



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

PROPOSED VARIATION NO. 4
DUBLIN CITY DEVELOPMENT PLAN 2022-2028

FREQUENTLY ASKED QUESTIONS

NOVEMBER 2023

1. What does proposed Variation No. 4 of the Dublin City Development Plan 2022-2028 seek to amend?

Proposed Variation No. 4 of the Dublin City Development Plan 2022-2028 (the Development Plan) proposes to incorporate the recently approved Jamestown Masterplan 2023 regarding 43 hectares of Jamestown Industrial Estate lands at Jamestown Road, St Margaret's Road / McKee Avenue, Finglas, Dublin 11 by:

- Deleting section B 'Jamestown Lands' of SDRA 3 and inserting new text referencing the approved Jamestown Masterplan 2023.
- Modification of Figure 13-3 to reflect the approved Jamestown Masterplan.
- Incorporation of Jamestown Masterplan 2023 into the Development Plan by way of a new appendix.

2. What is the Jamestown Masterplan?

DCC's Planning and Property Development Department published the Jamestown Masterplan on 21 September 2023, made according to the requirements of SDRA 3 of the Development Plan. The Masterplan is a detailed refinement of the SDRA framework set out in the Development Plan for 43 hectares of Jamestown Industrial Estate lands at Jamestown Road, St Margaret's Road / McKee Avenue, Finglas, Dublin 11. Following a public consultation process from 27 March to 15 May 2023 (both dates inclusive) 244 submissions were received. Changes to the content of the Draft Masterplan were made following this public consultation process, as set out in report nos. 142/2023 and 150/2023 of the Chief Executive and as amended by motions agreed at the Council Meeting on 3 July 2023. The Masterplan was approved at the monthly council meeting on 3 July 2023.

The Jamestown Masterplan represents an urban design-led and evidence-based approach to the regeneration of this strategic land bank, capitalising on significant state investment in public transportation in accordance with national and regional policy objectives relating to compact and sustainable growth. Accordingly, it has the capacity to deliver new homes, create new and support existing jobs, along with the provision of associated community and educational uses, all underpinned by exemplary urban design principles.

3. Why was a Masterplan prepared?

The Jamestown lands are zoned Z14 (Strategic Development and Regeneration Area) in Development Plan. The lands are also designated Strategic Development and Regeneration Area (SDRA) status as set out in SDRA 3. SDRA 3 requires that a Masterplan be prepared and agreed before the lodgement of any planning applications. The lands are considered strategic to the City and key to delivering national and regional objectives pertaining to consolidated and sustainable urban growth and facilitating the provision of new homes, while supporting significant state investment in public transportation (Luas Finglas and BusConnects). Brownfield urban regeneration will take many years to achieve. The only way this can occur while ensuring the associated delivery of open space and other essential infrastructure is in accordance with a strategic Masterplan. The Masterplan is consistent with the Development Plan and will support its delivery, while also supporting Government policy.

4. What is the legal status of the approved Masterplan?

While the process for approving the Masterplan was non-statutory, the published approved Masterplan is given statutory effect by SDRA 3 of the Development Plan. The Planning Authority is obliged to enforce the Masterplan. Any planning applications submitted will be assessed in accordance with the Development Plan and the Masterplan.

5. If the Jamestown Masterplan is approved, why is a variation to the Development Plan proposed?

The approved Masterplan represents a detailed refinement of the SDRA 3 framework set out in the Development Plan for the Jamestown Lands. The Masterplan sets out a strategic blueprint for the entire 43 hectares, to guide future redevelopment opportunities. This has been informed by comprehensive stakeholder engagement. The Masterplan sets out the urban structure, open space, built form and design, land use and phasing strategy for the lands. Section B of the SDRA contains high-level principles and was only intended to inform a Masterplan. It does not contain the level of detail required to inform a coordinated approach to individual planning proposals.

Proposed Variation No. 4 will embed the Masterplan into the Development Plan. This will give full legal status to the Masterplan. This will provide greater certainty and enhanced enforceability in the future. It will also tie future reviews or updates to the Masterplan into the Development Plan process.

6. Does proposed Variation No. 4 recommend any further changes to the Masterplan that was approved by the elected members of Dublin City Council on 3 July 2023?

No. The approved Masterplan that was published on 21 September 2023 was updated to reflect the changes agreed by the elected members on 3 July 2023. These changes have comprehensively considered the 244 submissions received during the public consultation process and the motions received from the elected members. The purpose of the proposed variation is to agree to incorporate or not to incorporate the approved Masterplan into the Development Plan and the associated changes to SDRA 3.

