



An
Bord
Pleanála

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

Inspector's Report ABP-313790-22

Strategic Housing Development	150 residential units, a creche and cafe in two blocks of between 4 and 6 storeys in height and all associated site works.
Location	Glebe House and Industrial Estate, and former site of Coruba House, Saint Agnes Road, Crumlin, Dublin 12.
Planning Authority	Dublin City Council
Applicant	Seabren Developments Ltd and Circle VHA CLG.
Prescribed Bodies	<ol style="list-style-type: none">1. An Taisce2. Department of Housing, Local Government and Heritage3. Inland Fisheries Ireland (IFI)

4. Transport Infrastructure Ireland
(TII)

Observer(s)

25 no. submissions and observations
as follows:

1. Marston Planning Consultancy on behalf of Bethmell Limited
2. Catherine Byrne
3. Cian McCarty
4. Conall Nolan
5. Damian and Marie Byrne
6. Daniel Nolan
7. Elizabeth Nolan
8. Gerard Dempsey
9. Jack Nolan
10. Jason Byrne
11. Jennifer Murphy
12. Joan Collins
13. June Cassori
14. Kathleen Cunningham
15. Kathleen Finnerty
16. Kevin Dempsey
17. Kim Dempsey
18. Luke Byrne
19. Mary King
20. Pádraig Looby
21. Paul Cullen
22. Pauline Minsky
23. Sharon Dempsey
24. Siobhan Jordan

25. Theresa Reilly and Barry O'Hehir

Date of Site Inspection

7th September 2022

Inspector

Paul O'Brien

Contents

1.0 Introduction	5
2.0 Site Location and Description	5
3.0 Proposed Strategic Housing Development	7
4.0 Planning History.....	11
5.0 Section 5 Pre-Application Consultation.....	12
6.0 Relevant Planning Policy	18
7.0 Third Party Submissions	23
8.0 Planning Authority Submission	28
9.0 Prescribed Bodies.....	38
10.0 Oral Hearing Request	40
11.0 Assessment.....	40
12.0 Appropriate Assessment	83
13.0 Environmental Impact Assessment Screening	98
14.0 Recommendation	102
15.0 Reasons and Considerations	103
16.0 Recommended Draft Order	104
17.0 Conditions	110

1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

2.1. The subject site with a stated area of 0.88 hectares, comprises lands to the south west of St Agnes Road, Crumlin, Dublin 12. The site adjoins/ is to the north west of Crumlin Village. The site is almost rectangular in shape and extends on a north east to south west axis. The site is relatively flat and is located in an established urban setting; the front of the site addressing St Agnes Road is located within the Crumlin Architectural Conservation Area.

2.2. The site comprises of Glebe House which is a three-storey detached house facing onto St Agnes Road. Glebe House is a protected structure, RPS Ref. 7560 applies, and is currently unoccupied. A fire earlier this year has damaged the upper floor and the roof. To the rear of Glebe House are a number of light industrial units and sheds; these are in varying condition, though generally in a poor state. Other structural remains including walls are found on the site. The site boundaries consist primarily of walls.

2.3. To the north west of the site is a terrace of two-storey houses, and to the south east is a parade of shops. The opposite side of the street consists of a row of semi-detached single storey houses. To the rear of the site is the WSAF community hall and associated parking area. Somerville Green is a residential cul-de-sac to the north west and Somerville Green is located to the south east of the subject site. Areas of open space to the north west and south east of the WSAF hall provide a buffer between the subject site and the adjoining roads serving existing residential development.

2.4. A variety of bus routes serve the area and I have summarised them in the following table:

Route (operated by):	Location/ Distance from site:	From	To	Frequency – Off Peak
18 (Go-Ahead Ireland)	St Agnes Road – Front of the site	Sandymount via Ballsbridge, Rathmines and Ballyfermot	Palmerstown	Every 20 minutes.
150 (Dublin Bus)	St Agnes Road – Front of the site	Rossmore	Hawkins St. – City Centre	Every 20 minutes.
Note: A single route 27 service operates through Crumlin Village in the morning to the City Centre.				
These routes are over 400 m distance from the site.				
17 (Go-Ahead Ireland)	St Agnes Park – 400/ 440 m from the site	Blackrock DART Station	Rialto	Every 20 minutes.
17D (Go-Ahead Ireland)	St Agnes Park – 400/ 440 m from the site	Dundrum Luas	Rialto	First and last buses of the day only – forms part of the overall route 17 timetable.
27 (Dublin Bus)	Crumlin Road 580 m from the site	Clare Hall via Fairview, Dolphins Barn	Jobstown	Every 10 minutes.
56A (Dublin Bus)	Crumlin Road 580 m from the site	Ringsend via the City Centre	The Square, Tallaght	Every 75 minutes
77A	Crumlin Road 580 m from the site	Ringsend via the City Centre, Tallaght.	Citywest	Every 20 minutes

151	Crumlin Road 580 m from the site	Dockland – East Road via City Centre	Foxborough – Lucan.	Every 20 minutes
From Ringsend Road – Crumlin Children’s Hospital to City Centre				
122	600 m from the site	Ringsend Road via City Centre	Ashington	Every 12 to 20 minutes
123	600 m from the site	Ringsend Road via City Centre	Marino	Every 12 minutes

2.5. Under Bus Connects, Radial Route 71 (Tallaght - Ballymount - Warrenmount - East Wall) will serve St Agnes Road Spine on a 30-minute frequency. Orbital Route S4 (Liffey Valley - Ballyfermot - Crumlin - Milltown – UCD) also serves St Agnes Road on a 10-minute frequency. Route 82 (Killinarden - Crumlin – Ringsend) on a 20-minute frequency. The D Spine provides for with high frequencies on the Crumlin Road to the north, expected service provision will be a bus every 4 minutes (15 buses per hour) and F3 (Charlestown - Finglas SW - City Centre – Greenhills) along the Lower Kimmage Road to the south on a 10-to-15-minute frequency.

3.0 Proposed Strategic Housing Development

3.1. The proposal, as per the submitted public notices, comprises:

- The demolition of all workshops, office and sheds to the rear and side of Glebe House and the demolition of boundary walls around the ‘Coruba’ land on Somerville Drive. The demolition of non-original brick columns at the St Agnes Road entrance to Glebe House. The overall area to be demolished is 1,625 sq m.
- The construction of 150 residential units in the form of:
 - Two apartment blocks ranging in height from four to six storeys and providing for 145 units.
 - The provision of two, three-storey pavilion buildings on either side of Glebe House, a protected structure. The unit to the north west provides for a single two-storey, two-bedroom apartment over a single, one bedroom unit

(total of two units) and the other unit to the south east provides for a two-storey, two-bedroom unit (one unit) over a 55 sq m ground floor café unit.

- Glebe House will be repaired and provide for a single, two-bedroom unit on the ground floor and a single, three-bedroom unit on the upper ground and first floor levels (total of two units). The interior and exterior of Glebe House is to be refurbished as appropriate.
- The front boundary and return boundary wall to the front will be lowered.
- The provision of a new public footpath along the south-eastern boundary at Somerville Drive with a new controlled gate between Sommerville Drive and St Agnes Road, which allows for public access during daylight hours.
- The provision of solar panels on the roof of Blocks A and B and four microwave link dishes to be mounted on two number support posts affixed to the lift shaft overrun on Block A.
- All necessary services and infrastructure.

The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Site Area	0.88 hectares
Site Coverage	49%
Plot Ratio	1.79
No. of Houses	0
No. of Apartments	150
Total	150
Density –	
Total Site Area	170 units per hectare
Public Open Space Provision	905 sq m – 10%
Communal Open Space	1,632 sq m – 19%
Car Parking –	
EV Parking	8
Visitor/ Unallocated Parking	4

Total	75
Bicycle Parking	306
Motorcycle Parking	6

Table 2: Unit Mix

Block	Floor	Bedrooms			Total
		1 Bed	2 Beds	3 Beds	
A	GF	6	6		12
	1	7	8		15
	2	7	8		15
	3	5	9		14
	4	5	9		14
	5	5	4		9
Total		35	44	0	79
B	GF	5	1	0	6
	1	7	6	2	13
	2	8	7	1	15
	3	10	7	0	17
	4	8	4	0	12
Total		38	25	3	66
Pavilion 1	GF	1	0		1
	1	0	1		1
	2	0	0		0
Total		1	1		2
Pavilion 2	GF	0	0		0
	1	0	1		1
Total		0	1		1

Glebe House	LGF	0	1	0	1
	GF	0	0	0	0
	Upper 1st	0	0	0	0
	1st	0	0	1	1
Total		0	1	1	2
Overall Total		74 – 49%	72 – 48%	4 – 3%	150

- The total internal gross floor area is stated to be 15766.9 sq m.
- Vehicular access is to be provided from St Agnes Road. Access to five parking spaces (indicated as spaces 71 to 75) is from Somerville Drive.
- Water supply and foul drainage connections to the existing public network will be provided.
- The main areas of open space are located to the north east and south west of the site.

3.2. The application was accompanied by various technical reports and drawings, including the following:

- Planning Report and Statement of Consistency – Doyle Kent Planning Partnership Ltd.
- Material Contravention Statement – Doyle Kent Planning Partnership Ltd.
- Response to An Bord Pleanála Opinion – Doyle Kent Planning Partnership Ltd.
- Social & Community Audit – Doyle Kent Planning Partnership Ltd.
- Design Report – Reddy Architecture + Urbanism
- Housing Quality Assessment - Reddy Architecture + Urbanism
- Materials & Finishes Report - Reddy Architecture + Urbanism
- Part V Report - Reddy Architecture + Urbanism
- Lifecycle Report - Reddy Architecture + Urbanism

- Heritage Impact Assessment Report - Mullarkey Pedersen Conservation Architects
- Landscape Report - Áit Urbanism and Landscape
- Landscape and Visual Impact Assessment Report - Áit Urbanism and Landscape
- Tree Protection Strategy and Method Statement - CMK Hort+ ARB Ltd
- Arboriculture Assessment and Impact Report - CMK Hort+ ARB Ltd
- Verified Views - James Horan
- CGI's - Third Eye
- Water Services and Flood Risk Assessment - Cora Consulting Engineers
- Preliminary Construction Management Plan - Cora Consulting Engineers
- Site Specific Flood Risk Assessment - Cora Consulting Engineers
- Transport Impact Assessment - NRB Consulting Engineers
- Daylight & Sunlight & Overshadowing Study - Integrated Environmental Solutions
- Screening Report for Appropriate Assessment - Openfield Ecology Services
- Ecological Impact Assessment Report - Openfield Ecology Services
- Bat Assessment Report – Altemar
- Energy Statement - Dynamic Design Consultants
- Electrical Infrastructure Statement - Dynamic Design Consultants
- EIA Screening Report - AWN
- S.299B Statement - AWN
- Operational Waste Management Plan - AWN
- Microclimate Assessment (Wind) - AWN
- Noise and Vibration Impact Assessment – AWN
- Archaeological Assessment Report – IAC
- Telecommunications Report - Ism Ireland
- Circle Travel plan letter & Circle Carparking metrics letter – Circle VHA CLG

4.0 Planning History

The following relates to the planning history on this site:

ABP. Ref. 309317-21 refers to a 2021 SHD application for 152 no. apartments, café, community room, refurbishment of Glebe House and associated site works. This SHD was granted by An Bord Pleanála on the 13th of May 2021. The decision of 13th May 2021 to Grant Permission was quashed by the High Court, - Judicial Review 2021 No 620 JR refers.

Note: I refer to the decision of the High Court in the context of the planning history, but I have not had regard to the actual decision/ reasons for the quashing of the decision and this application is considered entirely on its own merits only. I may also add at this point, the Planning Authority, and a number of the received submissions referred to the High Court decision in their report/ submissions.

The following are those relating to the Coruba lands to the south eastern side of the site:

- **P.A. Ref. 3415/05** refers to a September 2005 decision to grant permission for the demolition of an existing office block and for the raising of roof level of existing warehouse to accommodate new first floor offices with windows to north, east and west elevations and new cladding to entire building, at Unit 6, Coruba House.
- **P.A. Ref. 3062/98** refers to a March 1999 decision to grant permission for the demolition of an existing single storey industrial units and for the construction of 37 no. terraced, single-aspect residential dwelling units on 3 levels, expressed as 2.5 stories high, laid out in 2 interconnecting courtyards at Coruba House. This permission was not implemented.

The applicant's Planning Report within Section '4. Recent Planning History', includes a number of relevant planning applications in the area, however these are not adjacent to the site and are primarily relevant in terms of their similarity to the proposed development/ the subject site.

5.0 Section 5 Pre-Application Consultation

5.1. A Section 5 Pre-Application Consultation took place, remotely via Microsoft Team due to Covid-19 restrictions in place, on the 16th of September 2021; Reference ABP-311973-21 refers. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála attended the meeting. The development

as described was for the construction of 152 no. apartments, creche and associated site works at Glebe House and Coruba House Site, Saint Agnes Road, Crumlin, Dublin 12.

5.2. An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority, that the documents submitted with the request to enter into consultation constitute a reasonable basis for an application for strategic housing development. Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant was 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. A report addressing the matters raised in the Transportation Planning report of Dublin City Council, dated 08/12/2021, including inter alia:

- a) A rationale for the level of car parking provision proposed and a Parking Management Strategy, including detail on the allocation of parking spaces by type and by land use.
- b) A Mobility Management Plan / Travel Plan in respect of the proposed development.
- c) A Quality Audit in accordance with Advice Note 4 of DMURS.
- d) Details of the quantum and design of bicycle parking / storage, having regard to the provisions of the guidelines on Sustainable Urban Housing: Design Standards for New Apartments. The design of such parking / storage should consider relevant access and operational requirements.
- e) A Servicing and Operations Management Plan for the proposed commercial and residential uses.

2. Details of how it is proposed to tie-in / connect to the existing public footpath network along St. Agnes Road, including evidence of consent for any works required in this regard.

3. A detailed phasing plan, which should include the timing of works to Glebe House, a protected structure.

4. Detailed section drawings illustrating the relationship between the proposed development and adjoining residential properties.
5. A report addressing the matters raised in the report of the Dublin City Council Drainage Division in their report dated 03/12/2021.
6. Drawings identifying the extent of clearly defined public open space and communal and private residential amenity spaces, within the development and identifying those areas intended to be taken in charge by the Local Authority, if any.
7. A landscaping plan for the site, including proposals for the ground level communal open space to the north and east of Block A.
8. Detailed proposals for the design and layout of the external amenity space serving the proposed childcare facility which should have regard to its relationship with the adjoining public open space / plaza and the adjoining pedestrian-cycle route. Proposals in this regard should be fully detailed and illustrated in the drawings and documentation provided.
9. Detailed proposals for the design and management of the proposed pedestrian and cycle connection between Sommerville Avenue and St. Agnes Road.
10. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider the external materials on all elevations. The report shall also have regard to the management and maintenance of public spaces and access routes to the development.
11. The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. The assessment should provide a comprehensive view of the performance of the entire development in respect of

daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and / or quantified.

12. 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.

13. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the prospective applicant and which included the following:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Minister for Housing, Local Government and Heritage
5. Heritage Council
6. An Taisce — the National Trust for Ireland
7. The Dublin City Childcare Committee

5.4. **Applicant's Statement**

5.4.1. Doyle Kent Planning Partnership Limited have prepared a 'Statement of Response to An Bord Pleanála' and this was submitted in accordance with Section 8(1)(iv) of the Act of 2016. The proposed development was revised in response to the tripartite meeting and An Bord Pleanála Opinion, and the revisions include:

- Revisions to the design and layout to include the omission of two ground floor residential units.
- The extension of the undercroft car parking area. This now provides for 66 car parking spaces instead of the previously proposed 49 spaces in this area.

5.4.2. The following information was provided in response to the opinion:

Issue 1 – Transportation Issues:

A review of car parking was undertaken, and a Transportation Assessment has been prepared in support of this application. Two ground floor residential units are omitted from the previous proposal and additional car parking spaces are now proposed in the undercroft area. 66 spaces are now proposed instead of the previously proposed 49 spaces. In support of the reduced car parking provision, a survey has been undertaken and which found that 30% of existing households have no car/ 20% of the local population commute by car, a Bus Capacity Assessment Report has been prepared and found that the area is highly accessible by bus, short stay parking will be provided on site, a Housing Body will own and operate the development with a clear strategy for car parking provision and additional bicycle parking/ improved bicycle access is provided for on site.

Issue 2 – Connection to public footpath:

Details have been provided on the submitted Site Layout Plan and other relevant drawings. Other than the access over the public footpath and the proposed public footpath along Somerville Drive, no other areas of the development are proposed to be taken-in-charge.

Issue 3 – Phasing Plan including works to Glebe House:

Details are provided in the Preliminary Construction Management Plan and phasing details are provided on CORA drawings CORA-1968-C.030 & C.031. Suitable protective measures will be provided around Glebe House during the construction stage of the development. It is anticipated that the construction phase for the proposed development will take approximately 24 months.

Issue 4 – Relationship between the proposed development and adjoining residential units:

Full details are provided in the architectural drawings submitted in support of the application.

