

## 4 Planning & Development Context

### 4.1 Introduction

The proposed development consists of the construction of a new quay, berth and access causeway, dredging works, landside accommodation works and other ancillary works at Dun Laoghaire Harbour. Full details of the proposed development including the rationale for the proposed development are set out in Section 3 of this EIS. In summary, the existing berthing facilities at Dun Laoghaire Harbour are not capable of catering for the c. 340m long next generation cruise ships. The Dun Laoghaire Harbour Company representing the interests of the Dun Laoghaire Cruise Stakeholder Group is seeking to enhance the existing cruise berthing facilities at Dun Laoghaire Harbour in order to ensure Dun Laoghaire Harbour is in a position to attract (next generation) cruise ships.

This section of the EIS, entitled 'Planning & Development Context', considers the Strategic and Statutory context governing planning and development for Dun Laoghaire Harbour. This includes an examination of the National, Regional and Local Strategic Planning Context, as well as an assessment of the 'Dun Laoghaire – Rathdown County Development Plan 2010-2016' and the 'Dun Laoghaire Harbour Masterplan' and other relevant statutory planning documents. This section also provides a brief overview of the site and its context, and reviews the relevant planning history associated with development of Dun Laoghaire Harbour. An analysis of this planning policy, site context and planning history sets out a framework for the appropriate development of Dun Laoghaire Harbour.

#### 4.1.1 Site Context

Dun Laoghaire Harbour is located in Dublin Bay, on the south Dublin shoreline between Blackrock and Dalkey. Dun Laoghaire Harbour was built between the years 1817 and 1842. The harbour land extends for approximately 1.6 km along the coastline. The form of the harbour is generated by its two breakwater arms, each over 1km long (the East and West Piers). The enclosed area of water has an area of approximately 101 ha. The harbour consists of a number of features commensurate with its function including piers and slipways, mooring and boat storage facilities and maritime buildings. At present the harbour accommodates a range of commercial and marine recreational/leisure activities. The harbour is used by a number of clubs, organisations and groups including the Royal National Lifeboat Institution, the Irish Coast Guard, Commissioner of Irish Lights, the Naval Service and a number of rowing, sailing and yachting clubs. Full details of these users are set out in Section 5.1 of this EIS and the accompanying Navigation Impact Assessment that is included at Appendix 5.1.1.

The harbour is overlooked by the town of Dun Laoghaire from the south-west. Dun Laoghaire town is situated on a gentle hill that slopes towards the harbour. Separating the harbour and the town is the N31 (Old Dunleary Road), which continues into Crofton Road and Queens Road, and the Dublin Area Rapid Transit (DART) railway line. The N31 terminates inside the harbour lands and is the main access to the Dun Laoghaire Harbour. The harbour itself has four access routes for vehicles each spurred off the coastal road. In relation to public transport, the harbour is served by both Dublin Bus and the DART.

The harbour is developed and maintained by Dun Laoghaire Harbour Company (DLHC) which is the statutory commercial body charged with developing Dun Laoghaire Harbour and established under the Harbours Act of 1996.

#### 4.1.2 Planning History

Dun Laoghaire Harbour has been subject of an extensive planning history consistent with the existing harbour use. The following are of particular relevance to the proposed development.

Reg. Ref: PR470/93, An Bord Pleanála Ref: PL06D.093192

An application was made by the Minister for the Marine for an extension and refurbishment of the existing Ferry Terminal building. The following elements were sought and granted under this permission: -

- The reclamation from the sea of approximately 1.5 ha to the west of existing pier.
- The renewal and extension of traffic marshalling areas to a total of 3.2 ha.
- The construction of a new two storey terminal building incorporating arrivals / departures hall, tourist office and support offices (3,340m<sup>2</sup>).
- The refurbishment of the existing two storey St. Michaels terminal building together with its extension and the addition of a third storey in part to cater for departures lounge, restaurant, and arrivals areas together with Port support office accommodation, and facilities (2,875m<sup>2</sup>)
- The construction of five ticket booths, motorist facilities building (250m<sup>2</sup>) customs turning out building (240m<sup>2</sup>) and terminal security fencing
- The construction of a ferry linkspan bankseat and dolphin together with elevated passenger walkways.
- The provision of amenity / civic features including public deck and hard and soft landscaping
- The provision of two separate controlled public car parking areas
- The proposal also involved the demolition of existing customs hall and tourist office and an Environmental Impact Statement accompanied the application.

This application was granted by the Planning Authority and appealed by a 3<sup>rd</sup> party to An Bord Pleanála who ultimately granted permission for the development on 20 July 1994.

Reg. Ref: D95A/0294

Revision to previous permission Planning Reg. Ref: PR470/93, An Bord Pleanála Ref: PL 06D.03192, for revised plans and elevations to the seaward boundary wall and modifications to the floor plan and elevations of the Motorist Facilities Building. Dun Laoghaire Harbour Ferry Terminal Development Site, St. Michael's Wharf, Dun Laoghaire Harbour, Dun Laoghaire, Co. Dublin.

The Planning Authority granted permission for this development on 24 May 1995.

Reg. Ref: D96A/0209

Planning application for a new first floor public entrance in the Ferry Terminal, St. Michael's Pier, Harbour Road, Dun Laoghaire, Co. Dublin.

The Planning Authority granted permission for this development on 28 May 1996.

Reg. Ref: D12A/0131

Planning Permission was sought for a 5 year temporary change of use of part of the ground floor of the ferry terminal 237.5 sq. m in area from Terminal use to Exhibition use at Saint Michael's Pier.

The Planning Authority granted permission for this development on 27 June 2012.

### **Carlisle Pier**

#### Reg. Ref. D09A/0653

An application was made by Dun Laoghaire Harbour Company for a 5 year temporary permission, on the 2<sup>nd</sup> September 2009, for the provision of a public promenade and lookout point with ancillary handrails, seating and lighting; the erection of an open sided pavilion for public events; the usage of the Queen's Road frontage for public events; and the provision of 100no. car parking spaces, 50no. bicycle parking spaces and storage for approx. 50no. boats, with security fencing.

Following a response to a request for Additional Information, the Planning Authority issued decision to Refuse Permission on the 19<sup>th</sup> of May 2010. Having regard to the outcome of the Section 5 referral to the Board (RL2672 refers) relating to the demolition of structures on Carlisle Pier, application D09A/0653 was withdrawn.

The refusal reasons applied in the first instance by Dun Laoghaire Rathdown County Council were subsequently addressed to the satisfaction of An Bord Pleanála, in the case of D10A/0606 (see summary details below) including that:

- The retention of the demolition of the terminal building would not seriously injure the amenities of the area, rather it would improve the visual amenities of the area and the setting for protected structures.
- The proposed temporary use and works for car parking, events and boat storage was appropriate to the harbour setting, pending the longer term implementation of the Harbour masterplan.

#### DLRCC Refs 94/09 & 95/09 & 105/09 / ABP Ref RL2672

Mairead Mehigan, Chairperson, An Taisce, and Ciaran Cuffe TD, lodged Section 5 applications under the Planning and Development Acts 2000, on the 8<sup>th</sup> of September 2009, relating to the exempted development nature of the demolition of structures on Carlisle Pier.

