

DUBLIN CITY COUNCIL

APPLICATION TO

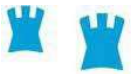
AN BORD PLEANÁLA

TO AMEND

POOLBEG WEST PLANNING SCHEME 2019

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

04 JUNE 2025



Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

1.	INTRODUCTION.....	1
2.	BACKGROUND & CONTEXT	1
2.1.	LOCATION.....	1
2.2.	HISTORY.....	2
2.3.	REVIEW OF DEVELOPMENT.....	2
3.	JUSTIFICATION OF PROPOSED AMENDMENTS	4
3.4	POLICY	4
3.4.1	DEVELOPMENT PLAN	4
4.	COMPLIANCE WITH SECTION 170A OF THE ACT.....	5
4.2	LEGISLATION	5
4.3	SUMMARY OF AMENDMENT	5
4.4	PLANNING SCHEME OBJECTIVES.....	5
4.4.1	EXISTING DEVELOPMENT.....	5
4.4.2	IMPACT ON FLOOR AREA & DENSITY	6
4.4.3	IMPACT ON AMENITY.....	6
5.	CONCLUSION.....	6
	APPENDIX 1: PROPOSED AMENDMENTS TO THE PLANNING SCHEME	8
	APPENDIX 2: ENVIRONMENTAL ASSESSMENTS DETERMINATIONS	10
	APPENDIX 3: PLANNING HISTORY.....	12

1. INTRODUCTION

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 (An Bord), 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 delivery of specific transport infrastructure has not proceeded as quickly as envisaged. The Planning Scheme requires specific transport infrastructure projects to have contracts signed or under construction before granting permissions for development on Phase 2 of the Residential, Commercial and Amenity (Blocks A1 to A4) lands. The specific transport infrastructure projects are:

- i) The replacement of Sean Moore Roundabout;
- ii) The upgrade of Sean Moore Road;
- iii) The construction and operation of the Dodder Bridge; and
- iv) The commissioning of pedestrian and cycle facilities on the Tom Clarke (East-Link) Bridge.

To date, the replacement Sean Moore Roundabout and upgrade of Sean Moore Road have not been completed, the Dodder Bridge has not proceeded to construction and the new pedestrian & cycle facilities at Tom Clarke Bridge have not been commissioned.

To prevent delays in facilitating the construction of much-needed housing in the Poolbeg SDZ area, it is intended to amend the Planning Scheme to allow for the construction of Phase 2 of the Residential, Commercial and Amenity lands to proceed in advance of the specific transport infrastructure projects provided that no residential units or commercial floor space are occupied until the aforementioned projects are delivered as per the phasing table. In essence, the purpose of the proposed amendment is to facilitate the timely delivery of residential and commercial development whilst also ensuring that there is adequate transport infrastructure in place before the occupation of residential units or commercial floor space.

2. BACKGROUND & CONTEXT

2.1. 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.

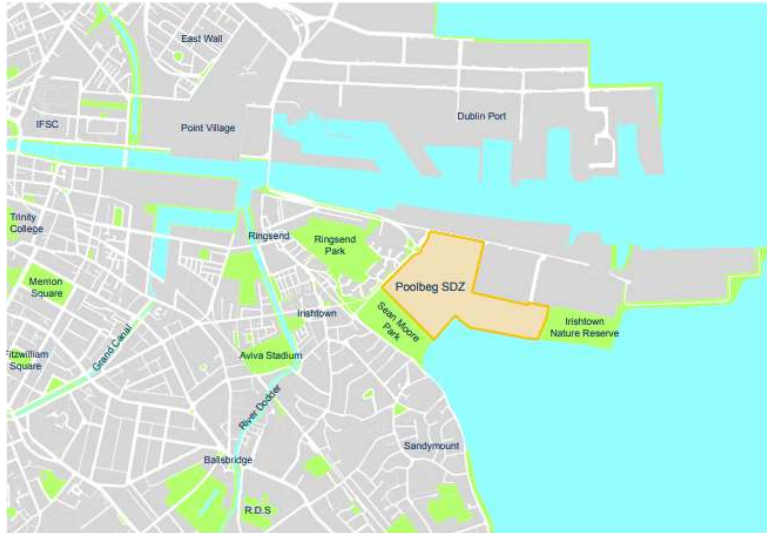


Figure 1.2 Local Context

2.2. 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. In 2019 An Bord approved the Planning Scheme. The urban regeneration of the SDZ is being implemented in accordance with the Planning Scheme objectives.

