



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-310421-21

Strategic Housing Development

The demolition of existing low-rise disused industrial units and construction of 4 no. 5-19 storey blocks accommodating 702 no. Build-to-Rent apartments, a 173sqm childcare facility, 259.71sqm of commercial space and internal communal amenity space to serve residents of the development.

Location

Former Chadwicks Site, Greenhills Road, Walkinstown, Dublin 12.

Planning Authority

South Dublin County Council

Prospective Applicant

Steeplefield Limited.

Date of Consultation Meeting

4th October 2021

Date of Site Inspection

17th September 2021

Inspector

Rachel Gleave O'Connor

1.0 Introduction

- 1.1. 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 on the south side of Greenhills Road adjacent to the Greenhill and Ballymount Industrial Estates. The area surrounding the site is characterised by industrial lands with large sheds and warehouses in operation for various industrial uses. The wider location is characterised by two storey housing and Walkinstown Roundabout is situated approximately 400m north east of the site, providing a range of services and amenities.
- 2.2. The site itself is currently occupied by disused industrial units and there is a significant change in levels between the subject site and Greenhills Road, which is situated approximately 6m above the northern edge of the site.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development involves construction of 702 no. Build-to-Rent residential units as follows:

Unit Type	Number
1 bed	367
2 bed	335
Total Units	702

The development has a stated net residential density of c. 251.41 units/ha based on a development area of c. 2.75 ha. The development scheme is described by the applicant as follows:

*“(i) The demolition of the existing warehouse buildings (11,120sqm) on the site;
(ii) the construction of a residential development of no. 702 apartment units (367 no. one beds and 335 no. two beds) in 4 no. blocks (ranging in height from 5 to 19 storeys in height) as follows:*

- *Block A containing a total of 221 no. Build-to-Rent apartments (112 no. 1 bed units and 109 no. 2 bed units) measuring 5 - 13 storeys in height with all apartments provided with private balconies/terraces.*
- *Block B containing a total of 145 no. Build-to-Rent apartments (51 no. 1 bed units and 94 no. 2 bed units) measuring 8 - 9 storeys in height with all apartments provided with private balconies/terraces.*
- *Block C containing a total of 174 no. Build-to-Rent apartments (115 no. 1 bed units and 59 no. 2 bed units) measuring 6 - 19 storeys in height with all apartments provided with private balconies/terraces.*
- *Block D containing a total of 162 no. Build-to-Rent apartments (89 no. 1 bed units and 73 no. 2 bed units) measuring 5 - 13 storeys in height with all apartments provided with private balconies/terraces;*

(iii) the construction of 1 no. childcare facility (173sqm) located within the ground floor of Block A;

(iv) the construction of 2 no. commercial units (259.71sqm) and internal amenity/management space (587sqm);

(v) the construction of 2 no. vehicular/pedestrian entrances; a primary entrance from the north (access from Greenhills Road) and a 2no secondary entrances from the south (access from existing road to the south of the site).

A total of 280 no. car parking spaces are proposed including; 266 no. standard spaces and 14 no. disabled spaces (3no car spaces will be designated for the proposed childcare facility during peak hours and 10no will be designated car-share spaces at surface level).

A total of 1,109 no. bicycle parking spaces are proposed including 829 no. residents' bicycle spaces and 280 no. visitors' bicycle spaces.

Planning permission is also sought for landscaping and infrastructural works, foul and surface water drainage, bin storage, ESB substation, open space areas including playground, boundary treatments, internal roads and footpaths and all associated site works to facilitate the development.”