Issue 5 – Dublin City Council Drainage Division issues:

A Site-Specific Flood Risk Assessment has been prepared and submitted in support of the development of this site. Surface water and green roof details have been provided as requested by Dublin City Council. Included are details of the maintenance strategy for the proposed attenuation storage areas on site. Details have also been provided in relation to areas proposed to be taken in charge by Dublin City Council.

Issue 6 – Extent of Open Space areas and areas to be taken in charge:

The Landscape Report prepared by Ait Urbanism and Landscape indicates the extent of the proposed open space areas including communal open space.

Issue 7 – Landscaping Plans:

The Landscape Report prepared by Ait Urbanism and Landscape indicates the extent of the landscaping to the east of the site. No landscaping is proposed to the north of Block B, this area is now proposed to form part of the undercroft car parking area.

Issue 8 – Design/ layout of the amenity space associated with the childcare facility:

The garden/ open space area proposed to serve the creche is to be surfaced in artificial turf grass and will be enclosed by a 2 m high timber fence and hedging. Play pieces in the garden will be provided by the crèche operator.

Issue 9 – Details of the design/ management of the proposed pedestrian/ cycle connection between Sommerville Avenue and St Agnes Road:

The submitted landscape drawing and the architects ground floor plan sets out the location and design of the proposed pedestrian access from Somerville Drive. The proposed gate will be accessible to the public during daylight hours and residents will have a fob system to access the gate outside of daylight hours.

Issue 10 – Building Lifecycle Report:

A Lifecycle Report has been prepared by Reddy Architects and is submitted in support of the application.

Issue 11 – Daylight and Sunlight Assessment:

A detailed assessment has been prepared by IES Consulting and is submitted in support of the application. Compensatory measures have been proposed for the 5% of the units which do not achieve the 2% Average Daylight Factor (ADF) levels. The submitted report details these measures. Daylight to Existing Buildings has been assessed and 95% of the tested points have a VSC greater than/ equal to 27% or not less than 0.8 times their former value. The remaining 6 tested points have a VSC of 25 to 26% which is just below the 27% recommendation. There is no impact from the development on existing amenity spaces and an acceptable amount of the proposed amenity spaces will achieve the required sunlight on the 21st of March.

In terms of sunlight to amenity spaces, existing amenity spaces on adjoining lands have been assessed and they will continue to receive the same level of sunlight as at present. The proposed amenity spaces on the subject site will receive adequate sunlight.

Issue 12 – Statement of Consistency:

Doyle Kent Partnership have included this within the Planning Report.

Issue 13 – Article 299B(1)(b)(ii)(II) and Article 299B(1)(c) Information:

This has been submitted in the form of a statement prepared by AWN Consultants.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. Project Ireland 2040 – National Planning Framework (NPF)

Chapter 4 of the National Planning Framework (NPF) is entitled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- National Planning Objective 11 provides that ‘In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.
- National Planning Objective 13 provides that “In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy 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’.
- National Policy 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’.
- National Policy Objective 35 seeks ‘To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’.

6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHPLG, 2020).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) (DoAHG, 2011).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- Architectural Heritage Protection – Guidelines for Planning Authorities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).
- Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities (2021).

Other Relevant Policy Documents include

- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Permeability Best Practice Guide – National Transport Authority.

6.2. **Regional Policy**

6.2.1. **Regional Spatial and Economic Strategy (RSES) 2019 – 2031**

The Eastern & Midland Regional Assembly 'Regional Spatial & Economic Strategy 2019-2031' provides for the development of nine counties including Dublin City and supports the implementation of the National Development Plan (NDP).

6.3. Local/ County Policy

6.3.1. Dublin City Development Plan 2016 - 2022

6.3.2. The Dublin City Development Plan 2016 - 2022 is the current statutory plan for Dublin City, including the subject site.

6.3.3. The subject site is indicated on Map G of the development plan and has a single zoning objective, 'Z1 – Sustainable Residential Neighbourhoods', with a stated objective 'To protect, provide and improve residential amenities.' The following description of the Z1 zoning is provided:

6.3.4. 'The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.

6.3.5. Glebe House is listed on the protected structures – RPS no. 2074 refers.

6.3.6. The front part of the site including Glebe House is located within the Crumlin Architectural Conservation Area (ACA), which was adopted in November 2014. The following is stated in relation to Glebe House:

'The south part of this stretch of the west side of St. Agnes Road is marked by the former Glebe House. The row of single-storey cottages stands opposite to the east. The Glebe House retains its impressive double-pile, two-storey over basement volume and is well set back from the road. It has a well proportioned and symmetrically arranged elevation with simple hipped roof form and impressive chimney stacks to the foremost gables. It also retains a stone flight of steps to an entrance with fanlight. The space to the front is now in use as a carpark with a rubble-stone boundary wall and row of chestnut trees. The rear of the site is occupied by an array of recent storage and industrial sheds. This is one of the most important historic large dwellings of its type remaining in Crumlin and it continues to give strong definition to St. Agnes Road'.

6.3.7. The policy chapters, especially Chapters 5 – Quality Housing, and 12 – Sustainable Communities and Neighbourhoods, detailing the policies and objectives for residential development, making good neighbourhoods and standards respectively, should be consulted to inform any proposed residential development (see Chapter 16, Section 16.10 – Standards for Residential Accommodation).

6.3.8. In both new and established residential areas, there will be a range of uses that have the potential to foster the development of new residential communities. These are uses that benefit from a close relationship with the immediate community and have high standards of amenity, such as convenience shopping, crèches, schools, nursing homes, open space, recreation and amenity uses’.

6.3.9. Permissible uses on Z1 lands include ‘Buildings for the health, safety and welfare of the public, childcare facility, community facility, cultural/ recreational building and uses, education, embassy residential, enterprise centre, halting site, home-based economic activity, medical and related consultants, open space, park-and-ride facility, place of public worship, public service installation, residential, shop (local), training centre’.

6.3.10. Policy SC13 of the development plan promotes sustainable densities, in particular along public transport corridors with due consideration for surrounding residential amenities.

6.3.11. Policy SC14 seeks to ‘To promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces’.

6.3.12. The following policies are also considered relevant:

- Policy QH3 – 10% of the land zoned for residential uses should provide for social housing;
- Policy QH5 – Address the housing shortfall through active land management;
- Policy QH6 – Provide for sustainable neighbourhoods with a variety of housing types;
- Policy QH7 – Promote sustainable urban densities;
- Policy QH8 – Promote the development of vacant and under-utilised sites;

- Policy QH10 – Promote the development of permeable schemes and discourage the provision of gated residential schemes;
- Policy QH11 – Promotion of safety and security in new developments;
- Policy QH12 – Promote the development of energy efficient schemes;
- Policy QH13 – New build housing should be adaptable and flexible;
- Policy QH18 – Support the provision of high-quality apartments;
- Policy QH19 – Promote the optimum quality and supply of apartments.

6.3.13. Section 16.7.2 of the City Development Plan refers to ‘Height Limits and Areas for Low-Rise, Mid-Rise and Taller Development’. Height is measured in terms of metres and ‘16 m equates to 5 storeys residential or 4 commercial generally’. The subject site is located within a designated ‘Outer City Area’ and a height of 16 m applies here; this is considered to be Low-rise.

6.3.14. The following sections of the City Development Plan are also relevant to this development:

Section 4.5.3 - Making a More Compact Sustainable City;

Section 4.5.9 – Urban Form & Architecture;

Section 9.5.4 - Sustainable Urban Drainage Systems (SUDS);

Section 11.1.5.13 - Preservation of Zones of Archaeological Interest and Industrial Heritage. The development is located within such an area.

Section 16.2 – Design, Principles & Standards.

Section 16.10 - Standards for Residential Accommodation.

Section 16.38 – Car Parking Standards. The site lies within Parking Area 3 and requires a maximum of 1.5 space per dwelling in accordance with Table 16.1.

7.0 Third Party Submissions

7.1. A total of 26 submissions were received. Irish Water (IW) as a prescribed body submitted comments; see Section 8.0 Prescribed Bodies of this report for their specific comments.

7.2. Submissions, prepared by the Marston Planning Consultancy on behalf of Bethmell Ltd, and by individual members of the public have been received in relation to the proposed development.

7.3. The submissions from residents/ members of the public, grouped under appropriate headings, can be summarised as follows.

7.3.1. Principle of Development:

- There is no issue over the development of the site for residential use, the nature/ scale/ height of the development are the issues of concern.
- Recommend that homes be provided that enable people to settle down and be part of the local community.
- The planning history of the site is noted including the recent decision of the High Court to quash the grant of permission issued by the Board under ABP Ref. 309317.
- The development is contrary to a number of sections of the Dublin City Development Plan 2016 – 2022.

7.3.2. Impact on the Character of the Area:

- The provision of 6-storey apartment blocks would be out of character with the existing two-storey houses in the area and would be contrary to height restrictions on such development.
- The bulk and scale of development would dominate the area.
- The increase in population in the area is similar to a number of large towns such as Killarney, Arklow, Maynooth, Cobh and Castlebar.
- There would be a loss of the medieval form of this village.
- The proposed development is not appropriate for Crumlin, which is defined as a village.
- Potential negative impact on the Crumlin Architectural Conservation Area (ACA).
- Negative impact on the setting of Glebe House.
- The pavilion units either side of Glebe House would adversely impact on its setting.

- The taller structures to the rear of Glebe House will detract from its importance.
- The submitted photomontages do not reflect the full potential impact on the character of the area.
- The impact on the protected structure gives rise to a Material Contravention of the Dublin City Development Plan, though the applicant has not addressed this.
- Concern about the impact of the development on the boundary wall which forms part of the historical heritage of the area.
- There is a lack of facilities in the area.
- An increase in population in the area could give rise to antisocial behaviour.
- The proposed development will open Crumlin Village into Walkinstown/ will connect the two separate areas into one.

7.3.3. Design and Height:

- The height and scale of the development will negatively impact on adjoining houses.
- The proposed development is too high, at six storeys, for this site/ location. The area is characterised by low-rise development. The proposed development would be overbearing and dominant in this location.
- The proposed scheme represents overdevelopment of this site.
- The height will materially contravene the Dublin City Development Plan and insufficient justification for this has been provided. Maximum permitted height is 16 m.
- Dublin is a low rise city and Dublin City Council should protect this feature of the city.

7.3.4. Impact on Residential Amenity:

- The proposed development will give rise to loss of sunlight, specific reference to loss of morning sun to the front of houses.
- Concern about the loss of winter light.
- The proposed development will give rise to overlooking of adjoining properties, leading to a loss of privacy.

- The proposed development would be overbearing on existing residential amenity.
- Potential loss of sunlight may impact on the ability of existing residents to install solar panels on their property.
- Potential noise issues from the provision of heat pumps to serve each unit.

7.3.5. **Traffic:**

- The proposed development is likely to give rise to increased traffic in the area and in turn this will add to congestion.
- Concern that traffic congestion could impact on public safety in the immediate area of the proposed development.
- The provision of the five parking spaces that are accessed from Sommerville Drive may give rise to increased traffic, congestion and may also block emergency vehicles/ refuse collections trucks that have a need to access this cul de sac.
- The opening of the cul-de-sac, Sommerville Drive, will encourage additional traffic into the area.
- Public transport is limited to bus services with no Luas or DART line in close proximity to the proposed development.
- Bus services are at/ near capacity in the area and there are insufficient bus services throughout the day.

7.3.6. **Car and Bicycle Parking:**

- Insufficient car parking on site for the scale of development.
- The proposed development and the under provision of car parking will give rise to on-street parking in Crumlin village.

7.3.7. **Childcare Provision:**

- The proposed childcare facility at 55 sq m is too small to be viable.
- Insufficient information has been provided on the nature of the proposed childcare facility.

7.3.8. **Water Infrastructure and Drainage:**

- Concern about the available capacity in services in the area with particular reference made to foul drainage.

7.3.9. **Environment and Natural Heritage:**

- Query about the need for an Environmental Impact Assessment through the impact on visual amenity.
- Insufficient information has been provided to demonstrate what the impact would be on the environment of the area.
- Bat survey details should have been updated following the fire in the Glebe House.
- The proposed development would result in the loss of mature trees on the site with particular reference to a negative impact on trees that form part of the site boundary.
- The loss of trees would impact on the setting of the protected structure/ Architectural Conservation Area.

7.3.10. **Other Comments:**

- The proposed demolition of structures on site may negatively impact on adjoining residential properties.
- Query about the cost benefit of this development – compared to scheme in Stoney Lane Rathcoole for 204 units.
- A number of procedural issues are raised including incorrect measurements on the submitted plans, incorrect details referenced in the letters of consent, application form are incorrect, and photomontages are not accurate.
- There has been a lack of suitable consultation with the public about this development.
- Comments made about the development and conflict of Interest – Note: I am unaware of any such issues with this application.

Photographs, plans, photomontages etc. have been submitted in support of the observations. An Architectural Assessment at Glebe House, Crumlin Village, Dublin

12, has been prepared by Sheehan + Barry and is submitted in support of the comments by Marston Planning Consultancy.

8.0 Planning Authority Submission

8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 8th of August 2022. The report details the site location/ site zoning, provides a description of the proposed development, details pre-submission meetings, planning history, lists the issues in the received submissions, the internal reports of Dublin City Council are summarised, details the relevant Development Plan policies and objectives, and provides a planning assessment of the development.

8.2. The CE report, in Appendix B, also includes a summary of the views of the elected members of the South-Central Area Committee held on the 6th of July 2022, and these are outlined as follows:

- The Members expressed their familiarity with this development but requested clarity on the differences between it and the previous application that was quashed. The elected Members noted that the decision was quashed on a technicality and sought confirmation that the only changes related to windows and sunlight assessment.
- Support was provided for the social housing model.
- Concern over the tenure/ mix and sought verification that it was a 50% Cost Rental Model and Social Housing Model.
- Concern that the development was not in accordance with the Crumlin Village Architectural Conservation Area (ACA).
- Concern was also raised about the restoration of Glebe House and its associated wall.
- Concern about the height of the development, impact on residential amenity and would be contrary to the Dublin City Development Plan.
- The provision of the sixth floor was queried considering the cost of this and the number of units that it would provide for.
- The amount of public space/ percentage of open space to be provided was raised.

- The connection between Sommerville Avenue and Crumlin Village was raised as an issue, with particular reference as to how the gate can be managed. The long-term management of this gate and the potential for the development of a gated community within the site were also raised.
- The overall development of this site for housing was welcomed by the Members.

8.3. A summary of the submissions made by third parties is provided and a full list of who made these submissions. Submissions were grouped under the following headings:

- Scale, massing & visual impact
- Conservation/ Archaeology
- Neighbouring amenity
- Boundary Treatments
- Transport & parking
- Social Infrastructure/ Community facilities
- Infrastructure
- Construction
- Housing
- Environmental Impact
- Other

8.3.1. Submission have been received from the Department of Culture, Heritage and the Gaeltacht, Transport Infrastructure Ireland, An Taisce, Inland Fisheries Ireland and Irish Water.

8.3.2. Interdepartmental Reports have been received from the Drainage Division, Transportation Planning Division, Environmental Health, Conservation, Archaeology, Waste Department, Housing and Community Services, and from the Parks and Landscape Services.

8.4. **Planning Assessment:**

This is summarised as follows under the headings of the Chief Executive Report.

Recent Relevant Planning History:

- The Planning Authority note the planning history on this site and in particular the grant of permission under ABP Ref. 309317-21 for a development of 152 apartments, café, community rooms and the refurbishment of Glebe House, a protected structure. The Planning Authority were generally supportive of this development, subject to conditions, which included the provision of childcare, addressing issues of overlooking and the provision of further details on the vehicular entrance from St Agnes Road. This decision was quashed by the High Court in February 2022.

Note: I refer to the decision of the High Court in the context of the planning history as raised by the Planning Authority through the CE report, but I have not had regard to the actual decision/ reasons for the quashing of the decision and this application is considered entirely on its own merits in my assessment of the proposed development.

- The subject application is very similar to the previous proposal, but includes a pedestrian link, with a controlled gate, between Sommerville Drive and Crumlin Village/ St Agnes Road via the proposed development. Revisions have been made to the unit numbers (from 152 to 150), car parking provision has increased (58 spaces to 75 spaces), the mix of units has been slightly revised and a revised unit layout in order to achieve the BRE standards for Average Daylight Factor (ADF) of 2% for kitchens/ living rooms is now proposed.

Zoning:

- Z1 – Residential zoning allows for the development of this site for suitable housing, and also allows for the provision of a café and childcare facility, as proposed. Adequate open space is proposed in accordance with the Dublin City Development Plan 2016 – 2022. The proposed site coverage and plot ratio are considered to be acceptable.
- The Planning Authority consider the site to be suitable for increased densities, subject to the protection of existing residential amenity and the provision of a suitably high quality of development.

