



An
Bord
Pleanála

Inspector's Report PL06F.247088.

Development	Construction of 76 number residential units and all associated works.
Location	Porterstown, Dublin 15.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW15A/0174
Applicant(s)	Castlethorn Construction
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant(s)	Castlethorn Construction.
Observer(s)	None.
Date of Site Inspection	10 th November 2016
Inspector	Fiona Fair.

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1.0 Site Location and Description

- 1.1. The appeal site c. 1.9 hectares is located within the townland of Porterstown, Dublin 15. The site is some 3 Km south of the Blanchardstown Shopping Centre and 900m west of Coolmine Train Station. The rail reservation of Metro West runs along the western boundary of the appeal site. An indicative Metro West Stop (indicated in both the current 2011 – 2017 and Draft 2017 – 2023 Fingal County Development Plans) is located in the north western boundary of the site, adjacent to Dr. Troy Bridge (Planning on Metro West recommended under Transport 21 (2005) was suspended in 2011).
- 1.2. The site currently comprises vacant scrub lands. It is bounded by the Dublin – Sligo rail line to the north and the Royal Canal, Riverwood Estate to the east (2 storey dwellings). Woodbrook residential development (3 storey apartment blocks c. 13.5m in height / three to four storeys) and public open space which incorporates two tennis courts and a children’s playground is located to the south. The Dr. Troy Bridge / Diswellstown Rd overpass (c. 11m in height) which connects Diswellstown Road, Clonsilla to Poterstown Link Road is located to the western boundary.
- 1.3. Access to the site is proposed via an existing roundabout and access point at the junction of Riverwood Road and Riverwood Dene to the south eastern corner of the appeal site.

2.0 Proposed Development

- 2.1. Planning permission sought for construction of 76 no. residential dwellings including
 - 40 no. 2-storey terraced, semi-detached and detached houses (24 no. 3-bed, 16 no. 4-bed), some with roof mounted solar panels.
 - 10 no. duplex units and
 - 26 no. apartment units, all accommodated in 3 no. courtyard buildings ranging from 3 to 5 storeys.
 - Block A (5-storey), to the north comprising 4 no. 1-bed apartment units and 14 no. 2-bed apartment units;

- Block B (4-storey), to the west, comprising 3 no. 3-bed duplex units, 3 no. 2-bed duplex units and 4 no. 2-bed apartment units;
- Block C (3-storey), to the south, comprising 4 no. 2-bed duplex units and 4 no. 1-bed apartment units,
- Each with associated balconies on south, east and west building elevations.
- All associated and ancillary site development works
- 117 no. surface car parking spaces;
- 36 no. bicycle parking spaces;
- New vehicular access from existing roundabout on Riverwood Road;
- 1 no. bin store; 1 no. EBS substation (19 sq. m);
- Landscaping and boundary treatments.

3.0 Planning Authority Decision

3.1. Decision

Following a request for Additional Information with respect to (i) design and finishes (2) architectural detailing, clarification in number of units, relocation of bin storage, cycle storage (3) schedule of external finishes (4) boundary treatment plan (5) clarification of compliance with Sustainable Urban Housing: Design Standards for New Apartments (2015), (6) assessment of child care capacity in the area (7) quantity of open space proposed (8) Landscape plan (9) Noise assessment given proximity to railway line (10) clarification of the site area and areas contributing to surface water runoff and (11) Car parking. Fingal County Council Refused permission for three number reasons. The reasons for refusal are summarised as follows:

1. Inadequate turning heads resulting in inadequate manoeuvrability for service vehicles thereby endangering public safety by reason of traffic hazard.
2. Lack of car parking, lack of child care facility, inability to provide for sufficient street trees, overdevelopment and substandard development
3. Scale of development and lack of childcare facility does not comply with Childcare Facilities Guidelines for Planning Authorities June 2001 and would be

contrary to objectives CI11, CI13 and CI16 of the Fingal Development Plan 2011 – 2017.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Planning Report: Key area of concern remain outstanding. A revised layout by way of condition could not be satisfactorily achieved, would not provide an appropriate solution and would render the proposed development materially different to the development as defined in the planning application. An appropriate solution can better be achieved by a revised application which takes account of the shortfalls in the current application.
- Transportation Department: Report subsequent to A.I. recommends refusal.
- Parks Department: Additional Information Requested. Concerns highlighted with respect to lack of street tree planting and the viability of the proposed planting within the scheme. No report subsequent to A.I being submitted.
- Water Services: Report subsequent to A.I. has no objection
- Environment Department: No objection subject to condition

3.2.2. Other Technical Reports

- Irish Water: No objection subject to conditions
- Irish Rail No objection subject to conditions. A Noise Assessment was requested with noise mitigation measures to be included necessary. Trees should not be planted along the railway boundary.
- Transport Infrastructure Ireland (TII): Report prior to A.I notes that car parking proposed is located within an area identified for the future Metro West Scheme.
- Fingal County Childcare Committee: The report indicates that there is a need for expansion of existing pre-school services in the area to meet the demand for places

- Railway Safety Commission (RSC): No objection subject to conditions

3.3. Prescribed Bodies

DoAHG: No objection subject to conditions – pre development testing be included in any grant of planning permission.

