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The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1

20th December 2024

Re: Proposed Amendment No. 11 of the Cherrywood Planning Scheme 2014 (as amended) Relating to the Town Centre and Environs lands [including Related and Ancillary Amendments throughout the Approved Planning Scheme, and to include replacement of the Town Centre Urban Form Development Framework (UFD) with an Urban Development Code as a New Appendix B and related Urban Design Guidelines as a New Appendix C in the Planning Scheme].

Dear Sir/ Madam

Dún Laoghaire Rathdown County Council (hereafter DLRCC) as the Development Agency appointed by Government to promote the Cherrywood Strategic Development Zone (SDZ) Planning Scheme makes this application to An Bord Pleanála to further amend the approved Cherrywood Planning Scheme, 2014 (as amended).

Purpose

The purpose of the Proposed Amendment to the approved Planning Scheme, is to take cognisance of a Town Centre and Environs Review (TCE) undertaken by the Cherrywood Development Agency Project Team arising from a statutory commitment to undertake such a review as part of Amendment No. 9 to the Planning Scheme (Building Height and Density Review), which was approved by the Elected Members under S. 169 of the Planning and Development Act, 2000 (as amended) and came into effect in July 2023.

Statutory Context of TCE Review

The Building Height and Density Review, set out a statutory commitment to undertake a review of the TCE, with inclusion of the following text in Section 7.4 of the Planning Scheme:

"The Local Authority will also undertake a plan-led review of the Town Centre and Environs having regard to the overall Vision and Principles for Cherrywood and appropriate Government policy, to ensure that the Town Centre functions as a vibrant mixed-use sustainable District Centre at the heart of Cherrywood. This review will seek to ensure an appropriate mix, quantum and phasing of uses to secure a balance of employment, commercial, retail, residential, community and social uses. It is an objective of the Council to use its best endeavours to undertake this plan led review within twelve months from the date that the proposed Amendment No. 8 comes into effect".

Evidence-Based Review

Accordingly, DLRCC has undertaken a comprehensive plan-led and evidence-based review to ascertain an appropriate mix, quantum and phasing of uses for the TCE which comprises the Town Centre Quadrants and High Intensity Employment (HIE) lands.



The review was informed by a suite of background technical reports. These reports include the consideration of land-use mix, retail floorspace capacity and demand, employment trends, and the provision of community facilities. The review provides an evidence-based approach for an appropriate balance of uses, having regard also to District Centre function of Cherrywood and relevant national, regional and local policy context and designations. Further technical reports were prepared to underpin the development capacity, quantum, massing and masterplan approach, namely, those relating to urban design, micro-climate, infrastructure carrying capacity including the transportation network, services and utilities, as well as a review of social infrastructure and community facilities. In addition, viability reporting guided on the deliverability of any proposed amendment scenario in terms of quantum and mix of uses, having regard to the overarching vision and principles as set out in the Planning Scheme and relevant planning policy.

The review was also informed by a non-statutory public consultation ("Have Your Say") which was open to members of the public and interested parties, including landowners.

Nature of Proposed Amendment

The Proposed Amendment extends to **circa 32 Ha** encompassing the Town Centre Quadrants and adjoining HIE lands, herein after referred to as the Town Centre Core and Environs Area. The amendment proposes changes to the urban design masterplan approach, quantum increase by way of plot ratio and land use mix within the Core and Environs. It proposes an urban design framework which will apply across the area and will replace the former Town Centre Urban Form Development Framework (UFDF).

In essence, it will result in an intensification of the built form by way of **increase in development quantum** arising from an increase in plot ratio. For the Town Centre Core, plot ratios will increase from a maximum of 1:2.4 under the approved scheme to a general range of 1:2.4 to 1:2.8 (with an element of 1: 3.2) and with an increase in building heights from a general range of 5-8 storeys to include upwards to 7-8 storeys and 9-12 storeys. Similarly, for the Environs, plot ratio increases to 1:1.5 to 2.0 will apply. This will result in quantum increase of permissible floorspace as follows:

Town Centre Core: Uplift In Max Quantum GFA Permissible from circa 380, 000 sq.m to circa 430,000 sqm
Environs: Uplift In Max Quantum GFA Permissible from circa 208, 000 sq.m to circa 278,000 sqm

The Proposed Amendment also proposes a considerable **shift in land-use mix** within the Town Centre Core by way a re-balance of retail, residential and employment, all informed by the evidence-based findings of the background technical reports and having regard to Cherrywood as a District Centre. In this regard, the floorspace capacity assessment for retail and service uses was key in the re-calibration of retail floorspace need, the reduction arising due to changing retail patterns, on-line trends and a greater emphasis on the services and the experiential role of town centres. Employment has been replaced by a mixed-use employment and services category to reflect the nature of town centre businesses, however, with an increase in plot ratio for the employment lands in the Environs Area, thus still safeguarding Cherrywood as a strategic employment location. In addition, the range of permissible uses within the Environs Area has been broadened to reflect the emerging employment trends. As a result of the land-use mix and plot ratio changes, the following would apply across the TCE:

*A Residential Up-lift of circa 2,220 Units Max
A recalibration of Retail (inc. Retail Services): circa 37,000 sq.m. - 41,000 sq.m. Min-Max
Plus a further provision of Services under UrbComm: circa 11,000 sq.m. - 20,000 sq.m. Min-Max
The introduction of UrbComm as a new Land Use for Mixed-Use: circa 62,000 sq.m. - 76,000 sq.m. Min-Max
UrbComm includes Employment, Retail, Services and small-scale ancillary Retail.
The introduction of Strategic Urban Employment (SUE) as a new Land Use to replace High Intensity Employment (HIE).
Total SUE & UrbComm: circa 286,000 sq.m.*

In summary, the Proposed Amendment will increase the number of max residential units across the Planning Scheme area from **circa 10,500 Units to circa 12,800 Units**, which is possible due to a new urban design framework and re-alignment and enlarged civic spaces. Accordingly, it

is clearly evident that the Proposed Amendment is **material in nature**, having regard to the substantial changes.

