



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

ABP-309916-21

Supplementary Inspector's Report

Strategic Housing Development

Demolition of the existing buildings,
construction of 170 no. Build to Rent
apartments, creche and associated
site works.

Location

Glen Abbey Complex, Belgard Road,
Cookstown Industrial Estate, Dublin
24.
(www.glenabbeyshd.ie)

Planning Authority

South Dublin County Council

Applicant

Square Foot Property Services
Limited

Prescribed Bodies

Irish Aviation Authority

Irish Water

TII

Observers

Health Service Executive

Belgard Area Residents Association

Colbert's Fort Residents

Print and Display Limited and

Downtree Investments Limited

Tallaght Community Council

Date of Site Inspection

04/06/2021

Date of Oral Haring

03/09/2021

Inspector

Conor McGrath

1.0 Introduction

This supplementary report follows from a previous report and recommendation to the Board dated 08/07/2021 in respect of this application for a proposed Strategic Housing development, submitted to the Board under section 4(1) of the Planning and Development (Housing and Residential Tenancies) Act 2016.

Having regard to Section 18 of the Act, the Board decided on 15/07/2021 that a limited agenda Oral Hearing should be held to address concerns regarding the nature and scope of the upgrades and works required to facilitate the connection of the proposed development to the water and wastewater networks in this area, along with any consents necessary, and the identification of the timeframe within which constraints in this regard might reasonably be expected to be addressed.

Notification of the oral hearing, and a proposed order of proceedings, issued to the parties on 25/08/2021.

2.0 Oral Hearing

2.1 The oral hearing was held on Friday, 3rd September 2021 via Microsoft Teams, commencing at 10am. The following parties were represented at the hearing and a full list of attendees is set out in Appendix 1 to this report.

- The Applicants: Square Foot Properties Limited.
- Planning Authority: South Dublin County Council
- Irish Water
- Observers: Belgard Area Residents Association
Tallaght Community Council

Copies of submissions received by the Board from the applicant and from the two observers were circulated prior to commencement of the hearing.

2.2 Submissions to the Hearing

2.2.1 Applicant

On behalf of the applicants, Laura Brock of Brock McClure, introduced the development. Diarmuid Healy, of Curtins Consulting, described the proposed development and the proposals contained in the planning application in respect of connections to the water supply and the wastewater drainage networks in the area.

It was advised that further engagement with Irish Water had taken place since May 2021 and that an updated Confirmation of Feasibility had been issued by Irish Water to the applicants on 31st August 2021. This updated correspondence confirmed the following:

Water Connection: Feasible without infrastructure upgrade by Irish Water.

Wastewater Connection: Feasible subject to upgrades.

Connection should be made to the 600m CO sewer in Airton Road. Approximately 420m of network extension will be required for the connection. Size of the new sewer to be confirmed at connection application stage. These extension works are not currently on Irish Water investment plan, therefore the applicant will be required to fund these works.

Irish Water will carry out capital maintenance on the downstream 600mm sewer to ensure there is no detriment caused by this development.

A copy of the applicant's written submission is appended to this report.

The applicant confirmed to the inspector that no change to the proposed development from that contained in the original application to An Bord Pleanála was proposed.

2.2.2 Irish Water

Irish Water did not make a submission to the hearing but were available for later questions.

2.2.3 Planning Authority – South Dublin County Council

The planning authority did not make a submission to the hearing.

2.2.4 Observers

Belgard Area Residents Association – Peter Forde

Mr. Forde reiterated the content of the written submission to the hearing, previously circulated to the parties which raised the following points.

- A reliable water supply is critical to residents of the area.
- The supply in this area serves both residential and significant commercial sites.
- Local residents have experienced issues of low water pressure and supply cuts in recent years.
- Queries are raised regarding the spatial extent of issues experienced in the area and when they will be resolved.

A copy of the written submission is appended to this report.

Tallaght Community Council – Gerard Stockil

The submission to the hearing elaborated on the written submission submitted to the prior to the hearing, noting the following points:

- The submission notes the potential combined impact of permitted and proposed development on water supply in the surrounding area, particularly in the context of wider regional water supply constraints.
- The Tallaght Town Centre LAP notes the need for water and wastewater infrastructure to be provided in tandem with development in accordance with the requirements of Irish Water and SDCC.
- The Draft County Development Plan 2022-2028 notes that water supply network upgrades may be necessary depending on the location and scale of development.
- Capacity to provide adequate fire flow to the development should be confirmed.

