

BALLYMUN DRAFT LOCAL AREA PLAN 2017



MATERIAL ALTERATIONS

Planning & Property Development Department
Dublin City Council



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

1	INTRODUCTION	2
1.1	PROPOSED ALTERATIONS TO THE DRAFT BALLYMUN LOCAL AREA PLAN	3
2	HOW TO READ THIS DOCUMENT	4
3	HOW TO MAKE A SUBMISSION / OBSERVATION	5
4	PROPOSED AMENDMENTS TO DRAFT BALLYMUN LOCAL AREA PLAN	6
4.1	CHAPTER 5 LAP DEVELOPMENT STRATEGY	6
4.1.1	<i>Section 5.3 Economic Development & Employment of the Draft Plan.....</i>	<i>6</i>
4.1.2	<i>Section 5.4 Movement of the Draft Plan</i>	<i>7</i>
4.1.3	<i>Section 5.5 Urban Form & Design of the Draft Plan</i>	<i>8</i>
4.1.4	<i>Section 5.6 Housing and Tenure of the Draft Plan</i>	<i>8</i>
4.1.5	<i>Section 5.7 Social and Community Infrastructure Supports of the Draft Plan</i>	<i>8</i>
4.1.6	<i>Section 5.8 Sports, Recreation and Open Space of the Draft Plan</i>	<i>9</i>
4.1.7	<i>Insert new Section 5.11 into the Draft Plan.....</i>	<i>12</i>
4.2	CHAPTER 6 SITE BRIEFS	13
4.2.1	<i>Section 6.3 Neighbourhood Sites of the Draft Plan</i>	<i>13</i>
4.2.2	<i>Section 6.4 M50 Lands of the Draft Plan</i>	<i>15</i>
5	ENVIRONMENTAL ASSESSMENTS DETERMINATION	16
5.1	STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) SCREENING DETERMINATION UNDER THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED, FOR THE PROPOSED MATERIAL ALTERATIONS TO THE DRAFT BALLYMUN LOCAL AREA PLAN	16
5.2	APPROPRIATE ASSESSMENT DETERMINATION UNDER THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED, FOR THE PROPOSED MATERIAL ALTERATIONS TO THE DRAFT BALLYMUN LOCAL AREA PLAN	16

1 Introduction

The preparation of a Local Area Plan (LAP) for Ballymun is identified as an objective of the Dublin City Development Plan 2016-2022 (Table F). LAP's are a key mechanism to deliver the Core Strategy as set out in the Development Plan and are prioritised for areas subject to large scale development / redevelopment.

There are c. 33.44ha of undeveloped land available for mixed use commercial and residential development within the Ballymun LAP (including the mixed use shopping centre site and the Hampton Wood private development, c. 2.9ha, under construction), and an additional c. 24ha within the adjoining Ballymun M50 lands (i.e. outside the LAP boundary). This land is all serviced and predominantly under the ownership of Dublin City Council (c. 52ha) thus putting Ballymun in a unique position to take advantage of this current economic upturn and become a strong growth centre of the City. As such it is important to set out the future development context both to protect the significant investment made in the area to date and to guide the continued sustainable development of the area.

Work commenced in the final quarter of 2015 with the Issues Paper published on the 5th November 2015, receiving 29 no. public submissions, where were summarised in a report to the members (Report no. 105/2016) on the 4th April 2016. Extensive consultations took place locally with for example the Ballymun Civic Alliance, Innovate Dublin, the principal's school network, IDA, Comhairle na nÓg amongst others, in addition to the statutory bodies of the National Transport Authority, National Parks and Wildlife Service etc. In addition a detailed tenure diversity report was prepared, consultants were appointed to carry out an independent retail study and bat survey to further inform the plan.

The Draft LAP along with the Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessments (SFRA) were placed on display for public consultation for a 6 week period from the 5th April to the 17th May 2017. Public displays were erected for viewing at the City Council offices at Wood Quay, in the Civic Centre, Ballymun and online at www.dublincity.ie.

A series of staffed public consultation sessions were also organised to coincide with the public consultation period, where planners were available to answer questions from members of the public.

The Chief Executives Report (Report no. 199/2017) was prepared which summarised the submissions received (226 no.) and provided a response and recommendations to the issues raised during the public consultation period. Following circulation of the CE Report on submissions an information session was held for Members, which was followed by the submission of 58 no. motions. The Chief Executive Report on these Motions was circulated to members on 6th July 2017 (Report no. 254/2017).

