



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion

306051

Strategic Housing Development	207 residential units (79 houses, 48 duplex units, 80 apartments) and associated site works.
Location	Lands at Newcastle, Castletroy, Co. Limerick.
Planning Authority	Limerick City and County Council.
Prospective Applicant	1 Walkers Limerick Land Limited.
Date of Consultation Meeting	24 January 2020.
Date of Site Inspection	9 January 2020.
Inspector	Stephen Rhys Thomas.

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1.1. The application site has a stated area of 4.24 hectares and is located immediately south of the R445 Dublin Road. The site is located approximately 6km to the east of Limerick City Centre and adjoins Castletroy Neighbourhood Centre to the west. Dromroe Avenue and Carrowkeel housing estates are located south of the site and a large national school is located to the east.
- 2.1.2. The subject site is mostly level and slopes gently downwards from east to west. The western portion of the site is noticeably damp with large areas of standing water and wetland plants, the remainder of the site is largely disturbed from previous construction activity. The site is unfenced, and a number of pedestrian desire lines pass through it from housing to the south onwards to the school and shops to the north.

3.0 Proposed Strategic Housing Development

The proposed development which is the subject of this pre-application consultation request comprises 207 residential units (79 houses, 48 duplex units, 80 apartments) between two and four storeys in height on a site of 4.24 Hectares. The following details are noted:

Parameter	Site Proposal
Application Site	4.24 ha (red line boundary)

No. of Units	207 dwellings
Other Uses	None
Car Parking	270
Bicycle Parking	227
Vehicular Access	From new road to school off the Dublin Road and a southern access from Carrowkeel estate.
Part V	21 units
Density	50.4 units/ha

The breakdown of unit types is as follows:

Description	Quantity	Mix (%)
1 Bed Apartment	36	17%
2 Bed Apartment	44	21%
1 Bed Simplex / Apartment	12	6%
2 Bed Simplex / Apartment	5	3%
2 Bed Duplex / Apartment	31	15%
2 Bed House	43	21%
3 Bed House	36	17%
TOTAL	207	100%

4.0 National and Local Policy

4.1 Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- ‘Urban Development and Building Heights Guidelines for Planning Authorities’ – 2018
- ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ - 2018
- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Design Manual for Urban Roads and Streets’
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’

Other relevant national guidelines include:

- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

4.2 Regional Policy

Draft Regional Spatial and Economic Strategy for the Southern Region

The site is located within the boundary of the Limerick Shannon Metropolitan Area. It is an objective to promote a cohesive metropolitan area and encourage compact growth. RPO prioritises housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.

The strategy states that Limerick Shannon Metropolitan Area Transport Strategy will provide for the development of an enhanced Citywide public transport system with enhanced accessibility from the City Centre to the National Technological Park.

Under Policy Objective 7: Strategic Road Infrastructure: it is an objective to upgrade arterial roads including the R445 to increase capacity, including the provision of public transport infrastructure.

4.3 Local

Limerick County Development Plan 2010

Under the County Plan, Castletroy area is identified as part of the Tier 1 Gateway. Under the Core Strategy, it is stated that by 2016 an additional 1,208 units would be required and by 2022 a further 1,932 units would be required. Section 4.6 sets out guidance regarding the design of residential development.

The Castletroy Local Area Plan 2019-2025

The subject site is located in the administrative area of the Castletroy Local Area Plan. Castletroy is recognised as an important trade/market and service centre for the resident population and the surrounding hinterland. Under the settlement strategy (Table 4), 22% of the total National Planning Framework population target for Limerick of 56,000 persons is allocated to Castletroy. This equates to 12,320 persons over the next 24 years. It is stated that a total of 1,232 houses will be required for the settlement over the next 6 year period. A minimum net residential density of 35 units per hectares is required on residentially zoned lands.

The subject site is zoned as a 'residential development area' where it is an objective of the LAP to provide for new residential development and other services associated with residential development. It is identified as a Phase 1 development site. An indicative junction is located to the east of the site on the R445. Proposed bus lanes are indicated for the site frontage along the Dublin Road.

It is an objective of the plan to provide for the widening and upgrading of the R445 to provide for improved bus lanes, cycle and walking facilities. Objective T8 states that: "it is the objective of the Council to safeguard the capacity of the M7 and the R445 to ensure that any future developments do not compromise the strategic function of these roads."

