

3.0 General Notes

Attenuation tanks

- The management of surface water at source is the priority and ideally, only flows in larger weather events shall be directed to main surface water infrastructure. As a result, discharge managed via a pipe and an attenuation tank system will only be considered by the planning authority in exceptional circumstances and on a case-by-case basis

Excluded Development

- It should be noted that this guidance does not apply to development that would not have surface water implications (i.e. building elevation modifications, change of use applications etc.)

Consultation with Local Authority

- Proposers of non-statutory plans should consult with the Council's Drainage Department so that the SWMP is agreed in principle by key stakeholders, ensuring national and DCC policies are implemented
- Consultation on the SWMP for any new development is advised where there is a flood risk or the development is located adjacent to a watercourse
- Consultation with DCC's Parks, Biodiversity and Landscape Services Divisions is required where a plan has landscape and/ or biodiversity implications

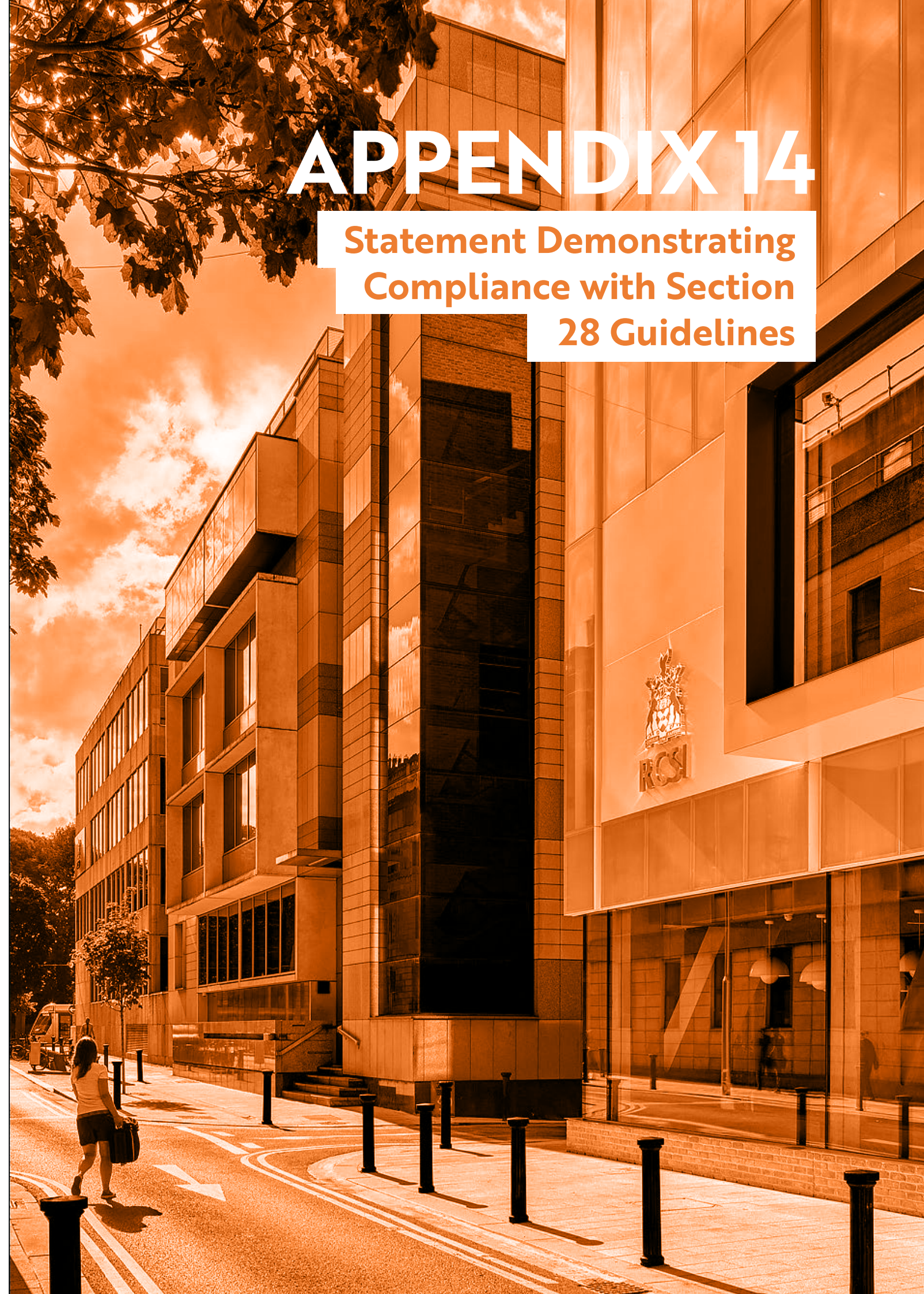
General Drainage Requirements for Planning Applications

All submissions shall meet the standard requirements outlined in the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

Any submission which includes piped surface water drainage shall include a layout on which all surface water manholes shall be numbered with a manhole schedule to be provided specifying cover and invert levels.

