Review of the Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028

April 2021

An Taisce welcomes the opportunity to comment on the Draft Dún Laoghaire-Rathdown (DLR) County Development Plan 2021-2027. We wish to make the following submission, which we request the Council take into consideration in the finalisation and adoption of the Plan. This submission reflects input from the Dún Laoghaire Local Association of An Taisce, South County Dublin Association of An Taisce and the An Taisce Head Office.

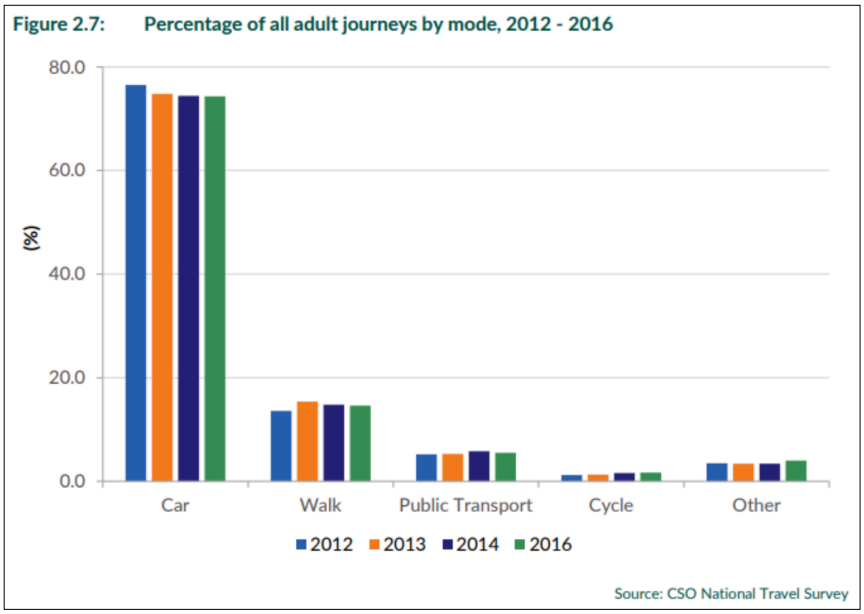
The new DLR County Development Plan (hereafter referred to as the CDP, Draft CDP or Draft Plan) should represent a catalyst for positive change and facilitate the development of the county in a plan-led, sustainable manner. The CDP should strive to establish a coherent framework for coordinated sustainable economic, social, cultural and environmental development in line with the UN Sustainable Development Goals.

1. Sustainable Transport

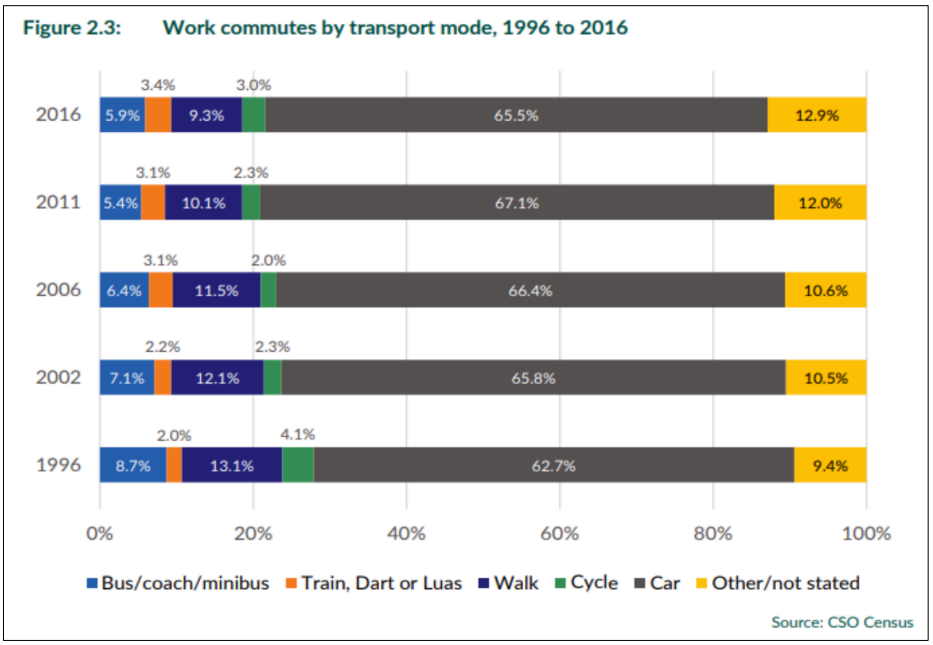
The data presented in a 2020 Government review of sustainable mobility policy[1] make it unequivocally clear that Ireland has failed to achieve the modal shift in transport that was envisioned in the Smarter Travel policy (2009) and a suite of other transport-related policies. Yet, as noted in the review, transport[2] accounted for over 27% of Ireland's emissions in 2017, with 52% of that generated by private cars.

