

DUBLIN CITY COUNCIL

**APPLICATION TO
AN BORD PLEANÁLA
TO AMEND**

POOLBEG WEST PLANNING SCHEME 2019

**UNDER SECTION 170A OF THE PLANNING AND DEVELOPMENT ACT,
2000 (AS AMENDED).**

15TH JULY 2024

1. INTRODUCTION & CONTEXT

Dublin City Council (DCC), as the specified Development Agency for Poolbeg West Strategic Development Zone (SDZ), designated under Government Order S.I. No. 279/2016, makes this application to An Bord Pleanála to amend the approved Poolbeg West Planning Scheme 2019 (the Planning Scheme) under Section 170A of the Planning and Development Act, 2000 (as amended) (the Act).

Since the approval of the Planning Scheme by An Bord in 2019, the Government has adopted the National Transport Authority's (NTA) "*Greater Dublin Area Transport Strategy 2022 - 2042*" (the GDA Transport Strategy) in January 2023, which no longer supports the delivery of the Dublin Eastern Bypass (DEB). The Dublin City Development Plan 2022-2028 (the Development Plan) incorporates this Government policy position. As a result, it is proposed to amend the Planning Scheme to achieve consistency with Government policy by removing text and graphic references to the DEB.

It should be noted that the Scheme anticipated the possibility of DEB being removed as a policy objective in the future, with the SPAR (Southern Port Access Route) instead meeting the future needs of the southern port lands. The Scheme included contained text and objectives to give direction to address this possible change. Section 11.3 refers to amending the Scheme "following resolution" of the DEB corridor. Objective MV7 of the Scheme which seeks to "*promote the redirection of port and port-related heavy traffic away from South Bank Road. This will be achieved through the provision of an alternative route for such traffic and HGVs, and also through traffic management, thereby ensuring a high level of amenity for those occupying non-port commercial and residential buildings*". The text in relation to Port Park (Section 11.4.4) highlights the role of the Park as a buffer between port uses and more sensitive uses to the east; a principle that this amendment seeks to make permanent.

A second relevant context is the emerging proposals from Dublin Port Company (DPC). DPC operates port and related functions within a portion of the Planning Scheme. The DPC owns 18.2 ha, approximately half of the land within the Planning Scheme, identified as Blocks B1 & B2 in Figure 9.2 "Phasing Area". DPC continues to operate the port and related functions within the B1 & B2 Blocks which are impacted by the DEB reservation.

DPC is currently preparing a strategic infrastructure application under its "3FM Project" (Third & Final Masterplan) project. The proposed amendments to the Planning Scheme omitting the DEB corridor alignment will bring clarity to the impacted lands, a portion of which will fall under the future application by Dublin Port.

2. BACKGROUND

LOCATION

Poolbeg West is situated in the peninsula which extends into Dublin Bay just south of the mouth of the River Liffey and is 2 km east of O’Connell Bridge in Dublin City Centre. The Planning Scheme comprises 34 hectares of land located within the southern side of Dublin’s Docklands and proximate to Dublin City Centre.

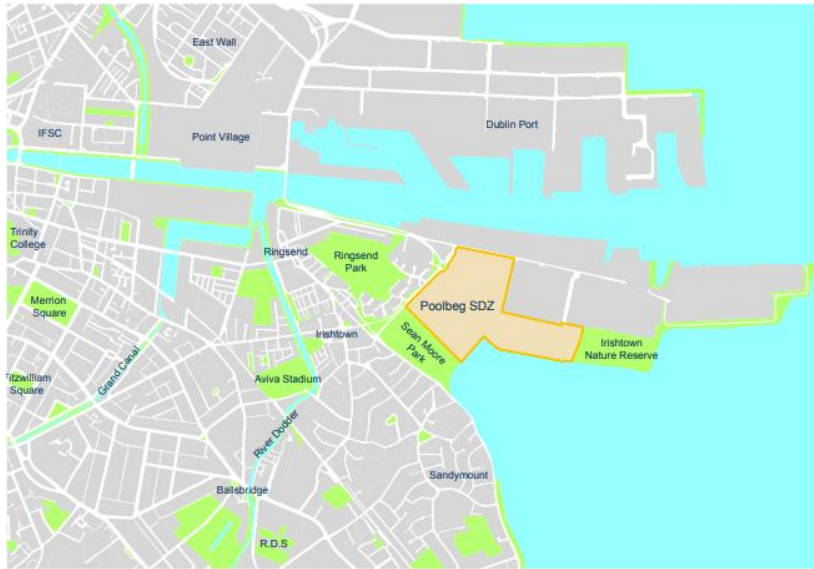


Figure 1.2 Local Context

HISTORY

On 17th May 2016, the Government designated Poolbeg West as an SDZ. These lands are deemed to be of economic and social importance to the State. The area is designated for a mixed-use development which principally includes residential development, commercial, and employment activities, including office, hotel, leisure and retail facilities, port-related activities, and the provision of educational facilities, transport infrastructure, emergency services, and community facilities including health and childcare services. The Scheme was made by the Elected Members of Dublin City Council in May 2017 and in 2019 An Bord Pleanála approved the Planning Scheme. The urban regeneration of the SDZ is being implemented in accordance with the Planning Scheme objectives.

REVIEW OF SDZ PERMISSIONS AND DEVELOPMENT

Since the Planning Scheme's adoption, several planning permissions have been granted and substantial residential development is under construction.

Under file ref. PWSDZ3270/19 planning permission was granted for enabling works relating to areas A1-A4 and the adjoining coastal strip (see Figure 9.2 "Phasing Area" below).

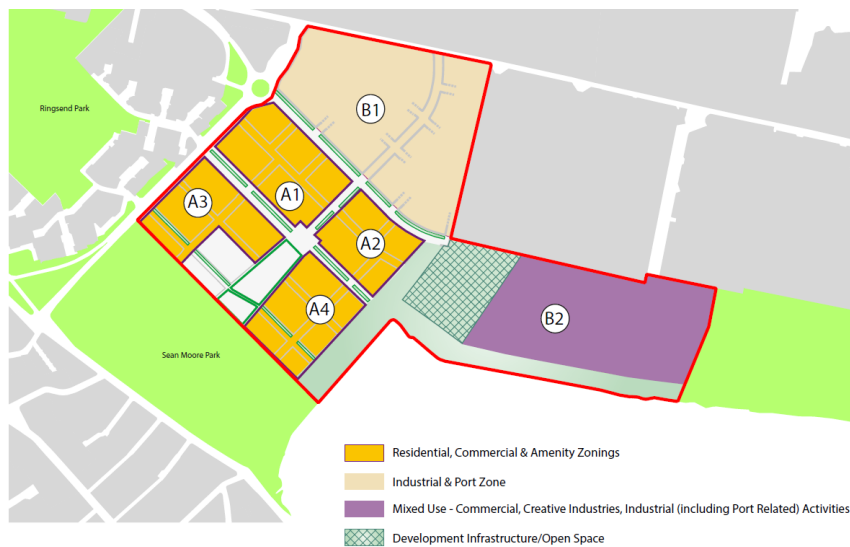


Figure 9.2 Phasing Areas

Subsequent permissions have been confined to Blocks A1- A3 the "Residential, Commercial & Amenity Zonings" areas on the western side of the Planning Scheme lands, adjoining the southern boundary of Sean Moore Road and to the south of South Bank Road. (See Appendix 3 for a full recent Planning History.) In 2024, under file ref. PWSDZ3062/24, an application for a community hub building on the community/education zoned area (see Figure 9.1 "Land Use" below in orange colour) was submitted and is currently the subject of a further information request.

