



An  
Bord  
Pleanála

# Inspector's Addendum Report 29S.ZD2013

**Development**

Draft Planning Scheme

**Location**

Poolbeg West, Dublin 4

**Development Agency**

Dublin City Council

**Appellants**

1. Sandymount & Merrion Residents Association
2. Becbay & Fabrizia (In Receivership)
3. John Bissett Engineering
4. Lens Media

**Observers**

- (i) Lorna Kelly
- (ii) Dublin Port Company

**Inspector**

Donal Donnelly

## **Contents**

1.0 Introduction .....	3
2.0 Board Direction .....	4
3.0 Development Agency Response.....	5
4.0 Submissions/ Observations .....	11
5.0 New Policy Context.....	14
6.0 Assessment.....	14
6.5. Community Facilities .....	15
6.6. Overall Design.....	17
6.7. Open space/ public realm .....	23
6.8. Car Parking/ Traffic Management .....	25
6.9. Conclusion and Recommendation .....	26
7.0 Reasons and Considerations.....	29
8.0 Modifications.....	32

## 1.0 Introduction

- 1.1. Pursuant to Section 168 of the Planning and Development Act, 2000 (as amended), the Board, in considering the Poolbeg West Draft Planning Scheme, requested further details from the Development Agency (Dublin City Council) on 3<sup>rd</sup> September 2018 for the purpose of clarification.
- 1.2. Section 168(2) of the Planning and Development Act, 2000 (as amended) requires that a Draft Planning Scheme shall, *inter alia*, make proposals for:
  - The provision of amenities, facilities and services for the community;
  - Proposals in relation to the overall design of the proposed development; and
  - Proposals relating to the provision of parking spaces and traffic management.
- 1.3. The Board may be of the opinion that the Poolbeg West Planning Scheme Interim Publication is insufficiently clear in respect of community facilities, the overall design of development and the strategy for car and bicycle parking. Further details are sought on these matters.
- 1.4. The Development Agency's response to this request was received by the Board on 27<sup>th</sup> November 2018. This response contains additional and supporting information that includes a Social Infrastructure Audit of the Dublin Docklands, 2017 Update; a new Appendix 5: Development Codes; and a new Appendix 2: Public Realm Strategy for Streets & Key Open Spaces.
- 1.5. Submissions/ observations were invited in relation to the Development Agency's additional details, and responses were received from Ms. Lorna Kelly, John Spain Associates on behalf of John Bissett Engineering Ltd., Declan Brassil Company Ltd. on behalf of Becbay Ltd. (In Receivership) and Fabrizia Developments Ltd. (In Receivership), and Tom Phillips & Associates on behalf of Lens Media Ltd.
- 1.6. This addendum report assesses the new supporting information and submissions/ observations with the main purpose of deciding if sufficient detail now exists to make a recommendation on the proposed development. The report for the most part

addresses the information requested in the Board's Direction only but should be read in conjunction with the Inspector's Report and recommendations of 3<sup>rd</sup> July 2018.

## 2.0 Board Direction

2.1. The Board was of the opinion that additional details for the purposes of clarification may be needed with respect to the following:

### Community Facilities and Services

- More specific concrete provision for community facilities and services is required. Planning Scheme Interim Publication does not specify the scale, location or nature of such facilities and services, which are considered essential if the community is to prosper.
- Details sought on specific proposals (indoor and outdoor) to meet on-site recreational and social/ community needs of resident and working populations. Such proposals should maximise opportunities for community interaction and community development, and should address the needs of differing age groups.
- Indicative locations for new facilities and a phasing and management strategy that delivers facilities and services in tandem with the roll out of development.

### Overall design

- Development land use and design codes for Blocks A1-A4 to include specific objectives for land use mix, maximum heights and height range (consistent with Interim Publication), public realm and infrastructure provision.
- Development code for neighbourhood square including a schematic block plan and concept drawings/ sketches (consistent with Interim Publication).
- Open space strategy for the Village Green and Coastal Park, describing each of these spaces and their role and function and including indicative concept designs.
- Public Realm Strategy for major streets, minor streets and green links.

### Car parking/ traffic management

- Car parking strategy including maximum parking standards and overall maximum number of off-street parking spaces.
- Bicycle parking strategy including minimum parking standards, the overall number of spaces and allocation of indoor and outdoor spaces.

### 3.0 Development Agency Response

- 3.1. The Development Agency's response contains three separate sections addressing community facilities, overall design and car parking/ cycling management. A number of new sections of text to the Interim Scheme are proposed, and as there are no deletions of text or changes to objectives, it is considered that updating of the current Strategic Environmental Assessment or Appropriate Assessment for the Planning Scheme is not needed.
- 3.2. The response also includes supporting documentation in the form of a Social Infrastructure Audit (2017 update), a new Appendix 5: Development Codes for Blocks A1-A4 and the neighbourhood square; and a Public Realm Strategy for Streets and Key Open Spaces. The contents of the supporting documents submitted with the Development Agency's response are summarised as follows:

#### *Social Infrastructure Audit – 2017 Review*

- 3.3. Objective CD8 of the Draft Poolbeg West Planning Scheme requires an update of the Social Infrastructure Audit completed for the Docklands area in 2015. The 2017 Review Document sets out changes in socio-economic profile of the area and reviews future social infrastructure requirements. The Review also incorporates the Poolbeg West SDZ.
- 3.4. Updated recommendations are included for general social infrastructure, education, health, sports/ recreation, community/ social and arts/ culture. It is noted that the Docklands Oversight & Consultative Forum has been established and will continue to support the setting up and running of social infrastructure in the area. Funding will be delivered through the Local Economic & Community Plan, North-East Inner City Plan, Dublin Waste to Energy Community Gain Grants and Tom Clarke Bridge Fund.

#### *Appendix 5 – Development Codes*

- 3.5. This new appendix to the Planning Scheme provides a series of development codes for urban blocks A1-A4 and a design code for the neighbourhood square.
- 3.6. The development codes provide detail on land use mix, urban form and height, public realm and infrastructure for each of the blocks. Bird's eye artist impressions of each of the blocks are also included. Public realm plans show the locations of key pedestrian/ cycle routes, fixed and flexible green links, major SUDs features, homezone/ shared space, semi-private courtyards and car park access.
- 3.7. The context and layout of the neighbourhood square is investigated in more detail. The square is envisaged as a transition area from a more urban environment on Central Boulevard to a more natural environment on Village Green. A range of design solutions are facilitated, particularly with regard to the location of the central landmark building. A zone for the location of this building is illustrated with the option to relocate north-eastwards. Typical ground floor uses, frontages and potential accesses are illustrated, with café and restaurant frontages designed to facilitate the opening of units onto the square. The square will be designed as a flexible area that can accommodate local events and provide a quality public realm for people to meet, gather and interact. The development code also includes indicative tree planting leading into and through the square, as well as paving areas and indicative dimensions for the two main gathering spaces. Movement through the square by different user types is also illustrated.

*Appendix 2 – Public Realm Strategy for Streets and Key Open Spaces*

- 3.8. This appendix sets out further detail on the hierarchy and main components of streets and green links, together with pedestrian/ cyclist, public transport and private vehicle circulation. In addition to details relating to function, character, design speed, cycle paths and car parking for each street type, the Strategy also includes a description of the public realm vision, materials, planting, lights, SUDs and street furniture.
- 3.9. The new open space strategy for Village Green and Coastal Park includes the vision, role and function for each open space; design principles; pedestrian and cycle movement and connections; a landscaping strategy; incorporation of SUDs; ecology; materials; lighting and street furniture; and range of facilities referring to needs of different ages.

- 3.10. The Strategy notes that Village Green will draw a green landscape character deep into the Scheme, whilst connecting with Seán Moore Park and framing views. The space allows for the planting of large trees around a central open lawn. An indicative concept design for Village Green shows the relationship of the central lawn with its surroundings and locations for a play area and event/ performance space.
- 3.11. The indicative concept designs for Coastal Park show the new upper promenade, the lower part with enhanced ecology and the existing path below. The main connections to this area from the north-west will be via the main boulevard and coastal link. New buildings along this park will be designed to engage with the space and the upper part will have a public realm focus, with universal accessibility and a playable landscape.
- 3.12. The Development Agency's submission also included new commentary in response to the Board's request and suggested new text for the Planning Scheme. The main points raised within the submission are summarised as follows:

#### **Community Facilities and Services**

- Poolbeg area and surrounding communities are already well served by a range of high quality community and recreational facilities owned or supported by Dublin City Council.
- Major upgrade and expansion is being designed for Irishtown Stadium, Ringsend Park and Ringsend and Irishtown Community Centre.
- Dublin City Council has resources in place to work with new residents' groups to help establish themselves.
- Development Agency will target the newly occupied areas of the Scheme to encourage and nurture a strong community spirit and engagement with the wider area.
- Area in general will benefit from increased support of local services, keeping their immediate environs more active and well supported.
- A portion of the overall working population will also be living in the SDZ area and therefore the new population is unlikely to reach 16,000. Increased

popularity of “build to rent” development model supports association of providing locations for workers to live within walking distance of their work.

