

Senior Executive Officer
Forward Planning Section
Land Use Planning and Transportation Department
South Dublin County Council
County Hall,
Tallaght,
Dublin 24

13th September 2021

Our Ref. 21054

Re: Draft South Dublin County Development Plan 2022-2028

Formal written submission

Dear Sir / Madam,

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18 are instructed by our clients Moffash Ltd., Profile Park, Grange Castle, Clondalkin, Dublin 22 to make a formal submission on the provisions of the Draft South Dublin County Development Plan 2022-2028. The lands which are the subject of this submission equate to two different portions of lands that are 1.3ha. and 20.6ha. in area that are generally located to the immediate south and south-west of the Baldonnel Road. The former smaller sized land parcel of 1.3ha. forms the majority of a 1.5ha. land parcel that is owned by our client's, whilst they have a legal option to purchase the larger portion of land. The additional 0.2ha. forms part of the burial ground lands that sit to the east of the smaller parcel of land.

Our clients' welcome the preparation of the Draft South Dublin County Development Plan (Draft CDP) and welcome the inclusion of an additional landholding of c. 21ha. that are zoned for EE that immediately adjoin these lands to the north. However, it is worthy of note that our client has agreed terms with a potential occupier of these lands, and therefore a significant portion of these lands are likely to become unavailable for development in the near future.

The smaller pocket of land forms an integral part of this already zoned portion of land and forms a natural extension (towards the city) of the EE zoned lands that borders the site to the north and west. The area is not subject to any substantive planning applications or permissions. However, it is notable that a large portion of land (c. 57ha.) between the Peamount Road and the Aylmer Road has recently been purchased by Amazon. These lands that are all zoned for EE purposes are unavailable for future development compatible with the EE zoning beyond that required by Amazon. The Amazon lands extend 1.3kms to the south-west of the recently realigned section of the Baldonnel Road. Despite this, a significant portion of lands closer to the city and sitting to the south of our clients zoned lands that sit between the Baldonnel Road and Aylmer Road remain unzoned for development in being zoned as RU. This in our considered opinion does not reasonably nor adequately reflect their suitability for future development.

Summary of Key Points and Recommendations:

- Our client's land holdings are strategically located within Grange Castle and as a result they are ideally located to contribute to the creation and accommodation of a form of development which supports the employment growth of South Dublin;
- The employment zoning and future development of our clients' lands will contribute to the creation of a stronger, connected, sustainable and vibrant employment area that has capacity to be well serviced with existing infrastructure;
- The current RU zoning forms an isolated inappropriate zoning for the lands that border EE zoned lands to the north and west;

- The lands are well placed to provide for new employment growth in a location that conforms with the strategic aim of the Council to encourage sustainable growth and development within the wider Grange Castle area and are located less peripheral than the Grange Castle West zoned lands.

The basis of this submission is to ensure that changes put forward under the Draft CDP relating to the zoning of lands to the south-west of the Baldonnell Road do not in any way compromise the ability of our client's lands to positively contribute in a logically and sequential manner to the proper planning and sustainable development of the strategic employment area in accordance with National, Regional and Local Planning policies and guidelines.

