



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-311683-21

Strategic Housing Development

118 no. residential units (112 no. houses, 6 no. apartments), creche and associated site works.

Location

In townland of Commons, Longford Road/The Steeples Road, Duleek, Co. Meath.

Planning Authority

Meath County Council

Prospective Applicant

Davy Target Investments ICAV.

Date of Consultation Meeting

01st of December 2021

Date of Site Inspection

08th 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 subject site is a Greenfield site which fronts onto the Longford Road, a local road radiating north from the centre of Duleek, Co Meath. The site is located within the settlement boundary of Duleek, has mature hedging around the entire perimeter of the site and is accessed via an agricultural access directly off Longford Road to the front of the site. A residential estate to the north of the site consists of traditional two storey semi-detached detached dwellings and a row of the dwellings front onto and are accessed directly from Longford Road. A number of detached bungalows set on large sites are positioned along the east of the site, towards the town centre and are accessed from a private road which is rural in nature.

3.0 Proposed Strategic Housing Development

3.1. The proposed development would comprise of 118 no. units with, 112 no. 2 storey houses and 6 no. 1 bed apartments accommodated 2 no. 2 storey buildings. The proposed houses consist of 22 no. 3 & 4 bed detached houses, 84 no. 2, 3 & 4 bed semi-detached houses, and 6 no. 2 bed terraced houses.

3.2. Vehicular and pedestrian access is proposed via The Steeples road.

3.3. Development Parameters

Parameters	Description
Site Area	4.8ha

Units	118 no. units (112 no. dwelling & 6 no. apartments)
Density	25 uph
Creche	415m ²
Car parking	254 no. (18 no. for the creche)
Public Open Space	0.705 ha (15%)
Communal Open Space	30 m ²
Part V	10% (12 units)

3.4. Unit Mix

Unit	No	Percentage
1 bed	6	5.1
2 bed	6	5.1
3 bed	64	54.2
4 bed	42	22.1
Total	11	100

4.0 Planning History

There are no current live permissions on the site a previous SHD application ABP 307240-21 was annulled and a grant of permission (Reg Ref 140396 / EOD SA/802333) for 70 no residential units expired in 2018.

4.1. Lands Adjoining to the north east on the opposite side of the laneway

ABP-305011-19 (PA ref. LB/190578)

Permission refused (Damien Byrne, 03/07/19) for 21 no. dwellings and all associated development works, including upgraded site access/entrance, public open space, landscaping, roads, piped and wired services on existing site.

5.0 Relevant Planning Policy

5.1. Meath County Development Plan 2021-2027 (adopted 03rd of November 2021)

The site is located on lands zoned as A2 New Residential Objective, where it is an objective to: *“provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.”*

Duleek

- Duleek is classified as a self-sustaining town
- **Housing DUL OBJ 1** To secure the implementation of the Core Strategy of the County Development Plan, in so far as is practicable, by ensuring the household allocation for Duleek as set out in Table 2.12 of the Core Strategy is not exceeded.

Core Strategy

Table 2.12 Core Strategy Table, Population and Household distribution to 2027

Duleek:

- Projected population increase to 2027: 500
- Household allocation between 2020-2027: 336

Density

DM OBJ 12: To encourage and facilitate innovative design solutions for medium to high density residential schemes where substantial compliance with normal development management considerations can be demonstrated.

DM OBJ 14: The following densities shall be encouraged when considering planning applications for residential development:

- Self-Sustaining Towns: 25uph - 35uph

Design

DM OBJ 13: A detailed Design Statement shall accompany all planning applications for residential development on sites in excess of 0.2 hectares or for more than 10 residential units

6.0 Section 247 Consultation(s) with Planning Authority

6.1. The submission from the PA notes a record of one S247 meeting held on the 22nd of July 2021. The details of the meeting are summarised below:

- Proposed changes to the scheme include the removal of the duplex units.
- Scheme has regard to the planning history on the site and the JR.
- ABP will likely seek higher densities having regard to the additional permissions.
- Road's layout will need to comply with DMURS, length of Road 2 to be reconsidered, cycling and pedestrian permeability will need addressed and updated reports submitted.
- Design solution required for the Longford Road (special levy may need applied).
- Demonstrate permeability to adjoining lands (no ransom strips).
- Cross sections to illustrate the adjoining laneway and address level differences.
- A revised PCE from IW is required.
- Additional modelling for flood required.

7.0 Prospective Applicant's Case

7.1. Statement of Consistency

The applicant's Statement of Consistency includes reference to national, regional and local documentation and concludes that the overall proposal is in compliance with planning policy.

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, Meath County Council submitted a note of the S.247 meeting, the planning authority opinion, along with

interdepartmental reports and the relevant planning applications in the area. These were received by An Bord Pleanála on the 12th of November 2021.

8.2. The issues raised by Meath County Council in their submission are summarised below:

8.2.1. **Planning Assessment**

Principle of proposed development and Planning Policy

- The number of units for Duleek for the plan period (2021-2027) is 336 and includes extant permissions.
- The proposed development is acceptable in principle

Design, Urban Design, Layout and Phasing

- The applicant was advised to submit a schedule of units and a Housing Quality Assessment which is sufficiently detailed (e.g., Apartment Standards in line with the Department of Housing, Planning and Local Government Planning Guidelines).

