



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-311570-21

Strategic Housing Development	2,718 no. residential units (2,233 no. apartments, 485 no. houses), 2 no. creches and all associated site works.
Location	Belcamp Hall (Protected Structure), Malahide Road and R139, Belcamp, Dublin 17.
Planning Authority	Fingal County Council & Dublin City Council
Prospective Applicant	Gerard Gannon Properties
Date of Consultation Meeting	24 th of November 2021.
Date of Site Inspection	08 th of November 2021

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 (c. 61.9ha) radiates from the R139 along the south, north across the River Mayne, around Belcamp House and towards the Malahide Road (R107). The River Mayne traverses the site in an east west direction and forms the administrative boundary between the Dublin City Council (DCC) lands and Fingal County Council (FCC) lands. The site includes lands within both administrative boundaries.
- 2.2. The part of the site within DCC lands, adjoins a commercial area (to the east) and includes the original entrance into Belcamp House (a Protected Structure). That part of the site within the FCC boundaries, north of the River Mayne, include a current permitted and under construction development (PL06F.248052) accessed from the Malahide Road.
- 2.3. The site is located close to a mixed-use area, beside Hilton Hotel, which serves the Belmayne area. This mixed-use area is accessed from the Malahide Road (R107)

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development provides for a total of 2,718 no. residential units comprising 1,951 no. apartments, 485 no. houses and 282 no. duplex units with ancillary amenity facilities, 2 no. childcare facilities, c.2,812.1m² of commercial/retail space, and associated car parking and bicycle parking, landscaping, boundary treatments, and all associated engineering and site development works necessary to facilitate the development.

3.2. A 10-year permission is being sought.

3.3. **Development Parameters (both DCC and FCC).**

Parameter	Description
Site Area	61.9ha
No of residential units	2,271
Density	77.3 units per ha (net)
Commercial (excluding crèche)	3,130.7 m ² GFA
Creche x 2	1,002.9 m ² GFA
Heights	2-9 storeys
Dual aspect units	c. 63%
Car parking spaces	2,223
Bicycle Parking Spaces	4,371
Public Open Space	12.5ha

3.4. **Dublin City Council Lands**

Blocks 1-6 are located within DCC lands and access is provided along the R139. The proposed development located in DCC lands is summarised below:

- 1,375 no. units
- 980m² commercial
- Part V (Block 2 and 143 units)
- Net density 186 uph
- Heights 2-9 storeys
- Public Open Space 7.36 ha (44.6%)

3.5. Breakdown of Blocks in DCC

Blocks	Units & other units	Height (maximum)
Block 1	340 no. units	6-9 storeys (31.55m)
Block 2	143 no. units & creche	2- 8 storeys (28.7m)
Block 3	330 no. units & 2 no retail units (311m ²)	6-9 storeys (31.55m)
Block 4	326 no. units & 1 no retail unit (200m ²) & 1 no café (c. 72m ²)	6-9 storeys (32.18m)
Block 5	101 no. units	2-7 storeys (25.8m)
Block 6	135 no. units	6-9 storeys (30.7m)

3.6. Fingal County Council Lands

The remaining units and commercial development are located within the FCC lands and comprise of the following:

- 1,343 no. units
- 3,154 m² commercial
- Net density 48.2 uph
- Heights 2-6 storeys
- Public Open Space 5.11 (18.4%)

3.7. Commercial Breakdown in FCC

Block	Commercial use	Area
Block D	1 no retail units	318 m ²
Block G	1 no. retail unit	120m ²
Block J	1 no. retail unit	266.4m ²
Block K	1 no. retail unit	266.4m ²
Block E	1 no. pub/ restaurant	476m ²

Block F	1 no. convenience store/hot food takeaway	1,079m ²
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4.0 Planning History

4.1. Phase 1 of the Belcamp Lands

ABP Ref. PL06F.248052 (Reg. Ref. F15A/0609)

Permission for the construction of 175 no. residential units, shops, childcare facility and change of use of Belcamp Hall (protected structure RPS no. 463) to residential use and all associated site works. Construction works currently on site.

Condition No. 2. Prior to the commencement of development, a revised site layout plan shall be submitted to and agreed in writing with, the planning authority omitting Block nos. 1, 2, 3, 4A, 4B and 5 from the development. Prior to the completion of the 49th residential unit, a separate planning application in respect of the parcels of land associated with Block nos. 1, 2, 3 and 5 shall be submitted. Provision shall be made for a childcare facility within this application to meet the requirements of the overall application site.

Reason: In the interest of visual amenity and to protect the character of Belcamp Hall.