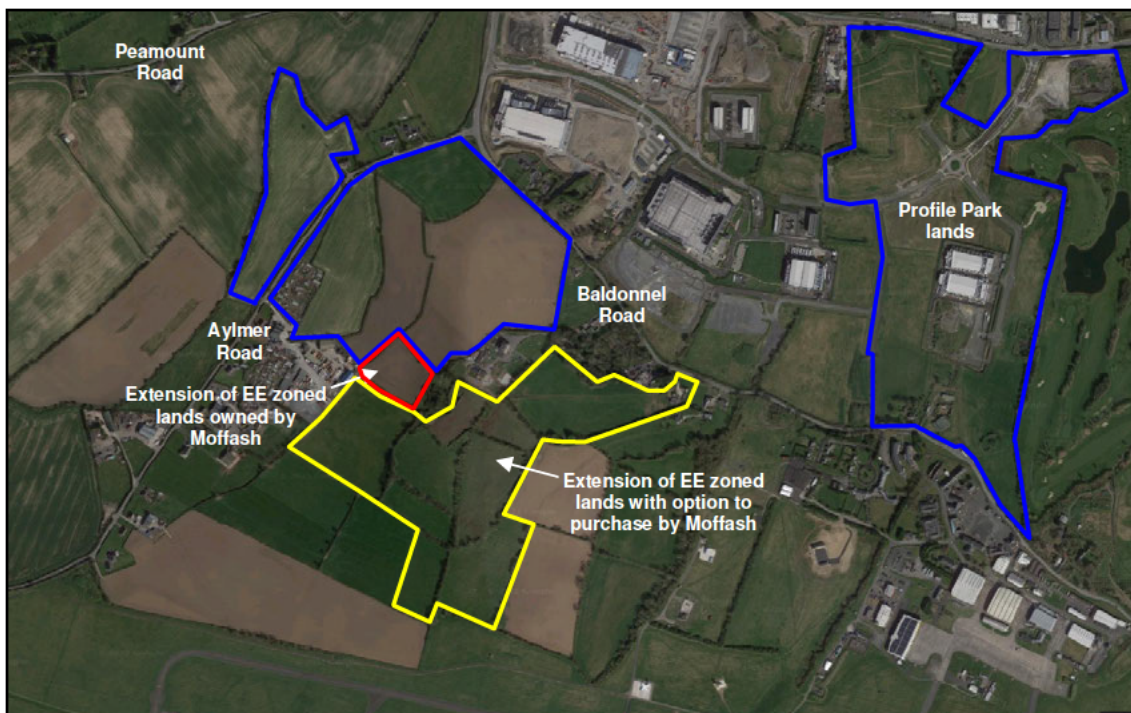
We submit that from a proper planning and sustainable perspective it is inherent that the content of the adopted CDP does not constrain the delivery of the sustainable development and growth of employment in locations that form the basis of this submission. The lands that are subject of this submission provide a strategic opportunity for the creation of a planned expansion of already zoned EE lands. The basis of this submission is to seek the zoning for the subject lands that supports Employment and Enterprise zoning on the lands in close proximity to existing EE zoned lands.

1. Location of our clients' lands (the subject of this submission)

The lands of 1.3ha. which are the subject of this submission are in the ownership of Moffash Ltd. (refer to the aerial view below and outlined in red) as are all other land outlined in blue that includes Profile Park, and its proposed extension of its zoning that is subject to a separate submission on the Draft County Development Plan.

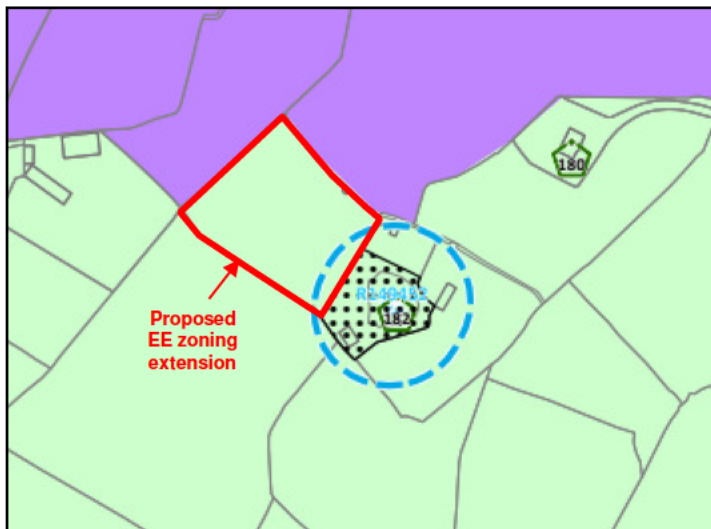
The lands of 20.6ha. are in separate ownership but Moffash have an option to purchase the land, subject to zoning, and are outlined in yellow below. The two parcels of lands that are subject of this submission have been in agricultural use and contain substantive field boundaries and other green infrastructure.

The smaller portion of lands (outlined in red) are located to the immediate south of the existing landholding of our client that is zoned EE and to the immediate west of a burial ground that forms a recorded monument and a protected structure. This smaller portion of land forms a natural extension of the zoning of their land holding. The larger landholding is located further south and extends from the light industrial use bounding the Aylmer Road to the west; and borders the landholding associated with the Casement Aerodrome to the south as well as linking through to the Baldonnell Road to the east.



Aerial map showing full extent of Moffash land zoning request

The site of 1.3ha. is currently zoned RU under the Draft CDP. Lands to the north and west of these lands are zoned as EE, whilst the protected burial ground bounds the site to the east (see below excerpt). There would appear to be no proper planning and sustainable development rationale for our clients lands remaining as being zoned as RU. Given the surrounding zoning and land use to the north and west, and ownership, there is no planning basis for these lands to protect and improve rural amenity and to provide for agriculture. The surrounding zoning to the south is also RU.



