



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-305029-19

Strategic Housing Development	332 no. apartment units, associated residential amenity, crèche and 5 no. mixed retail units.
Location	Blackwood Square, Northwood, Santry, Dublin 9.
Planning Authority	Dublin City Council North
Prospective Applicant	Crosgrave Developments.
Date of Consultation Meeting	02 nd of September 2019.
Date of Site Inspection	21 st of August 2019.
Inspector	Karen Hamilton

1.0 Introduction

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

2.0 Site Location and Description

2.1. The subject site is located within the former Santry Demesne, in the Northwood mixed use development. The site is to the east of Gulliver's retail Park, west of an office development and south of an apartment development nearing completion (Bridgefield and Pappan Grove), permitted under Reg. Ref F15A/0440. The lands subject to the proposed development is currently in part use as a car park/partial greenfield site and includes a liner ditch along the east which contains a significant number of trees, some of which include Tree Protection Orders (TPOs).

3.0 Proposed Strategic Housing Development

3.1. The proposed development will consist of 4 no. 7 storey (plus penthouse) apartment development containing 332 no. apartment units, associated residential amenity, crèche and 5 no. mixed retail units, as summarised below:

Development Parameters

Parameters	Site Proposal
Height	8 (7 plus penthouse)
Community	Multi-function area (c. 133m ²) Gym (c. 129m ²)

	Childcare unit (c. 321m ²)
SHD Site	2.106 ha
No. of Residential Units	332 apartments (4 no 1 bed, 296 no 2 bed, 32 no 3 bed)
Retail/Commercial	5 no units (total c. 982m ²)
Residential Amenity/Support Facilities	1,203m ² (reception area, parcel delivery/ storage areas, gym, shared work place, office)
Public and Semi Private Open Space	POS c. 0.56ha Public Realm c. 0.38ha Communal Open space c. 0.32ha Proposed play for younger children 136m ² Proposed play for young teenagers 270m ²
Car Parking	336 spaces
Bike Parking	606 at basement 70 on surface
Density	158 units per ha

- **Breakdown per block**

	A	B	C	D
Apartments	88	77	76	91
Reception	54m ²			
Multi-function	Gym -129m ²			
Commercial		Unit 1 -250m ² Unit 2 - 248m ² Unit 3- 116m ²	Unit 4- 136m ² Unit 5-231m ²	
Crèche	321m ²			
Car parking	336 3 no car club			
Cycle Parking	606 basement 70 surface			

4.0 Planning History

F04A/1562 (parent permission extended to 2020)

Permission granted for a large mixed use development on a site of 19.8ha and completed development in the vicinity includes Gulliver's Retail Park, 4 no business units in the Swift Square Office Park and the Local Centre. The subject site was granted permission for commercial development.

Alterations to this parent permission, relevant to the proposed development, have been **granted in the vicinity** as stated below, although the subject site has not been included in any modifications.

F15A/0440

Permission granted for alterations to previous permission for 374 residential units.

F18A/0421

Permission granted on a site to the south for a mixed use development including 99 no. apartments.

F18A/0438

Permission granted to the south of the site for a mixed use development comprising of office development and 99 no apartments.

5.0 National and Local Policy

5.1. National Planning Framework

The recently published National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.2. Section 28 Ministerial Guidelines

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

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual').

- Design Manual for Urban Roads and Streets.
- Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Childcare Facilities – Guidelines for Planning Authorities.
- Urban Development and Building Heights – Guidelines for Planning Authorities 2018.

5.3. Fingal County Council Development Plan 2017-2023

The site is located on lands zoned as Metro Economic Corridor (ME) in the development plan where it is an objective to *“Facilitate opportunities for high density mixed use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor”*.

Residential development, mixed use retail and childcare facilities are permitted in principle.

Objective ED90- Prepare and/or implement the following Masterplans during the lifetime of this Plan

- Northwood (See Map Sheet 11, MP 11.E)

5.4. Nature Heritage Designations

The site is located c. 8km to the west of Baldoyle Bay SAC (site code 00019) and c. 8.3km to the west of Baldoyle Bay SPA (site code 004016).

