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Thursday, 22nd December 2022

**Re: Submission to Material Alterations on the Draft Development Plan Fingal County Council
2023-2029**

Dear Sirs

INTRODUCTION

NAMA holds security over lands at Dunsink outlined at Figure 1 below and measuring some 35 ha. The lands are owned by Declan Taite, Statutory Receiver over Versonwood Ltd (In Receivership), C/O Kroll Advisory (Ireland,) Ltd, 24 St Stephen's Green, Dublin 2, D02 EK82. Please see below comments on the proposed Material Alterations to the Fingal County Development Plan 2023-2029 as they relate to the 35ha land bank and to the wider Dunsink lands zoned as Strategic Long-Term Reserve (housing/mixed use) in the Draft Plan. The specific proposed amendments that are of relevance to this submission are:

1. PA CH 2.2 related to the sensitivity of the research undertaken at the observatory to light pollution
2. PA CH 2.21 related to the Dunsink Planetarium
3. PA CH 2.22 related to the preparation of a statutory plan for the Dunsink area
4. PA CH 2.23 related to the designation of the Dunsink Observatory as a UNESCO World Heritage Site
5. PA SH 13.4 related to protecting the integrity of the Dunsink Observatory
6. PA SH 13.6 related to two new map based objectives related to best lighting practices in the area around the Dunsink Observatory
7. PA SH 13.7 related to a new map based objective related to the Feasibility Study prepared for the Dunsink lands.

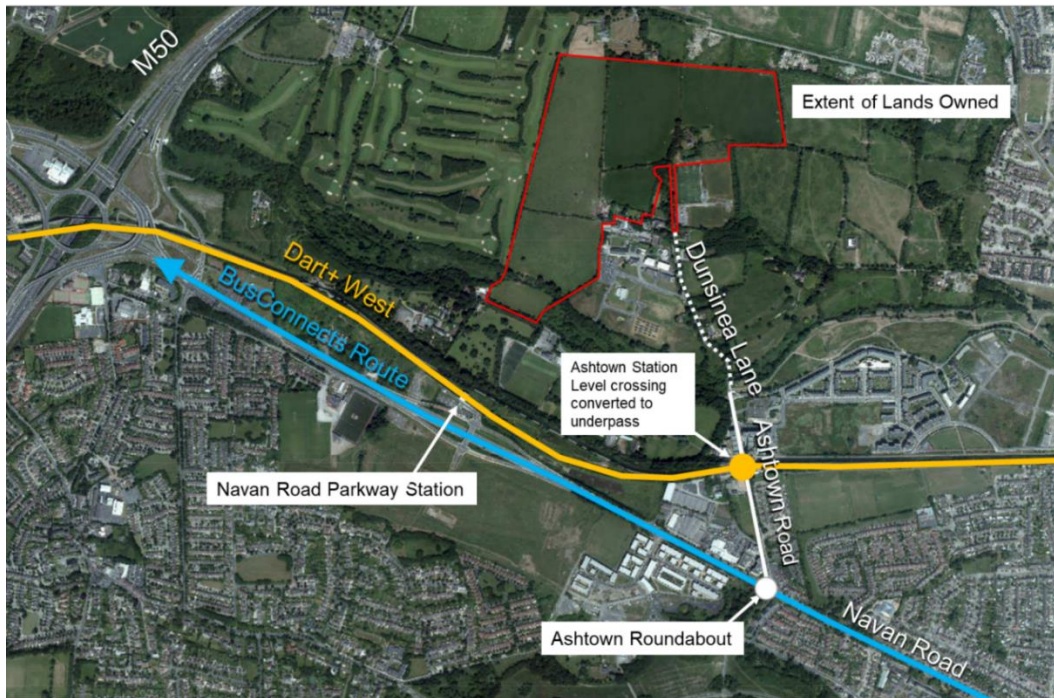


Fig. 1: Lands at Dunsink within the security of NAMA

This submission is supported by an Advisory Note on Light Pollution at Dunsink Observatory prepared by lighting expert William O'Donnell of IN2 Engineering and is intended to specifically address proposed amendments PA SH 13.4, PA SH 13.6 and PA SH 13.7.

