority in which it is stated that a positive approach to the BTR sector is taken to enable the delivery of homes.
  - Acknowledges the Greater London Authority advises authorities to indicate a preferred housing mix as part of site allocations. However, considers the policy of 40% for three-bedroom units as rigid and with no equivalent.
  - Quotes from paragraph 14.10.1 of the London Plan where the factors influencing a decision on unit size mix are outlined.
  - Refers to the housing policy included in the London Plan, which states that schemes should consist of a range of unit sizes. In order to determine the appropriate mix regard should be had to: robust local evidence of need; a requirement for mixed and inclusive neighbourhoods; the need for a range of unit types and prices; the mix of uses in the scheme; range of tenures; the nature and location of the site, where a higher proportion of one and two bed units is deemed more appropriate in locations with public transport connectivity; an aim to optimize housing potential; an ability of a development to reduce conversion and subdivision of stock; and, the need for family housing and the role one and two bed units play in freeing up such stock.
  - 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.

- 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.
- States that the conclusion does not make any recommendations in respect of the BTR model. Suggests it is important that analysis of the SUFP recognizes the transformation into a high-density employment and commercial destination. The delivery of dwellings in this area is vital for employers and addresses the dominance of low density three and four bed houses.
- With regard to proposed amendment 461, the submission:
  - 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 influence on the planning process for the Civic Park.
  - Is concerned that such a policy was introduced without consideration of the consequences.
- In conclusion, the submission:
  - Requests amendment 160 is omitted in its entirety.
  - Suggests amendment 161 is misplaced and should be omitted.
  - Suggests amendment 186 should omit references to thresholds.
  - Requests amendment 341 is “qualified” to reflect the data having limited applicability without reference to implementation or policy.
  - Calls for a review of amendment 461 to ensure its objectives are not ultra vires

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Appendix 2, Appendix 17

<b>DLR Submission No: C0090</b>	<b>Person: James Benson</b>	<b>Organisation: IHBA</b>	<b>Amendment Nos: 50, 51,158, 160, 162, 168, 211, 215, 240, 341 377, 461</b>	<b>Map Nos: N/A</b>
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- Summary of Submission / Observation:**
- Raise concerns with any amendments that may prevent or delay delivery of housing.
  - Consider that some amendments may have been introduced without sufficient consideration of submissions made on the Draft Plan
  - Submission notes requirement under legislation to be consistent with SPPRs
  - Submission objects to proposed Amendment 160 which applies mix requirements to build to rent schemes and considers that there has been no clear rationale for same. SPPR 8 does not allow deviation.
  - Submission sets out how the executive set out a different approach in the July CE’s report but this approach was not taken by Council.
  - 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.
  - Submission expresses concern with Built to Rent being only open for consideration and not permitted in principle in A, A1 and A2 land use zoning objective areas. Request that material amendments 211, 215 and 240 are further modified to allow build to rent to be permitted in principle.
  - Request that proposed amendment 168 which relates to external storage in apartments be omitted as it goes against government initiatives to remove obstacles to delivery of compact growth.
  - Submission states that it sets out detail of a worked example and the additional amendments and costs such storage would entail. *These are set out in an appendix.*
  - 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.
  - IHBA suggests that local authorities and national government take a more active role in the provision of childcare within areas, rather than placing an additional burden on homebuilders and purchasers.
  - 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 detail for the apartment guidelines and states that the 2020 apartment guidelines state that two thirds 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.
- Considers that PHP18 Residential Density should be amended to include reference to the Apartment Guidelines 2020 and the Sustainable Residential Development in Urban Areas Guidelines 2009 so as to align with national policy and make optimum use of land proximate to public transport. Failure to do so conflicts with national policy.
- Considers that the categorisation of the entire County as an intermediate urban location is required to be omitted as it places a restriction on use of land.
- 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 *“Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development.”* Considers that there is no requirement for additional performance base criteria. 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.
- Submission queries figure of 1500 units included in MA 461 which relates to a proposed SLO which reads as follows; *“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.”*
- Assumes that the 1500 does not include existing or permitted units.
- Request omission of SLO as consider it will constrain development in the SUFP area.
- Submission concludes by stating that it considers that the new Plan will place additional burdens and costs on the delivery of affordable homes and considers that some amendments are inconsistent with National policy and guidelines. Asks that proposed deviations from the apartment guidelines are considered carefully prior to final adoption.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):** Chapter 4, Chapter 12, Chapter 13, Appendix 2, Appendix 5, Appendix 17.

DLR Submission No: <u>C0091</u>	Person: Maria Lombard - RPS	Organisation: Cosgrave Property Group	Amendment Nos: 19, 24, 158, 160, 168, 341	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Proposed Amendment 19 – Phasing:                             <ul style="list-style-type: none"> <li>○ The submitter opposes the proposed amendment. Requests the proposed section 2.4.6 ‘Phasing’ be revised to confirm that lands identified for development at Old Connaught are sequentially adjacent to the existing built up area and that the references to it being <i>“unserved”</i> be omitted.</li> <li>○ Highlights concerns that Old Connaught and Rathmichael are being treated in the same manner. Submits they are distinct development areas with different geographic, sequential and servicing requirements. Reference is made to national and regional policy to highlight the sequential importance of lands at Old Connaught.</li> <li>○ Appendix 1 of the Draft Plan is flawed and fails to identify existing services available currently or in the short term at Old Connaught. It incorrectly assesses Old Connaught and Rathmichael as a combined area and determines its <i>“served”</i> status on the basis of servicing requirements for the full build out of both development areas. There is no consideration in the assessment for a phased approach to development.</li> <li>○ Contends that the suggestion that all lands at Old Connaught are not currently serviced and are undevelopable is incorrect. A comprehensive review of infrastructure provision is set out which it submits, provides a basis for identifying part of Old Connaught as being capable of short term development and Tier 1 designation (with the balance Tier 2).</li> </ul> </li> </ul>				

- Water Supply: There is an existing 24" trunk main crossing through zoned residential lands in Old Connaught. A temporary reservoir could be installed as an interim solution to allow an initial phase of development to progress until the Ballyman Reservoirs are delivered.
- Wastewater: A portion of development at Old Connaught (200 units) could be accommodated in the immediate term with no further infrastructural works. The Old Connaught Local Network Reinforcement Project (OCLNRP) is substantially progressed. The improvement works are being delivered under three contracts; the Old Connaught Avenue Contract, the School Contract and the Ravenswell Contract. The first two contracts are complete. The final contract for the works (the Ravenswell section) is currently at Tender Stage for construction.
- Transport: Contends that Old Connaught is currently suitably serviced by transport infrastructure and an initial phase of c. 500 units could be advanced without need for any general improvements to transport. Reference is made to the transport infrastructure projects identified in the Bray Environs Transport Study. Submits that the projects are for the "full build out" of Old Connaught and considers that initial phases of development could be accommodated within the existing transport network. Suggests the "delivery" aspects of the Bray and Environs Transport Study are procedural matters and not a valid basis for confirming all lands at Old Connaught as Tier 2. Highlights that the N11/M11 Junction 4 to Junction 14 Improvement Scheme – which is identified in Appendix 1 - is not identified as necessary for development at Old Connaught under the Bray Environs Transport Study.
- Submits that the final paragraph of Proposed Amendment 19, which references the zoning and need for LAPs at Rathmichael and Old Connaught, should be deleted. It is not relevant to the overall 'Phasing' topic as it does not include any specific timings for the making of the LAPs.
- 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.
- Submission proposes specific text amendments to Section 2.4.6 'Phasing'. The following text includes both the omission of text and inclusion of additional text from that proposed under Proposed Amendment 19:

*"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, or sequentially adjacent to this geographic area while (such as lands identified for development at Old Connaught which comprise a component part of the future growth of the Key Town of Bray, an area specifically identified for growth under the Dublin MASP) this geographic area...*

*...Notwithstanding the sequentially preferable location of residential zoned lands in the County, it is considered, having regard to the tiered approach to zoning and the Infrastructure Assessment included in Appendix 1, that the Core Strategy should incorporate a framework for the phased delivery of residential land to ensure a plan led approach to sustainable growth. In this context, it is noted that ~~Old Connaught and Rathmichael are~~ is not currently serviced, and the future development of ~~these~~ this areas is contingent upon the timely delivery of supporting infrastructure. It is considered 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~~ this new residential ~~community~~ communities.*

*The lands at Old Connaught and Rathmichael are both zoned Objective 'A1' – 'To provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved local area plans.'. As provided under the LAP programme contained in Table 2.15, it is the intention of the Council to prepare Local Area Plan's for both of these new communities during the lifetime of the Plan. The future Local Area Plans for Rathmichael and Old Connaught may include new land use zonings for neighbourhood centres, open space and other land uses."*

- Proposed Amendment 168 – External Storage:
  - Requests the proposed amendment be omitted.