#### *Indoor facilities*

- Rather than seeing the Scheme as a standalone new neighbourhood, the Council has analysed existing facilities, clubs and spaces to be part of the landscape of community spaces available to those moving into Poolbeg West to live/ work.
- Intent is that a new multi-purpose flexible community facility could be integrated with the proposed primary school hall, as has been successfully implemented on other locations in Dublin under the “Fingal Model” as described in the “Provision of Schools in the Planning System, A Code of Practice for Planning Authorities (2008)” and “Guidelines on the use of School Buildings outside of School Hours (2017)”.
- It is essential that local spaces are provided within each block as communal type spaces (dance/ studio space for local classes, residents’ meeting rooms, etc.) and individually purposed units for a range of services, such as the provision of artists’ studios, essential local residential services, (such as dry cleaners, local solicitors’ offices, hairdressers) and community oriented services (such as a credit union or HSE clinics).
- Indicative locations are shown on Figure 4.2 where floor to ceiling heights at ground level will facilitate a mix of residential, commercial and/ or community uses.
- Percentage of space provided within SDZ for community hub and artists’ studios will on their own exceed the 5% requirement of the Scheme.
- To address the request for a phasing management strategy, additional text is now proposed to Chapter 9 – for Phase 2, community building will be at a minimum, under construction, before any permission will be granted. Each block will also be required to deliver local community spaces that are open and usable in time for occupancy of the housing.

#### *Outdoor community/ sports facilities*



- Public Realm Strategy submitted with response addresses in more detail the and design and function for new public open spaces and how each will address the need for outdoor community facilities that cater for a mix of ages and types of activities.
- Each residential block will provide attractive communal gardens containing play areas and space to relax and meet.
- Additional text proposed to Chapter 4, 8 & 9 relating to monitoring the delivery of social infrastructure. Includes new Table 4.1 listing hierarchy of community facilities (type, facilities and funding) to serve the SDZ and new Figure 4.2 illustrating community hub (including school and multi-use sports hall/ community facility); potential location of Primary Care Centre; and potential locations for community uses supplementing retail frontage.

### **Overall Design**

- Public realm masterplan can now be integrated with the Scheme and strategy can now directly inform future masterplans to be included with development applications, in particular first phase applications.
- New Appendix 2 – Public Realm Strategy for Street & Key Open Spaces replaces and absorbs existing Appendix 2 – Street Hierarchy, Cross Sections and Layout.
- New Appendix 5 for the Scheme to include a development land use and design code for each block within Area A – includes ground floor uses, infrastructure and community uses. Development code for neighbourhood square gives greater clarity on what elements are flexible and fixed, as well as criteria applications will be assessed against.
- Inclusion of Appendix 2 - Public Realm Strategy for Street & Key Open Spaces and Appendix 5 – Development Codes for Blocks A1-A4 and Neighbourhood Square fully addresses the further information sought by the Board in greater detail, giving more clarity to landowners on the form development needs to take, both for buildings and public realm.

### **Car parking, bicycle parking and traffic management**

- New section of text prepared containing car parking strategy for the Scheme (Section 6.7) and new Section 6.8 to address bicycle standards.
- Volume of car parking very limited and encourages smarter travel options such as car sharing and car space rental on a need to use basis in larger residential blocks where management and ownership arrangements permit.
- Strategy aims to cap overall level of car parking across entire “A” lands and allocates maximum spaces for each block.
- Intent of cycling standards is to ensure every household is provided with quality cycle parking.
- Critical that every use is well served with bicycle parking – proposed to include more specific cycle parking standards in excess of current Development Plan minimum.
- Maximum of 0.8 spaces per apartment across the four blocks – max. 2,800 spaces on the basis of 3,500 residential units.
- Commercial maximum of 1 space per 600 sq.m. gross floor space.
- Where maximum numbers are sought in any block this must be balanced with lower figures for other blocks.
- Extent of parking provided must support the required travel plan accompanying the application, as required by Objective MV9.
- Visitors will be accommodated on-street where there is capacity for some 165 spaces to include not less than 20% accessible spaces and 10% electric changing bays.
- 1.5 cycle spaces per residential unit and 1 per 75 sq.m. commercial. Shop/ café/ restaurant at 1 per 100 sq.m. with majority of provision to be outdoor and culture/ recreational 1 per 100 sq.m. (total 5,700 spaces comprising 5,300 indoor and 400 outdoor).
- Indoor cycle parking provided in basements, ground floor cycle stores and/ or secure sheltered facilities within sheltered courtyards.
- All long term (more than 3 hours) cycle racks shall be sheltered from the weather.

- Cycle racks should be within 25m of a destination for short-term parking (shops) and within 50m for long-term parking (school, college, office).

### **Conclusion**

- Regeneration of this area of brownfield land is both a regional and national priority.
- Poolbeg West is nationally significant brownfield land within walking distance of the city heart.
- Scheme provides for high quality new neighbourhood, with all necessary new facilities, high quality public realm and range of quality amenity spaces at a significant density within the inner city.
- Scheme will be one of the cornerstones of the National Planning Framework and Regional Spatial and Economic Strategy.

## **4.0 Submissions/ Observations**

4.1. Submissions/ observations on the Development Agency's response to the Board's notice were received from a number of parties and are summarised as follows:

### Ms. Lorna Kelly

- Applicants have failed to respond adequately to the request for specific on-site proposals for the provision of facilities to meet the needs of a population of 16,000.
- Community facilities in Sandymount are mainly private and are already used to the full.
- Proposals for a major traffic or arterial route along Strand Road make the safe access to facilities in the SDZ inaccessible from Sandymount and vice versa.
- There has been no post office in Sandymount for several years and audit shows a non-existent medical centre on Sandymount Road.
- Dimensions and precise location of proposed landmark building are nebulous.
- Neighbourhood square accommodates vehicular routes and it is not possible to estimate how much of the remaining space is usable as a square.

- Road widths vary by as much as 4m and it is unclear what effect the variations would have on parking and building lines.
- How can an applicant comply with specific recommendations contained in the contamination and remedial assessment?
- Utility provision and phasing are unclear – access to utility provision already existed in other docklands areas.
- SUDs proposals may run into difficulty in Poolbeg due to the continuity of water table with the tidal regime and composition and origin of the lands.
- Quantity of at/or above ground level or on-street car parking required due to the difficulty of providing basements on some sites is unclear.
- Proposals will urbanise the area of coastline adjoining and overlooking the SPA, SAC and biodiversity areas.
- Lack of kerbs or barriers or planting between the play, grass and event areas in Village Green will create a danger.
- Eastern coastal edge of any proposed development should be measured from a fixed point.
- Existing coastal lands have developed a naturally occurring flora and fauna and a biodiversity of species. Increased usage and proposed works will result in deterioration and destruction of existing coastal footpath and bordering flora.

John Bissett Engineering Ltd.

- Engineering facility will remain in operation until such time as the Planning Scheme permits its redevelopment for a more appropriate commercial use.
- Figure 18 of community audit labels lands as port park – land use of the site is designated as “mixed use – commercial, creative industries, industrial (including port related) activities.”
- Board should have regard to recently published “*Urban Development and Building Height Guidelines, 2018*” with regard to providing appropriate heights and densities in this new strategic location – buildings heights in SDZ should be reviewed prior to adoption of Scheme.

- New landmark building on Bissett Engineering site will set a clear distinction between the existing industrial use to the east and the proposed new residential and mixed-uses to the west.
- Proposal in public realm strategy to pedestrianise a portion of South Bank Road to the west of the site – this road serves as the main access to the Bissett Engineering site.

Becbay Ltd. (In Receivership) and Fabrizia Developments Ltd. (In Receivership)

- Welcome clarity in the manner in which the Scheme objectives are to be achieved, in particular with regard to public realm aspirations, infrastructure and community facilities.
- Board requested to incorporate the appendices and additional detail in the Planning Scheme, along with modifications requested by Receiver at appeal stage.
- Modifications proposed by Receiver are consistent with the “Urban Development and Building Heights” guidelines.
- Artist impressions include an inappropriate level of detail with regards to architectural treatment, height, form and massing, with particular regards to the flexible elements. These images could be misrepresented and misleading and do not incorporate any modifications that might be attached by the Board.
- Proposed provisions relating to social and community facilities are appropriate and reflect the broad needs and quality based approach rather than a percentage of floorspace.

