



An
Bord
Pleanála

Inspector's Report PL29N.249368

Development	Mixed use development of 209 apartments, gym, childcare facility and community room. Demolition of former Columbian Missionary site building
Location	The Hole in the Wall Road and R139 Road, Donaghmede, Dublin 13
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2854/17
Applicant(s)	Midgard Construction Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Grattan Hall Management Ltd.; Cllr Tom Brabazon; Grattan Lodge Residents Association
Observer(s)	None
Date of Site Inspection	21 st December 2017

Inspector

Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 1.36ha, is located in Donaghmede, c.9km north east of Dublin City Centre, and c.3km to the east of the junction of the M1 and the M50. The appeal site is within the North Fringe area of Dublin City Council and South Fringe area of Fingal County Council, which is an area of Dublin undergoing rapid change. To the north east is the Clongriffin high density mixed use residential/commercial development area, Clongriffin Train Station (1.2km from the site), Baldoyle-Stapolin high density residential area, and the recently established Father Collins Park, which is a high quality active and passive public open space serving the area. To the northwest is the high density development of Belmayne residential area.
- 1.2. In the immediate vicinity of the site is residential development. To the immediate north of the site is a narrow rectangular undeveloped site, currently comprising a large detached two storey dwelling. Adjoining the northern boundary of that site is Grattan Wood, which is a private apartment development in four/five-storey detached blocks and set within a landscaped environment. To the north of Grattan Wood is a four/five storey apartment development currently under construction/renovation, called Priory Hall. Opposite the site, and to the east of the Hole in the Wall Road is a more established two storey housing development, 'New Grove Estate'. To the west of the site is a two/three-storey housing development, Grattan Lodge.
- 1.3. The appeal site itself is rectangular in shape with a building called St Columban Fathers Missionary/ecclesiastical building and outbuildings, which are located to the western side of the site, all currently unoccupied. The site is bounded by walls, fencing and mature hedgerows/trees. There are a large number of mature trees across the site, particularly at the western, northern and eastern boundaries.
- 1.4. Access to the site is directly from the Hole in the Wall Road, c.55 metres north of its junction with Grange Road roundabout. The site has a frontage of approx. 52m onto the Hole in the Wall Road and approx. 196m onto the R139, 20m of this is directly adjoining the road, with the remaining length set back with a narrow triangular strip of land located between this site and the R139.

2.0 Proposed Development

2.1. The proposed development comprises the following:

- Construction of 209 apartments: 72 x 1 bed; 102 x 2 bed; 35 x 3 bed, in four blocks, 4-5 storey in height, with single level basement.
- Gym, childcare facility (62 spaces) and a community room.
- Demolition of Columban Fathers Missionary building.

The application is accompanied by an Urban Design Statement, Traffic Assessment, Ecological Impact Assessment, Arboricultural Assessment, Flood Risk Assessment, Landscape Plan, Archaeological Impact Assessment, Daylight/Sunlight/Shadow Study, AA Screening Report, EIA Screening Report.

3.0 Planning Authority Decision

3.1. Decision

Permission GRANTED, subject to 28 conditions, including the following:

C2: S48 Contribution

C3: S48(2)(c) Contribution

C4: Short term letting will require a change of use permission

C6: Balcony screens

C7: Landscaping, boundary treatment and crèche

C16: Amendments road markings on Grange Road and new pedestrian crossing facility

C18: Archaeology

3.2. Planning Authority Reports

3.2.1. Planning Report

- The Planning Officer's report states the density is considered appropriate for the site. In terms of unit mix, it is noted that the Dublin City Development Plan requires max 25-30% of the units to be 1 bed. While the proposal

accommodates 34% 1 bed units, it is considered that the number of 3 beds at 17% of units (min of 15% required) compensates for this. It is stated that the application complies with DECLG's 2015 Design Standards for New Apartments. The planner's report states the development is a build-to-let development.

- Further information was requested in relation to a number of issues, including water services; overlooking/privacy from northern elevation of Block A to adjoining site; privacy between residential units; scale of useable communal open space and compliance with section 16.15 in this regard; quality and location of proposed public open space; impact of block D on development potential of land to the southeast;
- The subsequent report on the further information notes receipt of water services information which was considered acceptable; revised plans were submitted for Block A with angled windows proposed, omission of balconies on northern elevations above ground level, and additional planting at ground floor level; increased active play area proposed for older children and teenagers; the applicant justified the location and function of the public open space proposed to the western section of the site and no change was proposed to the overall location of this area; outline of limitations associated with development of land southeast of the site was submitted. Permission was granted as per the report of the Planning Officer.

3.2.2. Other Technical Reports

Drainage Division: Further information was requested and following receipt of same, report advised no objection to the proposal, subject to condition.

Roads and Traffic Planning Division: No objection subject to conditions.

City Archaeologist: No objection subject to conditions.

Waste Management: No objection, subject to conditions.

