



An  
Bord  
Pleanála

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

### **Inspector's Report on Recommended Opinion ABP-306988-20**

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<b>Strategic Housing Development</b>	1,155 no. residential units (355 no. houses, 800 no. apartments), crèche and associated site works.
<b>Location</b>	Barberstown, Barnhill and Passifyoucan, Barnhill, Clonsilla, Dublin 15.
<b>Planning Authority</b>	Fingal County Council
<b>Prospective Applicant</b>	Alanna Homes and Alcove Ireland Four Ltd.
<b>Date of Consultation Meeting</b>	4 <sup>th</sup> June 2020
<b>Date of Site Inspection</b>	24 <sup>th</sup> May 2020

**Inspector**

Una O'Neill

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## 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 at the southwestern development boundary of Blanchardstown, in the administrative area of Fingal County Council and proximate to the boundaries with Meath and Kildare County Councils.
- 2.2. The application site has a stated area of 29.42 ha. The lands are situated directly south of the Dunboyne to Clonsilla Rail Line and the Hansfield Railway Station, west of the Royal Canal and the Dublin-Maynooth Railway Line and east of the R149 (Clonee-Lucan road). The Hansfield SDZ lands are north of the railway line and are currently being developed with capacity for 3000 new residential units. There are two narrow country roads/laneways traversing the site, Barberstown Lane North and Barberstown Lane South, which converge to the east of the site to cross the Royal Canal and railway line via a narrow bridge and a level crossing. Lands to the south, west and east are in agricultural use, with 3.88ha of zoned public open space to the northeast, which are stated to be delivered as part of a separate development at Castaheany.
- 2.3. The lands are flat, generally in agricultural use, and characterised by field boundaries comprising of hedging and trees. There is one industrial (old agricultural) complex located within the boundary of the application lands. There are eight dwellings along Barberstown Lane North which are surrounded by the application lands and do not form part of the application. There is one dwelling on the western boundary with the R149, which is also bounded by the application lands. A small

stream, referred to as the Barnhill Stream, runs in a west to east direction on the southern part of the lands, under the Royal Canal and connecting to a lake in Luttrellstown Demesne, with this lake draining into the River Liffey.

- 2.4. Twin 110kV lines cross the lands in the north-west corner. Two steel pylons servicing this line are located on the lands. As stated within the Barnhill LAP 2019, this line is the primary power supply serving both Leixlip (Intel) and the Dublin Enterprise Zone. The line will remain on its existing alignment with the area under the line required to be used for a mix of open space/parkland, roads and car parking. The Barnhill LAP 2019 states that lateral clearance between buildings is required, at 20m from the centre line of the transmission line, thus producing a 40m wide restricted corridor. Buildings must not be constructed within 23m of the tower legs.

### 3.0 Proposed Strategic Housing Development

- 3.1. The proposed development is for the construction of a residential development, comprising 1,155 residential units, a creche, village centre, railway plaza, providing access to Hansfield railway station; land set aside for a 16-classroom primary school, a public park of approximately 5.4 hectares and a series of pocket parks throughout the development.
- 3.2. The following details as submitted by the applicant are noted:

<b>Parameter</b>	<b>Site Proposal</b>
<b>Application Site</b>	29.42ha gross
<b>No. of Units</b>	1155 (355 houses; 800 apartments)
<b>Density</b>	54 units per hectare. Density broken down by character area and ranges from 27 units per hectare to 197 units per hectare at the station plaza.
<b>Public Open Space</b>	8.51 ha of class 1 and class 2
<b>Height</b>	2-9 storeys: 7 storeys (6 + podium) at train line; 8 storeys – south of railway plaza; 9

	storeys at junction to southeast of site, proximate to the canal.
<b>Car Parking</b>	No details submitted.
<b>Bicycle Parking</b>	No details submitted.
<b>Vehicular Access</b>	From proposed Ongar-Barnhill Road and also access from R149 to two parcels of land.