To date, there have been no planning applications lodged by DPC on the B1 and B2 lands.

The proposed amendments to the Planning Scheme do not have any implications for extant permissions.

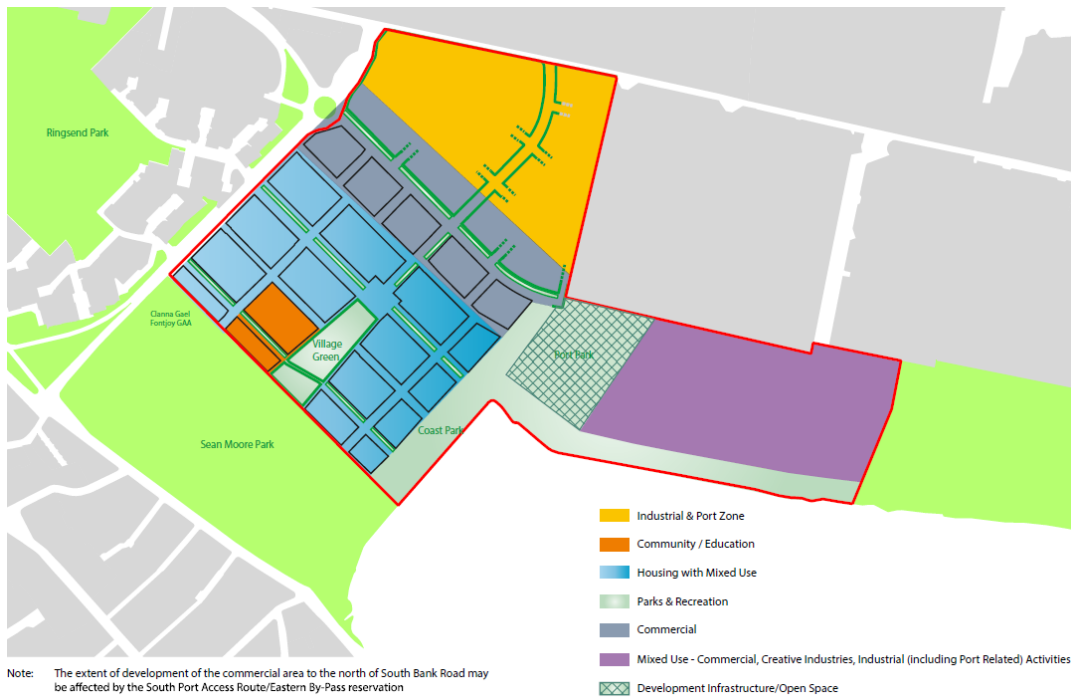


Figure 9.1 Land Uses

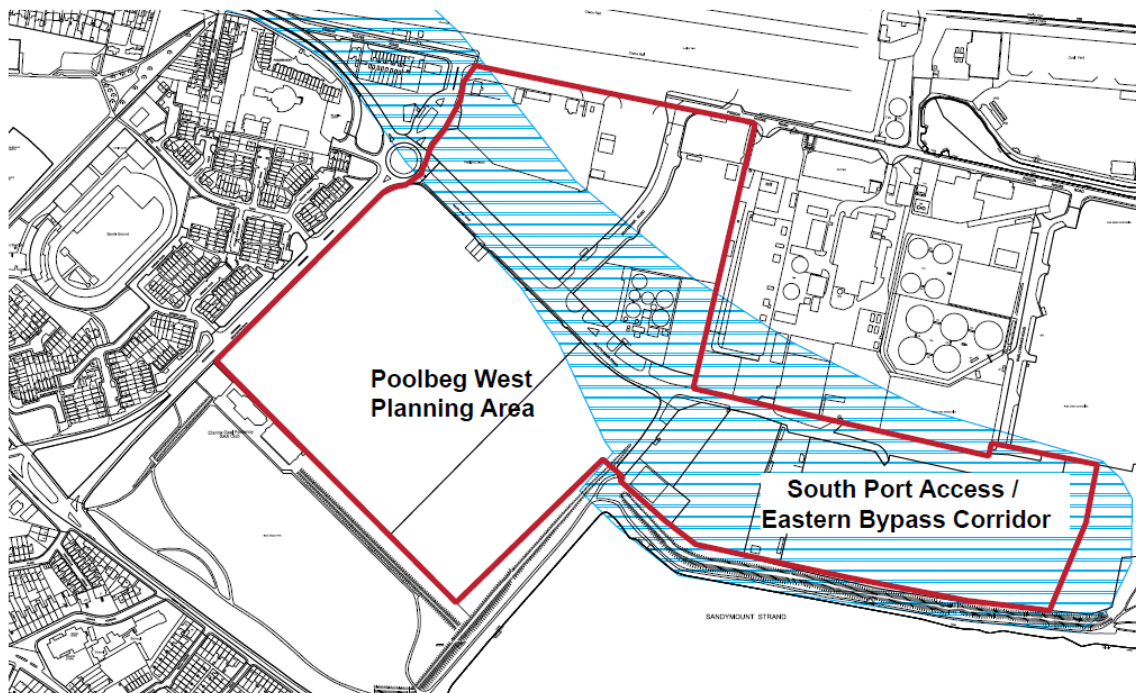


Figure 6.3 South Port Access/Eastern Bypass Corridors

3. POLICY CONTEXT AND JUSTIFICATION OF PROPOSED AMENDMENTS

Since the Planning Scheme was made by An Bord Pleanála in 2019, the planning policy context has been altered by the new GDA Transport Strategy and the Dublin City Development Plan 2022-2028. The proposed amendments to the Planning Scheme have been assessed in the context of the above-revised policy context.

GDA TRANSPORT STRATEGY 2022-2042

The GDA Transport Strategy states that *“due to updated assessment work”* and *“taking account of current transport policies”* the DEB *“is no longer required to be developed”*. However, the GDA Transport Strategy recognises the policy requirement for the reservation of a road corridor to link the Dublin Port Tunnel with the South Port area (also referred to as the Southern Port Access Route or SPAR). It states *“subject to the retention of a corridor reservation for the South Port Access Route”* (SPAR) that DEB reservation corridor lands in the *“the Dublin City Development Plan, Poolbeg Strategic Development Zone Planning Scheme, and Dún Laoghaire Rathdown County Development Plan can be released for development”*.

The requirement for the SPAR is further reinforced by Measure ROAD5—Southern Port Access Route of the GDA Transport Strategy which states:

“A new public road that links to the national road network at the Dublin Tunnel to serve the south port lands and adjoining areas will be delivered. A reservation for such development should be included in the Dublin City Development Plan”.

DUBLIN CITY DEVELOPMENT PLAN 2022 - 2028

The 2022 City Development Plan reflects the GDA Transport Strategy Measure ROAD5 policy position.

Development Plan Sustainable Movement and Transport Policy SMT30 supports the delivery of SPAR as a public road, which aligns broadly with South Bank Road. The wording of Policy SMT30 is as follows:

“National Roads Projects: To protect National Roads Projects as per the NTA Transport Strategy for the Greater Dublin Area 2022-2042 and in consultation with TII, NTA and other relevant stakeholders including the Dublin Port Authority Company, to support the delivery of the Southern Port Access Route to Poolbeg, as a public road. The indicative Alignment of this road link is shown on Map J”.

The amendment to the Planning Scheme is driven by the need to bring the Scheme into alignment with the current NTA Strategy, City Development Plan policy and Map J (see below) and the overall vision and intent of the Planning Scheme when made.



