



**NOTIFICATION TO ATTEND MEETING OF THE PLANNING AND URBAN FORM SPC
TO BE HELD IN THE BY REMOTE VIDEO CONFERENCING VIA - ZOOM
ON TUESDAY 27 JUNE 2023 AT 2.00 PM**

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AGENDA

TUESDAY 27 JUNE 2023

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6 Motion In the name of Councillor Mannix Flynn	

Motion 6 South East Area Committee from Councillor Mannix Flynn

That this meeting of Dublin City Council calls on the Planning Department and CEO to include all planning applications for street furniture licenses on the Planning List; this gives transparency and the opportunity for the public residents and other concerned citizens to make observations in relation to such planning. There is no reason whatsoever that this planning process should not be included on the Planning List that I send out to customers on a weekly basis and they're published on Dublin City Council's planning website.

7 A.O.B.

8 Date of the next meeting

Date of the next meeting:

Wednesday 27th September @ 2pm



MINUTES OF THE PLANNING AND URBAN FORM SPC MEETING

HELD ON THURSDAY 27TH APRIL 2023

1. Minutes of Meeting 28th February

Minutes: Agreed

2. Matters arising

Childcare Subgroup

Cllr. McAdam got agreement from the CPG on the 31/03/23 for the establishment of the subgroup and agreed the Terms of Reference.

Members of the SPC who will be on the subgroup are Cllr. Declan Meenagh, Cllr. Sophie Nicoulaud, and Cllr. Patricia Roe & Cllr. Ray McAdam as chair.

Máire Igoe and Deirdre Scully are the nominees from Planning and Development. Housing and Community will be represented by Dave Dinnigan and Michelle Robinson.

First meeting will be on 8th May at 2pm.

Draft Strategic Heritage Plan 2022-2028

Was sent to all Members.

Report No. 6/2023 Development Contributions

It was agreed at the Finance SPC that this report should be communicated to the Planning and Urban Form SPC, report circulated to all Members

Briefing on the Draft Planning and Development Bill 2022

CCMA submission to the Department of Housing, Local Government and Heritage on the Planning and Development Bill (2022) was circulated to all SPC Members.

3. Draft Ballyboggan LAP

Michael Rossiter, Senior Executive Planner gave a brief presentation and answered questions raised by the Members.

(Report + presentation circulated prior to meeting)

Main Points:

- Open for submissions from 28th April for 4 weeks
- Q & A Sessions/ Drop in Sessions to be arranged, possible venue Educate Together School Cabra or Grangegorman Sports Centre.
- Issues paper to circulate

- Frequently asked questions to be available to alley local concerns.
- Make sure disability proofing, meeting to be arranged with Robbie Sinnott and other D.P.O. groups to be involved.
- Option for Prof. Diarmuid Hegarty to meet with Deirdre Scully to gain clarification on DCC i.e. SPC/LAP/Dev Plan. Prof Diarmuid to confirm.

4. Motions:

MOTION IN THE NAME OF COUNCILLOR DERMOT LACEY

Recognizing the importance of good planning for the future of the City Acknowledging Irelands commitments under the terms of the Aarhus Convention, and thanking the many community, voluntary and civic minded bodies for their work in trying to ensure a better and more inclusive City.

Dublin City Council rejects the terms of the Planning and Development Bill currently before the Oireachtas, which seriously threatens good planning, ignores the Aarhus Convention and significantly reduces the opportunities for Citizens and Councillors to actively engage in the planning process.

The Council further calls on TDs and Senators to use their influence to reject the Bill as it currently stands and to defend the rights of Citizens and Councillors to proactively engage in good planning and to ensure that there is certainty for all – Communities and Developers - in agreed Development Plans.

As the largest Local Authority in the Country the Council further requests an opportunity to present a case to the Oireachtas Committee dealing with the Bill and requests the Planning SPC to prepare a submission for same.