CSO data show that private car dependence is extremely high across Ireland - 74.3% of all journeys are made by car. 15% are made on foot while only 5.5% are by public transport and 2% by bicycle (see chart below). We note that the National Cycling Strategy, which ran in parallel to Smarter Travel, provided that 10% of all journeys would be made by bike by 2020.

[1] https://www.gov.ie/en/consultation/f1b503-public-consultation-on-a-review-of-sustainable-mobility-policy/
[2] This does not include aviation or maritime travel emissions.



Similarly, a cornerstone target of the Smarter Travel policy was that commuting journeys made by car should drop from 65% to 45% by 2020 while commuter journeys by walking, cycling and public transport should increase to account for 55%. As the 2016 census data below shows, we have completely failed to achieve that. In fact, the share of car journeys to work has *risen* since 1996 and actually surpassed the Smarter Travel baseline of 65%. The percentage of commutes made by cycling, walking or taking the bus has decreased and is nowhere near the 55% share stipulated by Smarter Travel.



We therefore welcome the numerous policies in the Draft Plan that support the integration of land use and transport planning; the facilitation of sustainable transport initiatives; and the prioritisation of pedestrians, cyclists and public transport users.

We submit that robust targeted and timelined plans are needed to ensure the efficient implementation of these policies. We recommend that the current modal split be further analysed and that specific modal shift targets for 2028 be set in line with the Smarter Travel objectives.

1.1 Programme for Government

The 2020 Programme for Government sets out as overarching mission: *"A Better Quality of Life for All"* with *"A national clean air strategy," "Better work life balance"* and *"a fundamental change in the nature of transport in Ireland"* as key objectives. It sets out as immediate priority actions:

> *"Necessary improvements in climate impact, quality of life, air quality and physical and mental health demand that every effort is made by the Government to make active travel and public transport better and more accessible."*
>
> *"Each local authority will be immediately mandated to carry out an assessment of the road network, to see what space can be allocated for pedestrians and cyclists. This should be done immediately."*

In light of the Programme for Government mandate and the aforementioned transport data, we cannot overstate the urgency with which the Council needs to address the current unsustainability of transport and the need to achieve meaningful progress toward a modal shift away from private car use. We therefore recommend that provision for the immediate review called for in the Programme for Government be included in the CDP.

2. Biodiversity & Urban Greening

2.1 Biodiversity Buffers

We are pleased to note the following commitments to riparian biodiversity buffer zones in Section 8.7.1.7:

- *Dedicate a minimum of 1 0 m each side of the water' s edge for amenity and biodiversity and up to 3 0 m for areas where the ecosystem functioning of the catchment requires it, (where practicable).*
- *Ensure no development - including clearance and storage of materials – takes place within a minimum distance of 1 0 m measured from each top of bank of any river, stream, or watercourse, (where practical).*

2.2 Booterstown Marsh Area

We welcome the recognition of the importance of the Booterstown Marsh Nature Reserve as a wetland.

It is recommended that an objective be included to address the ongoing sewage issue at Booterstown beach and in the Trimelstown and Elmpark Streams. This should be addressed jointly with Dublin City Council.

With regard to the proposed cycleway from Sutton, the Council should ensure that its development in the area of the Marsh is carried out in accordance with Habitats and Birds Directives principles and obligations.