APPENDIX 14

Statement Demonstrating Compliance with Section 28 Guidelines



1.0 Introduction

This Appendix constitutes the statement demonstrating how Dublin City Council has implemented the relevant policies and objectives of the Minister when considering their application to the city in the draft development plan.

2.0 Legislative Requirements

Section 28(1) of the Planning and Development Act 2000 (as amended) allows for issuing of Guidelines to planning authorities (such as Dublin City Council) regarding their functions under the Act and specifies planning authorities shall have regard to those Guidelines in the performance of their functions.

Under Sections 28(1A)(b) and 28(1B) of the Act 2010 (as amended), a planning authority is required to append a statement to their development plan to include information which demonstrates:

(a) how the planning authority has implemented the relevant policies and objectives of the Minister contained in the Guidelines when considering their application to the area or part of the area of the draft development plan and the development plan, or

(b) if applicable, that the planning authority has formed the opinion that it is not possible, because of the nature and characteristics of the area or part of the area of the development plan, to implement certain policies and objectives of the Minister contained in the Guidelines when considering the application of those policies in the area or part of the area of the draft development plan or the development plan and shall give reasons for the forming of the opinion and why the relevant policies and objectives of the Minister have not been so implemented.

In addition, Section 28(1C) of the Act includes a provision that Guidelines made under Section 28(1) may contain specific planning policy requirements (SPPRs) with which planning authorities, regional assemblies and the Board shall, in the performance of their functions, comply.

3.0 Implementation of Policies and Objectives of S28 Guidelines in the Draft City Development Plan

Tables 1 to 4 on the following pages provide the requisite information as to how this draft development plan has fully implemented all relevant Section 28 Guidelines and has complied with all relevant special planning policy recommendations.

Table 1: Implementation of Section 28 Guidelines

Section 28 Guidelines	Implementation
DHLGH (2021) Regulation of Commercial Institutional Investment in Housing	The provisions of these Guidelines are implemented by Dublin City Council as part of the development management process. Chapter 5 Quality Housing and Sustainable Communities, Chapter 15 Development Standards and Appendix 1 Housing Strategy also address the principles of the Guidelines in relation to the consideration of new housing developments.
DHLGH (2021) Enforcement of Certain Planning Conditions during the Coronavirus (COVID-19) Outbreak	The provisions of these Guidelines are implemented by Dublin City Council as part of the development management and planning enforcement process.
DHLGH (2020) Housing Supply Target Methodology for Development Planning	Chapter 2 Vision and Core Strategy, Chapter 5 Quality Housing and Sustainable Communities and Appendix 1 Housing Strategy implement the methodology and other relevant requirements set out in these Guidelines.
DHPLG (2019) Design Manual for Urban Roads and Streets	Chapter 8 Sustainable Movement and Transport, Chapter 15 Development Standards and Appendix 5 Transport and Mobility: Technical Requirements implement the relevant policies and objectives of these Guidelines.

Section 28 Guidelines	Implementation
DHPLG (2018) Urban Development and Building Heights	Chapter 4 Shape and Structure of the City, Chapter 5 Quality Housing and Sustainable Communities, Chapter 15 Development Standards and Appendix 3 Achieving Sustainable Compact Growth Policy for Density and Building Height in the City, implement the relevant policies and objectives of these Guidelines (See below for SPPR compliance).
DHPLG (2018) Sustainable Urban Housing, Design Standards for New Apartments: Guidelines for Planning Authorities	Chapter 5 Quality Housing and Sustainable Communities and Chapter 15 Development Standards implement the relevant requirements of these Guidelines.
DHPLG (2018) Guidelines for Local Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessments	Chapter 15 Development Standards references requirements in relation to EIAR and has regard to the Guidelines.
DHPCLG (2017) Part V of the Planning and Development Act 2000 – Guidelines	Chapter 5 Quality Housing and Sustainable Communities and Appendix 1 Housing Strategy implement the relevant policies and objectives contained in these Guidelines.
DHPCLG (2017) Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change	Chapter 3 Climate Action has regard to national policy on renewable energy and climate change.
DECLG (2013) Local Area Plans: Guidelines for Planning Authorities	These Guidelines are not considered directly applicable to the development plan process but any future Local Area Plans shall have regard to these Guidelines.
DECLG (2013) Development Contributions: Guidelines for Planning Authorities	Future development contribution schemes will be made post adoption of the development plan shall have regard to these Guidelines.