- Is there sufficient capacity in water supply for all industrial and residential requirements in the area, including this development, and are any infrastructure works required in this regard?
- The Greater Dublin Area is subject to water supply constraints. Is resolution of such constraints required to ensure a supply to this development, noting recent supply issues in the wider area?

A copy of this submission and presentation are appended to this report.

2.3 Questioning

2.3.1 On completion of submissions, the inspector put a number of questions to representatives of Irish Water. Irish Water confirmed that a copy of the Confirmation of Feasibility dated 31st August 2021, could be submitted to the Board.

In respect of Water Supply, Irish Water confirmed the following:

- That the Confirmation of Feasibility dated 31st August follows from the completion of the investigation and modelling work referenced in the Irish Water observation of 12th May.
- That those investigations and modelling exercises also considered committed and permitted development in this area.
- The investigations were concerned with the layout and function of the assets and to assist the understanding of the network.
- No works are required to provide a water supply connection to this development.
- The site is within 1km of the Belgard reservoir which provides 48hrs storage and which performs well. The trunk mains in this area are of substantial size.
- No capacity constraints in the network in this area are foreseen and this has been borne out by the modelling undertaken.
- With regard to supply issues identified by observes, Irish Water are willing to engage with the parties outside of the hearing to examine these issues.
- No impacts on water supply elsewhere in this area are expected as a result of this connection.

In respect of wastewater, Irish Water confirmed the following:

- The development will connect to the local network which flow down to the strategic Dodder Valley Sewer.
- Constraints on the local network require upgrading works, including the extension of the Belgard Road sewer to Airton Road.
- Extensive asset surveys and modelling as part of a programme of Drainage Area Plans in the region, has also identified issues with significant ground water infiltration into the downstream 600mm sewer.
- Work is required to reduce base flows into this sewer and increase available capacity, and hence serve this development.
- The modelling and investigations in relation to the local sewer network is complete.
- Studies on the wider Dodder Valley Sewer catchment are still on-going and are not expected to be complete until end-2021.
- The Capital Maintenance works to address groundwater infiltration will be part of an on-going, rolling programme of works in the Capital Investment Plan and are expected to be complete toward the end of 2022.
- The proposed wastewater network connection would not be feasible in the absence of such works.
- No consents or authorisations are required for such capital maintenance works, which all occur within the public realm.

The inspector then requested the applicants to address the calculation of water demand for the proposed development and the fire flow requirements of the development.

Diarmuid Healy (Curtins) outlined the basis for the calculation of predicted water demand arising from the proposed development, in line with the Irish Water Code of Practice. It was advised that the calculated figures were used in the design details which informed Irish Water's Confirmation of Feasibility dated 31st August. Mr. Healy noted that reference to fire flow requirements in the Irish Water Confirmation of Feasibility is a standard / general comment which is common to all such letters.

Measures could be implemented within the development to supplement supply in this regard, where required.

Irish Water confirmed that this comment is standard text in all Confirmation of Feasibility letters and further, that the IW Code of Practice notes that it is for the developer to agree arrangements for fire flow with the Fire Authority.

2.3.2 The following had no questions for other parties to the hearing:

- The applicant.
- Irish Water
- The planning authority.

2.3.3 Observers Questions

i) Tallaght Community Council

Gerard Stockil addressed a number of questions to Irish Water, including queries on the methodology used, and the basis for the conclusions reached, in relation to water supply.

Mr. Goss for Irish Water confirmed that a standard methodology was used to assess the capacity of supply, including network models and tests for water pressure levels. It was confirmed that regular pressure testing is not usually undertaken but will be more frequent in areas experiencing development activity. It was indicated that in certain cases additional modelling in respect of fire flow may be undertaken by Irish Water.

ii) Belgard Area Residents Association

Mr. Peter Forde welcomed the Irish Water offer to meet to discuss the referenced water supply issues.

In response to a question from the inspector, Laura Brock for the applicants confirmed that the exact requirements in respect of fire flow are subject to building regulation compliance. It is normal practice that these matters are finalised post-

grant of planning permission through the building regulation process. This has been acknowledged in application documentation and the development has been designed and proofed with those requirements in mind.

2.4 Closing Submissions

Closing statements were made by the following parties.