Layout:

- The proposed layout is similar to that of the previous application on this site. A new pedestrian/ cycle route is proposed along the north eastern boundary of the site and will connect Crumlin Village to Sommerville Drive; access to this will be controlled by a managed gate, though final details on this will require to be addressed by way of condition.
- The refurbishment of Glebe House, which is listed on the Record of Protected Structures, is welcomed by the Planning Authority and the provision of the pavilion buildings either side, will enhance the setting of this protected structure. Adequate open space is proposed, and this will be accessible. Car parking will primarily be provided within the podium of Block B with access from St Agnes Road. The location of the café and creche adjacent to the internal access route will ensure that it receives adequate passive surveillance from the adjoining residential units.

Height and Visual Impact:

- The Planning Authority note the issues of height and material contravention, with a limit of 16 m height for areas such as this, the proposed development has a varied height, maximising at 20.1 m. The site is located within a low-rise area and within the outer city. A Material Contravention Statement has been submitted in support of the application and also a Visual Impact Assessment and also a CGI of the scheme.
- The submitted Material Contravention Statement sets out a justification for the proposed development. The submitted development has been considered by the Planning Authority in accordance with the criteria set out in the Building Height Guidelines and the Planning Authority consider that the proposal in relation to its height is acceptable. The development can be integrated into its setting and without having a negative impact on the protected structure and the Crumlin Village Architectural Conservation Area. The Planning Authority consider 'that the exceedance of the height limit prescribed by the City Development Plan, is acceptable in this case'.

Design and Appearance:

- The restoration of Glebe House is welcomed, especially considering the damage caused by a fire in 2022 and prior to that, it was in poor condition. The restoration of the boundary wall and the provision of a formal lawn to the front of the site, onto St Agnes Road, will open the site up for greater public use. The overall design of the development is considered to be acceptable to the Planning Authority.

Conservation:

- An Architectural Heritage Impact Assessment has been submitted in support of the application. The importance of Glebe House is recognised in this assessment. The provision of the pavilion units either side of Glebe House, will not detract from its setting/ character. The Dublin City Conservation Officer raised no objection to the proposed development.

Archaeology:

- An Archaeology Assessment has been submitted in support of the application. The site does not contain any National Monuments, the nearest such monument is located 120 m to the northwest (Church, graveyard and ecclesiastical enclosure). The importance of Glebe House is recognised. The Dublin City Archaeology Section concurs with the mitigation measures proposed in the Archaeology Assessment, and the Planning Authority report that the Department of Culture, Heritage and the Gaeltacht have raised no objection to the proposed development, subject to conditions.

Landscaping and Boundary Treatment:

- The applicant has submitted a Landscape Design Report and plans in support of the application. The overall scheme is considered to be of a good quality and will enhance the setting of Glebe House, whilst ensuring that adequate amenity space is provided for. The upgrade/ repairs to existing boundary walls are welcomed by the Planning Authority.

Housing Quality:

- A Housing Quality Assessment has been submitted in support of the application, and the Planning Authority have assessed the proposed units against the

requirements of the Apartment Guidelines. 74 x one-bedroom units, 72 x two-bedroom units and 4 x three-bedroom units are proposed. Rooms sizes and storage provision meet the requirements and demonstrates compliance with SPPR 3. 58% of the units are dual aspect. The Planning Authority note a discrepancy within the Housing Quality Assessment Report as it refers to a dual aspect provision of 57%, 58% and 59% of units. Floor to ceiling heights comply with SPPR 5 and as there are a maximum of 6 apartments per floor per core, SPPR 6 is complied with. All units are provided with in excess of the minimum required private amenity space.

- The proposed development is designed to ensure that there is appropriate passive surveillance of the proposed public route through the site. Adequate communal open space is proposed on site and the submitted Daylight, Sunlight and Overshadowing Report demonstrates that the communal open space areas receive at least 2 hours sunlight on the 21st of March, for over 60% of their site area. A play area of 120 m is proposed in the podium garden.

Public Open Space:

- A total of 922 sq m of designated public open space is proposed and this exceeds the Dublin City requirement for at least 10% of the site to be provided in the form of open space. The open space areas will receive adequate sunlight as recommended.

Residential Amenity – Future Residents:

- The submitted Daylight, Sunlight and Overshadowing Report demonstrate that 95% of the tested rooms meet the BRE standard for Average Daylight Factor (ADF). Full regard is had to the Apartment Guidelines and suitable compensatory measures are proposed where standards are not met. The Planning Authority note restrictions on the site such as the presence of the protected structure and the low-rise nature of the area, but overall, the ADF level/ compensatory measures are considered to be acceptable.

(Residential Amenity – Existing Residents):

Privacy:

- Western Boundary: Overlooking is managed through the layout of the proposed buildings, the provision of enclosed balconies and the use of angled windows. There are no directly opposing windows that are less than 22 m in distance, between the proposed apartment blocks and existing houses. The use of angled windows and balcony screening has addressed issues of potential concern.
- Eastern Boundary: Suitable separation distances/ measures are provided to ensure that overlooking does not occur.

The Planning Authority report, that although there is some increased overlooking of existing properties, the levels are considered to be acceptable within an established urban area such as this.

- Overbearing Impact: The design of the development including the use of staggered building lines will ensure that the development is not overbearing on existing residential amenity.
- Daylight, Sunlight and Overshadowing Report: Impacts on existing adjoining properties have been assessed and the majority of units will comply with the requirement of the BRE. On Somerville Drive, a total of six tested windows would fall below the BRE standards, however the degree of variance is limited, and it is expected that the relevant properties will continue to receive good levels of daylight. Overshadowing towards the north east would be on the parade of shops along St Agnes Road and upper-level residential use would only be impacted to a very limited level.
- Noise, air quality and light pollution: Impact is not expected to be significant. Concern regarding the use of heat pumps is noted, but this can be addressed by way of condition.
- Summary: The Planning Authority through the CE Report that 'Overall, although the report indicates that daylight and overshadowing impacts for the neighbouring dwellings tested would be within acceptable levels, due to the omission of dwellings to the northeast in the assessment, it is not considered that it has been demonstrated that the proposal would be acceptable with regard to impacts on neighbouring amenity'.

Community and Social Infrastructure:

Developments of 50 units are required to provide for community facilities/ social infrastructure under Section 16.10.4 of the Dublin City Development Plan, where shortfalls in such provision are identified. An audit of facilities is required, and the applicant has submitted a 'Social and Community Audit' in response. This identifies the existing provision of education, community and religious facilities, transport links, open spaces, sports/ recreation facilities, healthcare/ social services facilities, retail, and business facilities within the Crumlin area. The Planning Authority report that the audit indicates that the area is well served by necessary infrastructure and welcome the provision of a creche and café at street level.

Creche:

The Planning Authority report that no childcare facility was proposed as part of the previous application on this site and the subject application now includes a facility with associated play area for 25 children. The Planning Authority calculate the childcare demand to be for 20 children, only the 76 two- and three-bedroom units have a requirement for childcare. Drop off/ collection is possible by the four visitor parking spaces to the north west corner of the site. The Planning Authority welcome the proposed creche facility.

Transportation:

- The Dublin City Transportation Division have reported concern about the potential of overspill car parking from the proposed development, having regard to the low level of car parking at 0.5 spaces per unit. Insufficient detail has been provided in relation to the proposed car parking management of the site. Concern has also been raised about the vehicular access to St Agnes Road, though this can be addressed by way of suitable condition.

Construction related impacts:

The Planning Authority report that some disturbance can be expected during the construction works and note the Preliminary Construction and Waste Management Plan that has been submitted in support of the application; final details can be agreed by way of condition.

Environmental Considerations:

Biodiversity: A bat survey has been submitted, there is very little activity found on site and suitable measures can be taken to support bats such as bat boxes and bat sensitive lighting.

Flood Risk and Drainage: The Dublin City Drainage Division have reported that the submitted information is not acceptable in relation to the management of surface water, however this can be addressed by way of condition. The Drainage Division are not opposed to the proposed development.

Arboriculture:

An Arboricultural Assessment and Impact Report, Tree Protection Strategy and Method Statement have been submitted in support of the proposed development. Five trees are located on site and two are proposed for removal, one is a category C tree in poor condition and the other is a Category B tree that is growing too close to a boundary wall and which it may damage over time. Measures are proposed for the protection of the other trees on site.

Sustainable Building Design: A Building Life Cycle Report has been submitted in accordance with Policy QH12 of the Dublin City Development Plan. An Energy Statement has also been provided. The proposed source of heating is by Exhaust Air Heat Pumps fitted inside each unit.

Other Matters:

The Planning Authority has noted a number of discrepancies within the plans and details submitted including reference to a development of 152 units, various figures for dual aspect units, and with regard to the Landscape and Visual Impact Assessment report.

Part V:

The submitted application includes details in relation to Part V and a total of 20 units will be provided in the form of 11 x one bed units, 8 x 2 bed units and 1 x 3 bed unit. The Dublin City Housing Division have reported no objection to this proposal.

Appropriate Assessment and EIA: The Planning Authority report that the Board is the competent authority on these matters.

Conclusion:

The Planning Authority conclude that the development is acceptable in terms of the Z1 zoning that applies to this site and is in accordance with the objectives of the Dublin City Development Plan which seek to maximise the efficient use of brownfield in suitably sustainable locations. Whilst the proposed heights exceed the requirements of Section 16.7 of the Dublin City Development Plan, the Planning Authority report that the Urban Development and Building Height Guidelines (2018) supersede these. The Planning Authority consider that the proposed heights and quantum of development are appropriate in this location within Crumlin.

The proposed development is considered to be acceptable, and the Planning Authority welcome the fact that Glebe House, a protected structure, is to be sensitively restored back to use. The overall development is welcomed in the context of the redevelopment of a site in poor condition that is located within the Crumlin Village Architectural Conservation Area. The provision of a pedestrian link between St Agnes Road and Somerville Drive is welcomed. The Planning Authority is generally in support of the proposed development and suitable conditions are provided in the event that permission is granted.

8.5. In addition to the CE report, additional Dublin City Council internal reports have been provided and are included in Appendix A of the CE report.

- Transportation Planning Division: A number of points are noted including:
 - potential for overspill parking into adjoining areas, though parking provision has been increased from that previously indicated at pre-planning stage.
 - A maximum of 50 cars would access/ egress the site in the AM and PM peaks.
 - No Mobility Management Plan has been provided, though this should be provided by way of condition.
 - An updated Preliminary Construction and Waste Management Plan (C&WMP), and Construction and Environmental Management Plan, by

CORA Consulting Engineers is provided and is noted by the Transportation Division. Final details to be agreed by way of condition. In conclusion, a number of issues are identified, and these matters can be addressed by condition.

- Drainage Report: Recommend refusal as there is a lack of adequate information in relation to the management of surface water and the applicant has not demonstrated that an outfall connection can be made to the public surface water network. No details are provided in relation to the connection to the public surface water system and the proposed development does not demonstrate compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0.
- Environmental Health Officer: Conditions are recommended including the need for a Construction Management Plan, limit on the hours of demolition/ construction on site and noise limits and air quality control details, are provided.
- Parks & Landscape Services: The proposed areas of open space (public and communal) are considered to be acceptable; these will not be taken in charge. The play area associated with the creche should demonstrate that it receives adequate sunlight/ daylight. The removal of two trees is acceptable. A tree bond will be required to ensure that the trees to be retained are protected. The provision of green roofs is welcomed. Overall, there is no objection to the development subject to conditions.
- Waste Regulation and Enforcement Unit: A list of conditions to be applied are provided.
- Planning & Property Development Department: Request that a bond condition and a Section 48 development contribution be applied in the event that permission is granted for this development.

9.0 Prescribed Bodies

9.1. The applicant was required to notify the following prescribed bodies prior to making the application:

1. Irish Water – No response.
2. Transport Infrastructure Ireland
3. National Transport Authority – No response.
4. Minister for Housing, Local Government and Heritage
5. Heritage Council – No response.
6. An Taisce — the National Trust for Ireland
7. The Dublin City Childcare Committee – No response

Inland Fisheries Ireland also made a submission on this application.

9.2. The following is a brief summary of the issues raised by those who made a submission.

9.2.1. Transport Infrastructure Ireland (TII):

No observations to make.

9.2.2. An Taisce:

The proposed development due to its scale, bulk, density, and mass is not in keeping with the character of Crumlin Village and would negatively impact on the protected structure. It is noted that part of the development site is located within the Crumlin Village Architectural Conservation Area. In addition, concern is expressed that the development would have a negative impact on the residents of Somerville Drive in terms of loss of privacy and overshadowing. Welcome is given for the proposed refurbishment of Glebe House, and the provision of residential development on this site, however, the front part of the development would be overwhelmed by the apartment units to the rear of the site. It is considered that the development would be contrary to CHC2 of the Dublin City Development Plan which seeks to ‘conserve and enhance Protected Structures and their curtilage’.

9.2.3. Department of Housing, Local Government and Heritage:

Archaeology: The submitted Archaeological Assessment is noted and the high archaeological potential of the subject site is also noted. The recommended archaeological mitigation measures are considered to be appropriate, and conditions are recommended in the event that permission is granted.

9.2.4. **Inland Fisheries Ireland (IFI):** Recommend that all the mitigation measures in the EIA Screening, and the PDCWMP, to prevent discharges of deleterious materials from the site during both the construction and post construction phases of the proposed development should be incorporated in the final CEMP and shall be implemented in full. No objection to the proposed development subject to recommended conditions.

9.2.5. I note that under the previous application ABP Ref. 309317, Irish Water reported no objection to the development of 152 units on this site. In relation to water supply it was reported that upgrade works were required to the public watermain system and included the provision of approximately 110 m of 200 ID new main to be laid to replace an existing 4" CI. As Irish Water did not have any plans to extend its network in this area the applicant would be required to fund this network extension. This proposed extension would be by Irish Water within the public domain.

10.0 **Oral Hearing Request**

10.1. Catherine Byrne requested an Oral Hearing; however, Section 18 of the Planning and Development (Housing) and Residential Tenancies Act, 2016, provides for such a hearing if there is a compelling case and I have considered that the provided information does not warrant an oral hearing.

11.0 **Assessment**

11.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Having examined the application details and all other documentation on file, including the Chief Executive's Report from the Planning Authority and all of the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

11.2. In addition, the assessment considers, and addresses issues raised by any observations on file, under relevant headings. I have visited the site and its environs.

The assessment of the submitted development is therefore arranged as follows:

- Principle of Development
- Development Height
- Design and Layout
- Architectural Heritage
- Visual Impact
- Residential Amenity – Future Occupants
- Residential Amenity – Existing/ Adjacent Residents
- Transportation, Traffic and Parking
- Infrastructure and Flood Risk
- Childcare, Social Infrastructure and Part V Social Housing Provision
- Comment on Submission/ Observations of South East Area Committee
- Other Matters
- Material Contravention
- Appropriate Assessment Screening
- Environmental Impact Assessment Screening

Note: The Dublin City Development Plan 2016 – 2022, is the current development plan relevant to the subject site and the submitted application. A new development plan – ‘Dublin City Development Plan 2022 – 2028’ is due to come into force in late 2022.

11.3. Principle of Development

11.3.1. Having regard to the nature and scale of proposed development which is in the form of 150 residential units consisting wholly of apartments on lands zoned for Sustainable Residential Neighbourhoods under the Z1 zoning objective, I am of the opinion 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.

11.3.2. The subject site is zoned ‘Z1 - Sustainable Residential Neighbourhoods’ in the Dublin City Development Plan 2016 – 2022 with the objective ‘To protect, provide and improve residential amenities’. This zoning

objective permits a relatively wide range of residential related uses including cultural/ recreational building and uses, open space, and most relevant to this proposal is residential development. I am satisfied that the development is in accordance with the Z1 zoning objective that applies to this site in terms of the provision and improvement of residential amenities. The protection of residential amenity is considered further in this report.

11.3.3. Key issues that require further consideration include the fact that Glebe House is listed on the record of protected structures and the front part of the subject site, which addresses St Agnes Road, is located within the designated Crumlin Village Architectural Conservation Area. The proposed development of the subject site has to have full regard to these designations, and this is considered further in this report. The principle of a residential development is not restricted by these designations.

11.3.4. It is national and local policy to maximise the use of available lands and in established urban areas. The site is zoned for residential use, the site is currently unused having previously been used for storage/ light industry and currently presents a poor impression when viewed from the centre of Crumlin Village. Glebe House has recent fire damage and the front of the site facing onto St Agnes Road is closed off with hoarding.

11.3.5. The proposal of 150 apartment units provides for a density of 170 units per hectare, which is a relatively high residential density. The subject site is located within an established urban area, where public transport is available and where retail/ community/ social/ recreational infrastructure is within walking distance. Whilst the principle of development is accepted to be in accordance with the Z1 zoning objective, and is in accordance with local/ national policy, the impact on the adjoining area is considered further in this report. The proposed development also provides for a creche and a small café and these are acceptable within the context of the Z1 zoning.

11.3.6. **Conclusion on Section 11.3:** The subject site is suitably zoned for residential development and the proposal would see the provision of 150 residential units on a brownfield site in an established urban area, within Crumlin Village, where public transport is available. Having full regard to the zoning that applies to the

subject site, and the nature of the proposed development, there is no reason to recommend a refusal to the Board.