Excerpt from Draft CDP showing proposed EE zoning extension in context of RMP and protected structure

There are archaeological features on the lands that are the subject of this submission that form individual Recorded Monuments and Places and are:

Map Ref.	Description	Record and Monuments and Places Ref.
R149452	Font	DU021-003004
R149452	Graveyard	DU021-003002
R149452	Church	DU021-003001
R149452	Ecclesiastical enclosure	DU021-003003

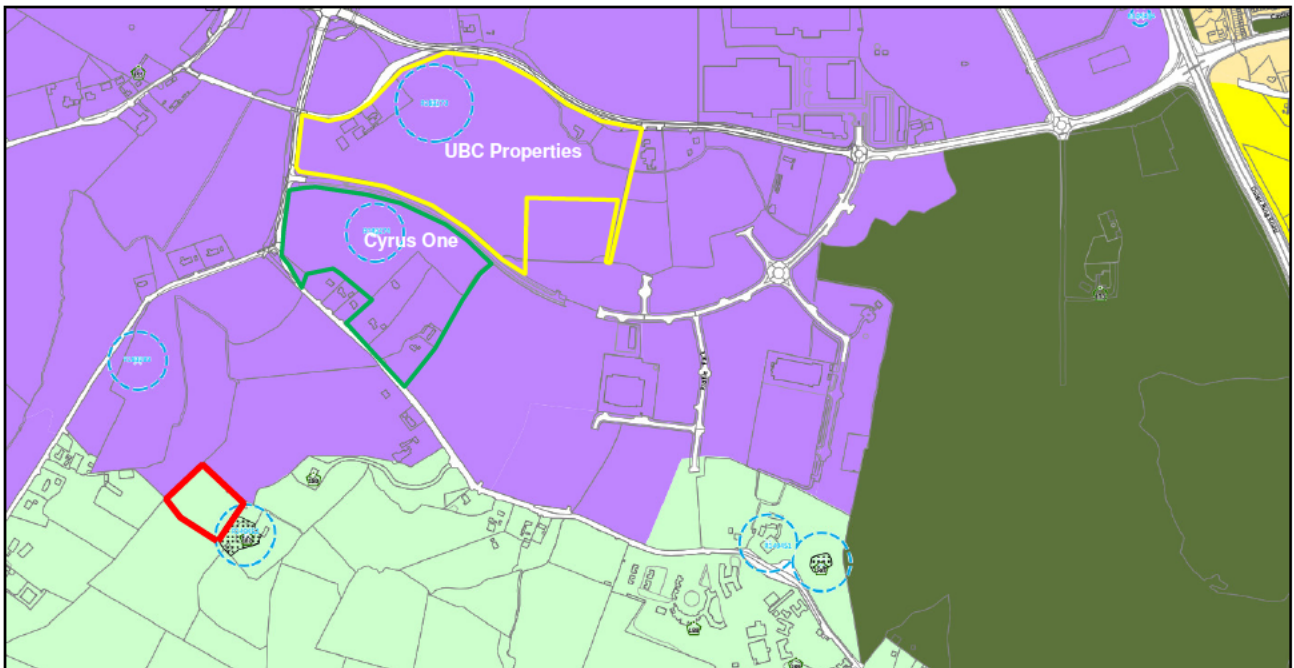
The Record of Monuments and Places (RMP) lists structures, features, objects or sites of archaeological heritage are known as Recorded Monuments. This list is compiled by the National Monuments Services of the Department of Housing, Local Government and Heritage. One of these Recorded Monuments is also protected as they form a protected structure and are described as thus under the Draft CDP:

- Kilmactalway – Ecclesiastical Remains, Church, Font, Graveyard and Enclosure (RM)

The Draft CDP includes a number of policies and objectives for dealing with and addressing Recorded Monuments. These are:

NCBH13 Objective 3: To protect and enhance sites listed in the Record of Monuments and Places and ensure that development in the vicinity of a Recorded Monument or Area of Archaeological Potential does not detract from the setting of the site, monument, feature or object and is sited and designed appropriately.

The Draft CDP also states that a Conservation Plan may be required for development in the vicinity of a site or monument included in the Record of Monuments and Places, to ensure the ongoing protection of the monument and its setting. It is notable that the Sites and Monuments Record are not a prohibiting factor to development as is evident in permissions being granted to Cyrus One Irish Data Centre Holdings Ltd. under Planning Ref. SD18A/0134; as well as to UBC Properties LLC under Planning Ref. SD20A/0121 on lands within Grange Castle South Business Park to the immediate west of Profile Park as shown on the following page. It should also be known that the lands sought to be rezoned are primarily outside the zone of notification of the Sites and Monuments Record.