2.4.1 Belgard Area Residents Association:

Welcome the offer of meetings with Irish Water.

2.4.2 Planning Authority:

Eoin Burke for South Dublin County Council thanked Irish Water for their engagement with the Council to address issues in this area. It was noted that this is a priority area for development in the county and the identified Capital Maintenance works are welcomed.

The hearing closed at 11.22am on Friday 3rd September

3.0 Assessment

3.1 Water Supply Network

Submissions to the oral hearing have confirmed that the investigations and modelling work referenced in the Irish Water observation on this application (12th May 2021) have been completed and that Irish Water no longer have concerns with regard to the connection of the development to the water supply network. It has been further confirmed that no works or network upgrades are required to facilitate this connection.

In respect of the concerns expressed by Observers in relation to maintenance of supply to existing development in the area, Irish Water have confirmed that no impacts in this regard are expected following the investigations undertaken. I note also reference by Irish Water to the capacity of the Belgard Reservoir and trunk

mains serving this area. I do not consider that there is any information or basis to conclude that the connection of the development will impact on water supply to existing development in the surrounding area.

I note the discussion in relation to fire flow for the proposed development. This matter is dealt with in the Irish Water Code of Practice and details in this regard are normally finalised as part of the connection application process. I do not consider that this matter raises fundamental issues for this development.

3.2 Wastewater Drainage Network

Submissions to the oral hearing have confirmed that investigations and modelling work on the local sewer network are complete. Downstream constraints referenced in the Irish Water Observation of 12th May 2021 are related to groundwater infiltration into the 600m sewer which reduces available capacity. Irish Water have confirmed that a connection to the wastewater drainage network can now be facilitated subject to the following upgrades:

- Extension of the drainage network to provide a connection from the proposed development to the existing 600mm sewer on Airton Road. This 420m network extension formed part of the original planning application proposals for the site; &
- Irish Water undertaking Capital Maintenance works on the 600mm sewer. These capital maintenance works comprise works to reduce current groundwater infiltration and thereby increase available capacity in the sewer. Irish Water have confirmed that the expectation is that these works will be complete by end-2022 and that the proposed wastewater connection cannot be facilitated in their absence.

Having regard to the submissions to the hearing, I conclude that following completion of the investigations and modelling work referenced in the Irish Water observation of 12th May 2021, there is now sufficient certainty with regard to the nature and extent of upgrade works required to facilitate a connection to the proposed development and that Irish Water have identified a reasonable timeframe for completion of these works.

Conclusion and Recommendation

I refer to my previous report and recommendation on this application dated 08/07/2021, which set out three recommended reasons for refusal. Reason no. 3 of that recommendation stated the following:

The proposed development would be premature pending the identification of the nature and scope of the upgrades and works that will be required to facilitate the connection of the proposed development to the water and wastewater networks in this area, along with any consents necessary, and to facilitate the regeneration of lands in this area, and the absence of certainty with regard the timeframe within which such constraints might reasonably be expected to be overcome. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

On foot of the oral hearing proceedings and the evidence presented therein, I am now satisfied that there is sufficient information before the Board to conclude that there is sufficient capacity in the water supply network to facilitate a connection to the proposed development and that there is sufficient certainty with regard to the nature and timing of works to overcome capacity constraints in the wastewater network and facilitate a connection to the proposed development.

I conclude therefore that reason no. 3 above is no longer appropriate or relevant in this case. In the event of a decision to grant permission, I would recommend that occupation of the development would be subject to completion of the identified capital maintenance works to address groundwater infiltration into the downstream 600mm sewer.

Conor McGrath

Senior Planning Inspector

Appendix 1

Oral Hearing Attendees

03/09/2021 via MS Teams

Applicant Square Foot Property Services Limited	Laura Brock, Brock McClure P&D Consultants Majella Quinn, Brock McClure P&D Consultants Diarmuid Healy, Curtins Ciarán McIntyre, Elkstone Partners Séan O'Dwyer, C+W O'Brien Architects Arthur O'Brien, C+W O'Brien Architects James Doyle, Square Foot Property
Planning Authority - SDCC	Eoin Burke, Senior Planner
Irish Water	Ali Robinson Michael Goss
Observers Belgard Area Residents Association Tallaght Community Council	Peter Forde Gerard Stockil Tara De Buitlear