2.3 EU Biodiversity Strategy

We are pleased to see the inclusion of the EU Biodiversity Strategy for 2030 in the Draft Plan and in the forthcoming DLR County Biodiversity Action Plan 2021-2026. We recommend that the relevant objectives in the EU Strategy's 14 points be incorporated into the Action Plan:

1. *Legally-binding EU nature restoration targets will be proposed in 2021, subject to an environmental impact assessment. By 2030, significant areas of degraded and carbon-rich ecosystems are restored; habitats and species show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.*
2. *The decline in pollinators is reversed.*
3. *The risk and use of chemical pesticides is reduced by 50% and the use of more hazardous pesticides is reduced by 50%.*
4. *At least 10% of agricultural area is under high-diversity landscape features.*
5. *At least 25% of agricultural land is under organic farming management, and the uptake of agro-ecological practices is significantly increased.*
6. *Three billion new trees are planted in the EU, in full respect of ecological principles.*
7. *Significant progress has been made in the remediation of contaminated soil sites.*
8. *At least 25,000 km of free-flowing rivers are restored.*
9. *There is a 50% reduction in the number of Red List species threatened by invasive alien species.*
10. *The losses of nutrients from fertilisers are reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.*
11. *Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.*
12. *No chemical pesticides are used in sensitive areas such as EU urban green areas.*
13. *The negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, are substantially reduced to achieve good environmental status.*
14. *The by-catch of species is eliminated or reduced to a level that allows species recovery and conservation.*

2.4 Urban Greening

An Taisce welcomes the numerous urban greening measures provided for in the Draft Plan. We would highlight Point 11 of the aforementioned EU Biodiversity Strategy that: "*Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan*."

With regard to greening urban and peri-urban areas, Section 2.2.8 of the Biodiversity Strategy states:

> *"Green urban spaces, from parks and gardens to green roofs and urban farms, provide a wide range of benefits for people. They also provide opportunities for businesses and a refuge for nature. They reduce air, water and noise pollution, provide protection from flooding, droughts and heat waves, and maintain a connection between humans and nature.*
>
> *The recent lockdowns due to the COVID-19 pandemic have shown us the value of green urban spaces for our physical and mental wellbeing. While protection of some urban green spaces has increased, green spaces often lose out in the competition for land as the share of the population living in urban areas continues to rise.*
>
> *This strategy aims to reverse these trends and stop the loss of green urban ecosystems. The promotion of healthy ecosystems, green infrastructure and nature-based solutions should be systematically integrated into urban planning, including in public spaces, infrastructure, and the design of buildings and their surroundings.*
>
> *To bring nature back to cities and reward community action, the Commission calls on European cities of at least 20,000 inhabitants to develop ambitious Urban Greening Plans by the end of 2021. These should include measures to create biodiverse and accessible urban forests, parks and gardens; urban farms; green roofs and walls; treelined streets; urban meadows; and urban hedges. They should also help improve connections between green spaces, eliminate the use of pesticides, limit excessive mowing of urban green spaces and other biodiversity harmful practices. Such plans could mobilise policy, regulatory and financial tools.*
>
> *To facilitate this work, the Commission will in 2021 set up an EU Urban Greening Platform, under a new 'Green City Accord' with cities and mayors. This will be done in close coordination with the European Covenant of Mayors. The Urban Greening Plans will have a central role in choosing the European Green Capital 2023 and European Green Leaf 2022.*
>
> *The Commission will support Member States and local and regional authorities through technical guidance and help to mobilise funding and capacity building. It will also reflect these objectives in the European Climate Pact."*

It is therefore submitted that the new Development Plan should provide for the immediate development of an Urban Greening Plan, as well as specific timelined and targeted policies for achieving the objectives of the Urban Greening Plan during the Development Plan period.

3. Area-Specific Considerations

3.1 Dundrum

We are pleased to see that a significant number of buildings in the Dundrum area are proposed for addition to the Register of Protected Structures.

We welcome the proposed designation of certain delineated parts of Dundrum Main Street as a candidate Architectural Conservation Area ("cACA"). We support also the related wording in SLO 9:

> "*Building Heights alongside Main Street must be sensitive to the original streetscape, in keeping with its character and Candidate Architectural Conservation Area status*."

This second sentience in SLO 9 applies to both sides of the Main Street. However, we request reconsideration of the first sentence:

> "*To ensure that any future redevelopment of the old shopping centre lands, takes cognisance of the character and streetscape of the Old Main Street, and maintain where appropriate, and possible existing buildings and/or facades*."