Lens Media Ltd.

- Remain concerned that the Planning Scheme is unbalanced and incomplete – cumulative document fails the mandatory requirements of Part XI (SDZs) of the Planning and Development Acts, 2000-2018.
- Draft Scheme and addendum document still fails to advise the public and to set out what a developer can or cannot do in northern and eastern sections of the Planning Scheme area.

- Board should test the Planning Scheme against requirements of Section 168(2), in particular with regards to the extent of any such development proposals, and the overall design including maximum heights, external finishes and general appearance and design.
- Recommend that the Board invite the Development Agency to submit a holistic document that could be recirculated to the various parties in advance of a reconvened oral hearing.

## 5.0 **New Policy Context**

### Urban Development and Building Heights: Guidelines for Planning Authorities, 2018

- 5.1.1. It is stated in these Guidelines that in areas where strategic development is promoted in the National Planning Framework and Regional Spatial and Economic Strategies, it would be appropriate to support the consideration of building heights of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights by the application of the objectives and criteria laid out in the guidelines.

## 6.0 **Assessment**

- 6.1. This assessment considers the Development Agency's submission and supporting documentation submitted to the Board in response to a request for additional details for the purposes of clarification in relation to the Poolbeg West Planning Scheme (Interim Publication). The Board's request relates to matters of community facilities and services; overall design (development codes and open space/ public realm); and car parking/ traffic management.
- 6.2. The Development Agency's response was circulated to parties and comments were received from an observer, Ms. Lorna Kelly, and three appellants to the Draft Planning Scheme, i.e. John Bissett Engineering Ltd., Becbay Ltd. (In Receivership) and Fabrizia Developments Ltd. (In Receivership) and Lens Media Ltd. The relevant points raised within these submissions are taken into account within this assessment.

6.3. The assessment also considers the recommendation and modifications contained within the Inspector's Report of 3<sup>rd</sup> July 2018 and any necessary amendments to same arising from the Development Agency's response and supporting documentation.

6.4. Having regard to the above, the assessment is considered under the following headings:

- Community facilities;
- Overall design;
- Open space/ public realm;
- Car and bicycle parking;
- Conclusions.

### 6.5. **Community Facilities**

6.5.1. The Board noted the range of recreational and community facilities in the area and the proposal in the Planning Scheme to allocate 5% of space to social, community, cultural, creative and artistic uses. However, it is considered that the Planning Scheme Interim Publication does not specify the scale, location or nature of community facilities that are essential for the community to prosper. Therefore, the Board considered that more specific and concrete proposals in this regard are required in terms of the scale, location or nature of indoor and outdoor facilities to meet the on-site recreational and social/ community needs of the resident and working populations. It is considered that proposals should address the needs of different age groups and that a phasing and management strategy should be included.

6.5.2. The Development Agency's response highlights that the Poolbeg area and surrounding communities are already well served by high quality community and recreational facilities owned or supported by Dublin City Council. To emphasise this point, an updated Social Infrastructure Audit is submitted to the Board as a supporting document for the SDZ. Appended to the audit document is a list of 174 community facilities within the immediate environs of the SDZ covering the Docklands masterplan area. These facilities are mapped and colour co-ordinated by

social infrastructure category. The point is made that new residents should not see Poolbeg West as a place apart but should look outwards to Ringsend and Sandymount to enable interaction and social connections with surrounding communities. In addition, it is recognised that thriving communities need the resources of people as well as buildings.

- 6.5.3. New text is proposed for Chapter 4 - Community Development relating to the delivery of community facilities. It is noted that the Council will continue to fund existing resource centres in the wider Docklands area. A new Figure 4.3 illustrates the location of a community hub that will include a school with shared multi-use sports hall/ community facility (minimum floor area - 2,000 sq.m.). In addition, this figure shows the potential locations for essential services and community uses supplementary to retail frontages.
- 6.5.4. The Development Agency's response also proposes a new Table 4.1 outlining the types of community wide, SDZ wide and urban block facilities and their funding mechanisms. Funding for community initiatives will be available in the form of community levy funding from Dublin City Council, the Covanta community fund and from the Council's capital programme allocated to upgrade Ringsend Park. Urban block facilities will be provided by the developer and are mostly commercially led.
- 6.5.5. The community hub building must now be at a minimum, under construction, before any permission will be granted. It is stated that the delivery of community and sports facilities and residential services in tandem with development is key to providing a sustainable new urban village, and therefore the phasing of these facilities is integrated with the delivery of housing. New text for Section 9.4 relating to the sequencing of development is proposed in the Development Agency's response.
- 6.5.6. The response also proposes additional text at Section 8.4.2 – Public Open Space, Sports and Recreation to highlight the social appeal of Coastal Park and Village Green. Coastal Park will contain viewing points to sit and linger, retail/ cafés to animate the route in evenings and a selection of smaller spaces providing play areas, resting locations, picnic tables, and games areas. Possible social events highlighted for Village Green include family summer festivals, sports days and 'music in the park'.



- 6.5.7. Overall, I would have no objection to the Development Agency's response to this item of the Board's request. Dublin City Council has built up substantial experience in the wider docklands in formulating and supporting the soft infrastructure that is necessary to build new communities and develop existing neighbourhoods. The extent of Dublin City Council's involvement in the surrounding area with respect to the provision of social infrastructure is significant in the context of the wider city and this presents opportunities for Poolbeg West to avail of established facilities and to tap into this experience when setting up the required community structures for the new urban quarter. Poolbeg itself can also act as a destination for existing residents from surrounding communities and can offer scope for filling gaps in the provision of existing social and community infrastructure for the wider Docklands area. Examples of this are schools provision and the social benefits of providing greater access to the coast.
- 6.5.8. I would therefore be satisfied that the suggested new text and figures to Chapters 4, 8 and 9 can be added to the Planning Scheme without modification. The additional detail provides reassurances that the Planning Scheme will deliver the necessary amenities, facilities and services for the community, including schools, crèches and other education and childcare services, whether in the SDZ lands or within immediately surrounding communities.
- 6.5.9. The following sections of this assessment look in more detail at the provision of recreational facilities to serve the Planning Scheme, including the design and layout of public open spaces.

## **6.6. Overall Design**

- 6.6.1. The Board requested the submission of development land use and design codes for Blocks A1-A4 and a development code for the neighbourhood square. Specific objectives for land use mix, maximum heights and height range, public realm and infrastructure provision, including a schematic plan of Blocks A1-A4 are sought, together with a schematic block plan and concept drawings/ sketches for the neighbourhood square, illustrating layout and arrangement of ground space and its relationship to surrounding buildings, ground floor uses and frontages, access arrangements and vehicular and pedestrian route patterns.

- 6.6.2. An open space strategy is also requested to describe the role and function of Village Green and Coastal Park and to include details on the characteristics of these spaces, design principles, movement and connections, landscaping, etc., as well as the range of facilities/ spaces within each individual area, indicative concept designs, and a public realm strategy for major streets, minor streets and green links.

### **Development codes for blocks**

- 6.6.3. The first part of the newly proposed Appendix 5 of the Planning Scheme sets out block development land use and design codes for Blocks A1 to A4. Additional detail is also included on ground floor uses, infrastructure and community uses.
- 6.6.4. The land use mix for Block A1 and A2 will be 60-70% residential, including the supporting commercial, retail, community or cultural uses at ground floor level. The remaining 30-40% floor area will be used for commercial purposes located mostly along South Bank Road to provide a buffer from port related/ industrial activity to the north. It is stated that community uses such as resident meeting rooms, crèches and artists' studios may be located within upper floors.
- 6.6.5. Building lines are fixed around the exterior of the Block A1 and heights of 6-7 storeys are proposed around three sides, with the possibility of a setback additional storey. Block A2 will have heights of 6-7 and 8-9 storeys. It is intended to lower building heights to 4-5 storey along Seán Moore Road and within the south-western sides of Blocks A1 and A2 to maximise solar gain to internal courtyards and apartments. The perimeter block model of development is proposed and more varied block forms will be considered where there is a high proportion of commercial and/ or retail uses to enable public access to all sides of the building, or to provide a greener edge and higher levels of visual permeability to port/ coastal park.
- 6.6.6. Blocks A3 and A4 will also be primarily used for residential purposes; however, Block A3 will contain the community hub. Building lines are fixed along Seán Moore Road, Central Boulevard, Coastal Link and Village Green. The fixed edges of Blocks A3 and A4 will be reinforced by 6-7 and 8-9 storey buildings.
- 6.6.7. A public realm schematic plan for each block illustrates (semi) private courtyards, homezones/ shared space, block car park access, SUDs features and green links. It is stated that where separate applications for permission for buildings are submitted at sub-block level, the first application shall detail phasing for the public realm to

ensure a coherent build out. The development codes also set out infrastructure requirements for each block relating to utility provision and phasing, SUDs, district heating, contamination and remediation assessment and recycling facilities.