Parks and Landscape Division: Concerns raised in relation to extent of basement and impact on trees being retained to north of Block B; availability of sunlight to the crèche play area; set back of building from Hole in the Wall road required to maximise perimeter tree retention; bollards proposed along R139 should be of stone

construction; leylandii tree belts should be retained during construction and replaced over a phased basis of 10 years.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

A number of submissions were made during the course of the application. The issues raised are covered in the grounds of appeal.

4.0 **Planning History**

None.

Lands to the North, Adjoining the Site:

Reg Ref 3203/07 – Permission GRANTED for construction of 59 no. residential units (15 no. 1 bed, 36 no. 2 bed and 8 no. 3 bed) in 4 no. blocks with associated balconies, on a 0.5ha site.

A number of apartments were omitted by condition, resulting in permission for 48 units. This permission has now lapsed.

5.0 **Policy Context**

5.1. **National Policy Guidance**

- ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2015)
- ‘Sustainable Residential Development in Urban Areas’ and associated ‘Best Practice Urban Design Manual’ (2008)
- ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007)

5.2. **Dublin City Development Plan 2016-2022**

- **Chapter 5:** Quality Housing

- **Chapter 16:** Development Standards
- The following policies apply to the site:
- **QH1:** To have regard to the national guidelines relating to residential development.
- **QH7:** Sustainable urban densities and high standards of urban design and architecture.
- **QH8:** Sustainable development of vacant or under-utilised infill sites.
- **QH18:** Promote high quality apartments and amenity within individual apartments and within each apartment development.

5.3. **Clongriffin-Belmayne Local Area Plan 2012-2018** (extended in 2017 for a further 5 years) - the site is located c.234m south of this LAP area:

- Chapter 6 relates to Movement and Transport Strategy
- Chapter 7 relates to Urban Design
- Chapter 17 relates to Phasing and Implementation

5.4. **Natural Heritage Designations**

The nearest Natura sites are Baldoyle Bay SPA (004016) and Baldoyle Bay SAC (000199), approx. 2.6km to the east and separated from the subject site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

Two third party objections have been submitted, from Cllr Tom Brabazon and Grattan Lodge Residents Association and from Grattan Hall Management Ltd. The grounds of appeal are summarised as follows:

Density

- Density of 154 units per hectare is exceptionally high for an outer suburban location, not adjacent to a high quality public transport mode or residential support facilities and work enterprises. Clongriffin DART station is a relative

distance from the site and the traffic conditions are restricted for local bus services.

- The level of density proposed is not appropriate outside of the high density centres/nodes of Belmayne and Clongriffin as this development is peripheral to these locations.
- Overdevelopment of a restricted site.
- The proposed development at the excessive density and scale proposed will not successfully integrate into this receiving environment.

Layout and Design

- Bulk, mass and scale of development will present as a very hard urban edge.
- Position of blocks almost on the boundaries of the adjoining roads will appear incongruous and over dominant features, unrelieved by setback or soft landscaping.
- Development has limited set back to boundaries particularly to the south with the R139 where it varies from 2-5m. Given the 5 storey height of Blocks A, C, and D, and its prominent visibility, such a setback is undesirable and will be overbearing.
- Block A and B are too close to northern boundary and would impact development potential of the adjoining site.
- Adverse impact on adjoining houses in Grattan Lodge in terms of overlooking and overbearing adverse impacts due to height of Block A and loss of screening at this boundary. Height should be reduced at this boundary to 3 or 4 storeys with a setback.
- Impact of Block D on development potential of 0.19ha triangle of land has not been addressed adequately by applicant. This site should have been acquired and incorporated within the development to provide for a landmark building of civic and architectural importance on this node point in the neighbourhood.
- Increased separation distances between blocks is required for daylight and sunlight and to reduce level and perception of overlooking.

Public and Communal Open Space

- Western area of open space should not be used as public open space given the limited surveillance of this wooded area and potential for a negative impact on the adjoining housing. This area should revert to communal open space under the resident's management.
- Western area should accommodate lower scale of apartments and be moved westward to open more communal open space.
- Communal open space needs to be larger and of better quality.
- Communal space between Blocks A, C and D has limited utility and amenity value due to its fragmented nature and overshadowed aspect for most of the day.
- Childs play area is in shadow for most of the day.

Traffic & Infrastructure

- Road network is heavily congested at am and pm peaks and is not capable of accommodating increased traffic. An analysis of observed traffic and taking into account additional units to be occupied in the area, including Priory Hall, it is indicated that the Hole in the Wall Road will exceed capacity with permitted developments. Traffic estimates provided by the traffic consultants are questioned.
- A survey of traffic in the area would suggest that in relation to southbound traffic, figures heading southbound are higher than reported in the Traffic Assessment submitted by the applicant. The road is also considered as a UAP3 road, and not UAP2 as determined by the applicant.
- A further condition to any permission is required to require a plan showing how traffic is to be managed.
- The Belmayne and Clongriffin areas have restricted access and egress and due to the pattern of development established, offer poor development opportunities for alternative road networks serving the areas. In addition the large employment areas in the vicinity are not linked to the site by public transport. The radial nature of the public transport which is directed mainly toward the city centre will result in high levels of car usage.