A decision was made to Withdraw Application D09A/0653 on 14<sup>th</sup> of October 2009, as discussed above.

As a Declaration was not issued to Deputy Cuffe within the four-week statutory period, he referred the case to An Bord Pleanála on 16<sup>th</sup> October 2009.

The Board determined, on the 12<sup>th</sup> of May 2010, that the demolition of structures on Carlisle Pier constituted development and that the works were not exempted development.

#### Reg. Ref. D10A/0606 – ABP PL 06D.238335

An application was made by Dun Laoghaire Harbour Company, on 4<sup>th</sup> November 2010, for Permission for the Retention of development, being:

- the demolition of business premises (Former Ferry Terminal) of 6,376 square metres;
- a 3-year temporary permission for retention of
  - a new galvanised palisade security fence partially on concrete spud wall, existing old galvanised palisade security fence inclusive of 2no. sets of double gates, new railings and stone plinth wall inclusive of 1no. set of gates, a new concrete wall, new railings, existing old railings inclusive of 2no. sets of double gates and one side gate, an old concrete wall old steel railings,

- 35no. car parking spaces that formerly attached to the Terminal Building, now used for public pay and display parking,
- 1no. ticket dispensing machine, and new surfacing replacing previous defective surfacing.
- Also a 3-year temporary permission for
  - 12no. parking spaces that formerly attached to the Terminal Building moved in a south-easterly direction to improve circulation and
  - 37no. new additional spaces all for public pay and display parking,
  - other usage of the car parking area for seasonal boat storage, cultural, social, recreational or sporting events, boat storage to the area of the pier outside the fenced in area,
  - 10no. new bicycle stands to cater for 20no. bicycles, and
  - ground marking required for the new parking spaces and relocated old spaces.

The Planning Authority issued a decision to Refuse Permission on the 21<sup>st</sup> of December 2010. The decision of the Planning Authority was appealed to An Bord Pleanála who issued a decision to Grant Permission on the 1<sup>st</sup> of June 2011, for the following reasons:

*"The subject building comprises a former ferry terminal, incorporating elements of a historical train shed as well as more recent additions and extensions. The building in question no longer has a functional use as a ferry/railway terminal and is not a protected structure. It is considered that the architectural value of the terminal building has been compromised by unattractive extensions carried out in the 1950s, and that it comprises an unattractive feature within the harbour. Having regard to the forgoing considerations, the pattern of development in the area and the land-use zoning of the site in the current development plan for the area which is "to provide for waterfront development and harbour related uses", it is considered that the retention of the demolition of the terminal building would not seriously injure the amenities of the area or of property in the vicinity, would improve the visual amenities of the area, including the setting for the protected structures in the area, and would be acceptable in terms of the proper planning and sustainable development of the area.*

*Furthermore, it is considered that uses such as boat storage, car-parking and events are typical uses arising in a harbour setting, and would be acceptable for a temporary period pending the development of longer term objectives for Carlisle Pier, under the masterplan for the area, which is in preparation. It is considered that the retention of fencing, paving and other ancillary temporary structures would be acceptable as a temporary measure pending completion of the Masterplan and that these elements of the proposed development would not seriously injure the amenities of the area or be contrary to the objectives of the development plan.*

*It is considered, therefore, that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of the proper planning and sustainable development of the area."*

#### Reg. Ref. D14A/0407

An application was made to Dun Laoghaire-Rathdown County Council on the 25<sup>th</sup> June 2014 for Permission and Temporary Retention Permission for development comprising the following:

- 3-year temporary permission for the continued use of the Pier primarily as a car parking facility and an occasional event space, including: 35 no. existing car parking spaces; 4 no. new disabled car parking space and 2 no. new standard car parking

spaces; existing associated ticket machine, existing 4 no. sets of double gates and existing palisade fencing (c.2.4m to c2.6m high);

- The continued use of the car park area as an occasional cultural, social, recreational or sporting event space
- The new usage of the area at the northern end of the Pier area for occasional cultural, social, recreational or sporting events.
- Also a 3-year temporary Permission for Retention of: 40 no. existing car parking spaces; the widening of the existing south eastern gate and its use with the existing ramp for additional vehicular access to the car park and a
- New handrail (c.36 m long) along the south side of the ramp.

Planning permission was granted by the Planning Authority on 25 September 2014, for a period of three years, which allows the development to be retained until September 2017.

#### Urban Beach Reg. Ref. D13A/0682 - ABP PL06D.244306

An application for planning permission was submitted to the Planning Authority on 03<sup>rd</sup> November 2014 for a new urban beach and floating pool facility at Berth 1, East Pier. The proposed development consists of an urban beach containing a cafe with outdoor seating area and a floating, heated, treated, out-door, saltwater swimming pool. The floating swimming pool will be constructed on a recycled Barge (circa 825m<sup>2</sup>) that will be moored beside Berth 1. Facilities such as changing rooms, toilet and showers will be provided on Berth 1 alongside the urban beach and cafe. These elements will be localised to Berth 1 and will consist of 8 single story architectural modular pod structures with heights varying to 4.9m and awnings on metal posts varying up to 6.0m. The total gross area of the proposed structures is 290m<sup>2</sup>. The proposed urban beach will be overlaid on the existing reinforced concrete Berth 1 structure. The total site is circa 4133m<sup>2</sup> including all utility works. Utility works involve the construction of an under-ground pumping station on the East Pier adjacent to Berth 1, local connection to DLRCoCo gravity foul main in the metals south of the pedestrian Bridge 95 and the installation of a new electricity duct from the base of Carlisle Pier to the base of the East Pier. New bike stands will also be provided at the base of the East Pier on the upper and lower levels. Interference to the East Pier Protected Structure will be minimised and proposed works will be in accordance with the environmental report appended to the Planning Application. The proposed facility will be a temporary seasonal development with an emphasis on renewable energy and sustainability.

A Notification of Decision Grant Permission was issued by the Planning Authority on 28<sup>th</sup> November 2014 subject to 21 conditions. This decision was subject to a third party appeal to An Bord Pleanála who granted planning permission on 13<sup>th</sup> May 2015 subject to 20 conditions. In reaching this decision, the Board noted that

*"Having regard to the coastal location of the site within Dun Laoghaire Harbour, to the historic, yet dynamic nature of the harbour which is designated as a candidate Architectural Conservation Area and within which the East Pier is a Protected Structure, to the 'W' zoning of the site in the current development plan for the area, to the range of policies and objectives contained in the development plan, including SL013 which seeks to facilitate the development of the harbour in accordance with the Harbour Masterplan, and to the temporary and seasonal nature of the proposed recreational facility, it is considered that the proposed development, subject to compliance with the conditions set out below, would be an appropriate form of development at this location, would not seriously injure the amenities of the area, would be in accordance with the zoning objective for the site, would not detract from the character or special interest of the Protected Structure, would preserve and enhance the character of the candidate Architectural Conservation Area and would not be likely to have significant adverse effects on the environment. The*

*proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area”.*

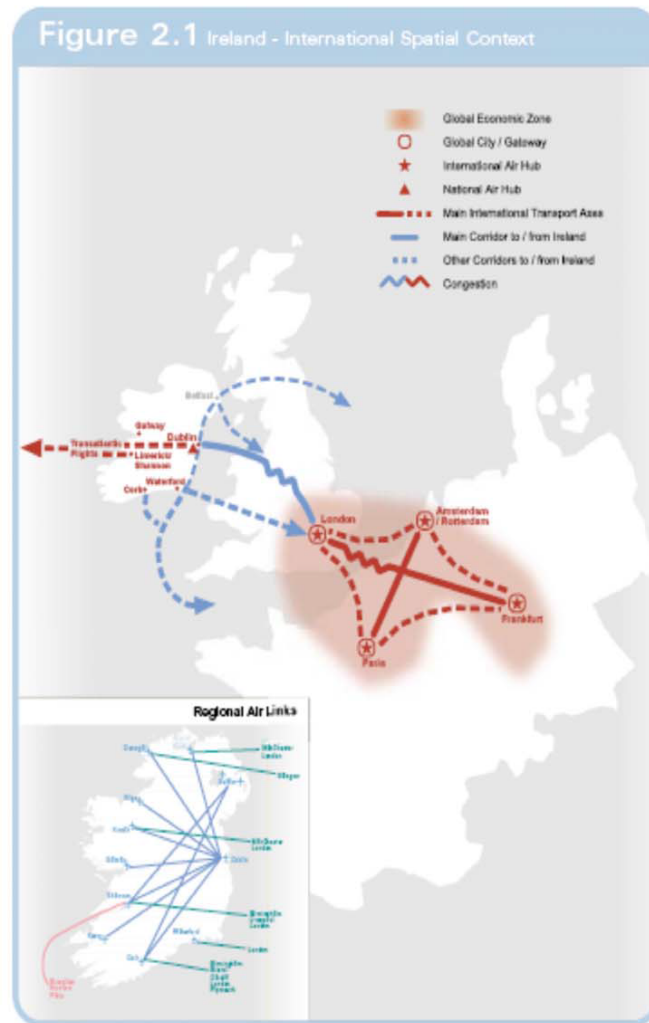
## **4.2 National and Regional Strategic Planning Context**

The strategic planning context sets the national and regional policy framework to which the Local Authority / An Bord Pleanála must have regard. As such, it is an important factor in terms of the general approach to development and establishing broad planning parameters.

### **4.2.1 The National Spatial Strategy 2002 – 2020 (NSS)**

The National Spatial Strategy (NSS) was published by the Department of the Environment and Local Government in 2002. It sets out a twenty-year planning framework designed to deliver more balanced social, economic and physical development and population growth across Ireland. It informs all Regional Planning Guidelines and City / County Development Plans. The policies contained within the NSS direct future development to key development centres and make commitments towards improving and maintaining the strategic transportation corridors which link the development centres.

The NSS recognises that the efficient movement of people and goods will be essential to bring out the innate potential of places and promote balanced regional development. The ability of Greater Dublin to attract large-scale inward investment is recognised as being clearly associated with its perceived advantage being a significant urban area with international transport connections. It also recognises that Ireland’s spatial context is closely related to the wider global context. It identifies a matrix of London, Paris, Amsterdam, Rotterdam and Frankfurt as key European economic region for Ireland. It states that effective connections to and from this region are essential if Ireland is to remain in a position to capitalise on its proximity in terms of contributing to and benefiting from a competitive EU economy. Figure 4.2.1 below is an extract from the NSS and illustrates Ireland’s international spatial context in broad spatial terms. The map in Figure 4.2.1 identifies the main corridor to and from Ireland as linking Dublin through the North and Midlands of England to London that in turn links through to the rest of the city matrix referred to above.



The National Spatial Strategy | People, Place and Potential

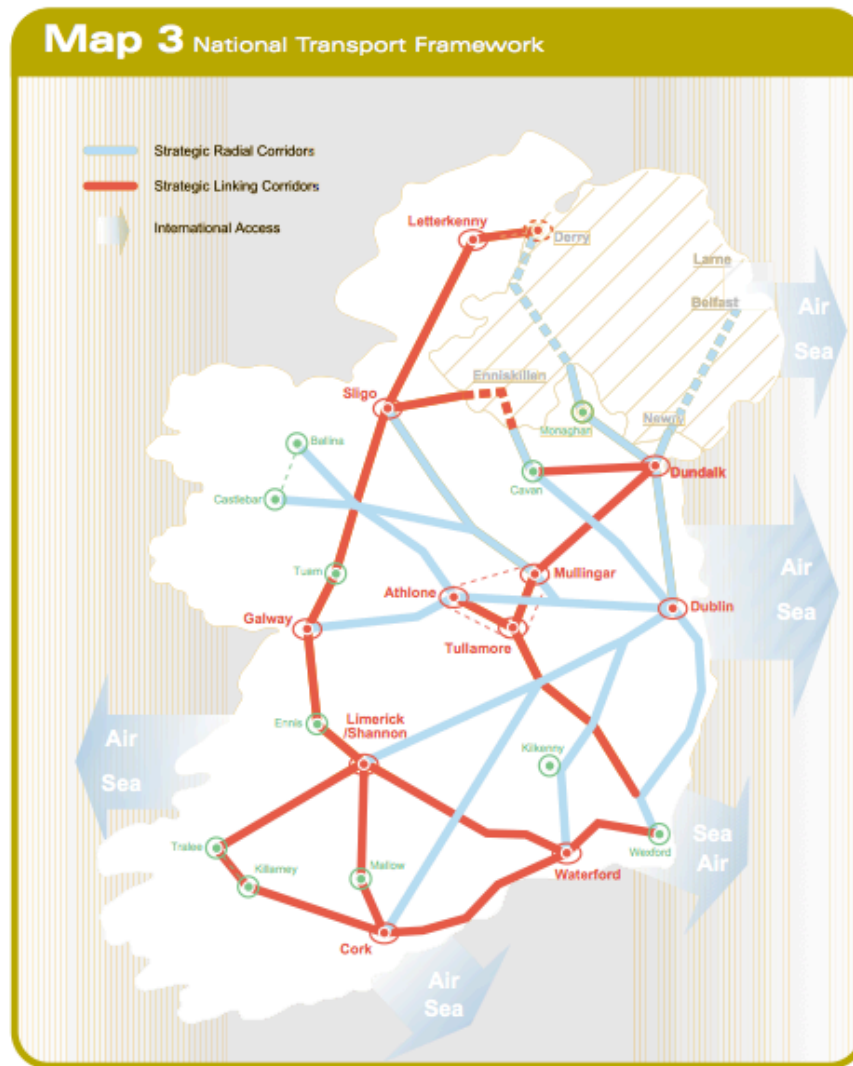
**Figure 4.2.1 Ireland’s International Spatial Context, NSS 2002-2020**

Under Section 3, 3.7.1 Transport – International Access the NSS states

*‘For Ireland to have a globally competitive but regionally integrated economy, effective connections to the world are vital. Ireland needs good*

- *National and regional airports and associated air services*
- *Sea ports and associated shipping services’*

As illustrated in Figure 4.4.2 below, the NSS recognises that in relation to sea access, transit between Ireland and other countries passes principally through four main bands of routes which contain one or more ports. Dun Laoghaire harbour falls within *‘the Central Band – to and from Dublin/ Dun Laoghaire/ Drogheda’*.