11.4. Development Height

11.4.1. The issue of height was one of the main issues of concern raised in the third-party observations and by the elected members of the South-Central Area Committee. From the site visit, it was apparent that the surrounding area, Crumlin Village, and the adjoining residential areas of Somerville, are characterised by mostly two-storey/ low rise buildings. The issue of visual impact, and residential impact is considered further in this report. The applicant has also considered that the issue of height is a material contravention issue, and this is also further considered in this report.

11.4.2. Section 3.2 – ‘Development Management Criteria’ of the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, December 2018, sets out a number of considerations for developments with increased heights.

11.4.3. In the interest of convenience, I have set these out in the following table:

11.4.4. At the scale of the relevant city/ town	
Criteria	Response
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	Public transport is available at the front of the site on St Agnes Road in the form of Dublin Bus Route 150 and Go-Ahead Ireland route 18, with bus stops about 100 m from the front of the site. Route 150 operates every 20 minutes from Rossmore to the City Centre – giving three buses an hour to the city centre. Route 18 operates approximately every 20 minutes and operates an orbital service connecting up a number of locations in the south city area

	<p>between Sandymount, Ballsbridge, Rathmines and Palmerstown.</p> <p>Whilst the bus frequency is low at this point, there is a very high frequency bus service available from the Crumlin Road, approximately 600 m to the north of the site. Frequency between the Crumlin Road and the City Centre is approximately 22 buses per hour, off peak. I have outlined in summary the bus frequency in the area in Section 2.4. The area is also served by Go-Ahead Ireland route 17, similar to the 18, provides for an orbital bus service through south Dublin City.</p>
<p>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key view. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</p>	<ul style="list-style-type: none"> • The front part of the site is located within the Crumlin Village Architectural Conservation Area (ACA) and Glebe House is listed on the Dublin City Record of Protected Structures. The proposed development provides for 4 to 6 storey apartment blocks to the rear of the site, not within the ACA lands. The applicant has attempted to integrate Glebe House by providing for ‘pavilion’ type units either side of the protected structure and this allows for a good transition between the front of the site and the much taller units to the rear.

	<ul style="list-style-type: none"> • Verified Views prepared by James Horan and CGI's prepared by Third Eye in support of the application. • A Landscape and Visual Impact Assessment Report has been prepared by Áit Urbanism and Landscape
<p>On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.</p>	<ul style="list-style-type: none"> • The restoration of Glebe House from its current fire damaged condition and the provision of a formal garden to the front of the house provides for a positive addition to the streetscape and the Crumlin ACA. • The pedestrian walkway to the south eastern side of the site, provides for a connection between Somerville Drive and Crumlin Village. • A Design Report by Reddy Architecture + Urbanism has been submitted in support of the development.
At the scale of district/ neighbourhood/ street	
Criteria	Response
<p>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.</p>	<ul style="list-style-type: none"> • The restoration of Glebe House from its current fire damaged condition and the provision of a formal garden to the front of the house provides for a positive addition to the streetscape and the Crumlin ACA.
<p>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks</p>	<ul style="list-style-type: none"> • Two separate blocks are proposed to the rear part of the site and include for suitable set-backs and elevations that

<p>with materials / building fabric well considered.</p>	<p>do not provide for uniform frontages that would be monolithic.</p> <ul style="list-style-type: none"> • In addition, the design includes careful articulation of fenestration and detailing that ensure that the massing of the blocks is suitably broken up to ensure that it is not monolithic.
<p>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).</p>	<ul style="list-style-type: none"> • The design provides for a suitable residential development in this area of predominately two-storey houses/ commercial development in Crumlin Village. Open space is provided on site and which is proposed to be accessible to public use. • The ‘Planning System and Flood Risk Management – Guidelines for Planning Authorities’ (2009) are complied with, and a Site-Specific Flood Risk Assessment has been prepared by BMCE Engineering
<p>The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</p>	<ul style="list-style-type: none"> • The restoration of Glebe House and its accompanying pavilion units, provide for a strong frontage and improves the legibility along St Agnes Road. • Improved legibility is provided in the form of distinctive elevations on the two apartment blocks.
<p>The proposal positively contributes to the mix of uses and/ or building/</p>	<ul style="list-style-type: none"> • The proposed development will provide for a mix of one, two and three-

dwelling typologies available in the neighbourhood.	bedroom apartment units. The area is characterised by houses that are generally family sized units and therefore the development will increase the mix of housing types in the area.
At the scale of the site/ building	
Criteria	Response
The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.	<ul style="list-style-type: none"> The development is primarily in the form of two apartment blocks with staggered heights. This allows for good access to natural light and reduces the potential for overshadowing.
Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.	<ul style="list-style-type: none"> The applicant has engaged the services of Integrated Environmental Solutions to prepare a Daylight & Sunlight & Overshadowing Study, and which is included with the application.
Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this has been clearly identified and a rationale for any alternative, compensatory design solutions has been set out, in respect of which the	<ul style="list-style-type: none"> As above.

<p>Board has applied its discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.</p>	
<p>Specific Assessment</p>	
<p>Criteria</p>	<p>Response</p>
<p>To support proposals at some or all of these scales, specific assessments may be required and these may include: Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.</p>	<ul style="list-style-type: none"> • The applicant has engaged the services of Integrated Environmental Solutions to prepare a Daylight & Sunlight & Overshadowing Study, and which is included with the application. • AWN have been engaged to provide a Microclimate Assessment, and no issues of concern are raised.
<p>In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential</p>	<ul style="list-style-type: none"> • An Ecological Impact Assessment (EclA) and an Appropriate Assessment Screening Report have been submitted in support of the application and which

<p>interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.</p>	<p>fully consider the impact of the development on bird and bats.</p> <ul style="list-style-type: none"> • In summary, no bat roosts or significant foraging was found on site during the surveys.
<p>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.</p>	<ul style="list-style-type: none"> • Report has been prepared by iSM and suitable measures are proposed to ensure that microwave communications can continue to function in an efficient manner.
<p>An assessment that the proposal maintains safe air navigation.</p>	<ul style="list-style-type: none"> • N/A Due to six storey nature of the development.
<p>An urban design statement including, as appropriate, impact on the historic built environment.</p>	<ul style="list-style-type: none"> • Included with the application is a Design Report prepared by Reddy Architecture + Urbanism and a Heritage Impact Assessment Report by Mullarkey Pedersen Conservation Architects and which demonstrates how the development will integrate into its surroundings.
<p>Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.</p>	<ul style="list-style-type: none"> • SEA and EIA not required/ applicable due to the scale of the development. • EcIA and AA screening report are submitted with the application.

11.4.5. The above table demonstrates that the development complies with Section 3.2 of the ‘Urban Development and Building Height’ guidelines and that the criteria are suitably incorporated into the development proposal. Many of the issues

identified in the table are assessed in greater depth in the following sections of my report. As the development does not comply with the maximum heights as outlined in the Dublin City Development Plan, it is therefore considered that SPPR 3 applies as follows:

'It is a specific planning policy requirement that where;

(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and

2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise'.

11.4.6. National and local policy is to provide for increased heights and density on sites that can be demonstrated to be suitable for such development. The above table includes appropriate considerations for such development. A number of the third-party submissions state that this development results in the introduction of a six-storey development into an area defined by two storey houses. The proposed development will provide for a mix of apartment types in an area where there is a requirement for such housing types/ mix of residential unit types.

11.4.7. The issue of Material Contravention is considered further in this report under Section 11.14.

11.4.8. **CE Report Comments:** The Planning Authority, through the CE Report, have no objection to the increase in height and consider it appropriate having regard to the provision of additional residential units into this established area.

11.4.9. **Conclusion on Section 11.4:** The proposed development contravenes the Dublin City Development Plan in terms of exceeding the maximum permitted height for a development in an area designated as 'Low Rise', 'Outer City' location. I am satisfied that proposed development demonstrates that it complies with the criteria set out in Section 3.2 of the 'Urban Development and Building

Height' guidelines and recommend that the Board grant permission for the development having regard to SPR 3, in addition to NPO13 and 35 – which seek to improve urban areas through suitable regeneration and increased densities/ height. The issue of Material Contravention is considered later under Section 11.14 of this report.

11.5. Design and Layout

11.5.1. As already reported, the site is located on lands that are zoned Z1 and are suitable for residential development. The focus is therefore to integrate such a development into the existing established urban area, in this case Crumlin Village and again noting, that the front part of the site onto St Agnes Road is designated as an Architectural Conservation Area.

11.5.2. There are two very different aspects to the setting of this development. The front part forms part of the Streetscape of Crumlin Village, and the rear part where the two proposed apartment blocks are to be located, adjoin two-storey terraced houses to the north west and south eastern sides. To the rear is a community hall (WSAF) which adjoins small areas of open space. A tall block, dash finished wall provides the side/ rear boundary of the site. The proposed development would open up the site and provide for a somewhat less oppressive aspect than is the case at present.

11.5.3. Primary access to the site is from St Agnes Road and extends along the north west boundary and serves a centrally located car parking area. As already referenced a pedestrian route is proposed to the south east boundary and allows for access between St Agnes Road and Somerville Drive. This is to be controlled by a gate which will be closed during hours of darkness. The Planning Authority have queried the management of this route in terms of control over its access, and I would agree that this needs careful consideration. It would be preferable if the route were in operation at all times and it is likely that over time it would become an established route in the local area. It was evident from the site visit that walking from the front of the site to the rear was a somewhat convoluted process and I would support the development of this access route, which forms a very important aspect of the site layout. The development has been carefully designed to ensure that this route and

the vehicular access benefit from good passive surveillance from the proposed buildings on site.

11.5.4. Open space is provided in three locations, the formal garden to the front of glebe house, a large area of communal open space of 1,236 sq m between Block A and B and a smaller area of communal open space of 396 sq m to the south of Block A. The area of open space to the front of Glebe House provides for an appropriate setting for the protected structure as well as having an amenity function.

11.5.5. The proposed layout is constrained by the shape of the development site and the type of development that adjoins it. In general, I consider that the layout is acceptable and provides for a suitably efficient use of the available lands. I will report on the impact of the development on adjoining properties later in my report.

11.5.6. **CE Report comments:** The Planning Authority raised no particular concerns in respect of the layout/ design of the development, I have already reported on their comments in relation to the pedestrian route to the south east of the site.

11.5.7. **Conclusion on Section 11.5:** The proposed design is considered to be acceptable for this location. The site is constrained by the available site layout and the applicant has proposed a suitable scale and density of development on this site. There is no reason to recommend a refusal of permission to the Board in terms of the proposed design and layout.

11.6. Architectural Heritage

11.6.1. The importance of Glebe House and Crumlin Village Architectural Conservation Area (AA) are appropriately considered by the applicant. I consider the impact of the development on the visual amenity of the area and in turn on the ACA and Glebe House in the next section of my report. The proposed development will see the restoration of Glebe House, the provision of public open space to the front in the form of a formal garden and development to the sides and rear that are appropriate in the context of the designations on site.

11.6.2. Currently the site consists of a damaged Glebe House, partially hidden by hoarding and a site that is semi derelict. The restoration of Glebe House as described in the 'Heritage Impact Assessment Report' prepared by Mullarkey Pedersen Conservation Architects, is appropriate and has full regard to the

Architectural Heritage Protection Guidelines, 2011. The restoration of Glebe House will have a significantly positive impact on the ACA, which will strengthen its character. I note that concern was expressed in a number of the submissions about the restoration of Glebe House, I am satisfied with the proposal to restore this house and the nature of the adjoining development.

11.6.3. **CE Report comments:** The Planning Authority acknowledge the importance of Glebe House and the location of part of the development within the Crumlin Village Architectural Conservation Area. The Planning Authority welcome the restoration of Glebe House and consider the proposed development to be acceptable in the context of the ACA. The design of the apartments is also appropriate and has full regard to the importance/ setting of Glebe House.

11.6.4. **Conclusion on Section 11.6:** The proposed development has adequate consideration to the location of the site within an Architectural Conservation Area and also has full regard to the location of Glebe House, a protected structure, on the site. There is no reason to recommend a refusal of permission to the Board in terms of the impact on the ACA and Glebe House.

11.7. Visual Impact

11.7.1. The 'Materials and Finishes Report' by Reddy Architects describes the elevational treatment of two apartment blocks, and which are to consist of a mix of light buff coloured brick with white mortar providing a distinctive contrast. In addition, the external treatment includes white brick, zinc cladding and also light grey and dark coloured render. The primary elevations that are available from public locations consist of the brick finish with a limited use of render. The balconies are to consist of painted steel and light weight powder coated metal balustrades panels and this is acceptable. Final details on the external treatment can be agreed with the Planning Authority by way of condition.

11.7.2. The proposed pavilion units are to be finished in render, with brick relief at ground floor level, and will have pitched roofs with natural slate. This is appropriate having regard to the proximity of these units to Glebe House. An 'Architectural Heritage Impact Assessment' has been prepared by Mullarkey Pedersen Architects. This outlines the condition of the house and how it will be restored.

11.7.3. As already reported, the area is characterised by two storey houses and the proposed development will introduce buildings up to six storeys/ 21.1 m in height. The applicant has submitted a number of documents in support of the proposed development and with particular reference to the issue of height as follows:

- Design Report by Reddy Architects + Architects
- Verified Views - James Horan
- CGI's - Third Eye

The submitted documents in conjunction with the submitted elevational and contiguous elevational drawings, clearly demonstrate what the visual impact will be on the character of the area.

11.7.4. The nature of the site is such that the impact on adjoining areas differs depending significantly. The front of the site addressing St Agnes Road would be characterised by the restored Glebe House and the new build pavilion units either side. The lowering of the boundary wall to the front section of the site and the provision of the formal garden ensures that the importance of Glebe House is protected. The pavilion units are of a modern design and are gable fronted in contrast to Glebe House with its hipped roof. The gable front of the pavilions has regard to the houses on St Agnes Terrace.

11.7.5. I am satisfied that the design approach here is appropriate. Alternative proposals may have included extensions to Glebe House, larger units to the side in place of the pavilions and building on part of the proposed formal garden; all of which would have negatively impacted on the protected structure. The restoration of Glebe House and its use for habitable purposes is also to be welcomed.

11.7.6. I am also satisfied that this element of the development, facing onto St Agnes Road, is appropriate in the context of the location of this part of the site within the Crumlin Village Architectural Conservation Area. The Design Report clearly indicates that the applicant has had full regard to the importance of this site within Crumlin Village. The current situation with Glebe House, having suffered fire damage, and the front of the site enclosed by hoarding, does not provide a positive aspect to St Agnes Road.

11.7.7. The design of the apartment blocks to the rear part of the site are guided by the need to ensure that they protect the privacy and also the outlook from the existing houses on Somerville Drive and Somerville Green. At present the houses on both streets look out onto a high wall and it is considered that the development will provide for a more appropriate outlook. The south eastern side of the site will consist of a low wall/ railings and landscaping in place of the existing boundary wall, where this element of the development adjoins Somerville Drive.

11.7.8. The side adjoining Somerville Drive will include the retention of the boundary wall and the provision of landscaping within the site. The design of Block A is appropriate in this location. The north west elevation faces onto the existing area of public open space but the use of deflected/ angled windows for the upper floor apartments in nearest proximity to the houses on Somerville Green, ensures that their privacy is protected. It has to be said that the apartments would only overlook the front of these houses, and although the protection of such privacy is not normally necessary, the provision of such windows ensures a reduction in perceived overlooking.

11.7.9. The design of the apartment blocks includes staggered building heights. The front of Block B, facing towards St Agnes Road, is four storeys with a setback fifth storey. As the front building line is also set back, at the point of the fifth storey section, the five-storey element would not be prominent when viewed from the public street and would not dominate Glebe House.

11.7.10. Block B would be five storeys facing onto Somerville Drive, but separation distances of between 6 and 12.3 m are provided between the block and the edge of the road and between 16 m and 23 m between this elevation and the front of the existing houses.

11.7.11. **CE Report comments:** The Planning Authority raised no concern about the design and finish of the development. The height is considered to be acceptable and can be integrated into the area without impacting on the protected structure, the Crumlin Village Architectural Conservation Area, and the general area. The design of the apartment blocks is considered to be acceptable, and the materials proposed on the elevational treatment are acceptable in this location.

11.7.12. **Conclusion on Section 11.6:**

11.7.13. The separation distance between the proposed development and the existing houses to the north west and south east are considered to be acceptable. Whilst the proposed apartment units have a height greater than 16 m, the staggered heights and elevations of the development ensure that visual amenity is protected.

11.7.14. The proposed units are considered to be visually acceptable and will integrate into this established urban area. There is no reason to recommend a refusal of permission to the Board in terms of the impact on visual amenity.

11.8. Residential Amenity – Future Occupants

11.8.1. Unit Mix: A total of 74 one-bedroom units, 72 two-bedroom units and 4 three-bedroom units are proposed. This unit mix is considered to be acceptable. A number of the third-party submissions referred to the lack of family/ larger sized apartments and whilst this is correct, it is considered that as the adjoining area consists primarily of family sized homes, the proposed development provides for one- and two-bedroom units, which are not easily available in this area.