- Development in the area of the appeal site is premature pending greater modal shift to public transport/improvement in public transport network and is contrary to policies MT1 and MT2 of Dublin City Development Plan.
- Development at the density proposed is premature as the infrastructure is currently not adequate, as demonstrated by road network improvement required under MTO31 of the Dublin City Development Plan.
- The roundabout adjoining the site is at capacity.
- Access proposed to the site is located too close to the roundabout.
- Proposed extension of bus lane will exacerbate turning movements.
- There should be no further inconvenience in the area from traffic impact on either the existing traffic or the buses.
- Car ownership will be higher in this scheme due to the nature and composition of a wholly tenanted scheme.
- A layout with a one way system with access and egress onto R139 and the Hole in the Wall Road is proposed.
- Taking account of the level of residential development in Belmayne-Clongriffin, there is insufficient employment in the area to avoid a dormitory town situation.
- Community facilities in the area mainly accessible by car. Pedestrian movements restricted by heavy traffic, insufficient controlled crossing points and poor footpath network.

Other

- Condition 11 of the permission provides for the community room to revert to retail use on cessation of use as a community building. The scale of the unit at 94sqm is not considered viable for a retail use.
- The capacity in terms of waste water treatment is questioned.
- Lack of primary and secondary schools in the area and social audit submitted insufficient.

- Childcare facility not sustainable in the long term and will result in additional traffic.
- Gym will attract additional traffic if it is to be viable. Such a use can be provided for within the core areas of Belmayne and Clongriffin and should therefore not be provided for here.

6.2. Applicant Response

- The site is not heavily wooded.
- The site is a brownfield site on a public transport corridor and is not as described by the appellant an outer suburban site.
- The proposed development falls within the guidance provided by Dublin City Development Plan in relation to plot ratio and site coverage.
- The scheme was designed to provide a strong urban edge to the R139 to the south and the Hole in the Wall Road to the east so as to provide a new streetscape to the Hole in the Wall Road and the R139 (Grange Road).
- The height of the development accords with the Dublin City Development Plan maximum height limit of 16m.
- Block A will be at least 35m from Grattan Lodge and there is heavy screening along this boundary and difference in height between the three storey houses in Grattan Lodge and Block A is only 1.13m.
- The eastern blocks are 4 storeys in height to ease transition with neighbouring properties and the western blocks are 5 storey in height.
- A daylight/sunlight and shadow analysis highlights that the proposed development will not result in undue overshadowing onto proposed balcony spaces, communal open space or adjoining third party open space.
- A non-binding masterplan was developed to include lands to the north and southeast to ensure proposed development would not prejudice their development. Preplanning was held with the planning authority in this regard.
- A new access is proposed into the site 90m from the roundabout to the south, with the existing access to be closed.

- Parking rate of 1.2 spaces proposed, with oversupply of bicycle parking and provision for company Go-Car.
- Hole in the Wall road is currently subject to a part 8 proposal which will improve crossing facilities.
- Open space proposed is of high quality and play area for children will benefit from passive surveillance. The shadow analysis shows this play space will enjoy high levels of natural daylight and will not suffer from undue overshadowing.
- Open space to west of site exceeds 10% of site area and will be overlooked from Block A. Father Collins park to northeast of the site will provide for more active areas of open space.
- Trees along the western boundary will be replaced over time to provide for increased biodiversity and a longer life span.
- Access to the open space can be controlled by the management company with access only during daylight hours, which is how other parks are managed.

6.3. Further Responses

A further response to the applicant's response has been received from Grattan Hall Management Ltd and is summarised hereunder:

- The site is incorrectly called a brownfield site. The definition in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' defines brownfield sites as being within city or town centres. This site is in a suburban location.
- The site is outside the LAP are and to permit development at 150 units per hectare would set a precedent for development outside the specifically zoned area.
- The absence of local employment, good quality and reliable public transport sufficient for the wider area, which is equivalent to the size of Ennis, has not been demonstrated.

- The traffic analyses demonstrates a congestion that does not reflect the design population. The traffic assessment fails to account for completion of permitted developments in the area or the occupation of already completed development. The roundabout capacity is also of concern and development will result in a traffic hazard.
- Requirement for housing nationally should not disregard the quality of living, sustainability of the development together with the already intense density development in a fringe location.
- There is limited local possibility for employment generation thereby requiring long commutes.
- Capacity of existing bus and DART networks to serve the area is questioned and is not sustainable. The capacity of the network should be proven before development is permitted.
- Existing and proposed road network is limited to four access roads within DCC and one rural access road within FCC.
- This area is a feeder development to serve a community which has to travel considerable distances to work.
- Impact of development cumulating has not been appropriately considered in terms of EIA.
- Development is premature with regard to density when taken in relation to existing transport capacity and population density. A density of 50 units per hectare is more appropriate.

6.4. Planning Authority Response

None.

6.5. Observations

None.

6.6. Further Responses

None.