Excerpt from Draft CDP showing EE zoning extension in context of RMPs on other development sites zoned as EE

Full extent of land zoning request on which Moffatt have an option to buy

The site of 20.6ha. is currently zoned RU under the Draft CDP. There is significant lands zoned further to the west, that as outlined are zoned as EE; and which are primarily bought by a future occupier of the lands and are therefore not available for development. These lands are more remote from services and facilities and available infrastructure than the 20.6ha.. The Casement Aerodrome forms a natural boundary; and whilst also zoned currently as RU, its use does not depict the rural premise of the zoning.

2. Availability of zoned land not in the ownership and control of the County Council

We respectfully submit that as part of this submission we have done an assessment of the availability of EE zoned land that is not in the control or ownership of the County Council within the Grange Castle area. This submission is made in collaboration with CBRE who have undertaken a review of the take up of such land, and an indication of a proven demand for such zoned land in the west Dublin area. The CBRE report should be read in collaboration with our report.

Whilst the EE zoning is spread out across the county that sits generally around the periphery of the city in a wide range of private and public ownerships, the EE zoned lands in Grange Castle are primarily within the control of the County Council. This clearly has the potential to unduly influence the market in terms of Irish and international inward investment in the area. It also has the potential to manage development in a manner that is not attractive to certain developers that provides a more prescriptive control of the development of sites.

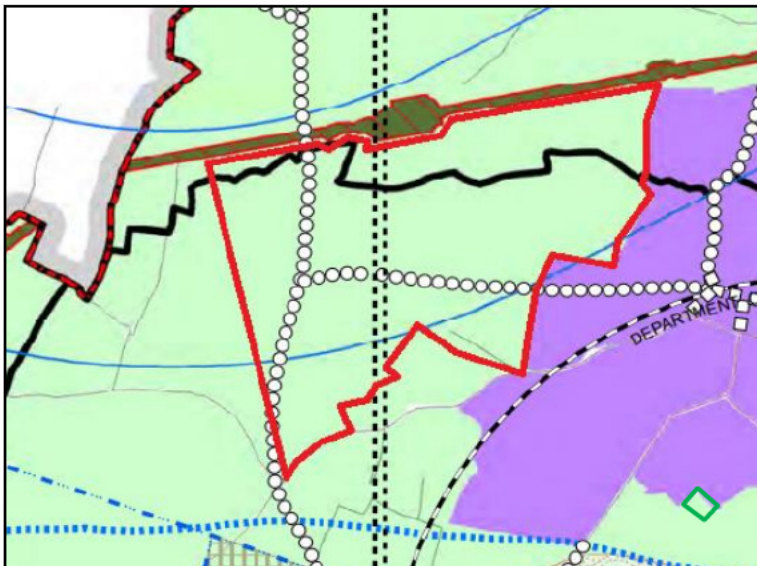
We respectfully submit that both the smaller and larger portion of lands that form this submission have the capacity to form a land use link between the Amazon zoned lands between the Peamount Road and Aylmer Road and the Baldonnel Road and the EE zoned lands to its north. The continuing popularity of the area for inward investment and development is reflected in the significant investment in the area by Amazon; the film industry and many other players in this part of the Grange Castle area. It is clear that despite the rezoning of large tracts of land under Variation no. 1 of the 2016-2022 County Development Plan there remains significant demand for such zoned land; and where a significant portion is either committed or is now owned by a committed party and not available as a result to attract future investment into the area. This requires South Dublin County Council to take a broader view of EE land use zoning and ensure that additional land is zoned for such uses. This is particularly the case given the County Council's and the IDA's intention of attracting blue chip companies that will take up large sites into the area.

Availability of EE zoned lands elsewhere

It is also notable that the original Grange Castle Business Park that is operated under the wider South Dublin County Council umbrella in collaboration with the Industrial Development Authority (IDA) and is the location of companies such as Pfizer, Microsoft, Takeda, Arytza and Edgeconnex among many others has little capacity for further development. In recognition of the business park filling up the County Council extended the Business Park to what is known as Grange Castle South Business Park to the west of Profile Park and to the east of the realigned Baldonnell Road; and this is now subject to two large data centre developments that are under construction that utilise all of this new business park.