Development Plan Map J

POOLBEG WEST PLANNING SCHEME

In the making of the Scheme in 2019, it was anticipated there was a strong possibility that the DEB would be removed as a policy objective in the future, with the SPAR (Southern Port Access Route) meeting the future HGV movement needs of the south Port lands. The Planning Scheme therefore included text and objectives to give direction to address this possible change. Section 11.3.5 refers to amending the Scheme “following resolution” of the DEB corridor. Objective MV7 of the Scheme seeks to “*promote the redirection of port and port-related heavy traffic away from South Bank Road. This will be achieved through the provision of an alternative route for such traffic and HGVs, and also through traffic management, thereby ensuring a high level of amenity for those occupying non-port commercial and residential buildings*”. The text in relation to Port Park (Section 11.4.4) highlights the role of the Park as an important buffer between port uses and more sensitive uses to the east; a principle that this amendment seeks to retain.

In compliance with the intent of the Scheme to review the lands following a future removal of the DEB as described in Section 11.3.5; DCC has examined the lands at B1 and B2, and is satisfied that the remaining elements of the SDZ, (in combination with the proposed changes outlined in this document), give sufficient guidance by

- (i) Section 11.3 on the future uses of the lands at B1 and B2 as port and infrastructure uses in combination with
- (ii) Figure 11.3 which gives direction on height and building lines,
- (iii) Figure 9.1 and 9.2 Land Use and Phasing Areas,

- (iv) Section 9.3 Approach Taken, which already recognised the potential of the reserved lands as expansion space for the Port to “make best use of the existing and future port infrastructure” with this approach now retained for the long term in this proposed amendment.

The land uses shown in Figure 9.1 will remain; with the areas now removed from the road reservation, and now applying the identified uses as long term rather than being seen treated as interim/medium term uses. The green hatch in Figure 9.1 will now retain its land use shown as providing for (i) a new port park (minimum size of 1.9ha – See Section 11.4.4) and (ii) the provision of the infrastructure installations required to serve the SDZ area; which is already provided for in the defined land use zoning of “development infrastructure/open space”.

4. COMPLIANCE WITH SECTION 170A OF THE ACT

Section 170A(3) (b) of the Act, sets out criteria against which proposed amendments to a Planning Scheme must be assessed. DCC, as the specified Development Agency, has evaluated the proposed amendments against these criteria. It is considered by DCC that the proposed amendments do not represent a material change to the Planning Scheme. (Please refer to Appendix 1 of this report for the full detail of each of the proposed amendments to the Planning Scheme.)

Section 170A, subsection 3(b) (i) of the Act, requires that the amendment to the Planning Scheme concerned “*would not constitute a change in the overall objectives of the Planning Scheme concerned*”.

The changes proposed will not impact the vision for the SDZ which seeks to i) connect with the physical, environmental, economic and social fabric of the city, the bay, and adjoining neighbourhoods, ii) create a new sustainable urban neighbourhood that responds to the area’s unique location and enhances the enjoyment of local amenities and iii) protect the special status of Dublin Bay, the intrinsic functions of the port/municipal facilities, and the amenity of existing and future residents.

The removal of the DEB reservation objective in accordance with the GDA Transport Strategy, requires a response that this proposed amendment addresses. A new refined reservation for the SPAR route is illustrated in the Development Plan Map J, which will be replicated in the Scheme, (see below) and is consistent with the GDA Transport Strategy and enables Block B1 and B2 to progress with longer term development forms, in line with the objectives of the Scheme.

Each key section is examined through the requirements of Section 170A below and a response to the Act’s requirements given individually.

In summary, it is the view of DCC that in meeting the requirements of Section 170A of the Act, it is considered that the proposed amendments would not constitute a change in the overall objectives of the Planning Scheme.

EXISTING DEVELOPMENT

Section 170A, subsection 3(b) (ii) of the Act, requires that the proposed amendment to the Planning Scheme concerned “*would not relate to already developed land in the planning scheme*”.

The area in question has not been extensively developed on foot of the Planning Scheme because until very recently, the lands in question were all within the DEB/SPAR corridor reservation and effectively restricted from any extensive redevelopment (see Fig. 6.3 of the Planning Scheme “South Port Access/Eastern Bypass Corridor” below).

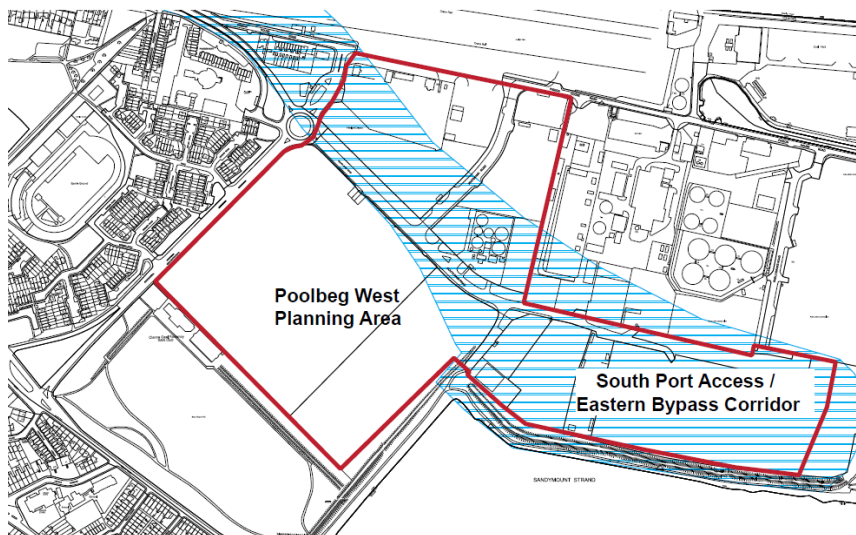


Figure 6.3. South Port Access/Eastern Bypass Corridor

The Google Maps image below shows the long-established pre-existing industrial uses on the lands at Blocks B1 and B2. As is evident, Block B1 contains transport and logistics uses, whilst Block B2 is hard-standing.



Extract Google Maps

Therefore, concerning Section 170A of the Act, it is considered that the proposed amendments do not relate to already developed land in the Planning Scheme.

IMPACT ON FLOOR AREA & DENSITY

Section 170A, subsection 3(b) (iii) of the Act, requires that the proposed amendments to the Planning Scheme concerned *“would not significantly increase or decrease the overall floor area or density of proposed development”*.

Section 1.3 of the Planning Scheme sets out indicative quantum for the Planning Scheme and models a range of 3,000 to 3,500 residential units, and 100,000 sq. m of commercial uses in Blocks A1–A4. This does not include port/industrial uses on Block B1 and B2 and 5,000 sq. m of neighbourhood uses (Section 11.3 “Land Use” page 78). Due to the nature of port and related uses and infrastructure uses proposed, it was not rational to set out a detailed fixed figures for development but instead the area was defined in its capacity through height.

