



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-307104-20

Strategic Housing Development	123 no. residential units (71 no. houses, 52 no. apartments) and associated site works.
Location	Delvin Ridge, Gormanston Road, Stamullen, Co. Meath.
Planning Authority	Meath County Council
Prospective Applicant	Alcove Ireland Eight Ltd.
Date of Consultation Meeting	05 th of August 2020.
Date of Site Inspection	02 nd of June 2020
Inspector	Karen Hamilton

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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 site is located within the settlement boundary of Stamullen, Co. Meath and comprises of agricultural fields. The site fronts onto and is accessed via the L1618/Clintstown Road (also known as the Gormanstown Road), c. 500m southwest of the town centre. The site is characterised by agricultural fields.
- 2.2. To the west of the site, fronting onto the main road, there is a row of detached one-off dwellings. To the right is a mixed use development (Delvin Court) which includes a range of neighbourhood facilities, including apartments on the upper floors. Delvin Court, a two storey unit, fronts directly onto the main road and car parking is provided to the rear.

3.0 Proposed Strategic Housing Development

The proposed development includes the construction of 123 no. residential units (71 no dwellings & 52 no. apartments) as summarised below:

Table 1: Key Figures

Site Area	c. 3.37 ha
No. of units	123
Density	c. 36
Car parking	204
Cycle Space	104

Public Open Space	15.6%
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Fig 2: Unit Mix

Unit Type	Dwellings	Duplex/ Apartments	Total	%
One bed	-	26	26	21
Two bed	6	26	32	26
Three bed	59	-	59	48
Four bed	6	-	6	5
Total	71	52	123	100

4.0 Planning History

- 4.1. No planning history on the site.
- 4.2. Lands to the east and at the rear of Delvin Court abutting the site.

SA/60361

Permission granted for 19 no. dwellings with a temporary on-site wastewater treatment plant and pump station (to be removed when the upgrade works are complete to the main public network).

5.0 Section 247 Consultation(s) with Planning Authority

The PA note no formal S 247 consultation's have been undertaken and are aware of the provisions of S 5(4) of the 2016 Act (as amended) in respect of the PA failure to facilitate a consultation within 4 weeks of the date of request.

The applicant made a submission to the Draft Meath County Development Plan 2020-2026 in respect of zoning on the site.

6.0 Planning Policy

6.1. National Policy

- National Planning Framework (NPF): Ireland 2040,

- Climate Action Plan 2019. To Tackle Climate Breakdown (Government of Ireland, 2019),
- Eastern & Midland Regional Assembly (EMRA). Regional Spatial & Economic Strategy (RSES) 2019-2031 (2019),
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual')
- Design Standards for New Apartments – Guidelines for Planning Authorities (2018)
- Design Manual for Urban Roads and Streets (DMURS)
- Urban Development and Building Heights – Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)

6.2. Eastern & Midland Regional Assembly (EMRA). Regional Spatial & Economic Strategy (RSES) 2019-2031 (2019),

- Meath is located within the Eastern Region and includes part of the hinterlands of Dublin.

6.3. Meath County Development Plan 2013-2019

The site is zoned as “New Residential” where it is an objective *“To provide for new residential community with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the settlement hierarchy”*

- The site is Residential Phase II (Post 2019).
- Table 2.4- Housing Allocation
 - The number of units to accommodate growth for Stamullen is 80 units.
- Section 3- There has been a sprawl of dwellings to the north and there is a need to create employment to support the growth on the residential

6.4. Draft Meath County Development Plan 2020-2026

(consultation on draft closed on the 06th of March 2020).

- Site is zoned as “Community Infrastructure” and no longer “New Residential”

7.0 Prospective Applicant’s Case

7.1. The application was accompanied by the following:

- Application Form
- Planning Report and Statement of Consistency (Material Contravention)
- Environmental Report
- Part V documentation
- Architectural Design Statement
- Architectural Drawings
- Housing Quality Assessment
- Site Services Report
- Site Specific Flood Risk Assessment
- Traffic and Transport Assessment Report
- DMURS Statement
- Engineering Drawings.
- Screening Report for Appropriate Assessment
- Landscape Design Report and associated drawings
- Arboricultural & Impact Report and associated drawings

8.0 Planning Authority Submission

8.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development, Meath County Council, submitted their opinion in relation to the proposal, as received by An Bord Pleanála on the 29th of May 2020, and are summarised below:

Principle of Development

- The Core Strategy allocation 80 units for Stamullen.
- There is currently 135 units granted in excess of the Core Strategy.
- Part V is acceptable.
- No childcare has been included.
- There is no reference to schools capacity or social infrastructure.