6.0 Prospective Applicants Submission

6.1. The application was accompanied by the following:

- Planning Report and Statement of Consistency
- Draft Environmental Impact Assessment Report
- Architect Design Statement
- Housing Quality Analysis
- Plans and Particulars
- Preliminary Daylight and Overshadow Assessment

- Landscaping Plans
- Arboriculture Report
- Energy statement
- Public Lighting Report
- Building Lifecycle Report
- Screening for Appropriate Assessment
- Computer Generated Images
- Water Services Report
- Outline Construction Environmental Management Plan
- Flood Risk Assessment
- Schedule of Areas

6.2. **Statement of Consistency**

The statement contains an analysis of the site and the wider area, a list of the planning history on the existing and adjacent lands, a background of the proposed development and further details of the proposed scheme as summarised below:

Childcare

- A facility of 321m² will accommodate 72 children as derived from the Childcare Guidelines for Planning Authorities.

Access and Connectivity

- The development includes a green route to promote walking and cycling.
- A pedestrian link to the planned Northwood Metro Link Station is included.
- Vehicular access is provided.

Open Space and Landscaping

- Protection of the trees along the east.
- Distinction between public and private spaces.
- There is strong public realm along the west of the site.

- Appropriate play area and facilities has been provided.
- The communal courtyard includes surveillance.

Parking

- Cycle parking if provided with 606 spaces with an additional 70 surface spaces.
- 335 car parking spaces includes 1 space per apartment.

Site Services

- The lighting plans complies with section 7.1.16 of the development plan.
- Refuse details are included in the initial Waste Management Plan
- The Flood Risk Assessment concludes that the site is within Flood Zone C.

Visual Impact

- The site will not be visually prominent beside the Gulliver's Retail Park

Materials and Finishes

- There is a palette of materials which is designed to be similar to the existing Bridgefield apartments.

Integration with Existing Area

- The development as proposed, links to the planned Northwood Metro Link station

Environmental Impact Assessment Report

- A draft EIAR is proposed having regard to Class 10 Infrastructure Projects dwellings over 500 dwellings and urban development greater than 2 hectares.
- The cumulative impact of the adjoining development will be considered.

Appropriate Assessment

- A screening report will be prepared.

National Policy and Section 28 Guidelines

- The proposal complies with the National Planning Framework in particular Objective 33 (new homes) Objective 3b (home in cities) Objective 4 (design and integration).
- The proposal complies with Rebuilding Ireland- Action Plan for Housing and Homelessness in particular Pillar 1 (homelessness) Pillar 2 (social housing) Pillar 3 (new homes) Pillar 4 (rental sector) Pillar 5 (utilise existing housing).
- In relation to the Sustainable Residential Development in Urban Areas (2009) the provision of high density, open space, access for all and associated residential facilities are in line with the urban design manual.
- The 12 criteria of Urban Design Manual have been complied with (detailed submission included).
- The standards from the Design Standards for New Apartments have been complied with regard to apartment sizes provision of residential facilities and associated facilities.
- An engineer's report has been submitted to include consistency with the Design Manual for Urban Roads (DMURS).
- In relation to the Childcare Guidelines a crèche facility for 72 no childcare spaces.

Fingal Development Plan 2017-2023

- The proposal complies with the ME zoning
- Objective SANTRY 5 requires the provision of a masterplan and the proposed development includes pedestrian access as per the objective and a Landscape report supports other requirements.
- In relation to the mix, the entire site is considered compliant (Reg Ref F15/0440).
- Objective DMS05- Public Art- An area has been indicated for the location of same.

- Objective DMS28- Separation Distance- a distance of 22m has been provided.
- Car parking- The proposal for 1 space per apartment and the EIAR will include a Traffic and Transport Section.

7.0 Section 247 Consultation(s) with Planning Authority

The Local Authority submitted there was two formal S 247 meeting held between the applicant and the planning authority and the issues raised are summarised below:

05th of March 2019

1. Design and Layout of development
2. Site Issues (site is within the Outer Airport Noise Zone (OANZ) whereby noise and mitigation measures are to be included)
3. Water Services
4. Transportation and Parking
5. Landscaping and Open Space
6. Street Trees
7. Landscape Plan
8. Taking in Charge
9. Public Art
10. Other Assessments to be submitted.

02nd of May 2019

1. Design and Layout
2. Surface Water Drainage
3. Parks and Green Infrastructure
4. Car parking and Transport
5. Environmental Impact Screening

6. Appropriate Assessment Screening

8.0 Planning Authority Submission

A response was received from the planning authority and the opinion included, which is summarised as follows:

Strategic Context

- The principles of development and the land use zoning (ME) support the proposed development

Detailed Issues

Neighbourhood

- The area is suitable for the redevelopment,

Variety

- The mix of uses on the site is appropriate although the use of buffer areas on the first floor could prevent a negative impact and the use of duplex units may provide a variety of residential uses.