At a Special City Council meeting held on the 11th July 2017, Dublin City Council, having considered the Draft Ballymun Local Area Plan 2017, and the Chief Executive Report Numbers 199/2017 and 254/2017, in accordance with Section 20 of the Planning and Development Act 2000 as amended, resolved to make, subject to variations and amendments as agreed at the meeting, the Draft Ballymun Local Area Plan subject to the making of a determination if a Strategic Environmental Assessment (SEA) or an Appropriate Assessment (AA) or both such assessments, as the case may be, is or are to be carried out as respects one or more than one proposed variation or amendment that would, if made be a material alteration of the Draft LAP.

1.1 Proposed Alterations to the Draft Ballymun Local Area Plan

A number of amendments agreed at the Special Council Meeting held on the 11th July 2017 constitute material alterations to the Draft Local Area Plan and as such require further public display period under Section 20 of the Planning and Development Act 2000, as amended.

This document, which is accompanied by environmental determinations prepared in accordance with Section 20 of the Planning and Development Act 2000, as amended, Strategic Environmental Assessment Directive (2001/42/EC), Article 14 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 and Article 6 of the Habitats Directive 92/43/EEC, details the proposed material alterations to the Draft LAP.

2 How to Read this Document

The proposed material alterations to the Draft Ballymun Local Area Plan are set out in **Section 4** of this document.

The proposed material alterations are set out sequential following the same format of the Draft LAP – i.e. follows the same Chapter and Section numbering. The amendments to the *existing* text or objectives are firstly grouped together under the relevant section. This is then followed by the *new* objectives, which are grouped together and are numbered alphabetically to further differentiate them from the existing objectives.

Additions to the text are identified through the use of **green underline print**, for example:

Insert text:

Heights: Min of 6m and maximum of 18m to provide an urban edge to the street.

Deletions to the text are shown in **red print and strikethrough**, for example: -

SRO1: Work with Trinity Comprehensive School to develop a sporting hub for the school and community **and explore options to provide a synthetic pitch**, ~~**and explore options to provide a new all-weather pitch."**~~

3 How to Make a Submission / Observation

Observations or submissions regarding the proposed material alterations **only as set out in this report** must be received between: -

- **Monday 31st July** and **Monday 28th August** inclusive
- Online at <http://www.dublincity.ie/BallymunLAP>
- In writing to **'Material Alterations: Draft Ballymun Local Area Plan', Planning & Property Development Department, Civic Offices, Wood Quay, Dublin 8**

Submissions / observations should be made by **only one medium** and should refer to: -

1. Proposed material alteration **reference number** as shown in the document (see Section 4) and citing the **relevant objective number** or **new text insert**
2. Full Name & Address of person making submission / observation
3. Details of organisation / community group / company which you represent where relevant.

If you require any assistance you can contact a member of the Local Area Plan team on: -

localareaplan@dublincity.ie

01-222-5233

4 Proposed Amendments to Draft Ballymun Local Area Plan

4.1 Chapter 5 LAP Development Strategy

4.1.1 Section 5.3 Economic Development & Employment of the Draft Plan

Amend Objectives EO5, E07, E09, E011 as follows (page 32): -

It is an objective of Dublin City Council to: -

EO5: Seek the reconfiguration of Cearnóg an tSeachtar Laoch to provide a high quality civic space **with cycle parking** within the heart of Ballymun.

EO7: Develop the M50 lands with a priority given to high density employment generating uses **in accordance with Fingal County Council's Development Plan.**

EO9: Support the delivery of Metro North and provision of a station in the heart of Ballymun Main Street **(in the vicinity of Cearnóg on tSeachtar Laoch)** and also in the vicinity of/linking to the M50 lands.

EO11: Support the continued development, **expansion and intensification** of the Poppintree and Ballymun Industrial Estates as employment hubs, **and where feasible seek to create defined urban edges to their perimeters to create streetscapes and to work with the IDA where necessary to achieve this objective. improve the lands surrounding the Ballymun Industrial Estate through future development.**

Insert new objectives into the Economic Objectives at end of Section 5.3 as follows (page 32). Note all will be renumbered accordingly: -

It is an objective of the City Council to: -

EOA: Minimise vacancy in the LAP area.

