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Wood Quay  
Dublin 8



STW Ref: 21133-REP-001A

11<sup>th</sup> February 2022

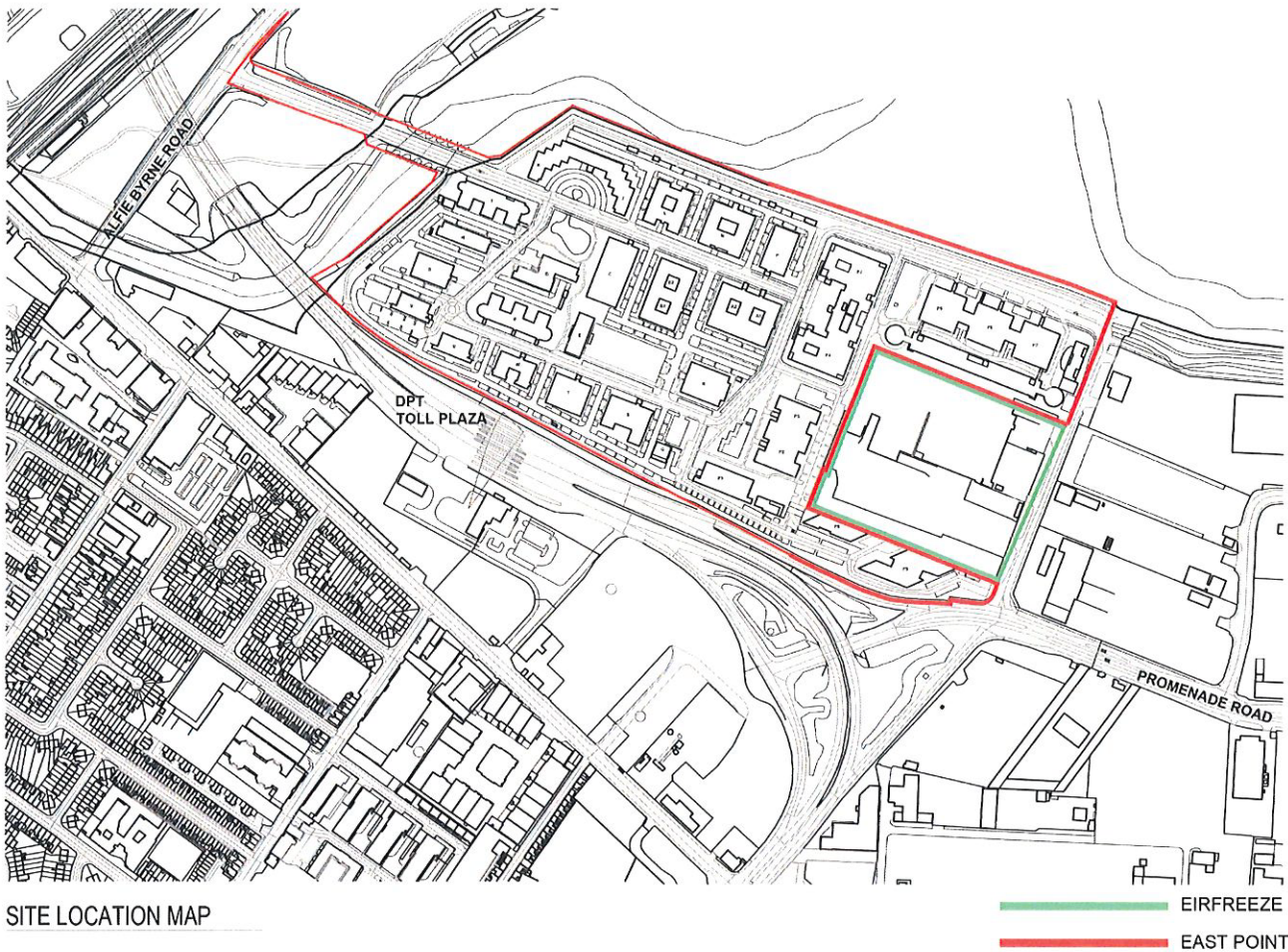
Dear Sirs

[Written Submission on Draft Dublin City Development Plan 2022-2028 regrading lands at East Point, Fairview, Dublin 3](#)

We act for Earlsfort East Point and for East Point Development (Two) Ltd, the owners of the lands and of many of the buildings at the above business park known as East Point, and for East Point Management Company Ltd, the managers of East Point, and wish, on their behalf, to make the following submission to Dublin City Council for its consideration in response to the request for observations and submissions to the recently published Draft Dublin City Council Development Plan 2022 – 2028.

In preparing this submission, Earlsfort Group liaised with their neighbours, Molloy & Sherry (Eirfreeze) Ltd, (the owners of the balance of the land block to the north of the Dublin Port Tunnel Toll Plaza, to the west of Dublin Port) to advise them on this pending submission.

As part of this submission, please see the attached letter from Molloy & Sherry (Eirfreeze) Ltd dated 7<sup>th</sup> February 2022, with a map attached as below that identifies both the Eirfreeze lands and those of East Point, that confirms their support for this submission, and which requests that their lands also be included as part of this submission. Accordingly, the references to zoning and uses as well as the discussion on amending the Land Use Zoning for East Point should be read as including the 'Eirfreeze' lands.



The first part of this submission provides a brief description of the subject lands at East Point and an overview of its development and planning history. It also sets out some key emerging business requirements and the implications for the next phase of development of East Point.

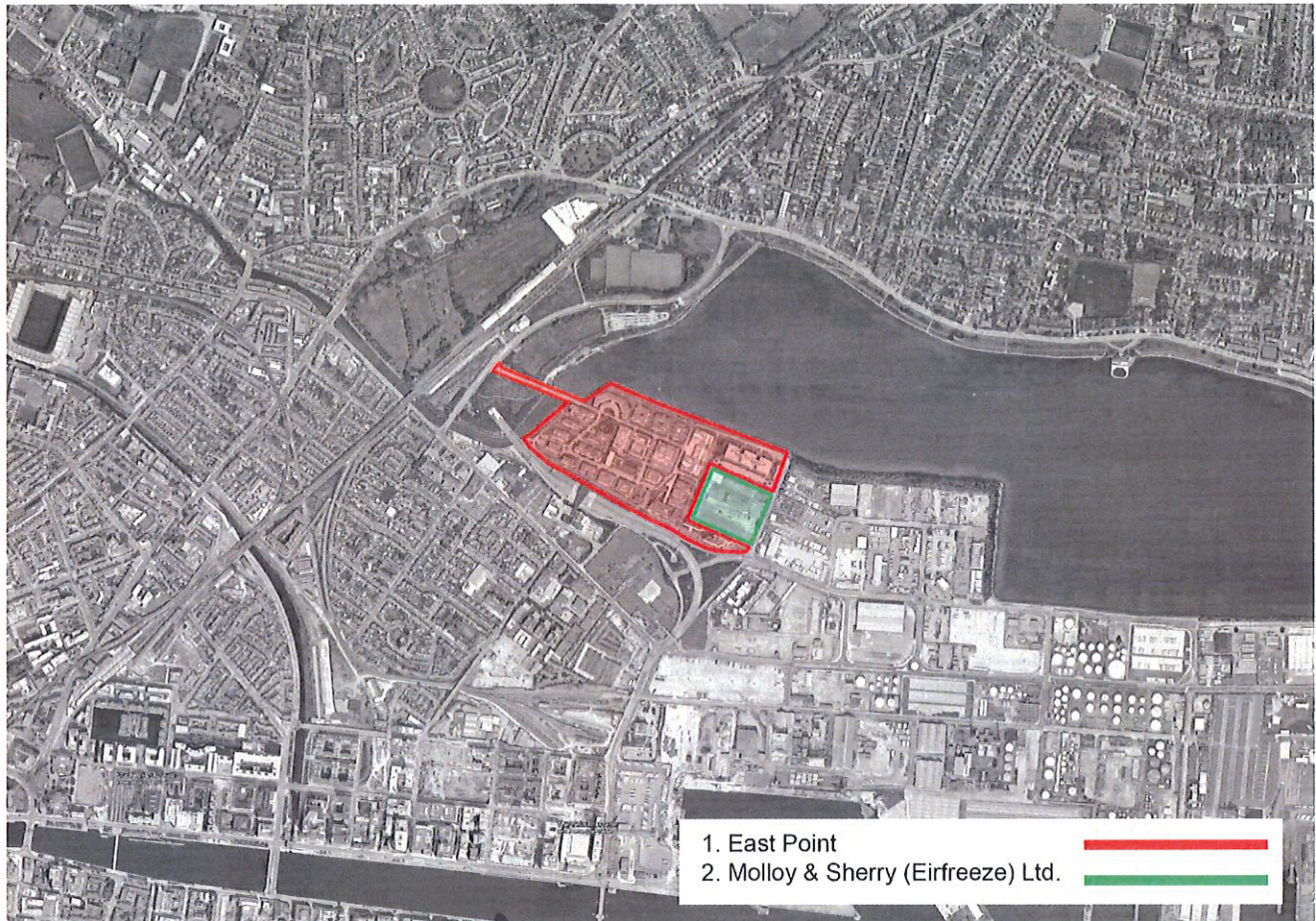
This submission then reviews the relevant policies in the Draft Dublin City Development Plan 2022-2028, considers their implications for East Point to continue to grow as a strategic location for employment and enterprise, and identifies a key issue relating to the land use zoning objective that may adversely impact on achieving this.

