



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-307105-20

Strategic Housing Development	338 no. residential units (208 no. houses, 130 no. apartments) and associated site works.
Location	Haran's Land, Cockhill 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 c. 1.3km north west of Stamullen town centre, to the eastern side of the L5622 (Cockhill Road). The site includes large expanses of agricultural fields and the characteristics of the surrounding area is that of one-off dwellings accessed directly from the Cockhill Road. The site boundaries are largely defined by mature trees and hedgerows. The Kennetstown Stream runs along the northern boundary and flows easterly downstream.
- 2.2. There is no pedestrian or cycle access from Stamullen centre to the site. To the east of the site is the City North Business Campus which expands from the City North hotel along the M1, to the rear of the subject site. The business park has access and services associated for future development although does not have any direct vehicular access into Stamullen town.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development includes the construction of 338 no. residential units (208 no dwellings & 130 no. duplex/ apartments) as summarised below:

Table 1: Key Figures

Site Area	c.9.6ha
No. of units	338
Density	c. 36

Car parking	569
Cycle Space	260
Public Open Space	17%

Fig 2: Unit Mix

Unit Type	Dwellings	Duplex/ Apartments	Total	%
One bed	-	65	65	19
Two bed	10	65	75	22
Three bed	178	-	178	53
Four bed	20	-	20	6
Total	208	130	338	100

4.0 Planning History

- 4.1. No planning history on the subject site
- 4.2. The following planning history relates to lands to the south of the site.

PL17.237144 (Reg Ref SA900975)

Permission (a) granted for 272 residential dwellings on land to the south of the appeal site, and (b) refused for the proposed distributor road to link Gormanstown Road, to the south of the residential development to the City North Business Campus. The proposed distributor road was refused on the grounds that (a) impact on M1 and (b) absence of justification for the development in the statutory planning context.

PA ref. AA170505

Permission granted by the planning authority in February 2018 for the amendment of the above residential development (PA ref. SA900975 and PL17.237144), including reducing the number of units and providing the southern section of a roadway to link the Gormanstown Road to the lands to the north. The development also provides for a signalised junction at its interface with Gormanstown Road.

5.0 Section 247 Consultation(s) with Planning Authority

The PA note no formal S 247 consultation has 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

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

Draft Meath County Development Plan

- Site is zoned as “Warehouse and Distribution” 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
- The PA are proposing to rezone the lands from New Residential to “Warehousing and Distribution” as detailed in the draft County Development Plan.

Design and Layout

- The density at 36.3 is acceptable
- The overall layout is acceptable
- The duplex/ apartment units along the south are queried given the character of the immediate environs.
- The phasing and character of the site should be further considered.
- There are some discrepancies between the hedgerows to be retained and the proposed landscaping plan.
- There should be no discrepancies in the scheme.
- The internal boundaries should be of a high standard.

Access, Traffic, Parking & Public Lighting.

- The applicant is required to demonstrate that the proposed development will not adversely impact on the operational safety and capacity of the motorway junction.
- There are a number of points within the development which require compliance with the minimum horizontal curve radius as recommended in DMURS.
- Pedestrian and cycle access points to the future City North Masterplan area via the internal footpath network. This network does not include any connectivity for cyclists.
- The uncertainty of the development of the development of the City North Business Campus masterplan would require pedestrian and cycle connection from the site along Cockhill Road and to the School/ GAA pitch.

Water & Waste Water

- There is no public sewer connection and significant water and wastewater capacity issues are highlighted in the IW response.

9.0 Prescribed Bodies

9.1. Irish Water (IW)

IW issued a CoF for 328 no dwellings and include the following comments;

Water

- Currently two options for water connection exist, one across 3rd party lands.
- Approx. 25m of 150mm ID new main is required to be laid to connect the existing 315mm HPPE to the west of the proposed development site
- 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 as 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 “Warehouse and Distribution”.

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 development with regard to the treatment along the Cock Hill Road, the appropriate interface of a suburban development and the design response to the site.
- The connectivity and permeability from the site, along Cock Hill Road, towards Stamullen, the existing proposed connection into the City North Business Park and the prematurity of the City North Business Park masterplan.

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 Buisness** 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.

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.

4. Connectivity and Urban Design

Further Consideration of the documents as they relate to the design and treatment of the site along the Cock Hill Road to reflect a suburban development and compliance with the 12 criteria in the Urban Design Manual. The documents shall provide details for connection between the site and Stamullen in order to ensure appropriate pedestrian and cycle connectivity to the school and social infrastructure provision along the Cock Hill Road and include the timescales for delivery and the status of any third party consents. Further consideration of these issues may require amended design and layout of the proposed development.

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 site layout plan illustrating the applicant's full control and ownership of lands in the vicinity of the site.
6. A Road Safety Audit and Quality Audit.
7. An updated Traffic Impact Assessment to include the impact of the proposal on the capacity of Junction 7 and the M1.
8. 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.

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

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