- 6.6.8. In general, I would be satisfied that the additional detail submitted with the Development Agency's response gives greater clarification on the locations and types of uses that will be present within each block. The development codes offer a clearer impression of the necessary ratio of residential to other uses and the type and location of community and commercial support uses to serve the neighbourhood. Schematic plans and artist impressions of each block also help to visualise how the finished blocks might appear and function at a macro level.
- 6.6.9. Notwithstanding this, I would be of the view that finer detail is required at street level to further guide good place-making. It is essential that the Development Agency co-operate with the developers of the Scheme to produce individual public realm masterplans to accompany development applications. In the Development Agency's response, it is stated that where separate applications for permission for buildings are submitted at sub-block level, the first application shall detail phasing for the public realm to ensure a coherent build out. Furthermore, it is a requirement that all external streets required for access and those immediately fronting sub-blocks shall be completed and accessible to pedestrians. The Planning Scheme Interim Publication states that the first applications for each block must include a masterplan where the application does not extend across the entire block, and under Objective PR1 owners of landbanks within the SDZ shall prepare public realm masterplans for their respective areas for adoption into the overall public realm masterplan for the SDZ. No application should be permitted until masterplans for the block and immediately surrounding spaces are provided.
- 6.6.10. These masterplans should provide urban design and landscaping detail to instruct the formation of external spaces around each block. Vertical and horizontal aspects should be defined for frontages and streets. This should include ground floor usages and their relationship with the street, plot widths and active defensible spaces/ soft edges, as well as on-the-ground detail relating to planting, materials, street furniture, public art installations, etc. for surrounding streets. I propose that Objective PR1 is modified to reflect same.

- 6.6.11. I also recommend that the Board uphold my modification to the Planning Scheme that an overarching Architectural Concept Statement shall be prepared for Poolbeg West with individual 'Architectural Design Statements' to be submitted with each planning application.
- 6.6.12. I note that the Development Agency intend to maintain the maximum heights and height ranges indicated within the Planning Scheme Interim Publication. However, it was agreed at the Oral Hearing that there is a strong urban design argument for higher buildings at the school/ community location facing onto Seán Moore Park. The Development Agency had proposed such a modification to the Planning Scheme that the provision of school and community facilities at ground level may include residential units above, and if agreement cannot be reached for a mixed use development model on the school site, a height limit of 5 storeys shall apply to this site. It was also acknowledged that the width of the street and commercial/ industrial nature of South Bank Road allows for increased height, which in turn would improve the effectiveness of the commercial buffer between port and residential uses. The Development Agency submitted amended proposals showing 8-9 storey buildings along South Bank Road and onto Village Green, together with a part 8-9/ part 6-7 storey frontage onto Seán Moore Park. I recommended in my report of 3<sup>rd</sup> July that these increases in height should be adopted as a modification to the Planning Scheme.
- 6.6.13. I also concluded within my assessment of 3<sup>rd</sup> July 2018 that landmark or gateway buildings less than the maximum indicated height would completely undermine any sense of urban structure, variety, legibility and distinctiveness throughout the neighbourhood. The height strategy is currently formulated without minimum heights for taller buildings, which allows for the possibility that they may be developed at no more than a storey or two above surrounding buildings.
- 6.6.14. The new *"Urban Development and Building Heights: Guidelines for Planning Authorities"* has since been adopted and supports *"the consideration of building heights of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights by the application of the objectives and criteria laid out in the guidelines."* The Planning Scheme proposes heights as low as 4-storeys at certain locations. I agree that these lower heights are acceptable for sunlight access to private/ semi private internal space, to respect

existing surrounding heights and to reinforce the prominence of higher order streets within the scheme. I have nonetheless recommended an additional one to two setback storey(s) above maximum height for all buildings excluding landmark/ gateway buildings. The acceptability of any additional set back storeys should be assessed in terms of performance related criteria that seek to achieve well-designed high quality outcomes, as promoted under National Policy Objective 13 of the National Planning Framework. It may be acceptable to permit an addition one or two storeys in places along Seán Moore Road but additional storeys along the south-western sides of blocks may be less acceptable. I consider that it is appropriate to assess additional set-back storeys and their impact on surroundings at planning application stage.

- 6.6.15. Having regard to the above, I would encourage the Board to support the recommendations set out in my report of 3<sup>rd</sup> July 2018 regarding minimum heights for gateway buildings; an allowance for one/ two setback storeys rather than a single storey; a taller frontage onto Seán Moore Park; and increased heights on the south-western side of South Bank Road. The additional height at these locations would go towards off-setting building heights that are lower than the 6-storey minimum default advised within the Urban Development and Building Height Guidelines.

#### **Development/ design code for neighbourhood square**

- 6.6.16. The second part of newly proposed Appendix 5 of the Planning Scheme includes further detail on the context and layout; surrounding land uses and access; surrounding urban form and height; and public realm and movement through the neighbourhood square.
- 6.6.17. The most significant proposal put forward in the Development Agency's response is the zone of location for the central landmark building. I expressed my concern within my report of 3<sup>rd</sup> July 2018 that a landmark building standing alone in the neighbourhood square would have an adverse over-domineering and overshadowing effect on the space and buildings to the northern side of the square. I recommended a modification to the Planning Scheme relocating this building north-east to form part of, or to replace, the adjacent 8-9 storey building.
- 6.6.18. New schematic plans of the neighbourhood square are included in Appendix 5 to illustrate the indicative area of the neighbourhood square; fixed and flexible building

lines; retail frontages and public access; paving and potentially flush kerbs; trees on key streets, and within gathering spaces; and movement corridors through the square by user type.

- 6.6.19. The additional detail provides a better indication of how this central space will operate. It is highlighted that the neighbourhood square is central to the overall development and will be the main focus for retail activity. The space will act as a transition area from a more urban environment on Central Boulevard to a more natural environment on Village Green. Longer range views will be available from the square to the Dublin mountains and direct connections will be provided to planned green links.
- 6.6.20. The neighbourhood square illustrations emphasise that the positioning of the landmark building is critical to the available extent of the public gathering space. The location of this building as originally planned would have the effect of reducing the area of the actual square that can be used as a public plaza. Movement corridors along the Central Boulevard and South Bank Link further limit the extent of any pedestrian comfort zone within the overall square. The repositioning of the landmark building further to the north-east and its incorporation into adjoining buildings may have the effect of reducing the extent of retail frontage within the square; however, I consider that it is critical to have a central square that is reasonably dimensioned and comprising a dominant open space plaza to form the main focal point and to provide that the main function of the place is for meeting/ congregating rather than passing through. A centrally located landmark building in the middle of the square would result in too many conflicting arrangements and no dominant space to cater for local events and casual interaction. Moreover, as noted above, there would also be adverse overshadowing effects on the northern side of the square.
- 6.6.21. Having regard to the above, I propose that the “zone for the location of the central landmark building” is approximately halved so that the new structure occupies the north-eastern zone of the square only. The following modification to Appendix 5 is therefore proposed

<p>Amend Figure A5.1: Layout of the Square, illustrating zone for locating the Landmark Building modified so that the zone is approximately halved in area and occupies the north-eastern zone of the square only.</p>
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## **6.7. Open space/ public realm**

- 6.7.1. Appendix 2 of the Development Agency's response includes a "public realm strategy for streets and key open spaces" in response to the Board's request for additional detail on the vision, characteristics, facilities and key concepts for Village Green and Coastal Park, and for major streets, minor streets and green links.
- 6.7.2. The Village Green and Coastal Park open space strategies set out a vision, role and function for these spaces, as well as design principles; pedestrian and cycle movement and connections; a landscaping strategy; SUDs and ecology; materials, lighting and street furniture; and a range of facilities referring to the needs of differing ages.
- 6.7.3. Appendix 2 includes a public realm vision for each street type in addition to details and examples on planting, lighting, SUDs and street furniture. This supplements previous information regarding the function and character of roads and their design speed, materials, car parking and cycle facilities. The level of detail would appear to be sufficient to guide the development of streets subject to their inclusion in the master-planning process.