The key challenge emerging for employment and enterprise business is the provision of residential accommodation within a few minutes' walk of the main employment centre. To meet these needs, Earlsfort Group would like the option to provide residential use on East Point, as an integral part of the development, the same as other parts of the Dublin Docklands.

The final part of this submission considers several options for possible modifications to the Draft Dublin City Development Plan 2022-2028 to provide for this and asks that these and/or other options be given further consideration by Dublin City Council.

## Subject Lands

East Point is located within the Dublin Docklands area, to the north of the Toll Plaza for the Dublin Port Tunnel, as indicated in red on the image below. Eirfreeze is bounded on its northern, western, and southern boundaries by East Point, and to its east by Bond Road, off which East Point also opens.



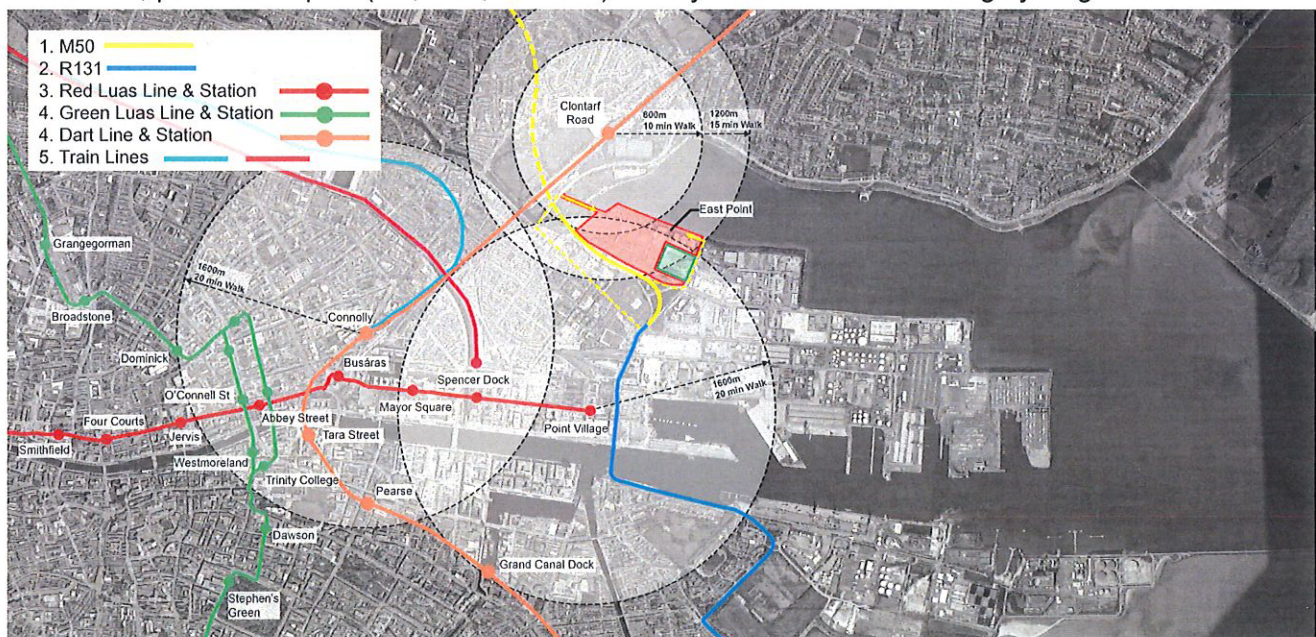
East Point comprises a site area of approximately 16.5 hectares (c.40 acres), excluding its access road and crossing over the Tolka Estuary that links to Alphie Byrne Road. Eirfreeze comprises a site area of c.3.2 hectares (c. 7.9 acres).

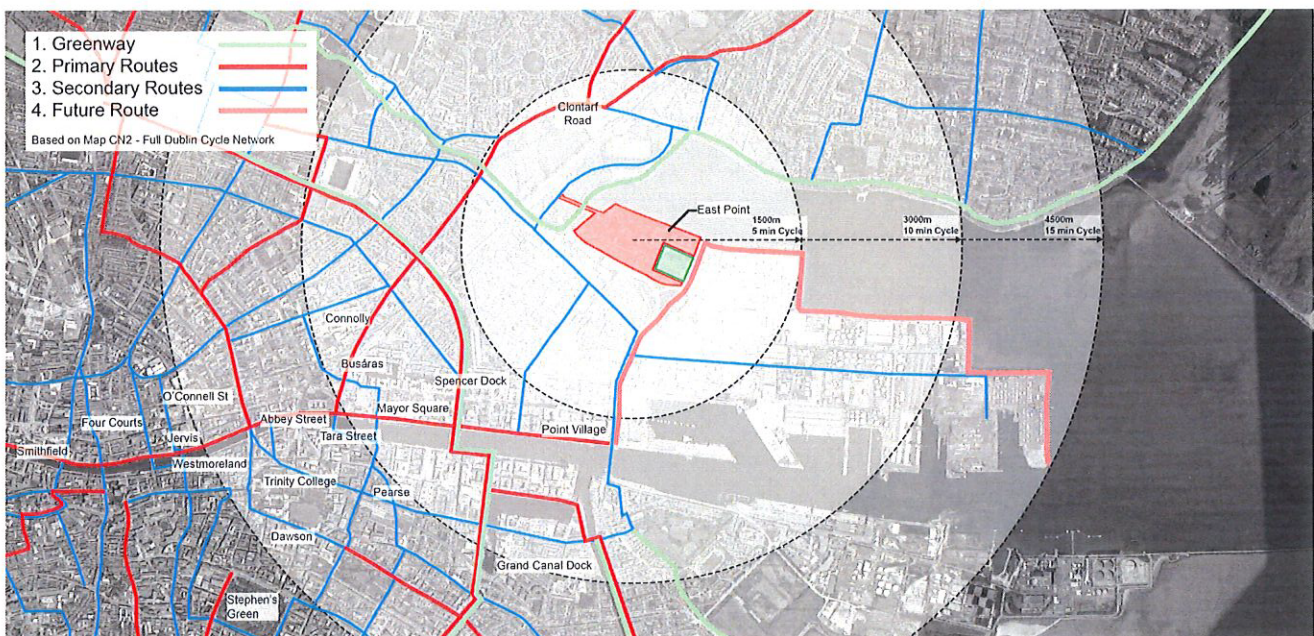
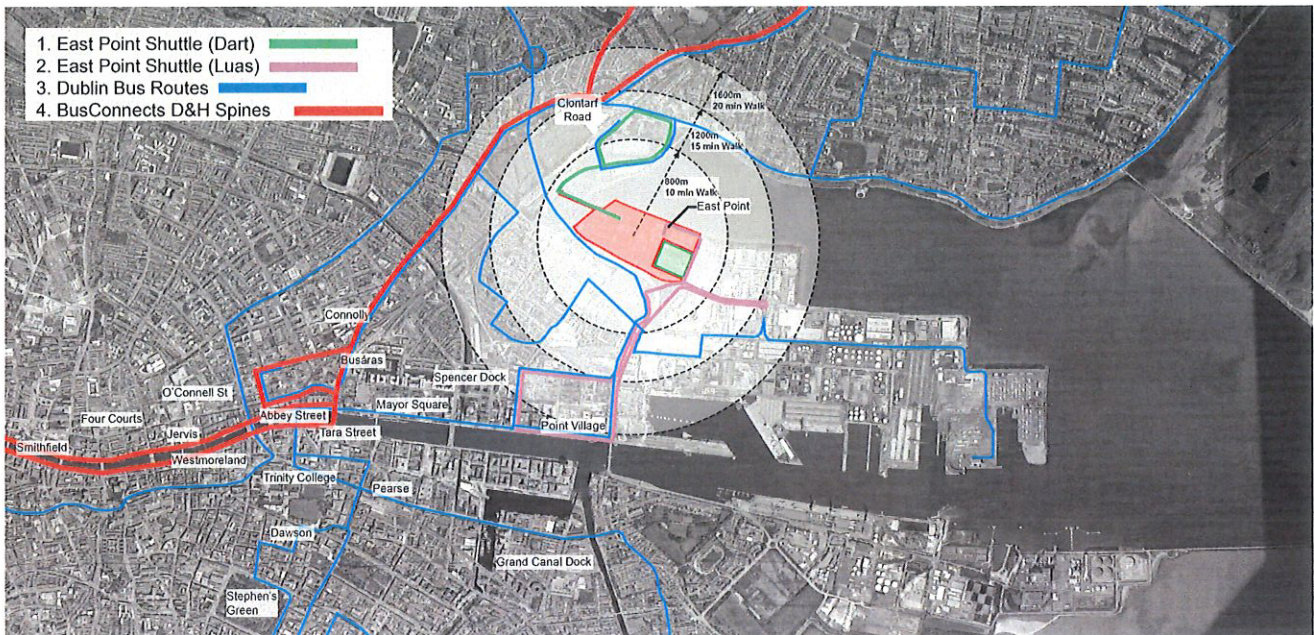
Development of East Point commenced in 1997 on what was undeveloped reclaimed land. The warehouse on the Eirfreeze site predates the development of East Point, with only minor variations and extensions having been carried out on those lands in the interim. Today, East Point is a highly attractive prime business location in Dublin Docklands, consisting of 34 buildings providing a total floor area c.128,000 sq.m. of primarily office type accommodation and supporting services (retail, cafes, creche and healthcare facilities). There are currently approximately 8,500 people working at East Point. The main employers include major international technology and financial companies, (eg. Oracle, Google, etc.) as well as the main offices of Enterprise Ireland. The campus includes extensive landscaping and open spaces creating a parkland environment, as well as accessible walkways along the Tolka estuary which forms two of its four primary boundaries.