3.4. Third Party Observations

A number of third party submissions were received. The issues raised are summarised as follows:

- Traffic Congestion
- Traffic calming measures
- Flood Risk Management
- Confirmation of boundary treatment.
- Appropriate bicycle parking
- Anti-social behaviour re: open space area
- Contributions to be sought re: improvements along the canal path for cyclists and pedestrians
- Children's play area needed
- Childcare facility required
- Clarification of alternative parking area needed in order to provide for the Metro West development
- One site Class 1 public open space required
- Capacity of foul drainage

4.0 Planning History

The appeal site has been the subject of several planning permissions for residential development between 1999 and 2005. Refer the Board to Fig 3: Planning History Context, page 6 of the First Part Appeal.

PL06F.109429 / Reg. Ref. F98A/0878 Permission Granted (1999) for a nine metre wide north-south distributor road from Clonsilla Road, opposite Blanchardstown Road South approx. 800 metres in length linking to the existing distributor road network to the south, including a bridge crossing over the Royal Canal and Dublin-Sligo railway line to be located approximately 210 metres east of Kennan Bridge; 274 number dwellings provision of a park pavilion building; site development and landscape works, including provision of an approximately 1.2 hectares of Class 1 landscaped public open space; vehicular access to proposed housing via existing distributor road network permitted under register reference F96A/1030; all on a site of 16.1 hectares

PL06F.118037: Reg. Ref. F99A/0659 Permission Granted (2000) for a nine metre wide north-south distributor road from Clonsilla Road opposite Blanchardstown Road South approximately 800 metres in length linking to existing distributor road network to the south including a bridge crossing over the Royal Canal and Dublin-Sligo railway line to be located approximately 210 metres east of Kennan Bridge; 356 number dwellings provision of a park pavilion building (approximately 12 square metres) attached to existing pump house structure, site development and landscape works, including provision of an approximately 12 hectares of Class 1 landscaped public open space; vehicular access to proposed housing via two entrances off existing distributor road network permitted under Register Reference F96A/1030; all on a site of approximately 14 hectares Policy Context

Reg. Ref. F00A/1096 Permission Granted (2001) for the permanent retention and completion of revisions to permitted development under planning Reg.Ref. F99A/0659, consisting of, change of house types, site development works comprising the provision of an additional 8 car parking spaces; vehicular access to proposed housing via two entrances off existing distributor road network permitted under reg. ref. F99A/0659; all on a site of approx. 1.4 hectares.

PL 06F 130637 / Reg. Ref. F01A/1541 Permission Granted for 145 Dwellings, Local Services Centre comprising two storey public house/restaurant, retail unit, supermarket, and two storey unit (Class 2 to be interchangeable with Class 3) all

under Bridge Structure. Single storey crèche. Revisions to North South Distributor Road Permitted Under Reg. Ref. F99A/659 to comprise revisions to use of space under bridge as local services centre, and to facilitate vehicular access to the residential development to the west.

PL 06F.208327 / Reg. Ref. No F04A/0723– Permission granted for revisions to part of the development permitted under planning register reference number F01A/1541 consisting of development of 195 dwellings a local services centre comprising a two-storey public house/restaurant, a ground floor retail unit, a ground floor supermarket, a two-storey unit; all to be located under the bridge structure of the existing north-south distributor road; permission is also sought for a crèche (circa 697 square metres); site development and landscape works and other ancillary works, including the provision of a pedestrian/cycle link only to Porterstown Road immediately south of Kennan Bridge, provision of four number bin store structures, provision of 107 basement car parking spaces and ancillary accommodation, including cycle parking and bin store areas; permission is also sought for two number single storey ESB substation structures, together with customer switch room upgrade of existing foul water pumping station; provision of bus lay-by facility; vehicular access to serve development is proposed via a revision to the previously permitted new roundabout off the existing local distributor road at the junction of Riverwood Dene and which involves the minor re-alignment of a length of Riverwood Dene at its junction with the existing east-west distributor road and minor revisions to the entrance arrangements to numbers 1, 2 and 3 Riverwood Dene, all on a site of approximately three hectares

Reg. Ref. F05A/1640 Permission granted for construction of traffic calming measures for Riverwood Road, Porterstown, Dublin 15. The proposed works will take place over a distance c.647 meters on Riverwood Road between the roundabout at junction with Farnleigh Drive to the junction with Luttrell Park. Cycle Paths, footpaths and verges will be incorporated into the new roundabout layout. Proposals for site development works and landscaping are also included in this application, all on lands of approximately 1.28 ha at Riverwood Road, Porterstown, Dublin 15.

4.1. Development Plan

- 4.1.1. The appeal site is zoned 'RS' – 'Provide for residential development and protect and improve residential amenity' in the current statutory 2011 – 2017 Fingal Development Plan.

The vision for the land use zoning objective states: *'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity.'*

- 4.1.2. An indicative Metro Stop is indicated in the north western boundary of the site adjacent to Dr. Troy Bridge. The rail reservation of the metro west runs along the western boundary of the application site.

- 4.1.3. The following local objectives are of significance:

- Local Objective 608 Create district level services and employment generating uses (shopping, commercial and office) centered on a high quality public transport interchange.
- Objective RD01 Ensure consolidated development in Fingal by facilitating residential development in existing urban areas.
- Objective UD01 Submit a detailed design appraisal for developments in excess of 5 residential units or 300 sq m of retail/commercial/office development in urban areas
- Objective CI11 Encourage the provision of childcare facilities in appropriate locations, including residential areas, town and local centres, areas of employment and areas close to public transport nodes.
- Objective CI12 Ensure that childcare facilities are accommodated in appropriate premises suitably located and with sufficient open space in accordance with the Childcare (Pre-School) Services Regulations 1996 (as amended).
- Objective CI13 Require as part of planning applications for new residential and commercial developments that provision be made for appropriate purpose built childcare facilities where such facilities are deemed necessary by the planning authority.