### **Key open spaces – Village Green**

- 6.7.4. With respect to key open spaces, I expressed concern within my report of 3<sup>rd</sup> July 2018 that wide open passive green spaces do not attract and retain people on a regular basis and that large-scale park areas can be devoid of a certain intimacy required for interaction at a human scale. The importance of park edges was also highlighted as places where people go to observe and where they feel comfortable.
- 6.7.5. An indicative concept plan for Village Green divides the space into three distinctive areas comprising a central lawn, a play area to the north-east and an event/performance space to the south-west. The play area will benefit from its location in proximity to the neighbourhood square and the event space can have a dual function when not in use as a resting place benefiting from its south-western orientation. The central lawn, however, is still a large open space and in my opinion this area could be better utilised if broken down into smaller spaces. It may be preferable to relocate the performance/ event space north-eastwards and extend Seán Moore Park into Village Green, using Coastal Link as the natural south-western boundary to

the green. This would decrease the area of the central lawn and may also encourage the creation of a desire line through Seán Moore Park towards the centre of the Scheme.

6.7.6. I consider it appropriate therefore that a landscape masterplan is prepared for the entire Village Green area to include proposals for creating small, intimate spaces within the wider green as a pre-requisite to the approval of any planning applications within the SDZ. I propose that Objective PR1 is modified to reflect same.

6.7.7. Figures 6 & 7 show the hierarchy and type of routes through Village Green. Vehicular traffic will be permitted along part of each side of Village Green on shared surfacing. The north-western side may provide a turning function for vehicles and this could have the effect of encouraging non-essential car movements onto Village Green and the creation of a barrier to park edges. It should be noted, however, that motor vehicles will be unable to continue from the Village Green sides to the neighbourhood square. The extent of vehicular access may need to be monitored as the Scheme develops and matures.

### **Key Open Spaces – Coastal Park**

6.7.8. The coastal park open space strategy sets out the vision for this space as a buffer between development and the foreshore and as a high quality frontage with sea views and pedestrian circulation space. An indicative concept design illustrates the coastal frontage beside Block A4 and further to the north-east alongside Block A2.

6.7.9. The existing coastal path and lower part of Coastal Park will generally be retained and the foreshore will not be changed. The upper part of Coastal Park will have more of a public realm focus and will be used as both a destination and by people passing through. It will take the form of a broad pedestrian promenade with fronting buildings designed to engage the space and provide variety in terms of form, scale, ground floor uses and spill out activity. Planting will have a naturalistic look and the park will be universally accessible.

6.7.10. The coastal park open space strategy gives a degree of clarity as to how this linear park will appear and function. However, I consider that a landscape masterplan is also required to set out the finer detail for the promenade and how it will interact with the lower coastal park, building frontages and linkages from the north-west. In particular, the corner of Coastal Park where it meets Central Boulevard will require



careful consideration so that it will develop as a destination rather than simply a convergence of pathways. This node is likely to become one of the main focal points and locations for activity along Coastal Park and it should be afforded the same degree of master-planning as the neighbourhood square and Village Green. Further details are therefore desirable to envisage its layout and function, and arrangements for site levels, street furniture, ground floor uses, sightlines, wind mitigation and open space. I propose that this is facilitated through modification of Objective PR1.

## **6.8. Car Parking/ Traffic Management**

- 6.8.1. Information is sought by the Board on the maximum number of car parking spaces and minimum number of bicycle parking spaces for each land use within Blocks A1 to A4, including the allocation of indoor and outdoor bicycle spaces for each of these blocks.
- 6.8.2. The Development Agency's response provides new text to be included at the end of Section 6.7 – Car Parking of the Planning Scheme Interim Publication. This sets out a car parking strategy for Blocks A1-A4 that provides maximum standards and an overall number of off-street car parking spaces by use and by block. The aim of the strategy is to ensure that car parking provision is capped across the entire "A" lands. A standard of 0.8 spaces per residential unit is proposed, along with 1 space per 600 sq.m. gross floor space for commercial, retail and leisure uses. The strategy also breaks down the number of spaces per block and estimates a total provision of 2,800 spaces, not including visitor spaces that will be accommodated on-street where there is capacity for c. 165 no. spaces.
- 6.8.3. The response also includes minimum bicycle parking standards for each land use and the overall number of indoor and outdoor spaces categorised by use and by block. Minimum standards for each land use are set out in Table 2 to include 1.5 spaces per residential unit; 1 space per 75 sq.m. of commercial space; 1 space per 100 sq.m. retail/ café/ restaurant space (majority outdoor); and 1 space per 100 sq.m. of cultural/ recreational space. A minimum of 5,700 spaces will be provided throughout the Scheme, including 400 spaces within the public realm.
- 6.8.4. Overall, I would be satisfied that the submitted car parking, bicycle parking and traffic management strategy provides some clarity with respect to parking targets. Car

parking standards are below, and cycle parking standards are in excess of Development Plan standards for corresponding uses and this will help to achieve a sustainable pedestrian and cycle friendly neighbourhood that is free from the dominance of the private car. It was, however, noted at the Oral Hearing that car parking standards are maximum standards and the ambition is to have a standard of below 0.5 spaces per dwelling and towards zero for commercial development.

- 6.8.5. I recommended in my report of 3<sup>rd</sup> July 2018 that a car parking strategy should be prepared as part of the Urban Form Development Framework. I now propose that public realm masterplans include details relating to the exact numbers of on-street and off-street car parking spaces, parking time limitations, parking costs, allocation of spaces for shared vehicles, electric vehicle charging points, loading spaces, disabled spaces, alternative temporary uses for parking spaces, design of parking spaces and surroundings, etc. The overall aim should be that maximum car parking standards are only met in exceptional circumstances.

## **6.9. Conclusion and Recommendation**

- 6.9.1. The additional detail submitted in response to the Board's request provides a broader and more detailed development template for the proposed new neighbourhood. Adequate proposals are now in place regarding the overall design of the proposed development and the necessary provision of amenities, facilities and services for the community.
- 6.9.2. It is essential, however, that the Development Agency co-operate with the developers of the Scheme to focus on the finer detail at street and open space level to arrive at a high quality people-friendly public realm that will be comfortable, safe and active. The Scheme will be successful in drawing people to the new area for a wide variety of reasons. The public realm, however, will determine the quality of place experiences and the overall success of the neighbourhood for residents, workers and visitors alike. Value can be added to the Scheme through the submission of individual Public Realm Masterplans for blocks, internal courtyards and surrounding streets by developers to be approved as part of a planning permission. The Development Agency should also prepare detailed landscape masterplans for Village Green, the neighbourhood square and Coastal Park that set out the layout and design of these spaces and associated hard and soft landscaping.

- 6.9.3. It is fundamental that the new neighbourhood is not defined by car dominated streets. Tight controls should therefore be in place to limit car usage and ownership. The Development Agency has provided additional detail on maximum car parking standards, which should be justified in exceptional circumstances within individual public realm masterplans. Priority for on-street parking should also be afforded to shared vehicles, electric and mobility vehicles. Walking and cycling should be the preferred means of transport.
- 6.9.4. I propose that Objective PR1 is modified having regard to the additional detail submitted to the Board that addresses certain aspects of my recommendation of 3<sup>rd</sup> July 2018 that an Urban Form Development Framework should be prepared for the neighbourhood. Objective PR1 of the Planning Scheme Interim Publication required the publication of an Overall Public Realm Masterplan within one year of the publication of the Planning Scheme for key components of the development lands including (i) major streets; (ii) minor streets; (iii) parks, open space and green routes and screening; and (iv) courtyards. The current submission to the Board largely addresses the requirements of this objective. It is therefore recommended the Objective is modified as follows:

~~PR1 That an Overall Public Realm Masterplan is prepared for this Planning Scheme within one year of the publication of the Planning Scheme, based on Dublin City Council's public realm strategy in consultation with the Docklands Oversight and Consultative Forum addressing in detail public realm design, including inter alia, materials, planting and street furniture, for key components of the development lands, including (i) major streets; (ii) minor streets; (iii) parks, open space and green routes and screening; and (iv) courtyards.~~

~~Unless agreed otherwise,~~ Owners of landbanks within the SDZ area ~~will~~ **shall** prepare public realm masterplans for their respective ~~areas~~ **blocks, internal courtyards and surrounding streets**, for adoption into an Overall Public Realm Masterplan for the entire SDZ area, to be approved by Dublin City Council. ~~Prior to the preparation of this Overall Masterplan, the~~ **The** exact layouts and widths of streets and spaces within the SDZ area are to be confirmed and agreed with relevant agencies and Dublin City Council **and each masterplan shall include details relating to the following:**

- **Surfacing, materials, planting, street furniture, play equipment, lighting, public art, etc. and their arrangement and location within the street;**
- **Proposals for active soft edges/ defensible spaces where residential units meet the public realm;**
- **Proposals and locations for highly permeable frontages to ground floor businesses opening out onto streets;**
- **Allocation of street space for each mode of movement based on the priority hierarchy set out in the Design Manual for Urban Roads and Streets;**
- **Parking details including exact number of off-street and on-street spaces, parking time limitations, parking costs, allocation of spaces for shared vehicles, electric vehicle charging points, loading spaces, disabled spaces, alternative temporary uses for parking spaces, and design of parking spaces and surroundings.**

**Within one year of the publication of the Planning Scheme, detailed landscape and urban design masterplans shall also be prepared for Village Green, the neighbourhood square and Coastal Park based on the development and design codes and public realm strategy. These masterplans shall incorporate the following:**

- **Provision of a main plaza within neighbourhood square to south-west of landmark building;**
- **Proposals for creating small, intimate spaces within the wider Village Green;**
- **Proposals to address public realm at the corner location of Coastal Park to include details on site levels, street furniture, ground floor uses, sightlines, wind mitigation and open space.**

**Reason:** In the interests of clarity and to ensure that the Poolbeg West neighbourhood is developed as a high quality people-focused urban quarter.