East Point has two main access points. The western entrance is the new crossing over the Tolka Estuary providing access from the Alphie Byrne Road, built as part of Phase 1 in 1997. The eastern entrance is from Bond Road, which connects directly to the Dublin Port Tunnel ramps, so giving direct access to Dublin Airport, and to the East Wall Road which leads into the wider Docklands area including Spencer Dock and the Point Village, and to the south city via the East Link Bridge across the Liffey. Within East Point, through traffic is restricted by security control points at each of its two entrances.

East Point has excellent public transport links. It is within 15 minutes' walk of the Clontarf Road DART Station and Bus Connects routes (D & H spines, N2 orbital route to Heuston Station, N4 route to Blanchardstown). The Bus Connects N4 orbital route passes the western entrance to East Point on Alfie Byrne Road and continues along the East Wall Road to Spencer Dock. East Point is also served by its own commuter bus service that connects it to the LUAS red-line terminus at Point Square and to the Clontarf Road DART station.

East Point is also highly accessible for cyclists. It is within a 15-minute cycle journey of Dublin's main central area, the north inner-city suburbs, and the wider docklands area, and has excellent connections with the existing and proposed cycle routes, including a greenway along Alfie Byrne Road. The diagrams below demonstrate the location and proximity of the subject lands at East Point with roads, public transport (rail, luas, and bus) and cycle routes with walking/cycling distance circles.





### Development History – Brief Overview

The subject lands at East Point were reclaimed during the 1960s and gradually purchased by the Earlsfort Group from 1989 onwards. At the time, the area was largely undeveloped reclaimed land located to the north-east of the city centre and IFSC. Scott Tallon Walker Architects were commissioned to prepare a masterplan for a new business park including a new entrance link across the Tolka Estuary.

The development masterplan, set out site planning and urban design principles with criteria for the very high-quality design of buildings, landscape, materials, finishes and signage. Scott Tallon Walker Architects were then commissioned as architects for the buildings for each development phase. East Point Management Company Ltd. was established to manage and maintain the development.

Clontarf Road DART station opened on 1 September 1997 to serve East Point and the surrounding densely populated areas. Earlsfort Group were instrumental in the development of Clontarf Road DART Station having offered to Iarnrod Eireann (IE) to design and build it for them, although IE decided to do it alone supported by a financial contribution from Earlsfort Group.

Development of East Point has taken place in three main phases starting in 1997. The buildings in the first phase (c. 67,000 sq.m.) were three storey in height, with phase 2 having 4 storey high buildings (c 47,000 sq.m.) and the final phase (c.14,000 sq.m.) having two buildings – one 6 storey and one 7 storey in height. The most recent building was completed in 2008, following which there have been ongoing redevelopment and upgrading works to meet user needs, as well as improvements to the quality of place to be more pedestrian and cycle friendly.

This coordinated approach to the design and management of East Point has been instrumental in attracting companies and occupants, and a key factor of this process has been to understand and cater for changing business needs.

### Planning History - Summary

The East Point planning permission history extends back to shortly after Earlsfort Group purchased the site in 1989. The main site development permissions are listed below, as it is back to these that all amendments thereafter refer.

DCC Planning Ref. 2487/91

This permission, granted in April 1992, was for 10 light industrial type buildings on a 7.1 Ha site, and included the new entrance across the Tolka Estuary. Development was not carried out based on this permission, but many of the conditions were referenced in the 1996 permission granted (Planning Ref. 1432/96) as follows.

DCC Planning Ref. 1432/96

This permission, granted in October 1996, was to amend the 1992 permission (Planning Ref. 2487/91), to extend the site to 8.5 Ha and to provide for 18 office type buildings.

DCC Planning Ref. 0325/98

This permission, granted in February 2000, included for the expansion of East Point into adjacent lands to its east, so increasing the site area to 13.9 Ha, for the creation of a second entrance to East Point from Bond Road within Dublin Port and to provide for an additional 6 office type buildings.

DCC Planning Ref. 1084/01

This permission, granted in October 2001, was to amend the building forms and numbers provided for in the 2000 permission (Planning Ref. 0325/98).

Development works commenced in early 1997, and the last new building was completed in mid-2008. However, with ongoing development, including upgrading and tenant-associated works, the above planning permissions have been amended by many subsequent permissions, that relate to specific buildings, infrastructure, etc. All development has been carefully managed and carried out in compliance with the many planning permissions.

### Emerging Business Requirements and Development Strategy

The Earlsfort Group and the East Point Management Company Ltd. are very attuned and responsive to the needs of business practice. With the successful completion of each phase, the masterplan has been reviewed and updated in response to evolving occupant/user and business needs. This has been instrumental in the way that East Point has transitioned from a 'first generation' style business park into a prime location for tech and finance companies. The decision by Enterprise Ireland to locate its main office in East Point is recognition that the location in terms of proximity to the city centre, and good accessibility with city, airport, port, road, and rail infrastructure, have all contributed to the attractiveness of East Point as a business location, and that the quality of place and ease of accessibility to the city, suburbs and coast has been crucial in terms of attractiveness to workers and employee satisfaction.

The current plot ratio of East Point is around 1.0, with a site coverage of **22%**. Although this includes the entire lands rather than each development plot, many of the existing buildings are low in scale, at 3-4 storey with extensive surface car parking. There is considerable scope for to increase the density and scale of development. The current Dublin City Development Plan 2016-2022 Chapter 16 Development Standards provides an indicative plot ratio of between 2.0-3.0 and site coverage of 60%. Therefore, as many of the buildings are approaching 25 years old there is scope within existing planning policies for further employment growth through increasing density and scale of development through redevelopment.

Earlsfort Group and the East Point Management Company Ltd. are undertaking a review of their Development Strategy to maintain and further develop East Point as an attractive business location over the next 25 years. This review includes objectives relating to EU and National Climate Action Policies, as well as Corporate Environmental Goals. The programme of work will include energy upgrade and reuse of existing buildings as well as sustainable construction methods and management of new buildings. On the operational side, Companies and occupants are seeking to minimise their own carbon footprint and that of their employees on an everyday basis.

Many employees of tech and finance companies expect high quality furnished accommodation with support services within a pleasant short walk or cycle of their workplace. Failure to provide this type of accommodation, as close as possible to their place of work, impacts negatively on staff retention and consequently locational and investment decisions by companies, which in turn can have an adverse economic impact on the city, regional and national economy.

The emerging approach is towards a more 'blended' working/living environment with flexible work/living arrangements in a mixed-use urban environment. This is already evident in new urban districts of other comparable European cities, and in locational and property investment decisions by tech and finance companies in 'mixed-use' areas of Dublin Docklands, and elsewhere in the city. Many of the companies located at East Point already provide short- and medium-term residential accommodation for their employees in the surrounding city. However, availability has become increasingly scarce in a highly competitive rental market, with companies sometimes competing against local people for the same accommodation, resulting in housing becoming unaffordable for local people.

Earlsfort Group and the East Point Management Company Ltd. have identified that providing an element of residential accommodation as part of the East Point Development Strategy is essential to East Point retaining and improving its attractiveness as a growing employment centre. Residential use is 'open for consideration' in the current Dublin City Development Plan 2016-2022 Z6 Land Use zoning objective which is applicable to East Point. The objective for Earlsfort Group and the East Point Management Company Ltd is that East Point should continue to grow and develop as a significant employment centre, with a greater mix of uses.