Section 28 Guidelines	Implementation
DECLG (2012) Spatial Planning and National Roads: Guidelines for Local Authorities	Chapter 6 Sustainable Movement and Travel, Chapter 15 Development Standards and Appendix 5 Transport and Mobility: Technical Requirements implement the relevant policies and objectives of these Guidelines.
DECLG (2012) Retail Planning: Guidelines for Planning Authorities	Chapter 7 City Centre and Retail and Appendix 2 Retail Strategy implement the relevant policies and objectives of these Guidelines.
DAHG (2011) Architectural Heritage Protection: Guidelines for Planning Authorities	Chapter 11 Built Heritage and Archaeology, Chapter 15 Development Standards, Appendix 6 Conservation and Volume 4 Record of Protected Structures implement the relevant policies and objectives of these Guidelines.
DEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities	The relevant policies and objectives of these Guidelines have been implemented throughout the iterative plan-making process. These Guidelines informed the preparation of the Appropriate Assessment (AA) of the development plan, which is included as an accompanying volume to the plan. All recommendations and measures from the AA process have been incorporated into the Plan. The AA process and report implements the relevant policies and objectives of these Guidelines.
DEHLG (2009) The Planning System and Flood Risk Management: Guidelines for Planning Authorities	Chapter 9 Sustainable Environmental Infrastructure, Chapter 10 Green Infrastructure and Recreation and Appendix 13 Surface Water Management Plan implement the relevant policies and objectives of these Guidelines. They are also addressed in the Strategic Flood Risk Assessment contained in Volume 7.

Section 28 Guidelines	Implementation
DEHLG (2009) Sustainable Residential Development in Urban Areas (Cities, Town and Villages): Guidelines for Planning Authorities (and the accompanying Urban Design Manual: a Best Practice Guide)	Chapter 4 Shape and Structure of the City, Chapter 5 Quality Housing and Sustainable Communities, Chapter 15 Development Standards and Appendix 3 Achieving Sustainable Compact Growth Policy for Density and Building Height in the City implement the relevant policies and objectives of these Guidelines.
DEHLG, DES (2008) The Provision of Schools and the Planning System: A Code of Practice	Chapter 5 Quality Housing and Sustainable Communities and Chapter 15 Development Standards implement the relevant policies and objectives of these Guidelines.
DEHLG (2007) Development Management: Guidelines for Planning Authorities	Chapter 15 Development Standards implements the relevant policies and objectives of these Guidelines.
DEHLG (2007) Development Plans: Guidelines for Planning Authorities	The relevant policies and objectives of these Guidelines have been implemented throughout the plan-making process.
DEHLG (2006) Wind Energy Development: Guidelines for Planning Authorities	While these Guidelines are not considered directly applicable to the Dublin City Council area, the issue of renewable energy is addressed in Chapter 3 Climate Action.
DEHLG (2006) Redevelopment of Certain Lands in the Dublin Area Primarily for Affordable Housing: Guidelines for Planning Authorities	The issue of housing is addressed in detail in Chapter 5 Quality Housing and Sustainable Communities and in Appendix 1 Housing Strategy.
DEHLG (2005) Sustainable Rural Housing: Guidelines for Planning Authorities	These Guidelines are not considered as being directly applicable to the Dublin City Council area.

