



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