



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-307476-20

Strategic Housing Development

154 no. apartments including the refurbishment of Glebe House and associated site works.

Location

Glebe House (a protected structure) and Coruba House Site, Saint Agnes Road, Crumlin, Dublin 12.

Planning Authority

Dublin City Council South

Prospective Applicant

Seabren Developments Limited and Circle VHA

Date of Consultation Meeting

07th of October 2020.

Date of Site Inspection

03rd of September 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 in Crumlin, to the west of Dublin City. The subject site is immediately north west of Crumlin Village and comprises of Glebe House, a protected structure, and a number of industrial/ workshop buildings to the rear. There is a significant amount of hardstanding on the site and many of the units appear vacant. A 2m high block wall bounds the site at the rear.
- 2.2. The site fronts onto St Agnes Road. The residential estates of Sommerville Green and Sommerville Drive are to the north west and south east. The open space areas associated with these residential areas adjoin the site at both sides. Moeran Hall, a single storey community centre, adjoins the site immediately south.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development includes the demolition of the warehouse/ workshop buildings within Glebe industrial estate, the retention of the Protected Structure (Glebe House 227m²) and the construction of 2 no apartment blocks and 2 no pavilion buildings for 154 no residential units, community space and neighbourhood café.
- 3.2. The 2 pavilion buildings are located either side of Glebe House, facing onto St Agnes Terrace. The area in front, north, of Glebe House and Crumlin Village includes a public plaza. Vehicular access from St Agnes Road provides access to an undercroft car park.

Key Development Parameters

Parameter	Site Proposal
Application Site	0.85ha
No. of Units	154 no. units
Density	181 units per ha
Height	Up to 6 storeys (20.1m max)
Dual Aspect	57%
Car Parking	51 no. residential (3 no. accessible, 2 no. visitor & 2 no. GoCar spaces)
Bicycle Parking	230 no. secure spaces
Open Space	Public open space 1,000m ² Podium communal space 1,260m ²
Part V	on behalf of a Voluntary Housing Association
Café	54.5m ²
Residential Amenity	Block B- 80.5m ²

Unit Mix

	No.	Percentage.
1 bed	76	c. 49%
2 bed	73	c. 47%
3 bed	5	c. 4%

4.0 Planning History

4.1. There is no recent planning history of relevance on the site.

5.0 Section 247 Consultation(s) with Planning Authority

5.1. Two S.247 meetings were held on the 27th of January 2020 and the 08th of May 2020 and the issues discussed have been summarised below:

- The 2 wing buildings need to be symmetrical and set back beside Glebe house.
- The public pedestrian route needs to be seen in the context of the wings and Block B.
- The podium open space is in the proximity of the adjoining houses and there needs to be measures to prevent a negative impact on the adjoining houses, including screening and measures.
- Details of boundary walls to be submitted.
- Proximity of Block A to the open space to the west and the borrowing of light/aspect.
- Issues raised relating to the height towards the rear and away from Glebe house.
- Selection of materials required.
- Detailed drawings needed for conservation.
- 3D images of the wider Crumlin Area are required.
- The two pavilion buildings should reference Glebe house e.g. opes etc. and be symmetrical.
- Omit car parking to the front of the buildings or provide landscaping for the open space.
- Address overlooking of adjoining space.
- Provide Visual Impact Assessment for the height.
- Reduce the blockiness of the buildings and provide higher quality of materials.
- Provide a Schedule of materials and details of private, communal and public open space.

6.0 Prospective Applicant's Case

6.1. Statement of Consistency

A Statement of Consistency accompanied the documentation which includes a development description, planning history, S. 247 consultations, relevant policy and a material contravention statement.

The documentation includes a response to the main issues raised during the S. 247 consultation, compliance with the national, regional and local policy criteria and requirement for a material contravention of the plan having regard to SPPR 3 and Section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018).

6.2. Material Contravention Statement.

The building is 20.2m in height. The applicant submits that the building height provisions of the Dublin City Development Plan, 2016-2022 conflicts with SPPR3 of the Building Heights Guideline.

7.0 Planning Authority Submission

- 7.1. A submission from the Planning Authority was received on the 30th of July 2020 and amended on the 06th of August 2020 to include the housing report. The report provided a record of consultation meetings, relevant applications in the vicinity, the planners report, transportation and housing department reports. The submission is summarised as follows:

Planning Assessment

- The site is considered appropriate for a high density development.
- The layout of the scheme and response to both St Agnes Road and Sommerville Drive is considered acceptable.
- The height would materially contravene the development plan.
- The rationale for the contravention along the front of the site and the ACA is considered acceptable.