- Submits that the requirements would have significant space requirements within buildings with already competing uses for external basement space. A worked example is set out which concludes that additional storage space requirements would result in some or all of the following: enlargement of basement areas; additional surface level parking provisions with impact on layout / density; and, provision of external storage space at upper floors and reduction in apartment numbers.
- The requirements would have additional build costs which would be reflected in sales costs.
- Potential impacts on urban design quality.
- The additional external space storage requirements are not necessary given other storage requirements already provided for under the Sustainable Urban Housing: Design Standards for New Apartments, 2020. Examples of storage spaces are included. The proposed requirement would be contrary to the provisions of the 2020 Apartment Guidelines.
- Proposed Amendment 341 – Housing Type and Mix:
  - Submission provides a review and critique of the additional information presented in Proposed Amendment 168, in combination with the information already presented in the Draft Housing Strategy and HNDA, and draws the following conclusions:
    - There is an existing large supply of housing within the County but in recent years the majority of new housing is being delivered by way of apartments.
    - Household size had been reducing for a prolonged period. Despite a recent slight increase in size, it is expected that household size will decrease again.
    - Demand for dwelling size on the DLR housing list is largely for one and two bed units.
    - For SHD applications in recent years a large proportion of the units provided have been one and two bed units.
    - 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 is presented.
    - There is no evidence presented that the proportion of 1 and 2-bedroom units built in recent years did not meet demand. As noted, the Housing Strategy has presented evidence of decreasing household size.
    - There is no evidence presented of dwelling size (either for apartments or houses) demand from the private housing market.
    - There is no evidence presented of what proportion of demand for three bed dwellings should be provided as apartments or as houses.
    - 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.
    - There are no calculations of estimated future housing demand (houses and apartments) by unit size.
    - Accordingly, there is no calculation of estimated future demand for specific apartment sizes.
  - Submits there is no “evidence” presented to support a specific apartment size mix requirement of three-bedroom units or larger or why it should apply to apartment schemes of 50+ units (when the only quantitative analysis undertaken was of 100+ schemes).
  - Submits that dwelling size standards should not be applied to apartment developments only with no consideration for an overall mix which may be provided for by houses within the same scheme, or indeed the overall mix in the immediate environs of a site.
  - Requests the following further amendments to Proposed Amendment 341:  
*“Conclusion Based on Review of Evidence Base.*

*Qualitative urban studies indicate that to create a sustainable community and neighbourhood a mix of unit types is required particularly in larger high density schemes.*

*Where larger schemes comprise a mix of unit types (both apartments and houses) there is flexibility to provide for different size units and household types in different dwelling types. The Planning Authority shall consider the suitability of mix and unit sizes with reference to the entire scheme proposed.*

*While household size is likely to reduce within the County in the future, Recent permissions granted in the County have included some very large schemes with a monotypology of units – studio, one and 2 beds. Evidence as set out above indicates that ~~these are~~ an overconcentration of a monotypology within an area is not conducive to creating sustainable neighbourhoods. Therefore, apartment developments of studio, one and 2 bed units only, which are not proposed as part of a wider scheme delivering a suitable overall mix of unit type or size, will not be supported unless the mix can be justified with regard to its specific context and surroundings. , notwithstanding the arguments that have been put forward around the fact that the County contains a high proportion of existing housing stock that is 3 or 4 bed units.”*

*While the Housing Strategy and HNDA presented considers patterns of housing need and demand within the county, the data and information presented does not include quantitative evidence of the full spectrum of housing supply within the County in recent years or of housing demand broken down by unit size and type. The Housing Demand Analysis considers the overall expected household formations in the county for the Development Plan period but does not incorporate an evidenced based estimate of the breakdown of unit size requirements for housing delivery over the lifetime of the Plan. In the absence of an evidence base for dwelling size and type demand over the lifetime of the Development Plan it is not appropriate with reference to SPPR1 of the ‘Sustainable Urban Housing: Design Standards for New Apartments’, 2020 to include a housing mix requirement within the Development Plan”.*

- Resulting from the amendments proposed above, requests that the final paragraph of Section 2.8.1 of Appendix 2: ‘Housing Strategy’ and HNDA be deleted as well as Tables 12.1 and 12.2 within the Draft Plan.
- Proposed Amendment 158 – Childcare Facilities:
  - Considers the requirements of Proposed Amendment 158 place an unreasonable obligation on the developer.
  - Acknowledges that while it is within the power of a developer to make provision for childcare facilities within an overall development, the timing of construction and / or opening of a creche are commercially driven decisions of others.
  - Requests the following revisions to Proposed Amendment 158:  
*“Where it is proposed or required to provide a new childcare facility as part of a new residential or commercial development, the developer shall endeavour to construct 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 facility at an early stage of the development. 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.”*
- A worked example of external storage requirements is provided as an Appendix to the submission.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 2, Chapter 12 and Appendix 2.

<b>DLR Submission No:</b> <u>C0092</u>	<b>Person:</b> McGill Planning Limited	<b>Organisation:</b> Aldgate Developments Ltd.	<b>Amendment Nos:</b> 478, S306	<b>Map Nos:</b> Sandyford Map 3
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**Summary of Submission / Observation:**

- Sets out that clients are the owners of the site known as Leopardstown West, located in Sandyford Business District.
- Sets out that Aldgate is an active developer in the SUIP area having recently completed the Termini Offices.
- Previous height of only 5/6 storeys has proven to be a limiting factor in the development of the site in attracting investment.
- 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.
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 17

DLR Submission No: <a href="#">C0093</a>	Person: Tom Merriman	Organisation: N/A	Amendment Nos: 256, 257, 258, 285, 286, 373	Map Nos: 1, 5
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>The submitter fully supports the amended SLOs set out at 256, 257, 285 and 286.</li> <li>SLO9 (257) should be further amended to omit 'Candidate' when referring to the ACA on Main Street.</li> <li>The amendments in red to SLO114 (258) should be accepted but the proposed omission of the reference to a location on the northern end of the site (in blue) is not acceptable and that phrase should be retained.</li> <li>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. Proposing limited facilities on a scaled-down site at the back of the Church out of sight of Main Street will do nothing to protect and preserve the village atmosphere or the character of the historic Main Street.</li> <li>The submitter fully supports the adoption of the ACA for Main Street Dundrum as a full ACA (MA 373). This will give the necessary protection to the line and architectural language of the street and particularly, by incorporating the pre-1900 buildings, ensure that the rich history and heritage of the buildings and their construction details are preserved.</li> <li>Dundrum Main Street is one of the few remaining historic Main Streets in the county that is available for major development. In the absence of a LAP, it deserves protection.</li> <li>The amendments are critical in ensuring that any development on or near Main Street is carried out sensitively and with a community focus.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14, Appendix 4				