3.3. The breakdown of unit types as submitted by the applicant is as follows:

<b>Unit Type</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>	<b>Total</b>
<b>Houses</b>		8	306	41	355
<b>Apartments</b>	54	651	95		800
					<b>1155</b>
<b>% Total</b>	5%	57%	35%	3%	100%

## 4.0 Planning History

- Part 8, 2007 – Ongar-Barnhill Access Road. The approved road traverses the western part of the lands crossing the railway line in a north-south direction, with a spur at its southern end into the Plan lands broadly along the alignment of the existing rural road, Barberstown Road South.

There is an extensive planning history on the lands to the north of the railway line, which are subject to the Hansfield SDZ.

## 5.0 Policy Context

### 5.1.1. Project Ireland 2040 - National Planning Framework

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Planning Objective 13: In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- National Policy Objective 27: 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.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

#### 5.1.2. **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 following policy documents and Section 28 Ministerial Guidelines are relevant:

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual: A Best Practice Guide (2009)
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)
- Design Manual for Urban Roads and Streets (2013)

- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.

## 5.2. **Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031**

Under the RSES a Dublin Metropolitan Area Strategic Plan (MASP) has been prepared to manage the sustainable and compact growth of Dublin. The aim of the Dublin Metropolitan Area Strategic Plan is to deliver strategic development areas identified in the Dublin Metropolitan Area Strategic Plan (MASP) to ensure a steady supply of serviced development lands to support Dublin's sustainable growth.

The Barnhill area is located within the Metropolitan Area Strategic Plan (MASP) for Dublin.

## 5.3. **Local Planning Policy**

### **Fingal Development Plan 2017-2023**

- **Objective SS12** Promote the Metropolitan Consolidation Towns of Swords and Blanchardstown as Fingal's primary growth centres for residential development in line with the County's Settlement Hierarchy.
- **Zoning Objective RA** – Residential Area, the objective of which is to 'Provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure'.
- **Objective BLANCHARDSTOWN 18** - Prepare and/or implement the following Local Area Plans and Masterplans during the lifetime of this Plan:

...Barnhill Local Area Plan (see Map Sheet 13, LAP 13.A)

- Construction of houses on these lands will be dependent on the delivery of the proposed new road and bridge over the railway;
- Ensure the provision of pedestrian access between Barberstown/Barnhill and the Hansfield SDZ by means of a new



pedestrian bridge integrated with adjoining development including the proposed Hansfield rail station;

- Adoption of the Local Area Plan shall be dependent on the rail station at Hansfield being open, accessible and serviced by train.
- **Specific Objective Symbols on Map relating to Barnhill:** There is an indicative road proposal traversing the land in a north-south direction linking the Ongar Road with the Lucan-Clonee Road (R149).
- **Table 7.1 Road Schemes - N3-N4 Link Ongar to Barnhill.**
- **Local Objective 125** - Ensure the provision of pedestrian access between Barberstown/Barnhill and the Hansfield SDZ by means of a new pedestrian bridge integrated with adjoining development including the Hansfield rail station.

**Archaeology Architectural Heritage:**

- 711 – Pakenham Bridge – Late 18th Century single-arched stone road bridge over the Royal Canal east of the lands.
- 712 – Barnhill Bridge – Mid 19th Century stone road bridge with single arch over former Dublin –Little Pace Railway Line. This is located to the north-west of the lands and is on the R149 road ( Clonee to Lucan road)
- 944a - Royal Canal Late 18th Century man-made canal, including the tow paths, the canal channel with its stone and earth banks, and the canal locks (10th, 11th and 12th Lock). The Royal Canal runs along part of the eastern boundary of the lands and links the River Shannon to the River Liffey.

**Barnhill Local Area Plan 2019**

- 5.3.1. The lands at Barnhill are subject to the specific policies and objectives set out within the Barnhill LAP 2019.
- 5.3.2. The Barnhill LAP area comprises 45.64 hectares of residentially zoned land. The LAP proposes a new road to serve the area, the Ongar-Barnhill Distributor Road, which will be elevated to cross the railway line. A railway plaza/public realm area is required adjoining Hansfield train station to enable pedestrian access to the station from the LAP lands.