6.9.5. Having regard to the above, I recommend that the Poolbeg West Draft Planning Scheme is approved with modifications. I do not consider that any of the additional detail and supporting information, or the proposed modifications would constitute a material change in the overall objectives of the Planning Scheme. If the Board determines that certain modifications constitute a material change but would not constitute a change in the overall objectives of the Planning Scheme, I consider that the extent and character of any modification would not be likely to have a significant effect on the environment (within the meaning of Annex II of Directive 2001/42/EC) or on a European Site.

## 7.0 Reasons and Considerations

Having regard to:-

- the provisions of Part IX of the Planning and Development Act, 2000 (as amended);
- the designation by the Government of this area as a Strategic Development Zone by S.I. No. 279/2016, Planning and Development Act, 2000 (Designation of Strategic Development Zone: Poolbeg West, Dublin City) Order 2016;
- national and strategic policy and guidelines as set out in Project Ireland 2040 - The National Planning Framework (NPF) and the National Development Plan 2018-2027 (NDP), the Regional Planning Guidelines for the Greater Dublin Area 2010-2022, the National Transport Authority's Transport Strategy for the Greater Dublin Area, 2016-2035, and the Dublin Port Masterplan 2012-2040 and Dublin Port Masterplan Review published in April 2018;
- the provisions of the Dublin City Development Plan, 2016-2022 and the current Housing Strategy for the area;
- the existing pattern of development in the area, the effect the scheme would have on any neighbouring lands and the effect the scheme would have on any place which is outside the area of the planning authority;
- the documentation and submissions on file; and

- the report of the Inspector, who conducted an oral hearing, and the Inspector's addendum report,

the Board considered that, subject to the modifications set out below, the draft Planning Scheme, additional detail and supporting documentation complies with the relevant statutory requirements and provides for the comprehensive planning and sustainable development of the site in accordance with the requirements of the Strategic Development Zone designation, and would therefore be in accordance with the proper planning and sustainable development of the area.

### **Strategic Environmental Assessment**

The Board noted the Strategic Environmental Assessment process followed in the development of the Planning Scheme and noted the content of the Environmental Report. The Board took the foregoing into account in considering the Draft Planning Scheme, additional detail and supporting documentation and agreed that the relevant requirements of the Planning and Development Acts and the Planning and Development Regulations have been fulfilled with the regard to the Strategic Environmental Assessment process.

### **Appropriate Assessment**

#### **Stage 1:**

The Board considered the Screening Report for Appropriate Assessment, the Natura impact statement and all other relevant submissions and carried out an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site and considered the nature, scale and location of the proposed development, as well as the report of the Inspector.

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that South Dublin Bay SAC (Site Code: 210), North Dublin Bay SAC (Site Code: 206), Baldoyle Bay SAC (Site Code:4016), South Dublin Bay & River Tolka Estuary SPA (Site Code: 4024), North Bull Island SPA (Site Code: 4006) and Baydoyle Bay SPA (4016) are the European Sites for which there is a likelihood of significant effects.

The Board was satisfied that all other European Sites could be screened out of any further assessment because of the nature of the European Site, the absence of an aquatic connection between the European Site and the SDZ site, or the location of the European Site located at such a distance from the SDZ that effects are not foreseen.

## **Stage 2:**

The Board considered the Natura impact statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the sites' conservation objectives (South Dublin Bay SAC (Site Code: 210), North Dublin Bay SAC (Site Code: 206), Baldoyle Bay SAC (Site Code:4016), South Dublin Bay & River Tolka Estuary SPA (Site Code: 4024), North Bull Island SPA (Site Code: 4006) and Baydoyle Bay SPA (4016)). The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular, the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, the mitigation measures which are included as part of the current proposal and the conservation objectives for these European Sites, the iterative manner of assessment that prioritises the avoidance of effects in the first place and mitigates against these where these cannot be avoided, and the fact that the Planning Scheme is a lower tier plan of the Dublin City Development Plan, and that all developments proposed under the Planning Scheme will themselves be subject to appropriate assessment when further details of design and location are known.

The Board considered the modifications below and determined that these modifications do not constitute material changes and would not constitute a change in the overall objectives of the Planning Scheme. It is also considered that the extent and character of any modification would not be likely to have a significant effect on the environment (within the meaning of Annex II of Directive 2001/42/EC) or on a European Site.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the

potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives. In overall conclusion, the Board was satisfied that the Planning Scheme (including modifications), by itself and in combination with other plans and projects, would not adversely affect the integrity of any European Sites in view of the sites' conservation objectives.

The Board, therefore, approves the Draft Planning Scheme, subject to the modifications set out below.

## 8.0 Modifications

1. A copy of the consolidated Planning Scheme hereby approved, as amended by additional detail and supporting documentation received by An Bord Pleanála on the 27<sup>th</sup> day of November 2018, and as modified by this order, shall be prepared by the Development Agency prior to the publication of notice of approval of the Scheme as required under section 169(7)(b) of the Planning and Development Act, 2000 (as amended). The consolidated Planning Scheme shall be used by the planning authority in assessing all planning applications in the Scheme area.

**Reason:** In the interests of clarity and public information.

2. The Strategic Environmental Assessment Statement for the Draft Planning Scheme and all accompanying reports shall be amended to reflect the modifications (below) applied by this order. This includes the following Objectives from Table 2.1 Mitigation Measures; Objective IU11 (Modification 33), Objective IU1 (Modification 34), Objective IU9 (Modification 35), and Objective IU5 (Modification 36).

**Reason:** In the interests of clarity and to comply with the provisions of article 179I(2) of the Planning and Development Regulations 2001-2013.

3. All relevant document text and illustrations shall be amended to reflect the modifications and the additional detail and supporting information submitted by the Development Agency to the Board on 27<sup>th</sup> November 2018.

**Reason:** In the interests of clarity.



4. Replace Objective PR1 with the following:

~~PR1 That an Overall Public Realm Masterplan is prepared for this Planning Scheme within one year of the publication of the Planning Scheme, based on Dublin City Council's public realm strategy in consultation with the Docklands Oversight and Consultative Forum addressing in detail public realm design, including inter alia, materials, planting and street furniture, for key components of the development lands, including (i) major streets; (ii) minor streets; (iii) parks, open space and green routes and screening; and (iv) courtyards.~~

~~Unless agreed otherwise, Owners of landbanks within the SDZ area will~~ **shall** prepare public realm masterplans for their respective areas **blocks, internal courtyards and surrounding streets**, for adoption into an Overall Public Realm Masterplan for the entire SDZ area, to be approved by Dublin City Council. ~~Prior to the preparation of this Overall Masterplan, the~~ **The** exact layouts and widths of streets and spaces within the SDZ area are to be confirmed and agreed with relevant agencies and Dublin City Council **and each masterplan shall include details relating to the following:**

- **Surfacing, materials, planting, street furniture, play equipment, lighting, public art, etc. and their arrangement and location within the street;**
- **Proposals for active soft edges/ defensible spaces where residential units meet the public realm;**
- **Proposals and locations for highly permeable frontages to ground floor businesses opening out onto streets;**
- **Allocation of street space for each mode of movement based on the priority hierarchy set out in the Design Manual for Urban Roads and Streets;**
- **Parking details including exact number of off-street and on-street spaces, parking time limitations, parking costs, allocation of spaces for shared vehicles, electric vehicle charging points, loading spaces, disabled spaces, alternative temporary uses for**

**parking spaces, and design of parking spaces and surroundings.**

**Within one year of the publication of the Planning Scheme, detailed landscape and urban design masterplans shall also be prepared for Village Green, the neighbourhood square and Coastal Park based on the development and design codes and public realm strategy. These masterplans shall incorporate the following:**

- **Provision of a main plaza within neighbourhood square to south-west of landmark building;**
- **Proposals for creating small, intimate spaces within the wider Village Green;**
- **Proposals to address public realm at the corner location of Coastal Park to include details on site levels, street furniture, ground floor uses, sightlines and open space.**

**Reason:** In the interests of clarity and to ensure that the Poolbeg West neighbourhood is developed as a high quality people-focused urban quarter.