DLR Submission No: <a href="#">C0094</a>	Person: Denis Devane	Organisation: Wind Energy Ireland	Amendment Nos: 32, 34, 148	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>Wind Energy Ireland (WEI) has reviewed the Proposed Amendments in relation to our submission number B0591 to the Draft Plan.</li> <li>DLR similar to the other local authorities in the Dublin region due to the dense population traditional onshore wind is not possible. Therefore, the submission relates to off-shore renewables and their integration into the electricity transmission network. This resource is under-utilised with only one off-shore project developed so far on the Arklow Bank, which was groundbreaking at the time but Ireland has stagnated with regard to off-shore wind ever since. Added urgency now to decarbonize is coming from Government.</li> <li>Planning Permission is the critical first stage of all renewable projects, prior to applying for grid connection. Therefore, clear and supportive planning policies for wind and renewables are required</li> <li>Government policy on renewables is evolving in October 2021, the 'National Development Plan, 2021 – 2030', increased Ireland's renewable electricity target from 70% to 80% by 2030. This was reinforced in the 'Climate Action Plan' (CAP) on November 2021, onshore is a leading technology to achieve this. Commitments to offshore wind have grown to 3.5 GW by 2030.</li> <li>Submission recognises that the proposed amendments addressed issues raised in their previous submission to the Draft Plan.</li> <li>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.</li> <li>Welcomes the amendment to Appendix II of the Wind Energy Strategy.</li> </ul>				

- Recommended that land-use planning policies recognise the importance of this critical infrastructure ensuring that there are no conflicting policies preventing future investment, expansion and connections to Carrickmines substation.
- Welcomes proposed amendment CA14 Energy Storage Systems.
- Welcomes the proposed amendment to EI19 to include expansion of the services and infrastructure of electricity service infrastructure developers.
- The conclusion refers to commitment to work with DLR to reach the 3.5 and 5 GW targets for offshore wind by 2030. The Irish wind industry has resulted in greater job creation, increased local authority income through commercial rates and development contributions, significant factor for inward foreign direct investment and brings benefits to local communities. These benefits are in addition to reducing the cost of electricity and reducing our national greenhouse gas emission targets.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapters 3, 10, Appendix 11

DLR Submission No: <u>C0095</u>	Person: Kieran Rush	Organisation: Ballymore	Amendment Nos: M1414	Map Nos: 14
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• With regards the Proposed Amendment to add an objective to preserve trees and woodlands (M1414 above), submissions draws the attention of the Planning Authority to the fact that a SHD planning permission has recently been granted by An Bord Pleanála for a housing scheme at this location (Planning Ref ABP 31181-21).</li> <li>• Requests that the symbol identifying the location of the trees and woodlands to be preserved 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) once this permission is built out.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping				

DLR Submission No: <u>C0096</u>	Person: James Leonard	Organisation: Castlethorn Construction	Amendment Nos: 158, 160, 168, 185, 341	Map Nos: N/A
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Requests that the submission is read on conjunction with submission made on 16<sup>th</sup> April 2021</li> <li>• Sets out detail in relation to Castlethorn Construction</li> <li>• 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.</li> <li>• 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.</li> <li>• Questions evidence base in appendix 2. Notes that the mix requirements in London refer to both apartments and houses in some instances.</li> <li>• Proposed amendment which applies the mix requirements to Build to rent is contrary to SPPR 3.</li> <li>• 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.</li> <li>• Is opposed to the amendment relating to external storage for apartments and considers that discretion during the Development Management process would be more appropriate here whereby some external storage in lieu of internal storage might be desirable and feasible.</li> <li>• Opposes 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 beyond the control of the developer and the Planning Authority and if imposed by way of a condition of a permission would most likely serve as an impediment to the implementation of a permission preventing residential development taking place</li> </ul>				

- 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, 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Chapter 13, Appendix 2.

DLR Submission No: <u>C0097</u>	Person: Nick Armstrong	Organisation: Imagine Dundrum	Amendment Nos: 373	Map Nos: 1
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Imagine Dundrum supports the Architectural Conservation Area recommendations as outlined in the ‘Dundrum Architectural Area, Character Appraisal and Recommendations document’ (July 2021).</li> <li>• Imagine Dundrum opposes any changes to this amendment.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Appendix 4				

DLR Submission No: <u>C0098</u>	Person: Larry Roe	Organisation: N/A	Amendment Nos: M911	Map Nos: 9
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission objects to the re-designation of lands at Kiltarnan as part of the SLR, subject of amendment M911.</li> <li>• States that the development of the lands in question would require the removal of part of a wildlife corridor which is identified for inclusion in the forthcoming Biodiversity Action Plan for the county.</li> <li>• Considers development of the lands would have negative ecological impacts. <ul style="list-style-type: none"> <li>○ Notes there is a significant presence of wildlife at the lands, in part due to recent displacement from sites being developed in Kiltarnan.</li> <li>○ Notes that opportunities to provide replacement wildlife corridors in the Kiltarnan area are very limited.</li> </ul> </li> <li>• Raises concerns with the way in which the motion proposing Amendment M911 was voted on by the Council. <ul style="list-style-type: none"> <li>○ Notes some councillors were not clear on the location of the lands or the purpose of the SLR designation by the time the vote took place.</li> <li>○ Notes these issues are compounded by the motion having been proposed very shortly before it was voted on, which meant there was not sufficient time for the Planning Executive or councillors to adequately review the motion.</li> <li>○ Notes that no assessment or rationale for the proposed amendment was provided by the proposers of the motion at the Council meeting.</li> </ul> </li> <li>• Notes the stated position of the Planning Executive that the re-designation or re-zoning of the lands is not required to facilitate projected residential development at Kiltarnan. <ul style="list-style-type: none"> <li>○ Considers this position is demonstrated in previous responses from the Planning Executive to requests to re-designate or re-zone the land.</li> </ul> </li> <li>• States that the existing long-established uses on the lands in question are socially, economically and aesthetically beneficial to the local community. States these uses should therefore be preserved.</li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Land Use Mapping				

DLR Submission No: <u>C0099</u>	Person: Matt Davy	Organisation: Glencullen Adventure Park	Amendment Nos: 314, M1202	Map Nos: 12, 13
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• Submission supports proposed amendment 314 and proposed mapping amendment M1202, which seeks to insert a new SLO (SLO 151).</li> </ul>				

- SLO 151 seeks to provide for holiday caravan/camping facilities at Glencullen, subject to a number of limitations.
- Consider the provision of these facilities constitutes an important part of the overall outdoor recreation strategy for the Dublin Mountains.
- Considers that suitably designed holiday caravan/camping accommodation will increase tourism in the area in the long term and will generate a small number of local employment opportunities.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 14

DLR Submission No: <u>C0100</u>	Person: Richard Hamilton	Organisation: Park Development Group	Amendment Nos: 50, 158, 160, 168, 300, 303, 377, M905	Map Nos: 9
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission is set in the context of future development of lands at Mountwood, Ballyogan Road.</li> <li>• Submission sets out details pertaining to Park Development Group.</li> <li>• Submission sets out detail in relation to the Park Development site at Ballyogan Road, including site description and planning history.</li> <li>• Submission welcomes amendments to SLOs 82 and 144 and requests that additional text is added to SLO 144 to support the integration of the Mountwood site with Jamestown Park, the Ballyogan Link Road, Parkland area and the proposed greenway and Multi-use indoor sport facility.</li> <li>• 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></li> <li>• The proposed amendment 303 for a new SLO 144 as follows: <i>“To promote the use of the former Bailing station in Ballyogan as a multi-use indoor sport facility”</i> is welcomed. It is submitted that there is an opportunity to encourage linkage between the facility and Jamestown Park, the greenway and the new neighbourhood quarter.</li> <li>• Submission considers that proposed amendment 160 may be ultra vires as the SPPR is in place in relation to mix and Built to Rent.</li> <li>• Requests omission of amendment 341 in Appendix 2 as considers it is arbitrary in nature without due consideration for the significant negative impact it would have on housing delivery</li> <li>• Submission supports amendment 50 which seeks to amend ‘Policy Objective PHP18: Residential Density’ in Section 4.3.1.1 as follows: <i>“It is a Policy Objective to: • Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.”</i></li> <li>• Submission opposes amendment 377 which looks to introduce an extra performance-based criteria into the Building Height assessment table. 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 <i>“Performance-Based Criteria”</i> are not considered appropriate to be included in the Development Plan.</li> <li>• In relation to amendment 158 on provision of childcare it is considered 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. <i>(It is noted that the full amendment does not appear to have been quoted in the submissions)</i></li> <li>• Submission considers that proposed amendment 168 in relation to external storage will drive up the cost of apartments by €30,000 to €35,000 and that this cost will fall to the occupants.</li> </ul>				
<p><b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 12, Chapter 13, Appendix 2, Appendix 5.</p>				