- 5.3.3. The density strategy within the LAP is to accommodate higher density development adjoining the railway line and Hansfield train station, medium density across the centre of the lands and a lower density on a western pocket of the lands. The height strategy provides for buildings of between 4-6 storeys (or greater subject to high quality design and visual impact) along the rail line and canal and between 2-3 storeys elsewhere on the LAP lands.
- 5.3.4. Lands are reserved in the centre of the development for a future primary school, subject to the requirements of the Department of Education and Skills.
- 5.3.5. The following objectives within the LAP are noted:
- **S11** Deliver between circa 950-1150 new dwellings and associated amenity and educational facilities on the LAP lands, to help meet existing and future housing needs and to create a sustainable and socially inclusive mixed-use community.
  - **DHM2** Support the development of between 900- 1,150 residential units or greater on the lands.
  - **RN1** Ensure delivery of the appropriate road infrastructure in line with the phasing of the LAP and infrastructure needs.
  - **RN2** Apply a Section 48 (2)(c) development contribution scheme as may be required, to deliver the infrastructure necessary to secure the plan lands for development.
  - **RN4** Ensure routes within the LAP are well designed to function as urban streets rather than traffic distributors to accommodate multi-modal movements, create a sense of place and contribute to the public realm and overall permeability within the lands.
  - **MT2** Ensure the provision of new road infrastructure as required to serve the Plan lands prior to the delivery of any new residential development.
  - **GI1** Require all planning applications to be accompanied and informed by a Green Infrastructure Masterplan for the entire LAP lands...
  - **POSR9** Consider accepting the plaza/public realm area beside the rail station as Class2 Public Open Space subject to a sufficiently high quality finish and design.

- **BH2** Accept local landmark and feature building elements over the stated building heights at key locations, where they contribute to the visual amenity, civic importance, quality design and legibility of the area. The locations are to be agreed with the Planning Authority at application stage and will be subject to relevant government guidelines.
- **Development Area 1: Railway Edge**
  - **DA02** Ensure that the layout, design and delivery of the access route to the train station and the surrounding built form of the civic plaza shall be an integral part of any initial planning application on the lands whether in this Development Area or otherwise.
- **Development Area 2: Centre** – this area is to contain a local neighbourhood centre, school, and provision of a public park alongside lands identified as being within a flood zone which will be incorporated into a natural landscape. Additional compensatory storage outside of the area liable of flooding will be required to allow for any additional displacement resulting from the provision of new roads in the area.
- **Development Area 3: West** – proximate to the greenbelt with County Meath. Access will be from the Clonee to Lucan Road (Barnhill Road – R149). There is a pylon corridor traversing the lands to the north and lands will be isolated to a degree by the new Ongar to Barnhill Road, which will bridge over the railway line. Underpass of this road for pedestrians/cyclists will be facilitated and landmark buildings where new road crosses the railway line can be accommodated. A SUDS area for the road to be reserved to southwest of this development area.
- **Development Area 4: Royal Canal** – the majority of this land is within a flood zone, therefore most of this land is designated as open space/wetland with uses limited to those associated with open space zoning, managed as a natural landscape and incorporated into a public park. This area will provide for a link to the Royal Canal Towpath/Greenway, with potential for link south to St. Catherine's Park, as well as to Dublin City Centre. A café/interpretative centre/amenity use may be accommodated within a northern section of this development area, as per the SFRA.
- **P1** Each planning application shall be accompanied by an Environmental Impact Assessment screening report or a full EIAR as appropriate.

- **P2** All planning applications shall clearly set out a phasing programme as part of the application and this shall include a clear understanding of how each phase is to be completed including infrastructural requirements prior to the commencement of the next phase of development.
- **GP01** Ensure that the Urban Design Guidelines for this LAP which aim to support the vision for Barnhill are adhered to in the roll out of development in the area.