- a) Blocks A1- A4- Appendix 5 of the Planning Scheme “Development Codes for Blocks A1–A4 and the Neighbourhood Square” states that Blocks A3 and A4 land use mix is primarily residential with commercial, retail, community or cultural uses on the ground floor with residential uses over (page 138 and 141). This flexibility allows for adjustments in the mix of residential and commercial uses without significantly altering the overall density or floor area.
- b) Block B1 “Industrial & Port Zone” The Planning Scheme provides for 50,000 sq.m of commercial floor space on B1 lands to the north of South Bank Road in the long term in addition to the 80,000 and 100,000 sq. m of new commercial office/enterprise space in a mix of office types and scales, incorporating flexible building formats and adaptable to a range of uses including incubator spaces, enterprise, media and port/international shipping offices, and hotel uses. The Planning Scheme does not include an indicative quantum for the port/industrial uses on Blocks B1 and B2 (Section 11.3 “Land Use Distribution” page 80). Page 132 of the Planning Scheme provides flexibility in terms of the provision of commercial floor space. It states *“The northern side of South Bank Road may also be developed for commercial purposes”* (emphasis added).
- c) Block B2 area “Mixed Use – Commercial, Creative Industries, Industrial (including Port Related Activities)” - The Planning Scheme does not include an indicative floor space quantum for the port/industrial uses on the B2 phased lands (Section 11.3 “Land Use Distribution”). Section 11.4.4 “Port Park” of the Planning Scheme states that the *“location and size of this area is flexible, though it shall have a minimum size of 1.9 ha, and may be varied over time to meet future infrastructural needs”*.

DCC is confident that, having considered the extent of the proposed amendments it does not represent a significant change in volume of permitted development to the Planning Scheme and will have minimal impact on the overall total scale, quantum and density of development to be delivered. In addition, the amendments proposed provide for permanent land uses in place of temporary provisions, hence ensuring greater clarity into the future.

By ensuring that the proposed amendments retain the flexibility to adjust the mix and distribution of uses while maintaining the overall quantum within the prescribed range, the changes do not significantly increase or decrease the overall floor area or density. The careful consideration of land uses, combined with the ongoing review process, helps manage the balance between residential, commercial, and industrial needs in a way that aligns with the Planning Scheme's objectives.

Therefore, concerning Section 170A, of the Act it is considered that the proposed amendments would not significantly increase or decrease the overall floor area or density of the proposed development.

IMPACT ON AMENITY

Section 170A, subsection 3(b)(iv) of the Act, requires that the amendments to the Planning Scheme concerned *“would not adversely affect or diminish the amenity of the area that is the subject of the proposed amendment”*.

The clarity provided by the removal of the DEB from the Planning Scheme will reduce the potential negative environmental impacts associated with the provision of a major new dual carriageway/motorway in terms of increased noise pollution, disruption to ecosystems, or encroachment on areas of existing and/or potential green infrastructure. In socio-economic terms, the omission of the DEB also addresses local communities and businesses' concerns concerning quality of life; and avoids the risk of development blight through continuing with a reservation corridor for a project that will not be implemented.

Therefore, concerning Section 170A, of the Act, it is considered that the proposed amendments would not adversely affect or diminish the overall amenity of the area.

PORT PARK & INFRASTRUCTURE

Figure 8.1 “SDZ Open Space in Context” (page 57) of the Planning Scheme designates an area for the Port Park (“Development Infrastructure/ Park Area”) *“pending the delivery of a bypass & associated infrastructure (Long Term)”*. The Planning Scheme states that due to the Port Park area being located in the DEB reservation corridor; it is not suitable for any type of permanent development. Under the amendments proposed here a substantial permanent park can now be delivered for the benefit of the community. Furthermore Section 11.4.4 “Port Park” of the Planning Scheme states that the *“location and size of this area (i.e. Port Park) is flexible, though it shall have a minimum size of 1.9 ha, and may be varied over time to meet future infrastructural needs”*.

The provision of the Port Park will provide a substantial green space for outdoor activities such as walking, jogging, picnicking, and sports, and make available space to accommodate necessary public infrastructure (district heating, pumping stations etc.) that will support the delivery of the overall Scheme. The park increases the opportunities for residents and visitors to engage in healthy, outdoor recreation and will provide

additional facilities to allow local clubs expand. It also represents an improvement to the accessibility of the area, with the park being provided as part of the Planning Scheme's movement network which includes a planned promenade, coastal route, and neighbourhood square/ green. The proposed Port Park will also contribute to the environmental sustainability of the area by providing habitats for local wildlife, improving air quality, and aiding in temperature regulation through the cooling effects of vegetation, thus contributing to a healthier living environment. Furthermore, a permanent Port Park as proposed would significantly enhance the visual appeal of the area offering scenic views and a pleasant environment, making the neighbourhood more attractive.

Therefore, concerning Section 170A, of the Act it is considered that the proposed amendments would not impact the vision for the SDZ as it now provides for the long term the retention of proposed local amenities and provides the permanent space for key public infrastructure to protect the environment, and key public services for existing and future residents.

B2 AREA

Section 9.4 "Sequencing of Development" of the Planning Scheme (page 68) states *"For Block B2, this site is proposed for unitised cargo storage in the long term, with a commercial element on the western boundary facing onto the buffer park zone, which could consist of hotel, office or other commercial and/or leisure and limited retail/café type uses"*. The purpose of this commercial elements is to *"provide a transition between the new residential area and the cargo storage area"* (page 68) to protect the amenities of the sensitive uses to the west of Port Park.

Section 11.3.5 "Port/Industrial Compatible Uses" of the Planning Scheme (page 80) states Blocks B1 & B2 *"shall be used only for temporary port facilities, port-related buildings, existing uses and container storage until resolution of the Eastern Bypass route corridor. Following resolution of details of the route corridor the Planning Scheme shall be amended to allow for the development of the remainder of the B1 and B2 lands, following a more detailed consideration of appropriate urban form and long-term land use"*.

Current planning policy no longer supports the delivery of the DEB. This resolution changes the context under which the original detailed planning for Blocks B1 and B2 was considered necessary. Without the uncertainty of the DEB, the focus can shift to immediate and practical uses that align with DPC's current infrastructure and logistic needs.

The Phasing Table for lands at B1 and B2 (page 68) indicates 3 phasing periods: 1) Short Term; 2) Medium Term; and 3) Long Term. The provision of the Port Park is included as an infrastructural requirement of the Short Term phase. The Long Term phase takes a flexible approach to the provision of *"Commercial uses on boundary areas where practical and significant intensification of use of SDZ lands for port and related activities"*. The Planning Scheme also states, *"This (Long Term) phase will not be considered necessary if there is a change in policy*

regarding the Eastern Bypass or a change in location so that the lands in question are no longer reserved". As outlined above, the DEB is no longer supported by planning policy. The expectation is that commercial uses on Block B2's eastern boundary can now be provided in the medium or longer term stages of the Planning Scheme's implementation.

The Planning Scheme already allows for flexibility in the timing and necessity of providing commercial elements on the western boundary of Block B2. Given that the long-term need for these commercial uses was linked to the delivery of the DEB, the omission of DEB and the replacement with the completion of SPAR in the phasing table is considered an appropriate response.

Therefore, concerning Section 170A of the Act, it is considered that the proposed amendments would not significantly impact on the scale of future development in B2 area of the Scheme and the proposed amendments would not adversely affect or diminish the amenity of the area that is the subject of the proposed amendments.

5. CONCLUSION

The proposed amendments serve the purpose of updating the Planning Scheme regarding the Development Plan, whilst simultaneously addressing the need for suitable zoning for important utility infrastructure and providing for the Port park on a permanent basis to serve this growing area.

In submitting this proposal, DCC, as the Planning Authority and Development Agency for Poolbeg West SDZ, firmly believe that the proposed amendments, as outlined in this report **do not** represent a material change to the Planning Scheme and satisfy the criteria, as set out in Section 170A (3)(b) of the Planning and Development Act 2000 (as amended). The proposed amendments are set out to provide clarification in the implementation of the Planning Scheme and to update and align the Planning Scheme with national policy.