**Figure 4.2.2 Ireland’s National Transport Framework, NSS 2002-2020**

The NSS recognises the importance of Dublin Port to the economic growth of Dublin and surrounding regions and equally recognises that Dublin Port faces a shortage capacity to accommodate the ports expanding activities. The NSS advises that a possible solution that would benefit the port and wider city would be to promote alternative locations for some current and future Dublin Port activities. In this regard the NSS states that *‘more port business to and from various parts of the country through other nationally strategic ports could be encouraged. This may in some cases require substantial investment in facilities at alternative ports’*.

The proposed development in Dun Laoghaire Harbour fulfils the policy objectives of the NSS by providing a new cruise berth facility within an established harbour that is an alternative location to Dublin Port. The proposed development will allow Dun Laoghaire Harbour to accommodate next generation cruise ships, and as such, the proposed development enhances Ireland’s maritime transport infrastructure and improves international access to Ireland by sea, which will have positive knock-on effects from the Irish economy.

Furthermore, the more recent National Ports Policy 2013, which is discussed below,



recognises that 'regional ports' such as Dun Laoghaire Harbour could play a key role in economic development through specialised trades and maritime tourism which further confirms the need for the proposed development at a strategic level.

#### 4.2.2 National Development Plan 2007 – 2013

The *National Development Plan (NDP) 2007 - 2013* sets out the Government's economic and social investments programme, designed to drive the national economy and ensure a better quality of life for the inhabitants of the State. The NDP is intended to develop a strong economy with employment opportunities distributed in a regionally balanced manner, affordable housing with the necessary social and community infrastructure, a high quality environment and greater social integration and participation in society by all.

The NDP sets out a number of priority areas for investment including economic infrastructure, enterprise science and innovation, human capital, social infrastructure and social inclusion.

In terms of economic infrastructure, one of the key objectives of this priority is '*to better equip the ports sector to meet national and regional capacity and service needs*'. THE NDP estimates that port projects that may be completed in the lifetime of NDP 2007- 2013 will cost between 300 million and 600 million, the final figure being determined by the ultimate combination of projects that the port companies proceed with over the period of the plan.

The National Development Plan was overtaken by the severe downturn in the economy and the Government published *Infrastructural Investment Priorities 2010-2016 – A Financial Framework*, which is discussed below.

#### 4.2.3 Infrastructure Investment Priorities 2010-2016 A Financial Framework

This Framework was published in 2010 and sets out a revised capital investment programme. In relation to the Ports Programme, the plan states:-

*"The strategic objective of this programme is to ensure that Ireland has a modern ports infrastructure capable of meeting demand and which supports international competitiveness by enhancing sea access for people, goods and services. This programme has come to an end and the expectation is that all future investment by the port companies will be made on a commercial basis, funded by user charges and other revenue streams developed by the companies. A small level of continued Exchequer capital investment in regional ports will be required prior to their handover to Local Authorities."*

The proposed development would greatly contribute to Dun Laoghaire Harbour realising its potential as a major marine, leisure, cultural and tourism destination, which would in turn assist in securing the long-term viability of the harbour from a financial perspective.

#### 4.2.4 National Ports Policy 2013

The National Ports Policy was published by the Minister for Transport, Tourism and Sport in 2013. It is designed to set out a roadmap for the ports sector for at least the next generation, setting down clear objectives, the policies to achieve them and timelines for doing so.

The National Ports Policy document introduces a clear categorisation of the ports sector in Ireland with the aim of ensuring the commercial seaports make a full contribution to facilitating economic recovery and prosperity. In this regard, ports are divided into Ports of National Significance (Tier 1), Ports of National Significance (Tier 2) and Ports of Regional Significance. Dun Laoghaire is considered a 'Port of Regional Significance'. The National port Policy (2013) states that:-

*The remaining commercial ports are categorised as Ports of Regional Significance. This category includes the five smaller State-owned commercial port companies – Drogheda, Dun Laoghaire, Galway, New Ross and Wicklow – and all other ports that handle commercial freight*

Table 1.1 of the National Ports Policy confirms in 2011 that there were 182 vessel arrivals at Dun Laoghaire Harbour. This is directly comparable to Drogheda Port which had 184 vessel arrivals in that period. However, the vessels arriving at Dun Laoghaire are not commercial freight carrying vessels, whereas this is what would have been arriving at Drogheda at that time. Page 31 of the National Port Policy states of Dun Laoghaire Harbour that:-

*While the port's location in the heart of Dun Laoghaire limits its potential as a transport hub, it provides significant opportunities. It has become increasingly clear over the past decade that the long-term future of Dun Laoghaire Harbour Company will be in terms of marine leisure, maritime tourism, cultural amenity and urban redevelopment.*

The proposed development accords with this vision by providing a gateway to Ireland for cruise ships at Dun Laoghaire Harbour, thus cementing the harbour as a leisure / tourism harbour that would have significant benefits for the local, regional and national economy.

Section 4 of the National Ports Policy document considers the planning and development system. It highlights the need for port master-planning and ensuring that relevant planning and development strategies are complementary and consistent. It encourages the embedding of such masterplans into planning strategies and bringing clarity to the future development plans for each port. National and Regional Guidelines are required to recognise the importance of the three categories of ports and allow for their continued development.

In accordance with this policy, a masterplan has been prepared for Dun Laoghaire Harbour entitled 'Dun Laoghaire Harbour Masterplan' and covers the period 2011-2030. The masterplan was prepared by Dun Laoghaire Harbour Company and is intended to be a long-term vision for the harbour. Specifically, the masterplan seeks to bring the 200 year progression of the development of the harbour to the next stage, and to realise its potential as a major marine, leisure, cultural and tourism destination, as well as securing the long-term viability of the harbour.

This masterplan is discussed in detail in the local policy context section below and a copy of the masterplan is also appended to this EIS for information purposes (Appendix 4.1).

#### **4.2.5 Destination Dublin - A Collective Strategy for Tourism Growth to 2020**

The Grow Dublin Taskforce was established in late 2012 with the aim of identifying how to bring substantial growth in tourism to Dublin city and region in the period to 2020. The taskforce comprised a senior tourism sector group representing major stakeholders in the public and private sectors. The taskforce developed a strategy for returning Dublin to growth by mobilising all stakeholders in developing and delivering a memorable visitor experience. Five sectors have been identified that offer potential for significant growth and the best return on investment. One of the sectors identified is 'cruise visitors' who come to Dublin as part of a European cruise.

The strategy outlines sector-specific programmes, designed to address the development of the five key sectors. The sector-specific programme for cruising involves the establishment of a Cruise Dublin Forum to bring together all relevant stakeholders and develop a strategy for attracting and catering for more cruise traffic.

The proposed development seeks to provide a new cruise berthing facility within Dun

Laoghaire Harbour to attract the next generation cruise ships to Dun Laoghaire. The proposed development would therefore directly contribute to the aspirations of the Destination Dublin Strategy as it would attract cruise visitors to the Dublin region who are viewed as offering significant growth within Dublin's tourist economy.