## 6.0 Section 247 Consultation(s) with Planning Authority

- 6.1. It is stated by the prospective applicant that a pre-application consultation took place with the planning authority on 27<sup>th</sup> January 2020. Issues were raised in relation to, inter alia, lack of detail in terms of design submitted; school site, hedgerows and park and stride facilities to be identified; lack of detail in relation to station plaza design/levels/ramps/integration with adjacent land banks; treatment of area between the apartment blocks and the rail line crucial in terms of future management; need to demonstrate compliance with LAP in terms of phasing, density, etc; applicant was advised of phasing arrangements within LAP in terms of bridge agreement with Irish Rail and delivery of Ongar Road; lack of clarity in relation to transportation design issues; SUDS strategy; hedgerows; social infrastructure; residential amenity/noise.

## 7.0 Submissions Received

### Irish Water

Irish Water has issued a Confirmation of Feasibility for this development. A new wastewater extension and connection is required, which includes a rail crossing. The connection is feasible subject to the delivery of a pump station as proposed by the applicant, which will need to be assessed by Irish Water. Upgrades in relation to water connections required.

## 8.0 Forming of the Opinion

- 8.1. 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 submission and the discussions which took place during the tripartite

consultation meeting. I shall provide a brief detail on each of these elements hereunder.

## 8.2. **Prospective Applicant's Case**

### Documentation Submitted

- 8.2.1. 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, a Cover Letter, Completed Application Form, Statement of Consistency, Possible Significant Effects on Environment Report, NIS Report, Planning and Architectural Design Statement, Architectural Drawings, House type samples, Engineering Drawings, Part V Details, Letters of Consent, Traffic and Transportation Infrastructure, SUDS Strategy Report, Preliminary Engineering Report, Landscape Rationale, Landscape Masterplan, Boundary Plan and Primary Open Space, Social Infrastructure Report, Childcare Assessment, School Demand Report.
- 8.2.2. Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. This statement has been submitted, as required.
- 8.2.3. I have reviewed and considered all of the documents and drawings submitted.
- 8.2.4. **Planning Authority Submission**
- 8.2.5. In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Fingal 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 26<sup>th</sup> May 2020.
- 8.2.6. Fingal County Council's written opinion includes a description of the site and proposed development, planning history, record of pre planning meeting, policy considerations, departmental reports, and an assessment of the proposed development. The content of the report is summarised as follows:

## Overview

- The Planning Authority considers the proposed design to be unsuccessful in its integration to both its physical and policy context. In addition to the conflicts with green infrastructure, the proposal is poorly considered in its integration with the existing housing and the train station.
- Full details of the scheme, in terms of architectural drawings, has not been made available... this document should not be considered a full assessment of each aspect of the proposal.
- Lack of integration with the existing residential properties which are surrounded by the application lands and critically with Hansfield Station. The development of these lands must be predicated on rail based transport and therefore deliver suitable access arrangements to the station.
- Phasing of development which does not accord with that set out in the Barnhill Local Area Plan and which proposes a non-sequential roll out of development, including lands at a remove from Hansfield station being developed in Phase 1.
- The proposed development needs to be led by urban design considerations and represent an urban rather than suburban layout which promotes strong urban streetscapes on spinal routes. This should be done through a multi layered approach involving the preparation of a green infrastructure plan, development of street hierarchy and integration of DMURS.
- Compliance with the policies and objectives of the Fingal Development Plan 2017-2023 and the Barnhill Local Area Plan 2019 has not been demonstrated and that further consideration is required on a number of significant issues in order to do so.

## Strategic Policy Context

- The range of densities and heights proposed is consistent with the principal objectives of the Core Strategy and RA land use zoning and is broadly consistent with the Barnhill LAP. However, it is not considered that the proposal under consideration for pre-planning is sufficiently detailed to demonstrate compliance with the 5 cross cutting themes as required in Objective SD1 of the Barnhill Local Area Plan.

