



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-305722-19

Strategic Housing Development	Construction of 167 no. residential units (93 no. houses and 74 no. apartments), crèche and associated site works.
Location	In the townland of Commons, The Steeples Road, Duleek, Co. Meath.
Planning Authority	Meath County Council
Prospective Applicant	Davy Target Investments ICAV.
Date of Consultation Meeting	25 th of November 2019.
Date of Site Inspection	15 th of November 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 a Greenfield site which fronts onto the Longford Road, a local road radiating north from the centre of Duleek, Co Meath. The site is located within the settlement boundary of Duleek, has mature hedging around the entire perimeter of the site and is accessed via an agricultural access directly off Longford Road to the front of the site. A residential estate to the north of the site consists of traditional two storey semi-detached detached dwellings and a row of the dwellings front onto and are accessed directly from Longford Road. A number of detached bungalows set on large sites are positioned along the east of the site, towards the town centre and are accessed from a private road which is rural in nature.

3.0 Proposed Strategic Housing Development

3.1. The proposed development would comprise of 167 no. residential units, crèche and associated site works.

Table 1: Key Figures

Site Area	4.8ha
No. of units	167 dwellings (93 no. houses & 74 no. apartments/duplex)
Density (nett)	35.3ha
Plot Ratio	0.38:1

Site coverage	20.67%
Height	Range 2- 3 (duplex units)
Open Space provision	0.705ha (15%)
Parking	342 total 325 residential 18 crèche
Crèche	415m ² (45 no childcare spaces)

3.2. The proposal is divided into four character areas, 26 no. house types are provided and the mix/ typology of units is summarised below:

- 8 no. detached houses;
- 40 no. semi-detached houses;
- 45 no. terraced houses;
- 74 no. duplex / apartment units.

4.0 Planning History

Reg Ref No. SA/140396 (EOD expired on 16/12/18) Parent Permission Reg Ref No. SA/802333

Permission granted on part of the site (3.41ha) for 70 dwellings which comprised of a mix of detached and semi-detached, predominantly 3 and 4 bedroom units with one vehicular and 2 no pedestrian accesses. The proposal includes upgrade of the Longford Road to include a footpath/ cycle path.

Adjoining Lands

Reg Ref LB/190578

Permission refused for 21 no. new dwellings, the application consists of 1 no. 2 bed 1.5 storey detached house, 18 no. 3 bed 2 storey semi-detached houses, 2 no. 4 bed 2 storey detached houses and all associated development works. The two reasons for refusal related to substandard open space provision and inadequate

provision of information to access the servicing of the site via, traffic, water and sewerage.

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

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

- 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.

5.2. Meath County Development Plan 2013-2019

The subject site is zoned as A2 New Residential where it is an objective to *“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”*.

Density

The appropriate density will be determined on a site by site basis having regard to the DoECLG Guidelines on Sustainable Residential Development in Urban areas and centre in the Settlement Hierarchy provided in the Core Strategy

SS OBJ 6- Planning applications for 200 or more dwelling units must be accompanied by a report identifying the demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity

Dunleek is identified as a small town

- Table 2.2- Role of Settlements- population 1,500-5,000
- Table 2.4- Housing allocation – 239

- Table 2.5- Committed units Unbuilt in Dec 2014 - 169.

Duleek Written Statement (Volume 5 of the CDP)

Variation No 2

- The site is located on phase 1 lands, identified for their sequential position to the town centre.
- Site is defined as Site B (lands south of Larrix Street) with a ranking potion of 02nd for zoned and available lands
- A density of 25ha is included for the Core Strategy phasing.
- The Core Strategy included 2ha of lands in Phase 1 as already permitted (50 dwellings).

6.0 Section 247 Consultation(s) with Planning Authority

6.1. 04th of June 2019

- Part V will be 10%.
- Construction management to be addressed.
- Proposal to have regard to the Climate Action Strategy.
- SuDS, swails and permeable paving to be incorporated into the proposal.
- Compliance with DMURS required (hierarchy).
- Traffic queries with regard TIA/ right turning access into site.
- Need more active frontages (Direct access onto Longford Road acceptable).
- Pedestrian and cycle access along front of estate required.
- Access into adjoining lands (Stoneyford green Estate is TiC) needs addressed, ideally access should prevent no-man's land.
- Size of roads needs to be 6m at entrance and then 5m throughout (sufficient for perpendicular parking).
- Footpaths to the boundary of sites.
- Roundabout needs to be pedestrian friendly.