Sunlight

- An increase of sunlight could be achieved by an increase in the southern gap between Block A and B.
- The close proximity of the trees along the east of the site prevents light penetration into some apartments.

Landscaping

- Play spaces under the trees may compromise the root system and the impact on any potential amphibians should be assessed.
- A quieter place making should be directed towards the area of the trees along the east.
- A clear definition of public space and communal space should be delineated.
- The planters used should be indicated to be sufficient for the use.

Design

- The use of materials should be distinctly different from the buildings along the north adjoining the site in order to create a clearer distinction between the areas.
- Clear shop front guidelines should be provided and adequate ventilation etc. should be provided.
- The proposed ESB station should be omitted from the proposed location
- The visual amenity of those residents in single aspects should be investigated, in particular the use of planting within the retail car park.
- Regard should be had to the overall ratio required in the apartment guidelines, in particular dual aspect units and any discrepancy between the Housing Quality Assessment and Planning Consistency Statement.

Car parking

- The proposed parking is 10% below the minimum permitted spaces from the development plan.
- The use of 66 visitor spaces in the adjoining retail units is acceptable although requires further justification
- Basement parking layout should be altered to consider any new guidelines.
- Based on the size of the scheme a Traffic Impact Assessment should be submitted.

Bicycle parking

- There is a shortfall of 86 cycle parking spaces.
- Stackable bicycle parking should be provided

Water Services

- The tributary of the Santry River traverses the site from south to north through a culvert, de-culvert the sewer is preferred to diverting.
- Sufficient legal interest for discharging should be provided.

- The applicant should demonstrate discharge into the attenuation tank for the development and Qbar status should be confirmed.
- SUDs should be addressed in the context of the efficiency as defined in the Urban Design Manual and details required by the water services should be addressed.

Flood Risk

- There are no issues.

Foul Sewer and Water Supply

- The applicant should fully engage with IW and secure a Statement of Design Acceptance.

Conservation

- There are no built heritage issues.

Part V

- The applicant has indicated that 32 units would be provided as Part V (all 2 bed units), this agreement is subject to further negotiation.

Waste Management

- The construction phase should not have any negative impact on the existing residents.
- Waste should be managed in accordance with a plan for both waste disposal and construction impact.

Retail

- The full uses for the retail should be included.

8.1. **Interdepartmental Reports**

Community Culture & Sports Division- There is a requirement for public art and elderly people should be accommodated. (Attached guidance – 10 ways to construct a more lifetime adaptable and age friendly home form Fingal Age Friendly County).

Conservation Officer- No objection subject to integration of the Parks Superintendent recommendation.

Environmental Health Air & Noise Unit- The gym should be a stand-alone unit for the purposes of noise. The impact on residents from the proposed uses and commercial activities should be considered.

Environment and Water Services Department- Submission of a construction and demolition plan in line with the best practice guidance from the Department and compliance with other waste materials.

Housing and Community Department- Part V details to be agreed on foot of a final application.

Parks and Green Infrastructure Division- A clear definition of Public Open Space (POS)/ private/communal/associated with apartment and retail uses and the retention of the trees (16, 5 of which are outside the red line). The ESB substation should be set outside the POS.

Transport Planning Section- As per above, clarification of the cycle parking, car parking and inclusion of a Traffic & Transport Assessment.

Water Service Section- As per above Foul sewer and water supply.

9.0 The Consultation Meeting

A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on Monday 02nd of September 2019, commencing at 11.30 pm. 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 and the main topics raised at the tripartite meeting were as follows:

1. Development Strategy for the site to include inter alia:
 - Quality and design of public/ semi- public open space provision including the provision of play facilities in line with apartment guidelines,
 - Daylight and sunlight analysis for existing apartments and apartments to the north of the site,
 - Access and appropriate provision of refuse for residential and commercial.

- Housing mix, SPPR 1 and the inclusion of a Housing Need and Demand Assessment (HNDA).
- 2. Quantum and quality of the provision of shared services, childcare and residential amenity provision.
- 3. Quantum and justification for car parking provision.
- 4. Any other matters.