DLR Submission No: <u>C0101</u>	Person: Stephen Little & Associates	Organisation: Quintain Developments Ireland Ltd	Amendment Nos: 160, 168, 341	Map Nos: N/A
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• Submission confirms that a formal submission was made in December 2021 under <b>C0050</b> – this is summarized in full above. It is stated that this submission has been prepared in light of the ‘re-commencing’ (extended) consultation period and that this submission supersedes the previous submission made.</li> <li>• Submission refers to the submission made by Quintain on 16/4/2021 to the Draft Plan and regrets that the Council did not heed the concerns raised within said submission.</li> <li>• Submission states that Quintain Ireland will continue to collaborate with the Council through the Development Management process to meet targets for housing delivery.</li> <li>• Submission notes that national planning policy widely acknowledges the challenges of delivering apartments from an economic viability viewpoint. Aspects of the new Plan and material amendments have the potential to materially impact the delivery of apartments and undermine the Government Policy under ‘Housing for All, Rebuilding Ireland’.</li> <li>• It is noted that the delivery of apartment developments remains a challenge and highlights the fact that the Apartment Guidelines set a series of standards which “<i>are compatible with securing housing supply in our major urban areas that is economically viable to develop</i>”. Concern is raised that the requirements of the Plan would undermine stability sought for apartment development as set out in the guidelines.</li> <li>• Quintain Ireland wishes to place on record their concern of imposing a blanket minimum requirement of 20-40% 3-bed apartment units.</li> <li>• Submission notes amendments to the HNDAs that relate to the objective for the 20-40% 3-bed requirement.</li> <li>• Submission 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.</li> <li>• Submission provides a history of Quintain Ltd and provides details of its existing portfolio in London and Dublin, noting that they are the third largest residential mixed-use developer in the country. It is noted that schemes delivered, commenced and planned provide for both residential and a range of facilities such as retail, schools, civic buildings and amenity space.</li> <li>• Submission notes the investment of Quintain in Cherrywood in relation to increased demand for housing noting the 9-12 month design timeframe prior to lodging applications.</li> <li>• Submission sets out details of schemes commenced and planned within Cherrywood citing that between 2,700-3,700 new homes would be delivered by Quintain within Cherrywood.</li> <li>• Submission notes that Quintain are seeking to expand their portfolio in Dún Laoghaire, however uncertainty caused by changing standards area of serious concern in this regard.</li> <li>• Submission requests the Council to consider an objective for a moratorium for schemes that are well advanced and/ or will be registered in the planning system prior to the adoption of the new Plan, to exempt such schemes from the new requirements of the plan.</li> <li>• Submission notes the significant cost and time implications for advanced schemes and a delay in the delivery of housing should such an exemption not apply.</li> <li>• Submission strongly opposes the introduction of Table 12.1 (Chapter 12) and raises serious concerns with regard to the proposal for 20-40% 3-bed units in new large scale developments, including within BTR schemes for the following reasons: <ul style="list-style-type: none"> <li>○ It is noted that there is limited demand for 3-bed units - evidence points towards demand in 1 and 2-bed units.</li> <li>○ This requirement is at odds with national planning policy to increase residential density and provide 1 and 2 bed apartments as per SPPR1 of the Apartment Guidelines.</li> <li>○ Reference is made to the NPF and a number of NPO’s (particularly NPO 35) that refers to falling household sizes and apartments becoming a more prevalent form of housing in cities. It is noted that mandatory requirements would lead to greater pressure on the challenges around economics of apartment development that is acknowledged in the NPF.</li> <li>○ The amended HNDAs in appendix 2 does not provide a basis that supports this requirement.</li> </ul> </li> </ul>				

- A mandatory 20-40% 3-bed unit requirement does not take account of the location of an apartment development which may be within an area that has or is intended to have a wider range of dwelling type and unit mix.
- A blanket approach introduces risks of units not being sold / remaining empty after completion, poses viability issues for developers and affordability issues for prospective buyers.
- Will impact upon the delivery of a more compact urban development in Dún Laoghaire-Rathdown and could lead to sprawl.
- Submission is opposed to the amendment to Section 12.3.3 – *“That the requirement for certain percentages of 3-bed units in apartments shall apply to Build to Rent developments to accord with the mix on page 233”* – The submission:
  - Requests that this amendment is deleted as this is contrary to the SPPR in relation to Build to Rent (BTR) of the apartment guidelines.
  - Refers to the statutory obligations of the Planning Authority under S.10(1A) of the Planning Act that being to ensure that a development plan is consistent with Specific planning policy requirements (SPPRs).
  - Sets out SPPR 7 of the apartment guidelines highlighting that part *“(i)”* states that there shall be *“no restriction on dwelling mix”* in relation to build to rent developments.
  - The requirement to provide 20-40% 3-bed units in BTR schemes is contrary to both SPPR 8 and the obligations of the Act.
- The role of storage provision for bulk items in addition to internal storage is acknowledged, however the specified area of storage is significantly over and above that required for storage inside the unit. There is a lack of evidence provided to substantiate the demand for this quantum of external storage, it is contrary to national policy and adds a further burden on developments.
- It is requested that the external storage requirements be omitted.
- Submission sets out the provisions of S.34(2)(ba) of the Act which states: *“Where specific planning policy requirements of guidelines referred to in subsection (2)(aa) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.”* In this regard the amendment is considered futile as the provisions of national policy would prevail through the Development Management Process.
- Submission refers to the ‘Urban Development & Building Heights Guidelines for Planning Authorities’ (2018) with regard to sustainable development in built up urban areas and in close proximity to public transport vs minimum density parameters. It is stated that apartments would be required at such locations to provide the minimum density.
- Submission notes population growth in cities vs housing supply to meet demands. It is noted that a significant quantum of housing units are yet to be commenced.
- Submission refers to investment in public transport and the provision of higher densities in proximity to same. As a result, the housing typology would be expected to be apartments.
- Apartments would counter balance the significant proportion of semi-detached housing in the area which accounts for c.35% of the housing stock and predominantly consists of 3 to 4-bed units.
- The requirement of 20-40% 3-bed apartment units would significantly reduce the capacity of a site to deliver units that meet the requirements of national planning policy and the demand for affordable housing.
- Submission requests that the Council confirm in the final Plan that where an assessment of dwelling mix was undertaken in the immediate vicinity and it was demonstrated through empirical evidence that there would be high levels of three (or more) bedroom units.
- Submission details the shift in household occupancy and composition in that occupancy is falling. Occupancy stood at an average of 2.73 persons for Dublin in 2016 – the Council confirms this in their HNDA.
- Submission requests that the Council identify which cohort of the population that would require 3 bedroom apartments.
- Submission refers to examples provided in the HNDA in Appendix 2 with regard to London noting that these are of no relevance to Dún Laoghaire-Rathdown where household size is declining.
- 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.
- It is noted that the analysis of the London model does not distinguish between the various models of delivery of apartment developments and fails to acknowledge the flexibility that exists in practice in the ultimate mix of units delivered.
- Submission states that the concerns expressed in the HNDA in relation to 1 and 2 bed apartment units fails to acknowledge that this form of development is what is being sought through national policy.
- It is stated that the 20-40% 3-bed unit requirement is not supported by the HNDA.
- Submission notes the shift in housing trends through the growth in the private rental sector.
- Submission notes the impact of Covid-19 on the challenges facing housing supply.
- Submission refers to market-driven data from commercial agents with regard to there being limited demand for 3-bed units (see summary of attachments below).

