



**NOTIFICATION TO ATTEND MEETING OF THE PLANNING AND URBAN FORM SPC
TO BE HELD IN THE BY REMOTE VIDEO CONFERENCING VIA - ZOOM
ON THURSDAY 5 OCTOBER 2023 AT 9.00 AM**

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AGENDA

THURSDAY 5 OCTOBER 2023

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Motion in the Name of 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.

Motion in the Name of Councillor Alison Gilliland

The Planning and Urban Form SPC recognises that increasing the residential capacity of Dublin City Centre will positively enhance the dynamic in and attractiveness of the City Centre from the perspective of retail and hospitality footfall/spend and passive street security. In particular, the Planning and Urban Form SPC recognises that such an increase in residential capacity could come from converting currently vacant building and over the shop vacant spaces and that such conversions not only provides homes and a renewed city dynamic but also a more attractive city and a climate dividend from re-using current buildings. However the Planning and Urban Form SPC also recognises the challenges associated with such conversion including, but not limited to, cost/financing, current planning and fire safety related regulations.

Therefore, Planning and Urban Form SPC agrees to commission an expert to work with Dublin City Council and key stakeholders to i) analyse the key inhibitors to converting, in the main, over the shop vacant spaces in the core O'Connell St and Grafton St areas into residential use and to ii) propose solutions to these inhibitors, including changes in regulations/legislations and changes to the living city tax initiative that could allow for a special planning scheme for these areas and for a new model of financing conversion/reconfiguration to residential use.

This work would be presented to the Minister for Housing, Local Government and Heritage and the Minister of State with responsibility for Local Government and Planning and their support sought to implement any proposed changes the work would recommend.

8 A.O.B

9 Date of the next meeting:

Wednesday 22nd November @ 2pm



MINUTES OF THE PLANNING AND URBAN FORM SPC MEETING

HELD ON THURSDAY 27TH JUNE 2023

1. Minutes of Meeting 27th April

Minutes: Agreed

2. Matters arising

Motion from Cllr Donna Cooney regarding bike bunker.

(Copy of letters circulated prior to meeting)

Letters sent on 24th May from Ray McAdam to Minister O'Donnell & Darragh O'Brien regarding proposed new regulations be amended to allow bike bunker in front garden for this to be included in new regulations. Acknowledgement received from Minister's Office but no reply yet, Cllr. Cooney asked for follow up letter to be sent.

Terms on the Draft Planning and Development Bill 2022

Cllr. Dermott Lacey got submission ready to bring before the Oireachtas. Cllr Ray McAdam will write to the Chair of the joint Oireachtas Committee. This item to be included on agenda for September meeting.

Draft Ballyboggan LAP

Make sure disability proofing, meeting to be arranged with Robbie Sinnott and other D.P.O. groups to be involved, when submissions have been gone through.

3. UN Sustainable Development Goals

Cllr. Costello contacted the City Planning Officer in relation to the UN Sustainable Development Goals and how they can be implemented through the City Development Plan.

(Report by Dublin Climate Action Regional Office circulated prior to meeting)

Discussion followed and Deirdre Scully, A/ Dublin City Planning Officer answered question raised by the Members.

4. **Childcare Subgroup Update**

Cllr. Ray McAdam as Chair give a brief verbal update. There have been 2 meetings to date with the sub group working through the terms of reference.

Cllr. McAdam wrote on 25th May to both Ministers, Dept. of Children, Equality, Disability, Integration and Youth (Roderic O’Gorman TD) and Dept. of Education (Norma Foley, TD) regarding current childcare guidelines which need to be reviewed and updated.

Carol Dillon, Manager of Dublin City Childcare Committee gave the Sub Group a presentation on “Partnership for the public good”- A new funding model for ELC and SAC childcare. She also informed the subgroup that the Department advertised two posts re: Supply and demand of ELC (Early Learning & Care) and SAC (School Aged Childcare) services. Interviews on 26th June and role will be to work with the Department and Pobal re supply and demand and how to support services and develop their capacity.