5. Chapter 11: Add to Objective US6: The Development Agency shall prepare an overarching Architectural Concept Statement for Poolbeg West and shall require individual 'Architectural Design Statements' to be submitted with all planning applications to ensure a holistic and coherent architectural design approach for all buildings and streets in Poolbeg West. Architectural Design Statements should be prepared in cooperation with adjoining applications within an individual block and within the context of all blocks within a street to forge an individual street identity with emphasis on vertical features and own door access.

**Reason:** To facilitate the development of visually co-ordinated and coherent streetscapes.

6. Remove all references to residential potential of 3,000 to 3,500 dwelling units and the range of commercial office/ enterprise space of 80,000 to 100,000 sq.m. Residential/ Commercial development shall be based on an

80-85%/ 15-20% split and shall be limited by design safeguards and surrounding context, to include assessments of shadow, wind, residential amenity and visual impacts.

**Reason:** It is considered that the Draft Planning Scheme and supporting studies and indicative layout and building heights are adequate to demonstrate the range of development that can occur on site.

7. Remove mixed use zoning within Port Park and amend to 'development infrastructure/ open space'.

**Reason:** In the interests of residential amenity.

8. Add to Section 3.3: A flexible approach will be taken to social and affordable housing mix, to reflect need in respect of units provided under Part V of the Planning and Development Act, 2000 (as amended), and additional units provided to Dublin City Council and/ or the Department of Housing, Planning and Local Government under any commercial agreement voluntarily entered into to provide up to a maximum of 15% of units outside of the Planning Scheme on commercial terms, and this will not have any consequential impact on the housing mix on the balance of the Planning Scheme area.

**Reason:** To allow for a mix of tenure throughout the Scheme and in the interests of clarity and consistency.

9. Amend Section 3.5: ~~Of the 3,500 new homes permissible on the site under this Planning Scheme, 900 will be delivered as either social and/or affordable units including units for senior citizens.~~ A ~~minimum~~ **maximum** of **10% of new homes permissible on site under this Planning Scheme** will be delivered as social housing in accordance with the provisions of Part V of the Planning and Development Act 2000, (as amended). In addition, ~~given public investment in enabling infrastructure for the area and in order to ensure a proper and sustainable tenure mix,~~ **it is intended that** a commercial agreement<sup>1</sup> with confirmed funding will be entered into, ~~prior to commencement of development,~~ between Dublin City Council, the Department of Housing, Planning, ~~Community~~ and Local Government and

the owners/developers of the residential element of the overall SDZ area ~~which will ensure~~ **with the aim of ensuring** the delivery of ~~the balance of the social/affordable homes~~ additional homes for affordable use. These additional homes will provide 15% of final permissible units within the SDZ area for affordable use and a total of 25% for social and affordable use, in combination with the Part V provision.

~~This objective takes account of and implements Government Policy as set out in the 'Action Plan on Housing and Homelessness Rebuilding Ireland' including Actions 2.4 and 2.8 (delivery of additional social housing over and above Part V through a variety of means), Action 2.16 (housing for older people, including assisted living), Action 3.1 (Local Infrastructure Housing Activation Fund LIHAF) and Action 4.6 affordable rental), together with policies promoting tenure diversity in the City Council's Housing Strategy. In addition, Dublin City Council will be given an option, as part of the SDZ to acquire at market rate, 100 housing units.~~

#### **<sup>1</sup> Outside of the Planning Scheme.**

**Reason:** To comply with Part V of the Planning and Development Act 2000 and to facilitate affordable housing.

10. Amend Figure A5.1: Layout of the Square, illustrating zone for locating the Landmark Building modified so that the zone is approximately halved in area and occupies the north-eastern zone of the square only.

Amend all relevant figures: 20-24 storey landmark building shall be relocated north-east to form part of or replace adjacent 8-9 building.

**Reason:** To mitigate overshadowing and overbearing impacts on the neighbourhood square.

11. Amend Figures 11.3 and 11.9 and all relevant text so that taller buildings are indicated as follows:

12-14 Storeys

16-17 Storeys

18-19 Storeys

20-24 Storeys

**Reason:** To maximise development potential and land use efficiency and to allow for proper implementation of a height strategy that provides for sufficient height differentiation and legibility.

12. Amend Section 11.5.1, last bullet point: ~~Whilst no minimum height has been set for~~ Where Landmark or Gateway buildings ~~where such buildings are required,~~ they shall be of sufficient height (~~compared with adjacent buildings~~) **and consistent with the height strategy** so as to ensure legibility throughout the SDZ and to enhance the diversity of the skyline, particularly when viewed from surrounding areas.

**Reason:** To maximise development potential and land use efficiency and to allow for proper implementation of a height strategy that provides for sufficient height differentiation and legibility.

13. Amend Section 11.5.1: An additional **one to two** setback storeys, above the maximum height (but excluding landmark/gateway buildings), may also be permitted to add further variety, subject to detailed urban design, shadowing analysis and **height variation**.

**Reason:** To allow for flexibility and variation in building height.

14. Amend Section 3.4 (2<sup>nd</sup> paragraph): Buildings will be predominantly 4-9 storeys ~~28m~~ in height. ~~i.e. 4-7 storey commercial and up to 9 storeys residential.~~ Midrise **and taller** heights of ~~up to~~ **50+m** can also be accommodated at a ~~limited~~ number of locations.

**Reason:** To maximise development potential and land use efficiency.

15. Amend Section 11.3.5: An urban envelope has been determined for these areas which allows for a range of uses and buildings including the predominant use for cargo storage and container storage ~~up to 3 containers high.~~

**Reason:** In the interests of clarity and consistency.

16. Amend all relevant figures:

- Buildings in B1 & B2 lands shall have height limit of 28m.
- All modifications to building height as illustrated should be reflected throughout the document text.

**Reason:** In the interests of clarity and consistency.

17. Amend second paragraph of Section 4.4.2:

The planning scheme will seek to ensure that developments in Poolbeg West contribute to the 5% allocation of space in the docklands area to be used for social, **community**, cultural, creative and artistic purposes.

**Reason:** In the interests of clarity and consistency.

18. Amend CD8 (i) To require all developments over 200 residential units/10,000m<sup>2</sup> to provide 5% social, community, **cultural**, creative and artistic space(s) in the SDZ as identified in an updated 2015 Cultural and Community Audit, to be completed within 6 months. This space can be provided in tandem with needs identified through the cultural and community audits to achieve viable economies of scale. Each application must demonstrate how this is to be provided for as part of the implementation of the SDZ scheme set out in Chapter 12. The scheme shall aim to provide for artists' studios comprising 10 – 20 studios in one or more clusters, delivering a minimum of 40 artist studios of varying size.

**Reason:** In the interests of clarity and consistency.

19. Amend Section 11.3.4 as follows:

New community facilities and a primary school are to be provided to the south-west of the site near the Clanna Gael GAA Club, to enable the co-sharing of facilities. The location of community facilities and the school is fixed to this location. The final form of the school and community facilities is however flexible and will be determined in consultation with the Department of Education. **The provision of a school and community facilities on the ground/ lower levels may include residential uses**

**above, subject to adequate and appropriate area being made available for educational and/ or community requirements and subject to the protection of the amenities of the school and residents above. Upper floor uses shall be restricted to residential or community uses. If agreement cannot be reached for a mixed use development model on the school site, a height limit of up to 5 storeys shall apply to the site.**

In determining the final form of the school and community facilities, including a sports facility, regard will **also** be had to the possibility of the development of such a facility being undertaken in collaboration with local sporting clubs.

**Reason:** To allow for greater flexibility in building formats and to foster community cohesion.

20. Amend Figures 11.3 to show increased building height aligning the south-west side of South Bank Road and within the community/ education block in accordance with Figure 1 of the Development Agency's response to the Becbay/ Fabrizia (In Receivership) received by An Bord Pleanála on 5<sup>th</sup> December 2017.