7.0 Assessment

Proposed Development

- 7.1. The proposed development comprises 209 apartments, in four blocks, ranging in height from four to five storeys. The site is located at the junction of the R139 and the Hole in the Wall Road, just south of the developing high density residential areas of Clongriffin-Belmayne, and north of the Donaghmede shopping centre. Vehicular access to the site is from the Hole in the Wall Road and additional pedestrian accesses are proposed from the R139.
- 7.2. The site is governed by zoning objective Z1, the objective for which is *'to protect, provide and improve residential amenities'*. The proposal for residential development is acceptable in principle within the zoning objective for the area.
- 7.3. The subject site is located in close proximity to/just c.234m south of the Clongriffin-Belmayne LAP 2012-2018 (as extended). The LAP identifies the area of the site as being within the 1km influence of the DART line.
- 7.4. The primary issues for assessment include;
- Density
 - Layout and Design
 - Residential Amenity of the Area
 - Transport and Access
 - Appropriate Assessment

Density

- 7.5. The grounds of appeal raise concerns in relation to the exceptionally high density proposed for an outer suburban location, with predominance of car borne transport and existence of poor pedestrian facilities. It is considered that the proposal will not integrate into the receiving environment.

- 7.6. The document Sustainable Residential Development in Urban Areas highlights that land is a scarce resource which should be used as efficiently as possible and a minimum net density of 50 dwellings per hectare is recommended within public transport corridors, subject to appropriate design and amenity standards. The density of the proposed development equates to 153 units per hectare. I note this is an underutilised serviced site located adjoining a high quality bus route, 1.2km from Clongriffin railway station, and identified within the Clongriffin-Belmayne Local Area Plan as an area within the 1km influence of the DART level. The site has good access to public transport (rail and QBC), therefore it is appropriate that higher densities would be considered. This site is within an area identified for higher density on the residential density map which forms part of the LAP. The LAP also contains proposals for phasing of residential development alongside provision of physical and social infrastructure for the area.
- 7.7. The character of the overall area is developing and changing with the provision of these higher density residential developments, in contrast to the older lower density suburban type development to the east and south, typical of this area in the past. I am of the view that this parcel of serviced land is appropriately located at a highly accessible location to accommodate a higher density development, in keeping with the evolving character of the area. The proposal is in accordance with national policy guidance in this regard.

Layout and Design

- 7.8. The proposed development comprises 4 blocks of residential development, set out in a compact rectangular form. Block A, which is L shaped, addresses the western public open space and also the R139. Block C forms an edge with the R139 and Block D, also being L shaped in form, addresses both the R139 and the Hole in the Wall Road, albeit it is set back from the R139 given the presence of an undeveloped triangular piece of land between the site and the R139. Block B is positioned centrally within the site and along the northern boundary. Public open space is located to the western side of the site and is overlooked by Block A.
- 7.9. Vehicular access to the site is at the northeastern edge of the site from the Hole in the Wall Road, with access being at ground level through Block D which extends over this access. The access beyond the building is directed via a ramp under Block

B to the basement level and the street continues to the south at grade serving the crèche/gym which are located within the ground level of Block B.

- 7.10. Pedestrian access is indicated at 3 separate points along the R139, at the western end of the site west of Block A and adjoining the public open space, between Blocks A and C, and between Blocks C and D. Pedestrian access from the Hole in the Wall Road is alongside the vehicular access beneath Block D.
- 7.11. The overall design approach is to provide a strong urban edge to the R139 and to the Hole in the Wall Road, which are wide and busy routes, characterised in the past by large set backs with backs of houses and high walls resulting in a poor public realm, lacking in passive surveillance and facilities for pedestrians. The proposed scheme forms an edge with the R139 (where it adjoins it) and provides for a footpath alongside the scheme, linking into an existing bus stop. From site inspection it is clear that a pedestrian desire line exists along the grass verge of this side of the R139 which has no footpath. Apartment Blocks A and C are approx. 5.5m from the footpath edge with the R139 and toward the eastern end of the site, apartment Block D is approx. 15m to 40m from the R139 and 11m from the footpath edge with the Hole in the Wall Road. The overall height of the apartment blocks is four storey at the western boundary and rises up to five storey toward the eastern side, closest to the junction. The scale of the residential blocks and distance from the footpath edge is generally acceptable and the provision of a strong urban edge with pedestrian facilities and natural passive surveillance to these routes is to be welcomed.
- 7.12. However, there are a number of design issues that would impact negatively on the visual and residential amenity of the development and these are discussed hereunder.

Public Open Space and Block A

- 7.13. The document Sustainable Residential Development in Urban Areas and accompanying design manual highlights the importance of open space in defining the quality of a residential environment with well-designed open space considered even more important in higher density residential developments, with an emphasis on qualitative standards. It is stated that a neighbourhood with poor quality spaces will rarely be improved by even the highest standards of architecture.