9.1. In relation to the **development strategy**, An Bord Pleanála representative sought further elaboration/ discussion/ consideration on the following:

- Design, layout and landscaping of the communal open space, in particular the treatment of the open space along the east of the site incorporating the protected trees with the formal play areas, the integration of appropriate provision of play facilities throughout the site in line with the apartment guidelines and the inclusion of a proposal to manage all open space areas.
- Appropriate treatment of those main interface areas between commercial and residential and the provision of high quality design solutions which protect the residential amenity, in particular at the rear of the crèche open space and those apartments adjacent to commercial units.
- Appropriate access and provision of refuse areas for both the residential and commercial activities, in particular the integration of facilities required to comply with the Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities.
- Sunlight and Daylight analysis of the proposed residential apartments, in particular single aspect apartments along the north of the site, the open space courtyard and the existing residential apartments to the north of the site.
- Justification for the rationale of the housing mix provided, in particular the high number of two bedroom units, the standards of the development plan and SPPR 1 of the Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities.
- Justification for the choice of external materials, with attention on distinctiveness and inclusion within a Building Lifecycle report.

9.2. In relation to the **quantum and quality of the provision of shared services, childcare and residential amenity provision**, An Bord Pleanála representative sought further elaboration/ discussion/ consideration on the following:

- The rationale for the location and size of the crèche to serve the development, including an audit of the permitted crèches within the vicinity of the site and co-ordination with Dublin County Childcare Committee.
- The proposed use and justification for the communal residential amenity, including the proposed management of the facilities.
- A social audit which includes an analysis of the capacity of schools in the vicinity of the site.

9.3. In relation to the **traffic issues and bicycle and car parking provision** An Bord Pleanála representative sought further elaboration/ discussion/ consideration on the following:

- Justification of the quantum and location of car parking spaces in particular the shortfall of spaces required for compliance with the development plan standards, the location and management of shared spaces for dual use and services of spaces to facilitate electric charging.
- The inclusion of a financial contribution towards the cost of upgrading the existing junctions at the Old Ballymum Road and access into the Santry Demesne.
- Rationale for the quantum and quality of bicycle parking both in the basement and surface and the appropriate access for cyclists into the basement.

9.4. In relation to **any other matters** An Bord Pleanála representative sought further elaboration/ discussion/ consideration on the following:

- The detail to be provided for a Screening for Appropriate Assessment.
- The location of the ESB substation on a prominent location to the south of the site and the need for integration within the overall scheme.
- Justification of the provision of servicing of the site for water, waste water and/or surface water and the need to consult with Irish Water.

10.0 Assessment

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.

I have examined all of the information and submissions before me including the documentation submitted by 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.

Conclusion

Having regard to 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 **constitutes a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I 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.

11.0 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 **would constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

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

1. A detailed landscaping plan integrating any relevant recommendations from Arborist Report, the surface water requirements and compliance with the appropriate provision of play facilities for all areas and delineation of all public, semi-private and private spaces and any areas which may be taken in charge in the future *inter alia* the public open space along the east of the site.
2. Details of all materials proposed for buildings, open spaces, paved areas, boundary and retaining walls and a building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
3. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to overlooking, overshadowing and overbearing. The report shall include full and complete drawings illustrating daylight and sunlight analysis for existing and proposed apartments and all open space areas.

4. Details of all areas designated for waste for both residential and commercial and the compliance with the minimum areas and recycling facilities in accordance with section 4.8 and 4.9 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
5. A detailed schedule of accommodation which indicates consistency with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018) including a report which addresses the use of the residential support facilities.
6. A detailed report providing a rationale for the provision of an appropriate unit mix which provides consistency with the standards in the development and/ or the relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018) whichever is justified as necessary.
7. Submission of a car parking strategy including justification for the inclusion of proposed car parking numbers, indicating the allocation for designated car parking spaces for retail, commercial and/or residential, illustrating the location of any car parking spaces outside the red line, if any, and the proposed management of these spaces. The strategy shall also include details of any areas which are applicable for car club facilities and details for electric vehicle charging.
8. Inclusion of a cycling strategy in any traffic impact assessment, detailing the appropriate provision of bicycle parking in line with national and/or local standards and include details of all surface parking ensuring appropriate longevity and shelter.
9. Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to the existing childcare facility in the residential development to the north, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.
10. Inclusion of a Social and Community Audit of the schools in the vicinity in particular school going children.

11. A Site Specific Management Plan which includes details on management of the retail units, communal areas, public space, residential amenity and apartments.
12. The information referred to in article 299B (1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.

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. Transport Infrastructure Ireland
2. National Transport Authority
3. Irish Water
4. Dublin County Childcare Committee
5. Commission for Energy Regulation
6. Irish Aviation Authority
7. Dublin Airport 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.

Karen Hamilton
Planning Inspector

09th of September 2019