



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
304517-19**

Strategic Housing Development	820 residential units, a neighbourhood centre comprising 2 retail units and a crèche; an additional crèche to the north of the site, a section of Dunboyne Eastern Distributor Road and all associated site development works
Location	Lands east of Dunboyne-Pace line and Dunboyne Railway Station, Dunboyne, Co. Meath
Planning Authority	Meath County Council
Prospective Applicant	John Connaughton Ltd
Date of Consultation Meeting	July 8 th 2019
Date of Site Inspection	June 30 th 2019

Inspector

L. Dockery

1.0 Introduction

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

2.0 Site Location and Description

2.1 The subject site, which has a stated area of 17.97 hectares, is located approximately 850 metres from the town centre of Dunboyne, Co. Meath. The railway station and Dunboyne-Pace rail line bound the site to the west, with the residential development of 'Millfarm' located further west. Open agricultural lands and the Tolka River bound the site to the north and east. The site comprises roughly one agricultural field and includes a detached single storey dwelling and out-buildings in the south-western corner. The northern and eastern boundaries are largely undefined. The existing access to the railway station is within the southern extent of the site.

3.0 Proposed Strategic Housing Development

3.1 The proposed development comprises the construction of 820 residential units, a neighbourhood centre comprising 2 no. retail units and a crèche; an additional crèche to the north of the site, a section of Dunboyne Eastern Distributor Road, together with all associated site works. The works also include for the demolition of existing structures on site, including a residential dwelling.

3.2 The following details are noted:

Parameter	Site Proposal
Application Site	17.973 ha (gross) 16.31 ha (nett)
No. of Units	820 units (380 apts; 104 duplex; 336 houses)
Other Uses	Dunboyne Eastern Distributor Road (c.800m) 2 x crèche facilities-636 m ² and 478 m ² 2 x retail units- 308 m ² & 210 m ²
Car Parking Bicycle Parking	2 spaces per house (672 spaces); 472 spaces for 392 apts; 102 spaces for 92 duplex- total 1246 spaces 696 spaces
Vehicular Access	One access from Station Road
Part V	74 units
Density	50.2 units/ha

3.3 The breakdown of unit types is as follows:

Unit Type	1 bed	2 bed	3 bed	4 bed	5 bed	
Apartment	93	269	18	-	-	380
Houses	-	-	260	62	14	336
Duplex	16	46	42	-	-	104
Total	109	315	320	62	14	820
% Total	13.2%	38.4%	39%	7.5%	1.7%	100%

4.0 **National and Local Planning Policy**

4.1 National

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

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual)
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Design Manual for Urban Roads and Streets (2013)
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

- Childcare Facilities, Guidelines for Planning Authorities (2001)

Other relevant national guidelines include:

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

4.2 Local

The Meath County Development Plan 2013-2019 is the operative County Development Plan.

In terms of Core Strategy, the number of residential units envisaged to be necessary to meet the population growth of Dunboyne over the Plan period is 1994 units.

Dunboyne is identified as a 'Large Growth Town II' in the operative County Development Plan, where the policy of the Development Plan is to promote strong active growth towns, economically vibrant with high quality transport links to larger towns/city.

Site is located within the Metropolitan Area of the Greater Dublin Area where it is an objective to ensure it develops as a key settlement centre and to ensure that the settlement grows in a manner that is balanced, self-sufficient and supports a compact urban form and the integration of land use and transport (SS OBJ 9 refers).

RSES- designation within the North-Western Strategic Corridor and the identification of lands adjacent to Dunboyne Rail Station and M3 Parkway as priority areas for development. The Strategic Corridor is due to be facilitated by the Maynooth/Dunboyne line and DART expansion scheme.

Identified as a secondary economic growth town in the RPG's and in Economic Strategy, linked with Ashbourne.

Zoning:

The site benefits from a number of zoning objectives:

The majority of the site is zoned '**Objective A2 New Residential**' which seeks to 'provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy'.

'Objective B1 Commercial/Town Centre' which seeks to 'protect, provide for and/or improve town and village centre facilities and uses'

'Objective F1 Open Space' which seeks to 'provide for and improve open spaces for active and passive recreational amenities'.

'Objective G1 Community Infrastructure' which seeks to provide for necessary community, social and educational facilities'.