The plan under objective UD1 and UD2 states that high quality urban design which makes a statement in terms of 'distinctiveness', 'landmark feature', and 'sense of place' will be expected at locations of high visibility in the built environment of Limerick. It is stated: "The Council will encourage quality innovative modern design in terms of its context with the surrounding urban area. Any development proposals

at landmark locations within Castletroy and on the approaches to Limerick City should be of a high quality design. These proposals should, therefore, demonstrate innovative architectural design principles, contribute to a sense of distinctness, reflect arrival at a city and ‘sense of place’, and thereby, enforce a positive image of Castletroy and the greater metropolitan area.”

5.0 Planning History

Subject site:

- PA reference 06/4024 and ABP reference PL13.229516 – Permission for 240 dwellings, and extended until December 2021.

Parts of this permitted development have been constructed and are occupied at present.

5.1.1. Section 247 Consultation(s) with Planning Authority

It is stated by the prospective applicants in the submitted documentation that a Section 247 pre-application consultation took place with the planning authority on 7 October 2019.

6.0 Forming of an Opinion

- 6.1.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

Documentation Submitted

- 6.1.2. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.
- 6.1.3. The information submitted included the following: Cover Letter; SHD Application Form; Development Description and Statement of Consistency; Engineering

Drawings & Drawing Schedule; Engineering Services Report; Confirmation of Feasibility from Irish Water; Architectural Design and Landscape Design Statements; Full set of Architectural and Landscape Drawings; Part V Booklet (Part V Layout Plan & Schedule of Accommodation Booklet), CGI's and Presentational View's.

6.1.4. I have reviewed and considered all of the above mentioned documents and drawings.

Planning Authority Submission

6.1.5. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 8 January 2020.

6.1.6. The planning authority's 'opinion' included the following matters: a description of the site and surroundings, a brief overview of the proposed development, planning history, the zoning provisions of the Development Plan and any specific objectives for the area and a list of relevant national policy documents. The planning authority's comments included the following:

- **Minutes of Section 247 Consultations** – Minutes are provided within section 2 of the report.
- **Internal Reports** – Reports are noted from Traffic and Transportation, Surface Water, Archaeologist and Physical Section.
- **Planning history** – A comprehensive list of planning applications on and nearby the site.
- **Policy Context** – An outline of relevant policies for the site are detailed in the report. The site is located on land zoned residential development area. In terms of the zoning objectives for the site as set out above, the Planning Authority considers the proposed development in line with the policy objectives of the Castletroy Local Area Plan.
- **Density** – Planning Authority states that the site is located in what is considered an Intermediate Urban Location and the residential density proposed is acceptable and could even be higher.

- **Design/Layout/Building Height** – The predominant building height is 4 storeys, however, taller buildings could be sustained if density is increased. A phasing plan is required. Linkages and connectivity with the Urban Greenway plan are important and detailed specifications require more work. The frontage onto the Dublin Road could be stronger.

Submission from Irish Water (IW)

- 6.1.7. A submission was received from Irish Water and is available on file. In summary, a new connection to the existing waste water network is feasible without upgrade other than a 45 metre network extension.

7.0 Consultation Meeting

- 7.1.1. A section 5 Consultation meeting took place at the offices of Limerick City and County Council on the 24 January 2020, commencing at 11.30 am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

- 7.1.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Site Integration and Public Realm
2. Street Layout, Parking Quantum and Greenway/Landscape Design
3. Residential Amenity and Building Finishes
4. Surface Water Drainage and SuDS
5. Any other matters

- 7.1.3. In relation to Site Integration and Public Realm, ABP representatives sought further elaboration/discussion on permitted and existing development in the vicinity and how the proposed development will fit in with the existing housing estate to the south in terms of connections and usable open space. It was noted that the development will present a 'front door' to the Dublin Road, greater detail in terms of building line, set back and landscaping is needed.

- 7.1.4. In relation to Street Layout, Parking Quantum and Greenway/Landscape Design, ABP representatives sought further elaboration/discussion on street layout in terms

of DMURS guidance through greater clarity in relation to the status of the Part 8 – greenway proposal through the site, details such as the Part 8 approval date, overall design and strategy were queried. Consents may be required to deliver the greenway at the shopping centre car park end, design changes may also be involved. Taking in charge requirements, take note how these may affect the selection and specifications of finishes. The level of car parking was queried in terms of sustainable travel patterns, provision of a rationale in the application should be considered, there may be an opportunity to reduce carparking due to good transport networks and pedestrian/cyclist linkages proposed.