The proposed amendments, as set out in this report, will contribute to the successful implementation of the Planning Scheme and will not undermine the policies and objectives of the SDZ. DCC is committed to working with DPC and the other key landowners and stakeholders to ensure the successful implementation of the Planning Scheme.

Deirdre Scully,

City Planning Officer.

APPENDIX 1: PROPOSED AMENDMENTS TO THE PLANNING SCHEME

GUIDE TO READING PROPOSED AMENDMENTS

A summary of the proposed Planning Scheme amendments is set out below. For changes proposed to the Planning Scheme text, the following notation will be used throughout:

- Existing text in the Planning Scheme is shown *in italics*.
- Text recommended for deletion is shown in ~~**strikethrough, bold font red and italics.**~~
- Text being added is in ***blue, bold font and italics.***

Note that these proposed Planning Scheme amendments will be supplemented by other minor edits and changes that may be necessary in the text to re-align numbering etc. and ensure legibility.

AMENDMENT REF NO 1	
Section Ref.	Planning Scheme Page Ref
List of Figures; Figure 6.3 South Port Access/Eastern Bypass Corridor	2

~~Figure 6.3 South Port Access/Eastern Bypass Corridor~~

It is to be replaced with the following text:

Figure 6.3 Indicative Alignment of the Southern Port Access Route (SPAR)

AMENDMENT REF NO 2	
Section Ref.	Planning Scheme Page Ref
Section 5.4 'The Way Forward'	33/34

“In relation to the volume of office-type development within the Planning Scheme, an analysis of the size and depth of blocks required to act as an adequate buffer between South Bank Road and the residential area, the scale of office development appropriate is in the range of 80,000-100,000 sq. m (based on an 80-85/15-20 split). In the long term, the possibility of adding 30,000-50,000 sq. m north of South Bank Road on the lands framing the road could be accommodated where the space is available, taking into account the final layout of the ~~Eastern Bypass~~-Southern Port Access Route. This additional commercial space will aid the framing of South Bank Road to create a more attractive urban environment and increase the buffer where there is a possibility of increased noise from the road or intensified port activity. It should be noted that all of the above floorspace caps refer to net and not gross retail floorspace as defined in this Planning Scheme”.

AMENDMENT REF NO 3	
Section Ref.	Planning Scheme Page Ref
Objective EC1	35

“To provide for between 80,000 and 100, 000 sq. m of new commercial office/enterprise space in the Planning Scheme, in a mix of office types and scales, incorporating flexible building formats and adaptable to range of uses including incubator spaces, enterprise, media and port/international shipping offices and hotel uses. Up to 50, 000 sq. m of commercial is also provided for north of South Bank Road in the long term, ~~when the final routing of the Eastern Bypass is finalised,~~ to allow for a more urban character to South Bank Road”.

AMENDMENT REF NO 4	
Section Ref.	Planning Scheme Page Ref
Section 6.2 "Challenges"	37

~~*"The Eastern Bypass 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 (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 land uses within the SDZ; however, it should not impact 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".*~~

To be replaced with the following text:

"The NTA Strategy for the Greater Dublin Area 2022-42 refers to the need for a road link between the Dublin Tunnel and the South Port area. Under Measure ROAD5 – Southern Port Route, it states "A new public road which links from the national road network at the Dublin Tunnel to serve the south port lands and adjoining areas will be delivered". An indicative route for this SPAR route is shown in Map J of the City Development Plan 2022-2028 and this needs to be taken into consideration in plans for developing the area. It should not however impact on lands to the south of South Bank Road".

AMENDMENT REF NO 5	
Section Ref.	Planning Scheme Page Ref
Section 6.5 "Road Network"	40

"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 Bypass corridor and is similarly protected for the future by 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 Sean 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 Sean Moore Road/South Bank Road".

AMENDMENT REF NO 6	
Section Ref.	Planning Scheme Page Ref
Figure 6.3 “South Port Access/Eastern Bypass Corridor”	40

Figure 6.3 “South Port Access/Eastern Bypass Corridor” (page 40) of the Planning Scheme below, which shows the SPAR/DEB corridor reservation, is to be omitted.

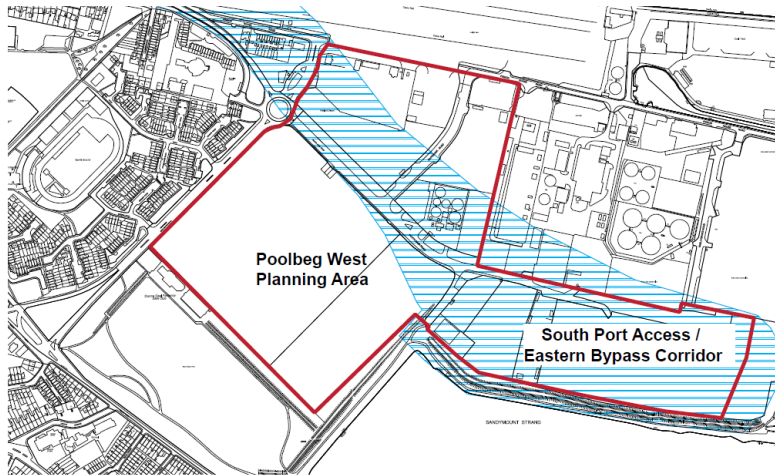


Figure 6.3 South Port Access/Eastern Bypass Corridor

Figure 6.3 to be replaced with a graphic illustrating the indicative alignment for the SPAR corridor as indicated in the Development Plan Map J (see below).



Development Plan Map J

AMENDMENT REF NO 7	
Section Ref.	Planning Scheme Page Ref
Planning Scheme Movement Objective MV4	45

“To protect the route of the proposed Southern Port Access Route ~~and Eastern Bypass~~ per the objectives of Transport Infrastructure Ireland and the National Transport Authority Strategy for the Greater Dublin Area ~~2016-2035-2022-2042~~. As an interim measure, it is proposed to provide a separate road access to the south port area via a new link located north of the existing Sean Moore Roundabout”.

AMENDMENT REF NO 8	
Section Ref.	Planning Scheme Page Ref
<u>Section 8.4.2.3 "Port Park"</u>	57

"This area of green space is located to the east of the housing area and creates an important buffer area separating the housing from port related uses to the east. Because of this, the park will, particularly in the shorter term, need to include screening elements to create an attractive prospect and to mitigate possible noise from port or other industrial related activities. ~~In the long term, these lands form part of the Eastern Bypass reservation corridor and as a result, are not suitable for any type of permanent development. As the bypass corridor relates to a long-term project, as indicated in the NTA Greater Dublin Area Transport Strategy, these lands will be available for park and recreational uses for a short to medium-term period.~~ It is proposed that this park area, as well as providing screening and buffering, also provides a locally important amenity. The park will differ from the previous two spaces in that it will have a more sport and active leisure oriented role. Details of specific uses for the space will be agreed with Dublin City Council, taking into account local needs and aspirations, with a focus on supporting local initiatives and clubs that encourage community engagement and activity".