#### 4.2.6 Regional Planning Guidelines for the Greater Dublin Area 2010-2022

The Regional Planning Guidelines for the Greater Dublin Area 2010-2022 provide an overall strategic context for the Development Plans of each local authority in the Greater Dublin Area (GDA). The guidelines seek to consolidate development and increase overall densities of development which will lead to a more compact urban form, relative to the size of the population and facilitate the provision and use of a considerably enhanced public transport system.

Chapter 2 Regional Strategy Vision (section 2.2) envisages that the GDA

*"by 2022 is an economically vibrant, active and sustainable international Gateway Region, with strong connectivity across the GDA Region, nationally and worldwide; a region which fosters communities living in attractive, accessible places well supported by community infrastructure and enjoying high quality leisure facilities; and promotes and protects across the GDA green corridors, active agricultural lands and protected natural areas."*

Core principles from the strategy include:-

- *Dublin as the capital city of Ireland and a major European centre shall grow and progress, competing with other cities in the EU, and serving a wide range of international, national, regional and local needs*
- *The Dublin and Mid-East Regions will be attractive, vibrant locations for industry, commerce, recreation and tourism and will be a major focus for economic growth within the Country.*
- *The GDA, through its ports and airport connections will continue to be the most important entry/ exit point for the country as a whole, and as a Gateway between the European Union and the rest of the World. Access to and through the GDA will continue to be a matter of national importance.*

Section 6.3.4 Ports concludes that there is a requirement for *'increased port capacity in Ireland by 2025-2030'* and that Dun Laoghaire has *'a role to play in port capacity at a smaller scale and in relation to specialist needs.'*

The provision of a new quay and berth facility to accommodate next generation cruise ships in Dun Laoghaire Harbour will contribute substantially to this objective of the Regional Planning Guidelines. Dun Laoghaire is part of the Gateway Economic Cluster of the Metropolitan Area established by the Regional Planning Guidelines. Tourism is identified as a key driver of the economic well-being of the region. The absence of the industrialised environment of Tier 1 Ports and associated cargo shipping and handling equipment allows Dun Laoghaire distinct advantages in facilitating the niche market of cruise shipping.

#### **4.2.7 Greater Dublin Area Draft Transport Strategy 2011-2030**

This Strategy fulfils the statutory obligation on the National Transport Authority to prepare a strategic transport plan for the Greater Dublin Area. The Strategy's role is to establish appropriate policies and transport measures that will support the Greater Dublin Area in meeting its potential as a competitive, sustainable city region with a good quality of life for all.

The Strategy objectives are grouped into economic, social and environmental categories, including:-

- *Economic objectives by reducing delays and improving journey time reliability, particularly for business travel and the movement of goods, and by improving access to and within town centres;*
- *Social objectives by improving safety, reducing travel related stress and reducing the adverse impacts of traffic on neighbourhoods and centres whilst enabling all sectors of society to travel to the destinations they need to reach; and*
- *Environmental objectives, by giving priority to those means of travel that are less damaging to our natural and built environment.*

To achieve these objectives, the Strategy adopts a hierarchical approach of transport users, with pedestrians, cyclists and public transport users at the top of the hierarchy. The proposed development is primarily located within the confines of the existing Dun Laoghaire Harbour and is walking distance to Dun Laoghaire Town Centre and accessible to Dublin City Centre by bus and DART. On arrival at Dun Laoghaire Harbour, cruise visitors will have the option to use these modes of transport or alternatively, buses will be available to transport cruise visitors to various local tourist attractions, noting that a coach parking area is proposed as part of this planning application. As such, the proposed development supports the use of sustainable transport modes in accordance with the hierarchical approach and policy objectives of the strategy. Transportation matters are discussed in further detail in section 5.9 of this EIS.

### **4.3 Local Planning Context**

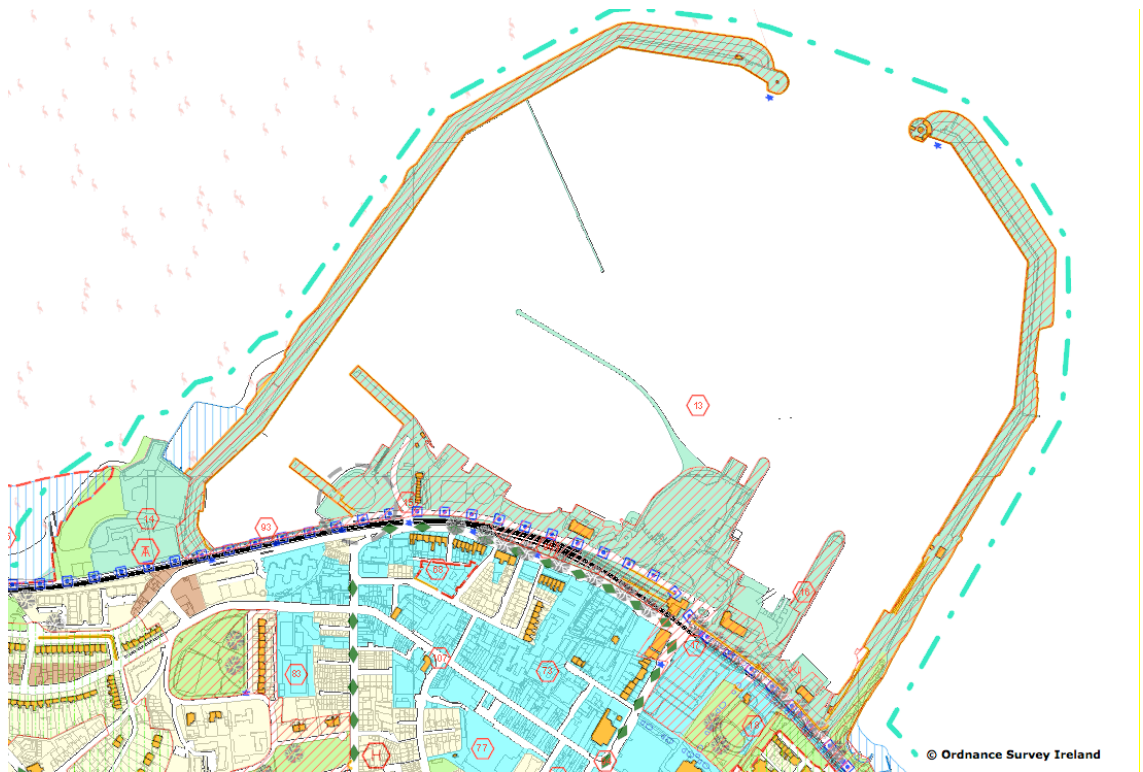
#### **4.3.1 Dun Laoghaire – Rathdown County Development Plan 2010-2016**

The Dun Laoghaire-Rathdown County Development Plan 2010-2016 provides the local statutory planning policy that will steer the development of the County for the plan period. As such, the Plan is the principle statutory document, which guides the development of the subject land.