EOB: Provide for additional office space along the Main Street.

EOC: Ensure that all landowners on the northern fringe maintain their property in a manner which protects the public domain.

EOD: Improve permeability through the Poppintree Industrial Estate. Seek the provision of pedestrian and cycle access from Jamestown Road, either directly to the west of the existing IDA estate or via redevelopment of the former 'Mouldpro' site to the south, in consultation with the IDA.

4.1.2 Section 5.4 Movement of the Draft Plan

Amend Objectives MO1, M02, M03 as follows (page 35): -

It is an objective of Dublin City Council to:-

MO1: Complete the outstanding pieces of road infrastructure required to enhance connectivity and to service the remaining development sites. **All new road schemes will be delivered in accordance with the Principles of Road Development as set out in the NTA's 'Transport Strategy for the Greater Dublin Area 2016-2035', (Section 5.8.3).**

MO2: Work with Fingal County Council and the NTA to ensure the provision of a high quality rail transport system (Metro North) is delivered through Ballymun. In order to protect the character of the emerging Main Street the LAP is seeking that the future Metro line respects the desire for enhanced permeability, with the line ideally run underground until the junction with Santry Avenue. **Future realignment of the Main Street should also provide for enhanced and segregated cycle facilities.**

Delete M03 as previously worded. Replace with new wording: -

MO3: Facilitate the delivery of a core bus corridor through Ballymun as proposed in the NTA transport strategy.

Insert new objectives into the Movement Objectives at end of Section 5.4.6 as follows (page 35). Note all will be renumbered accordingly: -

It is an objective of the City Council to: -

MOA: Work with the NTA to ensure that the recommendations of the bus network review are implemented in Ballymun, in particular seeking a new connection between Ballymun and Dublin Airport.

MOB: Explore the potential for a new access point at Santry Demesne with Fingal County Council and Trinity College Dublin.

MOC: Explore the provision of a cycle lane on Santry Avenue in tandem with the NTA 'Bus Network Review'.

MOD: Explore the potential of a multi-storey car park near Main Street as part of a sustainable travel strategy.

4.1.3 Section 5.5 Urban Form & Design of the Draft Plan

Insert new objective into the Urban Form & Design Objectives at end of Section 5.5.2 as follows (page 36). Note all will be renumbered accordingly: -

It is the objective of Dublin City Council to: -

UDA: Carry out an audit of materials within the public realm in Ballymun to ensure consistency and quality in future design responses.

4.1.4 Section 5.6 Housing and Tenure of the Draft Plan

Insert new text into Section 5.6 as follows (page 38): -

Insert new text at the end of the 'Monitoring Group' paragraph, before the Housing Objectives.

It will also allow the Council to respond to the need for additional Social and Affordable units in Ballymun and ensure that the future development of the housing sites will be done on a site by site basis with consultation from the community.

Insert new objectives into the Housing Objectives at end of Section 5.6 as follows (page 38). Note all will be renumbered accordingly: -

It is the objective of Dublin City Council to: -

HOA: Promote self-build housing in the form of terraced homes or housing blocks built by residents or housing co-operatives by making available low-cost housing sites and providing technical assistance to those who wish to house themselves.

HOB: Seek to improve the income mix in all housing developments in the area to address the issues raised in the Retail Study.

4.1.5 Section 5.7 Social and Community Infrastructure Supports of the Draft Plan

Insert new text into Section 5.7 as follows (page 38): -

Insert new text at the end of the 3rd paragraph at the end of Section 5.7:

Following submissions received on the Draft Ballymun Local Area Plan, requesting a new second level Irish school, and the creation of an Irish hub in the area, the City Council will work with the Department of Education and Skills to explore the possibility of locating a new second level school within Ballymun. Based on the existence of two Irish speaking primary schools in the area it is considered reasonable that there is demand for such an amenity. The optimum location for such a facility is regarded to be the lands of the current CDETB, next to Scoil an tSeachtar Laoch.

The City Council will also liaise with the City of Dublin Education and Training Board to ascertain the requirements for further educational services in Ballymun.

In the event that a second level Irish school is deemed to be required the Council in conjunction with the Department of Arts Heritage and Gaeltachta Affairs will explore the possibility of obtaining “network Gaeltacht” status for Ballymun under the Gaeltacht Act 2012 to support the promotion of the Irish language.