There is an objective to provide a **Major Distributor Road** (indicative only)

There is an objective to provide a **neighbourhood centre** at the southern and northern ends of the site

There is a 110Kv **Overhead Powerline** indicated on zoning map

The blue line around the boundary of the site is indicative of the area subject to **Integrated Area Action Plan/Preparation of a masterplan**

Section 3.4 of the LAP notes that lands east of the rail line and adjoining Dunboyne train station is the principal area identified to accommodate the majority of the household allocation provided under the Core Strategy of the Meath CDP.

Section 4.1 of the LAP notes that as part of the Variation No. 2 to the Meath CDP, an evaluation was carried out of 10 residentially zoned sites in order to establish which lands should be prioritised for release in the short term with a strong emphasis placed on a sequential approach to development. This SHD site is split between

evaluation Site 3 and evaluation Site 4 which were ranked in joint 6th and 3rd respectively and identified for release within the lifetime of the Plan.

MOV POL 8 To facilitate the development of the Dunboyne Eastern Distributor Road in conjunction with the development of the A2 (New residential) zoned lands to the east and south of the railway line in Dunboyne, to include arrangements for the delivery of a rail overpass at the south and north of these lands.

MOV POL 33: To implement the transportation policies and objectives set out in the Integrated Action Area Plan for lands east of the railway line, Dunboyne as determined by the local authority in conjunction with the development of these lands. In particular, the phased implementation of the 5 no. pedestrian connections over the railway line will be pursued having regard in each instance to the protection of the amenity of existing residents in the vicinity of these connections. The pedestrian connection shown between the lands east and west of the railway line at Cell 5 will be pursued in the context of Condition 13 of the Rail Order NA0001.

Archaeology:

Noted that there is a Ring-ditch (ME03903/ME050-031) and an Enclosure, Ring-Ditch (ME03904/ME050-302002) located on the subject lands

5.0 Planning History

Subject Site:

None

Sites in Vicinity:

RA/180561: Permission GRANTED for 83 residential units on lands on opposite side of Station Road (south of site)- date of decision 07/06/2019.

6.0 Section 247 Consultation(s) with Planning Authority

6.1 It is stated by the prospective applicant that pre-application consultations took place with the planning authority on 28th November 2018.

7.0 Submissions Received

Irish Water

Confirmation of Feasibility issued for this site for 820 no. residential units.

As stated on the CoF, the applicant must enter into a Project Works Services Agreement with Irish Water to deliver infrastructure upgrades to facilitate the connection of the development to Irish Water infrastructure.

The following upgrades are required:

- 1km of new 200mm watermain to connect site to Loughsalla Water Pump Station

No third party or statutory consents are required for these works other than a road opening licence from the local authority.

The applicant has not yet signed a Project Works Services Agreement with Irish Water but has entered into discussions with Irish Water to progress the works subject to this planning application.

Therefore, based on the CoF, Irish Water confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between Irish Water and the developer, the proposed connections to the Irish Water networks can be facilitated.

8.0 Forming of Opinion

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

8.1 Documentation Submitted

- 8.1.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, completed application form, a completed pre-connection enquiry feedback form from Irish Water, Statement of Consistency, Planning Report, Environmental Report; Building Lifecycle Report, Part V details, architectural drawings; Dunboyne Testing Report, Archaeological Assessment, Traffic and Transport Assessment, Engineering Services Report; Letters of Consent; details of s.247 meetings; Design Statement; and Site Specific Flood Risk Assessment.
- 8.1.2. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

8.2 Planning Authority Submission

- 8.2.1 In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Meath County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 19th June 2019.
- 8.2.2 The planning authority's 'opinion' included the following matters: description of development, site location and description, Section 247 consultations, planning history and context, national, regional and local planning policy, key planning considerations and conclusions. The following points are noted:
- Strongly supports the development of multiple residential schemes within the settlements of Dunboyne, Maynooth and Kilcock
 - No. of residential units envisaged to be necessary to meet population growth of Dunboyne over the Plan period is 1994
 - Site layout Plan does not strictly accord with zoning objectives specifically in relation to G1 and F1 as one moves through the site