Due to the above, the level of EE zoning was significantly extended by 193.47ha. under Variation no. 1 of the South Dublin County Development Plan 2016-2022 (as outlined in red below) into what is now known as Grange Castle West. Permission was granted under a Part 8 application for a new road to extend into these lands from the end of the New Nangor Road (R134) under SD188/0009 and these works are ongoing. The majority of these 193.47ha. of newly zoned lands that remain undeveloped are in the ownership of SDCC. It is notable that c. 22ha. of these lands in Grange Castle West have already been committed to be developed as the country's largest media park for film and TV studios.

Furthermore, we refer the Council to the attached report undertaken by CBRE that highlights that the area is a location of choice for occupiers of EE zoned land that is currently hampered by a shortage of modern accommodation and sites to facilitate new development. Despite the locations historic dominance as an industrial location, the shortage of modern accommodation and more importantly land to facilitate the development of same, is leading to leakage to other locations. This is due to a scarcity of completed buildings and sites to facilitate the delivery of build-to-suit options in this location.



Extent of Grange Castle west rezoning (outlined in red) under Variation no. 1 of the South Dublin County Development Plan 2016-2022 and indicating its location relative to the 1.3ha. site

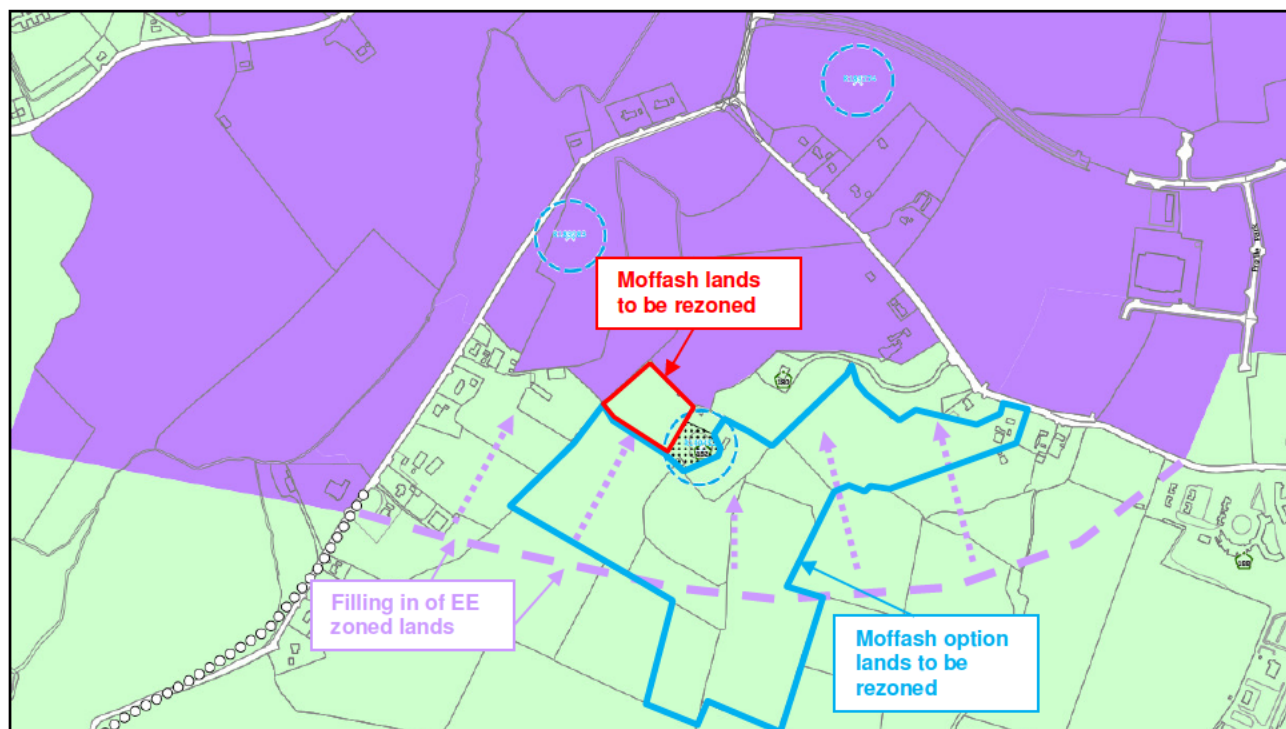
The only additional undeveloped EE zoned lands are those located to the north of the Peamount Road and to the east of Peamount Hospital; the land owned by our clients and committed to a future occupier to the north of both lands subject of this submission; and a triangular parcel of land between the Peamount Road and Aylmer Road. It is notable that the lands between the Peamount Road and Aylmer Road are primarily in two ownerships. A small triangular unserviced portion of lands and the rest (c. 57ha.) in the ownership of Amazon who are already invested within Grange Castle. The larger portion are therefore unavailable for future development compatible with the EE zoning beyond that required by Amazon. All these undeveloped lands do not contain available services and infrastructure, and are located remote from public transport and are therefore more appropriate for low employment generating uses that are compatible with the EE zoning.