Density

- The density is 25dph or 118 no. units on 4.8ha
- Density with DM OBJ 14 encouraging net residential densities between 25-35dph for Self-Sustaining Towns when considering planning applications for residential development.

Urban Design/ Layout & Phasing

- Changes to the previous layout ABP-307240-20 include detached units along the Longford Road and the removal of centrally located three-storey duplex apartment units.
- Once again, the exclusion of the laneway along the northern boundary is a missed opportunity to increase permeability and connections and appears to be down to a land assembly issue which is not necessarily a material planning consideration in the context of proper planning and sustainable development.
- The proposed phasing is acceptable.

Open Space, Landscaping & Boundary Treatment

- The planning authority is satisfied with the proposed public open space.
- The landscaping plan submitted with an application should clearly illustrate how existing green infrastructure and opportunities to create more linkages have informed and been incorporated into the development, layout and, if appropriate, management proposals.
- There should be a more pronounced differentiation between Boundary Treatment 2 and Boundary Treatment 5.
- Boundary Treatment 8 is acceptable along the northern boundary where it falls within the root zones of existing trees and hedgerow to be retained.

8.2.2. Access, Traffic Impact, Parking & Public Lighting

- The current layout of the R150 / Steeples Road Junction is sub-standard from a pedestrian facility point of view.
- The pedestrian and cycle tie-in points around the site (northern and southern) are not aligned and do not appear to be aligned with the National Cycle Manual or future plans for infrastructure in the area.
- The use of a roundabout within the development is not fully accepted.
- The Cul- de-sac is too long and not conducive to permeability.
- Residential lands to the immediate east should be accessed via the proposed development and the applicant is requested to ensure that the design levels associated with the Road 5 of the proposed site are suitable to provide access onto the private laneway towards the adjacent site to the east.
- Road 5 should be extended towards the eastern boundary of the site to facilitate this future connection.

8.3. Interdepartmental Reports

Transportation Department: Additional information requested, as summarised above.

Water Services: Additional information on SuDS including details of the ground water levels, Qbar greenfield run-off rates

Waste Management: No objection subject to conditions.

Fire Service Department: No objection subject to conditions.

Conservation Officer: No objection

Environmental Section: No objection

9.0 Irish Water

9.1. Irish Water letter issued on the 09th of November 2021 states that a Confirmation of Feasibility has been issued to the applicant subject to the following contingencies:

In respect of Water:

- Local upgrade works are required for approximately 90m of new 150mm ID pipe main to be laid to connect the site development to the 6" Upvc. A bulk meter will be required to be installed on connection main.

10.0 The Consultation Meeting

10.1. A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 01st of December 2021, commencing at 10:00am. 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.

10.2. 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. Core Strategy and Density
2. Development Strategy, *inter alia*, impact on adjoining site, permeability
3. Traffic & Transport, *inter alia*, road upgrades, DMURS
4. AOB

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

- The density proposed, at 25 uph, the national standards for greenfield sites in towns such as Duleek and the requirement in the Meath County Development Plan 2021-2027 for 25-35 uph.

- The Core Strategy for Duleek, the land allocation and the density necessary for each parcels of residential zoned land, including the subject site, to achieve the population allocation for the lifespan of the development plan.

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

- The location of the subject site, the applicant's land holding along the north of the site and the need to include appropriate treatment and integration with the site.
- The design and layout of the proposed development and the potential for permeability into adjoining sites.
- The ground levels along the east of the site, the level changes between the existing site and the boundary treatment proposed.
- The design and layout of the public open space.

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

- The internal layout of the proposal, the length of the cul-de-sac and the design and layout of the roundabout within the proposal.
- The requirements of DMURS, in particular section 4.4.3.
- The pedestrian and cycle upgrades required, the need to tie into the public infrastructure along the Steeples Road and comply with the National Cycle Manual Standards.

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

- The Part V requirements for the site.
- Design and layout of the pedestrian access from the crèche The Steeples road.

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: **constitutes 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 **would constitute a reasonable basis for an application for strategic housing development** to An Bord Pleanála.

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 arising from this notification:

1. Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:
 - a) Further consideration and/or justification of the documents as they relate to the proposed density for the site. The proposed development shall have regard to the requirement for the efficient use of lands as prescribed in the Sustainable Residential Developments in Urban Areas-Guidelines for Planning Authorities and Objective DM OBJ 14 of the Meath County Development Plan 2021-2027, where densities of 25uph - 35uph are required in Duleek.
 - b) Further consideration and/or justification of documents for the provision of high-quality design strategy to ensure sufficient permeability into adjoining lands and ensure the level differences and boundary treatment along the east of the site will not impact the amenity of the existing residents of properties along the east. The documents submitted shall include cross sections of all existing and proposed levels/ gradient, in particular along the boundary with adjoining sites to the east and other documentation necessary to clearly demonstrate appropriate permeability to adjoining lands, having regard to the requirements of Design Manual for Urban Roads and Streets and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.
2. A Taking in Charge Map.
3. A report prepared by a suitably qualified and competent person demonstrating specific compliance with the requirements set out in the Design Manual for Urban Roads and Streets, in particular the provision of a road hierarchy and compliance with section 4.4.3, and the National Cycle Manual, as well as a map illustrating pedestrian, cycle and vehicular links through and off the site.

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

12.1. 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. Minister for Culture, Heritage and the Gaeltacht (archaeology)
2. Irish Water
3. Meath County 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

10th of December 2021