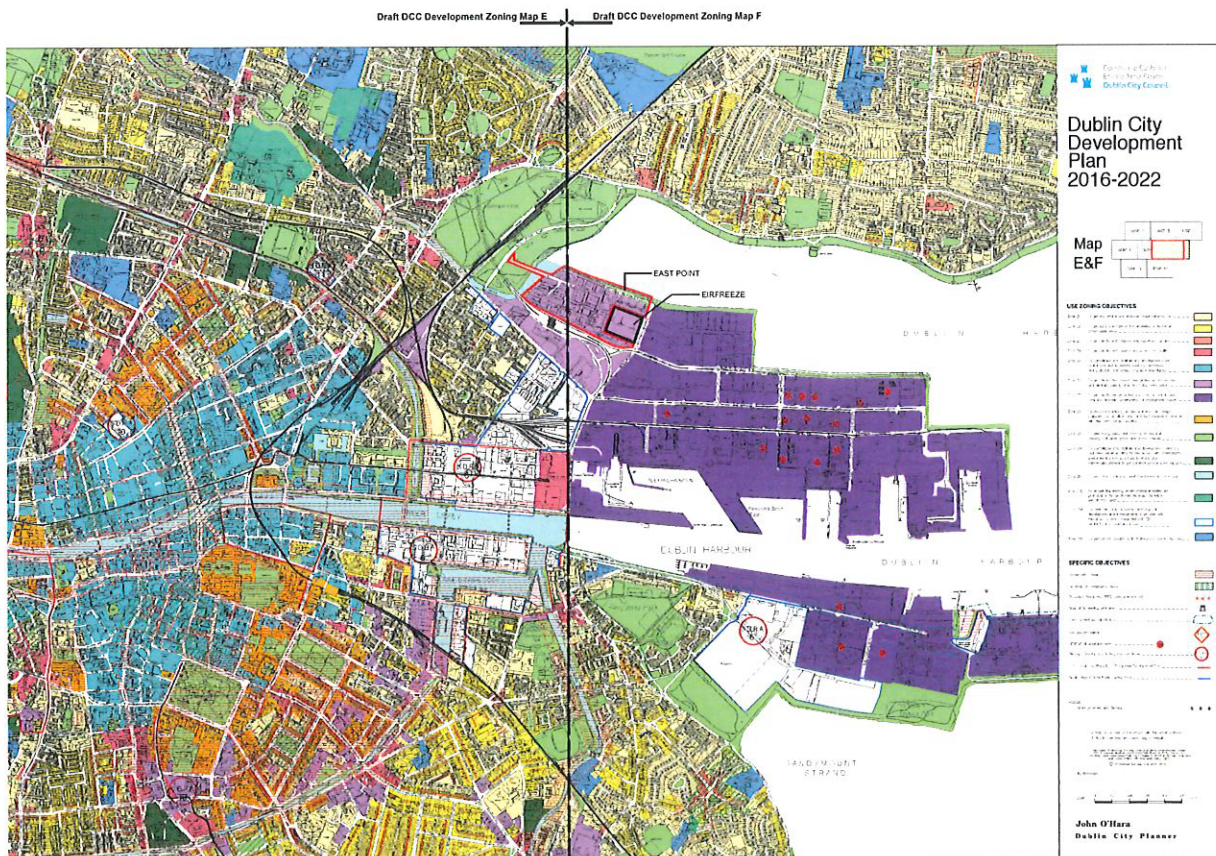
Current Dublin City Development Plan 2016-202

Z6 - Land Use Zoning Objective

Chapter 14 of the current Dublin City Development Plan 2016-2022 sets out the land use zoning objectives. The subject lands at East Point are designated as having a 'Z6 – Employment/Enterprise' land-use zoning. The objective of this zoning is:

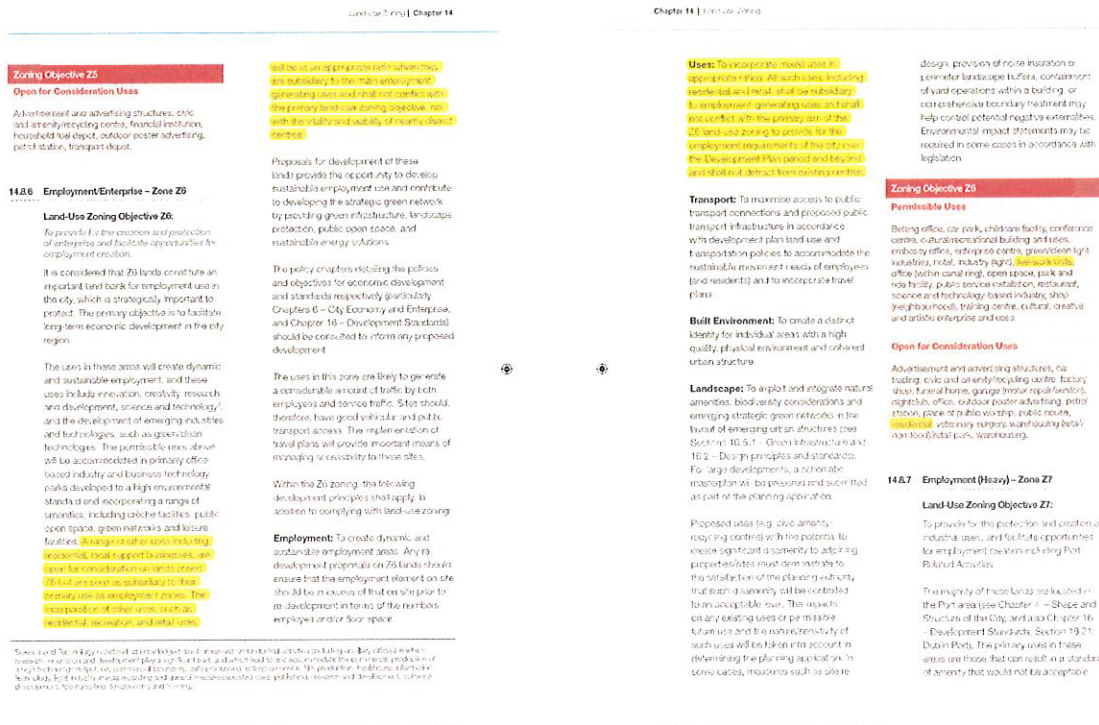
*'to provide for the creation and protection of enterprise and facilitate opportunities for employment creation.'*

The subject lands of East Point and Eirfreeze are indicated on the drawing below. The drawing combines part of Maps E & F from the current Dublin City Development Plan 2016-2022 because the subject lands straddle both maps. The combined maps show that the subject lands, as well as the adjacent lands between the Dublin Port tunnel and East Wall Road to the south, designated as 'Z6 – Employment/Enterprise' land-use zoning.





Section 14.8.6 of the current Dublin City Development Plan 2016-2022 is reproduced below with areas highlighted in relation to residential use.



Of note are the following sentences highlighted in the second paragraph:

*'A range of other uses including residential, local support businesses, are open for consideration on lands zoned Z6 but are seen as subsidiary to their primary use as employment zones. The incorporation of other uses, such as residential, recreation, and retail uses, will be at an appropriate ratio where they are subsidiary to the main employment generating uses and shall not conflict with the primary land-use zoning objective, nor with the vitality and viability of nearby district centres.'*

And in the eighth paragraph:

*'Uses: To incorporate mixed uses in appropriate ratios. All such uses, including residential and retail, shall be subsidiary to employment-generating uses and shall not conflict with the primary aim of the Z6 land-use zoning to provide for the employment requirements of the city over the Development Plan period and beyond and shall not detract from existing centres.'*

**Development Standards – Height, Density, Plot Ratio, Site Coverage**

Other relevant applicable Development Standards are set out in Chapter 16 of the Dublin City Development Plan 2016-2022. These include sections 16.5 plot ratio and 16.6 site coverage as reproduced below.

16.5 Plot Ratio

Plot ratio is a tool to help control the built and mass of buildings. It expresses the amount of floor space in cubic metres (proportionally) to the site area, and is determined by the gross floor area of the building divided by the site area. Plot ratio will apply to both new buildings and extensions to existing buildings.

The gross floor area is the sum of floorspace within the external walls of the building(s) (excluding basement) but including eaves and tank, income and car parking areas above ground level. In the case of a group of buildings with a common courtyard, the floor areas will be aggregated. The site area includes any such land as the within the coverage of the related building.

Plot ratios can determine the maximum building footprint area or volume on a given site, but on their own cannot determine built form. The same area or volume can be distributed on a site in different ways to generate very different environments.

Consequently, plot ratio standards need to be used in conjunction with other development control measures, including site coverage, building height, density and permeability controls. The standards applied to residential areas, and parking provision.

**Indicative Plot Ratio Standards**  
The indicative Plot Ratio standards are set out below.

Zone	Indicative Plot Ratio
Z1 and Z2 Outer City	0.5 – 2.0
Z1 and Z2 Inner City	0.5 – 2.0

Zone	Indicative Plot Ratio
Z3 Neighbourhood Centres	1.5 – 2.0
Z4 District Centres	2.0
Z5 City Centre	2.5 – 3.0
Z6 Outer – Employment	2.0 – 3.0
Z6 Inner – Employment	2.0 – 3.0
Z8 Georgian	1.0
Z10 Mixed-Use	2.0 – 3.0
Z12 Institutional Short Term	0.5 – 2.5
Z14 Regeneration	1.0 – 3.0
Z15 Institutional Long Term	0.5 – 2.5

All higher plot ratios may be permitted in certain circumstances such as:

- Acquiring major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed.
- To facilitate comprehensive re-development in areas in need of urban renewal.
- To maintain existing streetscape profiles.
- Where a site already has the benefit of a higher plot ratio.
- To facilitate the strategic role of institutions such as hospitals.

16.6 Site Coverage

Site coverage is a control for the purpose of ensuring the address effects of over development, through safeguarding sunlight and daylight within or adjoining adjacent areas of buildings.

Site coverage is the percentage of the site covered by building structures, excluding the public roads and footpaths.

Site coverage is a tool particularly relevant in urban locations where open space and car parking standards may be relaxed.

As with plot ratios, higher site coverages may be permitted in certain circumstances such as:

- Allowing major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed.
- To facilitate comprehensive re-development in areas in need of urban renewal.
- To maintain existing streetscape profiles.
- Where a site already has the benefit of a higher site coverage.

The indicative Site Coverage standards are set out below.