#### **Summary of Attachment 1 – Letter from Savills:**

- A letter from Savills in support of this submission sets out their views in relation to the 40% 3-bed requirement for apartment schemes.
- This letter:
  - Details market demand – that being for 1 and 2-bed apartments as there is a shortage of this unit type.
  - Notes that demand for larger units to suit families is focused on houses rather than apartments.
  - Details demographic data based upon the 2016 census with regard to household composition.
  - Sets out changing demographics with regard to average household size vs a lack of 1 and 2 bed apartment units for single professionals and couples.
  - Details market rental levels vs affordability of 3-bed units.
  - States that apartments are better suited to individuals and couples rather than families.

#### **Summary of Attachment 2 – Letter from Knight Frank:**

- A letter from Knight Frank in support of this submission sets out additional information in relation to the 40% 3-bed requirement for apartment schemes and why this should not be adopted.
- This letter:
  - Details demographic trends for Dún Laoghaire-Rathdown noting a population increase and a decrease in the average number of persons per household.
  - Notes the non-Irish national make-up of the County reflecting the influx of large international corporations to Dublin.
  - Details proportion of rental properties, age profile of households and child-free households noting that as families form and the population ages that the proportion of owner-occupiers increase.
  - Notes that there is a shortage of 1 and 2-bed units.
  - Notes that market demand for larger units is focused on houses rather than apartments with families seeking to buy property with gardens.
  - Details recent survey of renters asking which type of accommodation they were seeking – following on from this, it is considered that increasing 3-bed apartment units would be counterproductive and detrimental to the market.
  - One and 2-bed units will serve single professionals, couples, and sharers who are more “price-conscious”.
  - 1 and 2-bed units have been previously underprovided, and this is where there is strongest demand.
- These unit types would ensure housing stock for all age groups and would support our ageing population.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 12, Appendix 2, Other Issues

DLR Submission No: C0102	Person: Sarah O'Connor	Organisation: Rathmichael Residents Association	Amendment Nos: 50, 70, 215, 216, M1010	Map Nos: 10, 14
<b>Summary of Submission / Observation:</b>				

- The text of Policy Objective PHP18 'Residential Density' should apply to Rathmichael. Submits that Rathmichael residents don't want higher density. Rathmichael has a unique rural amenity character which should be protected and there is no direct link to a main transport corridor.
- Reference is made to the upgrade of Ferndale Road and development of a new link road from Ferndale Road to Dublin Road. Ferndale Road – which abuts the Green Belt - has the appearance of a rural road due to its many trees and hedgerows and should be protected. It leads to Rathmichael Woods used by increasing numbers of pedestrians, hikers, cyclists and horse riders. If the road is upgraded it would lead to an increase in traffic which is contrary to government policy to reduce our dependence on cars and reduce emissions. The proposed link road is premature, and the Draft Plan is not in compliance with statutory bodies.
- A bus service from Sandyford to Rathmichael would be a danger to vulnerable road users.
- Submission does not support the re-zoning of Rathmichael from 'A' to '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.
- Zoning Objective 'A1' - the land use 'Residential - Build to Rent' is unsuitable for Rathmichael and should be removed. The land use 'Service Station' (permitted in principle) is also unsuitable for Rathmichael and should be removed.
- 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.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 4, Chapter 5, Chapter 13 and Land Use Mapping.

<b>DLR Submission No:</b> <a href="#">C0103</a>	<b>Person:</b> Denis Madden	<b>Organisation:</b> Glendruoid Dolmen Public Group	<b>Amendment Nos:</b> 35, 40, 41, 42, 51, 72, 77, 98, 99, 100, 123, 124, 125, 128, 136, 139, 209, 298, 371, 424, 436, 483,	<b>Map Nos:</b> 9, 10
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**Summary of Submission / Observation:**

- Submission seeks to further amend proposed amendment 35, which relates to promoting the transition from fossil fuel propelled to EV and LEV vehicles in section 3.4.3 'Decarbonising Motorised Transport'.
  - Submission seeks to add text promoting local tourism within the County as a means of discouraging car use.
- Submission seeks to further amend proposed amendment 40, which inserts new Policy Objective CA18 'Community Woodlands' in section 3.4.4.1.
  - Submission seeks to include reference to Glendruoid Woodlands.
- Submission seeks to insert a new SLO at Glendruoid Valley.
- Submission seeks to further amend proposed amendment 41, which relates to the centrality of neighbourhood and community in planning in Section 4.1.1 'Overarching Policy Objective PHP1'.
  - Submissions seeks to include access to heritage sites, monuments and spiritual areas within definition.
- Submission seeks to further amend proposed amendment 42, which relates to the promotion of community and cultural activities in Section 4.2.1 'Sustainable Communities and Neighbourhood Infrastructure'.
  - Submission seeks to add reference to heritage sites and spiritual areas.
- Submission seeks to further amend proposed amendment 51, which relates to permissible densities on proposed CBC routes in Section 4.3.1.1 'Policy Objective PHP18: Residential Density'.
  - Submission seeks to confirm here that the Glendruoid House area is precluded from the relevant locational density threshold.
  - Seeks to encourage access to national monuments from LUAS.
- Submission supports and seeks to further amend proposed amendment 72, which relates to the modal shift to public transport and active travel in Section 5.4.1 'Policy Objective T3: Development of Sustainable Travel and Transport'.
  - Encourages consideration of public access to Glendruoid Dolmen.
  - Submission suggests reference to park and ride at Brennanstown LUAS stop should be included here.

- Submission seeks to further amend proposed amendment 77, which provides details of the current status of the LUAS green line upgrade works in Section 5.4.5.
  - Submission seeks inclusion of details on the planned opening of the Brennanstown LUAS stop.
  - Seeks inclusion of an objective promoting tourist and visitors to use the LUAS to visit Glendruid Valley and Dolmen.
- Submission seeks to further amend proposed amendment 98, which links Smart Tourism to the Smart City concept in Section 6.4.2.8 'Policy Objective E9: Smart Dublin'.
  - Submission seeks to include specific examples of Smart Tourism.
- Submission seeks to further amend proposed amendment 99, which confirms support for the development of accessible and inclusive tourism in Section 6.4.2.15 'Policy Objective E16 'Tourism and Recreation''.
  - Submissions seeks the inclusion of examples of measures for achieving this.
- Submission seeks to further amend proposed amendment 100, which makes minor syntactical alterations to Section 6.4.2.15 'Policy Objective E16 'Tourism and Recreation''.
  - Submission seeks to include specific references to heritage plans.
- Submission seeks to further amend proposed amendment 123, which inserts reference to the Dublin Mountains as a natural and scenic amenity in Section 8.6 'Access and the Mountains'.
  - Submission seeks additional reference to Dublin Mountains as heritage amenity.
- Activities of walkers and mountain bikers needs to be moderated around ancient tombs.
- Submission seeks to further amend proposed amendment 124, which includes geological sites within examples of amenities to which rights-of-way are to be extended or enhanced in Section 8.6.3 'Policy Objective GIB14: Public Rights-of-Way'.
  - Submission seeks use of compulsory powers to create new rights-of-way.
- Submission makes reference to proposed amendment 125, which makes technical amendment to reference to Heritage Plan in Section 8.6.6 'Policy Objective GIB17: Trails, Hiking and Walking Routes'.
  - Submission seeks commitments to creation of paths along Neolithic routes to develop walking trails connecting dolmens and cairns.
- Submission seeks to further amend proposed amendment 128, which adds pNHA site IDs for designated Sites in Table 8.3 of section 8.7 'Biodiversity'.
  - Submission proposes Glendruid Valley for inclusion in list of Designated Sites.
- Submission seeks to further amend proposed amendment 136, which makes reference to the cultural role of parks and open spaces in section 9.1 'Open Space, Parks and Recreation'.
  - Submission seeks to add reference to the mental health, spiritual and natural environment appreciation role of open spaces.
- Submission refers to proposed amendment 139, which clarifies that open spaces referred to are public in Section 9.2.1.3 'Policy Objective OSR3: Future Improvements'.
  - Submission seeks inclusion of Glendruid Wood as parkland, noting it is partly located within the Cherrywood SDZ.
- Submission seeks to further amend proposed amendment 209, which strengthens commitment to protecting residential amenity under Zoning Objective A.
  - Submission seeks to also add protection of heritage and environmental amenities.
- Submission seeks to further amend proposed amendment 298, which makes a minor technical amendment to a reference to Cherrywood SDZ in SLO 69 on Map 9.
  - Submission seeks co-ordination between County Development Plan and Cherrywood SDZ on strategy for the Glendruid area.
- Submission refers to proposed amendment 371, which updates the list of cACAs (Table 4.3 of Appendix 4).
  - Submission proposed inclusion of Glendruid Valley as an ACA.
- Submission refers to proposed amendment 424, which expands on potential benefits of Green Corridors in section 4.10 of Appendix 16.
  - Submission seeks addition of northside of Carrickmines River as a Green Corridor.
- Submission seeks to further amend proposed amendment 436, which makes a number of technical and explanatory changes to section 5.2.5 'Carrickmines River' of Appendix 16.
  - Submission raises concerns with inappropriate residential zoning along Carrickmines River in Glendruid Valley.