To date, the Planning Scheme has been amended once. On 31st January 2025, An Bord approved the amendment to the Planning Scheme which removed reference to the Dublin Eastern Bypass in alignment with revised Government Policy.

2.3. REVIEW OF DEVELOPMENT

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

Under file ref. PWSZ3270/19 planning permission was granted for enabling works relating to areas A1-A4 and the adjoining coastal strip (see Figure 9.2 “Phasing Area” below).

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 Planning History). In 2024, under file ref. PWSZ3062/24, 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 granted permission. The proposed amendments to the Planning Scheme do not have any implications for extant permissions.

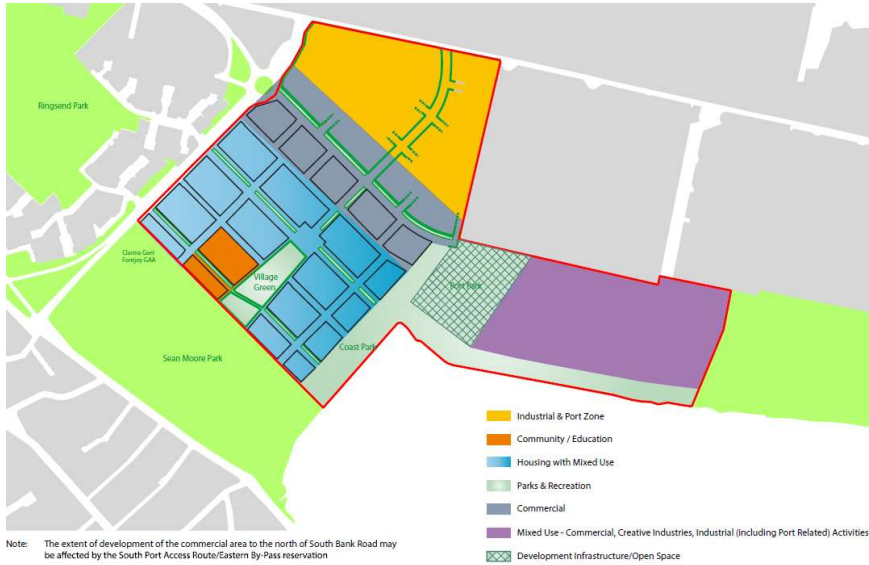


Figure 9.1 Land Uses

The Dublin Port Company (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”. These lands are not the subject of this proposed amendment. The DPC continues to operate the port and related functions within the B1 & B2 Blocks.

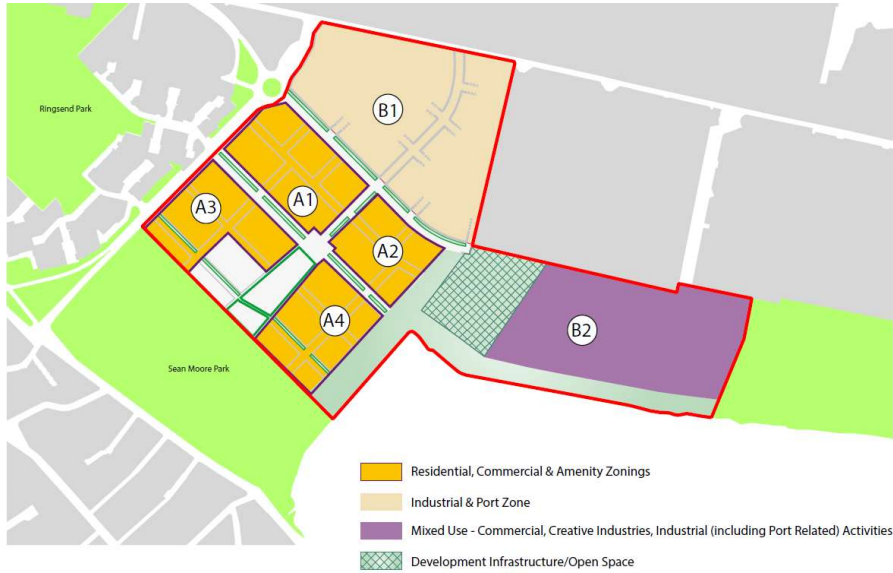


Figure 9.2 Phasing Areas

An application for planning consent for the 3FM Project has been lodged with An Bord Pleanala on 23rd July 2024 under Strategic Infrastructure legislation (An Bord Pleanala reference PA29N.320250). At time of writing, An Bord have not determined this application.