- Objective CI14 Ensure that new childcare facilities are designed and located so as not to cause nuisance by virtue of car-parking, traffic and noise generation to existing or future residents of an area and take careful consideration when planning such facilities.
- Objective CI15 Ensure childcare facilities have adequate bicycle, car parking and set down facilities.
- Objective CI16 Implement the Childcare Guidelines for Planning Authorities 2001 and the Fingal County Childcare Strategy.
- Objective CI17 Ensure childcare facilities are accessible for pedestrians and cyclists to minimise car trips.

5.0 The Appeal

A first party appeal has been submitted by Stephen Little and Associates on behalf of Castlethorn Construction. It is summarised as follows:

5.1. Grounds of Appeal

5.1.1. Design of internal access roads and associated turning heads

- Appeal accompanied with a report by Waterman Moylan includes a written report and associated plans, this report is summarised below.
- The associated plans illustrate turning head dimensions and swept head analysis to demonstrate that safe manoeuvrability for service and emergency vehicles is achieved.
- These plans include the dimensions as proposed in the scheme submitted to FCC and further design options for consideration by the Board as it sees fit.
- There have been some inconsistencies with respect to the proposed street design in the two central north / south residential courtyards
- The intention is that these courtyards would serve as shared surface spaces utilising hot rolled asphalt with a buff aggregate chip distributed evenly across the 4.8m wide 'road carriageway', 2m wide footpath and the 'hammerheads'.

- Updated and consistent layouts from OMP, Waterman Moylan and Dermot Foley have been submitted.
- Proposal designed in accordance with DMURS.
- Similar road layout arrangements have been approved and delivered elsewhere; e.g. Adamstown.

5.1.2. Car Parking

- Refer to 'car parking allocation' plan prepared by O'Mahony Pike Architects (Dwg. No. LS-97, Rev A) included as Appendix B of the appeal report.
- The applicant is proposing to provide 90% of the standard Development Plan car parking requirement.
- Proximity to Coolmine Train Station and recommendations contained in Sustainable Residential Development in Urban Areas Guidelines to precedent examples and having regard to the design principles of DMURS, it is submitted that the car parking quantum proposed is appropriate.
- Proximity to the Coolmine Train Station should be taken into account and the proposal dealt with on its merit.
- Car parking standards provide a guide only.
- The proposal is medium density and different car parking arrangements is necessary in order to optimise efficiencies and achieve a good quality medium density of development.
- Over emphasis on in-curtilage car parking would be needlessly prescriptive and inefficient.
- Insistence of two in curtilage car parking spaces per dwelling would have implications upon dwelling frontages, length of house terraces and / or landscaping opportunities and would impact upon achievable density.
- Banked car parking perpendicular to the street is a common arrangement within medium density housing schemes and can still be maintained in private ownership whereby one car parking space in immediate proximity can be allocated to each individual house and the balance distributed evenly and available on a first come first served basis for residents and visitors alike.

- A private management company would be responsible for the maintenance and oversee the use / prevent the misuse of such spaces and this is an efficient and successful element in a well-considered medium density housing layout.
- 4.8 m or 5 m is a typical carriageway width for a local street, particularly where provided in a shared surface arrangement, as advocated by the Design Manual for Urban Roads and Streets

5.1.3. Landscaping

- Refute the assertion of an 'inability to provide for sufficient street trees'.
- Landscape plan (Dermot Foley Landscape Architects) proposes the use of location specific species so that larger species can be accommodated along the main east / west spine road on site, with 16 cubic metres of substrate and smaller species within the two central, shared surface residential courts with 10 cubic metres of substrate. This was discussed and agreed with the Parks Department.
- No report on file from the Parks Department subsequent to Additional Information being submitted. Therefore, surprised to see reference to an inability to provide for sufficient street trees stated as part of a reason for refusal.

5.1.4. Provision of a crèche

- The proposed development by virtue of the number and mix of units and having regard to existing childcare services in the immediate catchment, does not support the provision of a viable crèche facility at this location.
- If units are omitted to facilitate crèche provision then the threshold, as per the Childcare Guidelines for P.a. (2001) would no longer be exceeded and arguably there would be no requirement for a crèche.
- It is not feasible or appropriate that a development of a scheme of this scale, with a significant provision of 2 bed apartments and duplexes (33 number) and 8 no. one bedroom apartments should provide 20 no. childcare spaces on site.