Draft Meath County Development Plan 2020-2026

- The site is proposed to be zoned as G1- Community Infrastructure..
- The zoning for New Residential no longer applied in the draft plan.
- The applicant made a submission to the draft plan MH-C5-718.

Meath County Development Plan 2013-2019

- The site is currently N2 “New Residential” where lands are designated as “Residential Phase II (Post 2019) and not available for residential within the life of this Development Plan.
- There is sufficient lands within Phase 1 to accommodate the 80 units to accommodate the Order of Priority.
- c. 135 units in excess of the core strategy allocation has already been granted.

Design and Layout

- The density of 36.9 is acceptable in the context of the site.
- The redistribution of three-storey units and bungalows could be interlinked to better define the character areas.
- The three storey duplex units to the western boundary and in the proximity of Stadalt House should be changed to bungalows and those bungalows along the east changed to duplex.
- Phasing and character areas should reflect the above comments.
- There is some dead unusable public open space, the calculation is acceptable.

- The retention of hedgerows use of green infrastructure etc. should be clarified.
- Precise boundary treatment should be provided.

Access, Traffic & Parking

- Internal Road network, at the corners, is required to meet the DMURS Standards.
- Shared pedestrian routes throughout the development and into the public open spaces should be at least 3.0m in width.
- Road Safety Audits are required.
- Cycle parking and compliance with the cycle standards in the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities.
- A preliminary CEMP is required.
- The traffic assessment shall demonstrate the proposed development will not adversely impact the safety and capacity of the M1 junction 7.

Surface Water

- The proposal does not meet the requirements of the Council
- The greenfield rate is achieved using a flow device the specification shall be included
- A class 1 petrol/oil separate shall be located upstream of the attenuation system.
- The greenfield rate shall be revised to cater for combined rates in catchment 1 & 2.
- The FFL shall be above the maximum adjacent stream level and top water level in the onsite drainage and attenuation system.
- The SUDs shall be revised to include 1:3 side slopes.

Water & Waste Water

- Comments from IW in relation to water and waste water capacity issues are highlighted.

Flood risk Management

- The development site is located in Flood zone A.
- The housing is classified as “highly vulnerable development”
- A detailed analysis of the watercourse and culverting that run close to the northern boundary is required.
- Any flood analysis is to consider the scenario where the culverts become partially blocked.

Cultural Heritage

- The site adjoins a protected structure Stadalt House.
- The presence of the housing along the driveway of Stadalt house compromises the carriageway and approach to the country house.

Other

- There is no reference to Social infrastructure Report.
- There is a requirement for art work provision for developments over 75 units.
- The development plan requires street names to reflect the area as agreed with the County Council.
- The developer should ensure adequate broadband ducting is provided and should consult all telecommunications providers.
- There are discrepancies in relation to the habitat surveys and hedgerow protection.
- The AA screening states that the waste will be treated in the Stamullen WWTP although this is not reflected in the IW response.

9.0 Prescribed Bodies

9.1. Irish Water (IW)

IW issued a CoF for 185 no dwellings and include the following comments;

Water

- Currently two options for water connection exist, one across 3rd party lands. A number of proposals are planning connection and at application stage, subject to review, the applicant may be required to connect 5.8km of a new 300mm water main or a reservoir upgrade.

Waste Water

- IW Capital Investment Plan (CIP) includes an upgrade of the Balbriggan WWTP (2022)
- An interim waste water treatment facility will be permitted and subject to:
 - a connection and termination agreement,
 - will not be taken in charge by IW,
 - will incorporate a bypass pipe to facilitate a connection to IW foul network,
 - subject to monitoring a s 16 licence,
 - developer shall be responsible for the decommissioning,
 - all statutory approval shall be sought.

10.0 The Consultation Meeting

10.1. A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 05th of August 2020, starting at 9.15 am, via Microsoft Teams. 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 as detailed below:

1. Core Strategy and Housing Units allocation for Stamullen,
2. Land Use Zoning,
3. Development Strategy,
4. Irish Water
 - Temporary Pumping Station
 - Connection for water supply

5. Transport Assessment
 - Impact on Motorway Junction
6. Any Other Business.

10.2. In relation to the **Core Strategy Allocation and Land Use Zoning**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The existing Core Strategy allocation of 80 units for Stamullen, the extant permissions within the settlement currently under construction which exceed the current Core Strategy by 135 units and the absence of any further population growth designated under the County Development Plan.
- The current lands use zoning on the site as “New Residential” Post 2019, the contravention of the development plan and the alterations to the proposed land use zoning in the draft development plan for “Community Infrastructure”.