3. Inappropriate Approach to the zoning of lands within the Draft County Development Plan

This section of the submission examines the case for the zoning of our clients' strategic lands and the lands to which they have an option of purchasing within the Draft CDP. It is noted that the Draft CDP does not identify our clients lands for new enterprise and employment development and does not identify an evidence based assessment for the zoning of the lands in the manner identified.

Contrary to the principles of National and Regional planning policy the Draft CDP does not identify appropriate zonings for either of these strategic lands in close proximity and surrounded by other EE zoned lands. There appears to be no rationale for our clients lands to remain zoned as RU given our client overall landholding to the north is already zoned EE. Whilst there are national monuments and a protected structure adjacent to the site, it has clearly been proven that such matters can be addressed as part of the planning application process. Whilst one of these national monuments is a graveyard it is located outside of the land sought to be rezoned, and whilst the notification area extends across it; it is just the case that any future development of the land would need to take this into account in its overall layout and archaeological investigations. It should not form an impediment to its zoning for EE purposes. There are no other basis for keeping the existing RU zoning on the site.

The larger 20.6ha. plot also provides a natural fill between the Amazon zoned lands to the west; and the Profile Park lands to the east. They offer a more coherent spatial approach to land use zoning rather than being based on land ownerships.

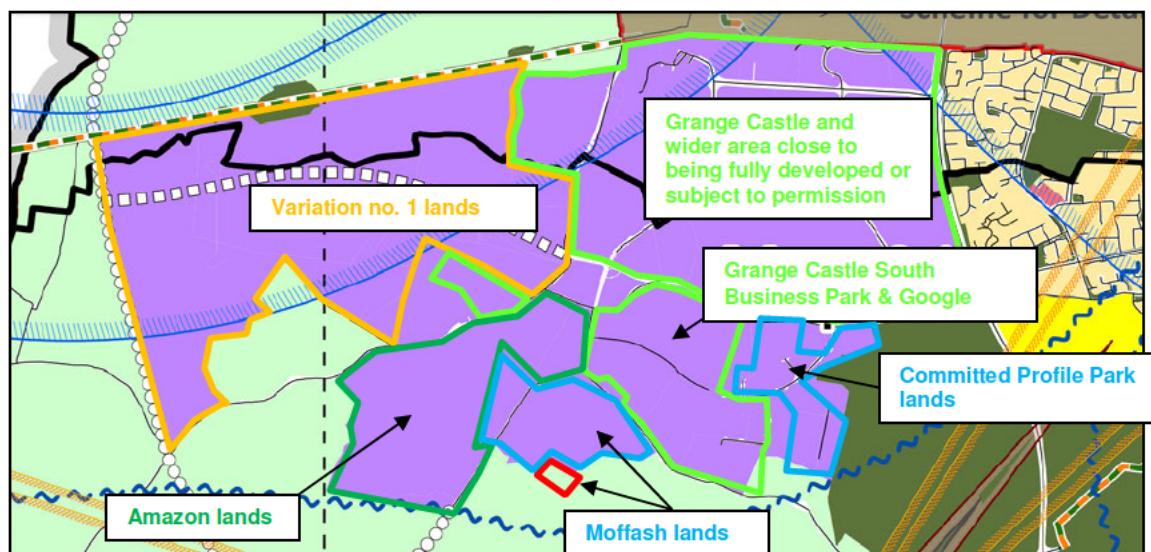


Extent of Grange Castle zoning indicating natural filling in of the EE zoning connecting Aylmer Road and Baldonnel Road / Profile Park

The Core Strategy of the Draft CDP states that this area (Grange Castle), including our clients lands and option lands, is an Employment Area within the Dublin MASP Area set out under the Regional Spatial and Economic Strategy that should be actively adhered to under the County Development Plan. Whilst it cannot be argued that significant levels of land are zoned for employment in the area they are significantly further outside the existing built up area within Grange Castle West. Any assessment of their suitability as a location for employment zoned land against our client's small pocket of RU zoned land and larger option lands must in any objective consideration lead to a conclusion that our client's lands offer a more sustainable expansion of employment zoned lands.