4.0 Planning History

4.1. None of relevance to the current proposal.

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

5.1.1. Having considered the nature of the proposal, the receiving environment and the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) 2009
- Design Standards for New Apartments Guidelines for Planning Authorities 2020
- Design Manual for Urban Roads and Streets (DMURS) 2019
- The Planning System and Flood Risk Management (including the associated Technical Appendices) 2009
- Childcare Facilities Guidelines for Planning Authorities 2001

- Urban Development and Building Heights Guidelines for Planning Authorities 2018

5.2. National Planning Framework

- 5.2.1. The NPF seeks to achieve compact urban growth by targeting a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas and plans for growth of 490,000 to 500,000 people in the Eastern and Midlands Region.
- 5.2.2. The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to 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.
- 5.2.3. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- 5.2.4. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.3. South Dublin County Development Plan 2016-2022

- 5.3.1. Zoning: The site is zoned 'Objective REGEN – To facilitate enterprise and/or residential-led regeneration within the South Dublin County Development Plan 2016-2022. Residential use is permitted in principle.
- 5.3.2. Variation no.3 of the South Dublin County Development Plan 2016-2022 includes CS6 SLO 1: *To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands,*

integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010). The subject site falls within the lands subject to variation no.3.

5.3.3. General: Chapter 2 of the Plan outlines policies and objectives in relation to new housing and includes objectives relating to urban design, densities, building heights, mix of dwelling types and open space. In particular, section 2.2.2 of the South Dublin Development Plan sets out that densities should take account of the location of a site, the proposed mix of dwelling types and the availability of public transport services. As a general principle, higher densities should be located within walking distance of town and district centres and high capacity public transport facilities. Policies H8 Objectives 1 and 2 promote higher densities at appropriate locations. Development Management Standards are included in Chapter 11.

The following policies are of particular relevance.

- Policy H6 Sustainable Communities – support development of sustainable communities and ensure new housing development is carried out in accordance with Government Policy in relation to housing and residential communities;
- Policy H7 Urban Design in Residential Developments – ensure new residential development within the County is of high quality design and complies with Government guidance on design of sustainable residential development;
- Policy H10 Mix of Dwelling types – ensure wide variety of housing types, sizes and tenures;
- Policy H8 – residential densities – promote higher densities at appropriate locations;
- Housing Policy 9 – residential building height – seeks to support varied building heights across residential and mixed use area.
 - H9 – Obj. 1 seeks to encourage varied building heights in new residential developments;
 - H9 Obj. 2 - To ensure that higher buildings in established areas respect the surrounding context.

- H9 Obj. 3 - To ensure that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing (with reference to Section 11.2.7 Building Height of the Plan).
- Policy TM7 – Transport and Mobility – policy of Council to take a balanced approach to provision of car parking with aim of meeting the needs of businesses and communities whilst promoting a transition towards more sustainable forms of transportation. Number of supporting objectives (TM7 Obj.1) which seek to carefully consider the number of parking spaces provided to service needs of new development.

6.0 Forming of the Opinion

6.1. 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 submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2. Documentation Submitted

6.2.1. 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, the following:

- Application Form for a Section 5 Pre-Application Consultation Request in respect of a Strategic Housing Development;
- Cover Letters to ABP and SDCC;
- Draft Build-to-Rent Agreement;
- Part V Calculations;
- Pre-Planning Statement of Consistency & Planning Report;
- Design Statement;

- Architectural Drawings and Plans;
- Engineering Drawings and Plans;
- Building Life Cycle Report;
- DMURS Compliance Statement;
- Engineering Services Report;
- Flood Risk Assessment;
- Parking and Mobility Management Plan;
- Site Lighting Layout and Report;
- Site Utility Services Report;
- Sustainability & Energy Generation Report;
- Traffic and Transport Assessment;
- Landscaping Plans;
- Landscape and Visual Impact Summary;
- Landscape Design & Access Statement;
- Landscape Management & Maintenance Plan;
- CGIs and Verified Views;
- Appropriate Assessment Screening Report; and
- Ecological Impact Assessment Report.

6.2.2. 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. These statements have been submitted, as required.