3. JUSTIFICATION OF PROPOSED AMENDMENTS

3.4 POLICY

Since the Planning Scheme adoption in 2019, the planning policy context of the area has been updated but not altered significantly.

3.4.1 DEVELOPMENT PLAN

The Dublin City Development Plan 2022-2028 (the Development Plan) supports the continued development of the Poolbeg West SDZ area, which is located within a Strategic Development and Regeneration Area, SDRA 6 Docklands. Table 13.1 of the Development Plan identifies the Dodder Bridge as a key piece of supporting infrastructure for the Docklands Strategic Development Regeneration Area 6¹.

¹ Strategic Development Regeneration Areas (SDRAs) are designated parts of the city identified as capable of delivering significant quantities of homes and employment.

Objective SMTO27 of the Development Plan identifies Road, Street and Bridge Schemes which it is intended to initiate and/or implement within its lifetime. The Roads and Streets section includes the Sean Moore Road Scheme. The Bridges Section includes the Dodder Public Transport Bridge and the Tom Clarke Bridge Scheme.

4. COMPLIANCE WITH SECTION 170A OF THE ACT

4.2 LEGISLATION

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 contended that the proposed amendments do not represent a material change to the Planning Scheme.

4.3 SUMMARY OF AMENDMENT

Please refer to Appendix 1 of this report for a summary of the proposed amendment to the Planning Scheme.

4.4 PLANNING SCHEME OBJECTIVES

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 granting of planning permission for housing units and commercial floor space on the remaining Phase 2 lands, along with the removal of the requirement for specific transport infrastructure projects before the occupation of these lands (which comprise two-thirds of the Residential, Commercial, and Amenity zonings) will not alter the scale, quantum, or layout of development permitted under the Planning Scheme.

Instead, this change will facilitate the timely processing of planning applications for Phase 2 lands, ensuring a steady supply of residential, commercial, and amenity developments within Phasing Area A.

Therefore, in relation to 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.

4.4.1 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, Phase 2 of Phasing Area A, has not already been developed because the phasing requires that granting of permissions for housing units and commercial developments on the lands is dependent on

specific transport infrastructure projects having construction contracts signed or under construction or where relevant incorporated into the applications.

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

4.4.2 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”*.

The proposed amendments to the Planning Scheme relate to the phasing of transport infrastructure and will not alter the floor area or density of proposed development in the area.

Therefore, in relation to 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.

4.4.3 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 proposed amendments do not change the location, scale or nature of any of the elements set down in the Planning Scheme. Rather, they relate to the delivery of transport infrastructure projects to facilitate the approved Planning Scheme before any residential units or commercial floorspace is occupied.

Therefore, in relation to Section 170A, of the Act, it is considered that the proposed amendments would not adversely affect or diminish the amenity of the area that is the subject of the proposed amendments.

5. CONCLUSION

In conclusion, the proposed amendments to the Planning Scheme do not provide for an increase or decrease in the overall floor area or density of development and will ensure that the Phase 2 lands of Phasing Area A are not constrained in their construction by the delay in the provision specific transport infrastructure projects. The proposed amendment supports the Planning Scheme’s objectives without compromising the amenity or intended development scale. It addresses the transportation needs for the much-needed development of residential, commercial and amenity uses in the Poolbeg West SDZ 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) and provide clarification in the implementation of the Planning Scheme.

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 all landowners to ensure the successful implementation of the Planning Scheme.

APPENDIX 1: PROPOSED AMENDMENTS TO THE PLANNING SCHEME

GUIDE TO READING PROPOSED AMENDMENTS

A summary of the proposed Planning Scheme amendment 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 ~~strike through and italics~~.
- The text being added is in *blue*.

Note that these proposed Planning Scheme amendments will be supplemented by other minor edits and changes that may be identified in the text throughout the document.