Agreed: Response from Ministers to be circulated when received. Further update to be given after next meeting.

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

(Report circulated prior to meeting with actions and progress)

Deirdre Scully, A/ Dublin City Planning Officer gave a brief summary of the report.

6. **Motion in the Name of Councillor Mannix Flynn, referred from the South East Area Committee**

Agreed: To defer this Motion to September meeting as Cllr Mannix Flynn had sent his apologies.

7. **A.O.B.**

Cllr McAdam enquired about the proliferation of advertising and asked about the policy. Robbie Sinnott also made the point that the base of signage on the pavement needs to be the same width from top to bottom as can cause issues for people with sight impairment. Public Realm needs to aware of accessibility issues.

Deirdre Scully A/ Dublin City Planning Officer went through the policy. If new planning applications come in the company are requested to show how they will reduce existing signage before permission is granted.

8. **Date of next meeting:**

Wednesday 27th September @ 2pm

Councillor Ray McAdam

Chairperson

Tuesday 27th June 2023

Attendance:

Members:

Ray McAdam (Chairperson)

John Lyons

Dermot Lacey

Members:

Declan Meenagh

Robbie Sinnott

Sophie Nicoullaud

Members:

Prof. Diarmuid Hegarty

Anthony Connaghan

Jonny McKenna

Officers:

Deirdre Scully

Máire Igoe

Sheila Hennessy

Officers:

Bronagh Corry

Kathy McHugh

Officers:

Aileen Mac Dermott

Jonathan Fallon

Guest:

Donna Cooney

Apologies:

Daithí De Róiste

Tom Brabazon

Richard Shakespeare

Apologies:

Patricia Roe

Janet Horner

Mannix Flynn

Apologies:

Odran Reid

Anna Devlin

Joe Costello

An Roinn Pleanála agus Forbartha Maoiné1
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

Planning and Property Development Department
Block 4, Floor 3, Civic Offices, Wood Quay, D8

**Report to the Planning & Urban Form
Strategic Policy Committee October 2023.
No. 4 on the Agenda**



1.0 Who will be presenting:

- Donncha Ó Dúlaing, Head of Sport and Recreation, DCC – Donncha is the project lead for Kilmainham Mill and sits on the project steering group.
- Catherine Heaney, Lorne Consultancy has been contracted to lead on the development of a master vision for Kilmainham Mill. Catherine recently stepped down as chair of the National Museum of Ireland and she previously chaired the Liberties Business Forum. She has an academic background in public history and is a strategic communications consultant by profession.

2.0 Background:

The Kilmainham Mill complex, located by the river Camac at Kilmainham Lane in Dublin 8, is the last remaining, largely unaltered, early 19th century flour mill in Dublin. It is probably the last remaining fulling (cloth shrinking) mill in Ireland. It is a protected structure on the Record of Protected Structures. It is now in the ownership of Dublin City Council.

Brief history:

- Kilmainham Mill was built circa 1820 and functioned as a flour mill.
- In the mid-late 1800s, the mill was significantly expanded to include additional buildings; a 30-horsepower steam engine; rerouting of the headrace to serve a new water wheel; a cast iron sectional aqueduct; and reworking of interior with cast-iron columns.¹
- Circa 1903/4, the mill changed ownership and it was converted from flour and corn-processing to cloth finishing.²
- Through the 1900s, the mill changed ownership, but retained its focus on textiles. It was used as a location for several significant films, including “In the Name of the Father”; “Michael Collins” and “Frankie Starlight”.
- In 2000, all industrial activity at Kilmainham Mill ceased.
- Following its closure, the mill complex fell into disrepair and dereliction.
- The Mill remained in private ownership until Dec 2018 when it was purchased by Dublin City Council.