10.3. In relation to the **Development Strategy**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The treatment and design of the communal open space provision within the site, in particular the treatment of the watercourse along the south, and the usability and functionality of the space for the future residents.
- The design and treatment of the site along the north of the site fronting onto Gormanstown Road, the characteristics of the site and comparison to the existing urban development at Delvin Court and the appropriate building line required.
- The necessity for the integration of single storey dwellings and the efficient use of lands as required in the Sustainable Residential Development in Urban Areas.

10.4. In relation to the **Water and Waste water**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The response received from Irish Water and the requirement for further investigations and design solutions to confirm an available connection to the water network.

- The response received from Irish Water and the requirement to treat any wastewater on the site prior to discharge to the Irish Water network.
- The timescale and works proposed for the upgrade of the Stamullen WWTP, connections with the Balbriggan WWTP and the necessity for future consents from either An Bord Pleanála or others.
- The issues raised by in the PA Opinion relating to the surface water run-off, inter alia, the greenfield discharge rate, the level of the water table and use of attenuation systems.

10.5. In relation to the **Transport Assessment** An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The impact of the proposed development on the carrying capacity of the M1 and assessment of the works on Junction No.7.
- The information contained in the PA submission relating to street layout, the design of the internal road network and compliance with DMURS guidelines.

10.6. In relation to the **Any Other Business** An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The provision of childcare facilities on the site, the necessity for one childcare space for every 75 residential units and the existing capacity to accommodate additional childcare spaces within Stamullen.
- The impact of the proposed development on the character and setting of Stadalt House, inter alia, the main access road into the house and the design of those dwellings at the interface with this approach.
- The inclusion of lands zoned as Flood Zone A along the front of the site at the entrance, the inclusion for a justification test and the safe access and egress of emergency vehicles into the site.

11.0 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

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.

12.0 Recommended Opinion

12.1. 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.

1. Core Strategy and Land Use Zoning

Further consideration and/or justification of the documents as they relate to core strategy and subsequent land use zoning and phasing provisions for Stamullen in the development plan. In addition to addressing the local statutory plan for the area the documentation should also address higher level planning policy including the adopted RSES for the region. Any references to the circumstances of Stamullen, including those relating to the availability or otherwise in the town of housing, development land, employment, commercial or social services, should be based on verifiable facts. The prospective applicant should satisfy itself that any application complies with section 8(1)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, regarding the material contravention of the provisions of the development plan other than zoning.

2. Wastewater Treatment

Further consideration of the documents as they relate to wastewater treatment. Clarity is to be provided concerning the delivery of wastewater infrastructure required to serve the proposed development, including works required to upgrade the capacity of the Stamullen Waste Water Treatment Plan by Irish Water Capital Investment Plan (CIP). The documents should provide details of necessary upgrade works required on foot of the CIP to include, *inter alia*: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. The prospective applicant is advised that any application for development prior to obtaining of consents for the wastewater infrastructure may be considered premature. Further consideration of these issues may require further correspondence and/or coordination of documentation from Irish Water.

3. Water Supply

Further consideration of the documents as they relate to the supply of water to the site. Clarity is to be provided concerning potential connection to the public water supply and the capacity required to serve the proposed development, including works required to upgrade the reservoir. The documents should provide details of necessary upgrade works required on foot of any Irish Water request to include, inter alia: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. The prospective applicant is advised that any application for development prior to obtaining of consents for the water infrastructure may be considered premature. Further consideration of these issues may require further correspondence and/or coordination of documentation from Irish Water.

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 Childcare Assessment & Social Infrastructure Assessment which includes an assessment of the capacity of the crèches and existing schools and the ability to serve the increase in population generated from the proposed development.
3. 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, the boundary treatment adjoining any open space and integration of watercourse.

4. A Construction and Demolition Waste Management Plan.
5. A Road Safety Audit and Quality Audit.
6. An updated Traffic Impact Assessment to include the impact of the proposal on the capacity of Junction 7 and the M1.
7. Additional details in relation to surface water management for the site, having regard to the requirements of the Drainage Division as indicated in Section 7.5.1 of the Planning Authority's Opinion.
8. A Flood Risk Assessment including a justification test and access/ egress into the site for emergency vehicles in compliance with The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009).
9. An Architectural Heritage Impact Assessment considering the location of the subject site relative to Stadalt House, a Protected Structure, which includes for photomontages showing the proposed development relative to Stadalt House.

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. Meath County Childcare Committee
3. Transport Infrastructure Ireland.
4. Inland Fisheries Ireland
5. Department of Culture, Heritage and the Gaeltacht (built heritage)
6. An Taisce-the National Trust for Ireland
7. Heritage Council
8. Failte Ireland

9. An Comhairle Ealaíonn

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
Senior Planning Inspector

26th of August 2020