Zone	Indicative Site Coverage
Z1	45% – 60%
Z2	45%
Z3	60%
Z4	60%
Z5	80%
Z6	60%
Z8	50%
Z10	50%
Z12	50%
Z14	50%
Z15	50%

16.7 Building Height in a Sustainable City

16.7.1 Overview

Dublin City Council acknowledges the intrinsic quality of Dublin as a 'compact city' and is prioritising its development primarily in this form. There is a recognised need to protect conservation areas and the architectural character of existing buildings, streets and spaces of urban, civic or historic importance. In particular, any new proposals must be sensitive to the historic city centre, the River Liffey and Quays, Trinity College, Dublin Castle, the National Archives and the canals.

It is important to predict and reinforce the skyline of the inner city and to ensure that any proposals for high buildings make a positive contribution to the urban character of the city, and create opportunities for place-making and identity.

A coordinated approach should be taken to the substantial pooling of higher building forms across the city to create clusters, where appropriate, and prevent visual clutter or negative disruption of the city skyline.

When developing benchmark high buildings, the planning authority will encourage architectural design competition and the exploration of different architectural concepts for sites on which higher buildings are considered.

The Irish Aviation Authority must be notified in all cases where a proposed development exceeds 15m in height.

These show that the plot ratio for lands with a Z6 land use zoning objective the plot ratio should be between 2.0-3.0 with an indicative site coverage of 60%. The current plot ratio of East Point is around 1.0, with a site coverage of 22%. Although this includes the entire lands rather than each development plot, many of the existing buildings are low in scale, at 3-4 storey with extensive surface car parking, and there is considerable scope for further development and intensification of East Point, including a residential element, in compliance with the Dublin City Development Plan 2016-2022.

Z6/Z7 Review and Proposed Variation of the Dublin City Development Plan 2016-2022

A review of all Z6/Z7 land was carried out by Dublin City Council in 2019 in accordance with the Dublin City Development Plan 2016-2022 objective CEE04:

- (i) To carry out a targeted survey of those industrial estates with likely redevelopment potential and to make recommendations on how that redevelopment potential might be best achieved.
- (ii) To carry out a study on the potential of lands zoned for enterprise and employment space, the adequacy of such potential supply, and the issue of under-utilised/vacant lands.

Records show that on 19<sup>th</sup> February 2019, the Council Assistant Chief Executive gave a report to the Lord Mayor and Council members setting out policy context, categories identified and the preliminary findings of the study. These are summarised as follows:

The purpose of the study was to examine the most appropriate policy and zoning response following a detailed examination of the lands, having regards to the future needs of the city, and with regard to the National Planning Framework (NPF) and Regional Spatial and Economic Strategy for the Eastern and Midland Regional Area (RSES) objectives on urban consolidation and compact growth together with the emphasis on brownfield/infill development and targets in those documents.

The study identified five categories of employment/ industrial lands.

- Category 1 - small-scale sites,
- Category 2 - medium-scale sites,
- Category 3 - Economically strategic sites,
- Category 4- larger sites needing framework plans
- Category 5- other miscellaneous sites.

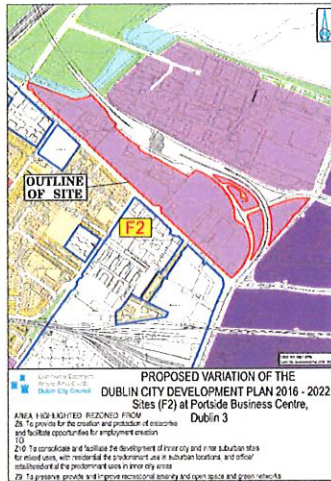
Preliminary findings of the study included:

1. Economically Strategic sites with Z7 zoning objective including Dublin Port and St James/Diageo lands should remain as Z7 lands, while the remaining Z7 lands at Kylemore Park West should be considered as 'larger sites needing Framework Plans'.
2. Circa 217ha (35%) of Z6 lands should remain as Z6 'Employment and enterprise' due to the economically strategic nature / potential of these lands.
3. The preliminary assessment of the remainder of the Z6 lands indicated potential rezoning to Z1 (Residential zoning), Z14 (regeneration) new growth areas, other Z14 mixed zoning, Z10 (Mixed use zoning) and other mixed-use zonings (Z3, Z4, Z5)
4. The potential Z14 (regeneration) New growth areas consisted of 45% of the total Z6 lands that are significant in scale and would need a more detailed planning framework to realise national and regional housing and employment objectives.
5. The text of the Z10 land use zoning objective may need to be reviewed to ensure that, for example, existing employment, where it exists, is retained and that the mixed-use rationale of the zoning objective can be easily and effectively applied to rezoned Z6 lands throughout the city. Other land use zoning objectives, including the Z6 land use zoning objective may need to be reviewed.

The next step was to seek variations to the Development Plan in late 2019/early 2020 to comply with the NPF and RSES by working on the sites identified for a possible rezoning variation and in relation to any proposed changes to the core strategy and related objectives and policies, with the possibility of incorporating any required changes into a variation.

Further records include a presentation to the south-central area committee in November 2019 by City Planners on the study and proposed variations to the City Development Plan 2016-2022. This included the proposed rezoning from Z6 to Z10 of the lands between East Wall Road and the Port Tunnel Plaza area directly south of East Point (see below). However, it is noted that in the Draft Dublin City Development Plan 2022-2028, these lands remain designated as are shown with the Z6 land use zoning objective.

## East Wall Road



**Area:** 10.945 Hectare

**Location:** adjacent to Dublin Port Tunnel

**Land use:** retail, light industrial, vehicle storage and office development uses

**Level of intensity:** low scale, low intensity

**Accessibility:** well served by Dublin Bus, approx. 700m from the Point Luas stop

**Site relevant matters:** located within a Flood Zone Defended Area, close proximity to sites of conservation sensitivity, land flanks Port Tunnel

**Proposed rezoning:** Z10 (Mixed Use)



### Draft Dublin City Development Plan 2022-2028

#### Strategic Context and Vision

Earlsfort Group and the East Point Management Company Ltd. support the strategic context and vision for city approach set out in Chapter 1 of the Draft Dublin City Development Plan 2022-2028. Section 1.2 sets out the overarching strategic approach *'to develop a low-carbon, sustainable, and climate resilient city.... It is envisaged that by 2050, Dublin will be a zero-carbon city with all of its energy coming from renewable energy sources... we will achieve essentially CO2-free city logistics in Dublin by 2030'*. This aligns with the Development Strategy for East Point. They also recognise that the policy and regulatory context has changed significantly since the adoption of the current Dublin City Development Plan 2016-2022, in terms of the hierarchy of international, national, and regional policies that are now in place, and note that the Dublin Metropolitan Area Strategic Plan (MASP) has identified identifies strategic development areas and strategic employment lands including Dublin docklands.

#### Core Strategy - Economic and Employment

Earlsfort Group and the East Point Management Company Ltd. also welcome and support the Economic and Employment Strategy in Section 2.5 of the Draft Dublin City Development Plan 2022-2028 *'to safeguard and enhance Dublin's role as Ireland's internationally competitive capital; to promote strategic and targeted employment growth; to support the creation of high quality urban spaces and the transition to a low-carbon, green, circular economy; to support key economic sectors; and to foster local economic development and social enterprise'*. These are consistent with the emerging Development Strategy for East Point. Of note is the following statement:

*'The city has seen a significant change in the character of its employment land over the last number of years. Previous low intensity industrial land has in many instances been redeveloped for high*

quality office use and other more intensive employment land uses. This has been particularly evident in Dublin Docklands. The economic strategy seeks to build on these trends and to continue to support the shift from low intensity, more land-extensive employment uses towards more intensive office, service, retail, tourism, and culture related employment activity. **In line with the principles of the 15-minute city, the strategy also promotes a more mixed-use philosophy, with employment land uses to be developed in conjunction or in close proximity to residential development.** In particular, this will be promoted on former industrial Z6 lands, many of which are now zoned Z10, as well as in the SDRAs and Z14 zoned lands and in Key Urban Villages throughout the city.’ (Words in red for emphasis)

Earlsfort Group and the East Point Management Company Ltd. are supportive of this approach including a residential element as part of their development strategy for East Point.