4.2. **Reg Ref F21A/0401**

Permission granted for 78 no dwellings and restoration of the Belcamp House on the 03rd of November 2021 subject to 22 conditions of which the following are of note:

- C3: All restoration works shall be undertaken before occupation of the first unit
- C4: Final design of the East West link road to be agreed prior to commencement of development.

4.3. Current Live applications

There are 4 applications currently in the live application process and pending decision with Fingal County Council. These include the Phase 1B development, the

Phase 1C development (2 concurrent applications for Blocks 1, 2, 3 and a creche), and the walled garden development

4.4. **Reg Ref F21A/0487**

Permission has been applied for the following proposed development:

- 52 no. apartments (18no. 1-bedroom units and 34 no. 2 bedroom units).
- A 2-storey childcare facility with outdoor play area; 1 no. esb substation and bin store.
- The proposed development also includes new road infrastructure pertaining to the East West Link Road on foot of planning permissions granted under Reg. Refs. F15A/0609, PLO6F. 248052; F18A/0058; F19A/0220 and F19A/0221).

Additional Information request was issued on the 08th of November 2021 for the following points which have been summarised:

- Quantum of development having regard to condition No. 2 ABP PL06F.248052
- Up to date timelines for the restoration of Belcamp and compliance with Objective Balgriffin/Belcamp 5
- Childcare/ school Audit
- Design of Block 3 and impact on walled garden/ materiality of creche
- Submission of views from within the walled garden
- Layout of the east west distributor road and realignment of woodland area 1
- Concerns of PA and NTA in relation to the pedestrian & cycle access/ route/ crossings
- Car parking
- Archaeological Impact Assessment (AIA)
- Public Open Space calculation
- SuDS (sedum roof).

4.5. **Reg Ref F21A/0488**

Permission sought for 7 no. residential units (20 no. 1-bedroom units; 55 no. 2-bedroom units and 2 no. 3-bedroom units) across 2 no. apartment blocks. The proposed development also consists of all associated site infrastructure and engineering works necessary to facilitate the development (on foot of planning permissions granted under Reg. Refs. F15A/0609, PL06F.248052; F18A/0058; F19A/0220 and F19A/0221). Under assessment.

Additional Information was requested on the 15th of November 2021 for the same reasons as Reg Ref F21A/0487:

- construction of 77 no. residential units (20 no. 1-bedroom units; 55 no. 2-bedroom units and 2 no. 3-bedroom units) across 2 no. apartment blocks as follows;
- Block 1 with is a part 3 and part 4 storey apartment block comprising
- Block 2, which is a part 3 and part 4 storey apartment block
- The proposed development also consists of all associated site infrastructure and engineering works necessary to facilitate the development (on foot of planning permissions granted under Reg. Refs. F15A/0609, PL06F.248052; F18A/0058; F19A/0220 and F19A/0221).
- No works are proposed which directly affect the structures at Belcamp Hall (a protected structure), or any other protected structures associated with it.

5.0 **Relevant Planning Policy**

5.1. **Dublin City Council**

5.1.1. **Dublin City Development Plan 2016-2022**

The site is located on lands zoned: Zone Z14: Strategic Development and Regeneration Areas (SDRA), where it is an objective to “*To seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and 'Z6' would be the predominant uses*”.

- SDRA 1 North Fringe (including Clongriffin/Belmayne)

- Z14 areas are capable of accommodating significant mixed-use development; therefore, developments must include proposals for additional physical and social infrastructure/facilities to support same

Strategic Development and Regeneration Area (SDRA) 1 North Fringe (Clongriffin-Belmayne).

The site is located within the SDRA 1 North Fringe (Clongriffin-Belmayne).

The local area plan is based on the following key **objectives/guiding principles**:

1. To create a highly sustainable, mixed-use urban district, based around high-quality public transport nodes, with a strong sense of place.
2. To achieve a sufficient density of development to sustain efficient public transport networks and a viable mix of uses and community facilities.
3. To establish a coherent urban structure, based on urban design principles, as a focus for a new community and its integration with the established community, comprising of a number of detailed elements for urban design

5.1.2. Clongriffin-Belmayne Local Area Plan 2012-2018 (as extended)

Transport Strategy Map (Fig 6.3)

- Indicative R107 Road improvement scheme & Belcamp east to west route (FCC)

Phasing and implementation

- The integration of these lands with the long-term development of FCC lands needs to be considered.