PROPOSED MATERIAL ALTERATIONS

1. PA CH 2.2: Sensitivity of the research undertaken at the observatory to light pollution

Proposed Amendment

- *Due to the nature of the scientific research undertaken by the observatory it has a particular sensitivity to light pollution coming from the surrounding environment which would need to be carefully considered for any future development in the area.*
- *However, there are significant challenges in delivering such lands including provision of physical and social infrastructure, fragmented land ownership, the sensitivity of the historic observatory to increased night-time light levels, and the challenges of implementation.*



Commentary

The sensitivity of the operations at the Observatory is acknowledged. The proposed changes to subsequent amendments noted below are intended to be of assistance in achieving an appropriate balance between the efficient use of a valuable land resource that realises principles of compact and public transport oriented growth and sequential development with the need to respect the unique historic, scientific, environmental and architectural context provided by the Dunsink Observatory.

Changes Sought

No changes are suggested to this amendment and the sensitivity of the operations at the Observatory is acknowledged.

2. PA CH 2.21 related to the Dunsink Planetarium

Proposed Amendment

Policy CSPXX – Dunsink Planetarium

Promote the concept of a “planetarium” on the lands of Dunsink adjacent to the Observatory on its Meridian Line.

Commentary

It is suggested that the objective for a “planetarium” should be specifically identified as being located at the Dunsink Observatory within the curtilage of the facility. In this regard, limiting its location to the Dunsink Meridian Line may be overly prescriptive given the nature and layout of the curtilage lands. In addition, it is requested that the Plan is specific that the Planetarium is **not** to be located on lands outside the clearly defined and identifiable curtilage of the Observatory. This point is made in the context of the valuable and important role that the wider Long Term Strategic Reserve lands at Dunsink will play in delivering critical residential development. Additionally, the importance of the Meridian Line in terms of “line of sight” is noted and the following wording is suggested to safeguard this important aspect in a manner that does not negatively impact on the delivery of much needed housing on the wider Long Term Strategic Reserve lands.



Changes Sought

It is therefore put forward that this objective be reworded as follows:

(additional text in blue text underlined, and proposed deleted text with ~~green strikethrough~~)

Policy CSPXX – Dunsink Planetarium

Promote the concept of a “planetarium” on the lands of Dunsink adjacent to the Observatory Lands on its Meridian Line.

3. PA CH 2.22 related to the preparation of a statutory plan for the Dunsink area

Proposed Amendment

Prepare a local statutory plan *for the Long Term Strategic Reserve lands* at Dunsink *during the lifetime of this Development Plan*, in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area ~~over the medium to long term~~ *that is cognisant of, and sensitive to the significant historic buildings within the area including the nationally important architectural heritage site of Dunsink Observatory. This plan shall include Dunsink Observatory lands and the provision of a Planetarium.*

Commentary

NAMA strongly welcomes the commitment to prepare a statutory plan for these lands and will support Fingal County Council in delivering this objective, including in engaging with all relevant stakeholders, interested parties, other agencies of Government and infrastructure providers. In keeping with the changes sought above in relation to the provision of a Planetarium at Dunsink, it is proposed that this Objective be amended to specify that the provision of the Planetarium is on Dunsink Observatory lands and not located on the wider lands zoned for the Long Term Strategic Reserve for residential and community development.



Changes Sought

Amendments proposed as per below: (additional text in blue text underlined, and proposed deleted text with ~~green strikethrough~~)

Prepare a local statutory plan *for the Long Term Strategic Reserve lands* at Dunsink *during the lifetime of this Development Plan*, in consultation with the relevant stakeholders, including an infrastructural audit with costings and implementation strategy to enable sustainable regeneration and development of the area ~~over the medium to long term~~ *that is cognisant of, and sensitive to the significant historic buildings within the area including the nationally important architectural heritage site of Dunsink Observatory. This plan shall include Dunsink Observatory lands and the provision of a Planetarium on those lands.*

4. PA CH 2.23 related to the designation of the Dunsink Observatory as a UNESCO World Heritage Site

Proposed Amendment

Objective CSOXX - Designation of Dunsink Observatory

Support the designation of Dunsink Observatory as a UNESCO World Heritage Site.