- 52 no. units are likely to be occupied by families with childcare needs.
- There are 22 number registered facilities within a 1.3Km radius and other informal childcare arrangements made by households according to their needs.
- Highly unlikely that a childcare centre of only 20 no. spaces would be seen as a viable business concern by a commercial childcare operator.
- Large purpose built facilities accommodating 100+ children are now the norm.
- There is an aspiration for a mixed use node on lands on the western side of the Diswellstown Road Overpass at Kellystown which would be more suited to accommodate a crèche, to be ultimately developed in accordance with an approved LAP.
- Clonsilla village has significant undeveloped commercial (TC) zoned frontage, enhancing vibrancy of the village and encouraging linked trips.
- While it is strongly argued that a child care facility is not required should the Board consider a facility is required a possible location has been identified for same within the site.
- Revised Drawings (Drg. No.s LA-00 and LA-01) prepared by O'Mahony Pike Architects which illustrate possible design amendments to the proposed development to accommodate a crèche.
- The proposed option provides for a purpose built full day care facility for 20 no. children at the ground floor level of the north west section of proposed apartment Block A. Secure open space area (162 sq. m) located to the south. Drop off area located opposite the entrance, adjoining the parking area in conjunction with 4 no. car parking spaces for staff.
- The location has been carefully considered in light of the preliminary Part V proposal with the Councils Housing Department and to avoid the potential loss of a significant number of proposed units if located elsewhere within the site.

5.1.5. Over Development

- The statement contained in refusal reason number two to the effect that, ‘...the proposed development is considered to represent over development of the site resulting in sub-standard development.’ To be wholly inaccurate, unsubstantiated and thus unreliable.
- The statement conflicts with the otherwise positive overall assessment by the p.a. of the design and layout in the context of the zoning and residential development objectives.

5.1.6. Summary Grounds of Appeal

- This is the last infill site, of relatively modest size (1.9 ha) of the Diswellstown Action Area Plan.
- Particular design challenges and opportunities are presented for the site by the established pattern of neighbouring development, the sites proximity to the Diswellstown Road over pass (Dr Troy Bridge) to the west and the Dublin – Sligo (maynooth) railway line to the north and the need to achieve sustainable density given proximity to the Coolmine railway station.
- The development will assist in meeting the Governments objectives set out in Construction 2020, the Action Plan for Housing and Homelessness 2016
- Proposal supports the Regional Planning Guidelines and the consolidation of the Dublin Metropolitan Area
- The proposal accords with guidance on Sustainable Residential Development in Urban Areas; Guidelines for Planning Authorities (May 2009)
- Promotes minimum net densities in the order of 50 dwellings per hectare, subject to appropriate design and amenity standards and maximum car parking standards within public transport corridors.
- Complies with ‘RS’ land use zoning objective
- Meets or exceeds the minimum apartment and house development standards as set out in the Development Plans and Ministerial Guidelines.
- Private open space standards are met in all instances

- Adequate public open space is provided for the benefit of the proposed development and local community.

5.1.7. Appeal accompanied with Waterman Moylan Report.

- The 3.0m radii on both sides of the turning heads could be increased to 4.5m without adversely affecting the layout.
- This could potentially increase the speed of turning vehicles
- Believe 3.0m radii appropriate in this instance and note DMURS which states: 'Where design speeds are low and movements by large vehicles are infrequent, such as on local streets, a maximum corner radii of 1 – 3 m should be applied'.
- Alterations to turning heads is a design item that is easily rectified without having an adverse impact on the layout.
- The development has been designed to have regard to as many features of DMURS design guide as possible to encourage slow speeds and pedestrian priority. Inc. roads width to 4.8m, shared surfaces within cul de sacs which incorporate ramped entrance areas and tight radii.

5.1.8. Report accompanied with:

Fig. 1 - Autotrack Swept Path Analysis for design vehicle – Road 3, with 3 m radii as submitted for planning.

Fig. 2 Autotrack Swept Path Analysis for design vehicle – Road 2, with 3 m radii as submitted for planning.

Fig. 1a - Autotrack Swept Path Analysis for design vehicle – Road 3, with 4.5 m radii as alternative proposal.

Fig. 2a Autotrack Swept Path Analysis for design vehicle – Road 2, with 4.5 m radii as alternative proposal.

5.1.9. Appeal accompanied with Letter from Dermot Foley Landscape Architects Report, summarised as follows:

- Having revised the proposal for tree planting, nine trees were relocated in response to concerns relating to rooting volume and distance to lamp standards and services

- The quantity of trees proposed has not decreased.
- 5 trees are proposed to be planted in 10 cubic meters of substrate with all other trees having 16 cubic metres of substrate or more.
- The landscape plan is designed have regard to the constraints of the site, density, associated parking surfaces, SuDS
- The Councils Parks Department confirmed by way of a telephone conversation that the five trees proposed to be planted in 10 cubic metres of substrate was acceptable.
- Statement made in the decision to refuse planning permission referring to inability to provide for sufficient street trees is puzzling and misinformed.

5.2. Planning Authority Response

- Notwithstanding the submissions made, the p.a. is of the view that given the nature of the site and the restricted design of road proposed, if permitted, the development would endanger public safety by reason of a traffic hazard.
- Having to rely on shared surfaces to obtain manoeuvrability would not be in the interests of the residents.
- Inadequate turning heads, relying upon shared surfaces and restricted road widths will exacerbate lack of car parking spaces.
- The Coolmine train station is 900m distant and a distance many residents will not make on foot.
- 65% of the overall residential units on site have a car parking deficiency. Whilst this may appear small on each individual unit at 0.5 car parking spaces, taken together on this restricted site the cumulative effect is significant.
- Under provision of car parking combined with communal parking arrangements would result in haphazard traffic movements.
- Not all car parking spaces are overlooked – security issues.