- 7.14. The public open space for this development is positioned at the western end of the site at the boundary with the neighbouring housing development and fronted by Block A, which is approx. 57m in width, extending across the site.
- 7.15. The grounds of appeal has raised concerns in relation to the location of this wooded public open space and negative impacts on the adjoining residential development from potential antisocial behaviour within this area. The first party in response to Further Information from the Planning Authority stated it was decided to locate the public open space to the west to facilitate creation of a strong urban edge to the adjoining roads. The applicant considers that the space would act as a focal point of a new pedestrian connection route through the site from the R139 to the Hole-In-Wall Road. The applicant notes that the proposed area of public open space would also act as an appropriate amenity buffer zone between the proposed apartment blocks and the existing houses at Grattan Lodge to the west, with a 2m rendered block wall proposed along this boundary. The boundary buffer will be supported with the replacement of the existing, poor quality leylandii trees with large parkland trees that will provide increased screening and security for this development and protect the amenity of the neighbouring properties.
- 7.16. The public open space is, in my view, remote and isolated from a large number of residential units due to the design and positioning of Block A, which extends across the site and fronts the open space. While providing a high level of natural surveillance, this building blocks access to the public open space from the other buildings within the scheme and hinders permeability through the site. The space therefore contributes in a limited way to the character and distinctiveness of the site and is too remote/peripheral to be used by future residents to the level expected and required from a development of this scale. However, I consider the location would in general be acceptable, subject to improved integration and connectivity across the entire site, which would in my view require a redesign of the block/blocks in this area.
- 7.17. For the public accessing the site from the R139, the link as proposed through to the Hole in the Wall Road is circuitous around the northern edge of Block A and would not result in a safe and secure direct connection through the site. In addition the pedestrian and vehicular access from the Hole in the Wall Road side is through a 20m long passageway/underpass within Block D, with the pathway on the northern side of the access route wider than the southern side. This northern footpath does

not link into the rest of the scheme, whereas the southern footpath, which would be the more heavily used side, is narrow and unattractive, reducing to 1m in width at a pinch point due to the projecting corner of the building. This pedestrian access should be of appropriate width (min 1.8m) to cater for and support comfortable pedestrian movement. The overall connectivity through the site needs to be re-examined to cater for and support pedestrian movement and the scheme redesigned (with the underpass design omitted) to ensure the creation of an open, permeable and safe environment, providing for a more attractive entrance/streetscape edge to the Hole in the Wall Road in particular, which would furthermore enhance the streetscape/vista travelling south from the Hole in the Wall Road toward the junction with the R139.

7.18. Given the scale and timing of tree removal proposed for the open space, as indicated on the phase 1 and phase 2 tree removal drawings (PP1153-02 and PP153-03), the Planning Authority attached a condition that the leylandii tree belt be removed in a phased manner over a period of 10 years. I consider this condition reasonable and prudent in mitigating the dramatic loss to the receiving environment of a significant number of trees from this site and given the life span of 10-20years of these trees. I note it was also a condition of the planning authority that a management plan for the public open space is agreed in writing with the planning authority, to include details of proposed opening hours, lighting, appropriate security/privacy for the apartments in relation to the proposed public open space etc. I also consider this condition reasonable in addressing concerns relating to potential for anti-social behaviour at this location.

7.19. I consider the separation distance of 20m-24m from Block A to the public open space boundary and the overall distance between Block A and the rear elevations of neighbouring dwellings at 33m to be adequate to ensure overlooking is not a significant issue and the proposed scale of the buildings, while being visible, will not be overbearing.

Communal Open Space

7.20. The document Sustainable Urban House: Design Standards for New Apartments states that communal amenity space should be accessible, secure and usable with a high priority for families with young children and for less mobile older people. The

minimum required area for communal amenity space is calculated as follows: 5sqm for a one bed unit, 7sqm for a two bed unit, and 9sqm for a three bed unit. The development therefore gives rise to a requirement for 1839sqm and the applicant states that 2751 sqm is provided. An area of play equipment is identified on the site layout plan, 4m from the western elevation of Block B and 10m from Block A. Equipment for older children is identified in the public open space to the west following a Further Information request from the Planning Authority.

- 7.21. Aside from the play equipment and seating area, which I consider to be too close to the apartments in Block B in terms of impact from noise generation, the remainder of the communal space appears incidental and disjointed in nature with weaving pathways and a lack of a defined area of communal space where people can gather. Overall the amenity value of the central area of the scheme, part of which is accessible to cars for the crèche, is questionable as communal amenity space, which should be safe, secure and enjoyable by future residents. Furthermore access for older children to the play equipment in the public open space is remote and inaccessible from a large number of units.

Balconies and Finishes – New Issue

- 7.22. Blocks A, C and D all have elevations fronting onto the R139. Block A is four storeys to the west, with a fifth storey at the eastern end of the building, fronting onto the R139. Some of the balconies to the mid-section of this block on the ground level, fourth level and fifth level are recessed, while the majority of balconies are designed to project from the second and third levels and also project from the apartments on either side of this mid-section. I note the elevation drawing indicates the fifth storey is set back, however, the floor plan indicates the balcony to 67 and 68 is external and not recessed.
- 7.23. All of the balconies on Block C (five storeys), with the exception of two balconies at the top level, are projecting from this elevation. Similarly Block D comprises a mix of projecting and recessed balconies. Block D also has an elevation onto the Hole in the Wall Road where a large number of projecting balconies are proposed.
- 7.24. Notwithstanding the southern aspect of the units onto the R139, the amenity value of these projecting balconies is severely compromised, given the level of traffic and noise on the R139, as too is the amenity value of the apartments with projecting