5.1.3. Draft Belmayne and Belcamp Lane Masterplan (2020)

- The masterplan provides a detailed urban design framework for buildings, movement, space and land-use at Belmayne and Belcamp Lane.
- The masterplan includes a link-road Belcamp Parkway (Belcamp Lane) between the R139 and the Malahide Road which will reduce traffic through the town centre (R138/R107 junction) and will cater more effectively for cyclists, pedestrians and public transport.

5.2. Fingal County Council

5.2.1. Fingal County Council Development Plan 2017-2023

Objective Balgriffin /Belcamp 5

- *Consider a limited quantum of development on the Belcamp LAP lands to facilitate the rehabilitation and preservation of Belcamp House prior to the adoption of Belcamp LAP. A design brief including the quantum and location of any such development, which shall not prejudice any future road requirements, shall be agreed with the Planning Authority prior to a planning application being lodged. Not more than 50% of any residential units permitted shall be sold or occupied pending the full re-instatement of Belcamp House to the satisfaction of the Planning Authority.*

Objective Balgriffin/Belcamp 6

- *Prepare a Local Area Plan for lands at Belcamp (see Map Sheet 9, LAP 9.B) to provide for a sustainable mixed use urban district Material Contravention Statement Lands at Belcamp, Northern Cross, including residential, community and recreational facilities subject to the delivery of the necessary infrastructure and rehabilitation and restoration of Belcamp House*

5.2.2. South Fingal Transport Study

Chapter 6- Fingal/ Dublin Fringe Transport Assessment

- The R107 Bypass (junction relief road) and the East-West link Road (EWLR)

SFTS Recommendation 21: Additional means of traffic distribution within and around the areas adjacent to Clarehall Junction, particularly to its north is recommended through construction of a small-scale bypass in the context of the need to reconfigure the existing Clarehall junction to rebalance capacity towards public transport and/or pedestrians and cyclists. It is recommended that future junctions be limited in scale as far as possible to avoid creating a car dominated environment, instead designing in favour of pedestrians and cyclists

East West Link Road (EWLR)

SFTS Recommendation 23: Developing a new link between the Clarehall Junction Relief Road and Stockhole lane to improve options for vehicular traffic entering/leaving the overall Fingal/Dublin Fringe area is recommended. This link would potentially cater for an orbital bus service linking the employment zoned lands north of the R139 with Dublin Airport and Swords. In the longer term this link would also cater for high quality walking and cycling trips via a more direct and safer route to Dublin Airport and for interchange with the future Swords CBC

- Overall, in addition to the proposals in the NTA GDA Strategy, it is recommended that orbital connectivity is provided for public transport, improvements on the R139 for cyclists and Clarehall junction relief road and EWLR for road works.

6.0 Section 247 Consultation(s) with Planning Authority

6.1. The S.247 meetings undertaken with both Fingal County Council and Dublin City Council are detailed in each planning authorities' submissions, summarised below.

6.2. In respect of **FCC**, the main issues raised included:

- One pre-planning meeting was held on the 15th of June 2021.
- The revised scheme is welcomed.
- A material contravention statement would be required.
- Concern the school site is not large enough to meet the requirement of the Dept.
- The EWDR design.
- Acknowledge the amended design is more sensitive to the Protected Structure.
- There are significant amendments required for the public open space and green infrastructure design including details on useability, interface areas, phasing and clarity for play.
- In relation to transportation, the future northern link road requires more information, the reserve area will depend on traffic volumes and the cycle pedestrian provision is welcomed.

6.3. In respect of **DCC**, the main issues raised included:

- Three pre planning meetings were held on the 18th of January, 12th of March and 01st of July 2021.
- Concern raised in relation to the prematurity of the design.
- Does the proposal align with the development plan LAP?
- Implications of the riparian corridor (walking/cycling).
- Scheme needs to have road linkage/public transport services.
- A strong masterplan approach is required.
- Taller buildings stepping down to the river is appropriate
- Response to the R139.
- Traffic concerns between DCC and NTA need addressed.
- Need for more facilities on DCC lands.
- Need a transition of scale between both sites. How will the town centre work?
- There should be a balance, including duplex units on DCC lands.
- There should be only one SHD application.
- The overall SuDS approach should be in combination with FCC.
- The flooding and drainage units should be consulted.
- The River Mayne corridor is important.
- Comprehensive tree studies/ ecological assessments undertaken.
- Ideas for integration with Darndale.
- Need to demonstrate compliance with Building Height Guidelines

7.0 **Prospective Applicant's Case**

7.1. Statement of Consistency

The applicant's Statement of Consistency notes the national, regional and local planning polices relevant to the development of the site.

