



An
Bord
Pleanála

Inspector's Report ABP-316449-23

Type of Appeal	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
Location	Currency Centre, Sandyford, Dublin 16.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	DM22/0013
Appellant(s)	Central Bank of Ireland
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The subject site is located to the west of Sandyford. The lands are to the west of the Central Bank Currency Centre (off the R117) and to the north of the M50 with a slip road (R113) running along the southern boundary of the lands. The lands consist of mainly greenfield lands with an existing entrance off the R113/M50 slip road. The northern portion of the site is in hardstanding and is a yards area in relation to the Currency Centre.

2.0 Zoning and Other Provisions

2.1. The site is located on lands zoned Objective A – To provide residential development and improve residential amenity while protecting the existing residential amenities under the Dun Laoghaire Rathdown County Development Plan 2022 – 2028.

3.0 Planning History

3.1. No planning history.

4.0 Submission to the Local Authority

4.1. The appellants made a submission to the Local Authority seeking to have its lands removed from the draft map on the basis that:

- The lands in question should be excluded in the context of Section 635B (iii)(I) as the lands in question are an integral part of the Central Banks Currency Centre, are essential for security of the existing facility and that access to the M50 slip road through these lands must be retained, and that the land is currently in use.
- The lands were directed to be removed from the Vacant Sites Register due to the importance of the subject lands in the operation of the Currency Centre. Although the criteria are different from assessing RZLT, such demonstrates that the importance of the subject lands in the operation of the Currency Centre.

5.0 Determination by the Local Authority

5.1. The Local Authority determined that the land was in scope and should remain on the map. The land is suitably zoned for residential development and it was considered based on a site visit that only the paved/gravel area to the north is used in relation to activities outlined by the landowner with the majority of lands greenfield in nature and not considered to be integral to the occupation of the land by governmental infrastructure and facilities. It was considered that the yard area to the north of the site constitute land that should be excluded from the map however the remainder does constitute land satisfying the criteria under section 635B.

6.0 The Appeal

6.1. Grounds of Appeal

- The lands in question should be excluded in the context of Section 635B (iii)(I) as the lands in question are an integral part of the Central Banks Currency Centre, with the facility a public administration facility of national strategic importance with lands essential for the security of the existing facility as they are part of the required security buffer of the facility.
- Access to the M50 slip road through these lands must be retained as it is fundamental to operations and emergency plans, it is necessary to retain ability to construct a direct link road between the existing internal road and the R113 and the Central Bank would not be amenable to sharing an entrance to unrelated persons/activities in terms of security.
- The lands are in use as a support compound outside of inner security perimeters (waste segregation facility, contractors' management area, storage facility for contractor's equipment and staging area for deliveries), emergency access to

M50 slip road, the wider undeveloped section of the landholding forms a monitored security buffer for the most secure part of the site.

- The lands were directed to be removed from the Vacant Sites Register due to the importance of the subject lands in the operation of the Currency Centre. Although the criteria are different from assessing RZLT, such demonstrates that the importance of the subject lands in the operation of the Currency centre.

7.0 Assessment

7.1. The grounds of appeal relate to Section 635B (iii)(I)

but which is not land-

(iii) that is reasonable to consider is required for, or is integral to, occupation by-

(I) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare.

The appellants' grounds are that the land in question is integral to the operation of the existing Currency Centre to the west of the lands in question and are in use relative to operation of the Currency Centre and are integral to security and access.

7.2. The lands in question are greenfield lands located to the west of the Currency Centre. There is an area of hardstanding to the north of the site that appears to be in use as a yard area and was excluded from the RZLT map by virtue of use ancillary to the existing Currency Centre. The remainder of the lands are greenfield and have an existing access off the M50 slip road, the R113 to the south of the site. In the determination the Planning Authority excluded the area of hardstanding to the north but included the remainder of the lands on the RZLT Map.

7.3. In relation to the grounds of appeal the landowners note that nature of the existing Currency Centre use being of national importance and that the lands subject to this appeal are integral to the operation and security of such. In regards to the nature of

use, I would acknowledge the importance of the Currency Centre, but the main issue here is whether the lands to west are integral to the operation of such and fall under the terms of Section 635B

but which is not land-

(iii) that is reasonable to consider is required for, or is integral to, occupation by-
(l) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare.

7.4. I am satisfied that the hardstanding area to the north of the site is integral to the operation of the Currency Centre as it appears to be in use for storage/waste management and is physically linked to the existing road/service infrastructure serving the Currency centre to the east. The remainder of the lands are greenfield lands and are physically separate from the Currency Centre with a wall running along the eastern boundary of the lands and the only opening facilitating access to the hardstanding area. In regards to security I do not consider that it has been demonstrated the lands to the east are integral to security of the existing Currency Centre. In relation to the existing access to the subject site, such is not linked into the existing currency centre service road infrastructure and would appear to be in place to maintain access to the lands to the west of the Currency Centre and not as a functional entrance for the Currency Centre. I am of the view that the appellant has not demonstrated that the site in question apart from the hardstanding area to the north of the site is required for, or is integral to, occupation by governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration. In this regard I do not consider that Section 635B(iii)(l) applies in this case.

7.5. In this case the site subject to this appeal is zoned solely or primarily for residential use, it is reasonable to conclude that it may have access to, or be connected to public infrastructure and facilities and it is reasonable to consider it is not affected, in terms of physical condition, by matters to a sufficient extent to preclude the provision of dwellings. I would consider that the subject site fulfils the criteria under Section

635B for inclusion on map apart from the hardstanding area, which is in use as an area ancillary to existing Currency Centre activity to the east of the subject site.

8.0 Recommendation

- 8.1. I recommend that the board confirm the determination of the Local Authority and that the indicated site be retained on the map apart from the hardstanding area to the north of the site.

9.0 Reasons and Considerations

- 9.1. The appellant requested that their site be removed from the map due to the site being integral to the operation of the existing Currency Centre to the east and qualifying for exclusion on the basis of Section 635B (iii)(I). It has not been demonstrated that the subject site apart from the hardstanding area to the north of site is integral to, occupation by-

a social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or provision of education or healthcare.

- 9.2. The subject lands apart from the hardstanding area to the north satisfy the criterion for inclusion on the map set out in section 653B of the Taxes Consolidation Act 1997, as amended.

I confirm that the report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

Colin McBride
Senior Planning Inspector

09th August 2023