#### City Economy and Enterprise

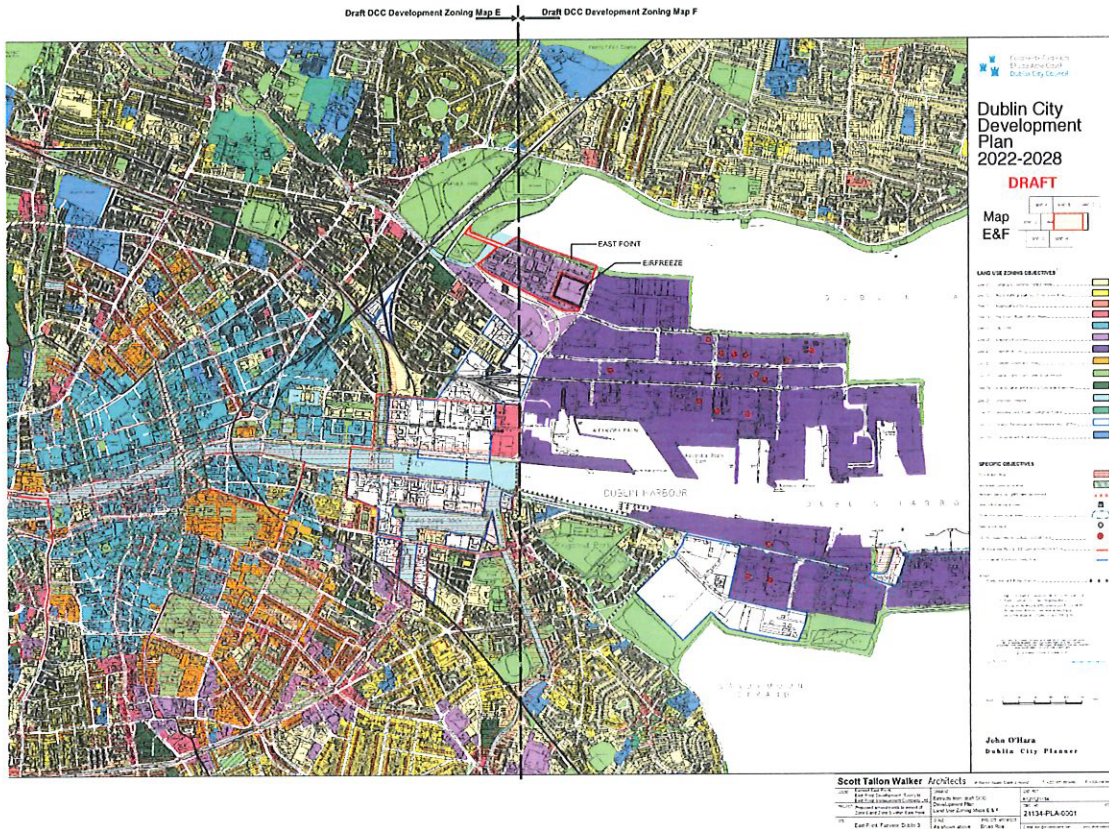
Earlsfort Group and the East Point Management Company Ltd. welcome and support in section 6.5.2 the statement that *‘the development of people intensive high tech and services-based districts in Docklands and Poolbeg as identified in the MASP is set to continue’*. However, it is noted that Section 6.5.2 then refers only to the North Lotts and Grand Canal Dock SDZ and Poolbeg West Planning Schemes with no reference to the wider Docklands area as defined later in SDRA-6, which includes the subject lands at East Point.

Policy objective CEE9 for the Docklands *‘to support the continued regeneration of the docklands area and its development as a leading centre of people intensive high tech and services based business’* is supported by Earlsfort Group and the East Point Management Company Ltd, as is policy objective CEE19 *‘Regeneration areas: To promote and facilitate the transformation of Strategic Development and Regeneration Areas (SDRAs) in the city, as a key policy priority and opportunity to improve the attractiveness and competitiveness of the city, including by promoting high-quality private and public investment and by seeking European Union funding to support regeneration initiatives, for the benefit of residents, employees and visitors.’*

#### Z6 - Land Use Zoning Objective

The subject lands of East Point and Eirfreeze are indicated on the drawing below. The drawing combines part of Maps E & F from the Draft Dublin City Development Plan 2022-2028 because the subject lands straddle both maps. The combined maps show that the subject lands, as well as the adjacent lands between the Dublin Port tunnel and East Wall Road to the south, remain designated as ‘Z6 – Employment/Enterprise’ land-use zoning in the Draft Dublin City Development Plan 2022-2028. The objective of this zoning is:

*‘to provide for the creation and protection of enterprise and facilitate opportunities for employment creation’.*



Section 14.7.6 of the Draft Dublin City Development Plan 2022-2028 which sets out the Z6 Land Use Zoning Objectives is reproduced below.

**14.7.6 Employment/Enterprise – Zone Z6**

**Land-Use Zoning Objective Z6: To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.**

The Development Plan has identified key Strategic Development Areas (see Chapter 6) to support investment, job creation and overall economic growth within the city.

In addition, it is considered that the remaining Z6 lands constitute an important land bank for employment use in the city, which is strategically important to protect. The progressive consolidation and development of these lands will be supported. The primary objective for this zone is to facilitate long-term economic development in the city. It is important that these remaining Z6 zoned lands provide for intensive employment and accommodate a wide range of local services.

The uses in these areas will create dynamic and sustainable employment and include innovation, creativity, research and development, science and technology, social enterprise, creative industry and the development of emerging industries such as green/clean technologies and the marine sector. These uses will be accommodated in primarily office-based industry and business technology parks developed to a high environmental standard and incorporating a range of amenities, including crèche facilities, public open space and enhanced public realm, green networks and leisure facilities.

A range of other uses, including local support businesses, are open for consideration on lands zoned Z6 but are seen as subsidiary to their primary use as employment zones. The incorporation of other uses, such as recreation/leisure and retail uses, will be at an appropriate ratio where they are subsidiary to the main employment generating uses and shall not conflict with the primary land use zoning objective, nor with the viability and viability of nearby urban villages.

Proposals for development of these lands should create a high quality physical environment, coherent urban structure, provide the opportunity to develop sustainable employment use, and contribute to developing the strategic green network by providing green infrastructure, landscape protection, public open space and sustainable energy solutions.

The policy chapters detailing the policies and objectives for economic development and standards respectively (particularly Chapters 6 City Economy and Enterprise, and Chapter 15 Development Standards) should be consulted to inform any proposed development.

The uses in this zone are likely to generate a considerable amount of traffic by both employees and service traffic. Sites should, therefore, have good vehicular and public transport access. The implementation of travel plans will provide important means of managing accessibility to these sites – see Appendix 5.

**Z6 – Permissible Uses**

Café/tearoom, car park, childcare facility, civic and amenity/recycling centre, conference centre, cultural/recreational building and uses, cultural, creative and artistic enterprise and uses, delicatessen, embassy office, enterprise centre, household fuel depot, industry (light), internet café/call centre, media associated uses, mobility hub, office, office-based industry, open space, park and ride facility, public service installation, restaurant, science and technology-based industry, shop (local), training centre, wholesale outlet.

**Z6 – Open for Consideration Uses**

Advertisement and advertising structures, amusement and leisure complex, beauty/ grooming services, betting office, boarding kennel, buildings for the health, safety and welfare of the public, car trading, community facility, craft centre/ craft shop, crematorium, financial institution, funeral home, garage (motor repair/service), garden centre/ plant nursery, hotel, laundromat, medical and related consultants, nightclub, off-licence (part), outdoor poster advertising, petrol station, place of public worship, postal hotel/motel, public house, shop (factory shop), shop (neighbourhood), sports facility, veterinary surgery, warehousing (retail/non-food)/retail park, warehousing.

**14.7.7 Employment (Heavy) – Zone Z7**

**Land-Use Zoning Objective Z7: To provide for the protection and creation of industrial uses, and facilitate opportunities for employment creation including Port Related Activities.**

The majority of these lands are located in the Port area and at the Diageo/ Guinness complex (see Chapter 4, Shape and Structure of the City, Chapter 6 City Economy and Enterprise, Chapter 9 Sustainable Environmental Infrastructure and Chapter 15, Development Standards). The primary uses in these areas are those that can result in a standard of amenity that would not be acceptable in other areas. Such activities include industry, other than light industry, manufacturing, repairs, open storage, waste material treatment, utility operations and transport operation services.

Of note are the following sentences highlighted in the fourth paragraph relating to uses that are open for consideration.

*'A range of other uses including local support businesses, are open for consideration on lands zoned Z6 but are seen as subsidiary to their primary use as employment zones. The incorporation of other uses, such as recreation/leisure and retail uses, will be at an appropriate ratio where they are subsidiary to the main employment generating uses and shall not conflict with the primary land-use zoning objective, nor with the vitality and viability of nearby urban villages.'*

This wording is near identical to the third paragraph of Section 14.8.6 of the current Dublin City Development Plan 2016-2022, referred to previously in this submission, except that reference to residential use has been removed from the first sentence. Residential use has also been removed from those uses open for consideration.

It is also noted that subsequent paragraphs from the current Dublin City Development Plan 2016-2022 relating to development principles re. employment, uses, transport, built environment and landscape have also been removed from the equivalent Z6 Land use Zoning Objective (Section 14.8.6) of the Draft Dublin City Development Plan 2022-2028.

These changes to the Z6 land use zoning objective appears inconsistent with the objective in Section 2.5 of the Core Strategy relating to the Economic and Employment Strategy which states: *'In line with the principles of the 15-minute city, the strategy also promotes a more mixed-use philosophy, with employment land uses to be developed in conjunction or in close proximity to residential development'*.

Earlsfort Group and the East Point Management Company Ltd. consider that residential use should remain as 'open for consideration', because it is consistent with a more mixed-use philosophy and is integral to their development strategy to attracting employment growth to East Point as outlined above.

#### Development Standards – Height, Density, Plot Ratio, Site Coverage

Other relevant applicable Development Standards are set out in Chapter 15 of the Draft Dublin City Development Plan 2022-2028. These include sections 15.5.4 Height, 15.5.5 Density, and 15.5.6 Plot Ratio and Site Coverage as reproduced below, which all refer to Appendix 3 of the Draft Dublin City Development Plan 2022-2028.

and fixings shall be concealed within the building envelope where feasible or designed and sited to minimise their visual impact. All redundant equipment should be removed prior to installation of new equipment.