7.2. Statement of Material Contravention

A Statement of Material Contravention is submitted with the documentation as it relates to permitted building heights in the outer city, unit mix and car parking of Dublin City Development Plan 2016-2022 and the Fingal County Development Plan 2017-2023 as it relates to car parking and Objective Balgriffin/Belcamp 6 regarding the preparation of a Local Area Plan.

In light of national and regional policy the applicant considers a material contravention of both development plans is justified under Section 37 (2)(b).

7.2.1. **Dublin City Development Plan 2016-2022**

Building Heights

- Section 16.7 includes a maximum height of 16m outside the designated areas.
- The highest building is 31.15m with buildings ranging from 2 storeys to 9 storeys

Unit Mix

- Section 16.10.1 sets out the requirements in terms of unit mix for a maximum of **25-30%** 1-bedroom units and a maximum of **15%** of 3 or more-bedroom units.
- The proposed development comprises of 598 no. 1-bedroom units (**43.5%**), 712 no. 2-bedroom units (51.8%) and 65 no. 3-bedroom units (**4.7%**).

Car parking

- The proposed development is within Zone 2. According to Table 16.2 the proposed development should provide for a maximum of **708 no.** car parking spaces.
- The proposal includes 573 no. spaces.
- Childcare is not listed on Table 16.1 of the development plan.

7.2.2. Fingal County Development Plan 2017-2023

Car parking

- Table 12.8 of the Fingal plan requires 1 space per apartment/ townhouse plus visitor spaces.
- The proposal provides a rate of 0.7 per unit.

Objective Balgriffin/Belcamp 6

- *“Prepare a Local Area Plan for lands at Belcamp (see Map Sheet 9, LAP 9.B) to provide for a sustainable mixed use urban district Material Contravention Statement Lands at Belcamp, Northern Cross, Dublin 17 Downey Planning 20 including residential, community and recreational facilities subject to the delivery of the necessary infrastructure and rehabilitation and restoration of Belcamp House”*
- No such Local Area Plan has been prepared by the Planning Authority.
- Justification as to the reason for the scheme without the LAP is submitted.

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 is located, Dublin City Council and Fingal County Council, submitted their opinions in relation to the proposal on the 03rd of November 2021.

8.2. Both PA opinions noted the S. 247 meetings in relation to the proposed SHD development, the planning history on the site and surrounding area, and the policy background. Each opinion has been summarised individually below:

8.3. Fingal County Council Submission

8.3.1. Planning Assessment

Strategic

- It is noted that the residential commercial and retail development being proposed are all contained within the RA Zoned Lands which seeks to

“Provide for new residential communities subject to the provision of the necessary social and physical infrastructure”

- The Board is requested to consider if the Material Contravention Statement (in respect of Objective Balgriffin/Belcamp 5 and Objective Balgriffin/Belcamp 6 and car parking) would accord with national policy.

Core Strategy

- Table 2.8, of the core strategy, as amended by variation 2 of the Fingal Development Plan 2017-2023, which identifies Balgriffin/Belcamp as other settlements (2,792 residential units).

Local Area Plan

- Objective relating to the need for a LAP.
- Objective Balgriffin /Belcamp 5.
- The Board would need to be satisfied to allow for this quantum of development without the provision of a local area plan.

Built Heritage

- Works permitted to Belcamp House although no works to date have been undertaken under PL06F.248052 and no restoration of the house.
- A large number of dwellings under Phase 1 have been completed and occupied to date.

Density

- Gross density 43.9 uph and Net 77.2 uph.
- The density is acceptable although has regard to the PS and lands associated.
- The concerns of the Transport Section area noted.

Integration & Quality of Design

- The documentation submitted includes a masterplan overview for the entire LAP lands which has not been adopted or approved by the PA.

- Overall, the Planning Authority are supportive of the principle of development within the area.

Carrying Capacity of the receiving built environment

- The subject site has the carrying capacity to provide for residential development.

Carrying Capacity of the physical infrastructure

- It is noted that the surrounding area is under extreme pressure in terms of car generated trips.
- The SHD application would be considered premature until such time as further progress is made on the Transport Interventions within the area which were identified as part of the South Fingal Transportation Study.
- Further discussion is required for the potential phasing the delivery of development in tandem with associated required Transport interventions.

Carrying Capacity for Social Infrastructure

- The Board needs to satisfy themselves that the reserved site is adequate to provide for a school which can serve the population.
- How will the school be delivered in tandem with the residential development?
- The commercial floorspace is not considered adequate to serve a population of this scale.

Environmental Capacity

- Environmental reports have been submitted.

Built Heritage and Conservation

- The conservation officer comments are incorporated.