balconies onto the Hole in the Wall Road. The open nature of these elevations onto wide and busy routes, unenclosed or framed by the buildings, would result in poor private amenity space. Balconies recessed into a building, whereby the balcony is more integrated into the living space, are generally more usable and are required in this instance to ensure quality private amenity space for those blocks fronting the R139 and the Hole in the Wall Road. A redesign of these balconies would also benefit in achieving a more coherent design to these visually prominent elevations. A redesign of the southern elevations of Blocks A, C and D as well as the eastern elevation of D (with resultant impact on the internal arrangements of the apartments) is required to provide for recessed balconies.

- 7.25. Furthermore a review of the number of finishes proposed (cladding panel, natural stone, brick, self-coloured render, and an aluminium cladding), the window to void ratios, as well as the extent of external balconies, is required.

Blocks D, B and Vehicular Access to the Basement – New Issue

- 7.26. From the plans and photomontage submitted, it would appear that the northern elevation to the ground level access route is to remain open between Blocks B and D with an external type pergola structure indicated. Block D over the access route is approx. 20m deep, with the access leading directly down into the basement level under Block B and provision for a southern surface level route to gain access to the crèche and visitor parking. The pergola type structure over the ramp to the basement between Blocks D and B can be viewed on the photomontages submitted, drawing no. PL-300.
- 7.27. It is unclear to me how traffic is to be discouraged from using the surface level area for parking, particularly given the way this area has been designed, with a set down area outside the gym and crèche which may revert to a parking area in the evening. While this is an issue which a management company could address, I am concerned that the design of this area, which has been described as a communal area, lends itself to easy use for parking instead of recreation.
- 7.28. I have concerns in relation to the impact on natural light to the crèche facility, given the location of the ramp and the pergola, which is shown adjoining this section of the building at the window of a class room, as indicated on the photomontages. Furthermore I question the impact on the amenity quality of the balconies to the first

floor level apartments in Blocks B and D, given the vehicular access route for all 209 apartments traverses directly under these balconies, which are external to the buildings.

Pedestrian Access to Block B – New Issue

- 7.29. Dublin City Development Plan highlights that apartment design should provide occupants and visitors with a sense of safety and security, by maximising natural surveillance of streets, open spaces, play areas and any surface bicycle or car parking. Accordingly, blocks and buildings should overlook the public realm. Entrances and lobbies should be highly visible from adjoining dwellings.
- 7.30. Access to Block B for the apartments is from the northern elevation facing the northern boundary of the site, with access to the gym, community room and concierge from the southern elevation. While I acknowledge that the stairwell/lift access is on the northern elevation, allowing the single aspect apartments to the south of them to benefit from a southern aspect, I am of the view that it would be preferable that access to the apartments at ground level be from the southern aspect which faces into the courtyard area and therefore has a naturally high level of surveillance from the surrounding apartment buildings. The proposed northern access arrangement for the apartments in my view leads to an overall poor layout in terms of safety and security, as well as impacting on ground level activity/community interaction within the scheme. Block B would require a redesign to address this issue which would potentially impact on the viability of the one bed apartments proposed within this section of the block.

Residential Amenity

- 7.31. The Guidelines for Planning Authorities on Design Standards for New Apartments issued by the minister in December 2015 contain several specific planning policy requirements with which the proposed 209 apartments must comply. Schedules were submitted to demonstrate compliance with the standards. I note the changes at Further Information stage related to Block C and the positioning of balconies and angled windows and the balconies are in compliance with national standards. The schedules are overall consistent with the drawings.
- 7.32. The majority of all the apartments exceed the minimum floor areas specified in the guidelines (45m² for a one-bedroom unit, 73m² for a two-bedroom units and 90m²

for a three bedroom unit) by a minimum of 10%, thus meeting the specific planning policy requirement of section 3.3 of the Design Standards for New Apartments (2015). 37% of the apartments have a single aspect, none of which would face north. Room sizes, ceiling heights, storage spaces and private open space are in line with the standards set out in the guidelines.

- 7.33. While privacy strips are provided where habitable rooms occur along street frontage/internal pathways, some of the areas accommodate less than a 1.5m buffer, for example within areas of the pedestrian access to Block D and also the single bed apartments in Block B. There appears to be adequate space to address this issue through extension of these private amenity strips.
- 7.34. The Board is therefore advised that the proposed development would comply with the provisions of the guidelines, including its specific policy requirements.