- Self-regulation through the Management Company is a far from satisfactory arrangement.
- A childcare facility is required in this development of 75 residential units in order to develop a sustainable community.
- It is noted that the applicant is prepared to provide a crèche if required.

6.0 **Assessment**

6.1. The main issues in this appeal are those raised in the grounds of appeal in response to the reasons for refusal by the planning authority and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- **Background and Principle of the Development on the Site**
- **Inadequate Car Parking**
- **Inadequate Road Widths and Turning Heads**
- **Lack of Child Care Facility**
- **Inadequate Landscaping**
- **Appropriate Assessment**

6.2. **Background and Principle of the Development on the Site**

6.2.1. Much of the development permitted and developed at Porterstown was on foot of the Diswellstown Action Area Plan (AAP), adopted by the Council in 2001 to guide the emerging residential area. The plan area generally extended south of the Dublin – Sligo railway line, east of Kellystown and Luttrellstown Demesne, north of Astagob and the Luttrellstown Road and west of the M50.

6.3. It identified areas for residential development and the provision of Class 2 Open Space within an area of c. 14 ha, including the application site. There is an existing neighbourhood park located immediately southwest of the appeal site, which was

developed by Castlethorn and accommodates tennis courts, a children's playground and public amenity open space. The Plan also provided for transportation infrastructure including a new distributor road network and a new railway station. Residential density in the order of 30 – 50 units per hectare was advocated by the plan. Residential development to be integrated with planned schools, local services, cycle ways and public transport facilities.

- 6.3.1. The AAP set out, that, the provision of Class 1 public open space outside the plan area could be considered to support housing development within the plan area. Hence the Beechpark public park, with children's play facilities, was developed, it is located approx. 1.5Km to the west of the site.
- 6.3.2. With the exception of the application site (1.9ha) and a neighbourhood centre site immediately to the west of Dr. Troy Bridge, the Diswellstown AAP has been implemented. The AAP does not feature as an objective of the current plan which designates the Kellystown area to the west of Dr. Troy Bridge for the development of new residential communities, subject to an LAP. The current plan includes a Local Objective to provide a district level centre (local retail / commercial uses) in the vicinity of Dr. Troy Bridge, this falls within the Kellystown LAP designation.
- 6.3.3. As set out in section 4.0 Planning History of this report above the appeal site has been the subject of several grants of planning permission for residential development between 1999 and 2005.
- 6.3.4. Under the current statutory FCDP 2011 – 2017 and the Draft FCDP 2017 – 2023 the appeal site is zoned with the objective 'RS' which is 'to provide residential development and protect and improve residential amenity'
- 6.3.5. The proposed development comprises 76 no. dwelling units including 40 number houses, 10 number duplex units and 26 number apartments, precise configuration is as set out above in section 2.0 of this report. The density of development is in the order of 50 units per hectare.
- 6.3.6. Regard being had to the nature and scale of the proposed development, to the existing and permitted pattern of development in the vicinity of the site and the residential zoning of the site, it is considered that the principle of the proposed development is acceptable.

- 6.3.7. It is notable that under the Draft FCDP 2017 – 2023 that while the map based Metro stop objective remains, the specific objective for a district centre has been removed. In the absence of approved plans for Metro West I agree with the first party that an appropriate scale and mix of development for the adjoining Kellystown lands is uncertain. I also consider the uncertainty of Metro West and proximity of a central business district / a district centre within any reasonable or foreseeable timeframe has implications for car parking relative to accessible public transport and provision of services, such as a child care facility, in the subject appeal case.
- 6.3.8. The development of these lands for residential use at the density proposed is considered acceptable in the context of the site zoning and policy for release of residential land in the Fingal County Development Plan 2011 – 2017. The appeal site can deliver dwelling units at a time when there is a shortage of new homes being constructed in the greater Dublin area as a whole. However, this needs to be balanced against a high quality layout and holistic approach, which incorporates the provision of essential and appropriate facilities, amenities and services.
- 6.3.9. Cognisance is had that the entrance to the appeal site is located 900m (from my own odometer measurements) walking distance from Coolmine train station and immediately east of the Diswellstown overbridge and the planned Metro West alignment and stop.
- 6.3.10. I agree with the planning authority that the design and layout of the proposed development is in the main acceptable. While I have some concern with respect to overlooking and passive surveillance of the open space strip proposed along the northern boundary of the site adjacent to the canal and the railway line I note that all of the proposed residential units meet or exceed the minimum apartment and house development standards as set down in the Development Plan and the Sustainable Urban Housing Design Standards for New Apartments, Guidelines for Planning Authorities 2015. Private open space standards are met in all instances and adequate public open space is achievable in accordance with development management requirements. The proposed development was, however, deemed unacceptable with respect to car parking, road width and turning heads and provision of a child care facility. I will assess each of these matters in turn in the succeeding sections of this report. Should the Board agree, however, with my overall recommendation, to refuse permission for the development as proposed, I consider

that any redesign of the scheme should seek to better integrate the Class 2 public open space within the overall development.