- Largest quantum of open space will be located within an area of archaeology which is essentially being 'swapped out' of the main section of F1 zonings located to the centre of the site- review of Meath CDP will be cognisant of the findings of the archaeological study
- Invites ABP to consider the requirement for a Material Contravention statement and Social Infrastructure Report, including schools assessment in support of the SHD application and the ability of the proposal to meet the criteria set out under section 37(2)(b) of the Planning and Development Act 2000 (as amended).
- Density proposed is in accordance with CDP standards
- Documentation silent on Urban Design Statement and phasing- ABP may wish to consider a 10 year permission which is linked to phasing of character areas and delivery of both distributor road and new access to train station
- Layout forms a strong urban edge along Station Road and is complementary to development on opposite side of road- presents an appropriate scale and form
- Full landscaping schemes including boundary treatments should accompany any application
- Results, inputs and outputs of TRICS assessment should be included at application stage- no rationale as to how figures have been arrived at; Road Safety Audit should also be included
- Large number of cul-de-sacs proposed, some over 140m in length
- A number of parking spaces are likely to be difficult to access
- Sufficient distinction between identified street hierarchy types to facilitate a legible network of streets- street hierarchy, types and geometry are considered acceptable
- Proposal for the Eastern Distributor Road mirrors cross section proposed in Transport Strategy
- Construction Management Plan and Construction Traffic Management Plan should accompany application

- Parking should be provided in line with CDP standards- 2 spaces per house proposed which is considered acceptable
- No provision for visitor parking- numbers proposed for duplex and apartments are below CDP standards- provision for retail/crèche area is insufficient
- In terms of bicycle parking, applicant should confirm how it is intended that cycle parking areas will be safe, secure and accessible to all- should be requested to reconsider proposed cycle parking provision
- A levy to cover the provision of the remaining section of the Dunboyne Eastern Distributor Road between the proposed development and the Old Navan Road should be applied- a levy should also be applied for the construction of the bridge- conditions attached regarding traffic and transportation matters
- No public lighting design submitted
- Proposal does not meet requirements of planning authority with respect of the orderly collection, treatment and disposal of surface water- conditions attached
- In relation to Part V, no objection in principle, subject to condition
- No taking in charge details submitted
- Examine provisions of CDP in relation to childcare provision
- Dept. of Education recently announced funding for new educational campus- at advanced stage of site selection- one of the remaining sites under consideration is owned by the applicant and is adjacent to the proposed development, contiguous to the Eastern Distributor link road, beside the train station- development of new campus is to be welcomed
- Deals with issues of art work, estate naming, broadband waste management, environmental protection and public health; particulars relating to construction stage; fire safety
- Location of archaeological features have been factored into layout/masterplan for proposed development- conditions attached

- Issues of architectural heritage, natural heritage, ecological impact assessment, appropriate assessment addressed
- Dunboyne Flood Study (JBA), development is almost entirely within Flood Zone C- very small portion of the site within Flood Zone B- justification test required
- Development meets thresholds as set out in Schedule 5, part 2 of Planning and Development Regulation s2001 (as amended)

8.2.3 I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

8.3 Consultation Meeting

8.3.1 A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 8th day of July 2019, commencing at 14.30pm. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

8.3.2 The main topics raised for discussion at the tripartite meeting were as follows:

- Development strategy for the site to include proposal in context of zoning objectives, density, layout, elevational treatments, connectivity, open space/public realm
- Drainage and flood risk
- Transport and parking
- Archaeology
- Any other matters

8.3.3 In relation to development strategy, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- Consistency of proposal with zoning objectives, in particular with regard to provision of housing on lands zoned for Open Space and Community Infrastructure

- Justification for limited/minimal size and nature of neighbourhood centre fronting onto Station Road and lack of neighbourhood centre at northern end of site, having regard to the zoning objective
- Justification for lack of provision of any community, social or educational facilities
- Density proposed in the context of the location of the site within the Metropolitan Area, beside Dunboyne Pace rail line, in close proximity to Dunboyne centre with its established services and facilities
- Layout of proposed scheme; interface with public realm along Station Road; consistency with DMURS; number and length of cul-de-sacs; creation of a street along proposed distributor road;
- Rationale/justification for proposed undercroft car parking and impact of same on streetscape
- Quality of the proposed scheme in terms of elevational treatment; materials/finishes and interface with Station Road/Eastern Distributor Road is of critical importance; submit additional cross sections/CGIs and visualisations
- Potential impacts on nearby residential development in terms of overlooking, overshadowing, loss of light
- Connectivity achievable in the surrounding area in particular details relating to provision of bridge across railway line
- Open space provision and the desire to ensure that it is functional and usable, passively supervised with good landscaping, with particular detail required in relation to open space at podium level; accessibility

8.3.4 In relation to drainage, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Matters raised within section 7.5 Water Services of PA Opinion in relation to surface water treatment and disposal and section 7.11 in relation to flood risk
- Matters raised in the report of Irish Water to ABP, dated 11th June 2019
- Advised to liaise with PA prior to lodging any subsequent application

8.3.5 In relation to transport and parking, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Matters raised within section 7.4 Traffic Impact, Access, Parking and Public Lighting of PA Opinion