- 7.1.5. In relation to Residential Amenity and Building Finishes, ABP representatives sought further elaboration/discussion on the long-term durability and management of the proposed building finishes. In terms of residential amenity, the perimeter block apartment proposal should easily explain how day light penetrates the internal courtyard and how usable is this internal space in the context of tilted lawns, stairs and changes in level. A Building Lifecycle Report should be submitted with any application, design statement should clearly detail finishes and the overall strategy for the site including heights, density and amenity.
- 7.1.6. In relation to Surface Water Drainage and SuDS, ABP representatives sought further elaboration/discussion on the condition of the site, in particular the level of damp or wet ground at the western side of the lands. The applicant should explain how this portion of land is managed in terms of any SuDS strategy for the site. Address all issues relating to surface water in engineering documents in the application and ensure landscaping proposals tie in with SuDs proposals.
- 7.1.7. In relation to any other matters, ABP representatives noted that Clay Farm is an example of an SHD Application that included a walkway as part of the phasing program, and this may assist the technical detail of greenway delivery.
- 7.1.8. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 306051' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

8.0 Conclusion and Recommendation

- 8.1.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 8.1.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.
- 8.1.3. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 8.1.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision-making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

9.0 Recommended Opinion

- 9.1.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and

amendment in order to constitute a reasonable basis for an application under section 4.

- 9.1.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.
- 9.1.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Greenway

Further consideration of the documents as they relate to the provision of a Greenway through the subject lands. A detailed design rationale for the route alignment and a landscape design rationale for the Greenway elements of the overall scheme should be submitted together with any necessary legal consents. In particular, detailed design proposals should be advanced for the starting point of the Greenway at the western side of the site taking account of the receiving context, the shopping centre surface car park. In addition, the onward connection to the east of the site and any other pedestrian/cyclist connections should be fully designed and included in any phasing layout for the overall development. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Drainage

Further consideration of the documents as they relate to the actual and existing condition of the lands and any proposed surface water management proposals including sustainable urban drainage systems for the site. This further consideration should have regard to the requirements of the Surface Water Drainage report contained in Appendix 2 of the Planning Authority's

Opinion. Any surface water management proposals should be considered in tandem with a Flood Risk Assessment specifically relating to appropriate flood risk assessment that demonstrates the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. A Flood Risk Assessment if submitted, should be prepared in accordance with 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'). Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

9.1.4. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. The following reports that address all aspects of building appearance and durability:

(a) A report that specifically addresses the proposed materials and finishes and the requirement to provide high quality and sustainable finishes and details. Particular attention is required in the context of the visibility of the site and to the long-term management and maintenance of the proposed development.

(b) A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).

2. Detailed contextual elevations and cross sections that show existing development in the vicinity, specifically but not confined to the following: the relationship between the northern elevation of the apartment block, landscaped boundary and the entire width of the Dublin Road including footpaths/cycleways/busways, the relationship between duplex/house units and existing houses to the south of the site and the internal relationship between units and courtyard space within the main apartment block. Any development that integrates with the public realm

either existing or modified should accord with the best practice principles of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual') and the Design Manual for Urban Roads and Streets, that seek to provide better and safe pedestrian and cyclist environments. Additional and detailed CGIs and visualisations should be submitted in this regard.

3. A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. Specific regard should be had to ground floor apartments at sensitive locations and existing adjacent properties. Drawings that detail dual aspect ratios should be clearly laid out and accompanied by a detailed design rationale report.
4. A mobility management strategy that shall be sufficient to justify the amount of parking proposed for cars and bicycles.
5. A site layout plan showing which, if any, areas are to be taken in charge by the planning authority, and a detailed public realm strategy that outlines the provision of durable and acceptable materials and finishes that comply with the technical requirements of the planning authority. The applicant shall clarify how the works in the public realm will be carried out and by whom.
6. A housing quality assessment which provides the details regarding the proposed apartments set out in the schedule of accommodation, as well as the calculations and tables required to demonstrate the compliance of those details with the various requirements of the 2018 Guidelines on Design Standards for New Apartments including its specific planning policy requirements.
7. A detailed Construction Traffic Management Plan should be prepared with specific reference to the Dublin Road (R445) and the access requirements to the adjacent national school.
8. Construction and Demolition Waste Management Plan.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Limerick Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Stephen Rhys Thomas
Senior Planning Inspector

06 February 2020