6.4. Inadequate Car Parking

- 6.4.1. Refusal reason number two among other considerations, considered that the significant lack of car parking spaces and the resultant potential for haphazard parking would obstruct access for emergency vehicles resulting in substandard development and traffic hazard.
- 6.4.2. It is submitted by the first party that the proposed development promotes minimum net densities in the order of 50 dwellings per hectare, subject to appropriate design and amenity standards and maximum car parking standards within a public transport corridor.
- 6.4.3. The first party proposes to provide up to 90% of the standard Development Plan car parking requirement. It is argued that having regard to the proximity to Coolmine Train Station, to recommendations contained in the Sustainable Residential Development in Urban Areas Guidelines, to precedent set e.g. Adamstown and to the principles of DUMRS that the proposed quantum of car parking is appropriate and sustainable at this location.
- 6.4.4. The planning authority transportation report subsequent to A.I recommends that permission be refused on the grounds of a traffic hazard. The report sets out that there is a requirement for 80 parking spaces for the house units. The applicant has only provided 71 parking spaces. The apartments have a requirement for 51 parking spaces not including visitor parking. The applicant has only provided 41 parking spaces. The parking requirement for visitor parking is for 7 spaces. There is no provision for visitor parking. I note that the planning authority also highlights that the 4.8m internal roads cannot facilitate on-street parking for visitors as this would impede access to the perpendicular car parking layout and potentially cause difficulty for service vehicles and emergency vehicles accessing the development.
- 6.4.5. From my assessment it is evident that there is an overall requirement for some 138.7 car parking spaces as per FCDP 2011 – 2017 requirements. The applicant is proposing 125 car spaces. 47 number are provided for apartment and duplex units in a shared format, 9 no visitor spaces and 1 number disabled parking space.

6.4.6. In this regard I have had cognisance to section 11 'Parking – How will parking be secure and attractive' of the Urban Design Manual, 2009, section 4.14 'car parking' of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2015, and to section 4.4.9 'On Street Parking and Loading' set out in DMURS which states:

'The quantity of on-street parking that is needed in a given area depends on a number of factors, but is most closely related to proximity to Centres, the availability of public transport and the density, type and intensity of land use. Notwithstanding these factors, on-street parking has a finite capacity, depending on the per unit parking requirements. For example, in residential areas:

- On-street parking alone can generally cater for densities up to 35-40 dwellings per ha (net).*
- Once densities reach 40-50 dwellings per ha (net) the street will become saturated with parking and reduced parking rates (a max of 1.5 per dwelling) and/or supplementary off-street parking will be required*
- For densities over 50 dwelling per hectare, large areas of off-street parking, such as basements, will generally be required.*

Getting the balance right presents a challenge to designers. If parking is over provided it will conflict with sustainability objectives and can be visually dominant. Conversely, if parking does not cater for user needs or is under provided it may encourage poor parking practices (including illegal ones) such as kerb mounting, parking on footpaths and within areas of open space.

6.4.7. Section 4.14 and 4.15 'car parking' of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2015, is of particular relevance to the appeal case. It sets out that *'the quantum of car parking provision for residential developments generally is a matter for individual planning authorities having regard to local circumstances (notably location and access to public transport). As a benchmark guideline for apartments, one car parking space*

per unit should generally be required. However, car parking provision should be reduced or avoided in very accessible areas such as central business districts and a confluence of public transport systems, or should be increased within an overall maximum parameter in a more suburban context.

Where it is sought to reduce car parking provision, the onus will be on the applicant to demonstrate to the planning authority why car parking provision can be avoided and that the site is sufficiently well located in relation to employment, amenities and services that other non-car based modes of transport will meet the needs of residents, in full or in part...'

- 6.4.8. Despite the applicant's assertions that the subject site is located circa 500m from Coolmine Rail Station with a direct footpath link to same along the northern edge of the Riverwood Estate and via Luttrell Park and that cognisance being had to note No. 2 provided at the bottom of Table T03a (residential car parking standards) that there should be a relaxation of car parking requirements I cannot agree. From my site visit and assessment, the appeal site is not located within 500m of a QBC or high quality bus corridor and or 100m of a Luas/Dart/Metro/Rail Station or within an area currently covered by a Section 49 Scheme (currently suspended), or in lands zoned Major Town Centre. The entrance to the appeal site off Riverwood Dene Road from Coolmine Train Station is 900m walking distance. Planning on Metro West recommended under Transport 21 (2005) was suspended in 2011. The application site is approx. 3 Km walking distance from the core of Blanchardstown shopping centre, the area is suburban in nature and sufficient car parking in line with Development Plan requirements are needed to provide sufficient car parking to cope with demand in a way which does not over whelm the appearance and amenities of the public realm. I am of the opinion should car parking standards be relaxed in this instance cognisance being had to the principle of and need for the development a negative precedent would be set.

6.5. Inadequate Road Widths and Turning Heads

- 6.5.1. Refusal reason number one set out that inadequate turning heads would result in restricted manoeuvrability for service vehicles, it was therefore considered that the proposed development would endanger public safety by reason of a traffic hazard.
- 6.5.2. The first party appeal is accompanied with a report by Waterman Moylan Engineers. It is submitted that the development has been designed to have regard to as many features of DMURS design guide as possible to encourage slow speeds and pedestrian priority. Inc. roads width to 4.8m, shared surfaces within cul de sacs which incorporate ramped entrance areas and tight radii. The first party submit that 4.8 m or 5 m is a typical carriageway width for a local street, particularly where provided in a shared surface arrangement, as advocated by the Design Manual for Urban Roads and Streets
- 6.5.3. Albeit the first party believe that 3.0m radii are appropriate in the subject instance it is submitted that the 3.0m radii on both sides of the turning heads could be increased to 4.5m without adversely affecting the layout. Revised Autotrack Swept Path Analysis for design vehicle – Road 2 and Road 3 has been submitted as an alternative proposal.
- 6.5.4. The transportation department of the planning authority point out that reverse manoeuvres for high backed service vehicles should be kept to a minimum and should not exceed a distance of 20 m as a worst case scenario. A maximum walking distance of 25m for bin collectors can be added to this distance this would give a maximum length of road of 45 m. The internal road lengths exceed 45 m and consequently a proper turning head is required. Turning manoeuvres which requires service vehicles to mount footpaths is a traffic hazard.
- 6.5.5. Overall and notwithstanding the revised drawings submitted proposing an increase in radii on both sides of the turning heads I agree with the planning authority that given the nature of the site and the restricted design of the roads proposed, if permitted, the development would endanger public safety by reason of a traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists.