8.3.6 In relation to archaeology, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Archaeological findings on the site; proposal to address archaeological issues
- Advised consultation with Department of Culture, Heritage and the Gaeltacht in this regard

8.3.7 In relation to other matters, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- submission of schedule of floor areas; materials/finishes; areas to be taken in charge, if any; ecological survey, management of proposed scheme; internal amenity to proposed residential units, submission of CGIS/visualisations, waste management; buffer areas associated with powerlines and building lifecycle report

8.4 **Conclusion and Recommendation**

8.4.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

8.4.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

8.4.3 Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the

Act **requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

- 8.4.4 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

9 Recommended Opinion

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

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, **An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Principle of proposal:

Having regard to the policies and objectives of the Dunboyne, Clonee. Pace LAP 2009, further consideration/justification of the documents as they relate to the principle of the proposed development in the context of

- (a) the location of residential development on lands zoned 'Objective F1' which seeks to 'provide for and improve open space for active and passive recreational amenities' and 'Objective G1', which seeks to 'provide for necessary community, social and educational facilities'.
- (b) the lack of any community, social or educational facilities within the site boundary.
- (c) the scale of the proposed neighbourhood centre, given the extent of residential development proposed and permitted in the immediate area. In addition, further justification/rationale for the lack of a neighbourhood centre at the northern end of the site

The further consideration of these issues may require an amendment to the documents and/or design proposal submitted. Please note that the Board are precluded from permitting any residential development on lands that materially contravene the zoning objective for the area.

2. Density

Further consideration/justification of the documents as they relate to the density of the proposed development. This consideration and justification should have regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) in relation to such sites. Particular regard should be had to need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the location of the site within the Dublin Metropolitan area, its proximity to the Dunboyne Pace rail line and to the centre of Dunboyne with its established social and community services. The further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

3. Design and Layout

- (a) Further consideration/justification of the documents as they relate to the layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the above mentioned Guidelines and the Design Manual for Urban Roads and Streets.

The matters of arrangement and hierarchy of streets; the creation of a defined urban edge along Station Road and the new link road; connectivity with adjoining lands; provision of quality, usable open space and the creation of character areas within a high quality scheme should be given further consideration.

(b) Further consideration/justification of the documents as they relate to the proposed undercroft parking arrangement and the impact this may have on the vitality of the streetscape at these locations, together with issues of accessibility for the first floor open space provision above.

(c) Further consideration and/or justification of the documents as they relate to the elevational treatment/expression and materials/finishes of the proposed development, having regard to the context of the site and the desire to ensure that the proposed development makes a positive contribution to the character of the area over the long term. An architectural report and urban design statement should be submitted with the application.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted

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

1. A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018)
2. Additional drainage details having regard to the report of the Drainage Division of the planning authority, as contained in section 7.5 and section 7.11 of the Chief Executive Report dated 20^h June 2019. Also, additional documentation relating to appropriate flood risk assessment that demonstrates the proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. A Flood Risk Assessment should be prepared in accordance with 'The Planning

System and Flood Risk Management' (including associated 'Technical Appendices')

3. Additional details and justification for the proposed development in relation to roads, access and circulation, having regard to the report of the Transportation Division of the planning authority as detailed in section 7.4 of their Opinion.
4. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to overlooking, overshadowing, overbearing and noise. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjoining residential development.
5. Archaeological Impact Assessment
6. Universal Access Report
7. A report identifying demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand
8. Daylight and Sunlight Analysis
9. Waste Management Plan
10. Schedule of accommodation
11. Site Layout Plan of utilities, which are proposed to be undergrounded and/or re-routed, if applicable
12. A detailed landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including street furniture, where proposed. Details relating to the materiality of the proposed first floor open space should also be submitted. Detailed proposals for the interface between the proposed development and Station Road, together with details of the public realm along Station Road should be submitted. Additional detailed cross section/CGIs and visualisations should be submitted in this regard.
13. A Tree Survey which clearly identifies all trees and planting on site and which clearly identifies all trees/hedgerows proposed for removal. In addition, a report which clearly identifies measures for the protection of trees during construction works should be submitted

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

1. Irish Water
2. Irish Rail
3. Department of Culture, Heritage and the Gaeltacht
4. The Heritage Council
5. An Taisce
6. Transport Infrastructure Ireland
7. Inland Fisheries Ireland
8. National Transport Authority

PLEASE NOTE:

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

Lorraine Dockery
Senior Planning Inspector

23rd July 2019