7. What is the procedure for making a variation to the Development Plan?

Pursuant to Section 13 of the Planning and Development Act 2000, as amended, the proposed variation will be placed on public display for a period of 4 weeks. During this time, members of the public and interested parties will be invited to make submissions. A Chief Executive's Report will be prepared and issued to the elected members of Dublin City Council, no later than 8 weeks after commencing the public consultation process. The consideration of the proposed variation and the Chief Executive's Report shall be completed not later than 6 weeks after the submission of the Report to the elected members. In accordance with Section 251 of the Planning and Development Act, the period between 24 December and 1 January (both dates inclusive) shall be disregarded when calculating appropriate periods or other time limits

referred to in the Act or in any regulations made under the Act. The members, having considered the proposed variation and Chief Executive's report, may, by resolution as they consider appropriate, make the variation, with or without modifications, or they may refuse to make it. The Chief Executive intends that proposed Variation No. 4 and the accompanying Chief Executive's Report be considered at the council meeting in February 2024.

8. What is the purpose of the public consultation process?

The procedure for making a variation to the Development Plan is a statutory process, as outlined under the provisions of Section 13 of the Planning and Development Act 2000, as amended. The proposed variation must be placed on public display for a period not less than 4 weeks. During this time submissions and observations with respect to the proposed variation can be made. The purpose of proposed Variation No. 4 is to incorporate the recently approved Masterplan into SDRA 3 of the Development Plan and associated changes to SDRA 3. Submissions or observations relating to this proposal are welcomed.

9. Can planning applications be lodged to Dublin City Council before a decision is made on proposed Variation No. 4?

Yes, subject to the requirements of the approved Masterplan. As set out in SDRA 3 of the Development Plan, an agreed Masterplan was required before the lodgement of planning applications. The Jamestown Masterplan was approved by the elected members on 3 July 2023.

10. What if the members of Dublin City Council vote by resolution not to approve proposed Variation No. 4?

The Chief Executive recommends that proposed Variation No. 4 is made by the elected members. The making of the variation will provide enhanced clarity that will guide the redevelopment and regeneration of the Jamestown lands by incorporating the recently approved Masterplan into the Development Plan. However, in the event that the members of DCC voted not to make proposed Variation No. 4, this will not impact the Jamestown Masterplan that was approved on 3 July 2023. The Masterplan will be used by the Planning Authority in assessing future proposals on the Jamestown lands, as required under SDRA 3 of the Development Plan. The purpose of proposed Variation No. 4 is to agree to either incorporate the approved Masterplan into the Development Plan or not to approve its incorporation.

11. What environmental assessments have informed the approved Masterplan and proposed Variation?

In accordance with the SEA Directive (2002/42/EC) and the provisions of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) (SEA) Regulations 2004-2011 (the SEA Regulations), the approved Masterplan was screened for Strategic Environmental Assessment (SEA). A screening for Appropriate Assessment (AA) was carried

out having regard to Article 6(3) of the Habitats Directive. DCC as the Competent Authority, having considered the SEA and AA Screening Reports prepared by DCC, and having consulted with the prescribed environmental authorities, has published final determinations along with the approved Masterplan. A Strategic Flood Risk Assessment (SFRA) and Surface Water Management Strategy informed the Masterplan and screening determinations.

In accordance with the provisions of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended, the proposed variation was subject to further SEA and AA screening and determinations have been published.

As required by legislation, Dublin City Council consulted with prescribed bodies including:

- The Environmental Protection Agency.
- The Minister of Housing, Local Government and Heritage.
- Development Applications Unit of the Department of Housing, Local Government and Heritage.
- The Minister of Environment, Climate and Communications.
- The Minister of Agriculture, Food and the Marine.
- Adjoining planning authorities (South Dublin County Council, Fingal County Council, Dún Laoghaire-Rathdown County Council).

The proposed variation is accompanied by SEA and AA screening reports and determinations.

The following reports have informed the proposed variation and the screenings/determinations.

- Strategic Flood Risk Assessment
- Surface Water Management Strategy

Dublin City Council as the Competent Authority, having considered the SEA Screening Report prepared by DCC, makes a determination that the proposed variation is not likely to have significant impacts on the environment, therefore a Strategic Environmental Assessment is not required.

Having regard to Article 6(3) of the Habitats Directive, the Planning and Development Act 2000 (as amended), the guidance contained in the Department of Housing, Planning, Community and Local Government's (DHPCLG) "Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities" (2010) and based on the objective information provided in the Appropriate Assessment Screening Report, DCC as the Competent Authority determines that the proposed variation, individually, and in combination with other plans and projects, does not have the potential to give rise to likely significant effects on the Special Conservation Interests / Qualifying Interests and their respective Conservation Objectives of any Natura 2000 site, and does not require an Appropriate Assessment.