- There is an absence of CGIs from Sommerville Green to assess the development in context and further views in the LVIA should be developed.
- The changes to Glebe house and the ACA are noted and the retention of the historic front boundary wall should be clearly indicated.
- In relation to landscaping, artificial turf is not appropriate, the mounding could be reduced and courtyard expanded to include sunlight.
- The proposal for the rear communal space and the boundary treatment should be submitted.
- The residential quality standards are acceptable.
- The Daylight, Sunlight and Overshadowing Study indicates that the minimum standards cannot be met and 12 bedrooms fail to meet the ADF target.
- A large area of the podium area would receive minimal light due to the mounding.
- Details of balcony screening should be submitted to ensure protection of residential amenity.
- The scale and massing is considered significant although acceptable given the layout and separation distance.
- The sunlight//daylight report does not provide any analysis on the impacts on the neighbouring properties.
- A Community and Social Infrastructure Audit is required.

Flood risk.

- The site is located in Flood Zone C although the risk of pluvial flooding is noted.
- The use of flood gates is not considered appropriate and the applicant should clarify the use of these on the submitted boundary treatment drawings.

Transport and Traffic

- Works required within the red line and within the control of the council will require consent.

- Works on public footpaths will require to be of a standard so as to be taken in charge.
- Additional details on the pedestrian and cyclist access throughout the site is required.
- Works required along Sommerville Drive should be clarified.
- Location of the security gate along St Agnes Road and the potential for delays along the road.
- Query over the management of the GO-Car spaces.
- Query over the location of the bins and management of the waste.
- Clarification on the number and type of proposed secure resident cycle parking, visitor and staff etc.
- The proposed parking is substantially below the 1.5 per unit as required in the development plan. The under provision may lead to overspill on the adjoining roads. The information does not include any census data or modal splits to support the reduction in parking provided.
- Sufficient road marking system should be in place to ensure the one-way system does not create conflict.
- The applicant should review the vehicular access gate/pillars to allow a fuller assessment of the swept path analysis.

8.0 Relevant Planning Policy

8.1.1. Project Ireland 2040 - National Planning Framework

A number of key National Policy Objectives (NPOs) are noted as follows:

- NPO 3(a): Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- NPO 35 seeks to increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill

development schemes, area or site-based regeneration and increased building heights.

8.2. Section 28 Ministerial Guidelines

- 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, Guidelines for Planning Authorities (2018).
- Urban Development and Building Height Guidelines for Planning Authorities (December, 2018).
- Design Manual for Urban Roads and Streets (December 2013).
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

8.3. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031

A number of key Regional Policy Objective (RPOs) are noted as follows:

RPO 5.4 : Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments’ Guidelines, and ‘Urban Development and Building Heights Guidelines for Planning Authorities’.

RPO 5.5: Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach.

8.4. Dublin City Development Plan 2016-2022

The site is zoned Z1, Sustainable Residential Neighbourhoods, where it is an objective “*To protect, provide and improve residential amenities*”

Built Heritage

Glebe House, is a Protected Structure (RPS Ref. No 7560) and the site is partially located within the Crumlin Architectural Conservation Area (ACA), therefore the following polices apply.

Policy CHC4 & CH5: Conservation Areas: Development will not harm the features of special interest in the conservation areas or involve harm to loss of traditional fabric.

Section 11.1.5.8: Demolition of Protected Structures and Buildings in Architectural Conservation Areas. The demolition of structures which make a positive contribution to protection structure or conservation area will be restricted.

Appendix 24: Protected Structures and Buildings in Conservation Areas.

9.0 The Consultation Meeting

9.1. A Section 5 Consultation meeting took place at the via Microsoft teams on the 29th of September 2020, commencing at 14.30 pm. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

1. Residential Amenity, inter alia, adjoining properties.
2. Residential Standards, inter alia, dual aspect, sunlight and daylight, open space.
3. Impact on Visual Amenity.
4. Provision of social and community infrastructure.
5. Any Other Business.

9.2. The main topics raised for discussion at the tripartite meeting were as follows:

9.3. In relation to the **Residential Amenity**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following;

- The impact of the proposal on the residents in the neighbouring dwellings of Sommerville Green and Sommerville Drive and the potential to negatively impact on their residential amenity.
- The treatment and orientation of the proposed balconies and the distance from the rear of the dwellings to the north along Sommerville Green, the design of the windows on the northern elevation of Block B, and the potential for overlooking.
- The submitted shadow analysis and the potential for overshadowing on the existing public open space adjoining the site.