**Reason:** In the interests of clarity and consistency.

21. Amend 6<sup>th</sup> Paragraph of Section 9.3: If, following future analysis, it is decided not to take up these lands for education/ community uses, such uses must then be provided in the next block(s) immediately to the ~~east~~ **north-west** and the designated site used for housing.

**Reason:** In the interests of clarity and consistency.

22. Amend Section 11.5.2: A greater range of block layouts may be considered in commercial areas, the Neighbourhood Centre and **Community Hub** where public access may be desirable to all sides of the building. **Commercial blocks may also be based on full site coverage incorporating an atrium, to enable larger floor plates.**

**Reason:** To allow for greater flexibility in office floorplates and areas.

23. Amend Objective H5: Where the scheme is a dedicated build-to-rent,

proposals including studios/shared accommodation, the mix shall comply with table 3.2. To avoid domination of any particular unit mix or tenure, any such build to rent proposal shall be limited to one scheme in the range of 100-150 units **within each of the four urban blocks.**

**Reason:** To allow for a greater mix of tenure throughout the neighbourhood.

24. Amend Section 11.2.1(1st Paragraph): The main points of access to Poolbeg West are Seán Moore Road and South Bank Road via new **network of Local Access Streets/ Green Links.**

(2<sup>nd</sup> Paragraph):

The street hierarchy and street layouts have been developed in accordance with the Design Manual for Urban Roads and Streets (DMURS) to create self-regulating network that prioritizes the safety of vulnerable users and the movement of sustainable modes. **The street hierarchy, including indicative cross sections and layouts are illustrated in Appendix 2. This includes:** ~~The alignment and widths of Main Access Streets/Green Links/Boulevard are fixed and comprises; (see also Appendix 2 – Street Hierarchy, Cross Sections & Layout).~~

- A. ~~The~~ **A** new 27m wide Central Boulevard (+/- 2m depending on specific site circumstances) incorporating cycle lanes, together with wide footpaths and a treed lined landscape strip integrated with SUDS (See Figure 11.4 – Central Boulevard Photomontage). This central boulevard also serves the major function of linking the maritime character of the Bay back through Poolbeg West to Ringsend/ Irishtown. **The alignment and width of Central Boulevard is fixed.**
- B. A new 20 m wide (+/- 2m depending on specific site circumstances) South Bank link **Access** street located between blocks A1 and A2 and connecting to the retail hub/ Village Green area. **The alignment and width of the South Bank Access Street is fixed.**
- C. A new 16m wide ‘Green’ coastal **and school access** route ( +/- 2m depending on specific site circumstances) linking Seán Moore Road to



the proposed school site, Village Green and on to the Coastal Park.

**The alignment and width of the Coastal and School Route is fixed.**

- D. The alignment and widths of other ~~more~~ local streets (**i.e. Side Streets and Home Zones**) is flexible, provided a DMURS compliant grid like network is achieved.

Vehicular access to basement car parking should be discreet **and provided from Side Streets where possible.**

**Reason:** To provide a greater degree of clarity.

25. Amend Appendix 2 to reflect above changes.

**Reason:** In the interests of clarity and consistency.

26. Amend Street Hierarchy, Cross Section and Layout (Appendix 2): Include site access to John Bissett Engineering site as per the Development Agency's response received by An Bord Pleanála on 30<sup>th</sup> November 2017.

**Reason:** In the interest of clarity.

27. Amend Street Hierarchy, Cross Section and Layout (Appendix 2): South Bank Link Street shall include cycleway provision segregated from the carriageway/ bus route.

**Reason:** In the interest of cyclist safety.

28. Amend Street Hierarchy Figures (Appendix 2): Carriageway widths along Central Boulevard, South Bank Road and South Bank Link Street shall be no more than 6m.

**Reason:** To limit motor vehicle speed and dominance in the interest of pedestrian and cyclist safety.

29. Amend all relevant figures and text: Raised tables or platforms shall be placed at all junctions with side streets along Central Boulevard, South Bank Road and South Bank Link Street. These tables shall incorporate opportunities for pedestrians to cross in all directions.

**Reason:** In the interest of pedestrian safety and convenience.

30. Amend Section 6.2 (3<sup>rd</sup> bullet point): The eastern By-Pass reservation corridor needs to be accommodated within the SDZ to comply with the NTA Transport Strategy for the Greater Dublin Area 2016-2035. The section of the Bypass route extending from the southern end of the Port Tunnel to the South Port area (i.e. SPAR, **now referred to as M50 Dublin Port South Access**) is to be delivered within the lifetime of the NTA Transport Strategy for the Greater Dublin Area. This will have an impact on potential land uses within the SDZ; **however, it should not impact on lands to the south of South Bank Road, and development can proceed in this area in advance of any further route selection studies.** The development of the Planning Scheme is not contingent on the construction of the Eastern bypass from the east end of South Bank Road southwards.

**Reason:** In the Interests of clarity.

31. Amend Section 6.5: Planned strategic route investment for the area includes the Eastern bypass (alignment preservation) and associated South Port Access route, and the Dodder Bridge. Important for the long-term development of this area is the protection of an alignment for the South Port Access Route protected within the Eastern by-Pass corridor and is similarly protected for the future in accordance with the National Transport Authority Transport Strategy for the Greater Dublin Area. **Dublin City Council will also work with Transport Infrastructure Ireland and the National Transport Authority to refine the route of the South Port Access/ Eastern Bypass Corridor Reservation.** The SPAR scheme would either terminate at Seán Moore Road roundabout or at a new junction further east. Because the South Port Access route will not be delivered for some time, the matter of heavy traffic on South Bank Road needs to be addressed. In this regard it is intended to provide in the short term a new access as an 'Alternative (South) Port Access Route' to the south port area north of the proposed new junction of Seán Moore Road/South bank Road.

**Reason:** In the interests of clarity.

32. Add new point to number list at Section 9.4:

**A transportation and infrastructure masterplan shall be developed for Area A and submitted as part of the first planning application, which may be for infrastructural elements only. This is to recognise that infrastructure, transport connectivity, utilities and public realm are required to be dealt with at site level.**

**Reason:** In the interests of clarity and to facilitate comprehensive development.

33. Amend Objective IU11 That all undeveloped sites be remediated to internationally accepted standards prior to redevelopment. **Proposed land use types shall be compatible with potential risks identified within the Conceptual Site Model of Contamination Risk. Developers will be required to carry out a full contaminated land risk assessment and to implement a contamination interception, monitoring and mitigation management system.** All applications shall be accompanied by a report from a qualified, expert consultant detailing compliance with the remediation measures as outlined in the Remediation Measures Report. The remediation shall incorporate international best practice and expertise on innovative ecological restoration techniques including specialist planting and green initiatives that create aesthetically improved sites, healthy environments and contribute to the provision of new green open spaces as integral parts of newly created areas. Treatment/management of any contaminated material shall comply as appropriate with the Waste Management Act 1996 (waste licence, waste facility permit) and under the EPA Act 1992 (Industrial Emissions licensing, in particular the First Schedule, Class 11 Waste). These measures will ensure that contaminated material will be managed in a manner that removes any risk to human health and ensures that the end use will be compatible with any risk.

**Reason:** In the interests of public health and safety.

34. Amend Objective IU1 To require all proposed developments to carry out a

site specific Flood Risk Assessment (SSFRA) that shall demonstrate compliance with:

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities (Department of the Environment, Heritage and Local Government, November 2009, as may be revised/updated).
- The prevailing Dublin City Development Plan.
- **Recommendations contained within Section 4 of the Strategic Flood Risk Assessment for the Poolbeg West Planning Scheme.**

**Reason:** In the interests of clarity.

35. Replace Objective IU9 – That all developments shall be District Heating enabled and this shall be demonstrated through compliance with the Dublin City document “Dublin District Heating System – Technical Information Park for Developers”, (Feb. 2018) and future updated versions of this document.

**Reason:** In the interests of clarity and to provide for sustainable development.

36. Amend Objective IU5 To ensure that development is permitted in tandem with available waste water, surface water and water supply, and to manage development, so that new schemes are permitted only where adequate water supply resources exist or will become available within the life of a planning permission.

Developers shall prepare and implement local network plans for water supply and wastewater treatment in accordance with the requirements and subject to the approval of Irish Water. Provision shall be made within SDZ lands for an easily accessible below ground wastewater pumping station and associated above ground kiosk, with flexibility as to the precise location, subject to the approval and designed in accordance with Irish Water standards.

**The build out of the Planning Scheme shall ensure that all critical**

**infrastructure is not built over and appropriate clearance is made available to facilitate maintenance.**

**Reason:** In the interests of clarity and to ensure a proper standard of development.

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Donal Donnelly  
Planning Inspector

21<sup>st</sup> February 2019