AMENDMENT REF NO 1	
Section Ref.	Planning Scheme Page Ref
Section 9.4 Sequencing of Development	67

Amendment of Table related to granting of permissions in Phase 2 and supporting infrastructural requirements. It is proposed to amend the introductory paragraph and infrastructure requirements as follows:

~~*Phase 2: Remaining Lands Granting of Permissions for housing units and commercial developments on remaining two-thirds of the lands is dependent on these projects having construction contracts signed or under construction or where relevant incorporated into the applications.*~~

~~*5. Dodder Bridge project under construction and operational before occupation of remaining lands*~~

It is to be replaced with the following text:

*Phase 2: **Occupation of** housing units and commercial developments on remaining two-thirds of the lands is dependent on these projects having construction contracts signed or under construction or where relevant incorporated into the applications.*

*5. Dodder Bridge project **operational.***

Rationale: Delays in the delivery of transport infrastructure have the potential to hamper the construction of much-needed residential and commercial floorspace in the Phase A lands of the Planning Scheme. The proposed amendment will facilitate the granting of permissions for residential and commercial floorspace and their construction before the delivery of the transport infrastructure but will also ensure that such residential units and floorspace cannot be occupied until the supporting transport infrastructure has been delivered.

APPENDIX 2: ENVIRONMENTAL ASSESSMENTS DETERMINATIONS

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 Appropriate Assessment 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 incorporated these 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 determined that SEA is not required for the proposed amendments.

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

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 reclaimer 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 bunded 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.

PWSDZ3461/24

Permission granted on 15th May 2024 for modifications Block K and Block M, for the installation of an air source heat pump plant on the roof of Block K (max height c. 0.83 m above roof parapet level), associated flue at the roof of Block M (max height c. c 0.63 m above roof parapet level), ancillary louvre screening, and all other associated and ancillary works

PWSDZ3468/24

Permission was granted on 22nd 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

Permission granted on 13th November 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.

PWSDZ 3700/24

Permission was granted on 5th July 2024 for a residential and mixed-use scheme comprising an above-ground gross floor area (GFA) of C. 48,648 sq.m., together with a basement/undercroft area of c. 10,654 sq.m., 5 no. Blocks (D1, D2, E1, E2, E2A) ranging in height between 6 and 7 storeys with 8-storey setback over basement/undercroft to provide 502 no. apartment units on lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4.

PWSDZ 3798/24

Permission granted on 18th October 2024 for the development of an office and mixed-use scheme. The proposed development will consist of an office and mixed-use scheme with a total GFA of 46,101 sq m (excl. basement / undercroft UC-02) comprising 2 No. blocks (identified as Blocks A and B) on lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4.

PA29N.320250

A current application is with An Bord Pleanála for the 3FM Project, consisting of a Southern Port Access Route and road network improvements, construction of a Lo-Lo container terminal, Ro-Ro freight terminal and other works.

PWSDZ 2247/24

Permission granted on 26th November 2024 for modifications to previously permitted mixed-use development at Blocks O, M and K on lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4.. Modifications include change of use of crèche and associated play space to enhanced entrance and amenity space, change of use of 3 no. 1 bed and 1 no. 2 bed apartment units from apartment units to executive suite; roof terrace modifications, landscaping materiality modifications; and roof level antenna installation. The proposed development will result in an overall apartment unit reduction of 6 No. apartments. The total number of units now permitted in these blocks are 564 no. permitted apartments

PWSDZ 2249/24

Permission was granted on 27th November 2024 for modifications to the ground floor and basement layout of Block L to provide for change of use of, inter alia, amenity space and apartment unit to creche facility and residential amenity space on lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4.

PWSDZ 2252/24

Permission was granted on 26th November 2024 for modifications to a permitted mixed-use development. The modifications relate to the omission of the Meanwhile Uses (MWU) 'Cultural Hub', permitted under Dublin City Council Planning Reference PWSDZ3207/21 (and amended through Planning Ref. PWSDZ4276/23, PWSDZ3461/24, and PWSDZ3468/24) and the extension of temporary hoarding along the Central Boulevard, and all associated works on lands known as the Former Irish Glass Bottle & Fabrizia Sites, Poolbeg West, Dublin 4.

PWSDZ 2596/24

Permission was granted on 30th January 2025 for modifications to Blocks D and E comprising of an additional storey within Blocks D1 and E1 permitted under Dublin City Council Planning Reference PWSDZ3700/24,

resulting in an overall increase in GFA of c. 3,595 sq m resulting in 40 No. additional units on lands known as the Former Irish Glass Bottle & Fabrizioia Sites, Poolbeg West, Dublin 4.

WEBPWSZ1571/25

Application received on 14th March 2025 for a 228-bed hotel, Block Q on lands known as the Former Irish Glass Bottle & Fabrizioia Sites, Poolbeg West, Dublin 4.