Comment/Observations

The preparation and passing of legislation is a function of the elected representatives of the Houses of the Oireachtas. The consideration and amending of proposed Bills is public process and Bills are the subject of scrutiny by the Oireachtas Committee. It is open to all organisations and individuals to make representations on issues of concern in relation to proposed legislation.

Agreed: Motion is Passed/Adapted

Cllr Dermot Lacey will bring paper to SPC and get submission ready to bring before the Oireachtas.

MOTION IN THE NAME OF COUNCILLOR DONNA COONEY

That as Dublin City Council policy in the Dublin city development plan favours the use of active transport in objectives for a healthy city, a sustainable city and for climate action, that we seek to find a way to facilitate through planning, more citywide secure bike parking, through exempted development in change of use of buildings for indoor bike parking and the use of design guided bike bunker/bike shelters in front gardens

Response:

Class 3 of the exempted development regulations allow for the placing of sheds and stores etc within the grounds of a house, however, one of the relevant conditions is that they must not be located to the front of a house. Therefore, Class 3 does not apply to the provision of bike storage boxes to the front of a house.

A case could be made that a bike storage box to the front of a property is exempt development under Section 4(1) (h) of the Planning and Development Act 'works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character

of the structure or of neighbouring structures'. A section 5 declaration would be warranted in each case and there is a risk that the outcome of the process will be that a proposal is not exempt development and requires planning permission; particularly where the proposal is within an ACA or adjacent to a protected structure.

In the absence of clarity in the Regulations and Act regarding exemption, planning permission can be sought for bike storage boxes located to the front of a house. As with all proposed developments each case would be assessed on its merits having regard to the policies and objectives of the City Development Plan, Ministerial guidelines and relevant legislation. The City Development Plan is clearly supportive of active travel with a range of policies and objectives included in the text. (See Chapter 8- Sustainable Movement)

The review of the Planning and Development legislation presents an opportunity for the regulations to clarify whether bike storage boxes are or are not exempt. The Executive would support the SPC in writing to the Minister requesting that the new Regulations due to be published in response to the new Planning Bill fully address this issue.

Agreed: Motion is passed/supported

Next Step Draft letter regarding current regulations to be amended to allow bike bunker in front garden or will this be included in new regulations. To be signed by Ray McAdam and sent to Minister O'Donnell & Darragh O'Brien.

Letter to be circulated after to all SPC Members and Cllr Donna Cooney.

5. A.O.B.

None

6. Date of next meeting:

Tuesday 27th June @ 2pm

Councillor Ray McAdam

Chairperson

Tuesday 27th April 2023

Attendance:

Members:

Ray McAdam (Chairperson)

John Lyons

Dermot Lacey

Members:

Declan Meenagh

Robbie Sinnott

Patricia Roe

Janet Horner

Members:

Prof. Diarmuid Hegarty

Anthony Connaghan

Officers:

Richard Shakespeare

Deirdre Scully

Máire Igoe

Officers:

Michael Rossiter

Kathy McHugh

Officers:

Aileen Mac Dermott

Jonathan Fallon

Guest:

Donna Cooney

Apologies:

Daithí De Róiste

Tom Brabazon

Apologies:

Jonny McKenna

Sophie Nicoullaud

Apologies:

Odran Reid



**Report to the Planning & Urban Form
Strategic Policy Committee June 2023.
No. 3 on the Agenda**

**UN Sustainable Development Goals and how they can be implemented
through the City Development Plan.**

'We recognize that sustainable urban development and management are crucial to the quality of life of our people. We will work with local authorities and communities to renew and plan our cities and human settlements so as to foster community cohesion and personal security and to stimulate innovation and employment. We will reduce the negative impacts of urban activities and of chemicals which are hazardous for human health and the environment, including through the environmentally sound management and safe use of chemicals, the reduction and recycling of waste and the more efficient use of water and energy. And we will work to minimize the impact of cities on the global climate system.' (United Nations, 2015)

The Dublin City Development sets out how planning will insure the sustainable development of the city in a manner that insures citizens can maintain a high quality of life. As the City Development plan responds the National Planning Framework which acknowledges and responds to the Sustainable Development Goals, as follows:

*There is significant alignment between the UN SDGs and the National Planning Framework's National Strategic Outcomes (NSOs) in areas such as climate action, clean energy, sustainable cities and communities, economic growth, reduced inequalities and innovation and infrastructure, as well as education and health.- National Planning Framework, Project Ireland 2040
<https://www.npf.ie/wp-content/uploads/Project-Ireland-2040-NPF.pdf>*

In this manner, due to alignment with the NPF, the SDGs are considered in the City Development Plan

The City Development Plan, much like the SDGs, seeks to address the interconnected challenges of providing housing, sustainable transport, employment, education, and energy through land use planning, while insuring that no harm is caused the environment, or society.

While SDG 11 is which is primarily focused on cities and human settlements, is directly linked to the City Development plan it is worth noting that all 17 are addressed by the development plan:

City Development Plan Chapter	Sustainable Development Goal
Chapter 1: Strategic Context and Vision	ALL
Chapter 2: Core Strategy	11, 8
Chapter 3: Climate Action	13
Chapter 4: Shape and Structure of the City	4, 8,9,11, 16
Chapter 5: Quality Housing and Sustainable Neighbourhoods	1, 7, 10, 11,16
Chapter 6: City Economy and Enterprise	8, 9 10, 11
Chapter 7: The City Centre, Urban Villages and Retail	All
Chapter 8: Sustainable Movement and Transport	3, 5, 7 9, 10, 11, 13
Chapter 9: Sustainable Environmental Infrastructure and Flood Risk	6, 7, 11, 12, 13, 14, 15
Chapter 10: Green Infrastructure and Recreation	1, 2, 3, 5, 11, 12, 13, 14, 15
Chapter 11: Built Heritage and Archaeology	9, 11, 15
Chapter 12: Culture	11, 16, 17
Chapter 13: Strategic Development Regeneration Areas	All
Chapters 14 -15	All

Dublin Climate Action Regional Office
June 2023



**Report to the Planning & Urban Form
Strategic Policy Committee June 2023.
No. 5 on the Agenda**

Motions Referred to the SPC as part of the Development Plan Review Process.

Report to Planning SPC

Following completion of the Review of the City Development Plan a review has taken place of the motions and reports prepared as part of that process to identify agreed responses that required the issue to be referred to the Planning SPC.

In total 12 topics were agreed by the Council to be referred to the SPC; 11 from motions and one from a CE recommendation in response to submissions received. A small degree of overlap exists in relation to the topics, which are listed below:

- 1- Derelict Sites (two)
- 2- National Guidelines and Policy (three)
- 3- Delivery/Prioritisation of studies/plans identified in the Development Plan (four)
- 4- Other key issues- enforcement, Un Sustainable Development Goals, retail hierarchy.

This report sets out the actions so far delivered in relation the 12 topics and the planned response to the remaining topics.

Topic: Undertake research on Derelict Sites

Motion(s): Nov '21, Motion 12; June '22 Motion 5.9.

Action Required/Completed: A detailed report was prepared in relation the implementation of the Derelict Sites legislation and presented to the SPC on the 27th September 2022.

The SPC Members were informed that The Planning Policy and Legislation Section in the Department of Housing, Local Government and Heritage has recently established a Derelict Sites Act Working Group to look at the functioning of the Derelict Sites Act in combatting dereliction.

Agreed: Working Group will report back on top 3 recommendations.

Topic: Seek prevention/change of Government policy impact on the CDP both in relation to the NDP and Sc.28 Guidelines; generally and specifically regarding height, density and apartment standards.

Motion(s): Nov '21, Motion 44; CE Report on MA 5.16, June '22 Motion 1.13.