11.8.2. Quality of Units – Floor Area: A ‘Housing Quality Assessment’ prepared by Reddy Architecture + Urbanism has been submitted with the application and this provides a detailed breakdown of each of the proposed apartment units. All units exceed the minimum required floor areas, with 110 units (52.9%) providing for over 110% of the required minimum floor area. The proposed apartments are considered to be acceptable and demonstrate compliance with SPPR 3 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’.

11.8.3. A total of 88 units (59%) are dual aspect units, 47 out of 79 units in Block A (59%) and 36 out of 66 units in Block B (55%), which is acceptable in terms of SPPR 4 of the Apartment Guidelines. The total figure includes Glebe House and the associated pavilion units.

11.8.4. The proposed floor to ceiling heights in the two apartment blocks are indicated to be 2.65 m except ground floor units which are 3.1 m in height. This is in accordance with SPPR 5 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’. Two lifts are provided in Block A and Block B is provided with three lifts, two are adjacent to each other. That would equate to two lifts serving 15 units in Block A on the upper floors and two lifts serving

12 units in Block B and one lift serving four units also in Block B. The provision of lifts per floor is in compliance with SPPR 6 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.

11.8.5. **Conclusion on Sections 11.7.1 - 11.7.4:** The proposed development provides for an adequate mix of unit types. The area consists predominately of family sized homes and the development provides for a mix of one- and two-bedroom units, thereby improving the mix of housing types in the area. The internal layout of these units is acceptable and complies with recommended requirements. There is no reason to recommend a refusal of permission to the Board in terms of the unit mix and internal floor area quality.

11.8.6. **Quality of Units – Amenity Space:** All units are provided with adequate private amenity space in the form of balconies for the upper floor units/ terraced areas for the ground floor units. Access is primarily from the living room area. I note that the private amenity space for a number of the two-bedroom units in Block B, extends across the front of both bedrooms, this may reduce the amenity value of these spaces, but that is an issue for future occupiers to consider. These units are dual aspect and are provided with balconies on both aspects of the apartment block. All balconies have at least 1.5 m depth, which is acceptable.

11.8.7. The applicant has proposed a total of 905 sq m of public open space and a total of 1,632 sq m of communal open space. The communal open space is accessible to all units. I note that the Dublin City Council Parks Department do not intend taking the open space in charge and having regard to the location of the development/ open space. The public open space to the front of Glebe House provides for a good amenity for the local community. The Open Space Plan prepared by Áit urbanism + landscape is considered to be of a suitably high quality to serve the future residents of this development, and the local community in terms of the area of public open space. The Open Space Plan has full regard to the existing areas of open space Somerville Green and Somerville Drive.

11.8.8. **Conclusion on Sections 11.7.6 – 11.7.8:** The proposed development provides for adequate private, communal, and public open space areas. There is no reason to recommend a refusal of permission to the Board in terms of the quality of the amenity spaces.

11.8.9. **Daylight and Sunlight:** The applicant has engaged the services of IES to assess the impact of the development on daylight and sunlight and a 'Daylight, Sunlight and Overshadowing Study' has been submitted in support of the application. This assessment has been prepared based on best practice guidance set out in the following documents:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE, 2011 (BR209).
- BS8206 Part 2:2008, Lighting for Buildings, Code of Practice for Daylighting.
- BS EN 17307:2018 – Daylight in Buildings – British Standard
- IS EN 17037: 2018 – Irish Standard

The submitted assessment undertook a number of tests as detailed in Section 4.2 of the applicant's report and these are outlined in the following sections of my report.

11.8.10. **Sunlight to Amenity Spaces:** The submitted analysis includes an assessment of the proposed communal open space and public open space areas; this includes existing public open space adjoining the southern part of the site and amenity areas serving the adjoining houses. In the case of Somerville Drive, this would be the front gardens of these houses. The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March.

11.8.11. The submitted analysis demonstrates that the BRE requirement is met in terms of the assessment for private amenity space adjoining the proposed development. Existing public open spaces will meet/ exceed the required sunlight for such spaces.

11.8.12. **Daylight Analysis:** Daylight to the proposed development is considered in Section 10 of the applicant's report. From the information provided, I am satisfied that the target Average Daylight Factor's (ADF) are appropriate and are generally compliant. Table 2 of BS8208 Part 2:2008, provides the following minimum Average Daylight Factor (ADF)

- Bedrooms 1%
- Living Rooms 1.5%

- Kitchens 2%

11.8.13. The guidelines recommend that in the case of rooms that serve more than one function, the higher of the two minimum ADFs should be demonstrated. The proposed apartments provide for floor plans in which the kitchen/ living and dining areas are effectively the one room and I accept that the higher figure may not be achieved for the kitchen area in all cases.

11.8.14. The submitted analysis provides full details of the Average Daylight Factors (ADFs) and a breakdown of the achieved results for tested units. A total of 381 spaces were tested made up of 229 bedrooms, 149 living/ kitchen/ dining rooms, 2 kitchen/ dining rooms and 1 living space only. Two separate tests were considered:

- Method 1 uses daylight factor targets on the reference plane on a representative day/ time during the year under overcast sky conditions e.g., 21st of September at midday.
- Method 2 uses illuminance factors on the reference plane, for each hour over the course of the year (8,760 hours) using local weather information that accounts for varying sky conditions and sun positions.

The above methods are explained in far greater detail in the submitted report. The applicant chose to carry out the assessment in accordance with the Method 2 test, in addition to the standard BRE test.

In accordance with the BRE Guidance, 99% of bedrooms met the target, 91% of Living/ Kitchen/ Dining rooms, 50%/ one of the kitchen/ dining rooms and the living room assessed on its own was 100% acceptable. The Method 2 assessment having regard to BS EN 17037:2018 found that all tested rooms were acceptable except for 3 of the Living/ Kitchen/ Dining rooms and one of the Kitchen/ Dining spaces. A range of compensatory measures for failing meet the requirements are proposed.

11.8.15. Those units that are below the ADF of 2% for Kitchen/ Living/ Dining and below 1.0 for Bedroom spaces, include the following:

Block	Floor	Reference Unit – Type	Kitchen/ Living/ Dining	Bedroom 1	Bedroom 2
B	Ground	24/25/26 (2 Bed)	1.75 (-0.25)	1.06	1.03
Glebe House	Ground	46/ 47 (1 Bed)	1.71 (-0.29)	2.44	
A	First	21/ 22 (1 Bed)	1.31 (-0.69)	1.03	
B	First	23/ 24 (1 Bed)	1.53 (-0.47)	1.00	
B	First	52/ 53 (1 Bed)	1.57 (-0.43)	1.00	
B	First	73/ 74/ 75 (2 Bed)	1.27 (-0.73)	1.41	1.29
Glebe House	First	80/ 81/ 82 (1 Bed)	Living Room: 1.56 Kitchen Dining: 0.50 (-1.5)	1.65	
A	Second	21/22 (1 Bed)	1.5 (-0.5)	1.15	
A	Second	23/35/36 (2 Bed)	1.55 (-0.45)	2.86	2.03
A	Second	24/33/34 (2 Bed)	1.87 (-0.13)	3.34	1.40
B	Second	54/53/52 (2 Bed)	1.07 (-0.93)	1.03	1.13
B	Second	76/75/74 (2 Bed)	1.04 (-0.97)	1.50	1.61

Glebe House	Second	81		0.52 (-0.48)	
Pavilion Unit – East	Second	83		0.66 (-0.34)	
B	Third	54/53/52 (2 Bed)	1.18 (-0.82)	1.13	1.10
B	Third	75/74/73 (2 Bed)	1.38 (-0.62)	1.77	1.82
B	Fourth	41/40/39 (2 Bed)	1.56 (-0.44)	1.36	1.09

11.8.16. The submitted IES report clearly indicates which units are below standard and a list of specific compensatory measures are proposed. They have also assessed the units in terms of IS EN 17037:2018/ Method 2, however I will only consider the impact on the BRE requirements. The compensatory measures a floor area greater than the minimum required, a larger area of private amenity space, the aspect of the unit and availability of communal open space. 59% of the units are dual aspect in the overall scheme.

11.8.17. The submitted details are noted and I will make specific comments on each block as follows:

- Block A: In this block, the units that are below standard are mostly located to the south west facing elevation, but the depth/ orientation of the kitchen/ living/ dining area is such that daylight will not extend into the centre/ rear of this part of the unit. The associated bedrooms are all acceptable.
- Block B: The problem area here is the units to the south east corner. The depth/ orientation of the kitchen/ living/ dining area is such that daylight will not extend

into the centre/ rear of this part of the unit. The associated bedrooms are all acceptable.

- Glebe House: I note also that a number of the rooms that are below the BRE standard are located within Glebe House and as this is a protected structure, measures that could improve standards would be at the expense of the protection of the character and importance of this house.
- Pavilion Unit to the East: One bedroom is below standard, which has a north facing aspect and is located in an attic level. I note that this unit is supplied with roof lights, but which are facing in south east direction. I am satisfied that the room when constructed will have adequate access to daylight etc. and the other associated rooms in this unit are acceptable.

11.8.18. I assume that it is not possible to switch bedrooms and kitchens around in order to achieve the higher figure that is indicated. The layout of the building is dependent on structural requirements and the provision of services to each of the units. Whilst the Board may wish to reconfigure the layout, this may not be feasible for the reasons outlined. The provision of angled windows could improve the availability of daylight to individual rooms but would reduce the useability of the balcony space to an unacceptable level. I do note that the applicant has proposed a number of angled/ deflected windows, but primarily to ensure that the privacy of existing residents is protected.

11.8.19. Sunlight to Proposed Amenity Spaces: The submitted analysis includes an assessment of the proposed open space areas to serve the development. The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March.

11.8.20. The submitted analysis demonstrates that the BRE requirement is met in terms of the assessment for public and communal open space. On the 21st of March, 88% of the proposed public open space areas and 60% of the communal open space areas will receive at least two hours sunlight. This clearly demonstrates that the required 50% of the relevant spaces to receive sunlight is exceeded in accordance with the BRE requirements.

11.8.21. **CE Report Comments:** Note that a Daylight and Sunlight analysis have been submitted and consider that the level of ADF to be acceptable. The

Planning Authority note that in the case of those below the respective ADF, the level achieved is acceptable having regard to restrictions such as the existing low-rise nature of the surrounding area and the presence of Glebe House, which is a protected structure.

11.8.22. **Conclusion on Daylight and Sunlight Assessments:** I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. The proposed development is restricted by its orientation, the presence of a protected structure, which is to be restored as part of the application, and by the existing site size/ layout. I am satisfied that the design and layout of the scheme has been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive urban development of this accessible and serviced site within the Dublin City area, in accordance with national policy guidance, are in my opinion acceptable and will result in an acceptable level of residential amenity for future occupants of this development. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units.

11.8.23. I have taken account of compensatory measures provided as part of the development such as the provision of balconies which are provided with good sunlight amenity, good, landscaped areas, good internal floor space, and the location of the site provides for a good range of services/ amenities within walking distance. The development is located within the centre of Crumlin Village, and which will provide for good amenity for residents in terms of availability of retail/ social and community services. These compensatory measures are considered to be sufficient in this instance. The proposed areas of communal and public open space that are to be provided as part of this development demonstrate that will exceed the requirements of the BRE guidance.

11.8.24. **Childcare Provision:** The proposed development provides for a total of 150 residential units; other than four number, three-bedroom units, all proposed units are either one or bedroom units. A childcare facility is proposed within Block B and with a floor area of 147 sq m, a total of 25 children can be accommodated here.

11.8.25. The following table provides a breakdown of the childcare provision for the proposed development, having regard to listed guidelines:

	2001 Childcare Guidelines	2020 Apartment Guidelines – without 1 beds	2020 Apartment Guidelines – without 1 beds and only 50% of 2 beds
Number of Units	150	76	40
1 Facility with capacity for 20 children for every 75 units	40	20	11

11.8.26. The demand for childcare from this residential development is considered to be very low. The provision of a facility for 25 children will easily meet the potential demand. This facility can serve the local community as well as the potential demand from the development. The proposed facility is provided with a secure play area and the parking spaces adjacent to Glebe House can function as a drop-off/ pick-up area, however most users will likely walk/ cycle to the facility from the local area.

11.8.27. **CE Report Comments:** The Planning Authority welcome the provision of a dedicated childcare facility within the development, and which will add to the range of services available to the local community.

11.8.28. **Conclusion on Childcare Provision:** The proposed childcare facility is considered to be acceptable and would meet the requirements generated by this development. The facility also brings in activity to the front of the site along St Agnes Road and which will further ensure the integration of the development into Crumlin Village.

11.8.29. **Conclusion on Residential Amenity:** Overall the proposed development will provide for a high quality of residential amenity in this established urban area, within Crumlin Village. Room sizes and amenity spaces are of a good standard. The proposed development ensures that the character of Crumlin Village

and the associated Architectural Conservation Area are protected, and I would suggest are enhanced by this development. The development complies with the requirements of National and Local policies.

11.9. Residential Amenity – Existing/ Adjacent Residents

11.9.1. Existing Site: The redevelopment of a brownfield site within an established urban setting will give rise to a level of nuisance and disturbance to residents, especially during the construction phase. I am satisfied that the development of a site of this scale and located in such an area will give rise to some temporary nuisance and this has to be weighed up against the long-term impact of the development of this site. The comprehensive development of the site will ensure that work can be carried out on a phased basis but also in a timely fashion.

11.9.2. A Construction Management Plan will be put in place prior to the commencement of development. Access to the site is from the front of the site onto St Agnes Road, though the final construction management plan/ construction traffic plan can ascertain full details of this.

11.9.3. **Daylight and Sunlight:** The impact of the development on adjoining properties is considered in the Daylight & Sunlight Analysis prepared by IES. The impact on individual units is considered through an Annual Probable Sunlight Hours (APSH) assessment and also through a shadow analysis that also allows for an assessment of the impact on existing areas of open space.

11.9.4. Shadow Analysis: This is provided in Section 5 of the applicant's report. The assessment is carried out for March 21st, June 21st and December 21st and assumes that it is a perfectly clear, sunny day for the entirety of the day. The assessment demonstrates the impact at 8.00 hours to 16.00 hours for each of the days, and additionally for 18.00 on March and June and 20.00 in June. A 3D model of the site and the proposed development was prepared, and this enabled a full assessment of the impact of the development to be made. Potential sensitive receptors were identified at:

- Somerville Green – south east of the site
- St Agnes Terrace – north west of the site
- Somerville Drive – north west of the site

- St Agnes Road – north east of the site

11.9.5. The submitted details indicate that the L shaped footprint/ shape of the two apartment blocks ensures that the impact of shadowing on adjoining properties is minimal over the tested period.

11.9.6. Sunlight to Existing Amenity Spaces: The submitted analysis includes an assessment of existing public open space areas; specifically, the amenity lands adjoining the southern part of the site, and also considered the impact on amenity areas serving the adjoining houses. In the case of Somerville Drive, this would be the front gardens of these houses and in Somerville Green this would be the front and rear gardens of the houses adjacent to the subject site. The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March.

11.9.7. The submitted analysis demonstrates that the BRE requirement is met in terms of the assessment for private amenity space adjoining the proposed development. Existing public open spaces will meet/ exceed the required sunlight for such spaces demonstrating compliance with the BRE guidance.

11.9.8. Daylight: The Vertical Sky Component (VSC) is a measure of how much direct daylight a window is likely to receive. The Vertical Sky Component is described as the ratio of the direct sky illuminance falling on the vertical wall at a reference point, to the simultaneous horizontal illuminance under an unobstructed sky. A new development may impact on an existing building, and this is the case if the Vertical Sky Component measured at the centre of an existing main window is less than 27%, and less than 0.8 (20%) times its former value.

11.9.9. The analysis of the above listed units found that all windows either demonstrated that they were either in excess of 27% or in excess of 80% of the current figure, except for ground floor windows to the front of houses on Somerville Drive; however, the VSC at between 26.34 and 26.94 is only marginally below the 27%. I am satisfied that the VSC is acceptable in all cases.

11.9.10. Sunlight: The Annual Probable Sunlight Hours (APSH) assessment indicates what the impact of a development would be on the sunlight received by existing units. Only south facing windows are considered in this assessment, in accordance with BRE guidance. According to the BRE guidance a dwelling/ or a

non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit if:

- At least one main window wall faces within 90° of due south and
- The centre of at least one window to a main living room can receive 25% annual probable sunlight hours, including at least 5% of annual probable sunlight hours in winter months (the winter period is considered to fall between the 21st of September and the 21st of March).

Further to this the BRE advise that the sunlighting of existing dwellings may be adversely affected if the centre of the window in question:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between the 21st of September and the 21st of March and
- Receives less than 0.8 times its former sunlight hours during either period, and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

11.9.11. The assessment again considers the impact on the areas identified in Section 11.8.4. and 13 points are considered in accordance with the BRE guidance. All tested points meet the annual and winter recommendations, and which demonstrates that the proposed development would have a negligible impact on residential amenity when compared to the existing situation.

11.9.12. As already referred to, the submitted 'Assessment of Daylight Levels' prepared by BPG3, considers the impacts on daylight/ sunlight provision and the potential for overshadowing of adjoining properties and details are provided in Appendix F of the submitted report. Any reduction in daylight is not going to be evident to the residents of this property.