Commentary

It is suggested that consideration of the impact of a potential designation of UNESCO World Heritage status at Dunsink Observatory needs to be carefully undertaken prior to this objective being included in the Development Plan.

Such a designation has potential impacts in terms of the operation of existing and future infrastructural and urban development, particularly in the context of the cultural landscape, views into and out of the site, adjacent residential and mixed use development (both existing and future) and major adjacent infrastructure (both existing and future), in addition to the potential for future expansion of the Observatory itself or indeed the provision of a Planetarium on the Dunsink Observatory Lands (as per Policy CIOSP16).

[It is noted that the Dunsink Observatory is already designated a European Site of Historical Significance for Physics.]



The restrictions on adjacent development on both designated and tentative UNESCO World Heritage Sites is significant. Given the location of the subject lands for Long Term Strategic Reserve for residential development and noting that it is critical to the sustainable development of the city and for the optimisation of critical infrastructure including public transport infrastructure, this proposed UNESCO designation could significantly impact on the realisation of the sustainable development objectives of this strategic land bank.

Changes Sought

It is submitted that the proposed material alteration should be subject to the following alteration (additional text in blue text underlined, and proposed deleted text with ~~green strikethrough~~):

Objective CSOXX - Designation of Dunsink Observatory

~~Support~~ Explore the potential for the designation of Dunsink Observatory as a UNESCO World Heritage Site while giving full consideration to its future potential for additional development and for development of the adjacent strategic lands.

5. Part 3 Map Sheet 13 Blanchardstown South

Proposed Amendment

PA SH 13.4 Amend text of map-based Local Objective 82 as follows: – No Change Proposed

Protect the integrity and established historic use of Dunsink Observatory ~~and its role in~~ as a centre of astronomical research by ensuring development within its vicinity does not contribute to/or increase levels of light pollution that would impact the operation of the observatory.

Commentary

The sensitivity of the operations at the Observatory is acknowledged. The proposed changes to subsequent amendments that provide for two new objectives related to best practice in lighting standards are intended to be of assistance in achieving an appropriate balance between the efficient use of a valuable land resource that realises principles of compact and public transport oriented growth and sequential development with the need to respect the unique historic, scientific, environmental and architectural context provided by the Dunsink Observatory.



Changes Sought

No changes are suggested to this amendment and the sensitivity of the operations at the Observatory is acknowledged.

6. PA SH 13.6: Two new map based objectives related to best lighting practices in the area around the Dunsink Observatory

Proposed Amendment

Objective XX

Future development on lands within a radius of 250m of the Observatory House shall demonstrate conformity with best lighting practices in minimising the impacts of these factors, as described by the International Dark Sky Association and their standards. A light intensity Zone Designation of E1: Intrinsically Dark would be implemented in accordance with Objective DMSO246 Hierarchy of Light Intensities.

Objective XX

Future development on lands within a radius of 500m of the Observatory House shall demonstrate conformity with best lighting practices in Fingal County Council and our standards. A light intensity Zone Designation of E2: Low District Brightness would be implemented in accordance with Objective DMSO246 – Hierarchy of Light Intensities.

Commentary

The Advisory Note attached at Appendix 1 and prepared by IN2 lighting experts re-examines the objectives for the Dunsink Observatory and its protection in light pollution terms within its immediate context. It proposes amendments to the Material Alterations that are considered to more effectively achieve the required protection to the operation of the Observatory (per amendment **PA SH 13.4**) in relation to light pollution.



As currently drafted, the proposed two new objectives apply blanket criteria that significantly impact adjacent strategic lands identified for comprehensive residential and community development. Whilst it is fundamental that the integrity of the Dunsink Observatory is not impacted by new light sources from any proposed development in the vicinity, the classifications set out in the proposed two additional objectives should be reconsidered for applicability.

It is understood that the relevant issues of concern relate to the potential for light pollution onto the observation instruments at Dunsink Observatory. In order to justify the proposed changes below, the attached Note provides some explanation of the nature of light pollution summarised below.