6.5.6. In conclusion, I am of the opinion taken in conjunction with an overall lack of car parking, having to rely on shared surfaces to obtain manoeuvrability would not be in the best interest of future residents.

6.6. Lack of Child Care Facility

6.6.1. Refusal reason number three considered that having regard to the scale of development, which comprises 76 number residential units, it is considered that the lack of childcare facilities proposed would result in a development which does not comply with the requirements of the Childcare Facilities Guidelines for Planning Authorities, June 2001, and would be contrary to objectives CI11, CI13 and CI16 of the Fingal Development Plan 2001 – 2017.

6.6.2. Full details of Objectives CI11, CI13 and CI16 of the Fingal Development Plan 2001 – 2017 are set out in section 4.1 of this report above.

6.6.3. Section 2.4 of the Childcare Facility Guidelines for Planning Authorities (2001) provides that ‘for new housing areas, an average of 1 childcare facility for each 75 dwellings would be appropriate’.

6.6.4. Paragraph 4.5 Chapter 4 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) May 2009 states that

‘The Department’s guidelines on childcare facilities (DoEHLG, 2001) emphasise the importance of local assessment of the need to provide such facilities at the development plan or local area plan stage, having regard to the provision of existing facilities in the area. When considering planning applications, in the case of larger housing schemes, the guidelines recommend the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units. However, the threshold for such provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas, in consultation with city / county childcare committees. The location of

childcare facilities should be easily accessible by parents, and the facility may be combined with other appropriate uses, such as places of employment’.

- 6.6.5. A report on file from Fingal County Childcare Committee indicates that demand for ECCE places in the Castleknock- Knocknamaroon and Blanchardstown – Delwood areas may exceed current supply and there is a need to expand preschool services in the area to meet demand for places from September 2016 onwards. It is further submitted that based upon the 2001 Childcare Facility Guidelines for Planning Authorities this development should include one 20 place childcare facility to accommodate the population of this new development.
- 6.6.6. The first party submits that the proposed development by virtue of the number and mix of units and having regard to existing childcare services in the immediate catchment, does not support the provision of a viable crèche facility at this location. However, while it is strongly argued that a child care facility is not required a possible location has now been identified for a 177.3 sq. m crèche, to cater for 20 number child places with associated open space of 162 sq. m located in the ground floor of Block A, the 5 storey apartment block located to the north west of the site. A revised drawing (Drg. No.s LA-00 and LA-01) has been submitted to the Board in this regard.
- 6.6.7. Regard is had to the number of two bedroom apartments and duplexes (25 number) and one bedroom apartments (8 number). However, it is considered given the number of three bedroom and four bedroom houses (40 number) and three bedroom duplex units (3 number) that a significant proportion of the development is likely to be occupied by families with childcare needs. The first party have acknowledged in their third party appeal that 52 number units are likely to be occupied by families with childcare needs.
- 6.6.8. I agree with the planning authority that given the scale of development, national and local policy, suburban location of the appeal site and need identified by the Fingal Childcare Committee that a childcare facility is required in this development of 76 residential units in order to develop a sustainable community with integrated services. I am further of the opinion that the revised proposal by the applicant to provide a childcare facility within the ground floor of apartment Block A would create a nuisance for the future residents, regard being had to car parking, traffic and noise

generation. The access route to the facility would be circuitous given its location within the site.

- 6.6.9. While it is submitted, that the location has been carefully considered in light of the preliminary Part V proposal with the Councils Housing Department and to avoid the potential loss of a significant number of proposed units, if located elsewhere within the site, no consideration is had to accessibility for pedestrians and cyclists, minimisation of car trips, viability of the facility and impact upon future residents.
- 6.6.10. Accordingly, it is considered that, the omission of a crèche facility from the proposed development is inappropriate in this instance.

6.7. Inadequate Landscaping

- 6.7.1. Refusal reason number two considers that in conjunction with under provision of car parking spaces, narrow width of the road and turning heads and lack of childcare facilities that there is also an 'inability to provide for sufficient street trees'. The development is thus considered to represent overdevelopment of the site resulting in substandard development.
- 6.7.2. A landscaped linear park generally 10 m in width (c.0.2 ha) is proposed along the northern edge of the scheme which separates the site from the railway and the canal.
- 6.7.3. The following drawings submitted by Dermot Foley Landscape Architects accompany the proposal: Drawing Ca.12-DR-201 'Landscape Plan', Drawing Ca.12-DR-250 'Typical Landscape Detail's, Drawing CA.12-DR-210 'Landscape Detail Area'. The first party has also submitted a further Landscape Plan at A.I. stage Drg. Ca.12-DR-201 Rev D (submitted to the planning authority on the 30.08.16) and a further Landscape Plan Drawing CA.12-DR-201 Rev E has been submitted to the Board with the appeal documentation. It is submitted that the landscape plan proposes the use of location specific species so that larger species can be accommodated along the main east / west spine road on site, with 16 cubic metres of substrate and smaller species within the two central, shared surface residential courts with 10 cubic metres of substrate. The first party submits that this was discussed and agreed with the Parks Department at A.I. stage.