## Design Rationale

- Urban Plaza at the train station:

- A 5.8m rise is required from existing ground levels in order to access the train station. It is the opinion of the Planning Authority that the design solution, in so far as it is presented, has not successfully addressed this challenge. It appears from the detail submitted that it is proposed to increase levels to 2m above existing ground level at a pinch point in the land ownership, immediately adjacent to the boundary of the private open space of the easterly most existing house in the area. Taking particular account of the function of this plaza, reconciling the level of overlooking proposed requires further consideration.
- The application fails to demonstrate how the proposal complies with objective SD1 of the LAP with respect to the design of this area and access to the train station.
- The levels also present a challenge to the delivery of the east west permeability along the southern side of the Railway line, the active use of the space between the north of the railway quarter and the trainline, along with integration of the necessary sound barrier. The solution proposed to divert this pedestrian/cycle route onto the link street to the south of Railway Quarter still presents challenges to a cyclist or person of reduced mobility. The extent to which the level changes can be achieved from the lane to the south of Railway Quarter and/or within the Barnhill station Plaza is unclear as presented.
- The interface of bus services with the train station are also of concern.

## Conclusion:

There are a number of issues that require further consideration:

- Urban Avenue and Hedgerow: The retention of the hedgerow west of Barnhill Stream character area is an objective of the LAP. Where a design solution for the protection of the hedgerow in a quality, characterful residential development is not possible within the parameters of the prevailing design

rationale, moving the roadway would appear to be the natural alternative that should be explored.

- Home Zones: The home zones as proposed do not in many instances comply with best practice, for example, excessive number of units served by individual home zones, absence of information on the tie-in to other streets for users with a visual impairment.
- Permeable paving, street trees and integrated sustainable drainage: It is not possible from the documentation submitted to determine if an integrated approach to sustainable drainage has been achieved.
- School Site: Confirmation from Dept of Education is required in relation to amended scale of the school site. There is a hedgerow/historic drain intersecting the school site, not clear if this can be retained. Location of park and stride facilities to serve the school are unclear. Issue of drop-off arrangements.
- Detailed Design Issues: Full details of the design of the scheme and individual buildings have not been provided. However, based on the information submitted, there are concerns regarding the lack of building frontage to a number of streets and roads serving the development, including the R149 and on the future Ongar-Barnhill distributor road and the edges of the scheme and within the development in the 'Barnhill Cross' character area. Consideration is also needed of the interface with the existing housing in the central area of the site in terms of building layout and access. Additional, detailed concerns in relation to individual buildings, roads, boundaries, open spaces, pumping station and proposed materials are detailed in the reports in Appendix B.
- Phasing: The phasing does not accord with the LAP. Inclusion of lands to the SE would represent leapfrogging.
- Other Issues: The application boundary as presented includes a portion of the public road known as Barberstown Lane North, and excludes the proposed rising foul sewer prior towards the railway culvert.
- Following to be submitted with any application:
  - Green Infrastructure Plan as per Objective GI22.



- Consultation with Arts Office in relation to Objective DMS05 of CDP and Objective PAA01 of Barnhill LAP.
- Tree and Hedgerow Constraints Plan.
- Assessment of childcare facilities to determine design of proposed facility and ensure adequate provision.
- Stage 1, 2 and 3 Road Safety Audit.
- Clarification as to whether access to Hansfield Station requires lands in the ownership of Irish Rail, consent to the planning application (if required) and confirmation of approval of IR to the proposals.

## 9.0 The Consultation Meeting

- 9.1. A Section 5 Consultation meeting took place via a Conference Call on the 4<sup>th</sup> June 2020, commencing at 09.40 am. 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. Transportation and Movement Strategy – status of design and delivery of Ongar-Barnhill Distributor Road and Barberstown Lane South upgrade; connection to Hansfield Train Station and agreements with Irish Rail;
  2. Layout and Design, including consideration of station plaza/connection to Hansfield train station; urban form along Ongar-Barnhill Distributor Road, Barberstown Lane North, Barberstown Lane South and internal streets; urban frontage along R149; height strategy; overview of character areas based on level of information submitted.
  3. Green infrastructure.
  4. Barnhill LAP and Phasing.
  5. Flood Risk and Surface Water Management.
  6. Irish Water requirements.

## 7. Any Other Matters.

### 9.2.1. Point 1

In relation to Transportation and Movement Strategy, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Ongar-Barnhill Road – design stage and realistic timeframe for delivery.
- Pedestrian bridge connection to Hansfield Station and discussions with Irish Rail.