They would be available subject to the necessary infrastructure to be able to facilitate employment uses immediately, and are at a different scale than the larger sites further outside the existing built up area of the County. It is an important consideration that a significant level of the land under Variation no. 1 and non-developed land are currently not serviced, which is a key part of the consideration under the Core Strategy for identifying new EE zoned lands. The lands are no different therefore from a land use perspective, and offer a natural filling in of the EE zoned lands in a location that is more remote from the sensitivities of the Grand Canal. We note the significant policies relating to green infrastructure in the Plan and it clear that any rezoning would be predicated on the need to retain and enhance existing green infrastructure on the lands.

Furthermore, it is notable that the zoning of these lands of the 1.3ha. or larger option lands, would not impact on the ability to develop the 554ha. of land zoned for Enterprise and Employment under the Draft Plan. It would simply provide a logical extension of the zoning that currently surrounds the site to the north and west and the Casement Aerodrome to the south that will not alter in the long term. There is no planning basis therefore for the lands to remain zoned as RU, and it currently forms an anomaly within the Draft Plan.



Extent of Grange Castle zoning and land in original control of County Council and other land of our clients and other land owners – note large take of EE zoned lands apart from County Council land apart from our clients and need for additional privately owned EE lands in the area

4. Rationale for considering lands for EE zoning?

We note that the Draft CDP does not include our client's lands within the extensive EE zoning that covers the wider Grange Castle area. It is clear from our review of the proposed new zonings that our clients lands and the option lands form a natural extension of the EE zoning within the area between Aylmer Road and Baldonnel Road and to the north of the Casement Aerodrome landholding.

Policy EDE1 of the Draft CDP fully supports the growth of employment areas within the Dublin MASP area; and to support enterprise and innovation and attract investment (Objectives 1 and 2). This requires that a broad range of EE zoned lands are available within the County, and particularly within the Grange Castle area that not only supports international investment through large pharmaceutical and IT companies wishing to locate within the Dublin MASP area, but also facilitates the expansion and development of other sectors that offer support and services to the growing scale of industry in the area (Objective 3). The proposed natural extension of the EE zoned lands as outlined under this submission fully conforms to EDE1 Objective 3 in that it is:

- At a suitable location that can accommodate a range of enterprise and employment development types;
- Its zoning would promote compact growth rather than facilitating the further expansion of EE zoned lands to the west; and
- Due to its location closer to housing areas and offers a more sustainable location that would generate lower journey times than many EE zoned lands to the west.

Our client's strongly support the aim of the Council in seeking to develop a broad range of EE zoned lands within the county in an integrated manner aligned with public transport and residential populations. However, it is noted that the Draft CDP fails to recognise other EE zoned lands within the wider Grange Castle area; and it is requested that references to Grange Castle Business Park should be extended to Grange Castle Business Park and wider area under Chapter 9 of the Draft CDP. This is to recognise that Grange Castle is not solely the SDCC owned and managed business park but that a number of private and individual operators own EE zoned land in the area that positively contribute to the EE zoning vision in the area.

Recommendations

Our clients' lands and their option lands, should be rezoned as EE – Enterprise and Employment to be developed in accordance with the need for development to occur in a manner that respects the national monuments and protected structure adjacent to the lands.

We are strongly of the opinion that these lands are currently incorrectly zoned that does not reflect their geographical location and where larger tracts of zoned land are zoned EE and in the ownership of the County Council on land significantly further west. They offer a natural infill of the EE zoning extent currently indicated under the Draft CDP as shown on page 6 of this submission.

Given the strategic location of our clients' lands it is considered that the approach to land use zoning under the Draft CDP, in relation to our client's lands must be called into question. This approach to land use zoning is contrary to National and Regional planning policy. On that basis we would request that South Dublin County Council allocate the EE zoning to our clients' lands and the lands on which they have an option of purchasing. This would offer a coherent form to the zoning of the land that properly reflects zoning and land use to the north and west of this location.

5. Strategic planning policy that supports the review of the zonings under the Draft CDP

Our client's land holdings are strategically located within the Dublin MASP area and offers an opportunity to widen the nature and form of EE zoned lands in the county. The Eastern and Midland Regional Assembly's Regional Spatial and Economic Strategy (RSES) identifies the Grange Castle Business Park and area as a strategic employment development area within the region that forms a strategic corridor for growth and employment within the Dublin MASP area. The proposed modest rezoning of 1.3ha., and its change from RU to EE fully conforms with this strategic objective of the RSES. This also applies to the larger 20.6ha. of land to its south and east.