Action Required/Completed: The planning process is framed through legislation with a hierarchy of plans and Ministerial Guidelines that inform the preparation of City and County Development Plans. As the largest Council in the State, it is important the Dublin City Council engages actively in any key consultation process conducted by the Department on changes to either legislation or the updating or publication of Sc.28 Guidelines. In response to the motions, it is recommended that the SPC, where appropriate, make submissions on key policy issues as and when the Department invite comment; thus ensuring that the view of the SPC and Elected Members are actively informing the shaping of future policy directions. In addition, the SPC can, where appropriate, raise concerns regarding existing legislation, regulations and Guidelines to seek changes/reconsideration where there is a clear need.

The action in response to these motions in an ongoing action that will continue.

So far 6 submissions have been made and letters have been written by the SPC

Inchicore Retail Strategy September 2022

Action Required/Completed: Letters were sent on behalf of the Chair Cllr. Ray McAdam and the Members.

A letter was sent to Mr. Jim Conway, Director of The Eastern and Midland Regional Assembly, reply received from Jim Conway.

A letter was also sent to Mr. Paul Hogan, Department of Housing, Local Government and Heritage.

Motion in the name of Cllr. Donna Cooney April 2023

The review of the Planning and Development legislation presents an opportunity for the regulations to clarify whether bike storage boxes are or are not exempt. The Executive would support the SPC in writing to the Minister requesting that the new Regulations due to be published in response to the new Planning Bill fully address this issue.

Action Required/Completed: Letters were sent on behalf of the Chair Cllr. Ray McAdam and the SPC Members to Kieran O'Donnell T.D. Minister of State with responsibility for Local Government and Planning, and Darragh O'Brien T.D., Minister of Housing, Local Government and Heritage.

Childcare Subgroup June 2023

Action Required/Completed: Letter sent to Ministers, Dept. of Children, Equality, Disability, Integration and Youth (Roderic O'Gorman TD) and Dept. of Education (Norma Foley, TD).

Topic: Inchicore as a key urban village

Motion(s): Nov '21, Motion 9.

Action Required/Completed: As designation of the retail hierarchy is an action of the Regional Spatial and Economic Strategy; in response to this issue, the SPC has written to EMRA to request that the overdue update of the Retail Strategy takes place.

Topic: UN Sustainable Goals

Motion(s): Nov '22, Motion 5.19

Action Required/Completed: A report in relation to the delivery of the Goals is being prepared for presentation to the June 2023 SPC.

Topic: Enforcement in ACAs

Motion(s): Nov '22, Motion 11.1

Action Required/Completed: Planning Enforcement will report quarterly on the number of complaints received in ACA's investigated and resolved. Buildings at Risk will also be included.

Topic: Ancillary Accommodation- design standards

Motion(s): Nov '22, Motion 5.1

Action Required/Completed: Objective QHSNO4 requires the completion of a study of domestic planning standards and best practice- including dormers, extensions, ancillary accommodation and small scale infill housing. The agreement of prioritisation of this action; along with all other action based objectives in the Development Plan will form part of a implementation plan for the Development Plan for the forward planning section to be discussed with the SPC in Quarter 3.

Appendix 1: Table Listing Motions

<u>SPC Motions</u>			
<i>Stage</i>	<i>Proposer</i>	<i>Motion No.</i>	<i>Topic/Action Sought</i>
Draft- Nov 21	Cllr Lacey	7	staff team for local plans
	Cllr De Róiste	9	Inchicore as Key urban village
	GP	12	Derelict Sites- do a study on use and capture
	Cllr Ring	44	Height and Density Sc.28 - legal protection
	PBP	76	quantify "overconcentration" for BTR
	GP	113	define overconcentration for hotels
Jun-22	GP	5.9	study of derelict sites
Sep-22	CE Recommendation	MA 5.16	SPC write to Minister re apt standards and accessibility
Nov-22	Cllr Lyons	1.13	Criticism of national policy
	Cllr Lacey	5.1	Ancillary accommodation
	Cllr Lyons	5.19	Un Sustainable Development Goals & PPN
	Cllr McAdam	11.1	Update on enforcement for ACAs

Deirdre Scully
A/ Dublin City Planning Officer.
June 2023