- Submission refers proposed amendment 483, which makes syntactical changes to Table 10.1 of the SEA Report.
  - Seeks commitment to review of development pressure at Glendruid Valley.
- Note: an addendum to the submission that included a map was submitted, however this was a late submission and cannot be taken into consideration.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Chapter 3, Chapter 4, Chapter 5, Chapter 6, Chapter 8, Chapter 9, Chapter 13, Chapter 14, Appendix 4, Appendix 16, SEA Report

DLR Submission No: C0104	Person: Brendan O'Hagan	Organisation: N/A	Amendment Nos: 737	Map Nos: 3, 7
<p><b>Summary of Submission / Observation:</b></p> <ul style="list-style-type: none"> <li>• The proposed extension of the Marlborough Road ACA to incorporate Adelaide and Station Road would materially affect the submitters property.</li> <li>• Submission objects to the extended ACA and ask that this proposal is not perused.</li> <li>• Notes that a previous submission was made objecting to the Marlborough Road ACA designation.</li> <li>• Believes that the proposed amended is illegal and is a misuse of the Development Plan review process as significant steps required to move from a cACA to a full ACA have not been taken.</li> <li>• Submission states that:           <ul style="list-style-type: none"> <li>○ Mapping in the Draft Plan was misleading, confusing and misrepresented the Local Authority's intentions.</li> <li>○ There was no meaningful consultation for affected property owners.</li> <li>○ There is no assessment of the cACA for Adelaide Road and Station Road to determine if it met requirements for it designation to an ACA as set out in policy objective HER17</li> <li>○ The only character appraisal carried out relates to Marlborough Road.</li> </ul> </li> <li>• There is no evaluation of current protections, planning objectives or development controls rather a unilateral change to an ACA without proper assessment.</li> <li>• Had a proper assessment of the area been carried out it would have identified that certain features / properties within the area have no architectural value and there is no coherent application of the proposed boundary.</li> <li>• It is requested that a full consultation and assessment of the area is carried out in accordance with policy objective HER17.</li> <li>• The submission details the response given in the CE report on the Draft Plan in relation to the matter, which stated that 'Adelaide Road and Station Road' remain as a candidate ACA and would be listed in Appendix 4 along with maps 3 and 7 to be amended to reflect this designation in the final plan. The proposed amendments document, however, did not reflect this recommendation.</li> <li>• Support is provided for the ACA designation for Marlborough Road as the correct process has been followed.</li> <li>• Submission contains supporting documents from John Spain Associates and Molloy &amp; Associates Architects which are summarised below. The submission also contains the entire Character Appraisal document for Marlborough Road that was prepared by Dún Laoghaire-Rathdown and published as a supplementary document to the Draft Plan, as this is a council document, a summary of same is not considered necessary in this instance.</li> <li>• A map has been attached with the submission highlighting more contemporary properties within the boundary, from 1970 onward.</li> </ul> <p><b>Summary of attachment 1 – letter by John Spain Associates:</b></p> <ul style="list-style-type: none"> <li>• Letter has been prepared in support of the submission re: the addition of Adelaide Road and Station Road to the Marlborough ACA.</li> <li>• Letter 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'.</li> <li>• Letter refers to the requirements of Section 81 of the Act and considers that the Planning Authority have not undertaken the appropriate assessment to demonstrate that the extension of the Marlborough Rd ACA is warranted in the context of the criteria set out in Section 81 that being that a Development Plan shall <i>"include an objective to preserve the character of a place, area, group of</i></li> </ul>				

*structures or townscape, taking account of building lines and heights, that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or contributes to the appreciation of protected structures”.*

- Reference is made to Section 3.6.1 of the Architectural Heritage guidelines which sets out guidance with regard to the designation of an ACA including how it should be made and the information that should be provided as part of the designation process including maps, written description of the character, photographic record, description of materials / construction techniques, development control policies etc.
- A report to justify the inclusion of the extended area has not been prepared and it is considered that the area as shown on mapping would not meet the criteria.
- Submission notes the requirements under Section 12(18) of the Act to ensure that the plan is consistent with Section 28 Guidelines which includes the Architectural Heritage Guidelines.

**Summary of attachment 2 – letter by Molloy & Associates Architects:**

- Letter broadly assesses architectural heritage factors influencing the extended ACA and notes that it is limited only to the proposed additional area within the boundary – Adelaide Road and Station Road.
- A brief character appraisal for Marlborough Road states:
  - Marlborough Road is in 2 sections, is characterised by tree-lined streetscapes of 19<sup>th</sup> and 20<sup>th</sup> century housing sitting within defined plots.
  - The urban composition one of architectural unity and of exceptional quality.
  - The Character Appraisal for Marlborough Road prepared by DLR acknowledges its unique character.
  - It is considered appropriate that the entirety of Marlborough Road merits protection as an ACA.
- A brief character appraisal for Adelaide Road states:
  - The southern section of the road, adjoining Marlborough Road, has a similar characteristic to Marlborough Road, including early 20<sup>th</sup> century rubble course walls, houses are predominantly mid-20<sup>th</sup> century but are identifiable with that on Marlborough Road.
  - The northern section of Adelaide Road differs starkly in character.
  - Deviations in house types and finishes are noted in the northern section.
  - An architectural departure in boundary treatment from the southern section of the road is noted.
  - It is noted that houses on the eastern side of the road are not visible from the public realm due to dense tree cover – assessment of boundaries could only be had.
  - Commentary cannot be made on the findings of a statutory appraisal for the road as none exists.
- A brief character appraisal for Station Rd states:
  - Station Rd is characterised by contemporary dwelling behind modified rubble granite walls to the southern side and opposing northern side enclosing the railway.
  - Most dwelling are late 20<sup>th</sup> century and not comparable with Marlborough Road.
  - Commentary cannot be made on the findings of a statutory appraisal for the road as none exists.
- Concluding commentary notes that the inclusion of Marlborough Road and the villa style section of Adelaide Road are justified, however, the north-eastern section of Adelaide Road does not have similar characteristics to contribute to a consistent and cohesive ACA.
- It is accepted that ACA characteristics are not simply defined as being historic but a blend of compatible typologies.
- It is noted that no properties within the proposed ACA are included in the RPS, while not an essential criterion, the together with the absence of a comprehensive inventory of the extended area would question the basis for the proposed amendment.
- More consideration on the validity of this amendment should be given.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 4