The corresponding SLO 150 in the current CDP 2016-2022 reads:

> "*150 To ensure that Phase 2 of the Dundrum Town Centre takes cognisance of the character and streetscape of the Old Main Street."*

This wording was desirable because it applied the Objective to most of the western side of the Main Street, which was envisaged in 2015-16 as being part of Phase 2 of the Dundrum Town Centre shopping complex development. In contrast, the proposed new wording refers only to the "old shopping centre lands" at the northern end of the Village. It would remove the requirement that development along the remainder of the western side should take cognisance of the character and streetscape of the Old Main Street. This is important. The added reference to maintaining "existing buildings and/or facades" does not seem relevant to the old shopping centre lands where existing buildings are likely to be demolished, whereas it would be relevant to the remainder of the Main Street. We suggest that SLO 9 should read:

> *"To ensure that any future redevelopment of the old shopping centre lands* ***and the lands between there and the Holy Cross Church Parochial House*** *takes cognisance of the character and streetscape of the Old Main Street, and maintain, where appropriate and possible, existing buildings and/or facades. Building Heights*

alongside Main Street must be sensitive to the original streetscape, in keeping with its character and Candidate Architectural Conservation Area status."

We are pleased also to see SLO 114:

"*To support the provision of a Dundrum Community, Cultural and Civic Centre, which integrates into a civic square/plaza area, to be located at the northern end of Dundrum town."*

This objective should be reflected in any development of the old shopping centre lands.

We urge that sufficient resources be allocated immediately after the new CDP is adopted so that the existing cACA area at Dundrum Village Crossroads (designated under the CDP 2016-2022) and the new cACA for Dundrum Main Street (to be designated under the CDP 2022-2016) can be assessed with a view to prompt re-designation as ACAs by Variation of the CDP. These Dundrum cACAs are the only ongoing entries in Table 4.3 and 4.4 of Appendix 4 to be located in the western part of the County, west of the N11 Stillorgan Road.

3.1.1 Dundrum Local Area Plan

We urge that preparation of the Local Area Plan for Dundrum should be advanced as quickly as possible. This will shape policy for Building Height, as indicated at section 4.2.5 of the Building Height Strategy in Appendix 5 to the draft CDP, and address the issues for Dundrum set out at section 7.5.2 of Chapter 7.

3.2 Marlay House and Park

We are pleased to see that Marlay House is one of the houses and gardens listed under Policy Objective HER26 at section 11.5.2 of the draft CDP:

"*11.5.2 Policy Objective HER26: Historic Demesnes and Gardens*

It is a Policy Objective that historic demesnes and gardens should be identified and protected to reflect and acknowledge their significance as part of our National Heritage. The following houses and gardens are listed: Cabinteely House, Marlay House, Fernhill and Old Conna.

DLR contains a wealth of historic houses and their former demesnes which contribute to the identity and heritage of the County. The houses (including their contents and archives) and historic designed landscapes in Council ownership have a key role to play in education, research, interpretation and providing public access to our multi-layered heritage."

We make observations under the following five headings about the protection of this historic house and its historic designed landscape which is in Council ownership.

3.2.1 Additions to the Register of Protected Structures

We welcome the following additions to the Register of Protected Structures (RPS), which already contains the House, its Stable yard/Craft area [RPS No. 1518] and Laurelmere [RPS No. 1592]. We understand these additions to be in accordance with the recommendations made after the National Inventory of Architectural Heritage ("NIAH") survey:

No. 2033: House (Head Gardener)
No. 2034: Farmyard Complex
No. 2057: Gateway
No. 2082: Gateway
No. 2083: Gateway
No. 2084: Walled garden

However, we regret the omission of the Gate Lodge adjacent to the Eastern Gateway (NIAH 60220021). The Gate Lodge was included in the NIAH survey under Reg. No. 60220020, with the following Appraisal:

> "*A gate lodge illustrating the continued development or "improvement" of the estate in the early twentieth century with the architectural value of the composition, 'a commodious example of the newfangled picturesque style embraced by landowners' (Dean 2016, 128), suggested by such attributes as the compact rectilinear plan form; and the coupled timber work embellishing the roofline. Having been well maintained, the elementary form and massing survive intact together with quantities of the original or replicated fabric, thus upholding the character or integrity of a gate lodge forming part of a self-contained group alongside an adjacent gateway (see 60220021) with the resulting ensemble making a pleasing visual statement in a suburban street scene.*"

As the adjacent gateway has been added to the RPS, we do not see the reason for omitting the gate lodge.

In addition, we miss the following from the proposed RPS list:

Marlay Park Ha-Ha

The Ha-Ha, whose restoration is proposed at page 13 and 16 of the Marlay Park Masterplan, should also be listed so that its character and special interest is safeguarded in accordance with Section 2.2 "Built Heritage" of the Masterplan.