AMENDMENT REF NO 9	
Section Ref.	Planning Scheme Page Ref
Section 9.2 "Challenges"	63

"The dual role of the SDZ presents a number of challenges in achieving a successful, sustainable and quality new environment. Poolbeg peninsula has a unique role within the city, containing a range of large-scale, semi-industrial utilities and uses, including power generation, shipping, wastewater treatment and waste management. These uses are predominantly 24hr in nature and generally are not suitable uses to be located in direct proximity to residential uses. In response to this challenge, the land use and phasing approach taken has been driven by the environmental information and outputs from the Strategic Environmental Assessment process. Also shaping and impacting directly on land use decisions is the impact of ~~impact of key transport reservation corridors, namely the Southern Port Access Route and the Eastern Bypass reservation corridor~~ the South Port Access Route, which ~~have~~ has a direct impact on two major sites within the SDZ".

AMENDMENT REF NO 10	
Section Ref.	Planning Scheme Page Ref
Figure 9.1 “Land Uses”	64

The Planning Scheme Figure 9.1 “Land Uses” (page 64) sets out the proposed spatial distribution of uses.

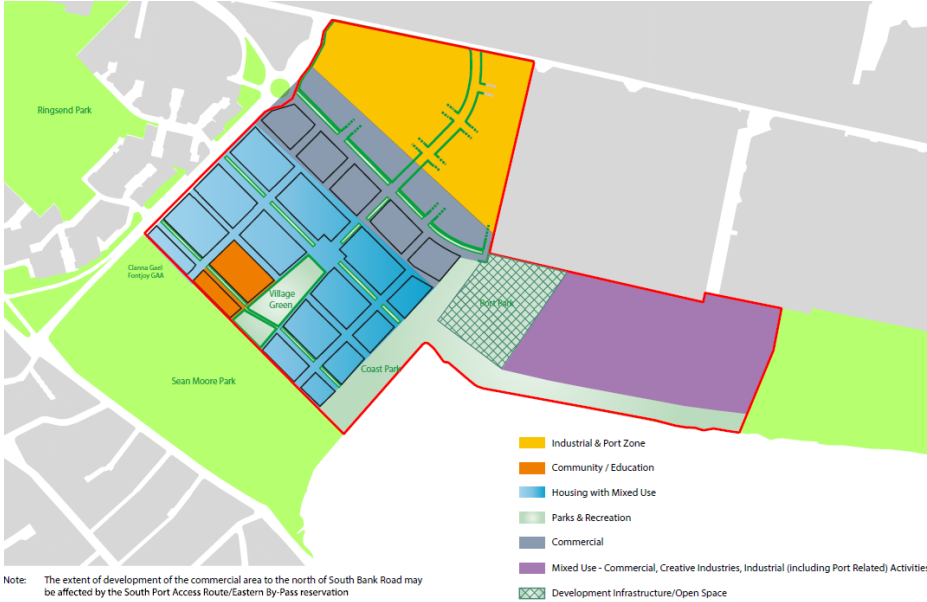
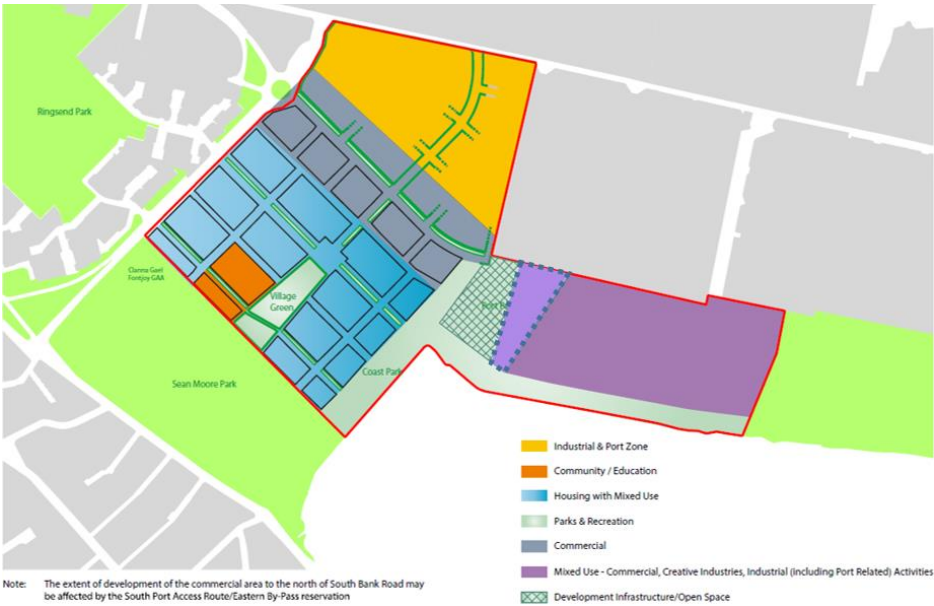


Figure 9.1 Land Uses

It is proposed that Planning Scheme Figure 9.1 “Land Uses” is amended to include a purple area delineated by a dotted line expanding the existing mixed-use zoning area immediately to the east (see graphic below). The existing zoning “Mixed-use – Commercial, Creative Industries, and Industrial (Including Port related) activities” will remain applicable for the expanded area.



AMENDMENT REF NO 11	
Section Ref.	Planning Scheme Page Ref
Section 9.3 "Approach Taken"	64

"The port and industrial areas are located on and adjacent to existing lands currently used for such purposes. This area also contains ~~the two key corridor reservations,~~ the South Port Access Route reservation, which restricts the scale and options for land use within the ~~corridors~~ corridor. The locations with this land use provide the capacity needed for Dublin Port to continue to operate as the leading port for the State and to make best use of the existing and future port infrastructure in an efficient and sustainable manner".

AMENDMENT REF NO 12	
Section Ref.	Planning Scheme Page Ref
Section 9.3 "Approach Taken"	65

"This use is separately identified and included in the SDZ for two reasons: (i) to provide a physical buffer zone between the port-related activity and the housing and housing/mixed-use areas; and (ii) to provide a viable location within the SDZ for employment uses which will provide opportunities for those living in or near the SDZ with a local employment location, reducing commuting needs and providing activity to the area through the day, boosting local services. A corridor of future commercial development, including hotel uses, along the north of South Bank Road is a longer-term development option, and dependent in relation to its location and extent on the final alignment of the Southern Port Access Route ~~and the Eastern Bypass.~~"