DLR Submission No: C0105	Person: Lisa Cohen	Organisation: N/A	Amendment Nos: 737	Map Nos: 3, 7
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>• The proposed extension of the Marlborough Road ACA to incorporate Adelaide and Station Road would materially affect the submitters property.</li> <li>• Submission objects to the extended ACA and ask that this proposal is not perused.</li> <li>• Notes that a previous submission was made objecting to the Marlborough Road ACA designation.</li> </ul>				

- Believes that the proposed amended is illegal and is a misuse of the Development Plan review process as significant steps required to move from a cACA to a full ACA have not been taken.
- Submission states that:
  - Mapping in the Draft Plan was misleading, confusing and misrepresented the Local Authority's intentions.
  - There was no meaningful consultation for affected property owners.
  - There is no assessment of the cACA for Adelaide Road and Station Road to determine if it met requirements for its designation as an ACA as set out in Policy Objective HER17
  - The only character appraisal carried out relates to Marlborough Road
- There is no evaluation of current protections, planning objectives or development controls rather a unilateral change to an ACA without proper assessment.
- Had a proper assessment of the area been carried out it would have identified that certain features / properties within the area have no architectural value and there is no coherent application of the proposed boundary.
- It is requested that a full consultation and assessment of the area is carried out in accordance with policy objective HER17.
- The submission details the response given in the CE report on the Draft Plan in relation to the matter, which stated that 'Adelaide Road and Station Road' remain as a candidate ACA and would be listed in Appendix 4 along with Maps 3 and 7 to be amended to reflect this designation in the final plan. The proposed amendments document, however, did not reflect this recommendation.
- Support is provided for the ACA designation for Marlborough Road as the correct process has been followed.
- Submission contains supporting documents from John Spain Associates and Molloy & Associates Architects which are summarised below. The submission also contains the entire Character Appraisal document for Marlborough Road that was prepared by Dún Laoghaire-Rathdown and published as a supplementary document to the Draft Plan, as this is a council document, a summary of same is not considered necessary in this instance.
- A map has been attached with the submission highlighting more contemporary properties within the boundary, from 1970 onward.

**Summary of attachment 1 – letter by John Spain Associates:**

- Letter has been prepared in support of the submission re: the addition of Adelaide Road and Station Road to the Marlborough ACA.
- Letter 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.
- Letter refers to the requirements of Section 81 of the Act and considers that the Planning Authority have not undertaken the appropriate assessment to demonstrate that the extension of the Marlborough Rd ACA is warranted in the context of the criteria set out in S.81 that being that a development plan shall *"include an objective to preserve the character of a place, area, group of structures or townscape, taking account of building lines and heights, that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or contributes to the appreciation of protected structures"*.
- Reference is made to Section 3.6.1 of the Architectural Heritage Guidelines which sets out guidance with regard to the designation of an ACA including how it should be made and the information that should be provided as part of the designation process including maps, written description of the character, photographic record, description of materials / construction techniques, development control policies etc.
- A report to justify the inclusion of the extended area has not been prepared and it is considered that the area as shown on mapping would not meet the criteria.
- Submission notes the requirements under Section 12(18) of the Act to ensure that the plan is consistent with Section 28 Guidelines which includes the Architectural Heritage Guidelines.

**Summary of attachment 2 – letter by Molloy & Associates Architects:**

- Letter broadly assesses architectural heritage factors influencing the extended ACA and notes that it is limited only to the proposed additional area within the boundary – Adelaide Road and Station Road.
- A brief character appraisal for Marlborough Road states:

- Marlborough Road is in 2 sections, is characterised by tree-lined streetscapes of 19<sup>th</sup> and 20<sup>th</sup> century housing sitting within defined plots.
- The urban composition one of architectural unity and of exceptional quality.
- The Character Appraisal for Marlborough Road prepared by DLR acknowledges its unique character.
- It is considered appropriate that the entirety of Marlborough Road merits protection as an ACA.
- A brief character appraisal for Adelaide Road states:
  - The southern section of the road, adjoining Marlborough Road, has a similar characteristic to Marlborough Road, including early 20<sup>th</sup> century rubble course walls, houses are predominantly mid-20<sup>th</sup> century but are identifiable with that on Marlborough Road.
  - The northern section of Adelaide Road differs starkly in character.
  - Deviations in house types and finishes are noted in the northern section.
  - An architectural departure in boundary treatment from the southern section of the road is noted.
  - It is noted that houses on the eastern side of the road are not visible from the public realm due to dense tree cover – assessment of boundaries could only be had.
  - Commentary cannot be made on the findings of a statutory appraisal for the road as none exists.
- A brief character appraisal for Station Road states:
  - Station Road is characterised by contemporary dwelling behind modified rubble granite walls to the southern side and opposing northern side enclosing the railway.
  - Most dwelling are late 20<sup>th</sup> century and not comparable with Marlborough Road.
  - Commentary cannot be made on the findings of a statutory appraisal for the road as none exists.
- Concluding commentary notes that the inclusion of Marlborough Road and the villa style section of Adelaide Road are justified, however, the north-eastern section of Adelaide Road does not have similar characteristics to contribute to a consistent and cohesive ACA.
- It is accepted that ACA characteristics are not simply defined as being historic but a blend of compatible typologies.
- It is noted that no properties within the proposed ACA are included in the RPS, while not an essential criterion, the together with the absence of a comprehensive inventory of the extended area would question the basis for the proposed amendment.
- More consideration on the validity of this amendment should be given.

**Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):**  
Appendix 4

DLR Submission No: <b>C0106</b>	Person: <b>James Browne</b>	Organisation: <b>N/A</b>	Amendment Nos: <b>318, M1404</b>	Map Nos: <b>14</b>
<b>Summary of Submission / Observation:</b>				
<ul style="list-style-type: none"> <li>● Submission supports proposed amendment 318, which seeks to remove SLO 118 from Table 14 and Map 14 of the Draft Development Plan.</li> <li>● SLO 118 sought to identify <i>“The lands to facilitate and form part of any future extension of Shanganagh Park”</i>.</li> <li>● Refutes the arguments put forward in submission no. <b>C0063</b> on the Material Amendments to the Draft Plan, which seeks to re-instate SLO 118.</li> <li>● Requests that the Council reflect the requests set out in the submission.</li> <li>● Submitter states they are the landowner of 4.6 acres of lands on the west side of Dublin Road opposite St. James' Church, which was included in the overall land referred to in SLO 118 and was subject of submission no. C0063, which sought to re-instate the land within SLO 118.</li> <li>● Considers that the Local Authority acted beyond its legal authority in its original inclusion of SLO 118 within the Draft Plan.</li> <li>● Observer asserts they have no intention of selling the land parcel in question to the Council.</li> <li>● Notes that SLO 133, which seeks to promote the development open space/a recreational facility for the benefit of the community on privately owned land, serves as a precedent for the observer's rationale.           <ul style="list-style-type: none"> <li>○ Highlights the Planning Executive's stated position that the provision of the lands subject of SLO 133 for the benefit of the community would be beyond the remit of the Development Plan as the lands are in private ownership.</li> </ul> </li> </ul>				
<b>Response and Recommendation to issues are located in Volume I, Part 3 under the following heading(s):</b> Chapter 14				