Insert new objectives into the Social and Community Objectives at end of Section 5.7 as follows (page 38). Note all will be renumbered accordingly: -

It is the objective of Dublin City Council to: -

SCA: Work with the Department of Education and Skills to determine the need for a second level Irish school in the area.

SCB: Liaise with the City of Dublin Education and Training Board to ascertain the requirements for further educational services in Ballymun.

SCC: In the event that a second level Irish school is deemed to be required, the Council through the social regeneration sub-committee will work with the Department of Arts Heritage and Gaeltachta Affairs to establish Baile Munna as a “network Gaeltacht” as identified in the 20 year strategy for the Irish Language 2010-2030.

SCD: Explore options for the creation of further education hub/life-long learning centre with DCU in the community, Youth Reach/CDET, and Ballymun Job Centre under the remit of the Social Regeneration sub-committee in partnership with the City Council.

4.1.6 Section 5.8 Sports, Recreation and Open Space of the Draft Plan

Amend Section 5.8 Sports, Recreation and Open Space (page 39) as follows: -

Insert the following after the second paragraph, points 1-5:

During the public consultation process on the Draft Ballymun Local Area Plan, an additional request was received to provide a new home for Ballymun Kickhams within the LAP area.

Amend the following text, 3rd paragraph:

The LAP Sports Strategy is to prioritise and maximise resources within **the four following** identifiable locations:

1. Trinity Comprehensive School
2. Poppintree Park

3. Poppintree Sports and Community Centre and Lands to the West of Ikea

4. Identify a suitable site for Ballymun Kickhams within the area

Delete the paragraph at the end of Section 5.8, before Section 5.8.1 Open Space.
Replace with new paragraph: -

Site for Ballymun Kickhams / enhanced GAA facilities

In order to facilitate the relocation of Ballymun Kickhams from their current home in Collinstown, to Ballymun, it is proposed to carry out detailed site analysis and feasibility of providing a new sporting facility in the ownership of the City Council and developed in partnership with an interested sports club on Site no. 31 Balcurris (west of R108), part thereof, whilst also providing for high density employment, residential and mixed uses on the Metro North corridor.

Amend Section 5.8.1 Open Space, as follows (page 40): -

Delete the last paragraph at the end of Section 5.8.1. Replace with new paragraph: -

Allotments / Community Gardens / Urban Farm

Allotments are currently provided for in Ballymun on a temporary basis on Site No. 6 on the Main Street, and next to the Virgin Mary School. In addition allotments were provided by Ballymun Regeneration Ltd on a temporary basis at Meakstown, located next to Dog's Aid and the purpose built Equestrian Centre (See Fig 5: Social Infrastructure). At the time it was not envisaged that the latter facility would remain long-term as it was located along the line of the proposed Metro West. With Metro West no longer part of the TII's Transport Strategy for the Greater Dublin Area 2016-2035, it may be possible to extend this facility to cater for additional allotments and/or local enterprise.

Within the LAP area it is proposed to explore other options for the provision of community gardens / allotments. These may be part of a standalone facility or combined with the provision of a City Farm as advocated for during the public consultation phase of the LAP. Possible locations include (a) on the Z9 lands to the north-west of the Poppintree Community and Sports Complex; or (b) within Site No. 14 (Balbutcher Lane flats). The latter site is zoned Z1 with an objective to provide a new park / open space as part of the scheme. It may be feasible to allocate the open space provision for allotments / community farm, without unduly undermining the site's available to provide housing locally. Smaller allotment facilities may also be possible on small infill sites.

The Z9 lands to the west of Carton Terrace and south of St. Margaret's Road have been included for above as a possible location for a skatepark and bike park, and also a community farm / allotments. There is a need for a detailed review of these lands as part of implementing the LAP.

Amend Objectives SRO1, SRO6, SRO7, SRO8 as follows (page 40): -

It is the objective of Dublin City Council to: -

SRO1: Work with Trinity Comprehensive School to develop a sporting hub for the school and community and explore options to provide a synthetic pitch, ~~and explore options to provide a new all-weather pitch."~~

SRO6: Provide new neighbourhood parks at Shangan Road, Sillogue Road (x2), Balbutcher Lane and Main Street as per the Site Briefs set out in Chapter 6. These spaces should be appropriately designed and landscaped in consultation with the Parks Department. Development sites not required to provide open space shall provide a development contribution to support the delivery and maintenance of open space.