#### 15.5.4 Height

Appendix 3 identifies the height strategy for the city and the criteria in which all higher buildings should be assessed.

#### 15.5.5 Density

Dublin City Council will support higher density development in appropriate urban locations in accordance with the NPF, RSES and the Section 28 Guidelines which seek to consolidate development within existing urban areas. Higher density development allows land to be used more efficiently, assists in regeneration and minimises urban expansion. Higher densities maintain the vitality and viability of local services and provide for the critical mass for successful functionality of public transport facilities.

New development should achieve a density that is appropriate to the site conditions and surrounding neighbourhood. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future amenity. An urban design and quality-led approach to creating urban densities will be promoted, where the focus will be on creating sustainable urban villages and neighbourhoods.

All proposals for higher densities must demonstrate how the proposal contributes to place-making and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods. Refer to Appendix 3 for further details.

#### 15.5.6 Plot Ratio and Site Coverage

See Appendix 3 for further detail.

#### 15.5.7 Materials and Finishes

The materials and finishes of a building have the ability to shape the architectural design quality and distinctiveness of an area. Materials and finishes should be selected to ensure longevity throughout the lifetime of the development. All developments will be required to include details on the maintenance and management of the materials proposed

as part of the planning application. As such, Dublin City Council will require developments:

- To ensure materials and finishes complement the existing palette of materials in the surrounding area
- Promote durability to ensure a good visual appearance over time
- The design and layout of buildings, together with the robustness of materials used in their construction, should be such as to discourage graffiti, vandalism and other forms of anti-social activity
- To support the use of structural materials that have low to zero embodied energy and CO<sub>2</sub> emissions as well as the use of sustainably sourced building materials and the reuse of demolition and excavated materials

#### 15.5.8 Architectural Design Statements

Applications for 30+ residential units should be accompanied by an Architectural Design Statement or any application below the threshold where the planning authority consider it necessary. Statements may also be required for large scale commercial development. An Architectural Design Statement is an informative, illustrative document that clearly describes the development proposal, the context in which the development is set and the design rationale for the scheme. Design statements should analyse the site context, planning context, opportunities and constraints of the site and the conceptual and detailed design of the development including the building massing, material and finishes and building articulation, (see also Policy SC23).

Design Statements should include the following information as set out in the table below which build upon the detail of the key design parameters

Of relevance in relation to the subject lands at East Point is that Dublin City Council will support higher density development in appropriate urban locations and that *'Higher density development allows land to be used more efficiently, assists in regeneration and minimises urban expansion'*.

Appendix 3 of the Draft Dublin City Development Plan 2022-2028 sets out the Council's 'Achieving Sustainable Compact Growth Policy for Density and Building Height in the City'.

Section 3 of Appendix 3 sets out a strategic urban design and quality-led approach to building height and density, based on sustainable neighbourhoods, with density ranges based on residential units per hectare. There is no reference to employment land or land use zoning objectives.

Section 4 of Appendix 3 identifies key locations for accommodating a more intensive form of development, including increased height. These include Strategic Development Regeneration Areas (SDRAs) which *'are to be the focus of compact growth over the plan period with the objective to facilitate ongoing intensification, infill and compaction'*.

'Docklands' is included as an SDRA location *'considered to be particularly appropriate for higher buildings and density as per the guiding principles and Framework Plans set out in Chapter 13 in each case'*.



Section 4 of Appendix 3 includes Criteria for Assessment. This includes the requirement for a masterplan:

*'There will be a requirement that for any significant scheme (on sites greater than 0.5ha) seeking to increase densities and height that a masterplan is prepared. The masterplan should provide a vision for the development of the entire site area, including how new buildings, streets, blocks, pedestrian and cycling routes, parks, and publicly accessible and private open spaces will fit within the existing and planned context. It should include urban design studies to inform the architectural approach and to allow for the early testing of open space quantum, sunlight, daylight, visual impact and wind effects.'*

Of note for this submission is that East Point has been developed to a masterplan in accordance with the above and that Earlsfort Group and the East Point Management Company Ltd. intend to review and update it as part of their overall development strategy.

Section 4 of Appendix 3 also sets out Performance Based Criteria to be used in assessing urban schemes of enhanced density and scale, including:

1. To promote development with a sense of place and character
2. To provide appropriate legibility
3. To provide appropriate continuity and enclosure of streets and spaces
4. To provide well connected, high quality and active public and communal spaces
5. To provide high quality, attractive and useable private spaces
6. To promote mix of use and density of activities
7. To ensure high quality and environmentally sustainable buildings
8. To secure sustainable density, intensity at locations of high accessibility
9. To protect historic environments from insensitive development
10. To ensure appropriate management and maintenance.

These performance-based criteria accord with the master planning objectives of Earlsfort Group and the East Point Management Company Ltd to enhance density and scale for East Point. Of note is objective 6 which seeks to promote the delivery of mixed-use development including housing, commercial and employment development as well as social and community infrastructure. However, this appears to conflict with the proposed Z6-land use zoning objective, which excludes residential.

Section 13.8 of the Draft Dublin City Development Plan 2022-2028 sets out the overarching framework and guiding principles for 'SDRA 6 – Docklands'. This SDRA is described as '*corresponding to the Dublin Docklands area as defined by the Dublin Docklands Development Authority Act, 1997*'.

Section 13.8 of the Draft Dublin City Development Plan 2022-2028 includes general principles on urban structure, land use and activity, height, design, green infrastructure, movement and transport, and implementation, followed by guidance for specific areas, including the North Lotts and Grand Canal Dock and Poolbeg SDZs, and for 14 key opportunity sites. East Point is not included in these.

The diagram below is an extract from the Draft Dublin city Development Plan 2022-2028 showing the SDRA-6 Dockland's area, with the subject lands of East Point and Eirfreeze indicated to demonstrate their location within the SDRA.

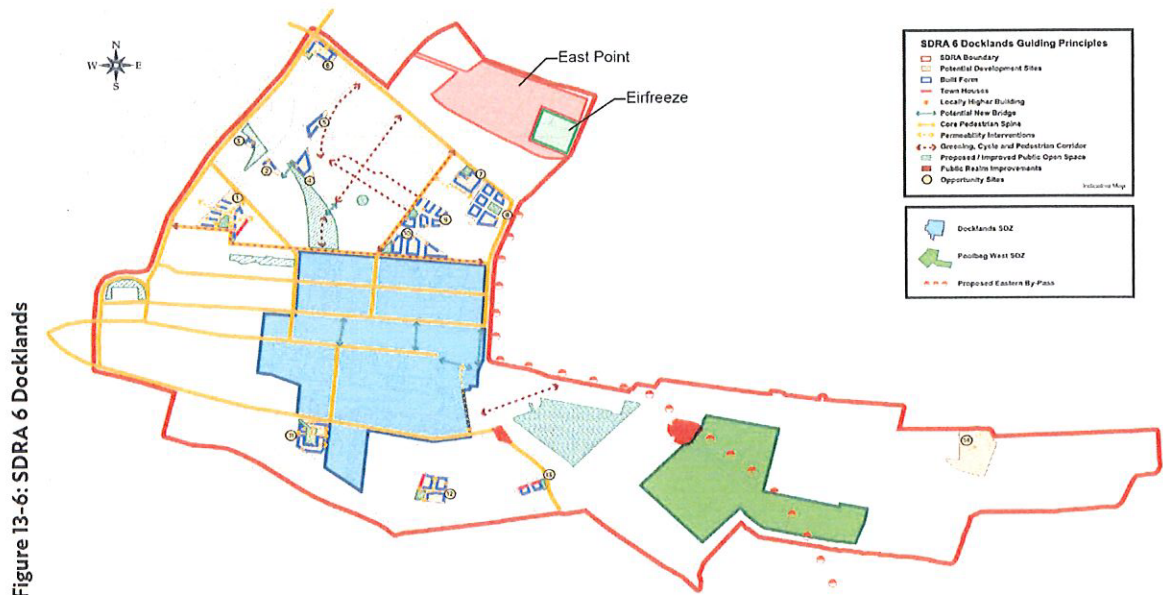


Figure 13-6: SDRA 6 Docklands

Appendix 3 Section 3.2 of the Draft Dublin City Development Plan 2022-2028 addresses density, plot ratio and site coverage. In terms of density the focus is on residential density and Table 1 provides density ranges only based on residential units, which for SDRA areas is 100-250 units per hectare. Plot ratio and site coverage are addressed in more general terms and Table 2 provides Indicative plot ratio for 1.5 - 3.0 and indicative site coverage of 50-60% in regeneration areas.

As stated above, the current plot ratio of East Point is around 1.0, with a site coverage of **22%**, many of the existing buildings are low in scale, at 3-4 storey, and there is considerable scope for enhanced density and scale, consistent with the above plot ratios and site coverage, and with the performance-based criteria set out in Appendix 3 of the Draft Dublin City Development Plan 2022-2028.