Unit Mix

- Too many 1 and 2 bed units.
- Need to consider altering the unit mix and reduce the number of 1-bedroom units.

Part V

- Need to disperse the units through the proposed development.

Landscape

- Quantity and Quality of all Class 1 & Class 2 open space, green corridors, communal open space.
- Need to overcome the issues raised in parks and landscape submission.

Transportation

- There are a number of junctions which will experience capacity issues in the design year.
- Clear breakdown of the parking.
- Road safety audits.
- There is a lack of public transportation within the vicinity of the site and the proposal is premature.
- Block N may need to be redesigned to accommodate a north-south linear park.

8.3.2. **Interdepartmental reports from FCC**

Conservation Officer: Request additional information, as detailed below.

- The layout and design need to respect the historic setting of Belcamp.
- The proposed high scale buildings (particularly in the DCC lands) are sensitively designed not to have a detrimental visual impact on Belcamp Hall and the surviving designed landscape features; and
- A Visual Impact Assessment should provide a visual assessment of those locations set out in the Conservation Officer's report.
- Character Area A: concern over the materiality of the proposed apartment blocks at this location which is proximate to the Protected Structure/ Height of Block C is not consistent with the overall design/ Current applications in relation to the PS (Regs. F21A/0487 & F21A/0488).

- Character Area 3: Block D, Block E, Block F & Block G, Lack of cohesion around the walled garden. Block G is an unusual form and would have a significant negative impact on the walled garden, should be scaled down/ greater connection with the town centre/ materials should be metal and not Upvc.
- Character Area 2/4/5 Linear park. Requested to reconsider the location of Block N to allow for a connection between the north-south linear and east-west linear park.
- Linear park houses-duplex units. Design of duplex/ house units, end of terraces. Duplex type 1 is not consistent with other dwellings.

Water Services: No objective subject to additional clarity on the SuDs strategy.

Transport Planning Section: Additional information required on the following:

- Car parking: The number of spaces provided is too low and not justified for this location, podium parking should be designed in line with the national standards, EV charge parking provided, swept path analysis.
- Traffic & Transport Assessment: A number of recommendations from the South Fingal Transport Study (SFTS) should be integrated into the TTA.
- It is not clear of the existing transport network can accommodate the proposed development.
- Additional information on the potential phased delivery of infrastructure is required.
- The development of this area would result in a car-based community.
- Only part of the EWLR will be provided as part of this development and the design should address the road.
- Information of servicing the school site requires further discussions.
- All areas should meet the Council's taking in charge standards.

Parks & Green Infrastructure Department: Additional information on the following:

- Clarification on the provision of Class 1 and Class 2 open space.
- Quality Class 2 open space has not been provided.

- Linear spaces of less than 50m will be considered a green corridor and not counted towards open space.
- The public plaza may be acceptable if there are no wayleaves etc.
- Additional planting details are required.

Architects Department: Additional information required, as summarised below:

- Design of the EWLR: Redesign of the urban blocks to create active street frontage.
- Greater typologies would provide interest.
- The design of house type 2 & 3 should be considered further to provide interest.
- The design of Apartment Block G and Duplex type 2 & 3 should be amended.

Archaeological Report: No objection subject to works undertaken as part of the Cultural Heritage Baseline Report.

Community Report: No objection subject to the inclusion of public art.

8.4. Dublin City Council Submission

8.4.1. Planning Assessment

- The Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 contains an objective for the construction of the Malahide Road Bypass route as described above, to relieve congestion at the R107/Malahide Road junction.
- The South Fingal Transport Study was prepared by FCC the proposed bypass roadway is realigned and is placed significantly further north (to the north of the permitted Belcamp development) and 100m west of Northern Cross.
- It would be preferable if other lands in the applicant's ownership in the Clongriffin area (ABP 305316/ ABP 305319 & S34 Reg Ref 3894/19) where developed before this proposal.
- Draft Belmayne & Belcamp Lane Masterplan (July 2020) includes a link-road Belcamp Parkway (Belcamp Lane) between the R139 and the Malahide Road

which will reduce traffic through the town centre (R138/R107 junction) and will cater more effectively for cyclists, pedestrians and public transport.

- It is considered the principles of Objective BALGRIFFIN/BELCAMP 5 (Fingal County Development Plan) have been complied with through the grating of F15A/0609.
- A creche will be provided in the DCC lands.
- A level of commercial development should be incorporated into the DCC lands to ensure self-sufficiency.
- The early provision of amenities and facilities is a key consideration.

Phasing

- Whilst there should be flexibility in the phasing a significant proportion of DCC lands should be included in the first phase.