SRO7: Review the use of the Z9 lands to the west of Carton Terrace and south of St. Margaret's Road, to provide for residential development, which can include co-operative housing, on the western half of the site and to explore the provision of a skatepark and bike park, and / or allotments and a community farm. An alternative suitable location for these uses may be Site No. 14: Balbutcher Lane. (This may involve a variation to the City Development Plan).

Delete SRO8 as previously worded. Replace with new wording: -

SRO8: Explore options for the provision of a new GAA facility that will provide a new home for Ballymun Kickhams.

Insert new objectives into the Sports, Recreation and Open Space Objectives at end of Section 5.8 as follows (page 40). Note all will be renumbered accordingly: -

It is the objective of Dublin City Council to: -

SROA: Explore the future use of the DCC lands to the immediate west of Ballymun United, for amenity or housing in collaboration with Fingal County Council and following the outcome of South Fingal Fringe road study.

SROB: Explore the provision of a skate park and bike park within Ballymun within the Z9 lands to the northwest of Poppintree Community Sports Centre or Site No. 14 (beside the Reco).

SROC: Support the continued use of the lands at the back of the old Trinity Comprehensive for recreational purposes.

SROD: Explore the use of the 'left-over' open space to the south of the Virgin Mary NS in tandem with the development of the housing site to the south (site no. 10).

SROE: Work closely with other bodies and local groups, for example Ballymun Tidy Towns, Global Action Plan etc to enhance amenity value of open spaces in the areas.

SROF: Improve and upgrade Belclare Green in tandem with the build out of the adjoining sites (i.e. site brief nos. 20-23).

4.1.7 Insert new Section 5.11 into the Draft Plan

Insert new Section 5.11 Integration of Environmental Considerations (page 42) as follows: -

Insert new section and text at the end of Chapter 5 after Drainage and Water Objectives: -

Section 5.11 Integration of Environmental Considerations into the Plan

A Strategic Environmental Assessment has been carried out in compliance with the requirements of Directive 2001/42/EC of the European Parliament, the objective of which is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of the adaptation of plans.

As required by the SEA Directive and the SEA Regulations a document referred to as an SEA Statement will be produced and made available to the public following the adoption of the Local Area Plan to make known, how the SEA process influenced the outcome and identify how environmental considerations have been integrated into the final Plan.

Environmental considerations were integrated into the LAP process at a number of stages in the SEA i.e. the Scoping stage, at the Environmental Report stage and following the submissions and observations from the Environment Authorities and the public. In addition, the environmental sensitivities of the LAP area were communicated to the Plan preparation team on a regular basis from the outset of the Plan preparation process.

The Local Area Plan was also subject to Appropriate Assessment Screening under the Habitats Directive (92/43/EEC) at both the draft and amendment stage.

The overall strategy for the LAP was to facilitate and co-ordinate development opportunities on a number of key site while addressing issues such as infrastructure, economic development, public realm and community/sporting facilities whilst achieving a sustainable city neighbourhood.

The LAP promotes the development of the remaining sites in the Ballymun to help create a sustainable compact city in which to live, work and visit in line with the environmental objectives. The development of the LAP lands will also alleviate the need to develop in areas that may not have existing suitable infrastructure. The LAP promotes the achievement of a more compact city with the reuse of the brownfield sites which will alleviate the need for sprawl to the urban fringes and into Greenfield sites. The LAP also incorporates green infrastructure into the new developments by the provision of number of pocket parks, the provision of tree lined and landscaped streets and the creation of a green route through the M50 lands. The delivery of new homes in a sustainable manner along key public transport routes and the proposed Metro North routes will also create sustainable

travel patterns thus protecting air quality and reducing city noise levels. Impacts on climatic factor will be improved with the development of a more compact consolidated and sustainable mixed use area, with good transport links, which will reduce the need to travel by private car, and thus reducing emission of greenhouse gases. While in the short term there may be emissions relating to construction and infrastructural provision, these will be short term impacts.

The Ballymun Surface Water Masterplan identified a number of outstanding pieces of infrastructure necessary to facilitate additional development and to improve two existing areas of house, including the provision of a new surface water attenuation facility, and also the need to upgrade the surface water connections of Sillogue Gardens and Coultry Gardens.