Light pollution can be defined as:

- Skyglow arising from wasteful light produced by artificial sources emitted upwards and scattered by aerosols in the atmosphere.
- Light trespass whereby unwanted light at night is incident on a surface.
- Glare excessive brightness at night, which creates high contrast and hence decreased visibility.

In order to ensure that light pollution does not occur onto the instruments of the Observatory, the amendments suggested below, and which are more fully explained in the attached Note, are intended to affect light pollution control at the Observatory to the required standards of *the International Dark Sky Association* **but not** on the lands that are to be developed. If the proposed two new objectives were to have the effect of controlling light pollution at the residential lands to the same standard as at the Observatory, this would have the effect of creating a poorly lit and therefore unsafe environment for residents (existing and future) of the adjoining strategic residential lands. Whilst this was most likely not the intention of the two new objectives, the consequences of leaving the wording as currently proposed would cause difficulty in designing an appropriately lit new residential neighbourhood.



Changes Sought

Having regard to the attached Lighting Consultant Advisory Note, it is submitted that the proposed material alteration should be subject to the following alteration (additional text in blue text underlined, and proposed deleted text with ~~green strikethrough~~): The amendments acknowledge the sensitivity of the operations at the Observatory while also ensuring the development capacity and potential of the strategic residential lands are not adversely impacted.

Objective XX

Future development on lands within a radius of ~~250m~~ 500m of the Observatory House shall demonstrate conformity with best lighting practices in minimising the impacts of these factors, as described by the International Dark Sky Association and their standards. ~~A light intensity Zone Designation of E1: Intrinsically Dark would be implemented~~ Light pollution values on to the Observatory House Dome and South Dome will be kept within the levels classified as E1 (Pre-curfew) as detailed in Table 3, Table 4 and Table 7 of ILEP Guide in accordance with Objective DMSO246 Hierarchy of Light Intensities.

Objective XX

~~Future development on lands within a radius of 500m of the Observatory House shall demonstrate conformity with best lighting practices in Fingal County Council and our standards. A light intensity Zone Designation of E2: Low District Brightness would be implemented in accordance with Objective DMSO246 — Hierarchy of Light Intensities.~~

Future development on lands to the south of the Observatory will be designed to protect the view angle to the horizon along the Meridian Line from the Observatory House Dome.



7. PA SH 13.7 related to the Feasibility Study prepared for Dunsink

Proposed Amendment

The Council will have due regard to the FCC document ‘Feasibility Study – Dunsink Lands, Co. Dublin’ (February 2022) and its accompanying statements (comprising Surface Water Management Plan, Transport Appraisal and Area Based Transport Assessment) in the preparation of a local statutory plan for lands at Dunsink in order to ensure the realisation of the development vision for Dunsink set out on p.26 of the Feasibility Study as follows: “Development of a low-carbon mixed-use transit-orientated urban quarter which prioritises active travel and public transport modes both within and outside, is well connected to the wider City via high quality public transport and active travel infrastructure and seeks to protect and enhance the environmental and historic character of the area.”

Commentary

This additional local objective is welcomed as is the optionality discussed in the Feasibility Study, particularly with regard to transportation objectives for these lands.

Changes Sought

No changes are suggested to this proposed amendment.

CONCLUSION

NAMA continues to welcome the designation of this land bank for mixed use and residential development and in particular the commitment to preparing a statutory plan within the 2023-2029 cycle. As a significant stakeholder within the wider landbank we look forward to working with Fingal County Council as well as other players, landowners, infrastructure providers and interested parties in advancing the preparation in early course of such statutory plan.



It is critical that the lands retain the ability to deliver the objectives of this zoning designation and the changes proposed are intended to be of assistance in achieving an appropriate balance between the efficient use of a valuable land resource that realises principles of compact and public transport oriented growth and sequential development with the need to respect the unique historic, scientific, environmental and architectural context provided by the Dunsink Observatory.

Yours faithfully

Deirdre O'Connor
Head of Planning
NAMA

Encl.