6.2.3. I have reviewed and considered all of the above-mentioned documents and drawings.

6.3. **Planning Authority Submission**

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, South Dublin County Council, submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. The planning authority's 'opinion' included the following key points:

- The subject site falls within the boundary of the Naas Road / Ballymount / Park West masterplan (the Naas Road Masterplan) lands. SDCC should be in a position to support the principle of redevelopment of the site in September 2021, once the Naas Road Masterplan's emerging development scenario is out for public consultation and further developed, with a full understanding of the context of the area in terms of urban structure, character, land-use, movement, amenities and infrastructure requirements. SDCC would consider the formal submission of a planning application at this location premature until after the masterplan framework is established.
- As part of the masterplan, it is intended that the Greenhills Road at this location would include an expansion to the existing Walkinstown Centre that would include a more vibrant and animated streetscape. As it stands, the current proposal lacks adequate engagement with Greenhills Road, thereby undermining the ability of the road at this location to perform a future role as an urban street where physical and social diversity will be required. Whilst there is a level change issue on the site, the current arrangement onto Greenhills Road is unacceptable.
- The public space along the north-eastern edge is car dominated and compounds the lack of engagement with Greenhills Road. There is a limited provision of good quality public and private amenity space.
- In terms of connectivity, the proposal does not promote pedestrian movement across the Greenhills Road to the north and treats it more as a severance. This would need to be addressed prior to submission of a planning application for this site.
- The number and height of tall buildings proposed at this location on the edge of Walkinstown Centre is very much at odds with the surrounding height context and will be at odds with the heights for this location in the upcoming Naas Road framework. Whilst it is acceptable to consider this site an 'expansion' of the

Walkinstown Centre, this area will not be the prominent urban centre in the wider Naas Road area and as such a more modest approach should be sought.

- The loss of the existing industrial use on the site can be accepted, however, should the total loss of useable employment space be repeated across the entirety of the Naas Road area, it could result in the loss of over 25,000 jobs for Dublin. The continued provision of a meaningful employment offer within the Naas Road lands is an important consideration of the Naas Road Framework. It will be important that this proposal include provision of a meaningful quantum of useable, well designed workspace. This can be integrated as part of any mixed-use development. Provision of two retail/commercial units would not address this concern. If taken as a precedent for the wider area, this approach would have a profoundly negative impact on the future employment role of the wider Naas Road area for Dublin.
- At a proposed density of 255 units per ha, comprised of only one and two bedroom apartments, there is a serious concern that such a typology mix would have a defining, and longer term negative impact on the character of the adjacent Walkinstown Centre in line with the emerging objectives of the Naas Road masterplan, which seeks to create a balanced and sustainable community in this part of the city. Bus Connects is planned to run along Greenhills Road and Walkinstown Centre is close to the site and as such it is likely that a medium to higher density scheme will likely be acceptable. However, the current approach provides a limited mix of uses, includes excessive building heights, includes limited and poorly designed open space (private and public), has an over proliferation of 1 and 2 bed units and as such represents an overdevelopment of the site that must be addressed.
- The applicant has not satisfactorily demonstrated that the development is not piecemeal.
- The Planning Authority consider that 60% single aspect apartments, particularly the significant number that are north and east facing, is not considered appropriate.
- The Planning Authority is concerned regarding the tenure and the quality of residential amenity afforded for the inhabitants.

- The Planning Authority is not convinced that quality public open space is being proposed. The proposal is severely deficient in quality and useable public open space.
- Lack of connectivity through the site.

6.4. Irish Water

6.4.1. The submission from Irish Water (dated 9th July 2021) states that a Confirmation of Feasibility has been issued for a development of 702 units on the site.

6.5. Consultation Meeting

6.5.1. A section 5 Consultation meeting took place via a video conference on the 4th October 2021. 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.

6.5.2. 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. Naas Road Masterplan;
2. Land uses proposed;
3. Approach to density and design strategy, including height, scale, mass and detailed design;
4. Residential amenity within the proposed development, including interface with adjacent uses;
5. Landscape proposals, including treatment to Greenhills Road; and
6. AOB.

6.5.3. 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-310421-21' 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.

7.0 Conclusion and Recommendation

- 7.1. 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.
- 7.2. 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 section 28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.
- 7.3. 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.
- 7.4. 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.