The Board's attention is also drawn to the fact that the Proposed Amendment also includes related and consequential amendments on the implementation and phasing of development, arising from the proposed additional development capacity. In addition, the opportunity was taken to include minor amendments throughout the Planning Scheme, primarily to reflect current policy and publication up-dates since the initial preparation of the Cherrywood Planning Scheme (2014), as amended.

SEA & AA

A "Report to inform AA Screening for the Proposed Cherrywood Town Centre and Environs Review/Amendment" and a "Report to inform SEA Screening for the Proposed Cherrywood Town Centre and Environs Review/Amendment" are also enclosed.

In anticipation of any requirement to undertake SEA and/or Stage 2 AA arising from the Bord's determinations, environmental considerations have proactively informed the Proposed Review/Amendment through:

- A non-statutory environmental consideration of tiered Proposed Amendment alternatives, including those relating to spatial concepts and built form options; and
- The integration of additional environmental measures into the Proposed Amendment.

Section 170(A) of the Planning and Development Act, 2000 (as amended)

Having regard to Section 170(A) of the Planning and Development Act, 2000 (as amended), DLRCC as the Planning Authority and the Development Agency for the Cherrywood Planning Scheme request An Bord Pleanála **to initiate the amendment process** by way of a determination as expeditiously as possible.

Having regard to Section 170(A), DLRCC considers that the Proposed Amendment does not satisfy all the criteria under Section 170A, Sub-section 3(b) and accordingly should be amended under **Section 169** of the Act. The Proposed Amendment would significantly increase the overall floor area or density across the TCE Area and also relate in parts to already developed land.

Accordingly, having regard to the nature and extent of the changes in the Proposed Amendment, as set out above, it is unquestionably **material in nature**, and as such DLRCC as Planning Authority and Development Agency, respectfully request that An Bord Pleanála make a determination and initiate the amendment process without delay, so that the Planning Authority may in turn **progress to statutory consultation under Section 169**. The Proposed Amendment is crucial to the delivery of the mixed-use town centre, which is key to the success of Cherrywood as a sustainable mixed-use compact settlement. It will also make a further significant contribution to the supply of new homes.

The Planning Authority is available to meet with An Bord Pleanála to clarify any aspects of the above or the Proposed Amendment.

I look forward to hearing from the Board in early course.

Yours sincerely,



Frank Curran
Chief Executive.

Enclosures:

1. Proposed Amendment to the Cherrywood Planning Scheme, 2014, as amended, Cherrywood Town Centre and Environs Review - Tracked Changes Version.
2. Appendices to the Proposed Amendment
3. Report to Inform Strategic Environmental Assessment Screening for Proposed Amendment, Cherrywood Town Centre and Environs Review, of the Cherrywood SDZ Planning Scheme, 2014 (as amended).
4. Report to Inform Appropriate Assessment Screening for Proposed Amendment, Cherrywood Town Centre and Environs Review, of the Cherrywood SDZ Planning Scheme, 2014 (as amended).

Supporting Documents

5. Letter of Support from National Transport Authority (NTA)
6. Letter of Support from Transport Infrastructure Ireland (TII)

Background Technical Reports

7. Cherrywood Planning Scheme, Town Centre & Environs Review, Urban Design & Masterplanning (Loci)
 8. Cherrywood Servicing Infrastructure Report - Aecom
 9. Cherrywood Transport Infrastructure Report - Aecom
 10. Cherrywood Viability Report - Colliers
 11. Hotel Feasibility Report - Colliers
 12. Floorspace Capacity Assessment for Retail and Services - Braniff Associates
 13. Cherrywood TC & Environs Review – HIE – High Intensity Floorspace – MacCabe Durney Barnes
 14. Cherrywood TC & Environs Review - Community Audit & Needs Assessment – MacCabe Durney Barnes
 15. Sunlight, Daylight and Shadow Assessment – Chris Shackleton Consulting
 16. Wind Microclimate Assessment Emerging Findings – B-Fluid
 17. Amendment No. 9 to the Cherrywood Planning Scheme, 2014, as amended (Section 4.2.10) – Residential Car Parking. Approved by An Bord Pleanála on 22 November 2024.
 18. Proposed Amendment No. 10 to the Cherrywood Planning Scheme, 2014, as amended (Section 4.2.10) – Non-Residential Residential Car Parking
 19. Link to the Cherrywood SDZ Planning Scheme, 2014 (as amended) (dated July 2023) <https://www.dircoco.ie/cherrywood-sdz-news/amendments-cherrywood-sdz-planning-scheme>
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