- Establish desire lines and pedestrian crossings.
- Open space compliance with the apartment guidelines.
- Separation distance of 22m from rear windows.
- Boundary treatment is important.

7.0 Prospective Applicant's Case

The application was accompanied by the following:

- Plans and Particulars
- Architectural Design Rationale
- Overall Schedule of Areas
- Housing Quality Assessment
- Traffic and Transport Assessment Report
- Engineering Planning Report
- Site Specific Flood Risk Assessment
- Statement of Compliance with DMURS
- Landscape Rationale and drawings
- Appropriate Assessment Report
- Archaeological Impact Assessment
- Construction & Environmental Management Plan

Statement of Consistency

The submitted statement of consistency includes the Planning Report and details the compliance with the Regional Economic, Spatial and Economic Strategy in particular the promotion for development in towns and villages. The proposal complies with the objectives and development standards in the Meath County Development Plan 2013-2019.

The proposed scheme has been developed to comply with the relevant Ministerial planning guidelines as follows:

Guidelines on Sustainable Residential Development in Urban Areas- The proposal provides a high density, high quality urban form with connectivity to the surrounding area and is cognisant of the 12 criteria in the Urban Design Manual.

The Planning System and Flood Risk Management- A site specific flood risk assessment has been carried out to state the site is within Flood Zone C and recommends a minimum finished floor level across the site and the design of surface water treatment to prevent any runoff greater than the existing use as a greenfield site.

Design Manual for Urban Roads and Streets- Internal roads and junctions have been designed to comply and a Statement of Compliance accompanying the application.

Design Standards for New Apartments- Guidelines for Planning Authorities- The development complies with the minimum standards and a Building Lifecycle Report accompanied the proposal.

Urban Development and Building Heights Guidelines for Planning Authorities- There is a presumption in favour of increased heights and SPPR 4 requires the provision of a greater mix of heights and typologies.

Childcare Facilities Guidelines- A childcare facility to accommodate 45 childcare spaces is proposed in a dedicated facility.

Appropriate Assessment Guidelines for Planning Authorities- A Screening for Appropriate Assessment concludes that there will be no significant impact on the adjoining European Sites.

8.0 Planning Authority Submission

- 8.1. The planning authority are generally satisfied that the proposal is in compliance with the policies and objective of the development plan and the submission is summarised as follows:

Core Strategy

Figures from the forward planning section of Meath CC (Oct 2019):

- Quantum of phase 1 residential lands c. 14.3ha of lands.
- Core Strategy Allocation in CDP (Table 2.5) 169 committed are currently available in Phase 1.
- Total extant units c. 121.
- C. 36 of the 685 extant units have been completed or are under construction.
- Balance of remaining Core Strategy allocation:
 - C. 9.1ha have no extant permission (density of 25ha - 228units)
 - Including extant units & total potential total capacity of phase 1 lands there would be 341 units = balance of 67 units.

Design

- The proposed density is acceptable.
- The internal layout was altered on foot of a S47 preplanning.
- Homezone areas should be included.
- Phasing should be included.

Open space & Landscaping

- There should be no unusable open space.
- Green infrastructure should be included to inform the open space and landscaping.
- Public amenity space to the rear of the duplex/ apartment should be addressed and reference to “pocket park” is queried.

Boundary treatment

- The proposal should detail the retention and augmentation of boundary treatment.
- Concern in relation to the 2m high concrete walls along boundary treatment 3, system fences for boundary treatment 6 & key interfaces with existing laneways and dwellings.

- The proposal to include a boundary wall along the private laneway along the east does not comply with DMURS.

Traffic & Access

- There are no traffic counts from the junction nor along the R150.
- There are no cycling facilities proposed in the vicinity of the proposed development.
- The years used for the traffic assessment should be in line with the TII guidance.
- There should be tie in points to cycle ways and adjoining lands to prevent a collision.
- The junction radius should be reduced and turning radius within the site and should comply with DMURS.
- A Road Safety Audit should be included.
- The proposal should integrate into the laneway along the north, so if ever developed it can be integrated.
- Raised pedestrian crossings should be detailed with standards provided.
- A construction traffic management plan should be submitted.

Water & Surface Water

- Revised details for the attenuation system and details of the ground water levels.
- Infiltration should be 1 m above the winter water table.
- Revised details for SUDS.
- Confirmation with IW the site can connect.

Other

- The architects drawings/ engineers/ landscape etc. are not consistent e.g. path network over the open space.
- A Construction Management Plan and Monitoring Plan should be submitted.