Marlay Park Central Pond

The Masterplan at page 13 says:

> *"The ha-ha field and central pond form a key area of the original 18th Century Landscape design by Thomas Leggett and Hely Dutton..."*

The Central Pond is a constructed feature of the design and is of special historical interest. It deserves to be included in the RPS, comparable to the Mill Pond at Shanganagh [RPS No. 1779] or the Water gardens at the Gort Mhuire Centre, Ballinteer Road [RPS No. 1453], for example.

If these heritage features cannot now be added to the RPS for procedural reasons, they should be identified specifically in the assessment for the proposed Architectural Conservation Area.

3.2.2. Marlay Park as a candidate Architectural Conservation Area

We are very pleased to see the proposal to designate Marlay Park as a candidate Architectural Conservation Area. The Park is a place and area of special architectural, historical and artistic value while it also contributes to the appreciation of the main Protected Structure, Marlay House (RPS No. 1518). The cACA designation is important, not only with a view to conservation of various structures such as the demesne wall, the Ha-Ha, the bridges, weirs and cascades on the man-made course of the Little Dargle stream, the ponds including the Central Pond and Island Lake, but also the designed landscape as a whole. This is in accordance with the *Architectural Heritage Protection Guidelines for Planning Authorities* ("the AHP Guidelines") at section 3.2.3:

> "*3.2.3 ACA legislation may be used to protect the following:*
> *……*
> *b) the setting of a protected structure where this is more extensive than its curtilage,*
> *c) designed landscapes where these contain groups of structures as in, for example, urban parks, the former demesnes of country houses ….."*

In our view, the demesne landscape at Marlay needs to be better recognised and protected. It is the most important demesne in public ownership in the County. When the written description for the ACA is being prepared, we trust that attention will be directed to the submissions made on behalf of An Taisce and other conservation organisations in the consultation period for the Marlay Park Masterplan. We can provide a copy of the An Taisce submission upon request.

3.2.3 Specific Local Objective 47

We urge that SLO 47 on Map 5 should be revised in the light of the proposed designation of the cACA. A cross reference to the cACA in the Policy Objective could be included in a similar manner to that proposed for SLO 9 relating to Dundrum on Map 1[3].

In addition, a specific reference to conservation of the designed landscape and woodland should be inserted into the Objective, so that the wording "… *with a focus on the conservation of the heritage of Marlay Park …*" would be amended to read:

[3] SLO 9. To ensure that any future redevelopment of the old shopping centre lands, takes cognisance of the character and streetscape of the Old Main Street, and maintain where appropriate, and possible existing buildings and/or facades. Building Heights alongside Main Street must be sensitive to the original streetscape, in keeping with its character and Candidate Architectural Conservation Area status

" ….with a focus on the conservation of the heritage of Marlay Park in keeping with its character, its Protected Structures and its Candidate Architectural Conservation Area status, the conservation of its designed landscape and woodland …"

This wording would accord with Policy Objective HER26 quoted above.

It would also follow the AHP Guidelines at section 3.12.1:

"*3.12.1 Planning authorities could consider the use of other forms of conservation designation in parallel to an ACA. For example, a rural ACA could be supplemented through the development plan by objectives to preserve the character of the landscape, including views and prospects, or in a demesne, woodland or designed landscape. The use of tree preservation orders may be considered."*

The wording could accord with section 3.11.2 of the AHP Guidelines:

"3.11.2 The following actions, to be undertaken by the planning authority itself, could be included in the policy objectives of the development plan that relate to an ACA. The planning authority may:
…
h) set out the requirements for the conservation of the living components of designed landscapes that form part of the ACA, such as trees and other planting."

Our proposal would implement the Policy Objective HER8 at section 11.4.1.2 of the draft CDP:

"It is a Policy Objective to:
….
x. Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES)."

We note also the third paragraph below Policy Objective HER8:

"*Historic landscapes and gardens are also an important amenity and contribute to the setting and character of Protected Structures. These can include both built and natural features such as walled gardens, views/vistas, tree-lined avenues, decorative tree-clumps, woodlands, or plant collections."*

A Specific Local Objective referring to conservation of the designed landscape and woodland at Marlay would clearly be in line with these Objectives.

3.2.4 Tree Protection

We recommend that a tree restoration plan be drawn up for the protection of existing trees, replanting, and restoration of the designed woodland arboreal landscape.