**Part 2: List of persons or bodies who made submissions**

Sub. No.	Name	Organisation
<a href="#">C0001</a>	James Fahey	
<a href="#">C0002</a>	James Mulcahy Symmons,	WIND Mobility LTD
<a href="#">C0003</a>	Olga Maguire	
<a href="#">C0004</a>	Gary Mackin	DAA
<a href="#">C0005</a>	Donncha Ó Sullivan	Gas Networks Ireland
<a href="#">C0006</a>	David Galvin	Environmental Protection Agency
<a href="#">C0007</a>	Fiona Broderick	
<a href="#">C0008</a>	Michael Nolan	Marsham Court Residents' Association
<a href="#">C0009</a>	Robert Kenny	
<a href="#">C0010</a>	Karen Donovan	Office of Public Works
<a href="#">C0011</a>	Tara Spain	TII
<a href="#">C0012</a>	Dudley Dolan	
<a href="#">C0013</a>	Kevin Cullen	
<a href="#">C0014</a>	Elaine McGrath	
<a href="#">C0015</a>	Aidan Keogh	
<a href="#">C0016</a>	Clare Morgan	
<a href="#">C0017</a>	Gabriela Iancu	
<a href="#">C0018</a>	Alan Whelan, O'Connor Whelan, Planning Consultants	HSE
<a href="#">C0019</a>	Lisa Maguire	Environmental Health
<a href="#">C0020</a>	Frank Moran	
<a href="#">C0021</a>	Graeme Morris	
<a href="#">C0022</a>	Frank Moran	Mount Merrion Residents Association
<a href="#">C0023</a>	Ann O'Sullivan	
<a href="#">C0024</a>	Paddy O'Rourke	Carragh Properties
<a href="#">C0025</a>	Ulric Kenny	
<a href="#">C0026</a>	Sadhbh O'Connor	Colbeam Limited
<a href="#">C0027</a>	Kathleen Foy Newman	
<a href="#">C0028</a>	Pascal Cesari	
<a href="#">C0029</a>	Mr Conor Healy	Glenveagh PLC C/o McCutcheon Halley Chartered Planning Consultants
<a href="#">C0030</a>	Colm Cummins	Electricity Supply Board
<a href="#">C0031</a>	Tom Daly	Redesdale Residents Association
<a href="#">C0032</a>	Hughes Planning and Development Consultants	The Marianists of Ireland
<a href="#">C0033</a>	Neil & Elish Tohill	
<a href="#">C0034</a>	Roger Garland	Keep Ireland Open
<a href="#">C0035</a>	Niamh McDonald	Irish Water
<a href="#">C0036</a>	Andrew O'Kane	
<a href="#">C0037</a>	Naomi O'Kane	
<a href="#">C0038</a>	John Spain Associates on behalf of The Corrig Partnership	The Corrig Road Partnership
<a href="#">C0039</a>	Bruce & Cathriona Fitzsimons	
<a href="#">C0040</a>	John Spain Associates	IPUT Plc
<a href="#">C0041</a>	Mark Munro	Green Property
<a href="#">C0042</a>	Geological Survey Ireland	Department of Environment, Climate and Communications

Sub. No.	Name	Organisation
<a href="#">C0043</a>	Ciara Slattery	Land Development Agency
<a href="#">C0044</a>	John Spain Associates on behalf of Anthony and Mary Collins	
<a href="#">C0045</a>	Brendan Buck	Ardilea Residents Association
<a href="#">C0046</a>	Una O' Shea	Roebuck Residents Association
<a href="#">C0047</a>	Proinsias Mac Fhlannchadha	
<a href="#">C0048</a>	David O'Brien	
<a href="#">C0049</a>	John Spain Associates	The Congregation of Christian Brothers
<a href="#">C0050</a>	Stephen Little & Associates	Quintain Developments Ireland Ltd
<a href="#">C0051</a>	National Transport Authority	National Transport Authority
<a href="#">C0052</a>	Dara Tighe	
<a href="#">C0053</a>	Rosa Roe	An Individual (private citizen)
<a href="#">C0054</a>	Laura Crowe	Tom Phillips + Associates
<a href="#">C0055</a>	Paul Byrne	
<a href="#">C0056</a>	Mark Munro	Monkstown Village and Longford Terrace Residents Associations
<a href="#">C0057</a>	Savills Planning	New Ireland Assurance Company Plc c/o State Street Global Advisors
<a href="#">C0058</a>	Rory Kunz	Cairn PLC
<a href="#">C0059</a>	James Cahill	
<a href="#">C0060</a>	Jean Crampton	Office of the Planning Regulator
<a href="#">C0061</a>	Karen Donovan	Office of Public Works
<a href="#">C0062</a>	Yanny Petters	
<a href="#">C0063</a>	Michael Brennan	
<a href="#">C0064</a>	Alan Hanlon	Department of Education
<a href="#">C0065</a>	Patrick O'Kane	
<a href="#">C0066</a>	Auveen Byrne	
<a href="#">C0067</a>	Hughes Planning and Development Consultants	Peter Meagher
<a href="#">C0068</a>	Blaine Cregan	John Spain Associates on behalf of Kennedy Wilson
<a href="#">C0069</a>	Doyle Kent Planning Partnership Ltd - on behalf Bartra Property (Dublin) Ltd	Bartra Property (Dublin) Ltd
<a href="#">C0070</a>	Fergal O'Brien	
<a href="#">C0071</a>	Gay Wright	
<a href="#">C0072</a>	Rachel McNicholl	
<a href="#">C0073</a>	Jonthan Walsh	
<a href="#">C0074</a>	BMA Planning	Hines Ireland Ltd
<a href="#">C0075</a>	Patrick Brophy	An Individual (private citizen)
<a href="#">C0076</a>	John Spain Associates	Leopardstown Park Hospital Trust
<a href="#">C0077</a>	Savills Planning	Horse Racing Ireland and Leopardstown Club Limited
<a href="#">C0078</a>	BMA Planning	Dundrum Retail Limited Partnership
<a href="#">C0079</a>	Eugene Mallee	An Individual (private citizen)
<a href="#">C0080</a>	Brian McBryan	An Individual (private citizen)
<a href="#">C0081</a>	Hughes Planning and Development Consultants	Kivoli Ltd
<a href="#">C0082</a>	Maureen O'Driscoll, Operations Manager, Brooklawn OMC	Brooklawn Residents Owners Management Company, Limited by Guarantee
<a href="#">C0083</a>	John Spain Associates	Park Developments
<a href="#">C0084</a>	Ravensbrook Ltd	Ravensbrook Ltd
<a href="#">C0085</a>	Aileen Eglinton	Kiltiernan Glenamuck Residents Association

Sub. No.	Name	Organisation
<a href="#">C0086</a>	Claudine Murray	Brooklawn House Management Company
<a href="#">C0087</a>	McGill Planning Ltd	1 Players Land Limited
<a href="#">C0088</a>	James Reilly	An Individual (private citizen)
<a href="#">C0089</a>	Richard Hamilton	Atlas GP Ltd.
<a href="#">C0090</a>	James Benson	Irish Home Builders Association (IHBA)
<a href="#">C0091</a>	Maria Lombard	Cosgrave Property Group
<a href="#">C0092</a>	McGill Planning Limited	Aldgate Developments Ltd.
<a href="#">C0093</a>	Tom Merriman	An Individual (private citizen)
<a href="#">C0094</a>	Denis Devane	Wind Energy Ireland
<a href="#">C0095</a>	Kieran Rush	Ballymore Group
<a href="#">C0096</a>	James Leonard	Castlethorn Construction
<a href="#">C0097</a>	Nick Armstrong	Imagine Dundrum
<a href="#">C0098</a>	Larry Roe	
<a href="#">C0099</a>	Matt Davy	Glencullen Adventure Park
<a href="#">C0100</a>	Richard Hamilton	Park Developments
<a href="#">C0101</a>	Stephen Little & Associates	Quintain Developments Ireland Ltd
<a href="#">C0102</a>	Sarah O'Connor	Rathmichael Residents Association
<a href="#">C0103</a>	Denis Madden	Glendruid Dolmen Public Group
<a href="#">C0104</a>	Brendan O'Hagan	
<a href="#">C0105</a>	Lisa Cohen	
<a href="#">C0106</a>	James Browne	