9.0 The Consultation Meeting

9.1. A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 25th of November 2019, commencing at 11.30am. 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.

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

1. Housing Analysis and Core Strategy compliance
2. Development Strategy for the site to include inter alia:
 - Quality and design of public/ semi- public open space provision.
 - Connectivity and permeability into adjoining sites.
3. Roads and Traffic/ DMURS
4. Irish Water
5. Any other matters.

In relation to **Housing Analysis and Core Strategy compliance** on the site, An Bord Pleanála sought further elaboration/discussion/consideration of the following;

- The existing Core Strategy allocation for Duleek, the amendments to the development plan in light of the RSES and the retention of the subject site in the Phase 1 lands.
- The allocation of housing units from the Core Strategy, the extant permissions and the number of units remaining for Duleek.

In relation to **Development Strategy** on the site, An Bord Pleanála sought further elaboration/discussion/consideration of the following;

- The full extent of the applicants land holding, including lands to the north and east outside the existing site boundary and any adjoining rights of way.
- The potential for additional connectivity through an overgrown lane along the north of the site and a laneway along the east, enhancing permeability through the site.

- The boundary treatment along the east of the site including alterations to the gradient of the site, the inclusion of a block wall along the eastern boundary adjoining the laneway and the stepping down of pedestrian and cycle access for connectivity.
- The calculations of the communal open space allocation at 15%, the location of play facilities for a variety of age groups and potential connectivity to the proposed crèche building.
- The treatment and management of the communal duplex open space including the rear boundary treatment of the ground floor apartments and the provision of access into the open space from surrounding areas.

In relation to **Roads and Traffic/ DMURS** on the site, An Bord Pleanála sought further elaboration/discussion/consideration of the following;

- The absence of any distinctive roads hierarchy, the design of internal junctions and the requirement for the proposal to comply with the principles of DMURS.
- Integration of the landscape strategy and other drawings including the engineering drawings to reflect the inclusion of home zones & reduced width of internal roads.
- Alterations to the proposed cycle lane along the main road, The Steeples, to include a shared surface reservation until such times as there is a cycle route to connect.
- The figures used for the traffic counts and the years used for the traffic assessment as per compliance with the Transport Infrastructure Ireland guidance.

In relation to **Any Other Matter** An Bord Pleanála sought further elaboration/discussion/consideration of the following;

- The inclusion of up to date archaeology surveys relevant to the entire site which may be made available for the Department of Culture, Heritage and the Gaeltacht.

- The capacity of existing schools within Duleek to serve the increase in population generated, having regard to the amount of current developments in Duleek and the necessity for a social audit to accompany any future application.

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 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.

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.

10.1. 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, 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 the constituting a reasonable basis for an application for strategic housing.

Permeability and treatment of the eastern boundary

1. Further consideration and/or justification of documents for the provision of high quality design strategy to ensure changes in levels/ gradient and the use of appropriate boundary treatment will not impact the amenity of the existing residents of properties along the east, having regard to the requirements of Design Manual for Urban Roads and Streets and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018).

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:

1. A report prepared by a suitably qualified and competent person demonstrating specific compliance with the requirements set out in the Design Manual for Urban Roads and Streets, in particular the provision of a road hierarchy, and the

National Cycle Manual, as well as a map illustrating pedestrian, cycle and vehicular links through and off the site.

2. A site layout plan illustrating the applicant's full control and ownership of lands in the vicinity of the site.
3. Details of the boundary treatment addressing the points raised in Section 7.3.4 of the Planning Authority submission and clarification if any, of any proposed pedestrian and/or vehicular access into adjoining sites.
4. A Social Infrastructure Assessment which includes an assessment of the capacity of the existing schools and the ability to serve the increase in population generated from the proposed development.
5. Design of the proposed surface water management system including attenuation features and cross sections of all SuDS features proposed on site in the context of surface water management on the site.
6. Details of all materials proposed for buildings, open spaces, paved areas, boundary and retaining walls and a life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
7. Details of public lighting.
8. A landscaping plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, areas and play facilities allocated for a range of age groups and the boundary treatment adjoining any open space.
9. A detailed phasing plan for the proposed development should be provided.
10. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.
11. A site specific Management Plan which includes details on management of duplex/apartments and all facilities associated with these buildings.
12. A Construction and Demolition Waste Management Plan.
13. A Road Safety Audit.

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. Minister for Culture, Heritage and the Gaeltacht (archaeology)
2. Irish Water
3. Meath County Childcare Committee

PLEASE NOTE:

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

Karen Hamilton
Planning Inspector

09th of December 2019