3.2.5 Clarifications

The three Gateways proposed for the RPS need to be distinguished in the List so that their locations can be identified. We assume that they correspond to NIAH entries 60220021, 60220017 and 60220019 but it is not clear which RPS number relates to which Gateway. They could be described as "eastern", "north-eastern" and "north-western" respectively.

Map 5 in the draft CDP shows the eastern Gateway with an orange "Protected Structure" symbol but the other two Gateways do not appear to be shown on the Map. The north-eastern gateway (NIAH 60220017) may be obscured by an "Industrial Heritage" symbol for the adjacent post box (NIAH 60220018) but the north-western gateway (NIAH 60220019) ought to be visibly shown in accordance with section 11.4.1 of the draft CDP.

All six of the RPS additions are listed under the Name "Marlay House" which corresponds to the NIAH survey but would be clearer as "Marlay Park" or, like the existing entries for Marlay Park House (RPS No. 1518) and Laurelmere (RPS No. 1592), given their respective names with the Location as Marlay Park.

The Central Pond and the Island Lake on Map 5 should be identified with the word "Lake" or "Pond" in a similar manner to the Lake at the Gort Mhuire Centre on Map 5 (RPS 1453) or the Pond at Dundrum Town Centre shopping complex on Map 1 ((RMP No. 022-10002).

Marlay Park as shown on Map 5 has a number of Tree symbols indicating the objective "To protect and preserve Trees and Woodlands" but more are needed in the central area of the woodland.

3.3 Use of Fernhill House

Fernhill is also one of the houses and gardens listed in Policy Objective HER26 quoted above. We note SLO 75 on Map 9:

> *"To ensure the continued development of a regional park, the conservation of Fernhill House and the preservation of trees, woodlands, and amenity gardens at Fernhill in accordance with the approved Masterplan and the Fernhill Sustainability Strategy."*

We support this objective and commend the council for the work carried out so far. However, we think that the Objective "To ensure …. the conservation of Fernhill House" is not sufficient. We look for a specific objective for progressing suitable uses of Fernhill House.

When the draft Fernhill Masterplan was under consideration as a Part 8 proposal in 2017, we made a submission regretting that Fernhill House had been excluded from the overall plan. The Chief Executive's response contained the following:

> "*Prior to proposing use/uses for Fernhill House, a number of studies will be required to ensure its proposed use/uses are suitable and viable. Following this, architectural*

design drawings will be required. This is likely to take some time in order to propose a suitable and sustainable use for the house. It is the intention to have the house available for a wide community use with a strong connection to the gardens and park. The Council are committed to bringing forward a Part 8 for Fernhill House within the lifetime of the current County Development Plan (2016-2022)."[4]

We have not yet seen a Part 8 proposal for Fernhill House. We urge that SLO 75 be amended to state the Council's intention with regard to use of the House.

We have suggested that a café could be set up, probably in the old drawing room, looking south to the woodland. The old billiard room could be used for exhibitions. In our opinion the material comprising an exhibition in Celebration of Granite, created by An Taisce in 1995 and now owned by the County Council, would be appropriate as the basis of a permanent exhibition relating to Stone, Stonemasons and artists working in stone.[5] The Darley family, who owned Fernhill in the 19th Century, were noted stonecutters. *Barnacullia*, on the hillside immediately above the Fernhill estate, has had a long tradition of *quarrying*, masonry and stone cutting. We suggest that a Stone Museum and possibly a stonemason's workshop for educational/training purposes at Fernhill could find support among current businesses in the industry and members of families connected with quarrying in the past.

Our proposal would accord with Policy Objective HER26 in ensuring that Fernhill House would have *"a key role to play in education, research, interpretation and providing public access to our multi-layered heritage."*

3.4 Garden Squares

We recommend that the garden squares in Monkstown and Dún Laoghaire be listed as ACAs.