##### **4.3.1.1 'W' Zoning Objective and Land Use**

The Dun Laoghaire Harbour area is zoned Objective "W" which carries the following objective:-

*"To provide for waterfront development and harbour related uses".*



**Figure 4.3.1 Extract from the Dun Laoghaire-Rathdown Development Plan 2010-2016 Zoning Map.**

A wide range of port-related uses, marine leisure, commercial, retail services and residential are 'permitted in principle' or 'open for consideration'. Table 18.12 from the Written Statement of the Plan specifies the acceptable uses:-

TABLE NO. 18.12
<b>ZONING OBJECTIVE 'W'</b>
"To provide for waterfront development and harbour related uses".
<b>Permitted In Principle</b>
Carpark, Community Facility, Cultural Use, Industry-Light, Offices less than 200sqm., Open Space, Public Services, Restaurant, Transport Depot.
<b>Open For Consideration</b>
Advertisements and Advertising Structures, Craft Centre/Craft Shop, Crèche/Nursery School, Doctor/Dentist, Education, Enterprise Centre, Hotel/Motel <sup>h</sup> , Office Based Industry, Offices, Off-License <sup>h</sup> , Place of Public Worship, Public House <sup>h</sup> , Sports Facility, Residential, Residential Institution, Retirement Home, Science and Technology Based Industry, Shop-Specialist Shop Neighbourhood, Tea Room/Café, Travellers Accommodation.
K: Uses Open for Consideration in Dún Laoghaire Harbour area only.
<b>Note:</b>
An objective of this Plan is to protect the harbour/marine entity of Dún Laoghaire Harbour by facilitating harbour-related uses, but not to confine permitted uses in the harbour to a degree that exclusively attracts those with an interest in active maritime recreation. Any development proposal should seek to ensure public accessibility to the harbour and shoreline.

**Figure 4.3.2: Table 18.12 of the Dun Laoghaire-Rathdown Development Plan 2010-2016**

As can be seen from above, the proposal is best described as being for uses that are for a form of 'transport depot', normally associated with a harbour related use. Notwithstanding this, the provision of a cruise berth is clearly one that is a harbour-related use in line with the land use zoning objective. It is therefore contented that the proposal is in accordance with the zoning objectives for the harbour.

#### 4.3.1.2 Objectives

Chapter 4 of the Written Statement of the County Development Plan 'Dun Laoghaire Urban Framework Plan sets out the vision for Dun Laoghaire which includes "to protect the harbour for harbour based uses (4.3.1)"

The Framework Plan also sets out the Councils objectives for the development of Dun Laoghaire, some of these objectives relate to the future development of the Harbour, including: -

2. "Enhance the range of uses along the waterfront and encourage activities which create increased attraction for the general public".
5. "Identify and encourage redevelopment of key sites at present under-utilised e.g. Hospital Lands, George's Place and sites at the harbour".
9. "Plan and implement a coherent landscaping scheme along both the waterfront and along Marine Road and its environs".

Specifically, the proposed development is in accordance with the objectives 2 and 5 outlined above and will assist in their implementation.

#### 4.3.1.3 Specific Local Objectives

There are a number of specific local objectives contained within chapter four of the Development Plan that relate directly to Dun Laoghaire, and Dun Laoghaire Harbour, including:-

- 13. *"To facilitate the continued development of the Harbour in accordance with a Harbour Masterplan"*
- 15. *"Coal Quay Bridge - improve access"*
- 16. *"Redevelopment of the Carlisle Pier"*
- 95. *"To promote water leisure facilities for public use at the Gut and rear of the West Pier."*

Specific Local Objective 13 provides for the development of Dun Laoghaire Harbour in accordance with a Harbour Masterplan. As detailed below, the Dun Laoghaire Harbour Masterplan 2011-2030 has been completed in accordance with Special Local Objective 13 of the County Development Plan. The provision of a new quay and berth facility to accommodate next generation cruise ships will accord with the zoning provisions of the County Development Plan and is consistent with SLO 13 of the Statutory Development Plan.

#### 4.3.1.4 Heritage

##### **Protected Structures**

Ferry Terminal on St. Michael's Wharf and Carlisle Pier are not designated as protected structures, as listed in the Record of Protected Structures that accompanies the County Development Plan 2010-2016. There are however, a number of structures within the Harbour included on the Record, these are: -

- RPS. No. 360: Boat House Coal Quay, Harbour Road, Dun Laoghaire, Co. Dublin. Boat House Shed
- RPS. No. 349: Boat House Coal Quay, Harbour Road, Dun Laoghaire, Co. Dublin. Boat House
- RPS. No. 417: Coastguard Cottage 1 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 414: Coastguard Cottage 2 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 409: Coastguard Cottage 3 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 406: Coastguard Cottage 4 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 403: Coastguard Cottage 5 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 400: Coastguard Cottage 6 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 396: Coastguard Cottage 7 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 393: Coastguard Cottage 8 Coastguard Cottages, Harbour Road, Dun Laoghaire, Co. Dublin. Coastguard Cottage
- RPS. No. 599: Royal Saint George Yacht Club, Dun Laoghaire Harbour, Dun Laoghaire, Co. Dublin,

- RPS. No. 687: George IV Monument, Queens Road, Dun Laoghaire, Co. Dublin.
- RPS. No. 673: Bollards and Chains, Queens Road, Dun Laoghaire, Co. Dublin.
- RPS. No. 726: National Yacht Club, Dun Laoghaire Harbour, Dun Laoghaire, Co. Dublin,
- RPS. No. 127: West Pier Dun Laoghaire, Co. Dublin. West Pier
- RPS. No. 307: East Pier Dun Laoghaire, Co. Dublin. East Pier
- RPS. No. 401: Old Pier/Coal Quay Dun Laoghaire, Co. Dublin. Old Pier/Coal Quay
- RPS. No. 284: Traders Wharf Dun Laoghaire, Co. Dublin. Pier and Quay
- RPS. No. 102: Lighthouse East Pier, Dun Laoghaire, Lighthouse
- RPS. No. 103: Lighthouse Complex East Pier, Dun Laoghaire, Lighthouse Complex
- RPS. No. 711: Bollards and Chains East Pier, Dun laoghaire, Co. Dublin. Bollards and Chains
- RPS. No. 530: Bollards and Chains East Pier, Dun laoghaire, Co. Dublin. Bollards and Chains
- RPS. No. 491: Bandstand East Pier, Dun Laoghaire, Co. Dublin. Bandstand
- RPS. No. 499: Glass Shelter East Pier, Dun Laoghaire, Co. Dublin. Glass Shelter
- RPS. No. 754: RNLI Lifeboat House East Pier, Dun Laoghaire, Co. Dublin. Lifeboat House
- RPS. No. 388: Coastguard Station (former) Harbour Road, Dun Laoghaire, Co. Dublin. Old Coastguard Station
- RPS. No. 458: Royal Irish Yacht Club Harbour Road, Dun Laoghaire, Co. Dublin. Yacht Club House
- RPS. No. 629: Harbour Lodge Harbour Square, Crofton Road, Dun Laoghaire, Co. Dublin. House
- RPS. No. 95: Lighthouse West Pier, Dun Laoghaire, Lighthouse
- RPS. No. 90: Lightkeeper's House West Pier, Dun Laoghaire, House

It should be noted that no works are proposed to any of the above listed protected structures under this planning application.