- 6.7.4. I note that there is no report on file from the Parks Department subsequent to Additional Information being submitted. The planners report refers to a meeting between the area planner and the parks department held on the 14.07.16 where the parks department highlighted concerns in relation to lack of street trees and the viability of proposed planting within the scheme. It is noted, however, that the A.I. was submitted subsequent to this meeting and the applicant submits that discussion and agreement was reached with the Parks Department with respect to tree planting.
- 6.7.5. Given that there are no existing trees within the site and new trees are now proposed throughout in order to improve the visual characteristics and the biodiversity value of the site I am of the opinion that refusal of the application on grounds of an inability to provide for sufficient street trees is unfounded. Regard is had to the response by Dermot Foley Landscape Architects which submits that nine trees were relocated in response to concerns relating to rooting volume and distance to lamp standards and services.

6.8. **Appropriate Assessment (AA)**

- 6.8.1. An AA Screening Report prepared by Scott Cawley was submitted with the proposed development. It sets out an analysis of European sites within 15 Km of the application site and concluded that there will be no likelihood of significant effects on any European sites, arising either from the proposed development alone or in combination with other plans or projects. I note the following:
- Rye Valley/Carton SAC, located approx. 6 Km (upstream) to the west. Conservation objectives include petrifying springs with tufa formation, Narrow mouthed Whorl Snail Vertigo Angustior, Desmoulin's Whorl Snail Vertigo Moulinsiana
 - South Dublin Bay SAC, located approx. 13.6 Km to the east. Conservation objectives include Mudflats and sandflats.
 - North Dublin Bay SAC located approx. 15.2 Km to the east. Conservation objectives include Mudflats and sandflats, annual vegetation of drift lines, Salicornia, Atlantic salt meadow, Mediterranean salt meadows, embryonic shifting dunes, fixed costal dunes, Humid dune slacks.

- Glenasmole Valley SAC located approx. 14.4 Km Conservation objectives include. Semi-natural dry grasslands and scrublands facies on calcareous substrates, Molinia meadows on calcareous, peaty or clayey-silt-laden soils, petrifying springs with tufa formation
- South Dublin Bay and River Tolka Estuary SPA located approx. 13.6 Km Conservation objectives include, Light bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black headed Gull, Roseate Tern, Common Tern, Atlantic Tern, Wetlands.
- North Bull Island SPA located approx. 14. 1 Km to the east. Conservation objectives include. Light bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, Wetlands and WaterBirds.

6.8.2. The subject appeal site is not within any designated site. The site comprises an infill, zoned serviced site located within the development envelope of Blanchardstown Metropolitan Area. It is proposed to connect to public foul sewer.

6.8.3. Overall I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development, infrastructure services in place and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

7.0 Recommendation

7.1.1. I recommend that the decision of the planning authority be upheld and planning permission be refused to the proposed development.

8.0 Reasons and Considerations

1. It is considered that the car parking provision for the proposed development would be inadequate to cater for the parking demand generated by the proposed development. This is compounded by the 4.8m internal roads which do not facilitate on-street parking for visitors as this would impede access to the perpendicular car parking layout and potentially cause difficulty for service vehicles and emergency vehicles accessing the development. In addition, the turning heads in Road 2 and Road 3 requires service vehicles to transgress the footpaths to complete turning manoeuvres. Taken together, the lack of sufficient on-site car parking, narrow road width and deficient turning heads would lead to conditions which would be prejudicial to public safety by reason of traffic hazard.
2. The granting of planning permission for the proposed development in a suburban area, which does not provide sufficient car parking in line with Development Plan requirements, in particular Table T03a (residential car parking standards) would set an undesirable precedent in terms of non-compliance with car parking standards and would therefore be contrary to the proper planning and sustainable development of the area.
3. Regard being had to the revised proposal, submitted to the Board, with respect to inclusion of a childcare facility in the ground floor of apartment Block A located to the north west of the site. It is considered that the proposed development does not comply with national policy on Childcare Facilities, as set out in the Guidelines for Planning Authorities issued by the Department of the Environment & Local Government in June 2001, and would be detrimental to the amenities of future residents and, thereby, would be contrary to the proper planning and sustainable development of the area. The revised proposal is unsuitable for a childcare facility for the following reason(s):
 - a) The access route to the facility is circuitous given its location within the site. No

cognisance is had to accessibility for pedestrians and cyclists to minimise car trips.

b) The proposed child care facility is unsatisfactory in terms of separation from adjacent dwellings and the proposed development would detract from the residential amenities of adjacent property.

c) Noise from the outdoor play space available for children attending the childcare facility would detract from the residential amenities of adjacent apartments and semi-private open space serving the apartments.

The proposed development, would, therefore be contrary to the proper planning and sustainable development of the area

Fiona Fair
Planning Inspector
17.11.2016