3.0 Preparing for the future of Kilmainham Mill:

- Following the purchase of the mill, DCC commissioned detailed surveys of the building, resulting in a programme of essential repairs and stabilisation works, which are now nearing completion. These works, completed this year, included repairs to roofs, removal of asbestos and protection of machinery. Costing €2 million, these works have stabilised and made the buildings safe. There is limited accessibility and facilities for widespread use.
- DCC also commissioned a Conservation Management Plan which will inform the potential and limitations on the mill’s future use. This is due for completion shortly. Additionally, DCC’s Culture Company has initiated research on the social and industrial history of the mill. This research will also inform the narrative and potential uses of the mill.
- A project steering group, comprising relevant executive and staff at DCC, has been established to oversee a strategy for the sustainable development of Kilmainham Mill.
- A limited public engagement programme of events and talks has been developed by DCC, aimed primarily at the local community and those interested in the mill’s history. These free events will take place in September and October at the site.

¹ National Inventory of Architectural Heritage (50080060) 15/05/2013

² According to Sara Donaldson (Quoted in Irish Times article 7/4/23)

4.0 Master vision:

- Dublin City Council's project boards has put in place a process to establish a master vision that will inform the ultimate reuse of Kilmainham Mill. This will involve community and stakeholder engagement. The master vision will determine the scope for the long-term use of the mill, as well as establishing interim potential uses, such as markets, exhibitions, and events.
- The master vision will:
 - Consider the rich industrial, architectural, and social heritage of the mill.
 - Consider the needs of the community, including the existing broader business and cultural infrastructure.
 - Consider sustainability, as this relates to climate, biodiversity, and reuse potential of the mill.
 - Consider a funding and income-generation model to enable the mill to become self-sustaining.
- A consultant has been appointed by DCC to develop the master vision through a process of consultation and research, especially as this relates to similar industrial heritage sites in Ireland and the UK.

5.0 Next Steps:

- Research has commenced to enable DCC learn and benchmark from a range of industrial heritage sites in Ireland and the UK. Areas such as funding, visitor engagement, community engagement and sustainability are being examined in this context.
- Focus group workshops, including community consultation, have been established for early October. From these, the themes, and approaches to the future operation of the mill will be considered against sustainability and funding potential.
- Key question for DCC members: how would you like to input to the consultation, e.g., through a specific focus group; in writing; other?
- Initiatives for broader public engagement, including specific activities to engage with younger cohorts, are in train.
- A governance and management model for the mill is being developed.
- Both the conservation management plan and the social / industrial history report will be consulted in advance of arriving at a master vision. This will ensure that the history and fabric of the mill are considered in everything that will encompass the future of the mill.
- All work will be completed by the end of 2023, and it is envisaged that the 'meanwhile' uses of the Mill will expand and become embedded on the site in 2024.

**Report to the Planning & Urban Form
Strategic Policy Committee October 2023.
No. 5 on the Agenda
Build to Rent Variation**

Changes to Build-To-Rent Accommodation following the publication of the guidelines ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2022

Built-To-Rent (BTR) development was established as a separate housing typology, for planning purposes, arising from *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, as published in 2018 and updated in 2020.

Following a review of Build-To-Rent developments, the Government established that while a significant number of BTR developments had been permitted a substantial number of these remain un-commenced. This, and the fact that the Government is seeking to increase home ownership has led to the publication of revised apartment guidelines, published in 2022.

The new *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities*, DHLGH, 2022, remove the planning requirement that BTR is identified as a separate housing typology / type with specific design standards. Specifically BTR design criteria SPPR7 and SPPR8 have been removed.

The guidelines, along with Circular Letters NRUP 07/2022 and NRUP 01/2023 published in December 2022 and July 2023 respectively, outline transitional arrangements put in place to allow BTR proposals in the planning system on or before 21st December 2022, to be considered and decided in accordance with the 2020 Guidelines.

Proposed Variation of City Development Plan

The 2022 – 2028 Dublin City Development Plan came into effect on 14th December 2022 before the publication of the updated guidelines.

It is now proposed to vary the Development Plan to reflect national policy. It is proposed to:

- make a technical update to the development plan in relation to 'Build-To-Rent' (BTR) accommodation on foot of the publication of Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2022,
- insert a new Appendix 19 into Volume 2: Appendices of the Dublin City Development Plan 2022 – 2028 containing transitional arrangements for Build-To-Rent accommodation proposals in the planning system on or before 21st December 2022.