Design & Integration

- The DCC lands has 70.5% of all apartments proposed and 67.4% of all proposed 1–2-bedroom units.
- There is a preference for a more integrated and coherent urban design strategy across both sets of lands which would allow a more balanced approach and linking character.
- The prospective applicant should include more detailed landscape plans and sections across the pocket parks to better understand the juxtaposition of the hedgerows and the public pathways.
- Level of privacy for the ground floor residential units patio/terrace areas is noted. Cross sections should show the level of screening at such public-communal areas
- There are concerns the proposed blocks and interaction with the River Mayne lack any focal point.
- There is an opportunity for the north ends of Blocks 3 & 4 to act as a landmark location.

Height

- The subject site is not located within the areas identified for higher buildings and the town centre element to the overall development will be located within the Fingal lands where a lower scale of development is proposed compared to the subject site.
- The provision of the taller blocks will provide a strong urban edge.
- SPPR 3, justification for taller buildings, requires accessible public transport
- A shadow analysis should be undertaken. It is considered there may be shadow cast on those dwellings to the south (opposite side of the R139).
- There is no significant objection to the principle of taller buildings on this site.

Design

- It appears the blocks will be similar in style.
- The elevational treatments should include all details.
- There will be some variation in detail and the proposal should not be monolithic.
- The elevations, as presented appear “flat”.
- A landscape and visual impact assessment has not been provided.
- It is difficult to assess the scale and mass from the submitted visuals.

Housing density, Plot Ratio and Site Coverage.

- The LAP states a density of 50 uph although notes it will vary at certain areas.
- The combination of DCC and FCC density is 77.3uph (gross 43.9uph). DCC lands have a net density of 186uph (gross 83.5uph) whilst the FCC have 4.2 uph (29.5 gross).
- Permitted SHDs in the vicinity include densities of 265 uph (ABP- 307887-20) and 332 uph (ABP 302992-19).
- There are concerns in relation to the differences between DCC and FCC lands.

Apartment units within DCC lands.

- It is unclear if the proposed storage space is in addition to the hot press/ boiler etc.
- The size should be in compliance with Section 3.31 of the apartment guidelines.
- The unit mix is not in compliance with 10% limitation set out in the apartment guidelines
- The dual aspect is 49.1% which is marginally below the 50% requirement.
- As stated above there is a disparity in the unit mix provided.

Residential Amenity

- The results of the daylight/ sunlight are noted.
- 7 no. units of the 6 blocks are below the BRE standards and the design should be reviewed to increase sunlight/ daylight or provide compensatory measures.

Overlooking and Privacy

- There is some concern there will be overlooking between apartments. Measures such as pop-out windows, louvre/ directional treatments, high levels etc should be used.
- An overlooking study should be submitted.
- A building and lifecycle report should be submitted.

Amenity and private open space

- 1.m high screens should be applied on the less favourable side of the projecting balcony.
- There are concerns in relation to the private amenity space of the ground floor duplex units which adjoin the public open space.
- Communal Open space should be separate from the public open space
- Children's play spaces should be located where there is good passive surveillance.

- Block 2 and Block 5 will not have sufficient levels of sunlight as per the BRE guidelines.

Residential Amenity

- It is noted this is not BTR.
- The inclusion of internal amenity spaces is welcome.
- The amenity spaces could include some laundry facilities/ management facilities etc.

Public Open space

- The public open space layout includes marginal open space areas adjoin surface car parks and should be discounted from the overall area.

Childcare and School Demand Assessment

- The assessment and rationale for the number of crèche space (c. 119 children) is acceptable.
- The applicant has provided an assessment of the likely demand for school spaces on the site.
- The school site will be reserved for 5 years and then reverted to residential if not used.
- The applicant should be required to provide a full assessment of capacity of the surrounding area.
- The school site should be retained for potential educational use for c.20 years.

Community & Social Infrastructure

- The submitted community audit does not consider an accurate portrayal of the level of existing social and community infrastructure.
- The audit has a limited assessment of the social and community infrastructure in the wider LAP lands including the Belmayne and Clongriffin KDCs.

Part V

- The applicant has not engaged with the Housing Dept in relation to Part V obligations.

8.4.2. Interdepartmental Reports from DCC

Transportation Planning Division: The proposal is not supported.

