**Variation (No. 8)**

**of the**

**Dublin City Development Plan**

**2016 - 2022**

**The Statutory Display of Variation (No. 8)**

**to the Dublin City Development Plan 2016 - 2022**

**was on view to the public from**

**Friday 29th November 2019 to Wednesday 22nd January 2020 inclusive**

**Monday to Friday (excluding Bank Holidays)**

**between the hours of 9.00 am and 4.30 pm at the**

**Dublin City Council**

**Civic Offices**

**Ground Floor, Block 4,**

**Wood Quay,**

**Dublin 8**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VARIATION (NO. 8) OF THE DUBLIN CITY DEVELOPMENT PLAN 2016 - 2022**

**RE:** **Variation of Dublin City Development Plan 2016-2022:**

 **Clearwater Retail Park, Finglas Road, Dublin 11**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PROPOSAL**

This Variation of the Dublin City Development Plan 2016-2022, which was made by the City Council on 10th March 2020, changed the land use zoning of the subject lands at Clearwater Retail Park, Finglas Road, Dublin 11

**From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.**

**To:** **Zoning Objective Z1 – To protect, provide and improve residential amenities.**

The Variation area is delineated on the attached map.

**SITE LOCATION AND DESCRIPTION**

The lands (c.0.96 ha) are known as the Clearwater Retail Park and are located on the west side of the Finglas Road, north of (and adjacent to) the Finglas Clearwater Shopping Centre. The lands are served by the Finglas QBC (proposed Bus Connects).

The site contains a large surface carpark with one large building located on these lands which is divided into three separate retail units - all three units are occupied, operational and functioning. There is also a garage structure on the lands.

**PURPOSE OF THE VARIATION**

Given the low intensity nature of development on the lands (i.e. single storey buildings), it is considered that there is potential for additional development on these lands. In view of the residential character of the wider area and the adequate retail provision which already exists in the area, a change of zoning to residential is considered appropriate.

**STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING DETERMINATION**

Determination of Strategic Environmental Assessment (SEA) Screening of Variation (No. 8) to the Dublin City Development Plan 2016 – 2022 to change the land use zoning of lands at Clearwater Retail Park, Finglas Road, Dublin 11 in compliance with Article 13K of the Planning and Development Regulations 2001, as amended, and the Planning and Development Act 2000, as amended.

The Planning Authority has determined that Variation (No. 8), would not be
likely to have significant effects on the environment, taking account of relevant criteria set
out in Schedule 2A of the Planning and Development Regulations 2001, as amended, and
taking into account the observations by the EPA (25th November 2019) and Inland Fisheries (dated 21st November 2019), and therefore, that a Strategic Environmental Assessment is not required for this Variation to the Dublin City Development 2016-2022.

In carrying out this Assessment, the Council took into account the relevant matters specified under the Planning and Development Act 2000, as amended, the Planning and Development (Strategic Environmental Assessment) Regulations 2004 – 2011 and also:

* The Dublin City Development Plan 2016-2016 (and associated AA Screening, NIS and SEA reports);
* The Strategic Flood Risk Assessment for Variations No’s 8-27 inclusive (January 2020);
* The Appropriate Assessment Screening of the Variation;
* Submissions received during the public consultation period including observations by the OPR;
* The Chief Executive’s Report and Recommendations (No. 77/2020);
* The National Planning Framework; and,
* The Regional Spatial & Economic Strategy for the Eastern & Midlands Region.

In accordance with the requirements of the SEA Directive and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 – 2011, the Statutory Environmental Authorities have been notified of this determination and notice of it has been made public on the website of Dublin City Council. The determination and documentation is available for public inspection at the Council Offices.

**APPROPRIATE ASSESSMENT SCREENING DETERMINATION**

Determination of Appropriate Assessment (AA) Screening of Variation (No. 8) to the Dublin City Development Plan 2016 – 2022 to change the land use zoning of lands at Clearwater Retail Park, Finglas Road, Dublin 11 in compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011, and Part XAB of the Planning and Development Act 2000, as amended, and associated Regulations.

An Appropriate Assessment (AA) Screening in accordance with Section 177U of the Planning and Development Act 2000, as amended, was undertaken on Variation No. 8 to the Dublin City Development Plan 2016 – 2022.

The Planning Authority has determined that an Appropriate Assessment of Variation (No. 8) is not required, as the Variation, individually or in combination with other plans or projects, does not have the potential to result in any land use effects that could in turn result in a likely significant effect on European site. Therefore, it is not considered necessary to undertake any further stages of the Appropriate Assessment process.

In carrying out this Assessment, the Council took into account the relevant matters specified under Part XAB of the Planning and Development Act 2000, as amended, and also:

* The Dublin City Development Plan 2016-2016 (and associated AA Screening, NIS and SEA reports);
* The Strategic Environmental Assessment Screening of the Variation;
* The Appropriate Assessment Screening for Variations No’s 8-27 inclusive (November 2019);
* The Strategic Flood Risk Assessment for Variations No’s 8-27 inclusive (January 2020);
* Submissions received during the public consultation period including the observation from the Inland Fisheries Ireland dated 21st November 2019 was taken into account;
* Chief Executive’s Report and Recommendations on submissions and minutes of the relevant Council meetings dated 2nd March 2020 and 10th March 2020;
* Variation No’s. 8, 11-13, 15-24 and 26 of the Dublin City Development Plan 2016 – 2022;
* The National Planning Framework; and,
* The Regional Spatial & Economic Strategy for the Eastern & Midlands Region.

The determination and documentation is available for public inspection at the Council Offices.

**WRITTEN SUBMISSIONS OR OBSERVATIONS**

Written submissions or observations regarding the Variation made to the Planning Department within the said period were taken into consideration before making the Variation.