It is anticipated that a variation proposal / report will go to full Council in November 2023.

Deirdre Scully
Dublin City Planning Officer.
October 2023



**Report to the Planning & Urban Form
Strategic Policy Committee October 2023.
No. 6 on the Agenda**

Residential Zoned Land Tax (RZLT)

The Government's *Housing For All – A New Housing Plan for Ireland* proposed a new tax to activate vacant land for residential purposes as a part of the Pathway to Increasing New Housing Supply.

The Residential Zoned Land Tax (RZLT) was introduced in the *Finance Act 2021*. The objective of the tax is to activate land that is serviced and zoned for residential use or mixed use, including residential use, in order to increase housing supply and to ensure regeneration of vacant and idle lands in urban locations.

The tax is an annual tax calculated at a rate of 3% of the market value of land. The process to identify land to which the tax applies has been underway since 2022. Local Authorities identify land in scope for the tax through the publication of **draft, supplemental and final maps**. Revenue will administer the tax measure.

The tax will be payable from 1st February 2024 and owners of land identified as being in scope in the Final Map become liable for RZLT.

Lands in Scope for the Tax

Land in scope for the tax are those lands which meet the relevant [criteria for inclusion](#) (see attachment) as set out under Section 653B of the Taxes Consolidation Act, 1997, as amended.

Excluded lands include inter-alia, lands subject to contamination and significant archaeology, sites on the Derelict Site Register, land required for infrastructure and community services, and existing operating uses on land (a trade or profession that is liable to commercial rates which provides services to residents of adjacent residential areas and which is not unauthorised).

Although they are included on the map, **residential properties** are not subject to RZLT if they are subject to Local Property Tax.

Draft Map

Dublin City Council prepared and published a [Draft Map](#) of the land considered to be in scope for the RZLT on 1st November 2022. The Council sought submissions on the draft map from affected landowners and others.

Submissions could challenge the inclusion of land on the draft map, the date on which land was considered to fall within the scope of the tax, or request a change in zoning (landowner only). Submissions could also identify additional land considered to be in scope for the tax.

158 submissions were received in respect of 170 plots of land. 4 of these submission were invalid. All submissions were assessed and considered.

The majority of submissions were made by landowners (in respect of 149 plots of land). These submissions sought to exclude land from the map / to challenge the date on which land first met the relevant criteria / a change in the zoning of land on the map.

As prescribed by the legislation, the Council issued notifications of determinations on submissions received to landowners only, and only in respect of submissions seeking the exclusion of land from the map / a change to the date on the map. The outcome and number of determinations issued are detailed in Table 1 below.

Table 1: No. of Determinations Issued pursuant to Submissions on the Draft Map

Notification of Determination to:	Number Issued
Include lands on Final Map	62
Exclude from Final Map	74
Split Decision (Include lands and Exclude lands on Final Map)	12
Change to date on map	8 (No change made to date on map)
No. of Determinations Issued	156

There were 57 appeals to An Bord Pleanala against the Council's determinations. To date the bord has issued 46 decisions in respect of these appeals - confirming 45 of the Council's determinations and making a split decision in respect of one of the Council's determinations.

Third parties made submissions on the Draft Map in respect of 17 plots of land and these submissions mostly sought the inclusion of lands on the map. Where it was considered that the lands in question met the relevant criteria for inclusion these were included on the Supplement Map.

Supplemental Map

Dublin City Council prepared and published a [Supplemental Map](#) on 28th April 2023 containing additional lands that will be subject to RZLT.

The Council sought submissions on the map from affected landowners and others. On this iteration of the map submissions could not identify additional land considered to be in scope for the tax.

39 submissions were received in respect of 45 plots of land. All submissions were assessed and considered.

8 of these submissions related to the Draft map; so were deemed to be late submissions.

The majority of submissions were by landowners (19 plots of land) seeking the exclusion of lands from the map / a change to the date on the map and in one instance a change in zoning.