Section 28 Guidelines	Implementation
DEHLG (2004) Implementation of the SEA Directive: Guidelines for Regional Authorities and Planning Authorities	These Guidelines informed the preparation of the Strategic Environmental Assessment (SEA) of the development plan, which is included as an accompanying volume 5 of the Plan. All recommendations and mitigation measures from the SEA process have been incorporated into the Plan. The SEA process and report implements the relevant policies and objectives of these Guidelines.
DEHLG (2004) Quarries and Ancillary Activities: Guidelines for Planning Authorities	These Guidelines are not considered as being directly applicable to the Dublin City Council area.
DEHLG (2003) Part V of the Planning and Development Act 2000 Further Guidance on Implementation Issues	Chapter 5 Quality Housing and Sustainable Communities and Chapter 15 Development Standards implement the relevant policies and objectives of these Guidelines.
DEHLG (2002) Part V of the Planning and Development Act, 2000: Implementation Issues	Chapter 5 Quality Housing and Sustainable Communities and Appendix 1 Housing Strategy implement the relevant policies and objectives contained in these Guidelines.
DOELG (2001) Childcare Facilities: Guidelines for Planning Authorities	Chapter 5 Quality Housing and Sustainable Communities and Chapter 15 Development Standards implement the relevant policies and objectives of these Guidelines.
DOELG (1996) Telecommunications Antennae Support Structures: Guidelines for Planning Authorities	Chapter 9 Sustainable Environmental Infrastructure and Chapter 15 Development Standards implement the relevant policies and objectives of these Guidelines.
DOELG (1994) Tree Preservation Guidelines	Chapter 10 Green Infrastructure and Recreation and Chapter 15 Development Standards implement the relevant policies and objectives of these Guidelines.

Table 2: Implementation of SPPRs from DLPLG (2018) Sustainable Urban Housing

Specific Planning Policy Recommendation	Implementation
SPPR 1: Apartment developments and unit type/mix	A Housing Strategy and HNDA has been prepared (see Appendix 1) and has demonstrated that there is a requirement for a mix in order to cater for the housing needs of the existing and future population in the Dublin City Council Area. This is also addressed in and Chapter 15 Development Standards and Chapter 5 Quality Housing and Sustainable Communities.
SPPR 2: Building refurbishment and urban infill schemes	Chapter 15 Development Standards, which sets out the relevant standards relating to unit mix and refurbishment/ infill schemes, complies with SPPR2.
SPPR 3: Apartment floor areas	Chapter 15 Development Standards, which sets out the relevant standards relating to apartment floor areas, complies with SPPR3.
SPPR 4: Dual aspect apartments	Chapter 15 Development Standards, which sets out the relevant standards relating to dual aspect apartments, complies with SPPR4.
SPPR 5: Ground level apartment floor to ceiling heights	Chapter 15 Development Standards, which sets out the relevant standards relating to ground level apartment floor to ceiling heights, complies with SPPR5.
SPPR 6: Number of apartments per floor per core	Chapter 15 Development Standards, which sets out the relevant standards relating to apartment floor areas, complies with SPPR6.
SPPR 7: BTR development	Chapter 15 Development Standards, which sets out the relevant standards relating to BTR developments, complies with SPPR7.
SPPR 8: Proposals that qualify as specific BTR development	Chapter 15 Development Standards, which sets out the relevant standards relating to BTR developments, complies with SPPR8.

Specific Planning Policy Recommendation	Implementation
SPPR 9: Shared accommodation	Chapter 15 Development Standards, which sets out the relevant standards relating to shared accommodation, complies with SPPR9.

Table 3: Implementation of SPPRs from DLPLG (2018) Urban Development and Building Heights

Specific Planning Policy Recommendation	Implementation
SPPR 1: Identification of areas where increased building height will be pursued	Chapter 4 Shape and Structure of the City, Chapter 13 Strategic Development and Regeneration Areas and Appendix 3 Achieving Sustainable Compact Growth Policy for Density and Building Height in the City identify areas where increased building height will be pursued in accordance with national and regional planning policy and this SPPR.
SPPR 2: Appropriate mixes of uses	Chapter 4 Shape and Structure of the City, Chapter 13 Strategic Development and Regeneration Areas, Chapter 14 Land Use Zoning, Chapter 15 Development Standards and Appendix 3 Achieving Sustainable Compact Growth Policy for Density and Building Height in the City ensure an appropriate mix of uses as required by this SPPR.
SPPR 3: Approval of certain development and review of planning schemes	Chapter 4 Shape and Structure of the City, Chapter 13 Strategic Development and Regeneration Areas, Chapter 15 Development Standards and Appendix 3 Achieving Sustainable Compact Growth Policy for Density and Building Height in the City provides guidance in relation to the approval of developments as specified in this SPPR.