The LAP also proposes a number of new road connections considered necessary to enhance permeability and thus reduce the need to travel by car, reduce queuing of cars/congestion and reducing distances undertaken for car trips which will positively impact on noise and air quality.

The LAP will have a positive impact in securing the cultural heritage of the area, by ensuring there is no loss or adverse impact on the National Inventory of Architectural Heritage or Protected Structures. The LAP will also seek the provision of a new civic amenity space across from St. Pappin's Church to enhance the setting of this historic building.

The SEA concluded that the LAP included sufficient mitigation measures to offset any potential impacts on the environmental receptors. It should also be noted that all the policies and objectives of the Dublin City Development Plan (in operation at time of planning application), apply to the Ballymun LAP area.

4.2 Chapter 6 Site Briefs

4.2.1 Section 6.3 Neighbourhood Sites of the Draft Plan

Amend text for Site Brief No. 10 Shangan Road (page 51), as follows: -

Delete the 4th paragraph under 'Supporting Information/Requirements'.

Amend the 5th and 6th paragraph under 'Supporting Information/Requirements': -

~~Site A: To The western half of this site to~~ the rear of the Civic Centre, **shall accommodate** increased heights and densities ~~would be sought here~~ given proximity to Main Street and should be in keeping with the urban form of Shangan Hall and Gateway student housing. Additional student housing could be provided on this site, with heights of five storeys achievable.

- ~~Site B:~~ To the north of Oldtown Avenue; housing is required to secure the exposed rear boundaries of Oldtown. Different heights and roof types could be explored to sensitively integrate the new dwellings with the existing housing (for example, 3 storey mono-pitch – 3 storeys to the road with 2 storeys to the rear). If apartments were located on this site 3-4 storeys would be achievable.

Amend text for Site Brief No. 14 Balbutcher Lane South (page 53) as follows: -

Delete the 2nd paragraph under 'Supporting Information/Requirements'. Replace with new paragraph: -

It is an objective of the LAP (SRO7) to explore sites for the provision of a new skate park and bike park, community garden and for a community farm, with Site No. 14 identified as one of two possible sites to serve all or some of the above. No such provision should account for the entire site, and such a provision would account for the open space requirement as per objective SRO6.

Insert new text into Site Brief No. 19 St. Joseph's (page 56) as follows: -

At the end of 2nd paragraph under 'Supporting Information/Requirements':

Retaining linkage and permeability to the Church and school is an essential requirement of any future development proposal.

At the end of 4th paragraph under 'Supporting Information/Requirements':

The future build out of the site should be carried out in consultation with the adjoining residents.

Insert new text into Site Brief no. 20 Poppintree Neighbourhood Centre Extension (page 57) as follows: -

At the end of paragraph under 'Supporting Information/Requirements':

The build out of this site will require the provision of additional parallel parking along Belclare View for the new mixed use development and adjoining existing Poppintree Neighbourhood Centre. Provision of this additional parking will reduce the internal carriageway to the south of Knowth Court in order to provide a more defined streetscape addressing Belclare View.

Insert new text into Site Brief no. 25 Parkview (page 59) as follows: -

At the end of 2nd paragraph under 'Supporting Information/Requirements':

During the preparation of the LAP requests were received to explore alternative uses for the western portion of this site (north of Nos. 205 Jamestown Road, No. 5 Oakwood Close); omitting a block of housing in favour of community/social/sporting use. Such alternative uses are considered acceptable in principle at this site, subject to securing and safeguarding the rear and side boundaries of Nos. 205 Jamestown Road, No. 5 Oakwood Close and No. 69 Parkview.

4.2.2 Section 6.4 M50 Lands of the Draft Plan

Amend text for Site Brief no. 30 Site to the south of Ballymun Industrial Estate (page 62) as follows: -

Delete text on 'Height' (6th bullet point) as previously worded. Replace with new text: -

Heights: Min of 6m and maximum of 18m to provide an urban edge to the street.

Amend text for Site Brief no. 31 M50 Lands – Balcurris (west of R108) (pages 62 & 63) as follows: -

Under the 'Supporting Information/Requirements' section of this site brief, delete from the paragraph: "*The Masterplan also set out the overall urban design principles for the subject site which will be sought in future development iterations of the built out the site: -*" until the very end of point no. 4.