As prescribed by the legislation, the Council issued notifications of determinations on submissions received to landowners only, and only in respect of submissions seeking the exclusion of land from the map / a change to the date on the map. The outcome and number of determinations issued are detailed in Table 2 below.

Table 2: No. of Determinations Issued pursuant to Submissions on the Supplemental Map

Notification of Determination to:	Number Issued.
Include lands on Final Map	12
Exclude from Final Map	6
Split Decision (Include lands and Exclude lands on Final Map)	1
Change to date on map	2
No. of Determinations Issued	21

There were 10 appeals to An Bord Pleanala challenging the Council's determinations and these are currently being assessed.

Two third parties sought the inclusion of lands on the map. Consideration can be given to the inclusion of these lands as part of the annual map review.

Rezoning

As part of the submission process a landowner can request a change of zoning of lands identified as in scope for the tax.

In total the Council received 12 rezoning requests at the Draft and Supplemental Map stages.

Under RZLT, the initiation of the variation process can only take place after all rezoning requests made in relation to the draft **and** supplemental maps have been evaluated. This is in order to take into account the full and cumulative assessment of the impact of all rezoning submissions received in relation to the publication of draft and supplemental maps on the proper planning and sustainable development of the area.

Having evaluated the 12 requests for a change to the zoning of lands included in the draft and supplemental RZLT maps, it is proposed to rezone one parcel of land only as follows:

RZLT-000046/ANON-QHEU-JU1S-P- Lands adjacent to Dublin City University (DCU) Glasnevin Campus and Albert College Park, Glasnevin, Dublin 9 - [View Response - Dublin City Council - Citizen Space](#)

This rezoning proposal is supported as the request for a change of zoning under the RZLT process demonstrated that the lands are required for the expansion of the

DCU campus and changing the land use zoning on the lands to Z15 (Community and Social Infrastructure) would be consistent with the existing adjoining University land use zoning and would allow for the future planned sustainable expansion of the campus at this location.

Final Map – 1st December 2023

Land appearing on both the draft and supplemental maps will, subject to the outcome of submissions / determinations / zoning changes / decisions and appeals made in respect of both maps, be included on the final map of land in scope for the tax to be published by 1st December 2023. This land will be subject to the tax unless it is exempt as a residential property.

Next Stage

The final map will be reviewed and revised annually.

Deirdre Scully
Dublin City Planning Officer.
October 2023

APPENDIX 1 - Criteria for Inclusion in Map

Finance Act 2021(taken from [legislation](#))

Criteria for inclusion in map

653B. In this Part, a reference to land which satisfies the relevant criteria is a reference to land that -

(a) is included in a development plan, in accordance with section 10(2) (a) of the Planning and Development Act of 2000 (as amended), or local area plan, in accordance with section 19(2)(a) of the Planning and Development Act of 2000 (as amended), zoned—

- (i) solely or primarily for residential use, or
- (ii) for a mixture of uses, including residential use,

(b) it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development, and

(c) it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains,

but which is not land—

- (i) that is referred to in paragraph (a)(i) and, having regard only to development (within the meaning of the Act of 2000) which is not unauthorised development (within the meaning of the Act of 2000), is in use as premises, in which a trade or profession is being carried on, that is liable to commercial rates, that it is reasonable to consider is being used to provide services to residents of adjacent residential areas,
- (ii) that is referred to in paragraph (a)(ii), unless it is reasonable to consider that the land is vacant or idle,
- (iii) that it is reasonable to consider is required for, or is integral to, occupation by—
 - (I) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare,
 - (II) transport facilities and infrastructure,
 - (III) energy infrastructure and facilities,
 - (IV) telecommunications infrastructure and facilities,
 - (V) water and wastewater infrastructure and facilities,
 - (VI) waste management and disposal infrastructure, or
 - (VII) recreational infrastructure, including sports facilities and playgrounds,
- (iv) that is subject to a statutory designation that may preclude development, or
- (v) on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.