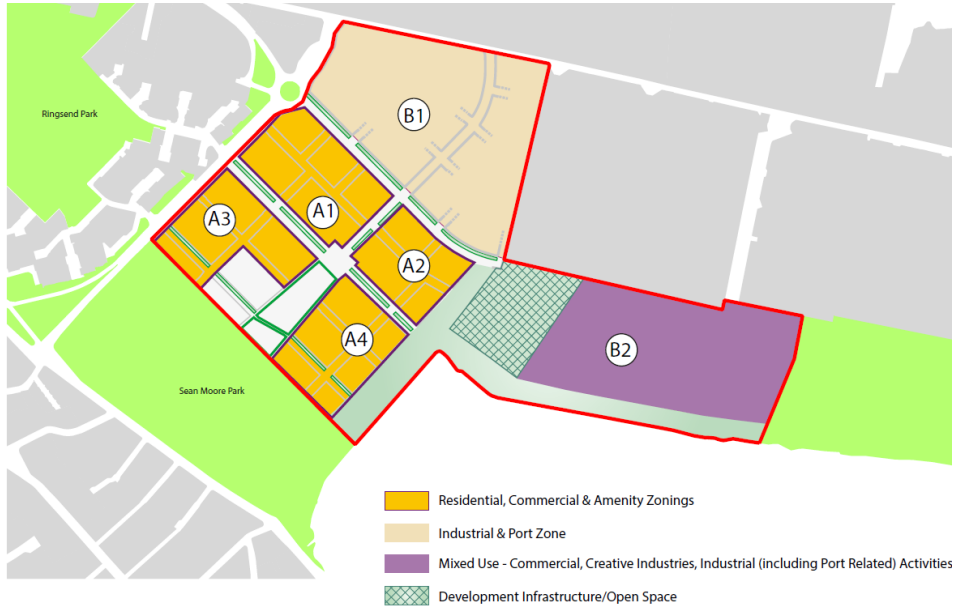
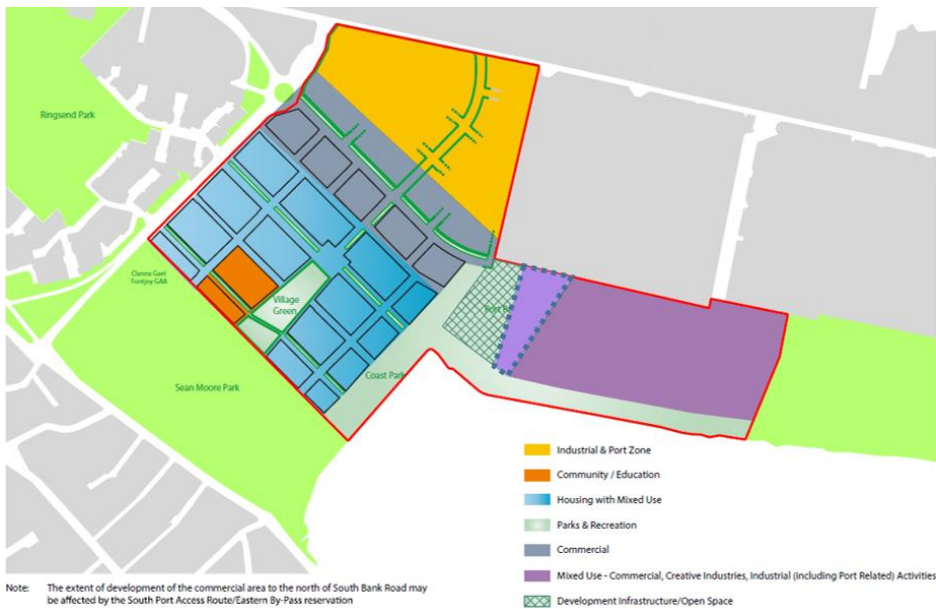


Figure 9.2 Phasing Areas

Planning Scheme Figure 9.2 "Phasing Area" (page 66) above is to be replaced with a revised graphic shown below, with the new utility area illustrated with the blue dotted outline. Figure 9.2 legend will be amended to include a reference to an area designated "Utility area/industrial".



Note: The extent of development of the commercial area to the north of South Bank Road may be affected by the South Port Access Route/Eastern By-Pass reservation

AMENDMENT REF NO 14	
Section Ref.	Planning Scheme Page Ref
Section 9.4 "Sequencing of Development"	68

"Phasing Area B: Industrial & Port Zone The lands in this industrial and port area of the SDZ consist of two blocks, B1 and B2. For Block B1, the lands will continue to be used for port and port-related activity, with a smaller portion used for utilities. Part of this site ~~is affected by the transport corridor reservation, including the area allocated commercial on the southern boundary that~~ may be required for the South Port Access Route, hence influencing future layout.

For the main part of Block B1, it is proposed to move the existing LoLo ('Load-on Load-off') container terminal further east outside the SDZ and replacing it with a Ro-Ro ('Roll-on Roll-off') facility. This will result in an improvement in the amenity of both existing and new residential communities. New commercial buildings are proposed to form the northern edge to South Bank Road. This development could include hotels and uses associated with the growing cruise tourism facility at the port. Such a development would create an appropriate transition and buffer between the residential areas to the south and the Ro-Ro port activities to the north.

For Block B2, this site is proposed for unitised cargo storage in the long term, with a commercial element on the western boundary facing onto the buffer park zone, which could consist of hotel, office or other commercial and/or leisure and limited retail/café type uses. ~~This zone is directly impacted by the transport corridor reservation and will be reviewed following resolution of the reservation. Meanwhile, the area is proposed as~~ a new public park ~~to~~ will act as provide a transition between the new residential area and the cargo storage area. Block B2 will be served by a reopened new link extending northwards to Pigeon House Road (outside the SDZ) and not westwards to South Bank Road".

AMENDMENT REF NO 15	
Section Ref.	Planning Scheme Page Ref
Section 9.4 "Sequencing of Development"	68

The Phasing Table in Section 9.4 "Sequencing of Development"

Phase	Infrastructural Requirements	Responsible stakeholder
<i>Long Term*: Commercial uses on boundary areas where practical and significant intensification of use of SDZ lands for port and related activities.</i>	1. Completion of Eastern Bypass <i>Completion of SPAR route.</i>	TII

The Phasing Table footnote is to be deleted: ~~**This phase will not be considered necessary if there is a change in policy regarding the Eastern Bypass or a change in location so that the lands in question are no longer reserved.*~~

AMENDMENT REF NO 16	
Section Ref.	Planning Scheme Page Ref
Section 11.3.5. "Port/Industrial Compatible Uses"	80

Section 11.3.5. "Port/Industrial Compatible Uses" (page 80)

"11.3.5 Port/Industrial Compatible Uses

~~Areas B1 and B2 shall be used only for temporary port facilities, port-related buildings, existing uses and container storage until resolution of the Eastern Bypass route corridor. Following resolution of details of the route corridor the Planning Scheme shall be amended to allow for the development of the remainder of the B1 and B2 lands, following a more detailed consideration of appropriate urban form and long-term land use. Development in B1 and B2 lands shall have a height limit of 28m (other than ancillary port structures such as chimneys, cranes and storage tanks).~~

It is to be replaced with the following text:

"Areas B1 and B2 shall be used for port facilities, port-related buildings, existing uses, utilities and container storage. Development in Blocks B1 and B2 shall have a height limit of 28m (other than ancillary port structures such as chimneys, cranes and storage tanks)".

AMENDMENT REF NO 17	
Section Ref.	Planning Scheme Page Ref
Section 11.4.4 "Port Park"	82

"A large area of open space is to be created as a buffer between port/industrial activities and more sensitive uses to the east (as per figure 11.6). ~~This area will function as a long-term 'road reserve' for the Eastern Bypass should it be constructed in the future, whilst in the short and medium term it~~ This area shall be used as a sport and leisure park, with the potential to include a multi-functional all-weather playing facility. The location and size of this area are flexible, though it shall have a minimum size of approx. 1.9 ha, and may be varied over time to meet future infrastructural needs".

APPENDIX 2: ENVIRONMENTAL ASSESSMENTS CONCLUSIONS

Appropriate Assessment under: The Planning and Development Act 2000 (as amended); For the Proposed Amendments to the Poolbeg West Planning Scheme

An Appropriate Assessment (AA) conclusion has been made by the Dublin City Council regarding the proposed amendments to the Poolbeg West Planning Scheme.

In carrying out this Appropriate Assessment, the Council is taking into account the relevant matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including:

- Existing Poolbeg West Planning Scheme (and associated NIR and SEA reports);
- The Strategic Environmental Screening Report on Proposed Amendments; and
- The Screening Statement for the Proposed Amendments of the Poolbeg West Planning Scheme.