Proximity to Boundaries and Adjoining Landbanks

- 7.35. A notional masterplan which shows how the subject development would accommodate a future redevelopment of the neighbouring site to the north has been submitted by the applicant. I note that this was requested by the Planning Authority to ensure the proposed development would not prejudice the development potential of the neighbouring site. I note that this application does not relate to these lands.
- 7.36. The grounds of appeal argues that the proposed development will prejudice the development of land to the north given the proximity of the buildings to the northern boundary. I note Block A is 8m-12m from the northern boundary, Block B is 10m-12m from the boundary, and Block D is 12m at its closest point. The apartments facing north within Block A and part of Block B are to be fitted with angled windows and balconies relocated to side elevations to ensure the development of the adjoining site is not overly compromised. I am satisfied that these measures are adequate.
- 7.37. With regard to the adjoining land bank to the south, the applicant in response to a further information request from the planning authority responded that the development potential of that site, which is not within the ownership of the applicant, is limited given the presence of a pumping station and significant surface water pipes which Dublin City Council stated cannot be moved and from which a 3m wayleave on either side must be maintained. There are also limitations in terms of creating a

safe vehicular access to the site given its proximity to the roundabout. It was considered that the proposed development does not therefore hinder the development potential of this site. I accept the rationale put forward by the applicant.

Transport and Access

- 7.38. The site is bounded by the R139 to the south and the Hole in the Wall Road to the east, with a high quality bus link adjoining the site and a railway station at Clongriffin approx. 1.3km from the site. An existing access, approx. 50m from the roundabout south of the site is to be closed and relocated so that it is approx. 90m from the roundabout.
- 7.39. The grounds of appeal raise concerns in relation to the capacity of the road network at peak times, particularly when the cumulative impact of additional development in the wider area of Clongriffin is considered. Assumptions in relation to traffic generation within the Traffic Assessment are considered too low and the appellant has submitted their own traffic analysis. Public transport is radial, catering for people travelling to the city and therefore the modal shift to public transport is limited for those working in the wider area. The lack of development within Clongriffin in terms of commercial development, services and public transport indicates that the development of the site is premature.
- 7.40. The applicant states the revised location of the access to the site will be 90m from the roundabout and notes there are proposals to improve the crossing facilities along the Hole in the Wall Road. The company Go-Car has submitted a letter indicating they are agreeable to operating from the site, which will assist in mitigation of parking demand. The applicant has submitted a Traffic Assessment and Mobility Report as part of the development application. A traffic survey was undertaken, the outcome of which indicated that there is capacity on the Hole in the Wall Road and that delays observed during peak times is associated with the exit path at the roundabout. The proposed access/egress from the site is considered adequate.
- 7.41. The Roads and Traffic Planning Division of the Planning Authority states that the proposed development is acceptable from a Roads and Traffic perspective, subject to conditions. It is considered that traffic generation from the development can be accommodated on the adjoining road network. It is noted that the internal transport report from Dublin City Council states that the Environment and Transportation

Department intend to provide new pedestrian facilities at the Hole in the Wall Roundabout.

7.42. I acknowledge that the level of car usage in the area is perceived to be high with reported high levels of peak traffic. However, to continue with low density development on this site, which was a characteristic of this area in the past, is not in the interests of sustainable development and is contrary to national guidelines to maximise use of serviced land, which is a finite resource. This site is an underutilised site in a developing area of Dublin, characterised by higher density residential development to the north, and is accessible by bus and rail. While the economic recession has affected the pace of growth as set out in the Local Area Plan for Clongriffin-Belmayne, and has also impacted on services and commercial development, I am of the view that the development, at the density proposed, will support a sufficient density which will help to sustain and develop efficient public transport networks into the future for the wider area, which will ultimately assist in increasing modal split toward public transport. I am satisfied that while there are peak traffic demands, the existing road capacity is sufficient to cater for the proposed development and the site is sufficiently proximate to high quality public transport networks.

7.43. Parking provision has been reduced, given the accessibility of the site, to an acceptable provision of 1.2 parking spaces per unit, with overall provision of 209 spaces for residents, 34 for visitors and 13 disabled spaces. 7 of the visitor spaces are at ground level. 228 cycle parking spaces are proposed. It is indicated that the gym is anticipated to be primarily used by residents. I note the parking standards are maximums and the Dublin City Development Plan 2016-2022 states 'parking provision below the maximum may be permitted provided it does not impact negatively on the amenities of surrounding properties or areas and there is no potential negative impact on traffic safety'. I consider the parking provision for the development appropriate to its location and adequate to serve the needs of the residents.

Other Matters

Community Room

7.44. Condition 11 states that the community room shall revert to retail use on cessation of use as community building. The community room will serve as an additional amenity to the residents of this development and I consider this to be a valuable asset for the future community. I am of the view that a finite time should not be assigned to the use of this room and any change of use would require a separate permission.

Access to Block D and Block C

7.45. I note the ground floor plans relating to Block D show a separate entrance to apartments 149 and 150 via a corridor. It would appear that this space is enclosed, although no external door is indicated. In the interests of security for apartment 148, which is accessed at the end of a narrow corridor, an external door would be required from the main street area in the vicinity of the entrance hall to the main block. Similarly on Block A, the access arrangement in the corner to the ground floor units is unclear.

Archaeology

7.46. A desktop archaeological assessment was undertaken by the applicant. Given the site is located just west of the zone of archaeological potential of a recorded monument DU015-069 (Church and Graveyard), a condition would be required to ensure site investigations are carried out before any site clearance/construction work commences, as per the report of the Dublin City Council Archaeologist.