11.9.13. The submitted details are noted. From the available information, all residential units will continue to receive good daylight and the proposed development will not result in a reduction of residential amenity to an unacceptable level. Overall, the assessment indicates that good compliance with BRE guidance is achieved.

11.9.14. **CE Report Comments:** The Planning Authority through the CE report raise no issues of concern. In the case of tested points that do not meet the relevant requirements, the impact on existing residential amenity would not be

significant and it has been demonstrated that all properties would retain good levels of daylight.

11.9.15. **Conclusion on sunlight/ daylight impacts to neighbouring properties:** It is noted that there is likely to be instances where judgement and balance of considerations apply. To this end, I have used the Guidance documents referred to in the Ministerial Guidelines and within the Dublin City Development Plan 2016 - 2022 to assist me in identifying where potential issues/impacts may arise and to consider whether such potential impacts are reasonable, having regard to the need to provide new homes within the Dublin city area, and to increase densities within zoned, serviced and accessible sites, as well as ensuring that the potential impact on existing residents from such development is not significantly negative and is mitigated in so far as is reasonable and practical. Existing units and their private amenity spaces will receive adequate sunlight, in accordance with the BRE Guidance. I have no reason, therefore, to recommend to the Board that permission be refused.

11.9.16. **Potential overlooking:** I have already commented on the separation distances between the proposed development and the existing units on Somerville Green and Somerville Drive, and which are considered to be acceptable. There are no specific restrictions set out in the current Dublin City Development Plan regarding separation distances for taller buildings (those above two storeys) other than to ensure that residential amenity is protected.

11.9.17. As I have already reported, the design and proposed layout have regard to potential impact on the adjoining residential areas, through overlooking leading to a loss of privacy and through overshadowing leading to a loss of daylight/sunlight. Adequate separation distances are provided, and the use of deflected/angled windows ensures that privacy is protected. The proposed layout ensures that private amenity is protected. Block A projects forward of the houses on Somerville Green and Block B faces the front of the houses on Somerville Green, thereby ensuring the protection of private amenity. The standard of 22 m separation only applies to directly opposing rear windows, and at no point does the development result in directly opposing the rear windows of existing houses in the area, that are within 22 m.

11.9.18. **CE Report comment on residential amenity:** I note again the comments in the CE report. No particular issues of concern were raised in their report.

11.9.19. **Conclusion:** Overall I am satisfied that the development will not have a unduly negative impact on the existing residential amenity of the area. The site is suitably zoned for residential development, is located in an established urban area and with access to existing services. I have no reason, therefore, to recommend to the Board that permission be refused due to impact on the residential amenity of the area.

11.10. Transportation, Traffic and Parking

11.10.1. The application is supported with a number of documents in relation to traffic and parking as follows:

- Planning Report and Statement of Consistency – Doyle Kent Planning Partnership Ltd.
- Transport Impact Assessment - NRB Consulting Engineers
- Circle Travel plan letter & Circle Carparking metrics letter – Circle VHA CLG

11.10.2. Traffic: The submitted Transportation Assessment Report includes a survey undertaken in September 2021, during a time when schools were fully operational in the area. The transportation assessment indicates that the existing road network, and the associated access onto St Agnes Road, are adequate to serve the proposed development and the proposed development will have a negligible impact on the operation of the existing road network. The worse case predicted scenario is 50 car movements in each of the morning and evening peaks.

11.10.3. Table 4.1 of the applicant's Transportation Assessment Report provides a Threshold Assessment – Worst Case Impact on five listed junctions. The traffic increase is greatest at Somerville Avenue/ St Agnes Road Junction with an AM Peak increase of 4.1% and a PM Peak increase of 3.9%; however, these are below the 5% increase in traffic movements that would require further assessment, as the impact is at a level as to not have a noticeable impact on these junctions.

11.10.4. Car Parking: The proposed development provides for a total of 75 car parking spaces in the form of:

- 66 under-croft spaces
- 5 surface spaces on Somerville Drive
- 4 visitor spaces to the front of Pavilion A

10% of the car parking spaces are designed for EV use with the remaining ones easily convertible if required in the future.

11.10.5. The applicant has undertaken an assessment of the existing car demand in the area. The results find that only 20% of the local population commute by car and 30% of the population have no car. The applicant disagrees with comments made by Dublin City Council that there are ‘limited alternative transport options’ in the area. The applicant reports that bus service provision in the area is good, when the location of bus stops is extended out from the immediate vicinity of the site. Provision is stated to be made for ‘2 No. Dedicated “Go Car” spaces/ cars will be provided within the development, for the use of residents’. The provision of such spaces can be confirmed by way of condition.

11.10.6. Car parking will be managed by either permanent staff/ and/ or CCTV. The proposed development is to be run by Circle VHA, a Housing Body and is to be operated as a housing body scheme. Such a development will have lower car dependency/ usage than more traditional apartment schemes. Circle VHA have provided information in support of the need for reduced car parking.

11.10.7. Bicycle/ Motorcycle Parking: A total of 306 bicycle parking spaces are proposed to serve the development. These are provided throughout the site and include the provision of residents’ cargo bicycle spaces; three in the undercroft of Block A and one space in Block B. Three spaces for cargo bicycles for visitors are also provided for. A total of six motorcycle parking spaces are also to be provided. The provision of bicycle parking spaces is significantly above the requirements of the Dublin City Development Plan.

11.10.8. **CE Report Comments:** Dublin City Council Transportation Planning Division raised concern about the shortfall in bicycle parking and the potential for overspill parking into the surrounding area in pre-planning. The proposed provision of car parking and the supporting documentation are considered to be acceptable.

The public transport provision outlined in the Transportation Assessment Report is noted.

11.10.9. The Dublin City Council Transportation Planning Division have recommended a number of conditions in the event that permission is to be granted for the proposed development. These include details on the car parking, the provision of a Mobility Management Plan prior to the completion/ occupation of the development and a fully detailed Construction Management Plan and Construction Traffic Management Plan. Some detailed information on the road/ footpath layout are also requested, but which can be addressed by way of condition.

11.10.10. **Conclusion on Transportation, Traffic and Parking:** I am satisfied that the development is located in an area with good public transport provision that is within walking distance of the site. Car and bicycle parking provision is appropriate to the scale and nature of development proposed. The scale and nature of the proposed development is such that it should not impact on existing traffic flows in the area.

11.10.11. The proposed development is based on the notion that there will be a reduced demand for car use and consequently car parking. From the available information I am satisfied with the justification for the proposed car parking to serve this development. I have no reason to recommend a refusal of permission to the Board.

11.11. Infrastructure and Flood Risk

11.11.1. The Dublin City Council Drainage Division have recommended that permission be refused due to a lack of adequate information in relation to proposals for the management of surface water. The Division reports that the applicant has not demonstrated that an outfall connection can be achieved to the public surface water network. No information has been given by the applicant and public surface water sewers are located at a shallow depth in the area.

11.11.2. I note the comments of the Dublin City Council Drainage Division, however I note that a detailed Water Services Report prepared by Cora Consulting Engineers is included with the application. Section 3 of this report provides full details on Surface Water Discharge. Drainage outfall will be provided in accordance with the Greater Dublin Strategic Drainage Study. I have no reason to believe that

the development cannot be connected to the public system. The site is zoned for residential development and as such there is an expectation that it can be serviced by the public system. The report includes full details on SuDS measures including the use of green roofs, permeable paving, attenuation measures and soakaway details. The Planning Authority through the CE Report have not recommended a refusal of permission and specifically, no concern was raised in relation to surface water drainage.

11.11.3. The Cora Report also provides full details in relation to water supply and foul drainage, and I am satisfied that the development can be connected to the relevant public systems. In the event that permission is to be granted, a suitable condition can be included that the applicant is to comply in full with the requirements of Irish Water.

11.11.4. Flood Risk Assessment: A Site-Specific Flood Risk Assessment Report has been prepared by Cora Consulting Engineers. Full regard has been had to available sources of information such as that provided by the OPW. The following are assessed in the report:

Fluvial Flood Risk: The available information indicates that the development is outside the 0.1% AEP, 1.0% AEP and 10% AEP fluvial flood events. Full regard is had to climate change in this assessment.

Tidal Flood Risk: The site is outside the 10%, 0.5% and 0.1% AEP return periods and is outside of coastal flood events. Climate change will not impact on these figures.

Pluvial Flood Risk: The assessment finds that the site is located within Flood Zone C and is therefore located in an area with a low probability of flooding.

11.11.5. The proposed development will not be impacted by flood events, the site is located within Flood Zone C and the development of the site will not impact on adjoining sites in terms of flooding.

11.11.6. **CE Report Comments:** The Dublin City Council Drainage Division have recommended a refusal of permission due to the lack of information submitted in support of the application. The Planning Authority have not raised any concerns in relation to surface water drainage.

11.11.7. **Conclusion on Infrastructure and Flood Risk:** I am satisfied that the subject site can be attached to the public water and drainage systems. The site is located within Crumlin Village in an area with a range of public services. I have no reason to recommend a refusal of permission to the Board due to infrastructure and flood risk.

11.12. **Social Infrastructure and Part V Social Housing Provision**

11.12.1. A 'Social & Community Audit' prepared by Doyle Kent Planning Partnership Limited was submitted with the application. This outlines available open space, education, transport, health/ social services, community/ religious and retail/ business facilities in the area. The site is within Crumlin Village and is only 4 km from the city centre.

11.12.2. Overall, the area appears to be well served by social, education, community, and retail facilities, as well as open space. The proposed development includes the provision of a café and childcare facility as well as public open space, and these will add to the range of facilities in Crumlin Village,

11.12.3. The Planning Authority through the CE Report, report that the applicant has provides proposals in relation to Part V compliance. The Part V proposal includes the provision of 20 units comprising of 11 x one beds; 8 x two beds and 1 x three bed and these proposals have been discussed with the Dublin City Council Housing Department.

11.12.4. **Conclusion on 11.11:** The proposed development is located in an area with a good range of services and facilities.

11.13. **Comment on Submission/ Observations of the South Central Area Committee**

11.13.1. The views of the elected members were submitted alongside and included in the CE report. They are generally similar to those raised by third parties and dealt with under the relevant headings above. However, having regard to their important role in plan and place making, I have considered the strategic points raised by them, as outlined below. I have also noted and considered all of the issues raised in the observations, most of these varied issues have been addressed already in this report.

11.13.2. The members noted that this development is very similar to that previously submitted and sought confirmation that the only changes were to windows and to the sunlight assessment. The proposed development is now for 150 units and also includes a café and childcare facility, which were not previously proposed. I consider that these extra facilities are appropriate in the context of the site location within Crumlin Village.

11.13.3. Query over the nature of the development – Cost Rental Model and Social Housing Model. This is not an issue of concern at this stage.

11.13.4. The impact of the development on the Crumlin Village Architectural Conservation Area (ACA) and the need for the restoration of Glebe House were raised as issues of concern. I am satisfied that the development includes for the appropriate restoration of Glebe House and the layout and design of the development will ensure that the Crumlin Village ACA is suitably considered.

11.13.5. The issue of building height was raised, and this has been considered in my assessment. I refer again to the comments of the Planning Authority who consider the proposed height to be acceptable in this location and I agree wholly with this comment.

11.13.6. The management of the gate between Somerville Avenue and St Agnes Road was raised. This issue can be agreed by way of condition. I have no objection to the provision of this walkway, and I consider it appropriate that it be time limited from 7.00 hours (7 am) to 21.00 hours (9 pm) initially and it is to be hoped that its hours would be extended to a full time opening. The walkway will receive extensive passive surveillance from the proposed development and the existing houses on Somerville Drive and I consider that this element of the development would be of significant benefit to the residents of Somerville Drive etc.

11.13.7. I note the comments of the elected members who in general appear to be supportive of the development of this site for housing.

11.14. Other Issues

11.14.1. **Trees:** CMK have been engaged by the applicant to prepare an 'Arboricultural Assessment & Impact Report' with supporting plans, and there are a total of five trees on the site, two category B, two category C and one category U

trees. The category U tree is proposed to be removed to facilitate the proposed development of this site. A separate 'Tree Protection Strategy' has been prepared by CMK and which outlines the measures to be taken to ensure that the trees on site are to be protected.

11.14.2. **Microclimate Analysis:** AWN Consulting have been engaged by the applicant to prepare a 'Microclimatic Assessment' of the subject site. The assessment found that the site experiences B3 conditions for most of the time and this equates to a gentle breeze.

11.14.3. In conclusion, this assessment finds that the proposed development would have no significant effects in relation to microclimate. The submitted details are noted and give rise to no concerns.

11.14.4. **Noise:** AWN Consulting have been engaged by the applicant to prepare a 'Noise & Vibration Impact Assessment' of the subject site. An increase in noise can be expected during the construction phase of the development and at operational stage, noise will be generated from mechanical plant serving the units, from the café and from the creche units. Additional noise will also be generated from the traffic associated with the development.

11.14.5. The assessment included a baseline survey of noise levels, and which were found to be typical of such an urban environment. The assessment has provided suitable mitigation measures at construction stage and noise levels during the operational phase are not expected to be significant subject to the implementation of suitable mitigation measures.

11.14.6. I note comments were made in the received observations about increased noise from the proposed heat pumps. The assessment recommends that noise levels from plant should not exceed 46 dB La90 during daytimes and not exceed 40 dB at night. This assessment is for all plant on the site, and I concur with this proposed maximum limit. I have no concern regarding noise generated from the development. I may add that much of this site was previously used for light industrial/storage purposes and the level of noise generated was probably far greater than that possible from the proposed development. The volume of inward/outward traffic would have been greater also and this in turn would have resulted in significant noise generation from this site.

11.14.7. **Telecommunications:** A 'Telecommunications Report' by iSM assesses two wireless Telecommunication Channels/ networks of Telecommunication Channels, that may be impacted by the height and scale of a new development. Two microwave links are identified, one operated by Vodafone and the other by Three, that may be impacted by the proposed development. In mitigation it is proposed that four microwave link dishes be provided on two number steel support poles that are proposed to be fixed to the lift shaft overrun to Block A. Full details are proposed in the submitted report by the applicant.

11.14.8. The proposed dishes etc. are stated in the public notices to form part of the proposed development. I note the submitted report from the applicant and I have no objection to their inclusion in this development. Their location is such as to not have a negative impact on the visual amenity of the area.

11.14.9. **Ecological Impact Assessment (EclA)**

11.14.10. The applicant has engaged the services of Openfield, to prepare an Ecological Impact Assessment (EclA) for the subject site; the report is dated June 2022. I have had full regard to the contents of same.

11.14.11. Surveys include desk survey and a site visit in March 2022. The report acknowledges that this is outside of the optimum period for a habitat survey, but it is possible to classify all habitats having regard to the highly modified nature of the subject site. A 'Bat Fauna Study' was also prepared by Altemar, dated June 2022. Bat Surveys were undertaken in July 2020 and in September 2021.

11.14.12. The EclA has identified five sites within the zone of influence as follows:

- Grand Canal pNHA (Site Code 0021404) – 1.8 km from the site
- South Dublin Bay SAC/ pNHA (Site Code: 000210) – 7.51 km from the site
- North Dublin Bay SAC (Site Code 000206) – 8.14 km from the site
- North Bull Island SPA (Site Code (004006) – 8.14 km from the site
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) – 7.51 km from the site

11.14.13. The report provides details of Features of Interest for both the South Dublin Bay and Tolka Estuary SPA and the North Bull Island SPA in Table 1.

Protected species within a 10 km Square survey area are provided in Table 3 of the EclA. There are no watercourses within the immediate vicinity of the subject site. The River Camac is circa 760 m to the north west and the River Poddle is circa 1.4 km to the south-east. Both of these rivers are described as of 'poor's status under the Water Framework Directive, period 2013 – 2018.

11.14.14. The proposed development is located on an enclosed site in an established urban area forming part of Dublin City. The site is highly modified, there are a number of non-native species on the site, and it is rated as of low local value for biodiversity. No fauna of protected status was found on site. Bat surveys undertaken by Altemar in 2020 and 2021 recorded no roosting bats on site and no foraging activity in 2021, though a single Leisler's bat was noted on site in 2020. Birds recorded on site were common types and are listed as 'low conservation concern'. The site is not suitable for amphibians or fish.

11.14.15. Assessment of Impacts – Construction Phase: Some habitats would be removed, though these are of low biodiversity value. Some birds may be impacted, though the chance of this is low and due to the lack of bats recorded on site, there will be no impact to bats. Impact from pollution is low due to the lack of watercourses in the area and mitigation measures would be required to ensure that alien invasive species do not spread.

11.14.16. Assessment of Impacts – Operational Phase: The report notes that the Ringsend Wastewater Treatment Plant requires upgrades, however pollution impacts may occur if the capacity for dilution is low. The AA Screening found that the impacts on Natura 2000 sites in Dublin Bay are not likely to arise. Irish Water is carrying out upgrade works on a phased basis to the Ringsend plant. The provision of suitable SuDS measures will ensure that surface water volumes entering combined sewers will be reduced. Table 5 of the EclA provides a 'Significance level of likely impacts in the absence of mitigation' and these range from Moderate Negative to Neutral. The Moderate Negative refer to mortality to animals/ birds during construction and the spread of Spanish Bluebells as an alien invasive species.