### **Conservation Area Objective 15: Candidate Architectural Conservation Area**

Dun Laoghaire Harbour has been designated as a Candidate Architectural Conservation Area. **Policy AR10** states: -

*"It is Council policy that within a Candidate Architectural Conservation Area, the Council will have particular regard to the impact of the area in which it is to be placed. The preservation of the existing character of an area does not preclude all forms of development. All proposals for new development should preserve or enhance the character and quality of the environment within a Candidate Architectural Conservation Area".*

As the harbour is only designated as a candidate area at present, the planning restrictions that would apply in Architectural Conservation Areas, including the de-exemption of certain works, to do not apply.

Shaffrey and Associates has examined the impact of the proposal on the architectural heritage of the area and this is addressed in Section 5.11 of this EIS.



### 4.3.2 Dun Laoghaire Harbour Masterplan 2011-2030

The Harbour Company completed and adopted a Masterplan for the Harbour in 2011 covering the period 2011-2030. The Harbour Masterplan was completed in accordance with Special Local Objective 13 of the County Development Plan. That Masterplan was informed by an extensive process of public consultation and was subject to both a Strategic Environmental Assessment and also a Statement of Appropriate Assessment. The masterplan sets out the long-term objectives for the development of the harbour, including the provision of cruise berth facilities in the harbour. A copy of this masterplan is appended to this EIS (Appendix 4.1).

The main vision of the Harbour Companies Masterplan is as follows: -

*"Dun Laoghaire Harbour will be recognised as an exciting marine, leisure and tourism destination of international calibre; one which elegantly integrates the local town with an historic 200 year old harbour, and which offers a striking blend of modern amenities mixed with a traditional marine ambience in a Dublin Bay setting, making it one of the most beautiful man-made harbours in the world."*

The masterplan was commissioned by the Harbour Company in order to:-

- Position Dun Laoghaire Harbour as a major marine/leisure/tourism destination
- Enhance Dun Laoghaire's attractiveness as a gateway for tourists to Ireland by offering state-of the-art berthing and terminal facilities to ferry and cruise operators at Dun Laoghaire Harbour
- Maintain and enhance the recreational amenity value of the harbour in the interest of all our stakeholders
- Promote investment in the harbour
- Generate sufficient revenue from commercial operations to secure the long term maintenance and development of the harbour and the generation of the dividend policy for commercial state companies

This Masterplan was prepared having regard to the wide variety of interests that prevail within the Harbour generally. These include leisure, recreation, heritage, economic, landscape and environmental. All of these issues were considered holistically as part of the plan preparation process.

A number of 'strategic objectives' are set out in the plan. These objectives fall under a number of headings representing the range of issues considered by the masterplan, as follows:-

- Investment and Growth
- Harbour Functions
- Integrating with the Town Centre
- Movement, Communications and Accessibility
- Heritage
- Recreation and Amenity
- Environment

Strategic Objective 5 of the Dun Laoghaire Harbour Masterplan under the heading of 'Harbour Functions' is as follows:-

*Accommodate cruise liner facilities, having regard to the needs of other harbour users, potential environmental impacts and the feasibility of providing such facilities*

This application for a cruise facility at Dun Laoghaire Harbour meets Strategic Objective 5 of the Harbour Masterplan. The potential environmental impacts of providing this facility are fully considered through the Environmental Impact Assessment and Appropriate Assessment carried out as part of this planning application. In relation to economic feasibility, an economic impact assessment has been prepared by DKM Economic Consultants and is included in this planning application. In summary, the report advises that the following economic benefits would arise from the proposed development:

- The construction of the proposed cruise berth could contribute approximately €21 million to the national economy.
- Approximately 200 FTE jobs could be provided by the construction phase of the cruise berth, taking direct, indirect and induced impacts into account.
- The economic impacts for Dun Laoghaire are considerable and are estimated to lie between €16 million and €41 million after twenty years (Cumulative Net Present Value), depending on the number of vessels coming into Dublin Bay
- After twenty years, it is estimated that the number of permanent jobs created in Dun Laoghaire as a result of the project will be between 70 and 250, based on the expenditure of the cruise passengers and crew under the scenarios described in this accompanying economic report.

This indicates that the proposed development would contribute to the national, regional and local economy and would also assist in the financial viability of Dun Laoghaire Harbour.

#### **4.3.3 Draft Dun Laoghaire Rathdown County Development Plan 2016 – 2022**

Under the draft plan, Dun Laoghaire Harbour remains zoned Objective W: "To provide for waterfront development and harbour related uses".

**Policy E14** has been introduced to the Draft Plan under Tourism and Recreation and states:-

*"It is Council policy to co-operate with the appropriate agencies in promoting sustainable tourism and securing the development of tourist and recreation orientated facilities in the County."*

In the discussion that follows relating Policy E14, the Draft Plan states:-

*Dun Laoghaire has been designated as a centre for marine-related tourism under the National Ports Policy. The strong growth in cruise tourism in the town has the potential to deliver a significant economic benefit to both the town itself and the wider County. The cruise business is a growing market sector in the tourism industry and Ireland has recently begun to capitalise on this market and has succeeded in attracting a growing number of visits by cruise liners. Dun Laoghaire has been important to attracting these cruise calls, and in 2015, Dun Laoghaire Harbour Company estimate that over 100,000 passengers/ crew will visit the town as part of their cruise tour.*

The proposed development supports this draft policy by providing a new cruise berthing facility within Dun Laoghaire Harbour, capable of catering for the larger next generation cruise ships. The proposed development will therefore greatly contribute to the growth of cruise tourism in the county in accordance with the above policy.

#### **4.3.3.1 Specific Local Objectives**

The draft Plan includes a number of Specific Local Objectives for Dun Laoghaire Harbour. In particular, it is a stated objective of the Council:

**SLO 13** - *To facilitate the continued development of the Harbour in advance of the preparation of the Dun Laoghaire and Environs Local Area Plan (LAP). Following the adoption of the Dun Laoghaire and Environs LAP, the future development of the Harbour will thereafter be guided by the principles and objectives of the Plan and that of Policy E14.*

**SLO 14** - *To encourage the redevelopment of 'The Gut' adjacent to the West Pier to include improved access to the area.*

**SLO 15** - *Coal Quay Bridge. To improve/upgrade access to Dun Laoghaire Harbour and lands adjacent to the West Pier.*

**SLO 16** - *To retain the Carlisle Pier structure and to encourage redevelopment on it that will incorporate uses that will bring significant cultural, social, recreational and economic benefits to Dun Laoghaire- Rathdown. Development should regenerate and enliven the waterfront, be sensitive to the setting and should include a significant portion of cultural and amenity uses with public accessibility and permeability to the waterfront paramount. Such proposals should be carefully scaled and should be designed with variety in the massing of built elements to avoid 'slab-like' infilling of the Pier. Any development should creatively re-use remaining components of the original rail sheds.*

**SLO 95** - *To promote Water Leisure Facilities for public use at the coastal fringe of the Gut and rear of the West Pier, subject to the appropriate environmental assessments including any assessment required under the Habitats Directive in co-operation with the relevant agencies.*

**SLO 136** - *In order to promote and preserve the natural, marine and built heritage of Dun Laoghaire Harbour this Council will review the Harbour Heritage Management Plan 2011, with a view to considering same for inclusion in the County Development Plan 2016-2022, as appropriate.*

**SLO 143** - *To encourage and support the Dun Laoghaire Harbour Company in the establishment of a diaspora centre within the Dun Laoghaire Harbour Area.*

These specific local objectives indicate Councils support for the continued development of Dun Laoghaire Harbour over the lifetime of the new plan and the proposed cruise berth development represents one element of this continued development.