Boundary Treatment to R139

7.47. An extension of the existing footpath alongside the development to the bus stop is proposed. The plan indicates wooden bollards. It would appear that these bollards are in addition to the planting and wall/railing arrangement. The visual impact and openness of any boundary at this location is important for passive surveillance and movement of pedestrians. Exact details of the boundary to the R139 and the Hole in the Wall Road require further elaboration and agreement with the Planning Authority.

Condition 3

7.48. I note an email on the file from Dublin City Council to the applicant which indicates condition 3 (misquoted as condition 13 in the email) in relation to Section 48 (c) for a contribution on basis site location within the North Fringe Framework Area Plan should not have been applied to the site.

Conclusion

7.49. The subject site is located in a developing high density residential area north of Dublin City, served by high quality public transport alongside developing physical and social infrastructure. The site is at a prominent location at the junction of the R139 and the Hole in the Wall Road which can accommodate higher buildings and is capable of accommodating a well-designed high density residential development. However, I am not satisfied that the development as proposed appropriately provides for high quality amenity and high quality public realm for future residents in the form of on-site public open space and communal open space by virtue of the design and layout of the blocks relative to these spaces, and impact on permeability and connectivity through the scheme and with the surrounding area. The proposed development would also result in poor quality private amenity space given the over reliance on external balconies onto what are busy and exposed routes adjoining the site. In addition, the access arrangements to Block B are considered to result in a poor layout in terms of safety, security, and community interaction. It is recommended that permission be refused.

Appropriate Assessment

- 7.50. An Appropriate Assessment Screening Report was submitted with the Planning Application (dated April 2017). The Screening Report considers sites within a 2 km radius stating that it is considered that these are the only areas which may fall within the project's zone of influence.
- 7.51. The appeal site is a serviced site occupied by a Columban Missionary building and mature trees/hedgerows. There are no watercourses within the site or in the immediate vicinity. Baldoyle Bay SPA (004016), Baldoyle Bay SAC (000199), and North Dublin Bay SAC (0210), South Dublin Bay SAC (0206) and South Dublin Bay and Tolka Estuary SPA (04024) are approx. 2/3km to the east of the site. The Mayne River is located 970m north of the site and this flows into Baldoyle Bay along with the Sluice River. There are limited relevant pathways between the development and the aforementioned sites.
- 7.52. The site itself is classified as being of low biodiversity value. I am satisfied that standard construction management practices would be sufficient to avoid an indirect effect on water quality during construction. I consider that adequate attenuation is

proposed within the site during the operational phase and therefore the potential for impact on the water quality within the designated sites is remote. In addition, the proposal for connection to the public foul network would mitigate any potential for impacts from wastewater. Water for domestic purposes will be sourced from a mains supply which originates in the Poulaphouca Reservoir and the development, being upstream of the Reservoir, will not impact on it.

- 7.53. The proposed development is part of a series of mainly residential developments envisaged in this area whose impacts would be cumulative. However these developments are occurring under the control of a development plan and a local area plan which were themselves subject to appropriate assessment. The proposed development would not be likely to give rise to significant effects in combination with other plans and projects that have not already been subject to appropriate assessment.
- 7.54. I am satisfied having regard to the nature and scale of the development, its location on serviced lands and its separation from the aforementioned sites and the absence of direct source – pathway – receptor linkages, that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on these European sites.
- 7.55. It is reasonable to conclude that on the basis of the information on the file, which I consider to be adequate in order to issue a screening determination that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 000199 (Baldoyle Bay SAC), 004016 (Baldoyle Bay SPA), 0210 (North Dublin Bay SAC), 0206 (South Dublin Bay SAC) and 04204 (South Dublin Bay and Tolka Estuary SPA), or any other European Site, in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment is not therefore required.

8.0 Recommendation

- 8.1. I recommend that permission for the proposed development be refused for the reason set out hereunder.

9.0 Reasons and Considerations

1. It is a policy of the Dublin City Development Plan 2016-2022 to ensure that all development is of a high quality design, is served by high quality amenity and promotes the creation of attractive safe environments. It is also a requirement of the Development Plan under policy QH1 that new development is designed based on the guidance contained in the document Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, and the accompanying Best Practice Urban Design Manual (DECLG 2009). The proposed development, by reason of the remote and isolated location of the public open space, lack of pedestrian permeability through the scheme, particularly given the scale and design of Block A, coupled with the poorly defined communal space, and poor quality of private amenity space through proliferation of external balconies fronting the heavily trafficked R139 and the Hole in the Wall Road, in addition to the elevational treatment to the buildings, represents a substandard form of urban development and is not in accordance with the design and layout guidance set out in the Sustainable Residential Development Guidelines. The proposed development would, therefore, conflict with the objectives of the development plan, would seriously injure the visual amenities of the area and residential amenity of future residents and would overall be contrary to the proper planning and sustainable development of the area.

Una O'Neill
Senior Planning Inspector

10th January 2018