Delete text as previously worded, as set out above. Replace with new text: -

During the preparation of the Ballymun LAP there was a clear desire expressed to provide a new sporting facility on part of these lands. It is therefore proposed to carry out a new site analysis to seek the provision of such a facility on part of this site in tandem with the delivery of high density uses fronting the R108. Retaining the proposed biodiversity green link through this site will form part of this appraisal.

5 Environmental Assessments Determination

5.1 Strategic Environmental Assessment (SEA) Screening Determination under the Planning and Development Act 2000, as amended, for the Proposed Material Alterations to the Draft Ballymun Local Area Plan

A Strategic Environmental Assessment (SEA) Screening Determination has been made by Dublin City Council regarding Proposed Material Alterations to the Draft Ballymun Local Area Plan.

Article 14 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, requires, inter alia, a determination to be made as to whether Proposed Material Alterations to the Draft LAP warrant the undertaking of SEA. Such a determination takes into account relevant criteria set out in Schedule 2A 'Criteria for determining whether a plan is likely to have significant effects on the environment' of the SEA Regulations, as amended.

The overriding vision and ethos of the Draft Ballymun Local Area Plan 2017 which were subject to a full SEA and AA screening are in accordance with the principles of sustainable development and a commitment to the enhancement and protection of the natural and manmade environment.

The material alterations do not alter the over-riding principles and objectives on which the Plan is based and which have been considered fully in the SEA and AA screening process. The alterations build on existing policies and objectives of the Draft LAP – i.e. consolidation of development, maximising resources, reducing vacancy, providing for mixed tenure and exploration of additional sporting and open space requirements. Taking into account the measures that have already been integrated into the Draft LAP which contribute towards environmental protection, environmental management and sustainable development, it is identified that the potential adverse effects arising from proposed changes are either present already and will be contributed towards or will be mitigated so as not to be significant (residual adverse). The mitigation measures have been integrated into the Draft LAP as set out in Section 8 of the SEA undertaken for the Draft Plan.

On the basis of the above assessment and consideration of the criteria outlined in the SEA Regulations, it is considered that the proposed material alterations to the Draft Ballymun LAP are not likely to give rise to significant environmental effects. Therefore, it is determined that SEA is not required for the Proposed Material Alterations. An SEA Screening Determination Consideration report on the Proposed Material Alterations has been prepared which accompanies and has informed this determination.

5.2 Appropriate Assessment Determination under the Planning and Development Act 2000, as amended, for the Proposed Material Alterations to the Draft Ballymun Local Area Plan

An Appropriate Assessment (AA) determination has been made by Dublin City Council regarding the Material Alterations to the Draft Ballymun Local Area Plan.

Section 20 of the Planning and Development Act 2000, as amended, requires, inter alia, a determination to be made as to whether Material Alterations to the Draft Ballymun LAP warrant the undertaking of AA. An Appropriate Assessment determination [pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely affect the integrity of a European site and the Planning and Development Act 2000 (as amended)] is being made by Dublin City Council.

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:

- Draft Ballymun Local Area Plan and associated AA Screening and SEA reports
- Strategic Environmental Assessment (SEA) Screening Determination; and
- Screening Statement for the Material Alterations of the Draft Ballymun LAP

The overriding vision and ethos of the Draft Ballymun Local Area Plan 2017 which were subject to a full SEA and AA screening are in accordance with the principles of sustainable development and a commitment to the enhancement and protection of the natural and manmade environment.

The material alterations do not alter the over-riding principles and objectives on which the Plan is based and which have been considered fully in the SEA and AA screening process. The alterations build on existing policies and objectives of the Draft LAP – i.e. consolidation of development, maximising resources, reducing vacancy, providing for mixed tenure and exploration of additional sporting and open space requirements.

Further to the above 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 mitigation measures within the existing Draft Ballymun LAP and Dublin City Development Plan 2016-2022 with which the Material Alterations must comply. These prioritise the avoidance of effects in the first place and will reliably mitigate these effects where these 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 location are known.

Having incorporated the above, the screening statement and the previous assessment; it is considered that the Material Alterations to the Draft Ballymun LAP are not foreseen to have any likely significant effects on the ecological integrity of any European Site¹.

¹ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.