8.0 Recommended Opinion

- 8.1. 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.

- 8.2. 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.
- 8.3. In the opinion of An Bord Pleanála, the following issues will need to be addressed in the documents submitted to which section 5 (5) of the Act of 2016 relates that could result in the constituting a reasonable basis for an application for strategic housing.
 1. **City Edge Masterplan:** Further consideration / clarification is required of how the proposed development responds to the preferred scenarios identified for the City Edge Project. Further consideration of this matter may require an amendment to the documents and/or design proposals submitted.
 2. **Density and Building Height:** Further consideration is required of how the proposed development density and building heights up to 19 storeys align with National Planning Policy principles, including those described in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas; Design Standards for New Apartments Guidelines for Planning Authorities; and Urban Development and Building Heights Guidelines for Planning Authorities. Clarification is specifically required in relation to how the character of the site location and its public transport accessibility meet the criteria set out in those guidelines, both presently, and in the future context, following alterations to the frequency of bus routes serving the site. Further consideration of this matter may require an amendment to the documents and design proposals submitted.
 3. **Design Strategy:** The prospective applicant should provide further justification and/or detail in relation to the design strategy. In particular, the prospective applicant should provide further justification and/or detail in relation to the following:
 - (i) The visual impact of the development upon the surrounding area;
 - (ii) The elevational treatment of blocks;

- (iii) The mass of development form;
- (iv) The treatment of the frontage to Greenhills Road in both its current and anticipated future form; and
- (v) Connectivity through the site.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

8.4. **Specific Information**

8.5. 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:

1. Consideration is required of potential impacts upon future residential populations of the site, resulting from the existing uses. Any mitigation should be clearly described alongside any measures to preserve mitigation features.
2. Consideration is required of any matters that have potential to be material contraventions of the Development Plan, with submission of a statement regarding the same if required.
3. Landscape drawings clarifying the quantum of public open space proposed and the quality, functionality / usability of the public open space. Any deviation from policy requirements should be highlighted and consideration as to whether a material contravention arises.
4. A plan of landscape proposals clearly delineating communal and private spaces should also be provided, as well as a detailed breakdown of the total area of same. Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children is also required. Consideration of security of access to communal amenity space is also required.

5. Cross sections of the development should be submitted, clearly detailing the change in levels from the site to surrounding areas and how this will be addressed in both the existing and future conditions.
6. The relationship of the proposed development with the development potential of surrounding lands as envisaged as part of the City Edge Project should be described.
7. A plan annotating separation distances between all windows and balconies / terrace areas, to surrounding areas.
8. A Daylight, Sunlight and Overshadowing Assessment is required to demonstrate how the proposed development responds to recommendations in the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (the BRE guidelines). The methodology of the BRE guidelines should be followed and clearly stated within the submitted assessment. Analysis of all proposed units on each floor should be provided until it can be demonstrated that all units on a floor meet recommended targets, at which point it can be logically assumed units above will also pass (where a stacked arrangement to room use is proposed). APSH analysis of both the proposed accommodation and existing properties should be provided. Overshadowing analysis of all exterior amenity areas both within the development and in surrounding areas should also be provided. Consideration should include potential impact on future development sites.
9. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.
10. Details of waste storage and collection.
11. Additional details and/or revised proposals in relation to comments from Transportation Planning at the Planning Authority.
12. Additional details and/or revised proposals in relation to comments from the Water Services / Drainage Division at the Planning Authority.

13. Additional details and/or revised proposals in relation to comments from the Parks & Landscape Services / Public Realm Department at the Planning Authority.

14. A Housing Quality Assessment with regard to relevant national and local planning policy on residential development.

8.6. 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. The Department of Culture, Heritage and the Gaeltacht
2. Irish Water
3. Transport Infrastructure Ireland
4. National Transport Authority
5. South Dublin Childcare Committee
6. Dublin City Council Planning Department

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.

Rachel Gleave O'Connor

Planning Inspector

7th October 2021