9.4. In relation to the **Residential Standards**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following;

- The percentage of units with dual aspect, the redesign of the layout of Blocks A & B to remove projecting windows, the requirement for either 50% or the allowance for 33% as per SPPR 4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities.
- The design and layout of the communal and public open space, in particular the mounding in the podium and the absence of detail for the open space at the rear of Block A.
- The updated sunlight/daylight analysis and the requirement for compliance with the necessary standards for ADF targets in the proposed units.

9.5. In relation to the Impact on **Visual Amenity**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following;

- The impact of the scale and massing on the surrounding area, the updated CGIs illustrating additional views from the rear of the site, the impact on the neighbouring dwellings to the south east, Sommerville Drive and north west, Sommerville Green.
- The design of the public realm, the movement of pedestrian and cyclist from St Agnes Road through the site towards Sommerville Drive, the boundary treatment proposed and the necessity to include all works with the red line boundary.

9.6. In relation to the **Provision of social and community infrastructure**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following;

- The requirement in Section 16.10.4 of the Dublin City Development Plan for the submission of a Community and Social Infrastructure Audit.
- The justification for no provision of any childcare facility on the site, the analysis and capacity of childcare facilities in the vicinity and the housing tenure in the proposed development.

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

- The location of the site, the distance from the LUAS line and closest bus service, the ratio of car parking provided and justification for the ratio of 0.42 spaces per unit.
- The submitted conservation information, the requirement for any further comments from the Conservation officer and the necessity to cross reference proposed works to the historic front boundary within the transport assessment.
- The upgrades required by Irish Water.

10.0 **Assessment**

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

Conclusion

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.

The Inspector is referred to 'Section 3: Forming of an Opinion and Issuing Notification of the Opinion' of the 'Pre-Application Consultation Request Processes Advice Note for SHD Unit' (ABP June 2017).

11.0 Recommended Opinion

The Board refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis** for an application for strategic housing development to An Bord Pleanála.

1. Residential Amenity

Further consideration and/or justification of the documents as they relate to impact of Block A on the neighbouring dwellings along Sommerville Green. Further justification of documentation should include the submission of additional CGIs illustrating the overall scale and mass in relation to Sommerville Green and Sommerville Drive. The justification of the documents may require the submission of amended drawings to ensure there is no

potential to negatively impact on the residential amenity of the occupants to the neighbouring dwellings by way of overbearing.

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 Community and Social Infrastructure Audit.
2. An analysis of the childcare provision in the vicinity and justification for the absence of any childcare facility on the site.
3. An Operational Waste Management Plan.
4. A plan clearly illustrating the proposed boundary treatment, integration of pedestrian and vehicular access and any consents necessary to undertake works.
5. An updated Construction and Waste Management Plan to include demolition, phasing and duration of works and location of construction entrance and compound.
6. Inclusion of all works necessary for the proposed development within the red line boundary.
7. Details of all balcony screening.
8. Coordination of documentation to ensure the correct references and methodologies are included having regard to the protected structure and the Architectural Conservation Area. Details of works to the historic boundary wall along St Agnes and the proposals for retention are required.
9. A landscaping plan including details of all proposals for the communal open space to the rear of Block A, treatment of the mounding in the podium area and
10. A rationale for the proposed car parking provision should be prepared, to include details of local census, mobility split, car parking management, car share schemes and a mobility management plan.

11. Drawings that detail dual aspect ratios should be clearly laid out and be accompanied by a detailed design rationale report.
12. Updated landscape plans delineating the public open space and communal open space and including useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities.
13. An Updated Sunlight/Daylight analysis showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties.
14. Wind micro-climate study, including analysis of balconies and upper level roof gardens.
15. 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.
16. Response to issues raised in Addendum B of Planning Authority Report, received 30th of July 2020, which includes the internal report of the Transportation Planning Dept.
17. A detailed phasing plan, including timing of delivery of the works to Glebe House, a protected structure.
18. 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. Minister for Culture, Heritage and the Gaeltacht (built heritage)
5. Heritage Council (built heritage)
6. An Taisce — the National Trust for Ireland (built heritage)
7. The relevant 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
Senior Planning Inspector

03rd of November 2020