### 9.2.2. Point 2

In relation to Layout and Design, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Public realm and density across the scheme.
- Station plaza/connection to Hansfield train station and detailed design.
- Requirement for a strong urban form along Ongar-Barnhill Distributor Road, Barberstown Lane North, Barberstown Lane South and internal streets.
- Urban frontage along R149.
- Density/Height strategy.
- Overview of character areas and issues, based on level of information submitted.

### 9.2.3. Point 3

In relation to Green Infrastructure, ABP representatives sought further elaboration/discussion/consideration in relation to:

- LAP and creation of ecological corridors.
- Treatment of stream through the site.
- Public Open Space.
- Address comments from PA.

### 9.2.4. Point 4

In relation to Barnhill LAP and Phasing, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Rationale as to proposed variation to phasing as set out in the LAP.

#### 9.2.5. **Point 5**

In relation to Flood Risk and Surface Water Management, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Flood areas and implication on development area.
- Issues raised by PA.

#### 9.2.6. **Point 6**

In relation to Irish Water Requirements, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Address issues raised by IW and requirements in relation to the pumping station.

#### 9.2.7. **Point 7**

In relation to Any Other Matters, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Proposed public plaza.
- Additional details required across the scheme.
- Issue of density and sustainable development of communities.

9.2.8. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-306988-20', which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

### 10.0 **Assessment**

10.1. 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.

10.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, 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 s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

- 10.3. Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage as set out in the recommended Opinion below.

### **Conclusion**

- 10.4. 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.
- 10.5. 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.

### **11.0 Recommended Opinion**

- 11.1. An Bord Pleanála 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.
- 11.2. 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.**

11.3. 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. Further consideration/justification of the documents as they relate to the overall layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009, the Design Manual for Urban Roads and Streets, and compliance with the Barnhill Local Area Plan 2019. Specifically, further consideration/justification in relation to the following:
  - a. Certainty in relation to the design, funding and timing of delivery of the Ongar-Barnhill Road.
  - b. Urban Interface with Ongar-Barnhill Road and how road relates to the application lands in terms of levels, number of pedestrian/cyclist access points, pedestrian crossing points, urban edge from buildings addressing the road, and boundary treatment.
  - c. Detailed design of the pedestrian plaza connection to Hansfield Train Station, addressing issues of accessibility from adjoining streets, interface with adjoining buildings, design and material finishes, to ensure delivery of a high quality public realm, supporting a high level of pedestrian access to Hansfield Train Station.
  - d. Density of the development and impact on delivery of a quality public realm and rationale for height strategy proposed.

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. Detailed design of proposed apartment blocks and housing, village centre and urban plaza.
2. A report that addresses/rationalises the site layout with regard to the design of streets, positioning of the built form relative to the streets and Ongar-Barnhill Road, design and positioning of car parking, design and delivery of public open space, SUDS strategy, and flood risk assessment in accordance with the Barnhill LAP 2019, Urban Design Manual accompanying the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009, and DMURS.
3. Detailed drawings, cross-sections, elevations and additional CGIs across the site, including from the canal bridge, the proposed Ongar-Barnhill Road, and of development to the north of the train line.
4. Details of the proposed materials and finishes to the scheme including to the raised street/pedestrian plaza design, urban square, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.
5. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018, including its specific planning policy requirements.
6. A building life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.

7. A map indicating the net development area.
8. A detailed phasing plan.
9. Daylight/sunlight analysis.
10. Microclimate wind study.
11. Noise Impact Assessment.
12. Response to issues raised in Appendix D of CE Report, received 26<sup>th</sup> May 2019, which includes the internal reports of the Parks and Green Infrastructure Department, Architects Department, Transportation Planning Section, and Water Services Planning Section.
13. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

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. Transport Infrastructure Ireland
3. National Transport Authority
4. Irish Rail
5. Commission for Railway Regulation
6. Waterways Ireland

7. Department of Culture, Heritage and the Gaeltacht
8. Heritage Council
9. An Taisce
10. Department of Education and Skills
11. Coras Iompair Eireann
12. Fingal Childcare Committee
13. Meath County Council
14. Kildare County Council

**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.

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Una O'Neill  
Senior Planning Inspector

12<sup>th</sup> June 2020