- The overall development must be reviewed in tandem with FCC and the proposed development of this site cannot be done through the development management process.
- The fundamental principles of establishing sustainable communities can be comparable to the Poolbeg SDZ.
- The proposed development should be linked to the provision of crucial infrastructure.
- Predicted upfront delivery should include the extension of the Malahide QBC to the new Clongriffin Station.
- There is an absence of an integrated transport and land use strategy.
- The applicant's proposal to provide a shuttle bus from the site to the DART station further highlights the unsuitable travel patterns
- If the proposed development is not served by public transport, then the impact will be on the M50/M1 road network.
- The R139 and R107 are already under pressure.
- The road layout in the south-eastern corner of the site has not been designed to cater for future public transport.

Drainage Division: Further Clarification required on the following:

- Priority should be given to the use of Natural Water Retention Measures (NWRMs) in the surface water management.
- Proposed location of connection from each block.
- Detailing of phasing for the surface water drainage works.

- Details of surface water works to be taken in charge.
- Details of surface water discharge rates and construction in accordance with the Greater Dublin Strategic Drainage Study.
- Details for the proposed Riparian Corridor shall be agreed with the Water Framework Directive Unit (width of corridor, retention measures etc).

Environmental Health: No objection subject to the submission of a Construction Management Plan.

Housing Section: The agents have not engaged with the Housing Department in relation to Part V.

Waste Regulations: Additional information on waste disposal required.

Parks & Landscape: Additional information requested:

- A breakdown of the communal, public and private open space is required.
- 70% green roof are required.
- There should be further consideration of the design of the river corridor to the east of the site (Northern Cross). Road proposals that do not form part of this development should be removed from the proposal.
- The Arboriculture report and landscape architecture report should include a summary able of works to DCC lands and planting should retain the overall character of the historic Belcamp House.
- A Phasing Plan should be submitted.
- Taking in charge plan should be included.
- Proposal for public art is welcome.
- All play equipment to required standards.

Conservation Officer: Report from the Stage 1 submission (23rd of July 2021).

9.0 Irish Water

9.1. Irish Water letter dated the 8th of November 2021 stated that the applicant was issued a Confirmation of Feasibility for 2,718 no. residential units and associated works, subject to the following:

In respect of **Wastewater**:

- There are critical IW assets on the proposed development site (1050 mm and 375 mm sewer).
- The site is a future wastewater treatment plant is adjacent to the proposed development.
- The applicant must demonstrate that proposed structures and works will not inhibit access for maintenance or endanger structural or functional integrity of the infrastructure during and after the works.

In respect of **Water & Wastewater**:

- A detailed Local Network Plan (Master Plan) of the Development Area, including water distribution and wastewater collection networks servicing the planned building blocks, is required.
- The networks should be appropriately designed and suitably sized to provide effective and economical management of the networks with minimum number Irish Water of pumping stations.
- The Plan shall be submitted for review and approval by Irish Water prior to the applicant progressing to SHD application.

10.0 The Consultation Meeting

10.1. A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 24th of November 2021, commencing at 10.00am, via Microsoft Teams. Representatives of the prospective applicant, the planning authorities (FCC and DCC) and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting as detailed below:

1. Objective Balgriffin/Belcamp 6, *inter alia*, the need for a Local Area Plan and the delivery of sustainable communities, Phasing Strategy and the delivery of physical and social infrastructure
2. Development Strategy for the Site, *inter alia*, permitted, live and proposed planning applications
3. Traffic & Transport, *inter alia*, South Fingal Transportation Study, sustainable transport options, east west
4. Conservation Impact Assessment, *inter alia*, impact on Belcamp House
5. Impact on Visual Amenity, *inter alia*, (CGIs) and design & layout
6. Impact on Residential Amenity, *inter alia*, daylight & sunlight, overlooking, public and communal open space, unit mix
7. AOB

10.2. In relation to the **requirement for a Local Area Plan**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- Objective Balgriffin/Belcamp 6 of the Fingal County Development Plan 2017-2023 which requires the preparation of a Local Area Plan (LAP) for the subject lands.
- The Material Contravention Statement, Objective Balgriffin/Belcamp 6 and justification for any contravention having regard to the absence of a LAP.
- The location of the site proximate to the city centre and the availability of services in the vicinity of the site.
- The phasing strategy and the absence of clear rationale for the delivery of essential infrastructure.
- The delivery of the entire site, within the applicant's control and ownership, in a co-ordinated manner.

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

- The current permitted and proposed development on FCC lands.
- The integration of those permissions which have been granted.

- The integration of the permitted infrastructure with the proposed development.
- The location and size of the school site.
- The design response to the R139 and the need to provide a strong urban edge along the regional road.
- The character areas, proposed materials and compliance with the 12 criteria in the Urban Design Manual.