Furthermore, the RSES clearly sets out the need to integrate land use and transportation, and recognises that future development in the Dublin Metropolitan Area should be planned and designed in a manner that facilitates sustainable travel patterns. The rezoning of the RU zoned lands is fully in accordance with this Regional Policy Objective 5.3 of RSES as it will facilitate employment generating land use in closer proximity to population within Clondalkin (to the east) and Lucan (to the north).

The zoning and future development of our clients' lands will contribute to the creation of a stronger, connected, sustainable and vibrant Grange Castle. The EE zoning of our clients' and option lands would constitute an appropriate form of zoning of lands in close proximity to immediately adjoining EE zoned lands.

It is clear that the CDP (when adopted) will play a critical role in the delivery of employment in the right places *'to deliver compact growth'* in accordance with the National planning policy mandate. The first element of this is to ensure that the allocation of future growth is directed towards areas sequentially located to existing development – the subject lands are strategically located from that perspective. Our clients' lands can be categorised as sequentially located lands which in the interests of proper planning should be appropriately zoned for development.

We note that the National Planning Framework (NPF) identifies the challenges for the managing of future growth:

'A more balanced and sustainable pattern of development, with a greater focus on addressing employment creation, local infrastructure needs and addressing the legacy of rapid growth, must be prioritised. This means that housing development should be primarily based on employment growth, accessibility by sustainable transport modes and quality of life, rather than unsustainable commuting patterns.'

In terms of employment policy, the proposed zoning accords with the NPF's core principles for employment delivery – in particular that the location of new employment be prioritised as close as possible to serviced land, public transport and residential areas. The site acts as a natural extension to the EE zoning of land in this south-west quarter of Grange Castle.

In accordance with National Policy Objective 11, the development of our clients' landholding will be provided at a sustainable location, with potential access to services and facilities. The future development of our

clients' lands (subject to the securing of appropriate consents) will deliver a wider employment mix and utilise sequentially located land to provide employment in compliance with NPF and specific RSES objectives.

The strong planning rationale for the filling in of the EE zoned lands so that our clients lands do not remain an isolated and underutilised parcel of land is that the sequential development of EE zoned land will assist in promoting a more compact urban form, in close proximity to existing services and infrastructure within Grange Castle South and Profile Park. This approach would both avoid the uncontrolled expansion of EE zoned lands further west, but is considered to fully align with the aims and objectives of the National Planning Framework which are reiterated through the RSES.

Having regard to the above as well as the specific location of our clients' lands and their option to buy lands, it would seem logical from a land use planning perspective to rezone the subject lands. This would provide for the development of the subject site and cement the future logical synergy between the zoning of lands at the subject site and surrounding lands.

6. Conclusions

It is in the interests of the sustainable development of Grange Castle, that currently zoned RU lands are rezoned to EE where they are located proximate to other EE zoned land, and where they would engender a more compact model of employment land growth in the county.

Our clients request that South Dublin County Council re-examine the RU zoning attached to their strategic landholding in close proximity to existing employment zoned and developed lands in Grange Castle and Profile Park.


The aim of the new Plan should be to promote sustainable employment patterns by locating new EE zoned lands into the key areas of the county that are well serviced with existing infrastructure rather than relying on dispersed locations which are lacking in the necessary infrastructure to support it.

We submit that our clients' lands are located immediately adjacent to Grange Castle in close proximity to a wide range of existing urban services to facilitate development and promote compact, consolidated employment growth in a sequential manner. They also offer a broader range of development opportunities for employers of all scales. Given its location this would also not negate the strategic vision for the wider Grange Castle area. The lands are also one of the few sites within the local area that are not within the ownership of the County Council as outline in the map on page 7 of this submission. The lands are therefore ideally located and should be zoned in an appropriate manner.

In this regard we request that our clients' lands and their option lands be zoned for Enterprise and Employment (EE) which would constitute an appropriate form of zoning of lands in close proximity to other EE zoned lands to the immediate north and west rather than remaining an isolated RU zoned parcel of land that contains none of the intrinsic characteristics of such land.

We would be obliged if you will acknowledge receipt of this submission in due course and we would be happy to furnish any further information that you may require to deal with this matter.

Yours faithfully,



Anthony Marston (MIPI, MRTPI)
Marston Planning Consultancy