#### **4.3.3.2 Dun Laoghaire Urban Framework Plan (Appendix 12)**

The purpose of this Framework Plan is to set out a clear and coherent vision to assist and guide the on-going development that will contribute to the physical regeneration of Dun Laoghaire town. In relation to Dun Laoghaire Harbour, the Framework Plan recognises that:-

*Concurrently the Harbour itself is undergoing a significant period of transition as it repositions itself from its previous role as a freight port to a marine, leisure and tourism destination of international calibre that is fully integrated with the wider Town.*

One of the three key themes underpinning the Framework Plan is "Reconnecting the Town Centre to the Waterfront". Central to this theme is the relationship between Marine Road and the harbour and the space around the ferry terminal. In this regard, Section 2.1 of the Framework Plan notes that:-

*"It is desirable, therefore, that this space be redeveloped to realise its full potential. The wall and lower car park that blocks the view out to the sea should be re-designed to allow direct access for the public to the water's edge and so promote improved engagement with the marine activities of the Harbour"*

and

*"any development within this area, including the development of cruise berthing facilities should connect directly with Marine Road. The primary aim will be to encourage pedestrian footfall from the Waterfront up to the Town Centre".*

As detailed in Figure 4.3.3 below, it is possible to see that this policy objective mirrors that of the harbour masterplan, which includes the proposed cruise berth facility that is the subject of this planning application.

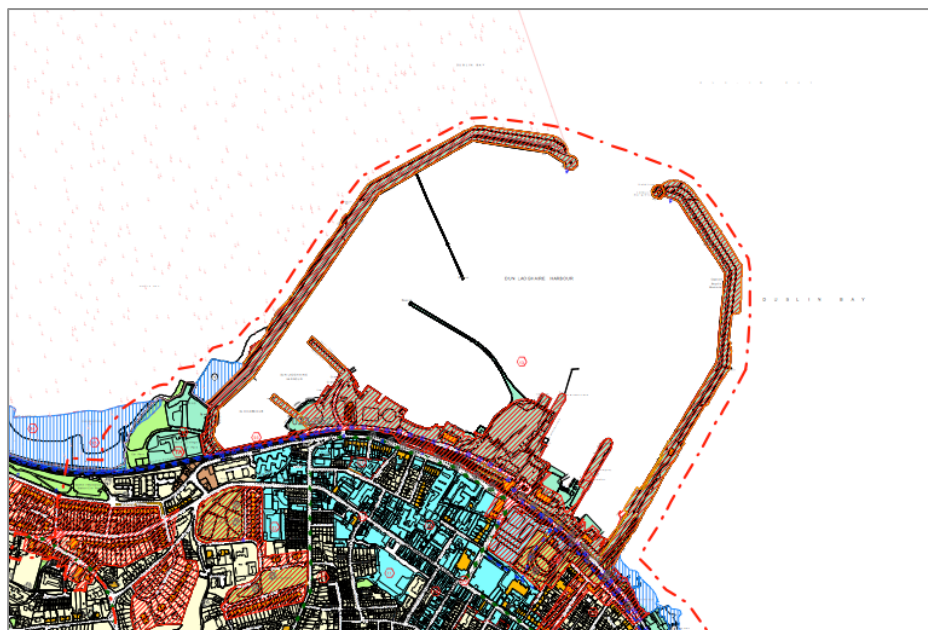


**Figure 4.3.3: Extract from Dun Laoghaire Harbour Masterplan 2011-2030.**

The overall re-development of the waterfront will not all happen at once. Rather, it will be delivered in a phased manner that will occur over time. The provision of a cruise berth is just one element of the re-development of the harbour.

#### **4.3.4 Dun Laoghaire Draft Local Area Plan**

A Local Area Plan for Dun Laoghaire is currently being prepared. Dun Laoghaire Harbour is included within the proposed LAP boundary. A pre-draft issues paper was published in 2011. A non-statutory report was prepared and issued to the Elected Members at the May 14th 2012 Council Meeting. The report was noted.



**Figure 4.3.4: Extract from Proposed Dun Laoghaire Local Area Plan. Proposed LAP Boundary indicated by red broken line.**

This Local Area Plan will provide a context for the Harbour Masterplan, as discussed above.

## 4.4 Summary of Planning Context

The proposed development is considered to be compliant with national, regional and local policy including the policies and objectives of statutory Dun Laoghaire-Rathdown County Council Development Plan 2010-2016. In summary, the proposed development would:-

- Enhance Ireland's maritime transport infrastructure and improve international access to Ireland by sea, which will have positive knock-on effects from the Irish economy, in accordance with the high-level strategic policy objectives of the National Spatial Strategy;
- Provide a gateway to Ireland for cruise ships at Dun Laoghaire Harbour, thus cementing the harbour as a leisure / tourism harbour in accordance with the three-tier approach to Irish ports and the vision for Dun Laoghaire Harbour as set out in the National Ports Policy;
- Realise the aspirations of the Destination Dublin Strategy by attracting cruise visitors to the Dublin region who are viewed as offering significant growth within Dublin's tourist economy;
- Contribute to the requirement for '*increased port capacity in Ireland by 2025-2030*' and the vision that Dun Laoghaire has '*a role to play in port capacity at a smaller scale and in relation to specialist needs*' as outlined in the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 by facilitating the niche market of cruise shipping at Dun Laoghaire Harbour;
- Promote the use of sustainable transport modes for onward journeys in accordance with the hierarchical approach and policy objectives of the Greater Dublin Area Draft Transport Strategy 2011-2030;
- Conform with the zoning objectives, local objectives and specific local objectives of the Dun Laoghaire-Rathdown County Council Development Plan 2010-2016 in relation to the development of Dun Laoghaire Harbour;
- Meet Strategic Objective 5 of the Dun Laoghaire Harbour Masterplan 2011-2030 by providing a cruise facility that would be beneficial to national, regional and local economy and where environmental impacts have been fully considered;
- Conform with the zoning objectives, local objectives and specific local objectives of the Draft Dun Laoghaire-Rathdown County Council Development Plan 2016-2022. The policy provisions of the draft plan indicate Councils support for the continued development of Dun Laoghaire Harbour over the lifetime of the new plan and the proposed cruise berth development represents one element of this continued development;
- Assist in realising the objective of reconnecting the town centre to the waterfront as contained in the Draft Dun Laoghaire Urban Framework Plan (Appendix 12 of Draft Dun Laoghaire-Rathdown County Council Development Plan 2016-2022), which in turn mirrors the aspirations of the Dun Laoghaire Harbour Masterplan.