It is determined that the risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of all European Sites have been addressed by the inclusion of achievable mitigation measures within the existing Poolbeg West Planning Scheme with which the proposed amendments must comply. These prioritise avoiding effects in the first place and will reliably mitigate these effects where they cannot be avoided. In addition, any lower-level plans and projects arising through the implementation of the plan will themselves be subject to relevant stages of Appropriate Assessment when further details of design and works are known.

Having considered these existing mitigation commitments; it is concluded that the proposed amendments to the Poolbeg West Planning Scheme are not foreseen to have any likely significant effects on the ecological integrity of any European Site.

Strategic Environmental Assessment (SEA) Screening under: The Planning and Development Act 2000 as amended for Proposed Amendments to the Poolbeg West Planning Scheme

A Strategic Environmental Assessment (SEA) conclusion has been made by the Dublin City Council regarding proposed amendments to the Poolbeg West Planning Scheme.

Taking into account the measures that have already been integrated into the Planning Scheme which contribute towards environmental protection, environmental management and sustainable development, it is identified that all potential adverse effects arising from proposed changes are either present already and will be further contributed towards or will be mitigated so as not to be significant (residual adverse); or are potentially adverse and would be mitigated by the measures integrated into the planning scheme or the Dublin City Development Plan 2022-2028 so as not to be significant. The proposed changes do not change the selected scenario for the planning scheme that emerged from the planning scheme/SEA preparation process. Therefore, it is concluded that SEA is not required for the proposed amendments.

An SEA screening report on the proposed amendments has been prepared which accompanies this document and has informed this conclusion. The screening report has also been informed by the SEA Environmental Report and the Poolbeg West Planning Scheme.

Strategic Flood Risk for Proposed Amendments to the Poolbeg West Planning Scheme

The Planning System and Flood Risk Management: Guidelines for Planning Authorities (2009) provides a framework for assessing flood risk in the planning process, including the sequential approach and justification test. The approved Planning Scheme was informed by Strategic Flood Risk Assessment (SFRA).

DCC has concluded that the proposed changes are non-material and as outlined in its report to An Bord, will not result in any changes to the land uses envisaged on the lands impacted by the removal of the DEB objective. Therefore, it is not considered that the proposed changes to the Planning Scheme require a justification test. DCC has also considered these changes and screened for SEA and AA as outlined, concluding that the implementation of the proposed amendments are not likely to have significant effects on the environment.

APPENDIX 3: PLANNING HISTORY

PWSDZ3270/19

Former Irish Glass Bottle & Fabrizia Sites-Permission granted on 28th January 2020 (10-year permission) for the following: streets, transportation, water services and utility infrastructure; public realm and public amenity spaces; and, temporary landscaping of a school site, to facilitate Phase 1 development as provided for under the approved Poolbeg West SDZ Planning Scheme.

REG. REF. 2804/19

Corner of Southbank Road and Pigeon House Road- Permission was granted on 18th July 2019 for the construction of a new molasses storage tank within the existing bund at the existing molasses storage terminal.

REG. REF. 2482/19

South Bank Road, Irishtown- Permission was granted on 13th June 2019 for the continuation of use of an existing concrete batching plant and associated facilities (previously granted under File Ref. No. 1420/04 & ABP Ref. No. PL29S.207144 and File Ref. No. 2209/13 & ABP Ref. No. PL29S.241965), along with the retention permission for an existing concrete reclaiming all for a temporary period of five years.

REG. REF. 3748/20

At the MTL Terminal on Pigeon House Road, Dublin Port, D2 and an area to the south of Terminal 5, adjacent to Berth 53, Alexandra Road Extension- Permission was granted on 3rd March 2021 for demolition and removal of ramp no. 3 and its support structure and all associated ancillary site work.

PWSDZ3207/21

Permission was granted on 24th March 2022 for a mixed-use development on a site of 15.3 hectares (including some 0.2 hectares of public domain on Sean Moore Road and the junction with Pine Road), focused primarily, but not exclusively, on a net site area of 2.4 hectares (identified as within the A3 Lands).

PWSDZ4121/21

Permission was approved on 29th June 2022 for amendments to the Parent Permission and retention permission for the removal of two sections of tree cover cumulatively consisting of some 100 No. trees.

PWSDZ3406/22

Former Irish Glass Bottle & Fabrizia Sites- Permission granted on 8th February 2023 for a mixed-use development, referred to as Phase 1 B, Block L. for 324 no. apartments and 1 no. retail space.

PWSDZ4058/22

Former Irish Glass Bottle & Fabrizia Sites- Permission was refused on 26th May 2023 for a residential and mixed-use scheme comprising 2 No. blocks (identified as Block D and E) to provide: 516 No. apartment units and

associated residential amenity facilities; a childcare facility; 5 no. café restaurant units; 2 no. Retail Services; 14 no. Retail Units; 1 no. Foodhall, 1 no. Health Facility; basement car parking; together with associated infrastructural works on the overall site.

PWSDZ3469/22

South Bank Road, Irishtown- Permission was granted on 29th April 2022 for the continuation of use of an existing concrete batching plant and associated facilities for a temporary period of five years at South Bank Road, Irishtown, Dublin 4.

PWSDZ4543/22

Former Irish Glass Bottle & Fabrizia Sites- Permission was refused on 16th September 2022 for temporary permission to amend the cultural hub ('meanwhile uses') element of the Phase 1 permission to facilitate the construction of an 'expanded meanwhile uses' facility.

PWSDZ4380/22

Former Irish Glass Bottle & Fabrizia Sites- Permission refused on 8th June 2023 for an office and mixed-use scheme (Referred to as Phase A Commercial).

PWSDZ3074/23

Adjacent to the Dublin Bay Power Generating Station, Pigeon House Road- Permission was granted on 13th February 2024 for 1. Demolition of two storage buildings and demolition of four oil tanks within the bounded area of the NORA Ringsend oil farm 2. Construction/installation of an Open Cycle Gas Turbine (OCGT) generating unit and associated plant and equipment.

PWSDZ3908/23

Corner of South Bank Road and Whitebank Road- Permission was granted on 23rd January 2024 for 6 no. additional liquid storage tanks, a loading gantry, 2 x 200mm fixed pipelines to extend from the subject site to the Liffey/port quayside and a new pipe bridge crossing the Pigeon House Road at ED&F Man Liquid Products Ireland Limited.

PWSDZ4543/23

Permission refused for expansion of previously permitted 'meanwhile uses'.

PWSDZ4276/23

Irish Glass Bottle & Fabrizia Sites- Permission was granted on 15th December 2023 for modifications to Block O including changes to façade material, partial reconfiguration of the basement and alteration to the permitted entrance.

PWSDZ4341/23

Former Irish Glass Bottle & Fabrizia Sites- Permission granted on 13th October 2023 for modifications to Block L floor layout and elevation changes to address fire safety requirements.

PWSDZ3468/24

A planning application was granted on the 22nd of May 2024 for modifications to a permitted mixed-use development (referred to as Phase 1) located in the A3 Lands in the Poolbeg West Strategic Development Zone (SDZ) Planning Scheme (April 2019). The proposed modifications also include a change of use of the Block M ground floor level bins store, fronting the Coastal Link, from a bins store to a management suite to accommodate the Scheme's management team.

PWSDZ3062/24

A Planning application was lodged on 19th Jan 2024 for the construction of a 6-storey structure to accommodate a multi-functional Community Hub and an Innovation Hub (referred to as Block P, accommodating community, innovation (office), leisure, cultural, artistic, café, educational and library uses) on a site of 15.06 hectares (identified as 'Glass Bottle') including lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4. Additional Information was requested on 13th March 2024. Decision pending.