11.14.17. Cumulative Impacts: No issues of concern are raised. Increased loadings on the Ringsend Wastewater Treatment Plant are noted but this is not

significant having regard to the proposals to upgrade the plant and also the provision of SuDS measures will reduce potential impacts to surface water quality.

11.14.18. Mitigation Measures – Construction Phase: New planting should be of native species, disturbance of birds' nests is prohibited under licence from the National Parks and Wildlife Service, a derogation licence may be sought. Measures to be put in place to prevent pollution during construction, these are standard mitigation measures used on all construction sites. The visible Spanish Bluebell found on site will be suitably treated with herbicides etc.

11.14.19. Conclusion: There are no significant impacts predicted from the proposed development on biodiversity and bats. Bat roost boxes are proposed to be erected on site. This is in accordance with the recommendations of the Bat Fauna Study by Altemar. Monitoring to ensure that pollution is not an issue and to ensure that any Spanish Bluebell found on site, is suitably treated, will be undertaken during the construction phase.

11.14.20. **Conclusion on the EclA:** I note the information and details provided in the EclA and I am satisfied that the submitted information indicates that the proposed development will not impact on any designated or protected ecological sites. The development does not directly impact on any bats, birds, terrestrial mammals, or plant species. As reported, the site has been heavily modified over a long period of time and is not suitable as a habitat for protected species.

11.15. **Material Contravention**

11.15.1. The applicant has submitted a 'Statement of Material Contravention' of the Dublin City Development Plan 2016 - 2022 with the application, prepared by Doyle Kent Planning Partnership Ltd. The public notices make specific reference to a statement being submitted indicating why permission should be granted having regard to the provisions s.37(2)(b). A total of three issues have been raised in the applicant's Material Contravention statement as follows:

- Building Height:
- Unit Mix
- Car Parking

The report outlines the procedure and requirements in relation to Material Contravention and a number of identified precedent applications have been provided. The issues are considered in terms of National, Regional, and Local Policy. Section 28 Guidance in terms of the Urban Development and Building Heights Guidelines are relevant to this proposed development.

11.15.2. **Building Height:** Under Section 16.7 of the Dublin City Development Plan 2016 - 2022, the subject site is defined as within the 'Outer City' with a prescribed maximum height of 16 metres for residential and commercial development. In terms of a residential development, this would equate to approximately 5 storeys. The subject development ranges in height up to 6 storeys or circa 20.1 m to roof parapet height, and which exceeds the maximum building height of 16 m specified in the Dublin City Development Plan.

11.15.3. The applicant refers to the Urban Development and Building Heights Guidelines (2018) and specifically to SPPR 4 which promotes increased density, a mix of housing types and building heights. The applicant considers that the proposed development meets the requirements of these guidelines. The proposed development has been designed to ensure it integrates with the surrounding area and does not impact negatively on existing residential amenity.

11.15.4. The Planning Authority through the CE report state: 'it is considered that the exceedance of the height limit prescribed by the City Development Plan, is acceptable in this case'.

11.15.5. The subject site is located within a 'Low Rise', 'Outer City' location and the maximum height specified in the Dublin City Development Plan 2016 – 2022 is 16 m for residential developments. The proposed apartment blocks range in height depending on their number of storeys and the existing ground levels that they are located on. The maximum height is circa 20.1 m and this height exceeds the maximum standard set out in the Dublin City Development Plan 2016 – 2022.

11.15.6. I have considered the issue raised in the applicant's submitted Material Contravention Statement and advise the Board to invoke the provisions of s.37(2)(b) of the 2000 Act (as amended).

11.15.7. I consider that the subject site is appropriate for increased height in light of guidance in the 'Urban Development and Building Heights - Guidelines for Planning Authorities' – (DoHPLG, 2018)'. Having fully considered the Development Management Criteria in section 3.2 of these guidelines relating to proximity to high quality public transport services, character of the location, compliance with flood risk management guidelines, daylight and sunlight considerations, alongside performance against BRE criteria. Specific assessments have also been provided to assist my evaluation of the proposal, specifically CGI visualisations and a Visual Impact Assessment.

11.15.8. Section 37(2)(a) of the Planning and Development Act 2000 (as amended), states that the Board may decide to grant planning permission even if the proposed development contravenes materially the development plan. Section 37(2)(b) (i)-(iv) lists the circumstances when the Board may grant permission in accordance with section 37(2)(a).

11.15.9. Under section 37(2)(b)(i) I consider the proposed development to be of strategic and national importance having regard to the definition of 'strategic housing development' pursuant to section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and its potential to contribute to the achievement of the Government's policy to increase delivery of housing from its current under supply set out in Rebuilding Ireland – Action Plan for Housing and Homelessness issued in July 2016; and (iii) I also consider that permission for the development should be granted having regard to guidelines under section 28 of the Act, specifically SPPR 3 of the Building Height Guidelines, national policy in Project Ireland 2040 National Planning Framework (in particular objectives 13 and 35).

11.15.10. I am satisfied that a grant of permission, is justified in this instance. Regard being had to the foregoing, I am of the opinion, that provisions set out in Section 37 (2)(b) (i) and (iii) could be relied upon in this instance.

11.15.11. **Unit Mix 3:** Section 16.10.1 of the Dublin City Development Plan requires in proposals of 15 units or more, that each development shall contain a maximum 25 - 30% one-bedroom units and a minimum of 15% three or more-bedroom units. The proposed development provides for 50% one beds and 50% two beds. This materially contravenes section 16.10.1 of the Development Plan. The

applicant refers to SPPR 1 of the Apartment Guidelines which seeks to provide up to 50% one-bedroom units and no limit on three or more-bedroom units. No evidence-based Housing Need and Demand Assessment has been incorporated into the current Dublin City Development Plan 2016 – 2022.

11.15.12. The above mentioned SPPR refers to requirements for plans etc. and is not specifically relevant to applications. The applicant does comment on the likely demand for smaller sized units and the fact that the surrounding area is predominantly made up of three and more bedroom houses. I also add that the total of 150 units actually consists of 74 (49%) x one bed units, 72 (48%) x two bed units and 4 (3%) x three-bedroom units.

11.15.13. I do not consider this to be a material contravention of the Dublin City Development Plan. A mix of units is provided and 49% of the units are one-bedroom units; the number of one-bedroom units is therefore in accordance with the Dublin City Development Plan. Four three-bedroom units are provided, which is low, however, having regard to the character of the area, the provision of one and two-bedroom units will provide for a housing choice for smaller units in an area that is dominated by three and more bedroom units. The National Planning Framework seeks to increase housing choice and to meet the demand for more one- and two-bedroom units. The proposed development will go some way to meeting this demand in this area.

11.15.14. **Car Parking:** The proposed development provides for a parking standard of 0.5 space per unit, which is in accordance with the Dublin City Development Plan standards, and the Apartment Guidelines, which clearly states that parking should be reduced in central and accessible locations. The site is located in Parking Zone 3 with a maximum parking provision of 1.5 spaces per unit and as the applicant reports, this is a maximum and not a minimum parking provision.

11.15.15. The applicant has outlined in the submitted Transportation Assessment Report by NRB, that car ownership in the area is low and that commuting by car is also low. The applicant considers that the provision of 75 car parking spaces to be appropriate to serve this development.

11.15.16. I am satisfied that the reduction in car parking does not give rise to a material contravention of the Dublin City Development Plan. The site is located in an area with good public transport in terms of frequency and capacity, a high provision of bicycle parking is indicated, and the site is located within walking distance of a number of services/ facilities in the local area. The proposed development provides for a childcare facility and a café on site, combined with the existing facilities in the area, the need to use the car will be reduced.

12.0 Appropriate Assessment

Stage 1 – Appropriate Assessment Screening

12.1. The applicant has engaged the services of Openfield Ecological Services, to carry out an appropriate assessment screening; the report is dated June 2022. I have had regard to the contents of same.

12.2. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and 177V of the Planning and Development Act 2000 as amended are considered fully in this section.

12.2.1. The areas addressed are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- Appropriate assessment of implications of the proposed development on the integrity of each European site

12.3. Compliance with Article 6(3) of the EU Habitats Directive

12.3.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

12.3.2. The subject site is located to the south west of St Agnes Road in Crumlin Village and the development site area is stated to be 0.88 hectares. A total of 150 apartment units in the form of 74 one-bedroom units, 72 two-bedroom units and 4 three-bedroom units are proposed in addition to a creche and cafe. The damaged Glebe House will be restored as part of the development. The apartments will be located within in two, three storey pavilion units either side of Glebe House and will be primarily located in two blocks of 4-5 storeys and 5-6 storeys to the rear of the site. Vehicular access is from St Agnes Road to the north east. The proposed

development provides for open space, parking, services, and all necessary site works.

12.3.3. The site is not directly connected with, or necessary to the management of a Natura 2000 sites. The zone of influence of the proposed project would be limited to the outline of the site during the construction phase. The proposed development is therefore subject to the provisions of Article 6(3).

12.3.4. A total of seven European Sites have been identified as located within the potential zone of influence and these are as follows:

Name	Site Code	Distance from Site
<p>South Dublin Bay SAC</p> <p>Conservation Objectives:</p> <p>To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by the following list of targets:</p> <ul style="list-style-type: none"> • The permanent habitat area is stable or increasing, subject to natural processes. • Maintain the extent of the Zostera – dominated community, subject to natural processes. • Conserve the high quality of the Zostera –dominated community, subject to natural processes • Conserve the following community type in a natural condition: Fine sands with Angulus tenuis community complex. <p>Qualifying Interests</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p>	<p>(000210)</p>	<p>7.51 km to the east</p>

<p>Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]</p>		
<p>South Dublin Bay and River Tolka Estuary SPA</p> <p>Conservation Objectives:</p> <p>The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.</p> <p>Qualifying Interests</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p>	(004024)	7.51 km to the east

<p>Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]</p>		
<p>North Bull Island SPA</p> <p>Conservation Objective:</p> <p>The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.</p> <p>Qualifying Interests</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160]</p>	<p>(004006)</p>	<p>8.14 km to the north east</p>

<p>Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]</p>		
<p>North Dublin Bay SAC Conservation Objectives: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected. Qualifying Interests Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with white dunes (<i>Ammophila arenaria</i>) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] Petalwort (<i>Petalophyllum ralfsii</i>) [1395]</p>	(000206)	8.14 km to the north east
<p>Glenasmole Valley SAC Conservation Objectives:</p>	(001209)	7.8 km to the south west

<p>To restore the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) in Glenasmole Valley SAC – 6210.</p> <p>To restore the favourable conservation condition of Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) in Glenasmole Valley SAC – 6410.</p> <p>To restore the favourable conservation condition Petrifying springs with tufa formation (Cratoneurion) in Glenasmole Valley SAC – 7220.</p> <p>Qualifying Interests:</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) [6210]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p>		
<p>Wicklow Mountains SAC</p> <p>Conservation Objectives:</p> <p>To maintain the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) in Wicklow Mountains SAC – 3110</p>	(002122)	9.47 km to the south

<p>To maintain the favourable conservation condition of Natural dystrophic lakes and ponds in Wicklow Mountains SAC – 3160</p> <p>To restore the favourable conservation condition of Northern Atlantic wet heaths with <i>Erica tetralix</i> in Wicklow Mountains SAC – 4010</p> <p>To restore the favourable conservation condition of European dry heaths in Wicklow Mountains SAC – 4030</p> <p>To restore the favourable conservation condition of Alpine and Boreal heaths in Wicklow Mountains SAC – 4060</p> <p>To maintain the favourable conservation condition of Calaminarian grasslands of the <i>Violetalia calaminariae</i> in Wicklow Mountains SAC – 6130</p> <p>To restore the favourable conservation condition of Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* in Wicklow Mountains SAC – 6230</p> <p>To restore the favourable conservation condition of Blanket bogs (* if active bog) in Wicklow Mountains SAC 7130</p> <p>To restore the favourable conservation condition of Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) in Wicklow Mountains SAC – 8110</p>		
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<p>To restore the favourable conservation condition of Calcareous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC – 8210</p> <p>To restore the favourable conservation condition of Siliceous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC – 8220</p> <p>To restore the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Wicklow Mountains SAC – 91A0.</p> <p>To maintain the favourable conservation condition of Otter in Wicklow Mountains SAC – 1355.</p> <p>Qualifying Interests:</p> <p>Otter <i>Lutra lutra</i> [1355]</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Northern Atlantic wet heaths [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130]</p>		
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<p>Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110]</p> <p>Calcareous rocky slopes with chasmophytic vegetation [8210]</p> <p>Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p>Old sessile oak woods [91A0]</p>		
<p>Wicklow Mountains SPA</p> <p>Conservation Objectives:</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p> <p>Qualifying Interests:</p> <p>Merlin <i>Falco columbarius</i> [A098]</p> <p>Peregrine <i>Falco peregrinus</i> [A103]</p>	(004040)	9.44 km to the south

12.3.5. **Connectivity-Source-Pathway-Receptor:** The submitted AA Screening Report makes full consideration of the Connectivity-Source-Pathway-Receptor model for each of the seven identified sites. The following is found in summary:

Site	Direct Hydrological Connection	Comment

South Dublin Bay SAC	No	There is an indirect connection at operational stage, wastewater will be sent to the Ringsend Wastewater Treatment Plan (WWTP) via the existing public network and will be treated at the WWTP.
South Dublin Bay and River Tolka SPA	No	There is an indirect connection at operational stage, wastewater will be sent to the Ringsend Wastewater Treatment Plan (WWTP) via the existing public network and will be treated at the WWTP.
North Dublin Bay SAC	No	There is an indirect connection at operational stage, wastewater will be sent to the Ringsend Wastewater Treatment Plan (WWTP) via the existing public network and will be treated at the WWTP.
North Bull Island SPA	No	There is an indirect connection at operational stage, wastewater will be sent to the Ringsend Wastewater Treatment Plan (WWTP) via the existing public network and will be treated at the WWTP.
Glenasmole SAC	No	No connection
Wicklow Mountains SAC	No	No connection
Wicklow Mountains SPA	No	No connection

12.3.6. There are no ecological networks supporting the identified European sites and there are no other areas of conservation concern that would be affected by the proposed development.

12.3.7. **Assessment of Likely Significant Effects:**

12.3.8. The submitted AA Screening, through section 7.0, considers the potential impacts on European Sites from the proposed development. No habitat loss to any designated European site is foreseen due to the separation distance and no habitat disturbance/ Ex-situ impacts are foreseen.

12.3.9. As reported, there are no direct connections between the site and European sites with only indirect connections identified in the form of wastewater and surface water from the development, which will be treated at the Ringsend Wastewater Treatment Plan (WWTP) before discharge to Dublin Bay. This plant has capacity to treat the wastewater from this development. The submitted report outlines the works that have been carried out/ proposed to be carried out and will upgrade the capacity to by 50%. The proposed development includes attenuation to limit storm water flow; the provision of attenuation is not a mitigation measure but is standard practice for such a development. The proposed development is of such a scale as to not impact on the capacity of Ringsend WWTP and consequently will not result in significant effects to the SACs or SPAs in Dublin Bay.

12.3.10. The proposed development is unlikely to give rise to pollution (such as sediment escape) during the construction phase. No effects due to abstraction of freshwater are likely. Spanish Bluebell, which is an invasive species is growing on site but its presence, whether or not the development commences will not impact on any designated European sites.

12.3.11. The applicant has considered if any other plans or projects in combination with the proposed development which may impact on designated sites and none were found.

12.3.12. **AA Screening Conclusion:**

The applicant in carrying out the AA screening, has not taken into account any mitigation measures. Standard best practice construction measures have not been included where these are to be implemented for the purposes of mitigating any effects on the environment which could have a potential impact on any designated European sites. On the basis of the screening exercise, the applicant has concluded 'that the possibility of any significant effects on any European Sites, whether arising

from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available’.

12.4. Screening Assessment

12.4.1. In determining the Natura 2000 sites to be considered, I have had regard to the nature and scale of the development, the distance from the site to the designated Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or necessary to the management of a Natura 2000 sites. The impact area of the construction phase would be limited to the outline of the site.

12.4.2. In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/ species fragmentation as a result of the proposed development.

12.4.3. There are no watercourses on site and the only connection between the site and the identified European sites would be an indirect linkage by way of the public wastewater system. Considering the distance from the site to the nearest European site and the use of the existing public wastewater treatment, I am satisfied that there would be no significant effect on any identified site. I note the comments of the Dublin City Drainage Division in relation to surface water drainage, however, I am satisfied that the applicant can provide for a suitable drainage system to serve this site.

12.4.4. During the construction phase of development, standard measures will be employed to address surface water run-off and the general management of liquid waste on site. These will be outlined in the adopted Construction Management Plan and any associated documentation. Considering the site layout, location, and distance from the designated sites, there is no realistic likelihood of pollutants reaching the identified Natura 2000 sites.