## Proposals for Amendment to Draft Dublin City Development Plan 2022-2028

### 1. Amendment to proposed Z6-land use zoning objective

The key issue in enhancing employment density and scale at East Point is the proposed revision to the Z6-land use zoning objective in the Draft Dublin City Development Plan 2022-2028 which removes residential use being 'open for consideration', we would request that this be revisited and that residential be included in the Z6 land use zoning objective as 'open for consideration'.

The decision to remove 'residential' use from the Z6 land use zoning objective appears to be an outcome of the Z6/ Z7 review. It is noted that many of the other recommendations of the Z6/Z7 process have not been taken on board as part of the Draft Dublin City Development Plan 2022-2028. Adjacent lands on East Wall Road are shown as retaining their Z6 land use zoning objective in the Draft Dublin City Development Plan 2022-2028, rather than having it changed to Z10 as proposed by Dublin City Council Planners through variation to the current Dublin City Development Plan 2022-2028 referred to above.

Although the outcome of the Z6/Z7 review process is to rezone large industrial areas in other parts of the city, there appears to be little extra provision in this part of the north inner city to address both local housing needs and increasing employment growth in the immediate areas including East Point. This appears to be an anomaly to the statement in the core strategy Section 2.5 statement:

*'The city has seen a significant change in the character of its employment land over the last number of years. Previous low intensity industrial land has in many instances been redeveloped for high quality office use and other more intensive employment land uses. This has been particularly evident in Dublin Docklands. The economic strategy seeks to build on these trends and to continue to support the shift from low intensity, more land-extensive employment uses towards more intensive office, service, retail, tourism, and culture related employment activity. **In line with the principles of the 15-minute city, the strategy also promotes a more mixed-use philosophy, with employment land uses to be developed in conjunction or in close proximity to residential development.** In particular, this will be promoted on former industrial Z6 lands, many of which are now zoned Z10, as well as in the SDRAs and Z14 zoned lands and in Key Urban Villages throughout the city.'* (Words in red for emphasis)

It appears therefore, that the proposed removal of residential use as 'open for consideration' in the Draft Dublin City Development Plan 2022-2028 may be a technical oversight of the Z6/Z7 review process.

However, the removal of residential use from the Z6-land use zoning objective in the Draft Dublin City Development Plan 2022-2028 has significant implications for East Point to enhance and grow as a centre for employment and enterprise, in a similar way to other Dublin Dockland areas. The provision of 'on-site' purpose-built residential accommodation at East Point, side-by-side with current uses and with good amenities, should be an integral part of its enhanced offer and growth as a centre for enterprise and employment, like that occurring in other parts of Dublin docklands.

As such, the removal of residential use from the the Z6-land use zoning objective in the Draft Dublin City Development Plan 2022-2028 is counterproductive to the objective to enhance employment and enterprise at a strategic employment location in the Dockland area.

The removal of residential use from the the Z6-land use zoning objective in the Draft Dublin City Development Plan 2022-2028 also has negative implications for the surrounding residential areas, where the availability of existing housing is already limited, particularly to meet local housing needs. Retaining residential use as 'open for consideration' under the Z6-land use zoning objective means that some residential accommodation could be provided at East Point that can support existing and

future employment growth, which could help reduce residential market pressure on the surrounding established residential areas.

For these reasons we respectfully request that Dublin City council reconsider, and that the Draft Dublin City Development Plan 2022-2028 be amended to include residential use as 'open for consideration' in the Z6 land use zoning objective.

## 2. Amendment to land use zoning objective of subject lands at East Point

Alternatively, we respectfully request that consideration be given to rezoning the subject lands at East Point from 'Z6 Enterprise/Employment' land use zoning objective to 'Z10 Inner Suburban and Inner City Sustainable Mixed-Uses' land use zoning objective.

Section 14.7.10 of the Draft Dublin City Development Plan 2022-2028 states that the purpose of the Z10 zoning objective is to promote mixed use to deliver sustainable patterns of development in line with the principles of the 15-minute city, with a focus on delivering a mix of residential and commercial uses and that there will be a requirement that a maximum of 70% of a Z10 zoned site can be given to one particular use, with the remaining portion of the site (30% or greater) to be given over to another use or uses (eg. residential or office/employment).

East Point currently provides c.128,000 sq.m. of primarily office type accommodation including supporting services (retail, cafes, creche and healthcare facilities). The overall site area is circa 16.5Ha and the current plot ratio is around 1.0 with a site coverage of **22%**. Doubling the floor space would provide circa 256,000sqm at a plot ratio of around 2.0 with a potential site coverage of 44%. This could potentially provide up to 179,200sqm for employment (an increase of 51,200sqm) and min. 76,800sqm residential. Tripling the floorspace would provide circa 384,000sqm at a plot ratio of around 3.0 and site coverage up to 66%. This could potentially provide up to 268,800sqm for employment (an increase of 140,000sqm) and min. 115,200sqm residential area. These figures are subject to other considerations including infrastructural capacity, residential open space, amenities, and support services and require overall masterplanning, including building height and massing studies. These may inform site coverage, with taller buildings in some locations to achieve the increased density, and to provide legibility and variety as part of the overall urban form.

In principle rezoning the subject lands at East Point from 'Z6 Enterprise/Employment' land use zoning objective to 'Z10 Inner Suburban and Inner City Sustainable Mixed-Uses' land use zoning objective would deliver on the objectives for strategically located lands to be intensified and developed for employment purposes and to deliver a compact, sustainable urban quarter, all within 15 minutes of public transport corridors (Dart/main-line and Bus Connects routes). We therefore respectfully request that this be considered further by Dublin City Council.

## Conclusions

We act for Earlsfort East Point and for East Point Development (Two) Ltd, the owners of the lands and of many of the buildings at the above business park known as East Point, and for East Point Management Company Ltd, the managers of East Point, and wish, on their behalf, to make the following submission to Dublin City Council for its consideration in response to the request for observations and submissions to the recently published Draft Dublin City Council Development Plan 2022 – 2028.

The first part of this submission has provided a brief description of the subject lands at East Point, a brief overview of their development and planning history, and a summary of the Emerging Business Requirements and Development Strategy for East Point over the next-25 years.

The key challenge emerging for employment and enterprise business is the provision of residential accommodation within a few minutes' walk of the main employment centre. To meet these needs,

Earlsfort Group would like the option to provide residential use on East Point, as an integral part of the development, the same as other parts of the Dublin Docklands.

The next part of this submission has reviewed the relevant policies in the current Dublin City Development Plan 2016-2022, particularly the current Z6 land use zoning objective that applies for the subject lands at East Point, the Z6/Z7 review carried out by Dublin City Council and the proposed Z6 land use zoning and other relevant objectives in the Draft Dublin City Development Plan 2022-2028.

The key change identified that impacts on the subject lands at East Point is the removal of 'residential use as 'open for consideration' in the Z6 Land use zoning objective. This may have been a consequence of the Z6/Z7 review that has been partially implemented in terms of rezoning some Z6/Z7 lands in other parts of the city to meet residential need, but it will adversely impact on delivering the strategic national and regional planning objectives to enhance and intensify the lands for employment/enterprise use and the livable city objectives that the Draft Dublin City Development Plan 2022-2028 sets out to achieve in its core strategy.

This submission puts forward several ways for possible modifications to the Draft Dublin City Development Plan 2022-2028 to address the issue identified for further consideration by Dublin City Council.

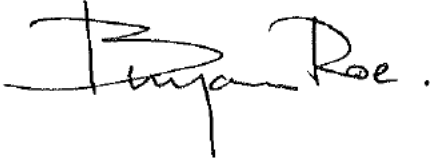
The first of these is to amend the proposed Z6-land use zoning objective in the Draft Dublin City Development Plan 2022-2028, while the second is to change the land use zoning objective for the subject lands at East Point from Z6 to Z10. The purpose of either of these proposed options is to provide the flexibility for residential accommodation to support the evolving business requirement of major firms operating at East Point and in the surrounding Dockland area.

East Point has developed into and continues to grow as a significant cluster for some of the most influential multinational corporations in technology, financial and professional services. It is therefore consistent with national and regional planning policy to provide 'on-site' purpose-built residential accommodation, including those working at East Point, side-by-side with current uses and with good amenities, as an integral part of its enhanced offer and growth as a centre for enterprise and employment. As already stated, Earlsfort Group would like the option to provide residential use on East Point, as an integral part of the development, the same as other parts of the Dublin Docklands.

While this submission puts forward several ways for possible modifications to the Draft Dublin City Development Plan 2022-2028, Dublin City Council may identify other approaches as more preferable to ensure that the subject lands at East Point can continue to develop in a consistent manner with the wider city and which supports and encourages entrepreneurship and development of competitive clusters in the Dublin docklands, as identified in the National Planning Framework, and which increases employment in a strategic location, as identified in the RSES. It is therefore open to Dublin City Council to determine how inclusion of residential use could be included and provided for at East Point.


Should there be any queries in connection with this submission, please contact the undersigned.

Yours sincerely

A handwritten signature in black ink that reads "Bryan Roe." The signature is fluid and cursive, with a period at the end.

Bryan Roe

**Scott Tallon Walker Architects**

A solid black rectangular redaction box covering contact information.

ENC: Letter from Molloy & Sherry (Eirfreeze) Ltd dated 7<sup>th</sup> February 2022 and accompanying Site Location Plan (STW Drawing ref. 21133-PLA-0002) indicating land ownership.