

Variation (No. 14)

of the

Dublin City Development Plan

2011-2017

**The Statutory Display of Variation (No. 14)
to the Dublin City Development Plan 2011-2017
was on view to the public from
Friday 9th August to Friday 6th September inclusive
Monday to Friday
between the hours of 9.30 a.m. and 4.30 p.m. at the**

**Dublin City Council
Civic Offices,
Ground Floor, Block 4,
Wood Quay,
Dublin 8.**

**VARIATION (NO. 14) OF THE DUBLIN CITY
DEVELOPMENT PLAN 2011 – 2017**

**RE: VARIATION TO THE DUBLIN CITY DEVELOPMENT PLAN 2011-2017
REGARDING THE DEFINITION OF RESIDENTIAL/OFFICE AT CHAPTER 17,
SECTION 17.6.2**

1.0 PROPOSAL

It was considered appropriate to broaden the 'office' definition of height in the 'Low-rise' Category of Section 17.6.2 to include the mix of uses typically found in the central area of cities and district centres that are not purely residential or office mono use. It was achieved by way of amendment to the table at Section 17.6.2 and the introduction of explanatory text.

Amendment to table at section 17.6.2 of the Development Plan (page 249)

Category	Area	Storeys Res/Office	Height (m)
Low – rise (relates to the prevailing local height and context)	Inner City	Up to 6 res/7 office commercial*	Below 19/28m
	Rail hubs		
	Outer City	Up to 6 res/6 office commercial*	Below 19/24m
		Up to 4 res/4 office commercial*	Below 13/16m

Explanatory text:

* ***The residential category also includes provision for commercial uses at ground floor, subject to the relevant land use zoning category.***

The commercial category includes uses (or a mix of uses) such as hotel, office, conference centre, retail, health, education (inc. student housing), etc, and that are permissible/open for consideration under the relevant land use zoning category.

Mixed developments comprised of over 50% of gross floor area as 'commercial' are subject to commercial maximum heights.

Mixed developments comprised of over 50% of gross floor area as 'residential' are subject to residential maximum heights.

Arising from the amendments above, several consequential amendments were made as follows:

Amendments to Section 17.6.1 (page 247)

(ii). In any case, the maximum height outside the identified areas will be as follows:

- a) Inner city (see definition in glossary): 6 storey residential / 7 storey ~~office~~ **commercial**.
- b) Within 500m of existing and proposed mainline, DART, DART Underground and Metro Stations: 6 storey residential / 6 storey ~~office~~ **commercial**.
- c) Rest of outer city: 4 storey residential / 4 storey ~~office~~ **commercial**.

1.2 PURPOSE OF THE PROPOSED VARIATION

Section 17.6.2 of the Development Plan outlines the definition of a high building for various areas in a Dublin context unless otherwise approved in a Local Area Plan, Section 25 Planning Scheme or Strategic Development Zone.

In drafting the Development Plan, it would appear that the word "office" was used as shorthand for a range of commercial development, i.e. development that was not purely residential. The relevant extract of Section 17.6.2 is set out below:

Extract from section 17.6.2 of Development Plan (page 249)

Category	Area	Storeys Res/Office	Height (m)
Low – rise (relates to the prevailing local height and context)	Inner City	Up to 6 res/7 office	Below 19/28m
	Rail hubs	Up to 6 res/6 office	Below 19/24m
	Outer City	Up to 4 res/4 office	Below 13/16m

In practice, the development standard outlined above has not provided sufficient clarity in relation to the formulation and interpretation of development proposals in the 'Low-rise' Category which do not fall into the discrete mono use categories of residential or office.

The current development standard effectively precludes the consideration of the type of commercial development that is a welcome part of a city centre such as a hotel, hospital, or mixed use developments that combine elements of different uses such as office, cinema, student housing, etc. These are uses that would be acceptable in principle in the central area, subject to detailed assessment at planning application stage. Further review of Section 17.6.2 would also suggest that 'office' should be 'commercial' outside wholly residential areas in the other identified parts of the city in the 'Low-rise' Category, namely 'Rail hubs' and 'Outer City' .

2.0 STRATEGIC ENVIRONMENTAL APPRAISAL

The Planning Authority determined, using the screening criteria set out in Schedule 2A Planning and Development Regulations 2001-2004, the DoEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment is not required for the proposed variation to the Dublin City Development 2011-2017.

2.1 APPROPRIATE ASSESSMENT SCREENING

An Appropriate Assessment Screening was undertaken of the proposed variation of the Dublin City Development Plan, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC). The proposed variation is not predicted to have a likely impact on the key features or the conservation function of any Natura 200 sites.

The prescribed bodies were notified of the above determination in relation to the SEA and AA Screening and did not object within the appropriate period.

3.0 WRITTEN SUBMISSIONS OR OBSERVATIONS

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