12.4.5. During the operational phase of the development, surface water drainage will be in accordance with the policies/ guidelines of the Greater Dublin Strategic Drainage Study (GDSDS) and also in accordance with the requirements of Dublin City Council. The surface water drainage design will have full regard to

SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the Dublin Bay system is unlikely to occur.

12.4.6. Foul drainage will be through the existing foul drainage system. Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants from the development site impacting on any Natura 2000 sites.

12.4.7. I note in full the submitted AA Screening Report and supporting documentation. I note various measures proposed during the construction and operational phase of the development and I am satisfied that these are standard construction/ operational processes and cannot be considered as mitigation measures. These measures are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed I am satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Dublin Bay, from surface water runoff, can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Dublin Bay (dilution factor).

12.4.8. Consideration of Impacts on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA:

- There is nothing unique or particularly challenging about the proposed urban development, either at construction phase or operational phase.
- There are no surface water features within the site. During the construction phase standard pollution control measures are to be used to prevent sediment or pollutants from leaving the construction site and entering the water system.
- During the operational phase of development, foul water will drain to the public system. The discharge from the proposed development would drain, via the public network, to the Ringsend Wastewater Treatment Plant for treatment and ultimately discharge to Dublin Bay. There is potential for an interrupted and distant hydrological connection between the site and sites in Dublin Bay due to the wastewater pathway. However, the discharge from the site is negligible in the

context of the overall licenced discharge at Ringsend Wastewater Treatment Plant, and thus its impact on the overall discharge would be negligible.

12.5. In-Combination or Cumulative Effects

12.5.1. This project is taking place within the context of greater levels of built development and associated increases in residential density in the Dublin area. This can act in a cumulative manner through increased volumes to the Ringsend Wastewater Treatment Plant (WWTP). The expansion of the city is catered for through land use planning by the various planning authorities in the Dublin area, and specifically in the Dublin 12 area in accordance with the requirements of the Dublin City Development Plan. This has been subject to AA by the Planning Authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 sites. I note also the development is for a residential development in an established urban area, within Crumlin Village, with an appropriate Z1 zoning (for residential uses). As such the proposal will not generate significant demands on the existing public drainage network for foul water and surface water.

12.5.2. Having regard to the scale of development proposed, and likely time for occupation if permitted and constructed, it is considered that the development would result in an insignificant increase in the loading at the Ringsend Wastewater Treatment Plant, which would in any event be subject to Irish Water consent and would only be given where compliance with EPA licencing in respect of the operation of the plant was not breached.

12.5.3. Taking into consideration the average effluent discharge from the proposed development, the impacts arising from the cumulative effect of discharges to the Ringsend WWTP generally, and the considerations discussed above, I am satisfied that there are no projects or plans which can act in combination with this development that could give rise to any significant effect to Natura 2000 Sites within the zone of influence of the proposed development.

12.6. AA Screening Conclusion:

12.6.1. It is reasonable to conclude that on the basis of the information provided on file, which I consider adequate in order to issue a screening

determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on South Dublin Bay SAC (000210), North Dublin Bay SAC (000206), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), or any European site, in view of these sites' Conservation Objectives, and having regard to the nature and scale of the proposed development and the location of the site in an established, serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise. It is therefore not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

12.6.2. In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment (and for the submission of a Natura Impact Statement - NIS).

13.0 Environmental Impact Assessment Screening

13.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

13.2. The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (Prepared by AWN Consulting – Dated June 2022) and I have had regard to same. The report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the site size, number of residential units (150) and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development.

13.3. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as ‘a district within a city or town in which the predominant land use is retail or commercial use’.

13.4. Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: “Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”

13.5. Class 14 relates to works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

13.6. The proposed development is for a residential scheme of 150 apartments, the refurbishment of Glebe House, which is a protected structure, the provision of two pavilion units either side of Glebe House, a creche and a café, and all associated site works and services. The site is located within Crumlin Village, though on residentially zoned lands and is located on a stated site area of 0.88 hectares, located to the south west of St Agnes Road. It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 as amended, in that it is less than 500 units and is below the 10 hectares (that would be the applicable threshold for this site, being outside a business district but within an urban area).

13.7. Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

13.8. The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

13.9. The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and

characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Planning Report and Statement of Consistency – Doyle Kent Planning Partnership Ltd.
- Design Report – Reddy Architecture + Urbanism
- Lifecycle Report - Reddy Architecture + Urbanism
- Heritage Impact Assessment Report - Mullarkey Pedersen Conservation Architects
- Landscape Report - Áit Urbanism and Landscape
- Landscape and Visual Impact Assessment Report - Áit Urbanism and Landscape
- Verified Views - James Horan
- CGI's - Third Eye
- Water Services and Flood Risk Assessment - Cora Consulting Engineers
- Preliminary Construction Management Plan - Cora Consulting Engineers
- Site Specific Flood Risk Assessment - Cora Consulting Engineers
- Transport Impact Assessment - NRB Consulting Engineers
- Daylight & Sunlight & Overshadowing Study - Integrated Environmental Solutions
- Screening Report for Appropriate Assessment - Openfield Ecology Services
- Ecological Impact Assessment Report - Openfield Ecology Services
- Bat Assessment Report – Altemar
- Operational Waste Management Plan - AWN
- Microclimate Assessment (Wind) - AWN
- Noise and Vibration Impact Assessment – AWN
- Archaeological Assessment Report – IAC

13.10. In addition, noting the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the applicant is required to provide to the Board a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account and are listed in the

'Statement in Accordance with Article 299B(1)(B)(li)(II)(C) of the Planning and Development Regulations 2001 – 2021' also prepared by AWN Consulting. The documents are summarised as follows:

Document:	Comment:	Relevant Directives:
Ecological Impact Assessment Report - Openfield Ecology Services		Directive 2001/42/EC, SEA Directive, Directive 92/43/EEC, The Habitats Directive
Appropriate Assessment Screening Report - Openfield Ecology Services		Directive 2001/42/EC, SEA Directive, Directive 92/43/EEC, The Habitats Directive Directive 2000/60/EC, EU Water Framework Directive
Bat Assessment Report – Altemar		Directive 92/43/EEC, The Habitats Directive
Site Specific Flood Risk Assessment - Cora Consulting Engineers		Directive 2001/42/EC, SEA Directive, Floods Directive (Directive 2007/60/EC)
Preliminary Demolition, Construction and Waste Management Plan (PDCWMP) by Cora Consulting Engineers		The Waste Framework Directive (Directive 2008/98/EC), European Union (Waste Directive) Regulations 2011-2020
N/A	A Seveso site was identified in:	Seveso Directive (Directive 82/501/EEC,

	Bluebell Industrial Estate – 2.07 km from the site	Directive 96/82/EC, Directive 2012/18/EU)
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13.11. The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

13.12. I have completed an EIA screening assessment as set out in Appendix A of this report.

13.13. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

13.14. I am overall satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted.

13.15. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

14.0 Recommendation

Section 9(4) of the Act provides that the Board may decide to:

(a) grant permission for the proposed development.

(b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,

(c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or

(d) refuse to grant permission for the proposed development,

and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

In conclusion, I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for residential development, is a serviced site, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a mix of one-bedroom, two-bedroom and three-bedroom apartments which are served by high quality communal and public open space.

I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, cycling and public transport is available to serve the development. The development is generally in accordance with National Guidance and Local Policy (except for height) and is in accordance with the proper planning and sustainable development of the area.

Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied, and that permission is **GRANTED** for the development, for the reasons and considerations and subject to the conditions set out below.

15.0 Reasons and Considerations

Having regard to

(i) the site's location on lands with a zoning objective for Residential development and the policy and objective provisions in the Dublin City Development Plan 2016 - 2022 in respect of residential development,

- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin County Development Plan 2016 - 2022 and appendices contained therein,
- (iii) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,
- (vi) the Architectural Heritage Protection, Guidelines for Planning Authorities, 2011,
- (vii) the availability in the area of a wide range of social and transport infrastructure,
- (viii) to the pattern of existing and permitted development in the area, and
- (ix) Chief Executive's Report and supporting technical reports of Dublin City Council,
- (x) the comments made at the South Central Area Committee meeting,
- (xi) to the submissions and observations received,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 Recommended Draft Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and

particulars, lodged with An Bord Pleanála on the 13th of June 2022 by Seabren Development Limited and Circle VHA CLG.

Proposed Development:

- The provision of 150 no. apartment units comprising 74 one-bed units, 72 no. two-bed units and four three-bedroom units. 75 no. car parking spaces are provided throughout the site and parking for 306 bicycles is also provided throughout the site. Six motorcycle parking spaces are also provided for.
- Vehicular access is from St Agnes Road within Crumlin Village.
- A controlled pedestrian route will provide a link between Crumlin Village/ St Agnes Road and Somerville Drive.
- The application contains a statement setting out how the proposal will be consistent with the objectives of the Dublin City Development Plan 2016 - 2022. It is submitted that the proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2018 (these are superseded by the 2020 Guidelines). A full Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage, and residential amenity areas.
- The proposed development is accompanied with a Material Contravention Statement which sets out justification for the proposed development.
- Section 16.7.2 of the Development Plan identifies building heights for the city and identifies a building height cap of 16 metres for residential development in this location, which is within a 'Low Rise' area. The proposed development includes a section which has a height of circa 20.1 m.
- The heights of the blocks that comprise the proposed development exceed the 16m height referred to in the Development Plan, and therefore it is considered that this materially contravenes the provisions of Policy SC16, Section 4.5.4.1 and Section 16.7.2 of the Dublin City Development Plan.

Decision:

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered:

16.1.1. In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

16.1.2. In coming to its decision, the Board had full regard to the following:

(i) the site's location on lands with a zoning objective for Residential development and the policy and objective provisions in the Dublin City Development Plan 2016 - 2022 in respect of mixed-use development,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin County Development Plan 2016 - 2022 and appendices contained therein,

(iii) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021,

(iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,

(v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,

(vi) the Architectural Heritage Protection, Guidelines for Planning Authorities, 2011,

(vii) the availability in the area of a wide range of social and transport infrastructure,

(viii) to the pattern of existing and permitted development in the area, and

(ix) Chief Executive's Report and supporting technical reports of Dublin City Council,

(x) the comments made at the Dublin City South East Area Committee meeting,

- (xi) to the submissions and observations received,
- (xii) the Inspectors report

Appropriate Assessment (AA):

16.1.3. The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file.

16.1.4. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites.

Environmental Impact Assessment (EIA):

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

16.1.5. Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- The location of the site on lands governed by zoning objective Z1, 'to protect, provide and improve residential amenities', in the Dublin City Development Plan 2016 - 2022, and the results of the strategic environmental assessment of the

Dublin City Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),

- The existing use on the site and pattern of development in surrounding area,
- The planning history relating to the site,
- The availability of mains water and wastewater services to serve the proposed development,
- The location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction and Demolition Management Plan.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

16.1.6. The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

16.1.7. The Board considered that the proposed development is, apart from the building height parameters, broadly compliant with the current Dublin City Council Development Plan 2016 - 2022 and would therefore be in accordance with the proper planning and sustainable development of the area.

16.1.8. The Board considers that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the Development Plan, it would materially contravene the plan with respect to building height limits. The Board considers that, having regard to the provisions of section 37(2) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the Dublin City Development Plan 2016-2022 would be justified for the following reasons and considerations:

- With regard to S.37(2)(b)(i), the proposed development is in accordance with the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and delivers on the Government's policy to increase delivery of housing from its current under-supply as set out in Rebuilding Ireland Action Plan for Housing and Homelessness issued in July 2016.
- With regard to S.37(2)(b)(iii), the proposed development in terms of height is in accordance with national policy as set out in the National Planning Framework, specifically NPO 13 and NPO 35, and is in compliance with the Urban Development and Building Height Guidelines, in particular SPPR3

17.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 150 no. units in the form of 74 no. one bedroom units, 72 no. two bedroom units and four no. three bedroom units.

Reason: In the interests of clarity.

3. The restoration of Glebe House shall be undertaken in accordance with the restoration recommendations outlined in the 'Architectural Heritage Impact Assessment' prepared by Mullarkey Pedersen Architects.

Reason: In order to ensure an appropriate standard of restoration works for this protected structure.

4. Details of the management of the pedestrian route between Somerville Drive and St Agnes Road shall be submitted for the written agreement of the Planning Authority prior to the commencement of development. The minimum opening hours of this route shall be from 7.00 hours (7 am) to 21.00 hours (9 pm), seven

days a week. Any change in the operating hours subsequent to agreement with the Planning Authority shall be subject to a new planning application to the Planning Authority.

Reason: In the interest of clarity and in the interest of promotion of sustainable forms of transport/ access.

5. Details of the materials, colours and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

6. No additional development that is not described in the public notices shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

8. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

10. The road network serving the proposed development, including turning bays, junction with the public road, parking areas, footpaths and kerbs, access road to service areas and the undercroft car park shall be in accordance with the detailed construction standards of the Planning Authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

11. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose.

(b) Two of the car parking spaces shall be reserved solely for the use by a car sharing club. The developer shall notify the Planning Authority of any change in the status of this car sharing club.

(c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

12. A minimum of 10% of all car parking spaces should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development. The car parking spaces for sole use of the car sharing club shall also be provided with functioning EV charging stations/ points.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

13. A total of 306 no. bicycle parking spaces and room for seven no. cargo bicycles shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

14. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health and surface water management

15. The developer shall enter into water and waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

16. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

17. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

18. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

19. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

20. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

Reason: In the interest of amenities, public health and safety.

21. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

22. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the Planning Authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and development Act 2000, as amended, and of the housing strategy in the development plan of the area.

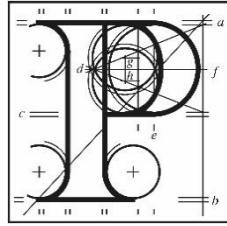
23. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

24. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Paul O'Brien
Planning Inspector
29th September 2022



An
Bord
Pleanála

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-313790-22
Development Summary		The development of 150 apartment units in the form of 74 one-bedroom units, 72 two-bedroom and 4 three-bedroom units, and all associated car parking, open space and necessary infrastructure. Also includes the restoration of Glebe House which is listed on the Record of Protected Structures, the provision of a childcare facility and a café.
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report was submitted with the application
2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA undertaken in respect of the Dublin City Development Plan 2016 - 2022 and the results of the Strategic Environmental Assessment of the plan.

	See also Section 14.10 of the Inspectors Report for details of other relevant assessments.
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B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment ? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	Yes	The development comprises the construction of residential units	No

		<p>on residentially zoned lands.</p> <p>Two blocks which vary from four to six floors are proposed in an area predominantly characterised by two/ three storey units.</p> <p>Also includes the restoration of Glebe House and the provision of two pavilion units flanking Glebe House.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p>The proposed development is located on a brownfield/ infill site within Dublin City.</p>	<p>No.</p>
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Yes</p>	<p>Construction materials will be typical of such an urban development.</p> <p>The loss of natural resources or</p>	<p>No.</p>

		<p>local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate</p>	<p>No.</p>

		<p>potential impacts. No operational impacts in this regard are anticipated.</p>	
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a</p>	<p>No.</p>

		<p>Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be</p>	<p>No.</p>

		<p>separate to foul services within the site. No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential</p>	<p>No.</p>

		operational impacts.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.	No.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk having regard to the nature and scale of development. Any risk arising from	No.

		<p>construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.</p>	
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>Yes</p>	<p>Redevelopment of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, primarily characterised by residential development.</p>	<p>No.</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>No.</p>	<p>No.</p>	<p>No.</p>

2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	<p>No European sites located on the site. An Appropriate Assessment accompanied the application which concluded the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of any designated European sites.</p>	No.
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, overwintering, or migration, be affected by the project?</p>	No	<p>No such species use the site and no impacts on such species are anticipated.</p>	No.
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	Yes	<p>Glebe House is listed on the Record of Protected Structures and it is proposed to restore this unit. The front of the site is located within the Crumlin Village</p>	No.

		Architectural Conservation Area. The development will not adversely impact on either designation.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No.	There are no such features arise in this urban location.	No.
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No.	There are no direct connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding.	No.
2.6 Is the location susceptible to subsidence, landslides or erosion?	No.	Site is located in a built-up urban location where such impacts are not foreseen.	No.
2.7 Are there any key transport routes (e.g. National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No.	The site is served by a local urban road network. There are sustainable transport options	No.

		available to future residents. No significant contribution to traffic congestion is anticipated.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	None adjacent to the subject site.	No.

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No.	No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects. Some cumulative traffic impacts may arise during construction. This would be subject to a construction traffic management plan.	No.
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No.	No trans-boundary effects arise.	No.

3.3 Are there any other relevant considerations?	No.	No.	No.
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C. CONCLUSION

No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required.
Real likelihood of significant effects on the environment.		Refuse to deal with the application pursuant to section 8(3)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended)	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- c) the location of the site on lands governed by zoning objective Z1 ‘To protect, provide and improve residential amenities’ in the Dublin City Development Plan 2016 - 2022,
- d) The existing use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services to serve the proposed development,

- g) The location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- h) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- i) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended, and
- j) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Outline Construction & Demolition Waste Management Plan (CDWMP) and Outline Construction Management Plan (CMP),

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector: _____

Date: ____