4. Heritage and Conservation

We are generally supportive of the extensive amendments proposed in Chapter 11 and Chapter 12 Section 12.11, as compared to the current CDP. We express the following concerns:

4.1 Section 12.11.2.3 "Development within the Grounds of a Protected Structure"

Section 8.2.11.2 (iii) of the current CDP is headed "Development in proximity to a Protected Structure" whereas the equivalent heading on section 12.11.2.3 of the draft CDP reads "Development **within the Grounds of** a Protected Structure". Nevertheless, the first paragraph of section 12.11.2.3 reads "Any proposed development within the curtilage, attendant grounds, or **in close proximity to** a Protected Structure, has the potential to adversely affect its setting and amenity." In our view, the use of the words "in close proximity"

[4] See Part 8 Report on the draft Fernhill Masterplan

[5] Mr. Nigel Curtin, dlr Local Studies Librarian, had information about the exhibition material.

is correct and the heading is wrong. A large, obtrusive or overbearing structure near to a Protected Structure, but on adjacent lands, may have a serious effect on the character and setting of the Protected Structure. It is submitted that National Policy on compact development has not changed this basic position. We refer to the AHP Guidelines at section 13.8 "Other Development Affecting the Setting of a Protected Structure or an Architectural Conservation Area", including section 13.8.1:

> *"When dealing with applications for works outside the curtilage and attendant grounds of a protected structure or outside an ACA which have the potential to impact upon their character, similar consideration should be given as for proposed development within the attendant grounds."*

We submit therefore that the heading at page 298 should revert to the wording in the current CDP:

> *"(iii) Development in Proximity to a Protected Structure"*

Likewise, the sub-heading for the list of assessment criteria at page 299 reads: *"Any proposal for development **within the grounds** of a Protected Structure will be assessed ….."[*emphasis added]. This too is inconsistent with the AHP Guidelines at section 13.8.1. The subsequent paragraph on page 299 of the draft CDP is correct:

> "*All planning applications for development in proximity to a Protected Structure must be accompanied by a design statement, …"*

We submit therefore that the sub-heading should read:

> *"Any proposal for development in close proximity to a Protected Structure will be assessed in terms of the following: …"*

4.2 Section 12.11.4 New Development within an ACA

We welcome the new paragraph at the end of this section on page 300:

> *"In some instances, development adjacent or immediately outside the boundary of an ACA may also have an impact of their setting and context. An assessment of the impact on the character and appearance of the area may be required."*

This accords with the AHP Guidelines as quoted above.

4.3 Chapter 14 SLO 10

We note SLO 10 (on Map 3) in Chapter 14: "*To retain, improve and encourage the provision of sustainable neighbourhood infrastructure facilities*". It is submitted that this is an inadequate replacement for the current SLO 152:

"*To enhance the character, ambiance and quality of the environment, historic streetscapes and public realm of the residential streets in the areas adjoining Lower George's Street, Dún Laoghaire and in particular, the areas of early twentieth century social housing, to ensure that the public realm in this older residential area - in close proximity to the core business district of the Town - is enhanced, improved and maintained to the standard provided for other residential and business districts adjoining Upper and Lower George's Street*."

The valuable heritage considerations in SLO 152 have been lost in the proposed new version. It is therefore submitted that SLO 10 should be revised to retain these.

4.4 Energy Efficiency and Historic Buildings

We recommend the inclusion of an objective to provide information and resources to the owners of 18th and 19th Century buildings on thermal upgrades and energy efficiency improvements.

5. Strategic Environmental Assessment

The preparation of a draft Development Plan requires Strategic Environmental Assessment (SEA) under the SEA Directive by DLR County Council.

An Taisce would highlight Article 10, which sets out the provisions for the monitoring of a programme subject to SEA and the obligation for remedial action where unforeseen adverse effects arise:

1. *Member States shall monitor the significant environmental effects of the implementation of plans and programmes in order, inter alia, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action.*
2. *In order to comply with paragraph 1, existing monitoring arrangements may be used if appropriate, with a view to avoiding duplication of monitoring.*

The provisions of Article 10 are not just for monitoring but, notably, for the remediation of unforeseen adverse effects. Section 8.12 of the 2001 European Commission guidance states that "*Unforeseen adverse effects is better interpreted as referring to shortcomings of the prognostic statements in the environmental report (e.g. regarding the predicted intensity of the environmental effect) or unforeseen effects resulting from change of circumstances."*

The Council has a legal obligation to ensure that the SEA process is robust, effective, and identifies all likely significant effects on the environment under the range of considerations set out in the Annexes to the SEA Directive. To ensure integration of environmental considerations into the plan, a general policy or land use zoning should not be maintained where likely significant effects on the environment are identified.

We hope and trust that the above suggestions and observations on the Draft County Development Plan 2022 – 2028 will be taken into account at the final stage of plan preparation, and will lead to an improvement in the quality of life in Dún Laoghaire-Rathdown and to better protection of the county's environment and heritage.