10.4. In relation to the **Traffic & Transport**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The information contained in the South Fingal Transport Study.
- The design of the East West Link Road.
- The absence of any sustainable transport options to support an emerging community.
- The overreliance of the proposed development on the car as the main form of transport.
- The draft Dublin City Development Plan, which includes a change in the road connection from Darndale, across the R139 into the site.

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

- The information contained in the Conservation Impact Assessment.
- The CGIs submitted and the need for more visuals and documentation illustrating the impact on Belcamp House and associated curtilage.
- The restoration of Belcamp House, the current permission and the need to include this restoration in the phasing strategy for the proposed development.

10.6. In relation to the **Impact on Visual and Residential Amenity**, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- The quantum and location of the communal open space and the functionality of the spaces provided.

- The public open space along the River Mayne and the absence of a focal point.
- The daylight/ sunlight analysis, the ADF for proposed development and the standards for the open space areas.
- The unit mix provided, the over provision of one- and two-bedroom units on DCC lands and the need to provide a greater range of mix typologies.
- The design and layout of the apartment blocks along the R139, within the DCC lands and an existing wayleave.
- The need for a co-ordinated approach in the presentation of the documentation with appropriate CGIs illustrating the proposal from key locations.

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

- Part V proposals.
- The co-ordinated approach to the delivery of both sites.

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

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

Principle of Development

Further consideration and/or justification of the documents as they relate to Objective Balgriffin/Belcamp 6 of Fingal County Development Plan 2017-2023. The submitted documentation should address the higher-level planning policy, including *inter alia*, the need for a Local Area Plan for the site. The consideration/ justification of documentation should cross reference the appropriate development and phasing strategy necessary to comply with national guidance for sustainable residential development and self-sufficient communities. In addition, any references to delivery of the development at this location and the circumstances of the surrounding area, including those relating to the availability or otherwise of infrastructure, employment, retail, commercial or social services, should be based on verifiable facts.

Design Strategy

Further consideration and/or justification of the documents as they relate to the design approach of the proposed development and the need for a high quality, strong urban edge which integrates effectively along the R139. The further consideration/ justification should address the proposed design and layout, *inter alia* the unit mix proposed across the entire site, the design of the ground floor apartments units, passive surveillance and functionality of open space (in particular along the River Mayne), compliance with DMURS guidance and interaction with lands currently permitted within the applicant's ownership. Particular regard should be had 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009) and the requirement for good design and the inclusion of a sense of place.

Traffic and Transport

Further consideration and/or justification of the documents as they relate to the traffic and transport provision. The submitted documentation should address the requirements of the South Fingal Transport Study and the delivery of the East West Link Road. Regard should be given, in the Traffic and Transport Assessment, *inter alia*, the capacity of the surrounding junctions and the impact of the proposed development on the surrounding road network and the delivery of sustainable transportation options.

12.1. 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. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential and commercial properties surrounding the site and the proposed development at key landmark views.

2. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and neighbourhood/commercial centre. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).
3. An updated Conservation Impact Assessment which includes justification for the design and layout, having regard to the location adjacent to Belcamp House, and include a phasing and delivery schedule detailed the restoration works for Belcamp House.
4. A Retail Impact Assessment, clearly demonstrating that the quantum of retail and commercial service proposed is sufficient to serve the proposed population within the site.
5. A Taking in charge map.
6. A report that addresses the contents of the submission from Irish Water (dated 8th of November 2021) concerning the need to ensure no impact on the proposed future wastewater treatment plant adjacent to the proposed development. In addition, the report shall address the concerns raised in relation to the need for a detailed Local Network Plan (Master Plan) of the Development Area, including water distribution and wastewater collection networks servicing the planned building blocks.
7. A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, *inter alia*, designated communal open space, the inclusion of 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 and the design, a detailed

trees survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space.

8. A quantitative and qualitative assessment which provides a breakdown of the public and communal open space areas. This assessment should include a detailed landscape plan including the provision of communal amenity spaces and play facilities in line with the Sustainable Urban Housing: Design Standards for New Apartments (2020) and the requirements of Fingal County Council Parks Department.
 9. An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, 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. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
 10. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.
- 12.2. 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. Irish Aviation Authority.
 3. Dublin Airport Authority.
 4. Inland Fisheries Ireland.
 5. Transport Infrastructure Ireland.

6. National Transport Authority
7. Minister for Culture, Heritage and the Gaeltacht (archaeology, architectural heritage and nature conservation),
8. The Heritage Council (archaeology, architectural heritage and nature conservation),
9. An Taisce-the National Trust for Ireland (archaeology, architectural heritage and nature conservation),
10. An Comhairle Ealaíon,
11. Fáilte Ireland
12. 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

15th of December 2021